

ICANN | GNSO

Generic Names Supporting Organization

Policy Briefing ICANN63 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 @ ICANN63:

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

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Welcome to ICANN63 from the GNSO Chair



Dear Colleagues:

The Generic Names Supporting Organization (GNSO) Council and community welcome you to Barcelona, Spain for the ICANN63 Annual General Meeting (AGM). I invite you to join the GNSO throughout the week as we devote significant time to our ongoing Policy Development Processes (PDPs) and collaborate with other parts of the ICANN community.

One important ongoing area of work for the GNSO is the Expedited Policy Development Process (EPDP) on the Temporary Specification for Generic Top-Level Domain (gTLD) Registration Data. The EPDP is an important contribution to ensuring that the registration directory service (RDS), currently WHOIS, addresses the European Union's General Data Protection Regulation (GDPR). The ICANN Board adopted a Temporary Specification on gTLD Registration Data on 17 May 2018 as an interim measure to bring existing WHOIS obligations in line with GDPR requirements. This has, in turn, triggered the obligation of the GNSO Council to undertake a PDP to determine whether to confirm the Temporary Specification as a Consensus Policy. Relevant Bylaws provisions require that the EPDP be completed within 12 months of the implementation effective date (25 May 2018) of the Temporary Specification.

The launch of the EPDP soon after ICANN62 marked a major milestone for the GNSO and ICANN. The GNSO is made up of diverse interests, each with different perspectives on registration directory services. Coming to agreement on various aspects of the EPDP charter such as team composition, deliverables, and scope of work was a major step, and a clear demonstration of the ability of the GNSO as a member of the Empowered Community to uphold its responsibilities under ICANN's Bylaws. The EPDP is now well underway in its work and has submitted its first deliverable to the GNSO Council, a triage report. In Barcelona, the EPDP Team will share its progress with the community, with a view to publishing an Initial Report for public comment shortly after ICANN63. Those following the EPDP's work may find it helpful to attend the High Interest Topic session "EPDP on the Temporary Specification for gTLD Registration Data - Review of Draft Report & Recommendations" scheduled for Monday, 22 October from 15:15-16:45 (CEST).

Because of the unique time pressures and requirements associated with this project, the EPDP has also served as an opportunity for the GNSO community to test some of the recommendations arising from PDP 3.0, a GNSO Council initiative to introduce incremental improvements aimed at increasing the efficiency and effectiveness of the PDP. A Project Cost Support Team has been convened to provide cost information and analysis, as well as support forecasting to ensure that there is accountability and transparency for any expenditures associated with the EPDP.

Other GNSO working groups (WGs) will hold working sessions to make progress on policy development efforts. Following publication of its Initial Report for public comment, the New gTLD Subsequent Procedures PDP WG will be reviewing the public comments received and its draft Supplemental Initial Report. The Review of All Rights Protection Mechanisms (RPMs) in All gTLDs PDP WG will hold four sessions in Barcelona as it wraps up review of the Uniform Rapid Suspension (URS) procedure and begins analysis of results from several surveys on the Sunrise & Trademark Claims.

Three other ongoing PDPs are in the process of winding up their work: 1) the Next-Generation gTLD Registration Directory Services to Replace WHOIS PDP WG, 2) the International Governmental Organization and International Non-Governmental Organization (IGO-INGO) Access to Curative Rights Protection Mechanisms PDP WG, and 3) the reconvened PDP WG to consider a possible modification to prior GNSO policy recommendations concerning the protection of Red Cross National Society names.

Another session that may be of interest to the GNSO community is the meeting of the Cross-Community Working Group (CCWG) on New gTLD Auction Proceeds. The CCWG plans to present its Initial Report and recommendations. Also look out for the High Interest Topic session “Innovation in Top-Level Domains” and the Cross-Community session on the GDPR, which will be moderated by former ICANN Board member Bruce Tonkin.

The GNSO Council will be together in Barcelona on three days: 1) Sunday, 21 October for an all-day working session, 2) Wednesday, 24 October for its monthly Council meeting, and 3) Thursday, 25 October for a wrap-up of the week’s achievements and action items. In the week’s schedule you will also find GNSO meetings with the ICANN Board, the Governmental Advisory Committee (GAC), and the Country Code Names Supporting Organization (ccNSO).

The AGM marks a time of transition for the GNSO Council, concluding with seating the newly appointed Council members, as well as election of a new GNSO Chair and Council Vice Chairs. The current Council leadership team sees the AGM as an opportunity to wrap up key initiatives commenced at the Council’s inaugural Strategic Planning Session held back in January 2018, to clear the slate for a new leadership team to champion new initiatives. The Strategic Planning Session provided an opportunity to think critically about “big picture” issues not typically on the agenda of a monthly Council meeting. One output of that session, the PDP 3.0 initiative, has identified opportunities for incremental changes to increase the

efficiency and effectiveness of the PDP. In Barcelona, the GNSO Council will consider which recommendations stemming from this effort should be implemented. All are welcome to attend an update on these recommendations and next steps, taking place on Sunday morning during the Council working session.

For GNSO Council Vice-Chair Donna Austin and me, this AGM marks the end of our three years of service on the GNSO leadership team. I am proud of the work we have done together with the GNSO Council in my year as Chair and two prior years as Vice-Chair. I would like to extend a special thanks to Donna for the tremendous contribution she has made during her three consecutive terms as Council Vice-Chair. This year, Donna, GNSO Council Vice-Chair Rafik Dammak, and I have continued to strengthen collaboration and workload sharing across the leadership team, seizing opportunities to critically reflect upon the role of Council leadership in supporting the PDP as effectively and collaboratively as possible.

Join us as we bring an extremely productive year in the GNSO and GNSO Council to a close and pass the torch to the next GNSO Council and Council leadership team. I look forward to seeing you in the GNSO Council meeting in Barcelona, at a PDP working session, or in the hallways.

Heather Forrest
GNSO Chair

ICANN63 at a Glance

ICANN63 is the Annual General Meeting (AGM) of 2018. The final meeting of the year, the AGM features a full seven days of activity showcasing the ICANN community's work to a broader global audience. The AGM also includes days dedicated to Supporting Organization (SO) and Advisory Committee (AC) work, Cross-Community sessions and High Interest Topics, as well as the Public Forum. The GNSO Council's public meeting will take place on Wednesday, 24 October.

The GNSO Policy Support Team has developed this briefing document to help community members prepare for ICANN63. It provides an overview of the status of GNSO Policy Development Process (PDP) Working Groups (WGs) and information about other GNSO policy-related activities, including GNSO co-chartered Cross-Community Working Groups (CCWGs) and PDP Implementation Review Teams (IRTs). The document includes links for additional background reading that will help you prepare for sessions in Barcelona 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 **Introduction to 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.

ICANN63 MEETING INFORMATION

- Meeting page: <https://meetings.icann.org/en/barcelona63>
- Schedule: <https://schedule.icann.org/>
- Register for ICANN63: <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 ICANN63: <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. Safe travels to those traveling to Barcelona and we look forward to a productive meeting.

Expedited Policy Development Process: Temporary Specification for gTLD Registration Data

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Expedited Policy Development Process (EPDP) Team will organize four meetings at ICANN63: 1) Saturday, 20 October from 08:30-18:30 (CEST); 2) Sunday, 21 October from 17:00-18:30 (CEST); 3) Wednesday, 24 October from 17:00-18:30 (CEST); and 4) Thursday, 25 October from 08:30-10:15 (CEST). Additionally, on Monday, 22 October, there is an EPDP High Interest Topic session from 15:15-16:45 (CEST). The EPDP Team plans to provide an update on its Initial Report and preview proposed recommendations with the ICANN community. The Initial Report is expected to be published after ICANN63.

WHAT IS THIS ABOUT?

On 17 May 2018, the ICANN Board approved the Temporary Specification for gTLD Registration Data. The Board took this action to establish temporary requirements for how ICANN and its contracted parties would continue to comply with existing ICANN contractual requirements and community-developed policies relate to WHOIS, while also complying with the European Union’s General Data Protection Regulation (GDPR). The Temporary Specification has been adopted under the procedure for Temporary Policies outlined in the Registry Agreement (RA) and Registrar Accreditation Agreement (RAA). Following adoption of the Temporary Specification, the Board “shall immediately implement the Consensus Policy development process set forth in ICANN’s Bylaws”. This Consensus Policy development process on the Temporary Specification would need to be carried out within a one-year period. At its meeting on 19 July 2018, the Generic Names Supporting Organization (GNSO) Council initiated an EPDP on the Temporary Specification for gTLD Registration Data and adopted the EPDP Team Charter.

The EPDP Team consists of appointed representatives from GNSO Stakeholder Groups. In addition, the At-Large Advisory Committee (ALAC), the Governmental Advisory Committee (GAC), and the Security and Stability Advisory Committee (SSAC) have appointed members. The Country Code Names Supporting Organization (ccNSO) and the Root Server System Advisory Committee (RSSAC) decided not to take part. Furthermore, the ICANN Board and ICANN organization have appointed liaisons to the EPDP Team. See membership details [here](#). The GNSO Council appointed Kurt Pritz as the Chair of the EPDP Team.

WHAT IS THE SCOPE OF THE EFFORTS?

The EPDP scope includes confirming, or not, the Temporary Specification by 25 May 2019 (the expiration date of the Temporary Specification). Additionally, the scope includes discussion of a standardized access model to nonpublic registration data. However, the discussion of a standardized access model will occur only after the EPDP Team has comprehensively answered a series of “gating questions”, which have been specified in the EPDP Team’s Charter.

WHY IS THIS IMPORTANT?

The Temporary Specification will expire on 25 May 2019. The EPDP Team has been tasked with working on issues and questions that the ICANN community has been unable to resolve in over ten years, under an aggressive timeline. If the EPDP Team does not complete its goal of confirming (or not) the Temporary Specification, it remains unclear what the consequence would be.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

Following the completion of its work on the **Triage Report**, the EPDP Team has now shifted its focus to the substance of the Temporary Specification. Inspired by the triage effort, the EPDP Team has categorized the issues as follows:

1. Sections affected by European Data Protection Board (EDPB) Advice
2. Sections where the EPDP Team indicated amendment to the Temporary Specification is desirable
 - a. Sections requiring changes to bring the specification into compliance with GDPR
 - b. Sections requiring less attention as issues are not expected to impact the Temporary Specification’s compliance with GDPR
3. Sections related to existing policies/procedures, such as transfers, Dispute Resolution Procedures (DRPs) (little/no change)
4. Background, rationale, justification, administration

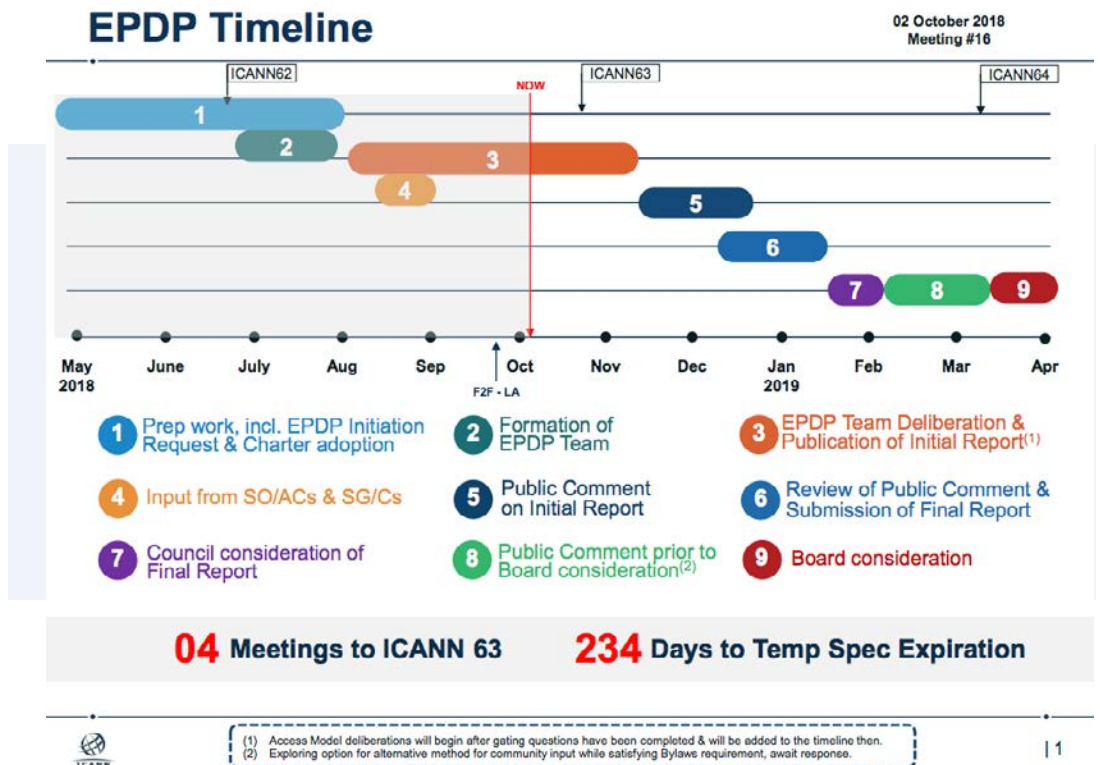
Items in category 1 and 2a must be addressed. Items in category 2b should be addressed, if time allows, but will be deferred if either no agreement is reached or more time is needed to address these issues. Items in category 3 are expected to be addressed fairly easily while items in category 4 may need to be updated following finalization of the other items but are not expected to rise to the level of policy recommendations.

To facilitate the EPDP Team deliberations on the different sections, **Discussion Summary Indexes (DSIs)** are created for each section. The DSIs provide an overview of all relevant information related to that section (triage input, EDPB advice, early input) as well as identify the related EPDP Team charter questions.

The EPDP Team is currently deliberating on items in category 1 and 2a.

WHAT ARE THE EXPECTED NEXT STEPS?

Under the EPDP Team’s project plan, the EPDP Team plans to publish its Initial Report shortly after ICANN63 to meet the timeline set out below.



HOW CAN I GET INVOLVED?

One 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 also be published on the [EPDP Workspace](#).

While participation on EPDP Team conference calls is restricted to appointed members and liaisons only, non-members are able to listen in real-time via an audio cast and observe with Adobe Connect. The audio cast will begin streaming a few minutes before the start of each conference call:

- Listen in via a web browser: <http://stream.icann.org:8000/stream01>
- Listen in via an application (such as iTunes):
<http://stream.icann.org:8000/stream01.m3u>
- Observe via Adobe Connect:
<https://participate.icann.org/gnso-epdp-observers>

MORE INFORMATION

- EPDP Webpage: <https://go.icann.org/2O8UTP6>
- EPDP Workspace: <https://go.icann.org/2LKujuF>
- EPDP Charter: <https://go.icann.org/2MsBAAx>
- EPDP Project Workplan: <https://go.icann.org/2nVanHD>
- EPDP Project Timeline: <https://go.icann.org/2wyqLDO>

Staff Responsible: Marika Konings, Caitlin Tubergen, Berry Cobb (consultant)

Policy Development Process: Next-Generation Registration Directory Service to Replace WHOIS

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Policy Development Process (PDP) Working Group (WG) does not have any scheduled face-to-face meetings at ICANN63. The WG Leadership indefinitely suspended the WG's meetings in light of the activities with respect to General Data Protection Regulation (GDPR) compliance. On the recommendation of the WG Leadership, the GNSO Council will consider during its meeting at ICANN63 whether to terminate the PDP in light of the ICANN Board's recent adoption of a Temporary Specification for Generic Top-Level Domain (gTLD) Registration Data and the subsequent initiation of an Expedited Policy Development Process (EPDP) on this topic.

WHAT IS THIS ABOUT?

In April 2015, the ICANN Board requested this Generic Names Supporting Organization (GNSO) PDP on the Next-Generation Registration Directory Service (RDS) to Replace WHOIS. The goal of the PDP is to “define the purpose of collecting, maintaining, and providing access to generic top-level domain (gTLD) registration data, and consider safeguards for protecting data.” The Board also asked the GNSO to “...[use] the recommendations in the **Expert Working Group (EWG) Final Report** as an input to, and, if appropriate, as the foundation for a new gTLD policy.”

At the end of January 2016, the PDP WG commenced its deliberations, attempting to answer questions posed in the PDP Final Issue Report and charter. During Phase 1 of this PDP, the WG has been tasked with providing the GNSO Council with recommendations on the following two questions: (1) What are the fundamental requirements for gTLD registration data? (2) Are a new policy framework and next-generation (next-gen) registration directory services needed to address these requirements?

WHY IS THIS IMPORTANT?

Comprehensive WHOIS policy reform remains one of the most pertinent and critical issues within ICANN. Any discussion of the ‘WHOIS’ system for gTLD domain name registration data – hereafter called gTLD registration directory services – involves various topics. These include purpose, accuracy, availability, privacy, data protection, cost, policing, intellectual property protection, security, and malicious use and abuse. ICANN's requirements for gTLD domain name registration data collection,

maintenance, and provision have undergone some important changes. Nevertheless, after more than 15 years of GNSO task forces, working groups, workshops, surveys, and studies, the policy is still in need of comprehensive reforms that address the many contentious issues attached to it.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

Following ICANN61, the RDS PDP Leadership decided to suspend WG meetings indefinitely, including face-to-face meetings at ICANN62. This decision was made in light of the uncertain status of GDPR-related work, noting it would ultimately be up to the GNSO Council to determine the status of the RDS PDP going forward. The GNSO Council will consider the next steps for this PDP in light of the ICANN Board's recent **adoption** of the **Temporary Specification for gTLD Registration Data**, as well as the initiation of an EPDP on this topic .

HOW DOES THE TEMPORARY SPECIFICATION FOR GTLD REGISTRATION DATA AFFECT THIS PDP? WHAT ARE THE EXPECTED NEXT STEPS?

On 17 May 2018, the ICANN Board approved the proposed Temporary Specification for gTLD Registration Data. On the recommendation of the WG Leadership, the GNSO Council will consider during its meeting at ICANN63 whether to terminate the PDP in light of the ICANN Board's recent adoption of a Temporary Specification for gTLD Registration Data and the subsequent initiation of an EPDP on this topic.

MORE INFORMATION

- PDP Webpage: <http://gns0.icann.org/en/group-activities/active/rds>
- WG Workspace: <https://community.icann.org/x/rjJ-Ag>
- WG Work Plan: <https://community.icann.org/x/olxlAw>
- WG Charter: <https://gns0.icann.org/en/drafts/whois-ng-gtld-rds-charter-07oct15-en.pdf>
- Final Issue Report: <https://go.icann.org/2En83UJ>
- Board-GNSO Process Framework for this PDP: <https://go.icann.org/2EG1V9s>

BACKGROUND

Pursuant to its Resolution on 8 November 2012, the ICANN Board directed the ICANN President and CEO to launch a new effort to redefine the purpose of collecting, maintaining, and providing access to gTLD registration data, and consider safeguards for protecting data. This effort would serve as a foundation for new gTLD policy

and contractual negotiations. Moreover, as part of a Board-initiated GNSO PDP, the Board directed the preparation of an Issue Report on the purpose of collecting and maintaining gTLD registration data, and on solutions to improve accuracy and access to gTLD registration data. The Board then went on to pass a resolution that led to the creation of the **EWG**. The Board referred to this as a “two-pronged approach” that is based on “broad and responsive action” in relation to the reform of gTLD Registration Data.

The ICANN Board approved a Process Framework to enable effective consideration of the many significant and interdependent policy areas that the GNSO must address. GNSO Councilors and Board members collaboratively developed this Process Framework to structure this complex and challenging PDP for success. This phased process includes:

- Phase 1: Establishing requirements to determine if and why a next-generation RDS is needed to replace today’s WHOIS system.
- Phase 2: If so, designing a new policy framework that details functions that must be provided by a next-generation RDS to support those requirements.
- Phase 3: Providing guidance for how a next-generation RDS should implement those policies, coexisting with and eventually replacing the legacy WHOIS system.

Throughout this three-phase process, the many interrelated questions that must (at minimum) be addressed by the PDP include:

- Users/Purposes: Who should have access to gTLD registration data and why (i.e., for what purposes)?
- Gated Access: What steps should be taken to control data access for each user/purpose?
- Data Accuracy: What steps should be taken to improve data accuracy?
- Data Elements: What data should be collected, stored, and disclosed?
- Privacy: What steps are needed to protect data and privacy?
- Coexistence: What steps should be taken to enable next-generation RDS coexistence with and replacement of the legacy WHOIS system?
- Compliance: What steps are needed to enforce these policies?
- System Model: What system requirements must be satisfied by any next-generation RDS implementation?
- Cost: What costs will be incurred and how must they be covered?
- Benefits: What benefits will be achieved and how will they be measured?
- Risks: What risks do stakeholders face and how will they be reconciled?

Staff Responsible: Marika Konings, Caitlin Tubergen

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

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Policy Development Process (PDP) Working Group (WG) is set to meet on Saturday, 20 October 2018, from 09:00-18:30 (CEST). From 09:00-13:15 that day, the PDP WG will discuss Work Track 5 (WT5), dedicated to the topic of geographic names at the top-level. WT5 expects to provide updates and seek feedback on preliminary recommendations/outcomes that it may include in its Initial Report, as well as discuss key open issues. From 13:30-18:30 that day, the full PDP WG will discuss a supplemental Initial Report which reviews topics additional to those found in its Initial Report already published for public comment. The full WG will also kickoff sub groups that will be tasked with reviewing public comment received on its Initial Report.

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; and,
- Supplementing or developing new implementation guidance.

It should be noted that the existing policy recommendations adopted by the Generic Names Supporting Organization (GNSO) Council and ICANN Board have “been designed to produce a systemized and ongoing mechanism for applicants to propose new top-level domains.” Essentially, this means that these recommendations will remain in place unless the PDP WG 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 subsequent procedures of new gTLD launches. The **Final Issue Report** and the PDP WG **charter** identified a number of subjects that require analysis and potential policy development.

WHAT IS THE CURRENT STATUS OF THE PROJECT?

The PDP WG started its work on 22 February 2016 and began deliberations on a set of six overarching or foundational subjects. It established four WTs to address the remaining subjects identified in the WG's charter. After completing preliminary discussions on their respective topics and considering input received through public consultations (e.g., face-to-face meetings, public comment), the WG and the WTs developed preliminary recommendations/outcomes, as well as identified areas where they are specifically seeking community input. On 3 July 2018, the PDP WG published its **Initial Report** for **public comment**, receiving a number of comments by the 26 September 2018 deadline.

The PDP's WT5 is devoted solely to the issue of geographic names at the top-level. WT5 has a shared leadership model amongst the At-Large Advisory Committee (ALAC), the Country Code Names Supporting Organization (ccNSO), the Governmental Advisory Committee (GAC), and the GNSO. WT5 has focused on reviewing the existing geographic terms and their respective rules in the 2012 Applicant Guidebook (AGB), considering whether they require modification. It is also considering geographic terms that were not identified in the AGB and if applicable, what the corresponding treatment should be.

WHAT ARE THE EXPECTED NEXT STEPS?

The PDP WG will spend time reviewing public comment received to its Initial Report and determine what resulting changes may be needed. To accomplish this task, the PDP WG is convening three sub groups to compile, review, and tabulate the public comments for further analysis by the full PDP WG, which will be tasked with formulating final recommendations for inclusion in its Final Report. The PDP WG will also need to review public comment received to its supplemental Initial Report, once that public comment period closes.

WT5 will seek to incorporate feedback received at ICANN63, complete preliminary discussions, and publish its own Initial Report shortly after ICANN63. Similar to the full WG's Initial Report, it may contain preliminary recommendations, options, and questions for community feedback.

HOW CAN I GET INVOLVED?

This PDP WG is open to all participants. If you are interested in joining the WG effort, please email gns0-secs@icann.org. As the WG 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

- WG Initial Report: <https://go.icann.org/2Q2pnjd>
- PDP Webpage: <http://gns0.icann.org/en/group-activities/active/new-gtld-subsequent-procedures>
- WG Workspace: <https://community.icann.org/x/RgV1Aw>
- WG 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, if necessary, for changes to subsequent rounds. A **discussion group** was created to begin the evaluation process and possibly 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 comment on its Preliminary Issue Report, staff prepared and delivered the Final Issue Report. Subsequently, the GNSO Council initiated the PDP and adopted the WG charter.

Staff Responsible: Steve Chan, Emily Barabas, Julie Hedlund

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

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Policy Development Process (PDP) Working Group (WG) will be holding four open meetings on Sunday, 21 October 2018 (two 90-minute sessions) and Monday, 22 October 2018 (one 60-minute session and one 90-minute session). Please check the ICANN63 meeting schedule for actual times and meeting locations. All community members are welcome to attend all the WG's open sessions. The WG will be continuing its review of the Rights Protection Mechanisms (RPMs) covered by Phase One of this two-phased PDP.

WHAT IS THIS PDP ABOUT?

This PDP is being conducted in two phases. Phase one covers all the RPMs applicable to generic top-level domains (gTLDs) launched under the 2012 New gTLD Program. These RPMs include, the Trademark Post-Delegation Dispute Resolution Procedure (TM-PDDRP), the Trademark Clearinghouse (TMCH), the Sunrise and Trademark Claims services that are offered through the TMCH, and the Uniform Rapid Suspension (URS) dispute resolution procedure. Phase two will focus on reviewing the Uniform Dispute Resolution Policy (UDRP), which has been an ICANN Consensus Policy since 1999. The WG is currently in phase one and hopes to complete this stage of work by mid-2019.

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 a further expansion of the gTLD space. The 2012 New gTLD Program RPMs are new 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 WG 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 outcomes of this PDP are 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 WG in March 2016. The WG began its phase one work with reviewing the TM-PDDRP, which was completed in late 2016. The WG has also largely completed an initial review of the structure and scope of the TMCH.

The WG recently launched an extensive data collection exercise, involving professionally-designed surveys of targeted respondent groups, to obtain quantitative and anecdotal evidence that can assist with its review of the Sunrise and Trademark Claims services that are offered through the TMCH. The ICANN organization commissioned Analysis Group, Inc., an external consulting firm, to develop and administer the surveys in collaboration with the WG. The surveys were **launched** on 6 September and widely distributed inside and outside of the ICANN community. Analysis Group is expected to present initial survey findings at ICANN63. Read the **Inception Report** to learn more about the survey effort.

While this data gathering effort is ongoing, the WG has continued with its review of the URS dispute resolution procedure. Based on feedback provided by URS providers and experienced URS practitioners, as well as analysis of URS cases, three sub teams proposed **operational fixes and policy recommendations** to enhance the URS mechanism. The WG completed initial deliberations on all sub team proposals in September 2018. Individual WG members also submitted **thirty-three proposals** for WG discussion.

WHAT ARE THE EXPECTED NEXT STEPS?

The WG is aiming to complete the initial URS review around the ICANN63 timeframe. Following its review of the Sunrise and Trademark Claims survey results, it will begin to develop potential recommendations for Sunrise, Trademark Claims, and the TMCH in general and finalize its preliminary recommendations for all the phase one RPMs.

The WG is aiming to publish a Preliminary Report on its phase one recommendations for public comment by end-March 2019. In this regard, the WG will continue to coordinate its timelines and work with other related efforts, such as the New gTLD Subsequent Procedures PDP, and the Competition, Consumer Choice, and Consumer Trust Review.

HOW CAN I GET INVOLVED?

The WG 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 WG meetings) or as an Observer (with read-only status for the mailing list). Please email the GNSO Secretariat at gnso-secs@icann.org if you wish to join the group.

As the WG has operated for a substantial amount of time and 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

- PDP Webpage: <http://gnso.icann.org/en/group-activities/active/rpm>
- WG Workspace: <https://community.icann.org/x/wCWAaw>
- WG 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 org 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, Berry Cobb (consultant)

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

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Policy Development Process (PDP) Working Group (WG) has completed and delivered its Final Report to the Generic Names Supporting Organization (GNSO) Council and will not be holding any meetings at ICANN63. However, the GNSO Council may have the opportunity to consider the WG's Final Report at ICANN63.

WHAT IS THIS ABOUT?

This 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.

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 the topic as to whether existing domain name dispute resolution procedures provided adequate protection for IGO and INGO names and acronyms. The GNSO Council subsequently tasked this WG to consider: (1) whether the UDRP and URS should be amended to resolve the problems faced by IGOs and/or INGOs and if so, in what way; or (2) if a separate, narrowly tailored dispute resolution procedure should be developed to apply only to IGOs and/or INGOs.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

Community feedback was received during the public comment period on all of the WG's preliminary recommendations. The WG reviewed all public comments received, including input from the Governmental Advisory Committee (GAC), a number of IGOs, and the broader ICANN community. As a result, the WG has modified some of its

preliminary recommendations, which are reflected in the WG’s final recommendations. The WG’s final recommendations are that limited non-substantive changes can be made to both the UDRP and URS and no specific new process be developed for IGOs. The WG has also clarified the basis upon which an IGO may demonstrate standing to file a complaint under the UDRP and URS, as well as the availability of procedural options for IGOs to utilize the UDRP or URS without affecting any jurisdictional immunity that they may be able to claim. With regards to the situation where a losing registrant files a judicial proceeding against an IGO, and in which the IGO successfully claims and asserts jurisdictional immunity in that court, the WG recommends that the decision in the UDRP or URS in favor of the IGO be invalidated.

WHAT ARE THE EXPECTED NEXT STEPS?

The next step is for the GNSO Council to consider the WG’s Final Report, possibly during ICANN63.

HOW CAN I GET INVOLVED?

The WG has concluded its Final Report and submitted it to the GNSO Council for consideration. At this stage, the WG is no longer meeting.

MORE INFORMATION

- WG Initial Report containing the preliminary recommendations:
<https://go.icann.org/2o1UbEZ>
- Public comment of the WG Initial Report: <https://go.icann.org/2C0tY2u>
- WG Final Report:
<https://gns0.icann.org/en/issues/igo-ingo-crp-access-final-17jul18-en.pdf>
- PDP Webpage:
<http://gns0.icann.org/en/group-activities/active/igo-ingo-crp-access>
- WG Workspace: <https://community.icann.org/x/37rhAg>
- WG 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 and/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 WG continues to take into account in its deliberations.

Staff Responsible: Mary Wong, Steve Chan

Policy Amendment Process: Protections for Certain Red Cross Names in All Generic Top-Level Domains

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Policy Development Process (PDP) Working Group (WG) will not be meeting at ICANN63. The Generic Names Supporting Organization (GNSO) Council adopted its recommendations at the Council's September 2018 meeting.

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 PDP was completed in November 2013. Although the GNSO Council accepted all the PDP WG 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 an ongoing process to attempt 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 WG. The WG developed a finite, limited list of specific names of 191 Red Cross 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, the International Olympic Committee (IOC), and other IGOs and INGOs. All these organizations perform important public interest or humanitarian work. Cybersquatting and related abuse of domain names 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, IOC, IGO, and INGO identifiers be reserved. For the Red Cross, 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 and IGOs – i.e., Red Cross National Society names, the names and acronyms of the International Red Cross 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?

The WG completed its **Final Report** after reviewing the comments from the public comment forum. The report was then submitted to the GNSO Council for its consideration at its August 2018 meeting. The motion was deferred by GNSO’s Non-Commercial Stakeholder Group (NCSG). The WG Chair joined a NCSG session on 12 September to further explain the WG’s full consensus recommendations. The GNSO Council later adopted the WG’s recommendations at its 27 September 2018 meeting.

WHAT ARE THE EXPECTED NEXT STEPS?

The Final Report will have another round of public comment before the GNSO submits it to the ICANN Board for its consideration. The Board is expected to act in accordance with the ICANN Bylaws on the final results of this reconciliation process.

MORE INFORMATION

- PDP Webpage: <https://gnso.icann.org/en/group-activities/active/igo-ingo>
- WG 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>

Staff Responsible: Mary Wong, Berry Cobb (consultant)

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

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Implementation Review Team (IRT) does not plan to meet at ICANN63.

WHAT IS THIS ABOUT?

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

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/Red Crescent Movement (RCRC), and the International Olympic Committee (IOC).

The PDP Working Group (WG) 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-days 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 (WG) 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 cyber-squatting 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 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 (ICANN org).

WHAT ARE THE EXPECTED NEXT STEPS?

In coordination with the IRT, the Global Domains Division (GDD) is working with the affected parties to implement the policy that require protection by claims notification.

HOW CAN I GET INVOLVED?

If you wish to join the IRT, please contact the GNSO Secretariat at gns0-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&INGO Identifier in All gTLDs:
<https://www.icann.org/public-comments/igo-ingo-protection-2017-05-17-en>
- DP Webpage: <http://gnso.icann.org/en/group-activities/active/igo-ingo>
- IRT Workspace: <https://community.icann.org/x/RJFCaw>

Staff Responsible: Dennis Chang (GDD)

Implementation Status: Thick WHOIS Policy Recommendations

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Implementation Review Team (IRT) does not plan to meet at ICANN63.

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. The two models are often characterized as “thin” and “thick” WHOIS registries. This distinction is based on how 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 in turn publishes that information along with maintaining 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 in turn 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 WG finalized its report and submitted it to the GNSO Council on 21 October 2013. The GNSO PDP WG recommends all gTLD registries to provide Thick WHOIS services with a consistent labeling and display (CL&D). It would improve 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 notification of the Governmental Advisory Committee (GAC), the ICANN Board considered the recommendations and **adopted** these 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, the ICANN Board passed a **resolution** to defer contractual compliance enforcement for six months. ICANN Contractual Compliance will defer enforcing the following milestones until the dates listed below:

- 30 November 2018: The registry operator must begin accepting Thick WHOIS data from registrars for existing registrations in .COM, .NET and .JOBS.
- By 30 April 2019: All registrars must send Thick WHOIS data to the registry operator for all new registrations in .COM, .NET and .JOBS.
- By 31 January 2020: All registrars are required to complete the transition to Thick WHOIS data for all registrations in .COM, .NET and .JOBS.

MORE INFORMATION

- PDP Webpage: <http://gnso.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-gnso-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)

Implementation Status: Privacy and Proxy Services Accreditation Issues Policy Recommendations

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Implementation Review Team (IRT) is in the final stages of reviewing the draft Accreditation Agreement and related materials. It is expected that these materials will be posted for public comment once they are finalized.

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 organization is implementing a new Privacy and Proxy Service Provider Accreditation Program, pursuant to policy recommendations that were developed by the Generic Names Supporting Organization (GNSO) Privacy and Proxy Services Accreditation Issues Policy Development Process (PDP) Working Group (WG), adopted by the GNSO Council in January 2016, and adopted by the ICANN Board in August 2016.

WHY IS THIS IMPORTANT?

The 2013 RAA contains a temporary specification that governs registrars' obligations in respect of privacy and proxy services. This specification will expire on 1 July 2019 or when ICANN implements a privacy and proxy accreditation program, whichever first occurs.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

An IRT of more than 40 community members has been formed under the direction of ICANN's Global Domains Division (GDD). The IRT commenced its meetings in October 2016. As of September 2018, the IRT is currently reviewing the draft Accreditation Agreement and other program materials in preparation for the public comment phase.

WHAT ARE THE EXPECTED NEXT STEPS?

The draft Accreditation Agreement and related materials will be posted for public comment once these materials are finalized.

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

HOW CAN I GET INVOLVED?

Broad community input is encouraged during the public comment phase, which will be found here: <https://www.icann.org/public-comments>.

MORE INFORMATION

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

Staff Responsible: Amy Bivins (GDD)

Implementation Status: Translation and Transliteration of Contact Information Recommendations

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Implementation Review Team (IRT) does not plan to meet at ICANN63 as it is awaiting the implementation of the Registration Data Access Protocol (RDAP), which is necessary to implement the Translation and Transliteration of Contact Information (T/T) Policy Development Process (PDP) Working Group (WG)'s recommendations.

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 GNSO T/T PDP WG was formed to provide an answer to this question. The WG 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 WG did not recommend mandating the translation or transliteration of contact information data. Instead, the WG recommended that registrants submit contact data in any language and script supported by their registrar, ideally the registrant's native one. The WG 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 and/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 WG in September 2015.

In late September 2017, the ICANN organization prepared a **draft 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. The IRT is currently reviewing the document and will discuss it during its next teleconferences.

The implementation's projected effective date is to be determined. There are a number of technical, logistical, and coordination issues that need to be considered before deciding on a policy effective date. The most important issue is the implementation of RDAP, which is a requirement to implement the T/T PDP WG's recommendations.

HOW CAN I GET INVOLVED?

The IRT is composed of members of the T/T PDP WG. 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. 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

- PDP WG Final Report: <https://go.icann.org/2GcQCCP>
- ICANN Board resolution adopting the recommendations contained in the PDP WG 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)

Implementation Status: Generic Names Supporting Organization Review Working Group

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Generic Names Supporting Organization (GNSO) Council approved the GNSO Review Working Group (WG)'s Implementation Final Report in August 2018 and the ICANN Board's Organizational Effectiveness Committee (OEC) is expected to meet to consider approval of the Final Report prior to ICANN63.

WHAT IS THIS ABOUT?

The GNSO Council adopted the **charter** of the GNSO Review WG during its meeting on 21 July 2016. This WG developed an **Implementation Plan** for the **GNSO Review recommendations**. On 15 December 2016, the GNSO Council **approved** the plan and on 3 February 2017, the ICANN Board **adopted** it.

WHY IS THIS IMPORTANT?

The independent examiner of the GNSO Review assessed which improvements resulting from the 2008 Review have been implemented and whether they successfully addressed the concerns that led to the review. The independent examiner also evaluated whether the GNSO, as it is currently constituted, can respond to its changing environment.

WHAT IS THE CURRENT STATUS OF THE PROJECT?

The GNSO Review WG developed an Implementation Plan. It contains a projected timeline for the implementation, definition of desired outcomes, and a way to measure progress toward the desired outcome for the 34 recommendations in the **GNSO Review Final Report**. This Implementation Plan was approved by the GNSO Council and subsequently by the ICANN Board. Following the approval, the WG has executed and overseen the implementation of the GNSO Review recommendations. At ICANN62, the WG provided a report on the implementation progress to the OEC of the ICANN Board of Directors and to the GNSO Council.

WHAT ARE THE EXPECTED NEXT STEPS?

In July 2018 the WG submitted to the GNSO Council its **Final Implementation Report**, which the Council subsequently approved via a **motion** on 16 August 2018. On behalf of the Council, staff submitted the Final Implementation Report to the OEC of the ICANN Board for consideration. Upon approval by the OEC the GNSO Review will be completed.

HOW CAN I GET INVOLVED?

As the WG has submitted its Final Implementation Report, unless it receives further direction from the OEC it is anticipated that the WG will cease its work.

MORE INFORMATION

- GNSO Review Final Implementation Report: <https://go.icann.org/2IdOdtA>
- GNSO Review Implementation Plan: <https://go.icann.org/2F3it9a>
- GNSO Review Final Report: <https://go.icann.org/2H9ljKp>
- WG Webpage: <https://gnso.icann.org/en/group-activities/other/review/2014>
- WG Workspace: <https://community.icann.org/x/ZhmsAw>
- WG Charter: <https://community.icann.org/x/pRmsAw>

BACKGROUND

On 14 April 2016, the GNSO Council approved a **motion** to adopt the **GNSO Review Recommendations Feasibility and Prioritization Analysis**. Based on the review of the GNSO Analysis, the ICANN Board of Directors **adopted** the **GNSO Review recommendations** on 25 June 2016. In its resolution, the ICANN Board requested that the GNSO Council convene a group to oversee the implementation of the recommendations. The Board further requested that an Implementation Plan be submitted to the Board no later than six months after the adoption of the Board's resolution. The GNSO Review WG was formed to develop the Implementation Plan. The GNSO Council approved it in December 2016 and the ICANN Board adopted it in February 2017. In particular, the Board supported the three-phased prioritization approach laid out in the Implementation Plan and indicated it would welcome more implementation details for Phase 2 and 3 regarding the high, medium, and low priority recommendations. The Board directed the GNSO Review WG to provide updates to its OEC every six months, detailing progress and measurability. The Board will also consider any budgetary implementations of the GNSO review implementation as part of the then-applicable annual budgeting process.

Staff Responsible: Julie Hedlund, Emily Barabas, Marika Konings

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

WHAT CAN I EXPECT AT ICANN63 IN RELATION TO THIS TOPIC?

The Cross-Community Working Group (CCWG) will be presenting its Initial Report and recommendations to the community during its session on Monday, 22 October from 13:30-15:00 (CEST).

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 LLC, 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 to be considered as an exceptional, one-time source of revenue.

All ICANN Supporting Organizations (SOs) and Advisory Committees (ACs) have chartered a CCWG to propose the mechanism to allocate the new gTLD Auction Proceeds. Following approval by the Chartering Organizations, the CCWG will submit its proposal(s) 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 \$233.5 million USD. Details of the proceeds can be found [here](#). As of 10 February 2018, nine contention sets remain to be resolved. 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.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The CCWG commenced its deliberations at the end of January 2017. It currently has 26 members appointed by the different Chartering Organizations, 49 participants, and 37 observers. The CCWG is tasked with developing a proposal(s) on the mechanism that should be developed to allocate the new gTLD Auction Proceeds. As part of this proposal, the CCWG is also expected to consider the scope of fund allocation and due diligence requirements that preserve ICANN's tax status, as well as related matters such as potential or actual conflicts of interest. The CCWG will NOT make any recommendations or determinations with regard to specific funding decisions (i.e., which specific organizations or projects are to be funded or not).

The CCWG conducts its work in six phases. For details, please see the background section below.

During phase three of its work, the CCWG identified four mechanisms for further consideration that could serve as a possible organizational structure for fund allocation, namely:

- Mechanism A: A new ICANN Proceeds Allocation Department created as part of the ICANN organization
- Mechanism B: A new ICANN Proceeds Allocation Department created as part of ICANN org, which would work in collaboration with an existing charitable organization(s)
- Mechanism C: A new structure (e.g. ICANN foundation)
- Mechanism D: An established entity or entities (e.g. foundation or fund) (ICANN would organize the oversight of processes to ensure mission and fiduciary duties are met)

Most recently, the CCWG drafted initial responses to the charter questions from the perspective of each of the mechanisms, with a view towards identifying areas where additional expert input was needed. During its face-to-face working sessions at ICANN62, the CCWG discussed these initial responses and reviewed detailed descriptions of the mechanisms produced by an external expert resource.

The CCWG sent a set of follow-up questions to the experts for input, reviewed the feedback received, and refined its evaluation of the four mechanisms.

The CCWG also conducted a survey among the CCWG members and participants to rank the four mechanisms based on expert input received and criteria established. Using the results of the survey, the CCWG has agreed to focus on Mechanisms A and B, include some discussion of Mechanism C, and deprioritize Mechanism D. While all mechanisms will be described in the Initial Report, only the prioritized mechanisms will be fully detailed and highlighted as preferred mechanisms in the Initial Report.

WHAT ARE THE EXPECTED NEXT STEPS?

In the coming weeks, the CCWG plans to complete the remaining substantive work. Drawing on results from the survey to rank the four mechanisms, the CCWG is finalizing responses to the charter questions from the perspective of the most promising mechanisms. The CCWG is also drafting recommendations to include in the Initial Report. The CCWG aims to deliver its Initial Report for public comment prior to ICANN63 and plans to present and discuss it with the ICANN community. Following its review of the input received from the public comment forum, the CCWG will finalize its report and recommendations and submit them to the Chartering Organizations for consideration.

HOW CAN I GET INVOLVED?

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.

As the CCWG 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.

The ICANN community is also encouraged to provide input on the Initial Report during the public comment proceeding, which will be found here: <https://www.icann.org/public-comments>.

MORE INFORMATION

- 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/x/PNrRAW>
- CCWG Work Plan: <https://community.icann.org/display/CWGONGAP/Work+Plan>

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 on this topic, as well as the proposal to proceed with a CCWG on this topic. The feedback

received confirmed the support for moving forward with a CCWG. James Bladel, 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 (DT) to develop a charter for a CCWG on this topic. All ICANN SOs and ACs, apart from the Country Code Supporting Organization (ccNSO), responded to this request and have put forward volunteers to participate in the DT. The DT 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 DT **reviewed all the input received** 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, if any. Subsequently, 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 subsequently each ICANN SO and AC confirmed the adoption of the charter. Subsequently, 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, namely, 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.

The CCWG deliberated on its approach for dealing with the charter questions and the proposed timeline. It agreed to the following six phases:

1. Initial run-through of all charter questions to assess initial responses, identify possible gating questions, and determine the potential order in which questions need to be dealt with.
2. Address any charter questions that have been identified as requiring a further detailed response before commencing the next phase.
3. Compile a list of possible mechanisms that could be considered by the CCWG.
4. Determine which mechanism(s) demonstrates most potential to meet CCWG expectations and conforms with legal and fiduciary constraints.
5. Answer charter questions, as organized per Phase 1, for mechanism(s) that demonstrate the most potential.
6. Publish Initial Report for public comment following consensus on mechanism and responses to charter questions that meet legal, fiduciary, and audit constraints.

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

GNSO Schedule for ICANN63 Barcelona

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, meeting rooms have not yet been allocated, please see final schedule for further information.

DAY 1: SATURDAY, 20 OCTOBER 2018	
LOCAL TIME	MEETING
08:30-18:30	GNSO Temporary Specification for gTLD Registration Data Expedited Policy Development Process (EPDP) Team
09:00-13:15	GNSO New gTLD Subsequent Procedures (SubPro) PDP Working Group (WG) Work Track 5 (WT5)
09:00-10:15	Non-Commercial Stakeholder Group (NCSG) Excom [c]
10:15-10:30	Coffee Break
10:30-11:45	Non-Commercial Users Constituency (NCUC) Excom [c]
10:30-12:00	NCSG Policy Committee
10:30-12:00	Commercial Stakeholder Group (CSG) with GNSO ICANN Appointed Board Members [c]
12:00-13:30	Lunch Break
12:00-13:30	CSG with GNSO ICANN Appointed Board Members [c]
13:30-18:30	SubPro PDP
13:30-15:00	Intellectual Property Constituency (IPC) Policy Discussion [c]
13:30-15:00	Not-for-Profit Operational Concerns Constituency (NPOC) Policy Committee [c]
15:00-15:15	Coffee Break
15:15-16:45	Contracted Parties House (CPH) Excom [c]
16:45-17:00	Transfer Break
17:00-18:30	CPH Excom with ICANN Staff [c]
17:00-18:30	CSG [c]

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DAY 2: SUNDAY, 21 OCTOBER 2018	
LOCAL TIME	MEETING
09:00-15:00	GNSO Working Session
09:00-10:15	NPOC Excom [c]
09:00-16:45	CPH Tech Ops [c]
10:15-10:30	Coffee Break
10:30-12:00	Registries Stakeholder Group (RySG) Registry Service Evaluation Process (RSEP) Discussion [c]
10:30-12:00	Domain Name Association (DNA) Marketing Committee [c]
12:00-13:30	Lunch Break
12:15-13:15	GNSO Meeting with ICANN Board
13:30-18:30	NCSG - Can Formal Standards Simplify 3rd Party Access to Registration Data?
13:15-18:30	GNSO Review of All Rights Protection Mechanisms (RPM) for All gTLDs PDP WG
15:00-15:15	Coffee Break
15:15-16:45	DNA Members General Session
15:15-16:15	GNSO with GAC
16:45-17:00	Transition Break
17:00-18:30	EPDP Prep for High Interest Topic Session
17:00-18:30	Internet Service Providers and Connectivity Providers (ISPCP) [c]
18:30-20:00	CSG & GAC Cross Community Reception [c]

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DAY 3: MONDAY, 22 October 2018	
LOCAL TIME	MEETING
10:30-12:00	RySG: Understanding Registration Data Access Protocol (RDAP)
10:30-12:00	IPC Policy Discussion on General Data Protection Regulation (GDPR) [c]
10:30-12:00	NCSG Policy Committee
12:00-13:30	Lunch Break
12:00-13:30	RySG EPDP Support Team [c]
12:15-13:15	Joint GNSO and Country Code Names Supporting Organization (ccNSO) Councils Session
12:15-15:00	RPM PDP WG
13:30-15:00	New gTLD Auction Proceeds Cross-Community WG
13:30-15:00	NCSG Human Rights Cross-Community Working Party (CCWP)
13:30-15:00	RySG Child Sexual Abuse Material (CSAM) Referral Discussion [c]
13:30-15:00	Registrars Stakeholder Group (RrSG) with ICANN Compliance [c]
15:00-15:15	Coffee Break
16:45-17:00	Transfer Break
17:00-18:30	RySG EPDP Support Team [c]

GNSO Schedule for ICANN63 Barcelona

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DAY 4: TUESDAY, 23 OCTOBER 2018	
LOCAL TIME	MEETING
09:00-11:00	CPH
09:00-10:15	IPC [c]
09:00-10:15	Business Constituency (BC) [c]
10:15-10:30	Coffee Break
10:30-12:00	NPOC Constituency Day
10:30-12:00	CSG
12:00-13:30	Lunch Break
12:30-16:45	RySG Member Session
12:30-18:30	RrSG Member Session
13:30-15:00	NCUC
15:00-15:15	Coffee Break
15:15-18:30	NCSG
15:15-16:45	IPC [c]
15:15-18:30	BC
15:15-18:30	ISPCP
16:45-17:00	Transfer Break
17:00-18:30	IPC
18:30-20:00	RySG Reception [c]

GNSO Schedule for ICANN63 Barcelona

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DAY 5: WEDNESDAY, 24 OCTOBER 2018	
LOCAL TIME	MEETING
08:30-09:45	CPH & NCSG
08:30-09:45	Brand Registry Group (BRG) Working Session Members Only [c]
08:30-10:30	DNA Members Breakfast [c]
09:30-09:45	Coffee Break
09:30-10:15	BRG Community Session – dot Brand Trends
12:00-13:30	Lunch Break
12:15-13:15	CPH Excom [c]
13:00-15:00	GNSO Council Part I
13:30-15:00	RDAP [c]
15:00-15:15	Coffee Break
15:15-16:15	GNSO Council Part II
15:15-16:45	IPC [c]
16:45-17:00	Transfer Break
17:00-18:30	EPDP Team
17:00-18:30	CPH CSG meeting

GNSO Schedule for ICANN63 Barcelona

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DAY 6: THURSDAY, 25 OCTOBER 2018	
LOCAL TIME	MEETING
08:30-10:15	EPDP Team
09:00-10:15	CPH Discussion on GDPR [c]
09:00-10:15	ISPCP with Security and Stability Advisory Committee (SSAC) [c]
09:00-10:15	DNA Healthy Domain Initiatives [c]
10:15-10:30	Coffee Break
12:00-13:30	Lunch Break
15:00-15:15	Coffee Break
16:45-17:00	Transfer Break
17:00-18:30	GNSO Wrap Up Session

Acronym Helper

Learn more about [ICANN Acronyms and Terms](#)

AC	Advisory Committee
AGB	Applicant Guide Book
ALAC	At-Large Advisory Committee
ASO	Address Supporting Organization
BC	Business Constituency
BRG	Brand Registry Group
C	Constituency
CC2	Community Comment 2
ccNSO	Country Code Names Supporting Organization
CCWG	Cross-Community Working Group
CL&D Policy	Consistent Labeling & Display of WHOIS output for all gTLDs
CPH	Contracted Party House
CSG	Commercial Stakeholder Group
CCWG	Cross-Community Working Group
CCWP	Cross-Community Working Party
CSAM	Child Sexual Abuse Material
DNA	Domain Name Association
DNS	Domain Name System
DRP	Dispute Resolution Procedure
DSI	Discussion Summary Index
DT	Drafting Team
EDPB	European Data Protection Board
EPDP	Expedited Policy Development Process
EU	European Union
EWG	Expert Working Group
ExCom	Executive Committee
GAC	Governmental Advisory Committee
GDD	Global Domains Division
GDPR	General Data Protection Regulation
GNSO	Generic Names Supporting Organization
gTLD	Generic Top-Level Domain
HDI	Healthy Domains Initiative
IANA	Internet Assigned Numbers Authority
ICANN org	ICANN organization
IDN	Internationalized Domain Name
IGO	International Governmental Organizations
INGO	International Non-Governmental Organizations
IOC	International Olympic Committee
IPC	Intellectual Property Constituency
IRT	Implementation Review Team

Acronym Helper

ISPCP	Internet Service Providers and Connectivity Providers Constituency
NCPH	Non-Contracted Party House
NCSG	Non-Commercial Stakeholder Group
NCUC	Non-Commercial Users Constituency
Next-Gen	Next-Generation
NGPC	New gTLD Program Committee
NPOC	Not-for-Profit Operational Concerns Constituency
OEC	Organizational Effectiveness Committee
PDP	Policy Development Process
PSWG	Public Safety Working Group
RA	Registry Agreement
RAA	Registrar Accreditation Agreement
RCRC	Red Crescent Movement
RDAP	Registration Data Access Protocol
RDDS	Registration Data Directory Service
RDS	Registration Directory Services
RFP	Request for Proposal
RPM	Rights Protection Mechanism
RSEP	Registry Service Evaluation Process
RSP	Registry Service Provider
RSSAC	Root Server System Advisory Committee
RRA	Registry-Registrar Agreement
RrSG	Registrar Stakeholder Group
RySG	Registry Stakeholder Group
SG	Stakeholder Group
SO	Supporting Organization
SSAC	Security and Stability Advisory Committee
SubPro	Subsequent Procedures
T/T	Translation and Transliteration of Contact Information
TM-PDDRP	Trademark Post-Delegation Dispute Resolution Procedures
TMCH	Trademark Clearinghouse
UCTN	Use of Country and Territory Names as TLDs
UDRP	Uniform Dispute Resolution Policy
URS	Uniform Rapid Suspension
WG	Working Group

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