ICANN | GNSO

Generic Names Supporting Organization

Policy Briefing ICANN79 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 @ ICANN79: gnso.ICANN.org/ICANNmeeting ② @ICANN_GNSO

WELCOME TO ICANN79 FROM THE GNSO CHAIR	
ICANN79 AT A GLANCE	4
GNSO POLICY DEVELOPMENT PROCESS INFOGRAPHIC	6
POLICY DEVELOPMENT PROCESS: TRANSFER POLICY REVIEW	7
EXPEDITED POLICY DEVELOPMENT PROCESS:	
INTERNATIONALIZED DOMAIN NAMES	9
GNSO GUIDANCE PROCESS: APPLICANT SUPPORT	12
POLICY DEVELOPMENT PROCESS:	
NEW GENERIC TOP-LEVEL DOMAIN SUBSEQUENT PROCEDURES	14
EXPEDITED POLICY DEVELOPMENT PROCESS:	
TEMPORARY SPECIFICATION FOR gTLD REGISTRATION DATA - PHASE 2 (SSAD)	16
REGISTRATION DATA ACCURACY SCOPING TEAM	20
GNSO SCHEDULE FOR ICANN79	22

Welcome to ICANN79 from the GNSO Chair



The Generic Names Supporting Organization (GNSO) Council and the GNSO community welcome your participation in the ICANN79 Community Forum in San Juan, Puerto Rico. As with previous hybrid meetings, at ICANN79, 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 ICANN79 approaches, I would like to highlight a few GNSO initiatives that will be on the agenda for the meeting, 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 ICANN79, 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 ICANN79, the working group will hold two sessions to discuss charter questions and seek broader community input on draft recommendations regarding Change of Registrant (COR).

The GNSO Internationalized Domain Names (IDN) Expedited Policy Development Process (EPDP) may hold one working session during ICANN79, where the focus of the work will be finishing the Phase 2 Initial Report. The Team's Phase 2 work covers issues pertaining to second-level variant management.

In addition, the GNSO Council's Small Team on Subsequent Procedures' work has continued, and the GNSO Council will be discussing the small team's progress during ICANN79. The small team is tasked with advising the GNSO Council on whether the non-adopted recommendations from the New gTLD Subsequent Procedures PDP should be modified and if so, how.

During ICANN79, the GNSO Council will be holding three working sessions on Sunday, 3 March, an informal meeting on Tuesday, 5 March, its public meeting on Wednesday, 6 March, and a wrap-up session on Thursday, 7 March. The GNSO Council will also hold bilateral meetings with the Governmental Advisory Committee (GAC) on Wednesday, 6 March, and with the ICANN Board on Monday, 4 March.

ICANN79 will be a full meeting with ample opportunities to get involved. Whether you are attending in person in San Juan, Puerto Rico, or via Zoom, I look forward to seeing you soon. I wish you all a productive meeting.

Greg DiBiase GNSO Chair

ICANN79 at a Glance

The GNSO Policy Support Team has developed this briefing document to help community members prepare for ICANN79. 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 ICANN79. 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 <u>ICANN Learn</u>. 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.

ICANN79 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

<u>Project List</u>

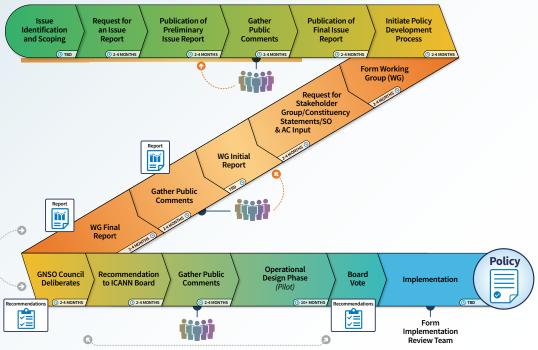
If you have any questions about, or suggestions for, this Policy Briefing or GNSO policy activities, please contact us at **policy-staff@ICANN.org**. We look forward to a productive meeting.

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 ICANN79 meeting discussions. 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-ICANN79 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 IRTs are detailed in the following sections.

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

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

Policy Development Process: Transfer Policy Review

WHAT CAN I EXPECT AT ICANN79 RELATED TO THIS TOPIC?

The working group will conduct two working sessions at ICANN79; please check the **ICANN79 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 Change of Registrant (COR) and bulk transfers if time allows.

WHAT IS THIS ABOUT?

On 18 February 2021, the GNSO Council **initiated** 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 **Final Issue Report**, this PDP addresses the following topics:

 The Gaining and Losing Forms of Authorization (FOA), AuthInfo Codes, and NACKing transfers, COR requirements, the Transfer Emergency Action Contact (TEAC) and reversing inter-registrar transfers, the Transfer Dispute Resolution Policy (TDRP), and ICANN-approved transfers (Learn More).

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 COR 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 inter-registrar 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 COR and will briefly return to issues on bulk transfers before it finalizes its Initial Report.



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 ICANN79 RELATED TO THIS TOPIC?

The EPDP Team tentatively plans to conduct one working session at ICANN79, pending progress on its Phase 2 Initial Report. Please check the ICANN79 meeting schedule for the confirmed time. If the session is to be held, the EPDP Team will work toward finalizing its Phase 2 Initial Report for Public Comment, covering preliminary recommendations pertaining to second level variant management. If the Phase 2 Initial Report is ready for Public Comment around the ICANN79 timeframe, the working session may be canceled.

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 **charter**. 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). 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.



In November 2022, the GNSO Council approved the **project change request** 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 and 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.

On 16 March 2023, the ICANN Board requested the EPDP Team to deliver an updated project plan by the end of ICANN77 that identified all charter questions that will impact the next Applicant Guidebook (AGB). During ICANN77, the GNSO Council submitted to the ICANN Board the requested <u>deliverable</u>, including the EPDP Team's project plan, which stated that nearly all of its charter questions may have an impact on the next AGB and its two-phased approach remained unchanged. On 25 July 2023, the GNSO Council submitted a <u>revised timeline</u> from the EPDP Team after it considered several factors. While there was no change to the timeline for delivering the Phase 1 Final Report by November 2023, 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.

On 24 April 2023, the EPDP Team published its Phase 1 Initial Report for **Public Comment**, which was closed on 19 June 2023. The EPDP Team received input from **twelve (12) submissions**, which did not raise any significant concerns or new issues that the EPDP Team had not previously considered.¹ On 8 November 2023, the EPDP Team submitted its **Phase 1 Final Report** to the GNSO Council in accordance with its project plan. The Final Report includes 69 recommendations, most of which strive to operationalize SubPro PDP Outputs to allow for future applications of gTLD variant labels through the New gTLD Program. The GNSO Council **approved** the report during its meeting on 21 December 2023 and submitted its **recommendations report** to assist the ICANN Board for its consideration of the Phase 1 Final Report. As mandated by the ICANN Bylaws, a **Public Comment** period was opened on 23 January 2024 for the Phase 1 Final Report to seek input in aiding the Board's consideration of the recommendations.

With respect to the Phase 2 work, from 6–8 December 2023, the EPDP Team held a dedicated face-to-face workshop in Kuala Lumpur, Malaysia, to expedite its deliberations. During the workshop, the EPDP Team completed initial deliberation of all remaining Phase 2 charter questions, as well as additional issues and topics slated for discussion. Since January 2024, the EPDP Team has been finalizing its preliminary recommendations for inclusion in its Phase 2 Initial Report in preparation for Public Comment.

¹The EPDP Team sought guidance from the GNSO Council with regard to four submissions related to the ".québec" string. The GNSO Council <u>agreed</u> 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 aims to publish its Phase 2 Initial Report for Public Comment around the ICANN79 timeframe.

HOW CAN I GET INVOLVED?

Since the EPDP Team has completed most of its work and passed several significant milestones, those interested in this topic are welcome to contribute input through Public Comment opportunities, including those for the Phase 2 Initial Report and the Phase 1 Final Report. Those interested are also able to follow the EPDP Team'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, Saewon Lee

GNSO Guidance Process: Applicant Support

WHAT CAN I EXPECT AT ICANN79 RELATED TO THIS TOPIC?

At ICANN79, the GNSO Guidance Process (GGP) Working Group will not hold a working session as it has completed its work with the adoption of its Guidance Recommendations Final Report and Recommendations Report by the GNSO Council.

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 **approved** 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 developed a **work plan and timeline**, which was confirmed by the GNSO Council. The working group produced its Guidance Recommendation Initial Report for Public Comment on 31 July 2023 for 40 days. The working group reviewed and considered the received Public Comments and submitted its Guidance Recommendation Final Report to the GNSO Council in December for consideration. The GNSO Council adopted the Final Report and the subsequent Recommendations Report on <u>21 December 2023</u> and <u>18 January</u> 2024, respectively.

WHAT ARE THE EXPECTED NEXT STEPS?

The ICANN Board of Directors will consider the recommendations from the GGP WG's Final Report.



HOW CAN I GET INVOLVED?

The GGP is now concluded. If approved by the ICANN Board, the recommendations will be implemented by the <u>SubPro Implementation Review Team</u>. 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 it, please send an email to <u>nextround_policyimplementation@icann.org</u>.

MORE INFORMATION

- <u>GGP workspace</u>
- <u>GGP Initiation Request</u>

RESPONSIBLE STAFF: Julie Hedlund, Steve Chan

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

WHAT CAN I EXPECT AT ICANN79 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 ICANN79 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 ICANN79. Please check the <u>ICANN79 meeting schedule</u> for the confirmed times.

In addition, the GNSO Council's SubPro Supplemental Recommendations small team is scheduled to hold a Community Update during Prep Week on Thursday, 22 February, from 16:30–17:30 AST. During ICANN79, a Community Consultation meets on Wednesday, 06 March, and the GNSO Council Small Team Plus meets on Thursday, 07 March. Please check the <u>ICANN79 meeting schedule</u> for the confirmed times. Collectively, these sessions are intended to socialize draft Supplemental Recommendations and seek input from the community regarding the proposed modifications to recommendations that were not adopted by the ICANN Board. Again, please check the ICANN79 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</u> <u>New Generic Top-Level Domains</u>. (Learn More)

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

On 16 March 2023, 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: <u>https://www.icann.org/en/board-activities-and-meetings/</u> 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 GNSO Council convened a small team which worked with the ICANN Board to resolve all pending recommendations. 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: <u>https://</u> <u>community.icann.org/x/pQM5Dg</u>. The IRT is meeting regularly and will hold three sessions at ICANN79.

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 not adopted.

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 it, 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 ICANN79 RELATED TO THIS TOPIC?

During ICANN79, the EPDP Phase 2 small team will not be holding a session as its work concluded when the Registration Data Request Service (RDRS) launched in November 2023. The RDRS Standing Committee, which is the committee of volunteers charged with reviewing RDRS metrics and making recommendations to the GNSO Council, began meeting in January 2024. The RDRS Standing Committee will not be meeting at ICANN79, but it continues to meet on a monthly basis to review the monthly RDRS metrics reports.

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 a cost-benefit analysis of the SSAD. Following ICANN org's delivery of the Operational Design Assessment (**ODA**), the GNSO Council tasked a small team to assist with its 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 GNSO 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 GNSO Council reenlisted 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. In November 2023, the RDRS launched, and ICANN org began collecting and publishing the metrics associated with the system. The RDRS Standing Committee is the committee of volunteers charged with reviewing the RDRS metrics and making recommendations to the GNSO Council. It began meeting in January 2024. The Standing Committee will also provide feedback to ICANN org on the metrics reports.

WHAT ARE THE EXPECTED NEXT STEPS?

Further engagement and consultation are expected to continue between the Board, ICANN org, the GNSO Council, and the Standing Committee to collaborate on the review of the system. The GNSO 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.

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 Temporary Specification (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 GNSO Council and EPDP Team members to assist it with its ODA review. The small team provided input on proposed next steps for the consultation process between the Board and the GNSO Council regarding the costbenefit 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 <u>Whois Disclosure System design paper</u> in September 2022 and presented it to the GNSO Council and small team during ICANN75. The small team subsequently reviewed the design paper and continued its consultations with ICANN org, resulting in an <u>addendum</u> to its preliminary report. The GNSO Council accepted the addendum and <u>communicated</u> 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 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.

continued EXPEDITED POLICY DEVELOPMENT PROCESS: TEMPORARY SPECIFICATION FOR GTLD REGISTRATION DATA - PHASE 2 (SSAD)

HOW CAN I GET INVOLVED?

For more information on the SSAD ODP, please visit this **page**. For more information about the RDRS Standing Committee, please see <u>here</u>.

MORE INFORMATION

- **EPDP Phase 2 webpage**
- **<u>EPDP workspace</u>**
- **EPDP Phase 2 small team workspace**
- <u>RDRS Standing Committee workspace</u>
- SSAD ODP webpage

RESPONSIBLE STAFF: Caitlin Tubergen, Feodora Hamza

Registration Data Accuracy Scoping Team

WHAT CAN I EXPECT AT ICANN79 RELATED TO THIS TOPIC?

The scoping team's activities are currently paused.

WHAT IS THIS ABOUT?

The GNSO Council adopted the **formation of and instructions** to the Accuracy Scoping Team during its meeting on 22 July 2021. The scoping team was tasked to consider the current enforcement, and reporting of registration data accuracy. In addition, the scoping team was asked to consider how to measure accuracy. 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.

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 <u>write-up</u> 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 regarding proposals that require access to generic top-level domain (gTLD) registration data is paused (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 (EDPB) 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.

In an attempt to advance the community's efforts, the Board requested ICANN org to prepare specific scenarios for which it would consult with the EDPB concerning the legality of the proposed data processing under GDPR.

ICANN initially proposed four scenarios to determine whether it could produce useful material for the Accuracy Scoping Team, taking into account current contractual requirements and applicable laws. These included:

- 1. analyzing publicly available registration data;
- 2. conducting a compliance audit regarding current contractual requirements;
- 3. analyzing a set of full registration data provided by registrars and performing checks similar to those conducted for the WHOIS Accuracy Reporting System (WHOIS ARS); and 4) a voluntary registrar survey. The scenarios were socialized with the Accuracy Scoping Team in May 2022.

ICANN conducted a comprehensive assessment of the four scenarios, as well as Data Protection Impact Assessments (DPIAs) on scenarios two and four, and identified several deficiencies and challenges in pursuing them, which the GNSO Council discussed during its November meeting. In recognition of the current challenges in pursuing the scenarios, councilors noted that: barring (i) completion of the Data Processing Agreement, (ii) implementation of the NIS2 directive, or (iii) publication of the Inferential Analysis of Maliciously Registered Domains (INFERMAL) Study, it may not be the appropriate time to reconvene the Accuracy Scoping Team and is planning to defer consideration for another six months during its February meeting.

WHAT ARE THE EXPECTED NEXT STEPS?

Following further feedback from ICANN org and contracted parties, or after six months (by July 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 GNSO Council leadership.

MORE INFORMATION

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

RESPONSIBLE STAFF: Caitlin Tubergen, Feodora Hamza

GNSO Schedule for ICANN79

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, 02 March 2024	Expedited Policy Development Process (EPDP) on Internationalized Domain Names (IDNs) Working Session
	Non-Commercial Users Constituency (NCUC) Membership
	Global Domains and Strategy (GDS): Subsequent Procedures Implementation Review Team (IRT) (1 of 3)
	Transfer Policy Review (TPR) Policy Development Process (PDP) Working Group (1 of 2) & (2 of 2)
	Intellectual Property Constituency (IPC) Membership [C]
	Registration Data Policy IRT
	Contracted Party House (CPH) ExComs [C]
	CPH ExComs with ICANN Staff [C]
	Non-Commercial Stakeholder Group (NCSG) Policy Committee
Sunday, 03 March 2024	GNSO Council Working Session (1 of 3), (2 of 3), & (3 of 3)
	CPH AGP and Fraud
	CPH TechOps (1 of 2) & (2 of 2) [C]
	NCSG Membership
	Joint Session: CPH and Commercial Stakeholder Group (CSG)
	CPH Domain Name System (DNS) Abuse Community Outreach

DATE	MEETING
Monday, 04 March 2024	Registries Stakeholder Group (RySG) Brand Registry Group (BRG) Membership
	Joint Session: ICANN Board and GNSO Council
	Joint Session: ICANN Board and NCSG
	GDS: Subsequent Procedures IRT (2 of 3)
	Registrars Stakeholder Group (RrSG) & ICANN Compliance
	Not-for-Profit Operational Concerns Constituency (NPOC) Membership
	CPH Membership
	CSG Membership
	Joint Session: ICANN Board and CPH
	Non-Contracted Party House (NCPH) Joint Session
	NCUC Issue Forum
Tuesday, 05 March 2024	RrSG Membership (3 Sessions)
	RySG Membership (3 Sessions)
	Intellectual Property Constituency (IPC) Membership
	Internet Service Providers and Connectivity Providers (ISPCP) Membership
	Business Constituency (BC) Membership
	Joint Session: ICANN Board and CSG
	GNSO Informal Council Session [C]

DATE	MEETING
	Joint Session: Government Advisory Committee (GAC) and GNSO Council
	CPH Membership discussion on DPS [C]
	GNSO SubPro Supplemental Recommendations Community Consultation
	Joint Session: ICANN and Registrars
Wednesday, 06 March 2024	CPH ExComs with Board Members luncheon [C]
	GNSO Council Public Meeting
	RySG Public Comments Workshop [C]
	GDS: Subsequent Procedures IRT (3 of 3)
	RySG: GeoTLD Group Membership
Thursday, 07 March 2024	GNSO Council Small Team Plus - SubPro Supplemental Recommendations
	RySG Wrap-Up
	GNSO Council Wrap-Up

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Generic Names Supporting Organization

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