ICANN | GNSO

Generic Names Supporting Organization

Policy Briefing ICANN78 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 @ ICANN78:

gnso.ICANN.org/ICANNmeeting **№** @ICANN_GNSO



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Welcome to ICANN78 from the GNSO Chair



The Generic Names Supporting Organization (GNSO) Council and the GNSO community welcome your participation in the ICANN78 Annual General Meeting (AGM) in Hamburg, Germany. As with previous hybrid meetings, at ICANN78, the GNSO will seek to equally leverage contributions of in-person and remote participants to advance policy development efforts and the work of the GNSO Council. The meeting will also devote time to stakeholder group and constituency meetings. As ICANN78 approaches, I would like to highlight a few GNSO initiatives that will be on the agenda for the AGM, as well as recent and ongoing work that may interest you. Additional information about GNSO projects can be found in the following sections of this document.

During ICANN78, sessions will be held for key policy development initiatives and other GNSO projects. The Transfer Policy Review Policy Development Process (PDP) Working Group was initiated by the GNSO Council in March 2021 to determine if changes to the policy are needed to improve the ease, security, and efficacy of inter-registrar and inter-registrant transfers. During ICANN78, the working group will hold a session to discuss charter questions and seek broader community input on draft recommendations regarding the Transfer Dispute Resolution Policy (TDRP) and ICANN-approved bulk transfers.

The GNSO Internationalized Domain Names (IDN) Expedited Policy Development Process (EPDP) is expected to conduct three working sessions during ICANN78. The focus of the work will be on finishing the Phase 1 Final Report. Topics within Phase 2 of its charter, covering issues pertaining to second-level variant management, might also be discussed.

The GNSO Guidance Process (GGP) Working Group is tasked with providing additional guidance to support eventual implementation efforts relating to the Applicant Support Program in new gTLD subsequent procedures. During ICANN78, the working group will not hold a working session as it is in the process of reviewing and analyzing public comments on its Guidance Recommendation Initial Report. The Report provides guidance recommendations relating to the identification and prioritization of metrics, including indicators of success, as well as those relating to financing the program when qualified applicants exceed allocated funds.

In addition, work continues to support ICANN Board consideration of outputs from GNSO policy development efforts:

- Now that the ICANN Board has given the green light to move forward with the implementation of the Registration Data Request Service ("RDRS", formerly known as Whois Disclosure System), the EPDP Phase 2 small team has been working with the ICANN org on the implementation of the service. The work will focus on issues such as defining the success criteria of the system, how to best promote and secure the comprehensive use of the system both by potential requestors and ICANN accredited registrars, as well as several other topics identified in the addendum as benefiting from further consideration. The small team is expected to meet during ICANN78. Interested parties may participate and learn more about RDRS.
- While the ICANN Board has approved most New gTLD Subsequent Procedures PDP recommendations, several were not formally adopted during the Board's September 2023 meeting. The GNSO Council's small team is tasked with advising the full Council on whether these non-adopted recommendations should be modified and if so, how. The small team is scheduled to meet during ICANN78 and, as with the RDRS meeting, interested parties who wish to join the meeting are invited to do so.

During ICANN78, the GNSO Council will be holding two working sessions on Sunday, 22 October, an informal meeting on Tuesday, 24 October, its public meeting on Wednesday, 25 October, and a wrap-up session on Thursday, 26 October. The GNSO Council will also hold bilateral meetings with the ALAC on Saturday, 21 October, with the ccNSO on Sunday, 22 October, with the GAC on Monday, 23 October, and with the ICANN Board on Wednesday, 25 October.

ICANN78 will be a full meeting with ample opportunities to get involved. It will also be a time to celebrate 25 years of the Generic Names Supporting Organization. Whether you are attending in person in Hamburg, Germany, or via Zoom, I look forward to seeing you soon. I wish you all a productive meeting.

Sebastien Ducos GNSO Chair

ICANN78 at a Glance

The GNSO Policy Support Team has developed this briefing document to help community members prepare for ICANN78. 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 to help you prepare for ICANN78. We hope it fosters active participation from all attendees.

Newcomers to ICANN and to the GNSO may be interested in additional online learning opportunities that will help them make the most of the upcoming meeting. We highly recommend taking the "Get to Know the GNSO" course on ICANN Learn. It will make it easier to navigate the structure and content of this Policy Briefing and provide you 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.

ICANN77 Meeting Information

Meeting Page, including registration and schedule

General Remote Participation Information

GNSO Session Remote Participation Details

Expected Standards of Behavior

GNSO-Related Information

GNSO Council Policy Update Webinar during Prep Week

GNSO One-Stop Shop for ICANN Meetings

Project List

continued ICANN78 AT A GLANCE

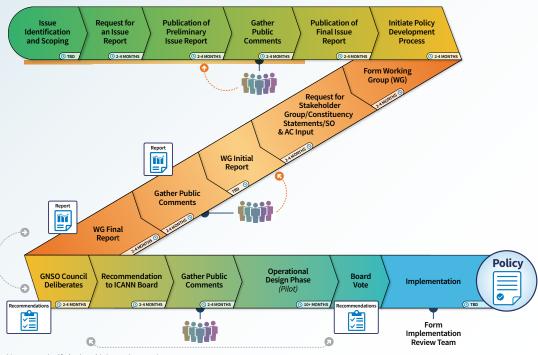
If you have any questions about, or suggestions for, this Policy Briefing or GNSO policy activities, please contact us at policy-staff@ICANN.org. We look forward to a productive meeting.

Policy Research and Stakeholder Programs (PRSP) Briefing

ICANN org's Policy Research and Stakeholder Programs (PRSP) team has a similar, publicly available, briefing. Its goal is to provide status updates and progress reports on the various community-facing projects that the PRSP team supports, all in preparation for discussions during the upcoming ICANN78 meeting. The pre-ICANN meeting briefings are a valuable resource for the community and help to increase visibility and accountability for the multiple projects the PRSP team supports and leads. You can read the PRSP Pre-ICANN78 Briefing here.

GNSO Policy Development Process Infographic

The GNSO Policy Development Process (PDP) governs the way in which the GNSO develops consensus policies related to generic top-level domains (gTLDs). As shown in the summarized graph below, a GNSO PDP lifecycle consists of different steps. They include issue identification and scoping, PDP initiation, working group, GNSO Council deliberation, ICANN Board vote, and policy implementation. Note: The Operational Design Phase (ODP) shown in the graphic does not apply to all PDPs. Some steps are omitted for brevity. Timing notations are estimates.



* Some steps omitted for brevity and timing notations are estimates

The respective steps reached by the PDP working groups and Implementation Review Teams (IRTs) are detailed in the following sections.

For more details about the steps in the PDPs, consult the information below:

- ICANN Bylaws, Annex A
- Detailed Infographic of the GNSO PDP
- PDP Manual

Policy Development Process: Transfer Policy Review

WHAT CAN I EXPECT AT ICANN78 RELATED TO THIS TOPIC?

The working group will conduct one working session on Saturday, 21 October 2023 from 10:30–12:00 CEST. Please check the ICANN78 meeting schedule for the confirmed time. During the session, the working group will discuss charter questions and seek broader community input on draft recommendations regarding the Transfer Dispute Resolution Policy (TDRP) and bulk transfers if time allows.

WHAT IS THIS ABOUT?

On 18 February 2021, the GNSO Council <u>initiated</u> a 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 Report</u>, this PDP addresses the following topics:

 The Gaining and Losing Forms of Authorization (FOA), AuthInfo Codes, and NACKing transfers, change of registrant requirements, the Transfer Emergency Action Contact (TEAC) and reversing inter-registrar transfers, the TDRP, and ICANN-approved transfers (<u>Learn More</u>).

The working group began meeting in May 2021. On 21 June 2022, it published an Initial Report for Public Comment covering the FOA, AuthInfo Codes, and NACKing transfers. The working group has reviewed Public Comments and incorporated changes into the preliminary recommendations where appropriate. The working group also conducted preliminary deliberations on change of registrant requirements contained in the Transfer Policy. During deliberations, the working group identified the need to make progress on charter questions related to the TEAC, reversing interregistrar transfers, and the TDRP, before finalizing work on other charter topics. Therefore, it decided to focus on these topics.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The Transfer Policy Review PDP Working Group is developing preliminary agreements and recommendations on bulk transfers and plans to discuss the Change of Registrant issue following the conclusion of its work on bulk transfers.



continued POLICY DEVELOPMENT PROCESS: TRANSFER POLICY REVIEW

WHAT ARE THE EXPECTED NEXT STEPS?

The working group charter initially anticipated that the PDP would be conducted in phases, but the approach has since been changed due to dependencies identified between charter topics. The work is now structured as a single phase. The working group is expected to deliver a second Initial Report covering all charter topics, including revisions to the recommendations contained in the first Initial Report, in August 2024. The working group will deliver a single Final Report covering all charter topics.

HOW CAN I GET INVOLVED?

Parties interested in the Transfer Policy Review PDP should coordinate with the members assigned by the respective Stakeholder Group, Constituency, Supporting Organization, or Advisory Committee and 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. A Public Comment period will be held on the second Initial Report. All are welcome to contribute to this Public Comment period.

MORE INFORMATION

- PDP webpage
- PDP workspace

RESPONSIBLE STAFF: Caitlin Tubergen, Julie Hedlund, Christian Wheeler, Berry Cobb

Expedited Policy Development Process: Internationalized Domain Names

WHAT CAN I EXPECT AT ICANN78 RELATED TO THIS TOPIC?

The EPDP Team will conduct three working sessions: 1) Saturday, 21 October from 09:00–10:00 CEST; Saturday, 21 October from 10:30–12:00 CEST; and 3) Monday, 23 October from 16:30–17:30 CEST. Please check the ICANN78 meeting schedule for the confirmed time. During the sessions, the EPDP Team will work toward finalizing its Phase 1 Final Report and may discuss topics within Phase 2 of its charter, covering issues pertaining to second level IDN variant management.

WHAT IS THIS ABOUT?

On 20 May 2021, the GNSO Council approved the <u>initiation request</u> for the EPDP on Internationalized Domain Names (IDNs) and adopted its <u>charter</u>. The EPDP Team is expected to:

- Determine the approach for a consistent definition of all gTLDs; and
- Develop policy recommendations that will eventually allow for the introduction of variant gTLDs at the top level.

The charter includes 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. The EPDP Team has been conducting its deliberations by building on the existing body of policy work, research, and analysis on the IDNs, specifically the Outputs produced by the GNSO New gTLD Subsequent Procedures PDP. (Learn More)

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The EPDP Team began meeting in August 2021. During its deliberations, the EPDP Team considered the <u>early written input</u> on topics in its charter from the Country Code Names Supporting Organization (ccNSO), GNSO's Registries Stakeholder Group (RySG), and the Security and Stability Advisory Committee (SSAC).

In November 2022, the GNSO Council approved the <u>project change request</u> from the EPDP Team. It will complete its work in two phases. Phase 1 focuses on topics related to top-level IDN gTLD definition and variant management. Phase 2 focuses on topics related to second level IDN variant management. The EPDP Team believes that this two-phased approach will help prioritize the current implementation planning for the



New gTLD Subsequent Procedures (SubPro) PDP Outputs that are focused primarily on the top level.

To ensure a consistent solution for variant TLDs is being developed, the EPDP Team monitors the activities in the ccNSO's ccPDP4 on the (de-)selection of IDN ccTLD Strings. The EPDP Team and the ccPDP4 periodically hold joint sessions to discuss their preliminary recommendations, compare similarities, and understand the differences. A section in the Phase 1 Initial Report includes the EPDP Team's analysis of preliminary recommendations under four topics covered by both groups where differences existed.

On 24 April 2023, the EPDP Team published its Phase 1 Initial Report for <u>Public Comment</u>. The Public Comment period was closed on 19 June 2023. The Initial Report includes 68 preliminary recommendations. Most strive to operationalize SubPro PDP Outputs to allow for future applications of gTLD variant labels through the New gTLD Program. By the Public Comment closure, the EPDP Team received input from <u>twelve (12) submissions</u>, which did not raise any significant concerns or new issues that the EPDP Team had not previously considered.¹ By the end of September 2023, the EPDP Team completed the review of all public comments and the finalization of Phase 1 recommendations.

On 16 March 2023, the ICANN Board requested the EPDP Team to deliver an updated project plan by the end of ICANN77 that identifies all charter questions that will impact the next Applicant Guidebook (AGB), as well as a timeline for the EPDP Team's delivery of relevant recommendations to the GNSO Council. While the Public Comment proceeding was ongoing, the EPDP Team conducted a thorough analysis of its charter questions in accordance with the Board request. It also started discussing its Phase 2 work. On 25 May, the EPDP Team reported to the GNSO Council that nearly all of its charter questions may have an impact on the next AGB, and as such, it determined to continue its two-phased approach and the estimated timeline for project completion remained unchanged. During ICANN77, the GNSO Council submitted the deliverable, including the EPDP Team's project plan, to the ICANN Board. On 25 July, the GNSO Council submitted a revised timeline from the EPDP Team after it considered several factors, including the progress made on Phase 2 deliberations ahead of schedule as well as the approval of its request to hold a dedicated face-to-face workshop in December 2023. While there was no change to the timeline for delivering the Phase 1 Final Report, the EPDP Team shortened the Phase 2 timeline by 13 months, with the estimated delivery date of the Phase 2 Final Report in October 2024.

¹The EPDP Team sought guidance from the GNSO Council with regard to four submissions related to the ".québec" string. The GNSO Council **agreed** with the EPDP Team's assessment that those comments were outside the scope for the EPDP to address.

WHAT ARE THE EXPECTED NEXT STEPS?

The EPDP Team is expected to conduct a formal consensus call on all its Phase 1 final recommendations and review the draft Phase 1 Final Report. The goal is to submit the Final Report to the GNSO Council no later than November 2023.

In addition, the EPDP Team is expected to resume its Phase 2 deliberation, including the planning for its face-to-face workshop, from 6–8 December 2023 in Kuala Lumpur, Malaysia.

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 and 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 substantive EPDP deliberations, except when an official position is needed from the relevant organization or for a consensus call. Interested parties are also able to follow the working group's progress by signing up as observers.

MORE INFORMATION

- EPDP Phase 1 Initial Report Public Comment
- EPDP webpage
- EPDP workspace

RESPONSIBLE STAFF: Ariel Liang, Steve Chan, Daniel Gluck

GNSO Guidance Process: Applicant Support

WHAT CAN I EXPECT AT ICANN78 RELATED TO THIS TOPIC?

At ICANN78, the GNSO Guidance Process (GGP) Working Group will not hold a working session while it is in the process of reviewing and analyzing public comments on its Guidance Recommendation Initial Report. The Report provides guidance recommendations relating to the identification and prioritization of metrics, including indicators of success, as well as those relating to financing the program when qualified applicants exceed allocated funds.

WHAT IS THIS ABOUT?

The goal of a GGP is to provide additional guidance to support implementation efforts relating to the Applicant Support Program as recommended in the New gTLD Subsequent Procedures Final Report.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

During its meeting on 25 August 2022, the GNSO Council <u>approved</u> the GGP Initiation Request to perform work on Applicant Support. The working group was subsequently formed and began its work in November 2022. The working group has developed a <u>work plan and timeline</u>, which has been confirmed by the GNSO Council. The working group has completed its tasks and produced its Guidance Recommendation Initial Report for Public Comment on 31 July 2023 for 40 days. The working group has begun reviewing and considering the received Public Comments.

WHAT ARE THE EXPECTED NEXT STEPS?

The working group will update the Guidance Recommendation Initial Report if there are any recommendations that require modification to address comments received. Subsequently, the working group will produce a Final Report for consideration by the GNSO Council. If approved by the Council, the recommendations will be submitted to the ICANN Board of Directors.



continued GNSO GUIDANCE PROCESS: APPLICANT SUPPORT

HOW CAN I GET INVOLVED?

The working group comprises members and observers. The invited groups have appointed their members and alternates but interested parties can participate as observers. They can sign up and receive invitations for the working group meetings and will be able attend meetings in real time, however they will only be able to listen to the conversation. Anyone interested in participating as an observer should contact the GNSO Secretariat at gnso-secs@icann.org.

MORE INFORMATION

- GGP workspace
- GGP Initiation Request

RESPONSIBLE STAFF: Julie Hedlund, Steve Chan

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

WHAT CAN I EXPECT AT ICANN78 RELATED TO THIS TOPIC?

The New Generic Top-Level Domain (gTLD) Subsequent Procedures (SubPro) Policy Development Process (PDP) Working Group will not be meeting at ICANN78 as it has completed its work. However, the Implementation Review Team (IRT) established to support the implementation of policy recommendations for the Next Round will hold three sessions at ICANN78: 1) Saturday, 21 October from 10:30–12:00 CEST; 2) Sunday, 22 October from 16:30–17:30 CEST; and 3) Wednesday, 25 October from 16:00–17:30 CEST. Please check the ICANN78 meeting schedule for the confirmed times.

In addition, the GNSO Council's small team is scheduled to meet on Saturday, 21 October from 15:00–16:00 CEST and make progress on remaining pending recommendations and potential modifications to recommendations that were not adopted by the ICANN Board. Again, please check the ICANN78 meeting schedule for the confirmed time.

WHAT IS THIS ABOUT?

This PDP working group 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 Top-Level Domains</u>. (<u>Learn More</u>)

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

On 16 March, the ICANN Board passed a resolution on a set of recommendations calling for, among other things, "a working methodology and Implementation Review Team (IRT) work plan and timeline as agreed upon by ICANN org and the GNSO Council." See: https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-16-03-2023-en. In addition to the approved recommendations, the Board designated 38 outputs as "pending". The Council convened a small team. It has already completed several actions, including working with the ICANN Board to identify which pending recommendations can be resolved during implementation or via a Council clarifying statement. The small team, in conjunction with the Council, also delivered a work plan and timeline for follow-on policy work, if any, stemming from the facilitated dialogue on Closed Generics and a work plan and timeline for the IDNs EPDP charter



questions that are expected to impact the next Applicant Guidebook. The small team is now focused on determining what modifications are needed, if any, for the recommendations that the Board did not <u>adopt</u>.

ICANN org has established the IRT to support the implementation of policy recommendations for future rounds of new gTLD applications. See: https://community.icann.org/display/SPIR/Subsequent+Procedures+ <a href="https://community.icann.org/display/SPIR/Subsequent+

Participants from the GNSO, GAC, and ALAC continued to meet after ICANN77 as part of the facilitated dialogue to develop a framework for closed generics. However, the chairs of the GNSO, GAC, and ALAC, in collaboration with the participants of the facilitated dialogue, agreed to conclude work on the framework. In doing so, there was agreement that resolving closed generics should not serve as a dependency for the Next Round, though an interim approach is needed for the next and future rounds, or until policy is developed.

WHAT ARE THE EXPECTED NEXT STEPS?

The IRT began meeting regularly in May 2023 and will continue its efforts to complete its implementation work. In addition, the GNSO Council will continue to collaborate with the ICANN Board to seek resolution for recommendations that were either not adopted or remain pending.

HOW CAN I GET INVOLVED?

The New gTLD Program Next Round IRT is open to all interested participants, particularly current or former SubPro WG team members who participated in the team's deliberations and who keenly understand the Final Report's policy recommendations and accompanying rationale. To join the IRT as a participant or observer, please complete this <u>form</u>, If you are not able to access the form, please send an email to <u>nextround_policyimplementation@icann.org</u>.

MORE INFORMATION

- PDP webpage
- PDP workspace
- ODP webpage

RESPONSIBLE STAFF: Steve Chan, Julie Hedlund, Marika Konings

Expedited Policy Development Process: Temporary Specification for gTLD Registration Data - Phase 2 (SSAD)

WHAT CAN I EXPECT AT ICANN78 RELATED TO THIS TOPIC?

During ICANN78, the EPDP Phase 2 small team is expected to continue its engagement with ICANN org on the implementation status of the Registration Data Request Service (RDRS). A session has been scheduled on Saturday, 21 October from 9:00–10:00 CEST. Please check the ICANN78 meeting schedule for the confirmed time.

WHAT IS THIS ABOUT?

The GNSO Council approved the EPDP Phase 2 Final Report, which includes recommendations for a System for Standardized Access/Disclosure (SSAD) to nonpublic gTLD registration data. Prior to its consideration of the SSAD recommendations, the Board directed ICANN org to proceed with an Operational Design Phase (ODP), to gather more information, particularly about cost-benefit analysis of the SSAD. Following ICANN org's delivery of the Operational Design Assessment (ODA), the Council tasked a small team to assist with the Council's review of the ODA. The small team provided its ODA analysis in its preliminary report, and, following ICANN org's delivery of a subsequent Whois Disclosure System design paper, submitted an addendum to its preliminary report. The Council ultimately communicated to the ICANN Board its support for the request that the ICANN Board proceed with the RDRS implementation, provided that the updates identified by the small team in the addendum are made.

Following the Board's <u>direction</u> to ICANN org to proceed with implementing the RDRS, the Council re-enlisted the small team to consult with ICANN org on its implementation. For more background information on the previous work of the EPDP, please refer to the additional procedural history below.



WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The ICANN Board <u>directed</u> ICANN org in February 2023 to develop and launch the WHOIS Disclosure System (System), now called RDRS, as requested by the GNSO Council within 11 months and continue engagement with the GNSO Council on implementation. The ICANN Board also requested the GNSO Council to consider a PDP or other means to require registrars to use the System and to establish success criteria for the RDRS. The GNSO Council <u>responded</u> to the Board's resolution on 4 May 2023, confirming the updated <u>assignment</u> of the EPDP Phase 2 small team to reflect these new work items. The small team met with the ICANN org team during ICANN76, ICANN77, and continues to meet regularly between ICANN meetings on its new assignment. Upon the recommendation of the small team, the GNSO Council <u>communicated</u> the proposed success criteria to the ICANN Board on 1 June 2023, with the overarching success criteria being "has the experience with the RDRS sufficiently informed the GNSO Council and ICANN Board to make a decision with regards to the SSAD recommendations?".

WHAT ARE THE EXPECTED NEXT STEPS?

Further engagement and consultation are expected to continue between the Board, ICANN org, the GNSO Council, and the GNSO Council's small team to address open issues and collaborate on the successful implementation of the system. The Council has recommended that the RDRS run for a period of up to two (2) years, at which point, if not earlier, sufficient information should be available to make a determination on how to proceed with the SSAD recommendations. As part of its assignment, the small team has put forward a proposed charter to the GNSO Council for a RDRS Standing Committee to help inform the next steps on the SSAD policy recommendations. This Standing Committee is expected to take over from the small team following the launch of RDRS to review the data that will be produced monthly by ICANN org and advise the GNSO Council accordingly.

IS THERE ANY ADDITIONAL BACKGROUND INFORMATION TO HELP ME UNDERSTAND THE PROCEDURAL HISTORY OF THIS PROJECT?

On 17 May 2018, the ICANN Board approved the TempSpec for 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 TempSpec by 25 May 2019; Phase 2 discussed, among other elements, a standardized access model to nonpublic registration data. Phase 2A also 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)

The GNSO Council approved the Phase 2 Final Report during its 24 September 2020 meeting by supermajority vote. The Final Report details the EPDP Team's recommendations for an SSAD to nonpublic gTLD registration data. It also contains recommendations and conclusions for the so-called Priority 2 topics, which include data retention, city field redaction, etc. With respect to the Priority 2 topics (recommendations not related to the SSAD), the Board adopted the four Priority 2 recommendations during its 21 June 2021 meeting.

As part of its approval of the SSAD recommendations, the GNSO Council agreed to request a consultation with the ICANN Board. The goal is to discuss the financial sustainability of the SSAD and concerns expressed in various minority statements. The issues in question include whether a further cost-benefit analysis should be conducted before the ICANN Board considers all SSAD-related recommendations for adoption. During ICANN70, the Board directed the ICANN org to initiate an ODP for the SSAD-related recommendation.

Following the approval of the Phase 2 policy recommendations by the GNSO Council, the ICANN Board asked ICANN org to conduct an ODP and produce an ODA on the SSAD recommendations. After the publication of the ODA, the GNSO Council formed a small team consisting of Council and EPDP Team members to assist the Council with its ODA review. The small team provided input on proposed next steps for the consultation process between the Board and the Council regarding the cost-benefit analysis of the SSAD recommendations.

The small team submitted its **preliminary report** to the GNSO Council. It expressed the view that the ODA does not provide sufficient information to determine the cost and benefit of the SSAD. The small team also recommended the implementation of a proof-of-concept approach, which would allow collecting more data to better inform the decision on how to proceed with the SSAD recommendations. Subsequently, the GNSO Council **requested** the ICANN Board to direct the ICANN org to design such a proof of concept. The ICANN Board sought GNSO Council input on prioritization of these projects to be transparent about resource demands and to align expectations. The GNSO Council indicated that it believes that both the design paper and one of the affected areas of work, the New gTLD SubPro ODP, are priorities and that it is ultimately for ICANN org to determine how to plan its work effectively and minimize negative impacts. On 14 July 2022, the ICANN Board **confirmed** that it accepted the ICANN org approach of proceeding with both projects in parallel.

ICANN org published the Whois Disclosure System design paper in September 2022 and presented it to the Council and small team during ICANN75. The small team subsequently reviewed the design paper and continued its consultations with ICANN org, resulting in an addendum to its preliminary report. The GNSO Council accepted the addendum and communicated to the ICANN Board its support for the request that the ICANN Board proceed with the implementation of the Whois Disclosure System, provided that the updates identified by the small team in the addendum are made. Furthermore, the GNSO Council confirmed to the ICANN Board that, pending the implementation of the Whois Disclosure System for a period of up to two years, the SSAD recommendations from Phase 2 of the EPDP on the Temporary Specification (TempSpec) for gTLD Registration Data should remain paused for consideration by the ICANN Board unless the data resulting from the implementation of the Whois Disclosure System would allow and warrant a decision at an earlier stage.

HOW CAN I GET INVOLVED?

For more information on the SSAD ODP, please visit this <u>page</u>. For more information about the EPDP Phase 2 small team, please see <u>here</u>.

MORE INFORMATION

- EPDP Phase 2 webpage
- EPDP workspace
- EPDP Phase 2 small team workspace
- SSAD ODP webpage

RESPONSIBLE STAFF: Caitlin Tubergen and Marika Konings

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 and Guidelines. (Learn More)

Registration Data Policy for gTLDs

(EPDP PHASE 1 IMPLEMENTATION)

The EPDP Phase 1 Implementation Project Team will conduct a session at ICANN78 on Thursday, 26 October 2023 from 13:15–14:30 CEST. Please check the ICANN78 meeting schedule for the confirmed time.

Three stages of the policy implementation were designed before the Board resolution:

- Stage 1: Effective 20 May 2019, contracted parties must continue to implement measures consistent with the TempSpec 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 EPDP Team on the TempSpec for gTLD Registration Data
 recommended to be 29 February 2020.

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

continued POLICY IMPLEMENTATION UPDATE

In January 2021, the GNSO Council passed a **motion** 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 **adopted Recommendations 19–22** from the EPDP Phase 2 **Final Report**. The implementation of these recommendations, referred to as Priority 2 items, was added to the implementation scope. On 24 February 2022, the Board **adopted** the GNSO Council's Supplemental Recommendation for EPDP Recommendation 12 concerning the deletion of data in the organization field as it addresses the Board's overarching concern of loss of essential data.

Thirty-four (34) recommendations were analyzed to determine the implementation tasks: from EPDP Phase 1 (29), EPDP Phase 2 (4), and a Supplemental Recommendation (1). The draft Registration Data Policy language, review, and analysis of all impacted policies and procedures were published for **Public Comment**.

ICANN org <u>reviewed the comments received</u>, evaluated them to determine the policy language changes required, and reviewed them with the IRT to finalize the <u>policy language</u> for publication. Publication of the policy was put on hold because of a <u>letter</u> from the GAC to the ICANN Board requesting the ICANN Board to review the Urgent Request response time requirement in the policy. The Registrars Stakeholder Group subsequently wrote a <u>letter</u> to the ICANN Board providing its input on the Urgent Request response time. Discussions about the next steps are ongoing. Please see the <u>Registration Data Policy IRT wiki</u> and be sure to join the ICANN78 session on 26 October 2023.

MORE INFORMATION

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

RESPONSIBLE STAFF: Dennis Chang

Review of All Rights Protection Mechanisms in All gTLDs Phase 1

The IRT is expected to conduct a working session at ICANN78 on Monday, 23 October 2023 from 13:15–14:30 CEST. The implementation team plans to review the public **comments** received on the proposed updates to existing RPM documentation in the first implementation category identified below and consider whether any further changes need to be made as a result of the input received. Please check the ICANN78 meeting schedule for the confirmed time. The agenda will be published **here**.

On 24 November 2020, the PDP working group submitted its Phase 1 Final
Report. It contains 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 <u>adopted</u> 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 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.

continued POLICY IMPLEMENTATION UPDATE

Following the Board's vote, ICANN's Global Domains and Strategy (GDS) function began planning for implementation of the Phase 1 recommendations. On 19 October 2022, ICANN org issued a <u>call</u> for volunteers to assemble an IRT to assist in the implementation of the policy recommendations from Phase 1. On 13 December 2022, the implementation team held its kick-off meeting. The team will focus on implementing the recommendations in the first and third implementation categories identified above. Implementation of the remaining recommendations from the Phase 1 Final Report will be integrated into the implementation work related to the subsequent round of new gTLDs.

On 24 August 2023, the implementation team published for <u>Public Comment</u> the proposed changes to the RPM-related procedural documents which were revised in accordance with the relevant PDP Phase 1 outputs. The Public Comment is scheduled to close on 3 October 2023.

MORE INFORMATION

- Policy Implementation Status webpage
- IRT workspace

RESPONSIBLE STAFF: Antonietta Mangiacotti

The following IRTs do not plan to meet at ICANN78.

Registration Data Policy for gTLDs

(EPDP PHASE 2A IMPLEMENTATION)

The ICANN Board approved the EPDP Phase 2A policy recommendations on 10 March 2022. As set forth in Section 3 of the Final Report, the recommendations include: 1) a recommendation that a field or fields MUST be created to facilitate differentiation between legal and natural person registration data and/or if that registration data contains personal or non-personal data. ICANN org is expected to coordinate the implementation of this recommendation with the technical community. Once created, this field(s) is optional for use by contracted parties that choose to differentiate. Contracted parties that choose to differentiate are not required to use the field(s); 2) a recommendation that includes guidance developed by the EPDP team to assist contracted parties that choose to differentiate; 3) a recommendation that, should any possible future work within ICANN be undertaken in relation to the development of a GDPR Code of Conduct, the guidance developed concerning legal vs. natural differentiation should be considered; and 4) a recommendation that includes guidance for those contracted parties that choose to publish a pseudonymized registrant-based or registrationbased email address in the publicly accessible Registration Data Directory Services (RDDS).

The ICANN Board has directed ICANN org to develop and execute an implementation plan for the above adopted recommendations that is consistent with the guidance provided by the GNSO Council and to continue communication with the community on such work. Implementation planning is now underway.

Privacy and Proxy Services Accreditation Issues

The IRT for the **policy recommendations** developed by the Privacy and 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 suggested to the GNSO Council to wait before proceeding to Public Comment and implementation of the PPSAI recommendations until the completion of the EPDP on the Temporary Specification for gTLD Registration Data. The GNSO Council deferred the decision on this issue to ICANN org in a 30 April 2019 <u>message</u>. 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 2021 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: Dennis Chang

Translation and Transliteration of Contact Information

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

Given the implementation's connection to the evolution of registration data policies and procedures, the PDP working group's recommendations are being assessed per Recommendation 27 of the EPDP on the TempSpec for gTLD Registration Data Phase 1 Team's **Final Report**. This is 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 of the EPDP Phase 1 IRT, ICANN org provided a **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, including applicable dependencies.

MORE INFORMATION

- PDP background
- Policy Implementation Status webpage
- IRT workspace

RESPONSIBLE STAFF: Isabelle Colas

Protection of IGO and INGO Identifiers in All gTLDs

On 16 January 2018, the <u>implementation</u> 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, and the Red Cross and Red Crescent Movement. For INGOs, the implementation period will be 12 months from the release of the INGO Claims Systems Specification, which is currently being developed 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 phase</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 more than 7,000.

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

MORE INFORMATION

- PDP background
- Policy Implementation Status webpage
- IRT workspace

RESPONSIBLE STAFF: Dennis Chang

IGO-INGO Access to Curative Rights Protection Mechanisms and Specific Curative Rights Protections for IGOs

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 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 delivered its Final Report to the Council on 4 April 2022 and the Council approved the five (5) consensus recommendations in June 2022. During its 30 April meeting, the ICANN Board adopted the four recommendations that the GNSO Council approved from the IGO-INGO Access to Curative Rights Protection Mechanisms PDP, as well as the five recommendations that the GNSO Council approved from the EPDP on Specific Curative Rights Protections for IGOs.

The Board resolution directed ICANN org to proceed with the implementation of these recommendations as soon as feasible.

MORE INFORMATION

- IGO-INGO Access to Curative Rights Protection Mechanisms PDP background
- Specific Curative Rights Protections for IGOs EPDP background

RESPONSIBLE STAFF: Steve Chan, Mary Wong

Registration Data Accuracy Scoping Team

WHAT CAN I EXPECT AT ICANN78 RELATED TO THIS TOPIC?

While the Council awaits further feedback from ICANN org and contracted parties (**see here**), the scoping team's activities are paused.

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 several 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 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**.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The scoping team started deliberations in October 2021. Following a review of proposals that may assist in the measurement of accuracy, the team submitted a write-up for assignments Number 1 (Enforcement & Reporting) and Number 2 (Measurement of Accuracy) to the GNSO Council in September 2022. During its November 2022 meeting, the GNSO Council decided to adopt recommendation Number 3 of the write-up. This means that:

- Work is paused in relation to proposals that require access to generic top-level domain (gTLD) registration data (as recommended by the scoping team).
- The GNSO Council <u>encouraged</u> ICANN org to proceed with its outreach to the European Data Protection Board and proceed with the Data Protection Impact Assessment in connection with the scenario(s) in which the request and processing of gTLD registration data takes place as a matter of urgency.
- The GNSO Council requested that ICANN org and contracted parties finish
 negotiations on the Data Processing Agreement (DPA) as soon as practicable
 because the absence of a completed DPA may act as a roadblock for additional
 policy work.



 Consideration of recommendations Number 1 (registrar survey) and Number 2 (registrar audit) has been deferred until such time as the DPA negotiations between ICANN org and contracted parties have completed and there is feedback from ICANN org on whether and how it anticipates the requesting and processing of gTLD registration data will be undertaken in the context of measuring accuracy, or for six months, whichever is shorter.

ICANN org provided an **initial update** to the GNSO Council in March 2023. This update was considered by the GNSO Council during its April 2023 meeting. The Council **resolved** during its July 2023 meeting to extend consideration of the Registration Data Accuracy Scoping Team recommendations until certain dependencies are met or six months elapse. As outlined in a **letter** it sent subsequently to ICANN org and contracted parties, "The Council is awaiting on the one hand the outcome of the work by ICANN org on the scenario(s) in which the request and processing of registration data takes place and on the other hand the finalization of the Data Processing Agreement (DPA), as the absence of a completed DPA may act as a roadblock for the policy work before the GNSO Council."

WHAT ARE THE EXPECTED NEXT STEPS?

Following further feedback from ICANN org and contracted parties, or after six months (by January 2024), whichever is shorter, the GNSO Council will consider how to proceed. This will include a review of the scoping team's formation and instructions, based on the feedback gathered from scoping team members by Council leadership.

MORE INFORMATION

- Scoping Team instructions
- Scoping Team workspace

RESPONSIBLE STAFF: Marika Konings, Caitlin Tubergen, Berry Cobb

GNSO Schedule for ICANN78

Please confirm against the <u>final schedule</u> as changes may occur. For remote participation details, please consult this <u>wiki page</u>, 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
Saturday, 21 October 2023	Expedited Policy Development Process (EPDP) on Internationalized Domain Names (IDNs) Working Session (1 of 3) & (2 of 3)
	EPDP Phase 2 Small Team (SSAD) - Implementation of Registration Data Request Service (RDRS)
	Transfer Policy Review (TPR) Policy Development Process (PDP) Working Group
	Global Domains and Strategy (GDS): Subsequent Procedures IRT (1 of 3)
	Joint Session: At-Large & Generic Names Supporting Organization (GNSO) Council Meeting
	SubPro Pending Recommendations Small Team Working Session
	Contracted Party House (CPH) AGP Limits Discussion Group [C]
	GNSO 20 th Anniversary
Sunday, 22 October 2023	GNSO Council Working Session (1 of 2) & (2 of 2)
	CPH TechOps Meeting (1 of 2) & (2 of 2) [C]
	CPH Domain Name System (DNS) Abuse Community Outreach
	Joint Session: Country Code Names Supporting Organization (ccNSO) & GNSO Councils
	Registries Stakeholder Group (RySG) GeoTLD Group Membership Meeting
	Joint Session: ICANN and Registrars
	Non-Commercial Stakeholder Group (NCSG) Policy Committee
	Commercial Stakeholder Group (CSG) Membership Meeting
	Contracted Party Summit Planning

DATE	MEETING
Monday, 23 October 2023	RySG Brand Registry Group Membership Meeting
	GDS: Rights Protection Mechanisms IRT
	Registrars Stakeholder Group (RrSG) & ICANN Compliance Meeting [C]
	Joint Session: Government Advisory Committee (GAC) and GNSO Council
	EPDP on IDNs Working Session (3 of 3)
Tuesday, 24 October 2023	Joint Session: ICANN Board and CSG
	Non-Commercial Users Constituency (NCUC) Membership Session
	RySG Membership Meeting (3 Sessions)
	RrSG Membership Meeting (3 Sessions)
	Intellectual Property Constituency (IPC) Membership Meeting [C]
	Joint Session: ICANN Board and NCSG
	Internet Service Providers and Connectivity Providers (ISPCP) Membership Meeting
	IPC Membership Meeting
	NCSG Membership Session
	Business Constituency (BC) Membership Meeting
	ISPCP Outreach Session
	Not-for-Profit Operational Concerns Constituency (NPOC) Membership Meeting
	CPH Membership Meeting
	GNSO Informal Council Session [C]

continued GNSO SCHEDULE FOR ICANN78

DATE	MEETING
Wednesday, 25 October 2023	Joint Session: ICANN Board and GNSO Council
	NCUC Issue Forum
	Joint Session: ICANN Board and CPH
	CPH ExComs with Board Members luncheon [C]
	GNSO Council Public Meeting (Part 1 of 2)
	GNSO Council Meeting (Part 2 of 2 - Admin Meeting)
	GDS: Subsequent Procedures IRT (2 of 3)
Thursday, 26 October 2023	GDS: Subsequent Procedures IRT (3 of 3)
	RySG Comments Workshop [C]
	GNSO Council Wrap-Up
	Registration Data Policy Implementation Review Team (IRT)

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Generic Names Supporting Organization