
Public Comment Summary Report

ccNSO Proposed Policy on the Retirement of ccTLDs

Open for Submissions Date:

Monday, 22 November 2021

Closed for Submissions Date:

Wednesday, 12 January 2022 (extended to Tuesday, 19 January 2022)

Summary Report Due Date:

Wednesday, 19 January 2022 (extended to 02 February 2022)

Category: Policy

Requester: ICANN Board

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Open Proceeding Link:

<https://www.icann.org/en/public-comment/proceeding/ccnso-proposed-policy-on-the-retirement-of-cctlds-22-11-2021>

Outcome:

ICANN org received four (4) submissions. Three (3) community groups and one (1) from an individual, and consisting of 14 topics. The comments are categorized into two categories: general observations and specific issues. This Public Comment summary report includes ICANN org staff summary of the comments and observations on the topic in relation to earlier comments received and responses.

All received comments, along with this summary, will be transmitted to the ICANN Board for its consideration.

Section 1: What We Received Input On

The ccNSO has submitted its proposed policy on the retirement of ccTLDs to the ICANN Board. Input was sought on the proposed policy.

Section 2: Submissions

Organizations and Groups:		
Name	Submitted by	Initials
At-Large Advisory Committee	ALAC staff on behalf of ALAC	ALAC
Business Constituency	BC staff on behalf of BC	BC
Registries Stakeholder Group	RySG staff on behalf of RySG	RySG

Individuals:		
Name	Affiliation (if provided)	Initials
Evgeny Kuskevich	NA	EK

Section 3: Summary of Submissions

RySG, ALAC and EK express their general support for the proposed policy.

EK raises an issue about applicability of the proposed policy to situations that may have emerged before the effective date of the policy. The response to earlier question is not considered satisfactory by EK.

Further, ALAC highlights the need for:

- An assessment of the impact of the retirement on national interests and registrants,
- Having a clear review process for the two instances included in the proposed policy, which could be subject to a review mechanism.

The BC noted that the inclusion of the stress testing has greatly improved proposed policy. In addition the BC raised the following:

- Depending on the specific circumstances on how the ccTLD is operated, the role of third parties in operating the ccTLD. In the event of retirement of the ccTLD some third parties may terminate their work and others may want to keep the retired ccTLD running. Both scenarios could impact registrants.
- The need for expedient, "administrative" transfer process of the ccTLD to a ccTLD Manager to ensure an orderly retirement process of the ccTLD.
- It needs to be ensured that the IFO includes in its "Notice of Removal" a statement that the Registry should refrain from registering any new domain name with validity beyond the proposed "Date of Retirement".
- Suggestion that IFO should mandate periodic review of ISO3166-1 to create a predictable process to trigger the "Notice of Retirement".

Section 4: Analysis of Submissions

General Disclaimer: This section intends to provide an analysis of the comments, whether the issues were identified before and explanations regarding the basis for any recommendations provided within the analysis.

The BC refers to Board decisions in its submission. For avoidance of doubt, to date (02 February 2022) the ICANN Board of Directors has not taken any decisions with respect to the proposed policy on the retirement of ccTLDs itself.

With respect to the point raised by ALAC for the need for a clear review process for the situations identified under the proposed policy, it should be noted that such a review process is currently part of the a ccNSO policy development process (ccPDP). The ccPDP Retirement Working Group (WG) developing this policy is aware that the review mechanism should be available for the situations identified under the proposed retirement policy.

With respect to the issue EK raised with respect to applicability of the proposed policy to situations that may have emerged before the effective date of the policy, the response of the ccPDP Retirement WG response to a related point was that the ccNSO has no mandate to develop policies for existing situations or emerging before a proposed policy becomes into force should also be considered in this context (see Board Report page 39).

With respect to the need ALAC highlighted for an assessment of the impact of the retirement of the ccTLD and the BC's concern with respect to third parties who play a role in operating the ccTLD and its impact on registrants when a ccTLD is retired, it should be noted that the ccPDP WG addressed these concerns. In response to similar questions it was noted that as a result of the proposed duration of the retirement process (five years) any issues will be significantly mitigated. In addition, the WG responded that the predicatibility of the process will avoid surprises and provides registrants and others with ample time to prepare and make the necessary changes to adjust to the retirement of the ccTLD (see Board Report page 37 and 42).

With respect to the BC's suggestion for the need for a mandated periodic review of ISO3166-1, it is noted that this point was rased as part of earlier Public Comment on the proposed policy. According to the Report, the ccPDP Retirement WG (page 41) considers such a mandate to be considered during implementation of the policy. Further, the ccPDP Retirement WG was made aware that the IFO is informed on a regular basis of the changes to ISO3166 standard by the ICANN representative on the ISO3166 MA (ISO TC46/WG2). The ccPDP WG Retirement WG therefore saw no need to include such a mandate in the proposed policy.

With respect to the suggestion of the BC to include a statement in the "Notice of Removal" that the Registry should refrain from registering any new domain name with validity beyond the proposed "Date of Retirement", the ccPDP Retirement WG considered this requirement and noted that this would be beyond the scope of a ccNSO Proposed policy. It also noted this requirement could be included in the "Retirement Plan" to be produced by the ccTLD Manager in case the Manager seeks extension to the proposed five year Default Retirement Date (see page 40 Board Report). The ccPDP WG Retirement WG therefore saw no need to include the suggested statement as requirement under the proposed policy.

Section 5: Next Steps

The full text of the comments received, along with this summary, will be transmitted to the ICANN Board for its consideration.