# ICANN | GNSO

Generic Names Supporting Organization

# Policy Briefing ICANN73 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 @ ICANN73: gnso.ICANN.org/ICANNmeeting O @ICANN\_GNSO

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## Welcome to ICANN73 from the GNSO Chair



Dear Colleagues:

The Generic Names Supporting Organization (GNSO) Council and the GNSO community welcome your participation in the ICANN73 Virtual Community Forum. The GNSO has a full agenda for the Virtual Community Forum that will focus on policy development efforts and the work of the GNSO Council. Additional meeting time will be devoted to Stakeholder Group and Constituency meetings as well as to community updates. As ICANN73 approaches, I would like to highlight a few GNSO initiatives that will be on the agenda for the annual Community Forum as well as ongoing work that may interest you. Additional information about GNSO projects can be found in the following sections of this briefing.

During ICANN73, sessions will be held to make progress on key policy development initiatives and other GNSO projects. The Transfer Policy Review Policy Development Process (PDP) was initiated by the GNSO Council to determine if changes to the policy are needed to improve the ease, security, and efficacy of inter-registrar and inter-registrant transfers. The working group will hold a session to discuss and seek broader community input on some of the topics within its charter.

The GNSO Internationalized Domain Names (IDN) Expedited Policy Development Process (EPDP) is tasked to provide the GNSO Council with policy recommendations on i) the definition of all TLDs and the management of variant labels to facilitate the delegation of variant gTLDs in the root zone, and ii) how the IDN Implementation Guidelines should be updated in the future. During ICANN73, the working group will meet to advance its deliberations.

The Registration Data Accuracy Scoping Team is continuing to consider a number of accuracy-related aspects, such as current enforcement and reporting, measurement of accuracy, and effectiveness. Most recently, the Scoping Team engaged with ICANN org to better understand current enforcement as well as reporting. The team is also working on a gap analysis to help inform the development of recommendations to the GNSO Council on whether changes are recommended to improve accuracy levels, and if so, how and by whom these changes would need to be developed. During its session, the Scoping Team expects to make further progress on the assignments provided in the GNSO Council's instructions.

The work of the EPDP on Specific Curative Rights Protections for International Governmental Organizations (IGOs) is based on the Council referral of recommendation 5 from the Final Report of the International Non-Governmental Organization (IGO-INGO) Curative Rights Protection Mechanisms PDP Working Group. The EPDP is working towards the delivery of its Final Report. During its session, the group will continue working to finalize the Final Report, if necessary.

In addition, there are several recent developments regarding ICANN Board consideration of outputs from GNSO policy development efforts:

- The ICANN Board <u>adopted</u> the recommendations from Phase 1 of the Review of All RPMs in All gTLDs PDP on 22 January 2022.
- The ICANN Board is considering the recommendations from Phase 2A of the EPDP on the Temporary Specification for gTLD Registration Data.
- ICANN org has recently delivered an <u>Operational Design Assessment (ODA)</u> to support the Board's consideration of recommendations from Phase 2 of the EPDP on the Temporary Specification for gTLD Registration Data.
- ICANN org is conducting an <u>Operational Design Phase (ODP)</u> to deliver an ODA on the affirmations, recommendations, and implementation guidance produced by the New gTLD Subsequent Procedures (SubPro) PDP. The ODP officially began in January 2022, and our liaison to the ODP is keeping the Council informed about its progress.

During ICANN73, the GNSO Council will hold its public meeting on Wednesday, 9 March and a wrap up session on Thursday, 10 March. Bilateral meetings will take place between the GNSO and the Governmental Advisory Committee (GAC), the ICANN Board, and the At-Large Advisory Committee (ALAC). In light of our current exchanges with the Board on the System for Standardized Access/Disclosure (SSAD) ODA and potential next steps for the GNSO Council, it is likely that some of the bilateral meetings will include discussion of this topic, as well as how the Council may approach ODPs in general.

As part of its ongoing efforts to manage and streamline the different projects in its **pipeline**, the Council is conducting a pilot project called the Framework for Continuous Improvement Oversight and Implementation. The objective of this pilot is to test a framework that would allow for the continuous scoping and execution of projects that are focused on GNSO structural, procedural, and process improvements, as distinct from policy related work. The pilot has initially focused on a review of the GNSO's Statement of Interest requirements and a review of the existing Working Group Self-Assessment model.

The implementation of PDP 3.0 continues to mature. This initiative is aimed at introducing incremental improvements to enhance the efficiency and effectiveness of the PDP working groups, as well as to empower the GNSO Council to better serve in its role as the manager of policy development processes. While the GNSO Council scopes and initiates new GNSO policy development efforts, it is actively applying PDP 3.0 improvements to the design of this work.

ICANN73 will be a full meeting with ample opportunities to get involved. All GNSO sessions are open to anyone who wants to join, and I encourage you to take advantage. I look forward to seeing you on Zoom in the GNSO Council meeting, at a PDP working session, or at an outreach event.

Philippe Fouquart GNSO Chair

## ICANN73 at a Glance

The GNSO Policy Support Team has developed this briefing document to help community members prepare for ICANN73. It provides an overview of the status of the GNSO PDP working groups and teams, as well as information about other GNSO policy-related activities, including PDP Implementation Review Teams (IRTs). The document includes links for additional background reading that will help you prepare for sessions in order to support active participation from all attendees.

Newcomers to ICANN and the GNSO may be interested in online learning opportunities that will further help them make the most of the upcoming meeting. We highly recommend taking the Get to Know the GNSO course on <u>ICANN Learn</u>. 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.

#### **ICANN73 Meeting Information**

Meeting Page, including registration and schedule

**General Remote Participation Information** 

**GNSO Session Remote Participation Details** 

**Expected Standard of Behavior** 

#### **GNSO Related Information**

**GNSO Council Policy Update Webinar** 

**GNSO One-Stop Shop for ICANN Meeting** 

#### **Project List**

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

## GNSO Policy Development Process Infographic

The GNSO Policy Development Process (PDP) governs the way in which the GNSO develops consensus policies relating to generic top-level domains. As shown in the graph below, a GNSO PDP lifecycle consists of different steps, including: issue identification; issue scoping; PDP initiation; working group; GNSO Council deliberation; ICANN Board vote; and policy implementation.



The respective steps reached by the PDP working groups and implementation review teams are detailed in the following sections of the GNSO Policy Briefing.

For more details about the steps in PDPs, see the following materials:

- ICANN Bylaws, Annex A
- <u>Detailed Infographic of GNSO PDP</u>
- PDP Manual

## Policy Development Process: Transfer Policy Review

#### WHAT CAN I EXPECT AT ICANN73 IN RELATION TO THIS TOPIC?

The working group will conduct one working session on Tuesday, 8 March 2022 at 10:30-12:00 AST. Please check the ICANN73 meeting schedule for the confirmed time. During the session, the working group will discuss topics within its charter and seek broader community input.

#### WHAT IS THIS ABOUT?

On 18 February 2021, the GNSO Council <u>initiated</u> a two-phase policy development process (PDP) to review the Transfer Policy. This PDP is tasked to determine if changes to the policy are needed to improve the ease, security, and efficacy of inter-registrar and inter-registrant transfers. As recommended in the <u>Final Issue</u> <u>Report</u>, this PDP should address the following topics in sequence:

- The Gaining and Losing Forms of Authorization (FOA), AuthInfo Codes, NACKing transfers (Phase 1A)
- The change of registrant (Phase 1B)
- The transfer emergency action contact and reversing inter-registrar transfers, Transfer Dispute Resolution Policy, and ICANN-approved transfers (Phase 2)
  Learn More

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

The working group held its first meeting on 14 May 2021. It has made substantial progress on deliberations related to the Gaining and Losing Forms of Authorization (FOA) and AuthInfo Codes, and is firming up recommendations for its Initial Report on these topics. The next area of focus is NACKing transfers. As it discusses each topic, the working group is taking into account relevant written input received from the Stakeholder Groups (SGs), Constituencies (Cs), Supporting Organizations (SOs), and Advisory Committees (ACs).



#### WHAT ARE THE EXPECTED NEXT STEPS?

The working group will continue to work on draft responses to charter questions and recommendations, which will be compiled into an Initial Report. The Initial Report will be published for public comment.

#### HOW CAN I GET INVOLVED?

Parties interested in the Transfer Policy Review PDP should coordinate with the members assigned by the respective SG, C, SO, or AC to stay current and to communicate any input they believe may be useful to the Transfer Policy Review PDP's deliberations. Interested parties can also follow the working group's progress by signing up as an observer.

#### **MORE INFORMATION**

- PDP webpage
- PDP workspace

RESPONSIBLE STAFF: Emily Barabas, Julie Hedlund, Caitlin Tubergen, Berry Cobb

## Expedited Policy Development Process: Internationalized Domain Names

#### WHAT CAN I EXPECT AT ICANN73 IN RELATION TO THIS TOPIC?

The EPDP Team will conduct one working session on Wednesday, 9 March 2022 at 14:30-16:00 AST. Please check the ICANN73 meeting schedule for the confirmed time. During the session, the working group will discuss topics within its charter and seek broader community input.

#### WHAT IS THIS ABOUT?

On 20 May 2021, the GNSO Council approved the **initiation request** for the EPDP on Internationalized Domain Names (IDNs) and adopted its <u>charter</u> at the same time. The EPDP is expected to provide the GNSO Council with policy recommendations on:

- i. the definition of all TLDs and the management of variant labels to facilitate the delegation of variant gTLDs in the root zone, while achieving the security and usability goal of variant labels in a stable manner; and
- **ii.** how the IDN Implementation Guidelines, which Contracted Parties are required to comply with, should be updated in the future.

The charter includes a total of 48 questions under seven broader topics, ranging from the "same entity" requirement at the top- and second-levels to adjustments to ICANN policies and procedures as they relate to IDNs.

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

The EPDP Team held its first meeting on 11 August 2021 and is in the early stages of its work.

The EPDP Team received <u>early written input</u> from the Country Code Names Supporting Organization (ccNSO), GNSO's Registries Stakeholder Group (RySG), and the Security and Stability Advisory Committee (SSAC) on topics contained in its charter. As the Team discusses each topic, it will take into account the relevant early written input received from those ICANN community groups. In January 2022, the EPDP Team conducted an engagement session with SSAC members to discuss their input and exchange views on specific charter questions.



In February 2022, the EPDP Team modified the sequencing of tackling the charter questions in order to ensure that a logical order is being followed and provide efficiency to its deliberations. The EPDP Team largely completed its first pass of substantive deliberations on Topic A, the first of its seven main topics that focus on the consistent definition of gTLDs and variant gTLD labels using the Root Zone Label Generation Rules (RZ-LGR). The Team is now proceeding with its initial deliberations on charter questions under Topic B regarding the "same entity" principle for variant gTLDs, as well as Topic D charter questions related to the legal and operational framework by which registry operators could apply for, or seek to activate, allocatable variant gTLD labels.

To ensure a consistent solution for IDN variant TLDs, the EPDP Team and ccNSO's ccPDP4 on the (de-)selection of IDN ccTLD Strings have identified liaisons between the two groups in order to keep each other informed of their respective progress.

#### WHAT ARE THE EXPECTED NEXT STEPS?

The EPDP Team will continue its substantive deliberations, seeking to reach preliminary outcomes for each of the seven main topics. The EPDP Team will work towards draft responses to charter questions and recommendations, which will be compiled into an Initial Report. The Initial Report will be published for public comment.

#### HOW CAN I GET INVOLVED?

Parties interested in the EPDP on IDNs should coordinate with the members assigned by the respective Stakeholder Group, Constituency, Supporting Organization, or Advisory Committee to stay current and to communicate any input they believe may be useful to the EPDP's deliberations. The EPDP's "representative + open" membership model allows interested parties to join as a participant and take part in EPDP deliberations substantively, with the exception of when an official position is needed from the relevant organization or taking part in the consensus call. Interested parties are also able to follow the working group's progress by signing up as an observer.

#### MORE INFORMATION

- EPDP webpage
- <u>EPDP workspace</u>

**RESPONSIBLE STAFF:** Ariel Liang, Steve Chan, Emily Barabas

## Expedited Policy Development Process: Specific Curative Rights Protections for IGOs

#### WHAT CAN I EXPECT AT ICANN73 IN RELATION TO THIS TOPIC?

In April 2019, the GNSO Council voted to adopt Recommendations 1-4 of the **Final Report** of the International Governmental Organization and International Non-Governmental Organization (IGO-INGO) Access to Curative Rights Protection Mechanisms Policy Development Process, but elected to refer Recommendation 5 to the Review of All Rights Protection Mechanisms (RPMs) in All gTLDs Policy Development Process (PDP) Working Group. In January 2020, the GNSO Council adopted an Addendum to the RPMs charter to integrate consideration of Recommendation 5 and initiate a separate Intergovernmental Organizations (IGO) Work Track. In August 2021, the GNSO Council took the procedural step of initiating an EPDP to continue the work of the IGO Work Track. The EPDP Team published its Initial Report for public comment and is integrating changes as needed to draft its Final Report. The EPDP Team will be meeting at ICANN73 on Tuesday, 8 March 2022 at 16:30-17:30 AST, if additional work is needed to complete its Final Report.

#### WHAT IS THIS ABOUT?

The GNSO Council tasked the IGO Work Track, now EPDP Team, to consider whether an appropriate policy solution can be developed that is generally consistent with Recommendations 1-4, allows for the possibility that an IGO may have jurisdictional immunity in some circumstances, and respects a registrant's right to seek judicial review of an initial Uniform Domain-Name Dispute-Resolution Policy (UDRP) or Uniform Rapid Suspension (URS) decision. <u>Learn More</u>

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

**IGO-INGO Access to Curative Rights Protection Mechanisms PDP** (provided for context) The original PDP working group submitted its Final Report to the GNSO Council on 9 July 2018. The GNSO Council resolved to accept the Final Report on 19 July 2018. However, the Council did not take final action on the report at that time, noting that it would seek to consider the topic of curative rights protections for IGOs in the broader context of the appropriate overall scope of protection for all IGO identifiers.



The GNSO Council's deliberations included consultation with the Governmental Advisory Committee (GAC). On 18 April 2019, the Council resolved to approve Recommendations 1-4 of the Final Report and refer Recommendation 5 to the Review of All RPMs in All gTLDs PDP Working Group as part of its Phase 2 work. On 16 May 2019, the GNSO Council transmitted its Recommendations Report (relating to Recommendations 1-4) to the ICANN Board. The ICANN org conducted a **Public Comment** consultation process for Recommendations 1-4 from 11 July to 20 August 2019. The GAC sent a **letter** to the GNSO Council, noting the Council's approval of Recommendations 1-4 and referring Recommendation 5 to the Review of All RPMs in All gTLDs PDP Working Group to ensure it is consistent with GAC advice.

#### **EPDP on Specific Curative Rights Protections for IGOs**

Following its referral of Recommendation 5 to the Review of All RPMs in All gTLDs PDP, the GNSO Council prepared a draft Addendum to the RPMs charter and consulted with the GAC and IGO representatives.

Subsequently, the GNSO Council adopted the <u>Addendum</u> in January 2020 to initiate a separate IGO Work Track.

In September 2020, the GNSO Council conducted an Expression of Interest process for the IGO Work Track Chair and issued a call for volunteers to the various community groups to appoint members to the work track. Members of the work track met for the first time on 22 February 2021 and made significant progress on preliminary draft recommendations. Following the procedural step noted above to initiate an EPDP to complete the IGO Work Track's work, the EPDP Team published its **Initial Report for public comment** on 14 September 2021. The EPDP Team has considered the comments received and is making changes to its report as necessary.

#### WHAT ARE THE EXPECTED NEXT STEPS?

The ICANN Board is now considering Recommendations 1-4, taking into account Public Comments received. With regard to Recommendation 5, the EPDP Team is seeking to finalize its recommendations and deliver its Final Report to the GNSO Council.

#### HOW CAN I GET INVOLVED?

Parties interested in the EPDP Team should coordinate with the members assigned by the relevant Stakeholder Group (SG), Constituency (C), Supporting Organization (SO), or Advisory Committee (AC) to stay current and to communicate any input they believe may be useful to the IGO Work Track's deliberations. Interested parties are also able to follow its progress by signing up as an observer.

#### **MORE INFORMATION**

- IGO-INGO Access to Curative Rights Protection Mechanisms PDP webpage
- <u>IGO-INGO Access to Curative Rights Protection Mechanisms PDP workspace</u>
- EPDP on Specific Curative Rights Protections for IGOs workspace

**RESPONSIBLE STAFF:** Mary Wong, Steve Chan, Berry Cobb

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

#### WHAT CAN I EXPECT AT ICANN73 IN RELATION TO THIS TOPIC?

The New Generic Top-Level Domain (gTLD) Subsequent Procedures Policy Development Process (PDP) Working Group will not be meeting at ICANN73 as it has completed its work. The GNSO Council adopted its Final Report in February 2021 and sent the PDP outputs to the ICANN Board for review.

#### WHAT IS THIS ABOUT?

This PDP sought to determine if any changes needed to be made to the existing policy recommendations from the 2007 <u>Final Report on the Introduction of New Generic</u> <u>Top-Level Domains. Learn More</u>

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

The working group submitted its **Final Report** to the GNSO Council for consideration on 18 January 2021. It put forward hundreds of Affirmations, Recommendations, and Implementation Guidance (collectively referred to as "outputs") under 41 topics. Only two outputs did not receive Consensus or Full Consensus support from the working group.

At its meeting on 18 February 2021, the GNSO Council approved by supermajority vote all final Affirmations, Recommendations, and Implementation Guidance that were determined to have received either Full Consensus or Consensus designations by the working group. The adopted outputs and the <u>Recommendations Report</u> were subsequently sent to the ICANN Board for review.

Between 22 April and 1 June 2021, there was a **Public Comment** proceeding on the Final Report to seek community input prior to the ICANN Board action on PDP's outputs. On 29 April 2021, as required by the Bylaws, the ICANN Board **notified** the Governmental Advisory Committee (GAC) of the GNSO Council's approval of the PDP outputs that received either Full Consensus or Consensus designations by the working group.

On 12 September 2021, the Board directed the ICANN org to initiate an <u>Operational</u> <u>Design Phase (ODP)</u> for the Final Report outputs. The ODP began on 3 January 2022.



#### continued POLICY DEVELOPMENT PROCESS: NEW GENERIC TOP-LEVEL DOMAIN SUBSEQUENT PROCEDURES

#### WHAT ARE THE EXPECTED NEXT STEPS?

Following the ODP, the ICANN Board is expected to act on the approved policy recommendations in accordance with the Bylaws.

#### HOW CAN I GET INVOLVED?

Please stay tuned for additional information about future opportunities to engage on this topic.

#### **MORE INFORMATION**

- PDP webpage
- PDP workspace
- ODP webpage

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

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

#### WHAT CAN I EXPECT AT ICANN73 IN RELATION TO THIS TOPIC?

Both the EPDP Phase 2 Team and Phase 2A Team have completed their work and therefore will not be meeting at ICANN73.

#### WHAT IS THIS ABOUT?

On 17 May 2018, the ICANN Board approved the Temporary Specification for generic top-level domain (gTLD) Registration Data to allow contracted parties to comply simultaneously with existing ICANN contractual requirements and the European Union's General Data Protection Regulation (GDPR). This Board action triggered the GNSO Council's initiation of a PDP on 19 July 2018. The PDP was conducted in two phases: Phase 1 aimed to confirm, or not, the Temporary Specification by 25 May 2019; Phase 2 discussed, among other elements, a standardized access model to nonpublic registration data. Phase 2A discussed the differentiation of legal and natural persons' registration data and the potential feasibility of unique contacts having a uniform anonymized email address. Learn More

#### WHAT IS THE CURRENT STATUS OF THIS PROJECT? Phase 2

The GNSO Council approved the **Phase 2 Final Report** during its meeting on 24 September 2020 by supermajority vote. The Final Report details the EPDP Team's recommendations for a System for Standardized Access/Disclosure (SSAD) to nonpublic gTLD registration data, as well as recommendations and conclusions for the so-called "Priority 2" topics that include data retention, city field redaction, etc.

As part of its approval, the GNSO Council agreed to request a consultation with the ICANN Board. The purpose of the consultation is to discuss the financial sustainability of the SSAD and some of the concerns expressed within the different minority statements. Those issues include whether a further costbenefit analysis should be conducted before the ICANN Board considers all SSADrelated recommendations for adoption. During ICANN70, the Board directed the ICANN org to initiate an Operational Design Phase (ODP) for the SSAD-related



recommendations, and the ICANN org delivered the Operational Design Assessment (ODA) to the ICANN Board on 25 January 2022. For more information on the SSAD ODP, please visit the following <u>page</u>.

With respect to the aforementioned Priority 2 topics (recommendations not related to the SSAD), the Board <u>adopted</u> the four Priority 2 recommendations during its meeting on 21 June 2021.

#### Phase 2A

Following the request from some EPDP Team members, the GNSO Council asked the EPDP Team to continue its work on two topics: 1) the differentiation of legal vs. natural persons' registration data and 2) the feasibility of unique contacts to have a uniform anonymized email address.

The EPDP Team submitted its **Final Report** to the GNSO Council on 3 September 2021. The Final Report contains three recommendations related to the differentiation of legal vs. natural persons, including: (i) the mandatory creation of a new RDDS field(s) that allows, but does not require, registrars to designate between natural vs. legal persons and personal vs. non-personal data; (ii) optional guidance for registrars who choose to differentiate between legal and natural persons; and (iii) a recommendation that if the ICANN org develops a GDPR Article 40 Code of Conduct, the above-referenced guidance would need to be considered in its development. The Final Report also contains one recommendation related to the unique contacts topic, namely that registrars who choose to publish a pseudonymized contact consider following the appended guidance from Bird & Bird and relevant data protection authorities.

#### WHAT ARE THE EXPECTED NEXT STEPS?

For Phase 2, the ICANN Board is expected to consider the SSAD-related recommendations following its review of the Operational Design Assessment (ODA). The ICANN org delivered the ODA to the Board on 25 January 2022. The Board and GNSO Council are in the process of thoroughly reviewing the ODA, and, following their respective reviews, the Board will further consult with the GNSO Council regarding the Council's aforementioned concerns on the financial sustainability of the SSAD.

For Phase 2A, the GNSO Council **approved** the policy recommendations on 27 October 2021. Following the Council's approval, ICANN org opened a **public comment proceeding** on the Phase 2A Final Report in advance of the ICANN Board's consideration. The proceeding closed on 13 January 2022. The ICANN Board will now consider the Phase 2A policy recommendations.

#### HOW CAN I GET INVOLVED?

For more information on the SSAD ODP, please visit the following **page**. The work of the EPDP Team Phase 2A has concluded, but parties interested in learning more are invited to read the EPDP Phase 2A **Final Report**.

#### **MORE INFORMATION**

- EPDP Phase 2 webpage
- EPDP Phase 2A webpage
- EPDP workspace
- <u>SSAD ODP webpage</u>

**RESPONSIBLE STAFF:** Caitlin Tubergen, Marika Konings, Berry Cobb

## Policy Implementation Update

Implementation review teams (IRTs) are convened to assist ICANN org in developing the implementation details for the Board-approved policy developed in GNSO PDP working groups. This is to ensure that the implementation conforms to the intent of the policy recommendations (as per IRT Principles & Guidelines). Learn More

## Registration Data Policy for gTLDs (EPDP PHASE 1 IMPLEMENTATION)

The Implementation Review Team (IRT) will conduct one working session at ICANN73, on Wednesday, 9 March 2022 at 16:30-17:30 AST. Please check the ICANN73 meeting schedule for the confirmed time.

Three stages of the policy implementation were designed in advance of the Board resolution:

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

The Stage 1 interim Consensus Policy named <u>Interim Registration Data Policy for</u> gTLDs was published on 17 May 2019.



The IRT is now working on the implementation plan for Stage 2. The process steps include drafting the complete gTLD Registration Data Policy and agreeing on a timeline that can be shared for Public Comment (including the anticipated implementation time for the contracted parties). The IRT has been focusing on:

- deliberations to resolve conflicting interpretations of some of the recommendations
- evaluation of the requirements set by the policy language for technical feasibility
- projection of the scope and time for the tasks to be implemented
- assessment of the critical path to define a realistic implementation timeline

After the implementation plan has been formulated, it will be published for Public Comment.

In January 2021, the GNSO Council passed a <u>motion</u> to provide guidance on the interpretation of EPDP Phase 1 Recommendation 7. In October 2021, the ICANN Board directed the implementation of the policy per the guidance. In June 2021, the Board <u>adopted Recommendations 19-22</u> from the EPDP Phase 2 Final Report. The implementation of these recommendations, referred to as Priority 2 items, were added to the Registration Data Policy Implementation scope of work.

This IRT is open to all. You may join as either a member (with full posting rights to the mailing list and the ability to participate in all meetings) or as an observer (with read-only status for the mailing list). If you are interested in joining, please follow the instructions in the "call for IRT" announcement. The IRT meets every other week via teleconference and in person at ICANN Public Meetings.

#### **MORE INFORMATION**

- EPDP Phase 1 background
- Policy Implementation Status webpage
- IRT workspace

#### **RESPONSIBLE STAFF:** Dennis Chang

The following Implementation Review Teams (IRTs) do not plan to meet at ICANN73

### Privacy and Proxy Services Accreditation Issues

The IRT for the **policy recommendations** developed by the Privacy Proxy Services Accreditation Issues (PPSAI) Policy Development Process (PDP) Working Group began meeting in October 2016. It has reviewed the draft Registrar Accreditation Agreement (RAA) and other associated program materials in preparation for the Public Comment phase.

On <u>4 March 2019</u>, ICANN org wrote to the GNSO Council with the suggestion to wait before proceeding to Public Comment and implementation of the PPSAI recommendations until the completion of the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data. The GNSO Council deferred the decision on this issue to ICANN org in a <u>message</u> on 30 April 2018. In its <u>response</u> on 5 September 2019, ICANN org confirmed that implementation work would remain paused pending the resolution of EPDP Phase 2.

With both phases of the EPDP complete, ICANN org provided its <u>draft review</u> of the impact of the EPDP recommendations on existing policies and procedures, including the PPSAI recommendations, per the EPDP Phase 1 Recommendation 27. Following review by the EPDP Phase 1 IRT, the <u>report</u> was shared with the GNSO Council to help determine next steps. In its <u>7 July letter</u>, the GNSO Council indicated an expectation that implementation would continue. ICANN org is now considering next steps for the PPSAI implementation within the org's planning activities, factoring in existing and upcoming activities, as well as direction from the Board.

#### **MORE INFORMATION**

- PDP background
- Policy Implementation Status webpage
- IRT workspace

**RESPONSIBLE STAFF:** Cyrus Jamnejad

Implementation

## Translation and Transliteration of Contact Information

The ICANN Board **adopted** the recommendations of the PDP working group in September 2015. Since commencing implementation work in July 2016, the IRT and Global Domains and Strategy (GDS) have produced a **preliminary policy document**. Due to complexities emerging from the Implementation Review Team (IRT)'s discussions and work in other areas related to registration data directory services (RDDS)—in particular the **Temporary Specification for gTLD Registration Data Expedited Policy Development Process** (EPDP)—the implementation's projected announcement and effective dates are to be determined.

Given the implementation's relationship to the evolution of registration data policies and procedures, the PDP working group's recommendations are being assessed per Recommendation 27 of the Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data Phase 1 Team's <u>Final Report</u> to ensure policy and implementation consistency across the many work streams in this area.

Both phases of the EPDP are now complete. The ICANN org has provided its draft review of the impact of the EPDP recommendations on existing policies and procedures, including the Translation and Transliteration of Contact Information recommendations, per the EPDP Phase 1 Recommendation 27. Following review by the EPDP Phase 1 IRT, ICANN org provided the **report** to the GNSO Council. ICANN org is considering next steps regarding the GNSO Council's consideration of the EPDP Phase 1 Recommendation 27, Wave 1.5 Report per its **letter** dated 7 July 2021. This includes incorporating next steps on the Translation and Transliteration of Contact Information recommendations into ICANN org's planning activities, and factoring in timing and prioritization of work with other existing activities.

#### **MORE INFORMATION**

- PDP background
- Policy Implementation Status webpage
- IRT workspace

**RESPONSIBLE STAFF: Isabelle Colas** 



ICANN | GNSO: POLICY BRIEFING | FEBRUARY 2022

Implementation

## Protection of IGO and INGO Identifiers in All gTLDs

On 16 January 2018, the **implementation** of the Consensus Policy for the Protection of Certain Specific International Governmental Organization (IGO) and International Non-Governmental Organization (INGO) Identifiers for All gTLDs was published. As of 1 August 2018, implementation has been completed for the portion of the policy that provides protection by reserving full names for certain specific names of IGOs, the International Olympic Committee (IOC), and the Red Cross and Red Crescent Movement (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 org.

In January 2019, the ICANN Board <u>adopted</u> the policy recommendation proposed by the Reconvened PDP Working Group on the Protections of the Specific Red Cross Red Crescent Names in All gTLDs. After the <u>Public Comment</u>, the <u>consensus policy language</u> was revised and published in February 2020. The implementation was completed by 1 August 2020, which resulted in increasing the number of <u>reserved Domain Name System (DNS) Labels</u> from 700 to over 7,000.

The INGO Claims System implementation is currently on hold due to consideration of potential additional requirements that could be combined to create this new system. The ICANN org is consulting with the Implementation Review Team (IRT) on the timing of the restart.

#### MORE INFORMATION

- PDP background
- Policy Implementation Status webpage
- IRT workspace

**RESPONSIBLE STAFF:** Dennis Chang



# Review of All Rights Protection Mechanisms in All gTLDs Phase 1

On 24 November 2020, the PDP working group submitted its **Phase 1 Final Report** that contains a total of 35 recommendations. On 21 January 2021, the GNSO Council unanimously **approved** the Phase 1 Final Report and sent the **Recommendations Report** to the ICANN Board of Directors on 19 March 2021. A **Public Comment** proceeding on the Phase 1 Final Report was conducted from 7 April to 21 May 2021. The **staff report** was published on 4 June 2021.

On 16 January 2022, the ICANN Board voted to **adopt** all 35 final Phase 1 PDP recommendations. The resolution includes the following Board directives to the ICANN org:

- For the 16 recommendations that call for updates to existing operational practices proceed with implementation as soon as feasible and develop an implementation plan.
- For the nine recommendations affirming the status quo include them for future expansions of the new gTLDs and inform the community about the plans to implement them.
- For the six recommendations that require substantial resourcing and multiple stakeholders' involvement develop an implementation plan that includes estimated timing, staffing, and other resources required, as well as how their implementation fits into operational planning and prioritization of the anticipated implementation efforts that will require the ICANN org's resourcing and support.
- For the four recommendations that call for specific changes to the Applicant Guidebook and/or the Base Registry Agreement and coordination with the expected Subsequent Procedures IRT – incorporate the implementation of these recommendations into the work on updates to the Applicant Guidebook for subsequent new gTLD rounds.

Following the Board's vote, ICANN's GDS function will proceed with planning for implementation.

Implementation •

## Accuracy Scoping Team

#### WHAT CAN I EXPECT AT ICANN73 IN RELATION TO THIS TOPIC?

The Scoping Team is expected to conduct one working session on Monday, 7 March 2022 from 12:30-14:00 AST. Please check the ICANN73 meeting schedule for the confirmed time. During this session, the Scoping Team is expected to make further progress on the assignments that the GNSO Council provided in its **instructions**.

#### WHAT IS THIS ABOUT?

The GNSO Council formally adopted the **formation of and instructions** to the Accuracy Scoping Team during its meeting on 22 July 2021. The Scoping Team has been tasked to consider a number of accuracy-related aspects such as current enforcement and reporting, measurement of accuracy, and effectiveness. These considerations are expected to help inform its deliberations and the development of recommendations to the GNSO Council on whether any changes are recommended to improve accuracy levels, and if so, how and by whom these changes would need to be developed (for example, if changes to existing contractual requirements are recommended, a PDP or contractual negotiations may be necessary to effect a change). Each Stakeholder Group, Constituency, Supporting Organization, and Advisory Committee has been invited to appoint representatives to this effort.

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

The Scoping Team commenced its deliberations in October 2021. Following **its review** of the index of relevant resources, the team has focused its efforts on assignments #1 (enforcement and reporting) and #2 (measurement of accuracy). Most recently, the Scoping Team **engaged** with ICANN org to better understand the interpretation and enforcement of existing requirements as well as reporting. It is also working through **a gap analysis** which is expected to help inform the Scoping Team's deliberations and the development of recommendations to the GNSO Council on whether any changes are needed to improve accuracy levels, and if so, how and by whom these changes would need to be developed.

#### WHAT ARE THE EXPECTED NEXT STEPS?

Based on its review of the gap analysis as well as the **input** provided by ICANN org regarding the Accuracy Reporting System (ARS), the Scoping Team will consider how the current state of registration data accuracy can be measured and whether the identified objectives of the existing accuracy requirements are being met. Following that, the Scoping Team is also expected to review whether there are any issues that are not addressed by the existing accuracy requirements and how such issues can be demonstrated and confirmed through data gathering and analysis.

#### **MORE INFORMATION**

- <u>Scoping Team instructions</u>
- <u>Scoping Team workspace</u>

**RESPONSIBLE STAFF:** Marika Konings, Caitlin Tubergen, Berry Cobb

## **GNSO Schedule for ICANN73**

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

DATE	MEETING
Monday, 7 March 2022	Joint Meeting: ICANN Board and Non-Commercial Stakeholder Group (NCSG)
	Registrar Stakeholder Group (RrSG) Membership Meeting
	Registration Data Accuracy Scoping Team
	Registries Stakeholder Group (RySG) GeoTLD Group Annual Group Meeting
	Joint Meeting: Governmental Advisory Committee (GAC) and GNSO Council
Tuesday, 8 March 2022	Joint Meeting: ICANN Board and GNSO Council
	Transfer Policy Review PDP Working Group
	RySG Membership Meeting 1/2
	Joint Meeting: ICANN Board and Commercial Stakeholder Group (CSG)
	Contracted Party House (CPH) Membership Meeting
	NCSG Policy Committee Meeting
	Joint Meeting: ICANN Board and CPH
	Business Constituency (BC) Membership Meeting
	Expedited Policy Development Process (EPDP) Specific Curative Rights Protections Intergovernmental Organizations (IGOs)
	RySG Membership 2/2 and Wrap Up Meeting
	Intellectual Property Constituency (IPC) Membership Meeting

DATE	MEETING
Wednesday, 9 March 2022	Internet Service Providers and Connectivity Providers (ISPCP) Membership Meeting
	GNSO Council Public Meeting
	EPDP on Internationalized Domain Names (IDNs)
	RySG - Brand Registry Group: Competition in the gTLD Space
	Registration Data Policy Implementation Review Team (IRT) Meeting
	Joint Meeting: At-Large and GNSO Councils
Thursday, 10 March 2022	CSG Membership Meeting
	NCSG Membership Meeting
	GNSO Council Wrap-up
	CPH TechOps

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Generic Names Supporting Organization

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