CCPDP Review Mechanism

Update to the GAC

ICANN 75

September 2022

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Agenda

- Background

- Principles of the CCPDP-RM WG

- Status of the working group

- Key elements of the draft policy

- Next steps

- Questions

Background

(2017) Charter for the Working Group Review Mechanism of ccTLDs - The goal of the working group (WG) is to report on and recommend a policy for a review mechanism with respect to decisions pertaining to the delegation, transfer, revocation and retirement of (ccTLDs).

Principles of the CCPDP-RM WG

- Low cost of Process
- Limited Duration of the process.
- Accessibility of the process
- Fundamental Fairness

Status of the working group

The CCPDP-RM working group has completed the development of a draft policy for a review mechanism which includes the results of a stress testing exercise.

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Key elements of the draft policy for review mechanism

Decisions covered by the IAR?

- Delegation of a new ccTLD
- Transfers
- Revocations
- Refusal to grant an extension to the retirement deadline.
- Notice of Retirement for 2-letter Latin ccTLD which does not correspond to an ISO 3166-1 Alpha-2 Code Element

Objective of a review

Identify any significant issues in how the IFO:

- Followed its procedures and applying these fairly in arriving at its Decision;

or

- Complied with the relevant policy in making its Decision.

Review Process highlights

- IFO takes a decision that is subject to review (as covered by the policy)

- The ccTLD Manager requests a Review.

- Reviewer(s) complete the review.

- If no significant issues were found the review process is concluded and the IFO decision is confirmed.

What if the reviewers find significant issues?

- The IFO accepts the results and adjusts its decision – this would conclude the review process.

- The IFO accepts the results but opts to redo the process which resulted in the original decision.

- The IFO rejects the results.

The IFO rejects the results of the review

- If the IFO decision requires Board approval - the IFO shall include the findings from the review in its recommendation to the Board for confirmation.

- If the IFO decision does not require Board approval, the ICANN CEO and the ccNSO Council shall be advised of the situation.

The IFO opts to redo the process

Once the IFO completes the redo of the process, the ccTLD Manager must decide to:

– Accept the new results – this will conclude the Review process.

– Request a Review of the new decision by the IFO.

Who can request a review?

- Any of the applicants for a new ccTLD

- Only a ccTLD manager who is the subject of the transfer, revocation, or retirement decision

Multiple requests to review the same IFO decision

- First application received, first accepted.

- In case of a tie the Review Process Manager selects the request to be accepted.

The Review Process Manager

- Will be responsible for implementing and managing all aspects of the Review process.

- Will be funded and managed by ICANN.

Reviewers

- Reviewers must be certified, impartial and have at least 10 years of relevant practical experience.

- Reviewers will be paid for by ICANN/IFO.

IFO obligations under the Policy

- The IFO cannot take any action on a decision pending:
    - IFO Internal Reconsideration*,
    - IFO Mediation*,or
    - Review

- Should the IFO fail to meet the requirements of the Review policy the ccNSO Council and the ICANN CEO will be advised accordingly.

    * As defined in the IANA Naming Function Contract

Can decisions of reviewers for a given IFO decision apply to other IFO decisions?

- No.

Can there be more than one Review for a given IFO decision?

- No. A Review will consider all aspects of any given IFO decision that is being reviewed including those that involve multiple parties.

Evaluating and updating the Review Process

The policy needs to be updated if:

– there are significant changes to the policies it covers;

 or

– There is a significant change to ISO 3166.

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Next Steps for the CCPDP-RM WG

- Following presentations at ICANN 75 the CCPDP-RM WG will finalize its Initial draft policy report

- Expected start of public consultation in the November 2022 timeframe.

Questions?

References CCPDP-RM WG

Wiki

https://community.icann.org/display/ccnsowkspc/Policy+Development+Process+%28ccPDP3%29+-+Review+Mechanism

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