

Board ccPDP3 Review Mechanism Caucus

Community update: 30 January 2024

In June 2023, anticipating the receipt of the Board report on the ccPDP3 Review Mechanism, the Board established the Board ccPDP3 Review Mechanism Caucus (Caucus). The primary objectives of the Caucus are:

- (i) to evaluate the proposed policy for a Review Mechanism Pertaining to IANA Naming Function Operator (IFO) decisions that apply to ccTLDs, provide recommendations to the Board (including in potential dialogue with the ccNSO Council when needed),
- (ii) to provide strategic advice to ICANN org during the implementation phase, and
- (iii) to develop a Supplemental Board Statement and resulting dialogue in the event that the Board does not accept recommendations.

The following Board members volunteered and were approved as members of the Caucus: Becky Burr, Avri Doria¹, Edmon Chung, Patricio Poblete, León Sánchez, Katrina Sasaki (chair).

On 26 June 2023, the Country Code Names Supporting Organization (ccNSO)-recommended policy for a Review Mechanism Pertaining to IFO decisions that apply to ccTLDs was transmitted to Board Chair Tripti Sinha for consideration and decision by the ICANN Board of Directors.² Upon receiving the policy, Caucus support staff prepared a detailed list of items to be completed by the Caucus. The work plan and next steps were discussed at the first Caucus call on 21 July 2023.

The initial tasks included publishing the Board report for public comment³ and requesting GAC advice⁴ on the public interest aspects of the proposed policy. Both tasks were completed in December 2023 with the publication of the summary report and staff analysis⁵ of the received comments and the letter from the GAC chair⁶ in response to the request for advice. In the GAC letter, the chair stated that no GAC Advice would be provided beyond the submission during the public comment period. For the record, it is noted that GAC input in response to the public comment period is not considered GAC Consensus Advice. Therefore, it was crucial for the Caucus to ascertain if there would be any formal GAC Consensus Advice forthcoming.

The next major task is the feasibility assessment of the recommendations. Caucus support staff prepared and shared a framework for the assessment with the Caucus members, which was subsequently discussed and approved. According to the approved framework, ICANN Legal will initiate an in-depth analysis of sections 2-6 of the Board report. Once this assessment is completed, Section 9 and Annex A and B of the report will be evaluated.

¹ As Avri Doria stepped down from the ICANN Board after the AGM 2023, she is no longer a member of this Caucus.

² See: <https://ccnso.icann.org/sites/default/files/field-attached/reynoso-to-sinha-26jun23-en.pdf>

³ See: <https://www.icann.org/en/public-comment/proceeding/ccnso-proposed-policy-for-a-specific-cctld-related-review-mechanism-01-08-2023>

⁴ See: <https://www.icann.org/en/system/files/correspondence/sinha-to-caballero-24aug23-en.pdf>

⁵ See: <https://itp.cdn.icann.org/en/files/policy-development/summary-report-ccnso-proposed-policy-specific-cctld-related-review-mechanism-08-11-2023-en.pdf>

⁶ See: <https://gac.icann.org/contentMigrated/ccnso-proposed-policy-with-respect-to-a-review-mechanism-for-some-decisions-pertaining-to-cctlds>