

PRSP Pre-ICANN80 Briefing

Policy Research and Stakeholder Programs (PRSP)

Global Domains and Strategy (GDS)
28 May 2024



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Introduction

The Policy Research and Stakeholder Programs (PRSP) team is part of ICANN's Global Domains and Strategy (GDS) function. Our team is responsible for subject matter research and analysis, supporting the ICANN community, Board, and organization in strategic decision-making and implementation of policies, recommendations, and advice. The team staffs liaisons to community groups and works cross-functionally to lead and support implementation of policies and related projects. The team's work supports the ICANN Bylaws core value of seeking and supporting informed participation in the multistakeholder model.

As part of our regular briefing, we cover the highlights and recent updates on current work. The first part of the briefing describes the active involvement in the policy and implementation processes and the second section describes the research activities in progress to support informed participation. We continue to support policy implementation work on the New gTLD Program: Next Round (Status Update: New gTLD Program: Next Round [here](#)), as well as multiple other policy and implementation efforts, described in this briefing. Currently we are supporting three active Implementation Review Teams, with one more planned to launch in Kigali. We also have several active research projects currently with additional ones planned. We also continue to support current policy development efforts on Transfers and Internationalized Domain Names, including recommendations being considered or soon to be considered for approval by the Board.

For further information on Policy Development Processes (PDPs) from the GNSO's side, the GNSO Policy Support Team publishes a GNSO Policy Briefing. You can find the ICANN80 edition of the GNSO Policy Briefing [here](#).

Our work requires planning, listening, synthesizing, and incorporating stakeholder feedback to make sure the community's work is brought into practice in the context of the multistakeholder model. This is not always an easy process, but we know we have great partners and are grateful for the careful thought and constructive inputs we receive on a regular basis.

The Policy Forum is an opportunity to focus on getting our own work done and catching up on the broad array of work happening in the ICANN community. We look forward to seeing you there, whether on the ground or participating remotely.

As always, please don't hesitate to reach out to prsp-team@icann.org with any ways we can be of support.

Karen Lentz and the PRSP Team
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1. Policy Implementation Projects

1.1 Currently Active

This section describes the projects where policy implementation work is currently active. Status information is updated quarterly on the [Consensus Policy Implementation Framework page](#) on ICANN.org.

1.1.1 Registration Data Policy (EPDP Phase 1)

The [Registration Data Policy](#) is the result of broad community efforts to develop registration data policy requirements that can be implemented in compliance with applicable law. Like the [Temporary Specification](#), the policy allows registries and registrars to collect and provide registration data in a consistent manner, while adhering to privacy regulations. The Registration Data Policy implements a total of 34 policy recommendations from three ICANN Board resolutions and includes updates to 20 [impacted policies and procedures](#) as well as the [Registration Data Access Protocol Profile](#).

On 21 February 2024, the [Registration Data Policy](#) was published with an effective date of 21 August 2025. Currently, the implementers are preparing for a transition phase starting on 21 August 2024, as defined in Section 4 of the policy.

Many stakeholders are involved in producing and testing the changes required to support the transition from the [Interim Policy](#) to the new Registration Data Policy. Implementers are collaborating on preparations for the transition phase. This involves building, updating, and testing systems and processes for collection, transfer, and disclosure of the registration data compliant to the new policy.

At ICANN80

These sessions may be of interest for those following Registration Data Policy (EPDP Phase 1):

GNSO: RySG Membership Work Session
Tuesday, 11 June 2024
10:45 - 12:15 CAT (08:45 - 10:15 UTC)
<https://sched.co/1dr31>

GNSO: RrSG Membership Work Session (1 of 2)
Wednesday, 12 June 2024
09:00 - 10:15 CAT (07:00 - 08:15 UTC)
<https://sched.co/1dr36>

GNSO: RrSG Membership Work Session (2 of 2)

Wednesday, 12 June 2024

10:45 - 12:15 CAT (08:45 - 10:15 UTC)

<https://sched.co/1dr37>

GNSO: CPH Registration Data Implementation Discussion

Wednesday, 12 June 2024

15:30 - 17:00 CAT (13:30 - 15:00 UTC)

<https://sched.co/1dr4q>

More Information

- [EPDP Phase 1 Final Report](#)
- Board Resolutions
 - EPDP Phase 1: [Board Resolution](#) in May 2019 (29 recommendations)
 - EPDP Phase 2: [Board Resolution](#) in June 2021 (4 recommendations)
 - Supplemental Recommendation 12: [Board Resolution](#) in February 2022 (1 recommendation)
- [Registration Data Policy IRT workspace](#)
- [Registration Data Policy publication announcement](#)
- [CEO blog post on Registration Data Policy](#)
- [Registration Data Policy - Implementation Resources](#)

1.1.2 Rights Protection Mechanisms (RPM) Phase 1

RPMs are designed to help mitigate potential risks and costs to trademark rights holders, including safeguards to protect registrants who engage in legitimate uses of domain names. The ICANN community worked to propose and develop several new RPMs as part of the launch of the [New gTLD Program](#) in 2012. The Uniform Rapid Suspension System (URS); the Trademark Clearinghouse (TMCH) and associated services; and the Post-Delegation Dispute Resolution Procedure (PDDRP) were all introduced as a result of this effort.

The GNSO Council [initiated](#) a Policy Development Process (PDP) in 2016 to review all existing RPMs in all gTLDs, chartering the working group to consider whether existing RPMs collectively fulfill the purposes for which they were created, or whether additional policy recommendations are needed. Phase 1 of the PDP covered the RPMs created for the New gTLD Program.

The Board [adopted](#) the policy recommendations from the Phase 1 PDP and directed a tiered approach for the work based on timing, staffing, and resourcing needed for implementation of the recommendations. In adopting the recommendations, the Board [noted](#) that implementation of the recommendations could be divided into categories:

-
- Recommendations that call for updates to existing operational practices or documentation concerning the RPMs where no substantial resources are required for implementation - sixteen (16) recommendations;
 - Recommendations to maintain the status quo (i.e. maintaining the Phase 1 RPMs as implemented for the 2012 New gTLD Program) - nine (9) recommendations;
 - Recommendations that require substantial resourcing, and involvement of multiple stakeholders to implement - six (6) recommendations; and
 - Recommendations affecting subsequent round(s) of new gTLDs - four (4) recommendations.

ICANN org is now working with the Implementation Review Team (IRT) to implement the Phase 1 policy recommendations. This project incorporates a phased approach that allows for straightforward-to-implement recommendations to be implemented first, with recommendations with more significant complexity and timing considerations to be implemented sequentially according to level of effort. ICANN posted the first set of implementation documents for Public Comment in August 2023.

Since ICANN79, ICANN org has continued to work with the IRT to review the [public comments](#) received and determine whether additional updates are needed. In addition, the team is working on the recommendations in the third implementation category concerning the development of educational materials to assist users of the RPMs. The implementation team expects to publish the updated RPM procedural documents and educational materials in Q2 2024.

Implementing the remaining recommendations was estimated to take a minimum of one year due to their complexity and the need to involve multiple stakeholders. The current implementation plan projects completion of the recommendations in Q4 2024.

At ICANN80

The Rights Protection Mechanisms (RPM) Implementation Review Team (IRT) is not expected to meet during ICANN80. The Implementation Project Team (IPT) is continuing to work with the IRT toward implementing the recommendations in the first and third implementation categories identified above.

More Information

- [RPM PDP Phase 1 Final Report](#)
- [Phase 1 Implementation Plan](#)
- [RPM IRT community workspace \(wiki\)](#)
- [Uniform Rapid Suspension \(URS\)](#)
- [Trademark Post-Delegation Dispute Resolution Procedure \(PDDRP\)](#)
- [Trademark Clearinghouse](#)
- [Public Comment](#) proceeding on proposed implementation documents

1.1.3 New gTLD Subsequent Procedures

ICANN org has convened and is currently working with an Implementation Review Team (IRT) on implementing the New gTLD Subsequent Procedures recommendations. This work in progress is the subject of a detailed briefing [here](#).

1.2 Planned Policy Implementation Projects

As described in this section, there are a number of policy recommendations pending implementation. The team is currently working on integrating these activities into chartered projects, including the sequencing and allocation of available staff resources, and taking into account any necessary dependencies.

1.2.1 Privacy and Proxy Services Accreditation Issues (PPSAI)

A **privacy service** allows domain name registration in the registrant's name, but all other contact details displayed in the publicly-accessible Registration Data Directory Service (RDDS) are those given by the privacy service provider, not by the registrant.

A **proxy service** allows the registered name holder to license the use of the domain to a customer who uses the domain, while contact information displayed in the RDDS system is that of the proxy service provider.

Note: An important difference between these two types of services is that for registrations utilizing a privacy service, the service's customer (the party who uses the domain name) is the legal registrant of the domain. By contrast, where a proxy service is used, the proxy service provider is the Registered Name Holder, and licenses the right to use the name to the proxy service customer.

The GNSO Council initiated a PDP to make recommendations for consistency across proxy and privacy services in the ecosystem. The PDP WG completed a set of recommendations which were adopted by the ICANN Board in 2016. ICANN org began implementation of these recommendations in 2016, supported by a volunteer Implementation Review Team. This implementation work was [put on hold in 2019](#) due to overlapping issues with ongoing work in the GNSO's Expedited Policy Development Process (EPDP) on the Temporary Specification, in light of the work to address the European Union General Data Protection Regulation (GDPR).

With the [publication of the Registration Data Policy](#), which implements the EPDP Phase 1 recommendations (see Section 1.1 above), ICANN org is now seeking to convene an IRT to support continuing implementation of the approved policy recommendations. ICANN org shared its planning work including an [Implementation Analysis](#) of the PPSAI recommendations at ICANN79.

Expected IRT Launch: Q2 2024

At ICANN80

ICANN80 Session Details:

GDS: PPSAI IRT Work Session

Thursday, 13 June 2024

09:00 - 10:15 CAT (07:00 - 08:15 UTC)

<https://sched.co/1dr4r>

More Information

- [Final Report on the Privacy & Proxy Services Accreditation Issues Policy Development Process](#)
- [Previous IRT Workspace](#)
- [Wave 1.5 Report](#)
- [ICANN org Implementation Analysis of PDP Recommendations](#)
- [Call for Volunteers for the IRT](#), announced on [20 May 2024](#)

1.2.2 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 on Specific Curative Rights Protections for IGOs to continue the work of the IGO Work Track. The EPDP Team delivered its [Final Report](#) to the GNSO Council on 4 April 2022 and the GNSO Council approved the five (5) consensus recommendations in June 2022.² 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.

² The [Specific Curative Rights Protections for IGOs EPDP's Final Report](#) (April 2022) differs from the [IGO-INGO Access to Curative Rights Protection Mechanisms PDP Final Report](#) (July 2018)

The [Board resolution](#) directed ICANN org to proceed with the implementation of these recommendations as soon as feasible.

Expected IRT Launch: Q3 2024

More Information

- [Final Report on the IGO-INGO Access to Curative Rights Protection Mechanisms Policy Development Process](#)
- [Final Report of the Expedited Policy Development Process on Specific Curative Rights Protections for International Governmental Organizations \(IGOs\)](#)

1.2.3 EPDP Phase 2A on Temporary Specification for gTLD Registration Data

The EPDP team divided its work into two phases, where Phase 1 completed with the GNSO Council adoption of the [EPDP Phase 1 Final Report](#) on 4 March 2019, and the [EPDP Phase 2 Final Report](#) on 24 September 2020.

The [Phase 2 Final Report](#) noted that "As a result of external dependencies and time constraints, this Final Report does not address all priority 2 items". On 21 October 2020, the GNSO Council adopted [instructions](#) for the EPDP Phase 2A to address the remaining carried over items from EPDP Phase 1:

- 1) Differentiation between legal and natural person registration data, and
- 2) Feasibility of unique contacts to have a uniform anonymized email address.

On [17 December 2020](#), the EPDP Team commenced its deliberations on Phase 2A and published its [Final Report](#) in September 2021. On [27 October 2021](#) the GNSO Council approved all the recommendations by a GNSO supermajority vote.

The ICANN Board of Directors [adopted](#) the [EPDP Phase 2A recommendations](#) on 10 March 2022. ICANN staff will conduct the implementation of the EPDP Phase 2A recommendations in consultation with an IRT³.

³ Please see [the Consensus Policy Implementation Framework \(CPIF\)](#) and the [IRT Principles and Guidelines](#) for more information on the roles and responsibilities of the IRT.

More Information

- [Final Report of the Temporary Specification for gTLD Registration Data Expedited Policy Development Process](#)
- [ICANN org Policy Implementation Page](#) (EPDP Phase 1 IRT)
- Please continue to consult this page for updates to the status of this policy implementation: [Policy Implementation Status Page](#)

1.2.4 Translation and Transliteration of Contact Information

The ICANN Board [adopted](#) the recommendations of the PDP working group in September 2015. Since starting implementation work in July 2016, ICANN org worked with the IRT to produce a [preliminary policy document](#).

Given the implementation's connection to the evolution of registration data policies and procedures, ICANN org assessed the PDP working group's recommendations per Recommendation 27 of the [Final Report](#) of the Temporary Specification for gTLD Registration Data Expedited Policy Development Process.

More Information

- [Final Report on the Translation and Transliteration of Contact Information Policy Development Process](#)
- [PDP background](#)
- [Policy Implementation Status webpage](#)
- [IRT workspace](#)

2 Review Team Recommendations

The PRSP team is working on implementation of several Review Team recommendations, as summarized in this section. Updates can be found at <https://www.icann.org/resources/reviews/specific-reviews>.

2.1 RDS-WHOIS2 Review Team Recommendations

Rec	Subject	Status
3.1	Updating All Information Related to RDS (WHOIS)	In Q4 2023, ICANN org completed the necessary revisions to the web documentation and related materials. ICANN org staff has developed a focus group protocol to gather the appropriate feedback to assess whether these updates meet the recommendation requirements. Alignment on next steps is currently underway.
3.2	Identifying & Targeting Outreach towards Groups Outside of those that Routinely Engage with ICANN organization	ICANN org is currently drafting an implementation plan for this recommendation and will align with internal stakeholders to develop, execute, and document an appropriate outreach plan.

2.2 Competition, Consumer Trust, and Consumer Choice Review Team (CCT-RT) Recommendations

Rec	Subject	Work in Progress
1	Formalizing and Promoting Data Collection	ICANN org is developing a proposal to implement Recommendation 1 from the Competition, Consumer Trust, and Consumer Choice Review Team’s (CCT-RT) Final Report, which calls for ICANN to “formalize and promote ongoing data collection”. The proposal draws from the Implementation Plan for the CCT-RT’s recommendations, the Board implementation directive, and the capabilities and resources already available within ICANN org. The aim is to present a consolidated view of data collection activities within ICANN org and, with a particular focus to the work undertaken within the GDS function, how they have evolved to fit the need for data expressed by the CCT-RT. The proposal will also describe a mechanism for ICANN

Rec	Subject	Work in Progress
		community groups to access and request data from GDS for their work.
13	Contracted Parties Survey	<p>These recommendations call on ICANN org to survey contracted parties for the data necessary to further assess the impact and effectiveness of safeguards. ICANN org is in the process of designing a voluntary pilot survey to gather this requested data.</p> <p>To ensure the most meaningful and useful data can be collected from this survey, ICANN org consulted with contracted parties from July to December 2023 to gather feedback on survey design. Findings from this consultation suggest ICANN org complement the voluntary pilot survey with interviews to offer a more nuanced understanding of the impact of registration restrictions. The voluntary pilot survey and interviews are anticipated to be conducted in Q2 2024. Once data collection is complete, results and participation rates will be reviewed to assess whether data brings valuable insights to ICANN org and the community, and whether these data collection efforts should be repeated at regular intervals. The anticipated completion date is Q2 2024.</p>
20		
22		
23		
24B		
23	Assessing Accessibility of Contact Information for Domains in Highly-Regulated Sectors	<p>ICANN org has begun work for the implementation of CCT Recommendation 23 item (B), which calls on ICANN org to produce “a review of a sample of domain websites within the highly-regulated sector category to assess whether contact information to file complaints is sufficiently easy to find.” There are currently 33 TLDs identified as Category-1 highly regulated sectors (“Cat-1 TLDs”) per the Government Advisory Committee (GAC) Beijing Communiqué⁴.</p> <p>As of Q1 2024, ICANN org has identified approximately 931,295 domain names registered in Cat-1 TLDs. ICANN org has developed a set of criteria to determine whether contact information to file complaints is sufficiently easy to find. ICANN org manually reviewed and assessed a sample of 385 domain websites based on these criteria. A report of findings, which would conclude implementation of item B of the</p>

⁴ See: <https://gac.icann.org/contentMigrated/icann46-beijing-communicue>.

Rec	Subject	Work in Progress
		recommendation, is expected for completion by the end of Q2 2024.

In addition to the above projects, the PRSP team is also continuing implementation efforts on the following CCT recommendations.

Rec	Subject	Work in Progress
6	Collecting Regional TLD data	This recommendation calls on ICANN to collect regional TLD-related data. Challenges to collecting this data, particularly as ICANN does not hold agreements with respect to ccTLD registration data and other national laws that could affect ICANN's ability to obtain the data, were noted in the original implementation plan. In Q1 2024, ICANN org began the development of a marketplace framework based on previous regional studies to address this work. Due to resource constraints, competing priorities, and the overall complexity of implementation of this recommendation, completion is currently scheduled for Q3 2024.
7	Understanding the Implications of Parked Domains	This recommendation calls on ICANN org to collect data to understand the implication of parked domains. Implementation of this work will be completed in two phases. The first phase is a definition phase that will include publishing a report with a proposed definition and methodology to detect parked domains. This report will be made available for community input. The second phase will be a data collection phase. To date, ICANN org has developed a statement of work for external resources to collect and publish the requested data.
8	Domain Name Consumer Surveys	These recommendations call on ICANN to conduct periodic surveys of registrants and end-users to better understand consumer choice and trust as it relates to new gTLDs. In Q1 2024, ICANN org developed a statement of work for the development of these surveys. It is anticipated that these recommendations will be completed in Q1 2025 due to competing priorities and the complexity of implementation of these recommendations.
11		
13		
13.3	Conducting Statistical Analysis of DNS Abuse in gTLDs	This recommendation requires collecting information on the correlation between lower abuse rates and gTLDs that impose stricter registration policies. ICANN org will need to consider how ongoing studies and projects being conducted by the Office of the

Rec	Subject	Work in Progress
		Chief Technology Officer (OCTO) could tie into this work. ICANN org expects the work on this recommendation to be completed in Q1 2025.
22	Identifying Security Measures Used When Gathering Sensitive Information	This recommendation requires engagement with stakeholders to discuss best practices implemented to offer appropriate security measures when dealing with sensitive information such as health or financial data. In Q3 and Q4 2023, ICANN org held focus group sessions with contracted party stakeholders to determine the best methods to gather this data. Based on findings from these sessions, ICANN org plans to address this recommendation with stakeholder interviews. This recommendation is expected to be completed in Q3 2024.
26	Determining Costs Required to Protect Trademarks	This recommendation calls on ICANN org to repeat a study at regular intervals to ascertain the impact of the New gTLD Program on the costs required to protect trademarks in the expanded Domain Name System. ICANN org will implement this recommendation alongside the Domain Name Consumer surveys.

3 Additional Projects

3.1 Operational Design Phase (ODP) Community Consultation

The purpose of an Operational Design Phase (ODP), when used, is to perform an assessment of Generic Names Supporting Organization (GNSO) Council policy recommendations, or other ICANN community-provided recommendations the Board deems appropriate, in order to provide the Board with relevant information for its deliberations on whether to approve said recommendations.

As established in the [Operational Design Phase \(ODP\) Process Paper](#), ICANN org is conducting a community consultation to ensure that the ODP operates effectively and fulfills the needs of the ICANN Board, community, and org. Data collection and analysis for this project will be performed in two phases.

The initial phase of research, which includes the collection and analysis of ICANN org and GNSO Council data, was concluded in December 2023. Findings from this initial phase of research have provided insights into the effectiveness of various ODP processes, the impact on

the transparency of the policy implementation process, and community involvement. This feedback has been used to inform the design of data collection tools to be used in the second phase of research, where ICANN org will gather additional feedback from the ICANN Board and community.

Data collection for this second phase of research began in Q1 2024. In Q2-Q3 2024, ICANN org will publish a survey to gather community feedback on the effectiveness of the ODP. Findings from both research phases will be summarized in a final report and published for Public Comment. This community consultation will form a key component of the ongoing review and improvement efforts of the policy and implementation lifecycle.

More Information

- [Operational Design Phase \(ODP\) Process Paper](#)

3.2 Policy Status Report: Policy & Implementation Non-PDP Recommendations

In June 2015, the GNSO Council adopted the [Policy and Implementation Working Group Final Report](#), followed by Board approval of the parts pertaining to the ICANN Bylaws in September 2015. The recommendations of the Policy & Implementation Working Group resulted in:

- The GNSO Expedited Policy Development Process (EPDP) (see <https://www.icann.org/resources/pages/governance/bylaws-en/#annexA1> and <https://gns0.icann.org/sites/default/files/file/field-file-attach/annex-4-epdp-manual-24oct19-en.pdf>)
- The GNSO Guidance Process (GGP) (see <https://www.icann.org/resources/pages/governance/bylaws-en/#annexA2> and <https://gns0.icann.org/sites/default/files/file/field-file-attach/annex-5-ggp-manual-24oct19-en.pdf>)
- The GNSO Input Process (GIP) (see <https://gns0.icann.org/sites/default/files/file/field-file-attach/annex-3-input-process-manual-24oct19-en.pdf>)
- The Implementation Review Team (IRT) [Principles & Guidelines](#)⁵, as well as the requirement to form an IRT following the adoption by the ICANN Board of GNSO Policy recommendations
- The [Consensus Policy Implementation Framework](#) (CPIF)
- A set of policy & implementation principles / requirements

⁵ Linked to this is also the GNSO Council liaison to the IRT role description (see <https://gns0.icann.org/sites/default/files/file/field-file-attach/gns0-liaison-wg-28sep21-en.pdf>) that was developed at a later stage and flagged for further review as part of PDP 3.0. The liaison has been a valuable addition in helping to coordinate with the GNSO Council and for making determinations on escalation where necessary.

As part of the GNSO Council resolution, it was recommended that “a review of these recommendations is carried out at the latest five years following their implementation to assess whether the recommendations have achieved what they set out to do and/or whether any further enhancements or changes are needed”.

This Policy Status Report (PSR) is a first step in that review. The PRSP team worked with the GNSO support team to draft this report, which [was published for Public Comment](#) in Q2 2024. Based on the information contained in the PSR, which will be updated taking into account public comments received, the GNSO Council will decide how to proceed.



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