

ICANN | GNSO

Generic Names Supporting Organization

Policy Briefing ICANN64 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 @ ICANN64:

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

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Welcome to ICANN64 from the GNSO Chair



Dear Colleagues:

The Generic Names Supporting Organization (GNSO) Council and GNSO community welcome you to Kobe, Japan for the ICANN64 Community Forum. This is the first ICANN meeting of 2019 and my first ICANN Public Meeting as the GNSO Chair. I look forward to working with the Council and the broader GNSO community on making headway on existing projects while also identifying additional objectives. 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.

As you are likely well aware, the Expedited Policy Development Process (EPDP) on the Temporary Specification for Generic Top-Level Domain (gTLD) Registration Data is one important area of work for the GNSO and the broader ICANN community. Last May, the ICANN Board adopted a Temporary Specification on gTLD Registration Data as an interim measure to bring existing WHOIS obligations in line with the European Union's General Data Protection Regulation (GDPR) requirements. This has, in turn, triggered the obligation of the GNSO Council to undertake the EPDP 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 of the Temporary Specification, in this case, by 25 May 2019.

During this extremely constrained timeline, the EPDP Team has made remarkable efforts to address the views and concerns of all stakeholders involved via constructive dialogue and principled compromises. In February 2019, the EPDP Team is expected to finalize and deliver its Phase 1 Final Report to the GNSO Council. We are expected to consider the Phase 1 Final Report during the Council meeting on either 21 February or 4 March. We are also expected to consider giving non-objection for the EPDP Team to commence its Phase 2 work, which includes a System for Standardized Access to Non-Public Registration Data and issues in the Annex to the Temporary Specification, among other items. Following the GNSO Council adoption and Public Comment, the ICANN Board will likely deliberate on the Phase 1 Final Report. In Kobe, while the Public Comment period is likely ongoing, the EPDP Team is expected to begin planning for Phase 2.

Because of its unique time pressures and requirements, the EPDP has also served as an opportunity for the GNSO community to test some of its **PDP 3.0 recommendations**. Empowering the GNSO Council to serve its role as the manager of policy development, PDP 3.0 is a Council initiative aimed at introducing incremental improvements to enhance efficiency and effectiveness of the PDP

working groups (WGs). Discussions started at GNSO Council’s pilot Strategic Planning Session in January 2018 and continued between the Council, PDP leadership teams, and community throughout the year. Following the publication of a detailed **implementation plan** last December, the GNSO Council has been making progress on implementing specific recommendations arising from those discussions. In our second Strategic Planning Session this January, the GNSO Council reviewed the status of a number of recommendations, including alternative options to the open working group model and expectations for working group leaders and Council liaisons. At ICANN64, we will continue tackling the implementation of the rest of recommendations, cast an eye toward applying suitable changes to other ongoing PDPs and future PDPs.

Besides the EPDP Team, other GNSO working groups will also hold working sessions to further their policy development efforts. The New gTLD Subsequent Procedures PDP WG will be considering how community input would affect the policy recommendations in the WG Initial Report, Supplemental Initial Report, and Work Track 5 Supplemental Initial Report. The Review of All Rights Protection Mechanisms (RPMs) in All gTLDs PDP WG will start developing potential policy and operational recommendations concerning Sunrise and Trademark Claims services.

Recently, two PDP working groups completed their work. The GNSO Council is considering the Final Report of the International Governmental Organization and International Non-Governmental Organization (IGO-INGO) Access to Curative Rights Protection Mechanisms PDP WG. The ICANN Board adopted the consensus recommendations of the reconvened PDP WG concerning the protection of certain Red Cross Red Crescent National Society names.

As with other ICANN meetings, ICANN64 will feature cross-community sessions on topics that draw participation from across the ICANN community. Look out for the session “Next Steps in ICANN’s Response to the GDPR”, which may be of particular interest to GNSO participants.

In Kobe, the GNSO Council will be together on three days: Sunday, 10 March for an all-day working session; Wednesday, 13 March for its monthly Council meeting; and Thursday, 14 March for a wrap-up of the week’s achievements and action items. Other highlights for the GNSO community include joint sessions with the ICANN Board, the Governmental Advisory Committee (GAC), the Country Code Names Supporting Organization (ccNSO), and the Nominating Committee. These sessions serve as important touchpoints between the GNSO and other parts of the ICANN community.

ICANN64 will be a full meeting with no shortage of opportunities to contribute and get involved. I encourage you to actively engage with the GNSO throughout our six days together, whether in person or remotely. The meeting time offers invaluable opportunity for intensive collaboration and cooperation; it is truly a time when the GNSO comes together as a community. I look forward to seeing you in the GNSO Council meeting in Kobe, at a PDP working session, or in the hallways. Safe travels and see you soon!

Keith Drazek
GNSO Chair

ICANN64 at a Glance

ICANN64 is the Community Forum of 2019. The Community Forum features a six-day format that follows the traditional ICANN public meeting structure. There will be time dedicated to Supporting Organization (SO) and Advisory Committee (AC) work, as well as cross-community interaction. The Community Forum includes Constituency Day, High Interest Topic (HIT) sessions, and the Public Forum. Community members following the work of the Generic Names Supporting Organization (GNSO) are encouraged to attend the GNSO Working Sessions on Sunday, 10 March 2019 (Day 2) and the GNSO Council Public Meeting scheduled to take place on Wednesday, 13 March 2019 (Day 5).

The GNSO Policy Support Team has developed this briefing document to help community members prepare for ICANN64. It provides an overview of the status of GNSO Policy Development Process (PDP) working groups (WGs) and teams, as well as information about other GNSO policy-related activities, including GNSO co-chartered Cross-Community Working Groups (CCWG) and PDP Implementation Review Teams (IRTs). The document includes links for additional background reading that will help you prepare for sessions in Kobe 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.

ICANN64 MEETING INFORMATION

- Meeting page: <https://meetings.icann.org/en/kobe64>
- Schedule: <https://schedule.icann.org/>
- Register for ICANN64: <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 ICANN64: <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 Kobe and we look forward to a productive meeting.

Expedited Policy Development Process: Temporary Specification for gTLD Registration Data

WHAT CAN I EXPECT AT ICANN64 IN RELATION TO THIS TOPIC?

The Expedited Policy Development Process (EPDP) Team currently has four sessions scheduled at ICANN64. However, the Team may decide to cancel certain number of sessions closer to the meeting. The currently scheduled sessions are (local time): Saturday, 9 March from 08:30-18:30; Sunday, 10 March from 17:00-18:30; Wednesday, 13 March from 10:30-12:00; and Thursday, 14 March from 08:30-10:15. The EPDP Team's Final Report will be sent to the GNSO Council for its review before ICANN64.

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".¹ This Consensus Policy development process on the Temporary Specification would need to be carried out within a one-year period. Additionally, the scope includes discussion of a standardized access system to nonpublic registration data. However, the discussion of a standardized access system will occur only after the EPDP Team has comprehensively answered a series of "gating questions" and non-objection by the GNSO Council.

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

¹See section 3.1(a) of the Registry Agreement: <https://www.icann.org/resources/unthemed-pages/org-agmt-html-2013-09-12-en>

WHAT IS THE SCOPE OF THE EFFORTS?

The EPDP scope includes confirming or rejecting 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. With an aggressive timeline, the EPDP Team has been tasked with working on issues the ICANN community has been unable to resolve in over ten years.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

On 21 November 2018, the EPDP Team published its **Initial Report** on the Temporary Specification for Public Comment. The Public Comment period closed on 21 December 2018.

The Initial Report includes the EPDP Team’s proposed responses to the charter questions. It also includes their preliminary recommendations and specific questions concerning the purposes of processing registration data, required data processing activities and terms, and updates to other consensus policies.

From 21 December-31 January 2019, the EPDP Team reviewed all public comments received using the **Public Comment Review Tool (PCRT)**. Notably, the EPDP Team met in Toronto, Canada from 16-18 January 2019 and made substantial progress on the public comment review.

The EPDP Team incorporated public comments where it believed warranted into the **Final Report**. In February 2019, the Final Report is expected to be finalized and submitted to the GNSO Council.

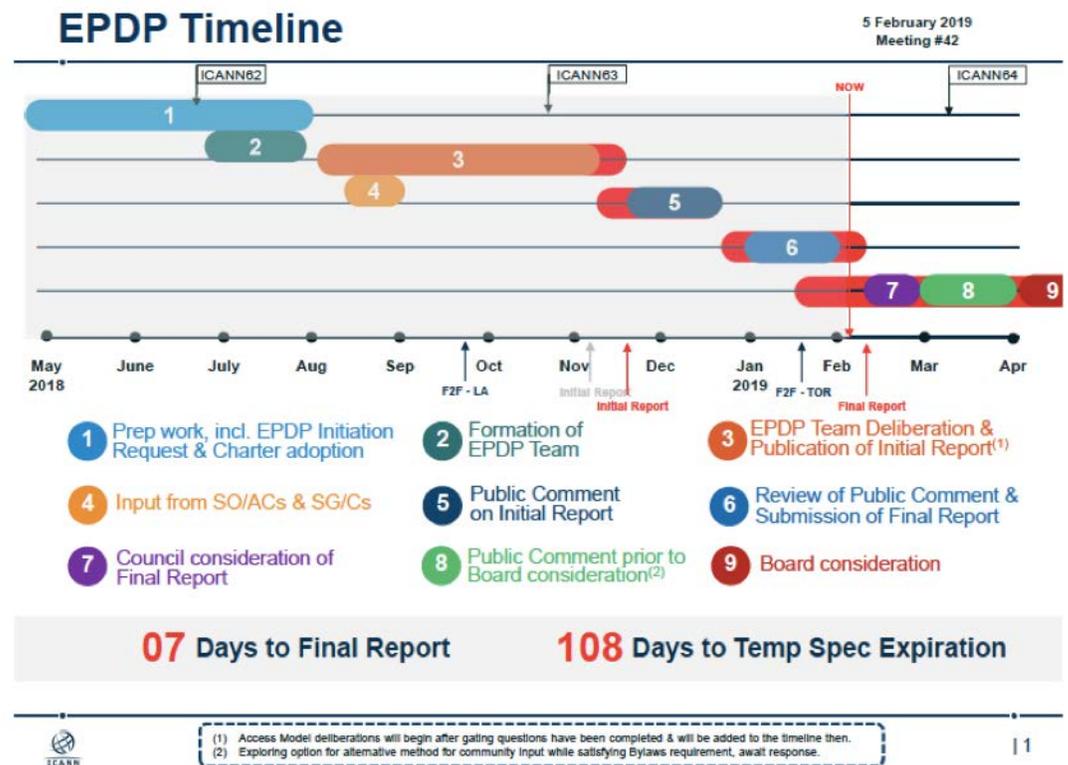
The Final Report contains 28 policy recommendations which address, for example, the recommended:

- purposes for processing data;
- data elements for collection, transfer, and retention;
- data elements for public display;
- data elements to be redacted;
- changes and/or review of current ICANN Consensus Policies;
- update to reasonable requests for the lawful disclosure of data;

- course for an implementation bridge, or how contracted parties may handle the policy recommendations and Temporary Specification requirements before the recommendations are officially implemented.

WHAT ARE THE EXPECTED NEXT STEPS?

Under the EPDP Team’s project plan, the GNSO Council will consider the EPDP Team’s Final Report. Following GNSO Council consideration, there will be a Public Comment period on the Final Report and the subsequent ICANN Board deliberation on the EPDP policy recommendations. Once the GNSO Council has approved the Final Report and given its non-objection, the EPDP Team is expected to start work on Phase 2 of the charter, which will include a System for Standardized Access to Non-Public Registration Data and issues in the Annex to the Temporary Specification (“Important Issues for Further Community Action”).



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 Initial Report: <https://go.icann.org/2E6DEbh>
- EPDP 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>
- EPDP Project Workplan: <https://go.icann.org/2nVanHD>
- EPDP Project Timeline: <https://go.icann.org/2wyqLD0>

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

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

WHAT CAN I EXPECT AT ICANN64 IN RELATION TO THIS TOPIC?

The Policy Development Process (PDP) Working Group (WG) is set to meet on Saturday, 09 March 2019 and Wednesday, 13 March 2019. The WG will conduct substantive deliberations on comments received to the WG Supplemental Initial Report, which considers topics additional to those found in its Initial Report. From 09:00-12:00 (local time) on Saturday, the WG will discuss its Work Track 5 (WT5) dedicated to the topic of geographic names at the top-level. WT5 expects to also conduct substantive deliberations on comments received to the WT5 Supplemental 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.”² Essentially, this means that these recommendations will remain in place unless the 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 future gTLD launches. The **Final Issue Report** and the WG **charter** identified a number of subjects that require analysis and potential policy development.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The WG started its work on 22 February 2016 and began deliberations on a set of six overarching or foundational subjects. It established four work tracks (WTs) to address

²GNSO Summary of Policy Recommendations: <http://gns0.icann.org/issues/new-gtlds/summary-principles-recommendations-implementation-guidelines-22oct08.doc.pdf>

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 WG published its **Initial Report** for Public Comment, receiving a number of comments by the 26 September 2018 deadline. In October 2018, the WG published a **Supplemental Initial Report**, which considers topics additional to those found in its Initial Report. Now the WG has nearly completed its initial review of public comments for its Initial Report and expects to begin substantive deliberations as early as at ICANN64. Initial review of public comments received on its Supplemental Initial Report is currently underway.

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), and considering whether they require modification. It is also assessing geographic terms that were not identified in the AGB and, if applicable, determining what the corresponding treatment should be. WT5 published its **Supplemental Initial Report** in December 2018 and began its initial review of public comments received in late February 2019.

WHAT ARE THE EXPECTED NEXT STEPS?

After completing the initial reviews of public comments on the Initial Report and Supplemental Initial Report, the WG will begin determining what resulting changes may be needed. The WG will consider summary reports from the three subgroups it convened, which were tasked with compiling, reviewing, and tabulating the public comments for further analysis. The WG will then determine if and how the public comments will affect final recommendations in the Final Report.

WT5 will seek to complete the review of public comments on the WT5 Supplemental Initial Report. Similar to the full WG, WT5 will determine if and how the public comments will affect final recommendations in its Final Report.

HOW CAN I GET INVOLVED?

This WG is open to all participants. If you are interested in joining the WG, 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>
- WG Supplemental Initial Report: <https://go.icann.org/2BsFcuH>
- WT5 Supplemental Initial Report: <https://go.icann.org/2SxaXgA>
- 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 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 (ICANN org). 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 ICANN64 IN RELATION TO THIS TOPIC?

The Policy Development Process (PDP) Working Group (WG) will be holding four open meetings on Sunday, 10 March 2019 (two 90-minute sessions) and Monday, 11 March 2019 (one 60-minute session and one 90-minute session). Please check the ICANN64 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 1 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 2 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 1 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 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 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 THE 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 1 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.

By the end of ICANN63 in October 2018, the WG has completed 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, as well as proposals submitted by individual WG members. All URS proposals can be found [here](#).

The WG has been focusing on the review of the Sunrise and Trademark Claims services that are offered through the TMCH. The WG recently completed a data collection exercise, involving professionally-designed surveys of targeted respondent groups, to obtain both quantitative and anecdotal evidence that can assist with its review of Sunrise and Trademark Claims. The ICANN organization (ICANN org) commissioned Analysis Group, an external consulting firm, to develop and administer the surveys in collaboration with the WG. The surveys were **launched** on 6 September 2018 and widely distributed inside and outside of the ICANN community. Analysis Group presented its **survey findings** at ICANN63.

In December 2019, two sub teams were formed to analyze all Sunrise and Trademark Claims related data with a view toward answering the agreed charter questions. The data the sub teams were tasked to review includes the results of Analysis Group's Sunrise and Trademark Claims surveys and the data collected prior to the launch of the surveys. In February 2019, WG members suggested additional sources to the sub teams, which may yield useful data the WG do not currently have or help shed light on the agreed charter questions. The sub teams are expected to complete their analysis of all data before ICANN64.

At Kobe, the sub teams are anticipated to begin developing proposals for preliminary recommendations pertaining to Sunrise and Trademark Claims. In parallel, individual WG members are able to submit proposals for the sub teams to review by late March 2019. The sub teams will conduct the initial vetting of the individual proposals and recommend to the full WG whether to include them in the Initial Report.

WHAT ARE THE EXPECTED NEXT STEPS?

The WG is aiming to complete the review of Sunrise and Trademark Claims services and complete discussions on all proposals before ICANN65 in June 2019. Following its review of the Sunrise and Trademark Claims, it will complete the review of the TMCH in general and finalize its preliminary recommendations for all the Phase 1 RPMs.

The WG is aiming to publish a Preliminary Report on Phase 1 recommendations for Public Comment by the end of October 2019. 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 ICANN64 IN RELATION TO THIS TOPIC?

The Policy Development Process (PDP) Working Group (WG) has completed its work, delivered its Final Report to the Generic Names Supporting Organization (GNSO) Council, and will not be holding any meetings at ICANN64. However, the GNSO Council may have the opportunity to continue its consideration of the WG's Final Report at ICANN64.

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 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: 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.

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, including input from the Governmental Advisory Committee (GAC), a number of IGOs, and

the broader ICANN community. As a result, the WG 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, and 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.

The WG 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 has not yet taken final action on the report.

WHAT ARE THE EXPECTED NEXT STEPS?

The next step is for the GNSO Council to consider the WG's Final Report.

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 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

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

WHAT CAN I EXPECT AT ICANN64 IN RELATION TO THIS TOPIC?

The ICANN Board adopted consensus recommendations from the Generic Names Supporting Organization (GNSO) at its January 2019 meeting. While the Implementation Review Team (IRT) have begun their planning, they will not meet at ICANN64.

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 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 WG. The WG 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 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 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?

The ICANN Board **adopted** the GNSO’s consensus policy recommendations at its January 2019 meeting. The ICANN organization (ICANN org) is planning for the implementation.

WHAT ARE THE EXPECTED NEXT STEPS?

Once the implementation plan has been developed, it will be reviewed with the IRT and then published for Public Comment.

MORE INFORMATION

- RT Workspace: <https://community.icann.org/x/RJFCaW>
- 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: Dennis Chang

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 ICANN64 IN RELATION TO THIS TOPIC?

The Implementation Review Team (IRT) does not plan to meet at ICANN64.

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 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-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 (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 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 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). In January 2019, the ICANN Board adopted the policy recommendation proposed by the Reconvened PDP WG 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.

WHAT ARE THE EXPECTED NEXT STEPS?

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

Implementation Status: Thick WHOIS Policy Recommendations

WHAT CAN I EXPECT AT ICANN64 IN RELATION TO THIS TOPIC?

The Implementation Review Team does not plan to meet at ICANN64.

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 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 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, the ICANN Board passed a **resolution** to defer contractual compliance enforcement. ICANN Contractual Compliance will defer enforcing the following milestones until the dates listed below:

- By 31 May 2019: The registry operator must begin accepting thick WHOIS data from registrars for existing registrations in .COM, .NET and .JOBS.
- By 30 November 2019: All registrars must send thick WHOIS data to the registry operator for all new registrations in .COM, .NET and .JOBS.
- By 31 May 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://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)

Implementation Status: Privacy and Proxy Services Accreditation Issues Policy Recommendations

WHAT CAN I EXPECT AT ICANN64 IN RELATION TO THIS TOPIC?

ICANN organization (ICANN org) is proceeding to implement the Privacy and Proxy Service Provider Accreditation Program at a pace that accounts for the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data, including Phase 2 work on a potential standardized access model for nonpublic gTLD registration data.

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 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 Registrar Accreditation Agreement (RAA) contains a temporary specification that governs registrars' obligations with respect to privacy and proxy services. This specification will expire on 1 July 2019 or when ICANN implements a privacy and proxy accreditation program, whichever occurs first.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The Implementation Review Team (IRT) started meeting in October 2016 and has reviewed the draft Accreditation Agreement and other program materials in preparation for the Public Comment phase.

In proceeding to finalize the draft accreditation program materials for Public Comment, parallel effort to monitor the EPDP Team’s work by the ICANN org became increasingly apparent. As noted in discussions at 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 **2 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. ICANN org continues to monitor the EPDP Team’s work for potential applications in the privacy and proxy context.

WHAT ARE THE EXPECTED NEXT STEPS?

The draft Accreditation Agreement and related materials will be posted for Public Comment once these materials are finalized, likely after the implementation of the EPDP Team’s work is complete.

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 ICANN64 IN RELATION TO THIS TOPIC?

The Implementation Review Team (IRT) does not plan to meet at ICANN64. It is waiting for the implementation of the Registration Data Access Protocol (RDAP), which is necessary to implement recommendations from the Translation and Transliteration of Contact Information Policy Development Process Working Group (T/T PDP WG).

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 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 (ICANN org) 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 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: Amy Bivins (GDD)

Implementation Status: Generic Names Supporting Organization Drafting Team to Further Develop Guidelines and Principles for the GNSO's Roles and Obligations as a Decisional Participant in the Empowered Community

WHAT CAN I EXPECT AT ICANN64 IN RELATION TO THIS TOPIC?

The Drafting Team (DT) may meet at ICANN64 to develop proposed guidance for the Generic Names Supporting Organization (GNSO).

WHAT IS THIS ABOUT AND WHY IS THIS IMPORTANT?

Following the adoption by the GNSO Council of the **revised GNSO Operating Procedures**, the ICANN Board of Directors adopted the proposed modifications to the ICANN Bylaws on 13 May 2018. There are additional proposed steps to be taken to ensure the GNSO Council is prepared, as well as to facilitate the GNSO Council act in relation to its new roles and responsibilities outlined in the post-transition ICANN Bylaws.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

In December 2018, a Call for Volunteers was issued to reconstitute the DT to develop guidance and principles for the GNSO. The aim is for the GNSO to complete a particular action that falls within its existing processes or procedures, but where additional details or steps related to the GNSO's status as a Decision Participant in the Empowered Community are deemed to be helpful. Reconstituted in January 2019, the DT is currently meeting bi-weekly.

WHAT ARE THE EXPECTED NEXT STEPS?

The DT shall provide to the GNSO Council the proposed guidance and recommendations for changes to the GNSO Operating Procedures in order to enable the effective GNSO participation as a Decisional Participant for its consideration. The GNSO Council must approve any such new or proposed modifications to existing procedures following the applicable process.

HOW CAN I GET INVOLVED?

The ICANN community is encouraged to follow the work of the DT. GNSO Stakeholder Groups and Constituencies may provide guidance via their representative members on the DT. Please see the list of members at: <https://community.icann.org/x/-JUWBg>.

MORE INFORMATION

- DT Workspace: <https://community.icann.org/pages/viewpage.action?pageId=102143482>
- Background Document: <https://go.icann.org/2SRnZ8g>

BACKGROUND

On 27 May 2016, the ICANN Board adopted a set of new ICANN Bylaws that aim to reflect changes needed to implement the IANA Stewardship Transition Proposal. Such adoption was contingent on the proposed transition away from United States Government oversight of ICANN. Per the motion adopted by the GNSO Council on 30 June 2016, the GNSO sought volunteers for a Bylaws Implementation DT to provide the GNSO Council with recommendations for any necessary updates to the GNSO Operating Procedures or ICANN Bylaws as they relate to the GNSO. In addition, the GNSO Council requested that the DT should determine what, if any, existing GNSO processes can be used to address any new or additional obligations. If there are none, the DT should consider whether an existing process can be modified, or a new process needs to be created. The GNSO Council adopted the revised GNSO Operating Procedures resulting from the DT's recommendations, and on 13 May 2018 the ICANN Board of Directors adopted the proposed modifications to the ICANN Bylaws. Subsequently, ICANN staff sought guidance from the GNSO Council to ensure their preparedness and facilitate the GNSO Council act in relation to the new roles and responsibilities outlined in the post-transition ICANN Bylaws. At ICANN63 in October 2018, the GNSO Council agreed to issue a Call for Volunteers to reconstitute the DT. The goal for this DT is to develop guidance and principles for the GNSO to complete a particular action that falls within the GNSO's existing processes and procedures relating to participation of the GNSO within the Empowered Community, but where additional details and steps are deemed to be helpful.

Staff Responsible: Julie Hedlund, Marika Konings, Ariel Liang, Mary Wong

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

WHAT CAN I EXPECT AT ICANN64 IN RELATION TO THIS TOPIC?

The Cross-Community Working Group (CCWG) is organizing two working sessions at ICANN64, during which it will continue its review of the community input received on its Initial Report. These meetings are scheduled for Monday, 11 March from 13:30-15:00 (local time) and Wednesday, 13 March from 17:00-18:30 (local time).

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 \$233.5 million. 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 THE PROJECT?

On 11 December 2018, the CCWG published its **Initial Report** for Public Comment. The Initial Report sets out the core issues that the CCWG addressed in carrying out its charter since its inception in January 2017. It records the CCWG's discussions regarding options around a mechanism to allocate the new gTLD Auction Proceeds in accordance with ICANN's mission and Bylaws. In addition to preliminary answers to the charter questions, preliminary recommendations, and implementation guidance, the Initial Report also identifies a number of questions on which the CCWG was looking for community input. It should be noted that the responses to the charter questions represent the CCWG's best current thinking, but may evolve further after a thorough review of the community input received on this Initial Report. Similarly, no formal consensus call has been taken on the preliminary recommendations outlined in the Initial Report. A formal consensus call is expected to take place prior to the finalization of the CCWG's report and recommendations for submission to its Chartering Organizations.

A total of 37 community submissions were received in response to the Public Comment forum. Input includes: opinions on preliminary recommendations contained in the Initial Report; guidance for proposal review and selection; proposals for funding allocation; and the role of the ICANN Community. In the **Public Comment Review Tool**, the comments have been broken out to align with these different topics to facilitate the review by the CCWG and others who may be interested.

The CCWG most recently commenced its review of the public comments received.

WHAT ARE THE EXPECTED NEXT STEPS?

The CCWG is expected to continue its review of public comments throughout ICANN64 and beyond. Once it completes its review of the input from the Public Comment forum, the CCWG will finalize its report and recommendations and submit them to the Chartering Organizations for consideration unless the CCWG determines that another round of public comments is warranted before finalizing its report.

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.

MORE INFORMATION

- 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>

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 (DT) 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 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** 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.

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

GNSO Schedule for ICANN64 Kobe

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DAY 1: SATURDAY, 09 MARCH 2019	
LOCAL TIME	MEETING
08:30-18:30	GNSO Temporary Specification for gTLD Registration Data Expedited Policy Development Process (EPDP) Team
09:00-12:00	GNSO New gTLD Subsequent Procedures (SubPro) PDP Working Group (WG) Work Track 5 (WT5)
13:30-15:00	Commercial Users and Business Users (BC) Constituency Executive Committee (Excom) [c]
10:15-10:30	SubPro PDP WG
13:30-15:00	Not-for-Profit Operational Concerns Constituency (NPOC) Excom [c]
13:30-15:00	Intellectual Property Constituency (IPC) Policy Discussion [c]
15:15-16:45	Non Commercial Users Constituency (NCUC) Excom
15:15-16:45	Contracted Parties House (CPH) Excom [c]
17:00-18:30	CPH Excom with ICANN Staff [c]

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DAY 2: SUNDAY, 10 MARCH 2019	
LOCAL TIME	MEETING
08:30-15:00	GNSO Working Session
08:30-10:15	Registries Stakeholder Group (RySG) Comments Workshop [c]
03:30-10:15	RySG Brand Registry Group (BRG) Board [c]
09:00-12:00	CPH Tech Ops
10:30-12:00	NPOC Policy Committee
10:30-12:00	RySG Outreach to Asia and Pacific (APAC) Registries
12:15-13:15	GNSO Meeting with ICANN Board
13:30-15:00	CPH EPDP
13:30-15:00	Geographic Top-Level Domain (GeoTLD) Group Planning Session
15:15-16:45	GeoTLD Group Sharing Session
15:15-16:45	GNSO with Governmental Advisory Committee (GAC)
15:15-16:45	Non-Commercial Stakeholder Group (NCSG) Excom [c]
15:15-18:30	Review of All Rights Protection Mechanisms (RPM) in All gTLDs PDP WG
17:00-18:30	EPDP team
17:00-18:30	Domain Name Association (DNA) Board [c]
17:00-18:30	Internet Service Providers and Connectivity Providers (ISPCP) [c]

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DAY 3: MONDAY, 11 MARCH 2019	
LOCAL TIME	MEETING
12:15-13:15	Joint GNSO and Country Code Names Supporting Organization (ccNSO) Councils Session
12:15-15:00	RPM PDP WG
12:15-13:15	RySG Child Sexual Abuse Material (CSAM) Referral Discussion [c]
13:30-15:00	New gTLD Auction Proceeds Cross-Community WG (CCWG)
13:30-15:00	Human Rights Cross-Community Working Party (CCWP)
13:30-15:00	NCSG Policy Committee
13:30-15:00	Registrar Stakeholder Group (RrSG) with ICANN Compliance [c]

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DAY 4: TUESDAY, 12 MARCH 2019	
LOCAL TIME	MEETING
08:30-15:00	RySG Member Session
09:00-15:00	RrSG Member Session
09:00-10:15	BC [c]
09:00-10:15	IPC [c]
10:30-12:00	NPOC
10:30-12:00	CSG
12:15-15:00	NCUC
15:15-18:30	NCSG
15:15-16:45	IPC [c]
15:15-18:30	BC
15:15-18:30	ISPCP
15:15-16:45	CPH
17:00-18:30	IPC
18:30-20:00	Council informal Preparation Session [c]

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DAY 5: WEDNESDAY, 13 MARCH 2019	
LOCAL TIME	MEETING
08:30-10:15	NCSG with Selected Board Members
08:30-12:00	GeoTLD Group .cities TLD [c]
08:30-10:15	DNA Members Breakfast [c]
09:00-10:15	RrSG with Public Safety Working Group (PSWG)
10:30-12:00	EPDP Team
10:30-12:00	Human Rights CCWP
10:30-12:00	CSG and CPH Excom [c]
12:15-13:15	CPH Excom [c]
12:15-13:15	CSG with GNSO Appointed Board Members [c]
13:00-15:00	GNSO Council Meeting
13:30-15:00	DNA Healthy Domains Initiative [c]
13:30-15:00	RySG with ICANN Compliance [c]
15:15-16:45	SubPro PDP WG
15:15-16:45	RySG Understanding Registration Data Access Protocol (RDAP) and Its Role in Registration Data Directory Service (RDDS)
15:15-16:45	NCSG Finance
15:15-16:45	CPH EPDP [c]
17:00-18:30	RySG BRG dotBrands Community Session
17:00-18:30	CCWG Auction Proceeds
17:00-18:30	NCPH and CSG [c]

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DAY 6: THURSDAY, 14 MARCH 2019	
LOCAL TIME	MEETING
08:30-10:15	EPDP Team
08:30-10:15	RDAP Pilot WG [c]
08:30-10:15	DNA General Update on the Industry
12:15-13:15	GNSO Wrap Up

Acronym Helper

Learn more about **ICANN Acronyms and Terms**

AC	Advisory Committee
AGB	Applicant Guide Book
ALAC	At-Large Advisory Committee
APAC	Asia and Pacific
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
GeoTLD	Geographic Top-Level Domain
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

Acronym Helper

IPC	Intellectual Property Constituency
IRT	Implementation Review Team
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	Registries 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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