

ccPDP3-Review Mechanism

Frequently Asked Questions and Answers

FAQ 01. What is this policy about?

This policy will introduce a review mechanism with respect to decisions pertaining to the delegation, transfer, revocation, and retirement of the delegated Top-Level Domains associated with the country codes assigned to countries and territories listed in ISO 3166-1 and within the framework of the ccNSO Policy Development Process.

FAQ 02. What are the Policy highlights?

OBJECTIVE OF THE POLICY. To offer ccTLD managers, and applicants for new ccTLDs, as direct customers of the IANA Naming Function, an independent review mechanism for specifically identified IANA Function Operator (IFO) decisions.

APPLICABILITY OF THE POLICY. The Review Mechanism for IFO decisions which applies to ccTLDs - also referred to as ccRM - is available to ccTLD Managers, or applicants for a new ccTLD, who are directly impacted by an IFO decision.

POSSIBLE FINDINGS. The ccRM will only report on whether there were significant issues with the IFO. Were the IFO procedures properly followed, and were they applied fairly? Did IFO comply with RFC 1591, the ccNSO Framework of Interpretation (FOI) for RFC1591 as adopted by the ICANN Board, and any other policies developed through a ccNSO policy development process?

PARTIES INVOLVED. There are various parties involved in the Review Mechanism for IFO decisions which applies to ccTLDs, namely:

- The overseeing ccRM Manager, who must be a non-conflicted individual who is a subject matter expert with respect to ccTLDs, the IFO and ICANN
- The ccTLD Manager qualifies as applicant or claimant. In the case of the delegation of a new ccTLD, any applicant for that new ccTLD is eligible
- The reviewers, who will be certified, managed, and supported by the ccRM Manager
- The IFO, who will advise eligible parties for a review about their options and the timeline.

PROPOSED PROCESS. The process starts with a decision by IFO, which is subject to review. Once an eligible applicant applies for review, and the ccRM manager accepts the review application, the result of the review will determine the next steps: If there are no significant issues found by the reviewers, the process ends and the IFO decision is confirmed. If however significant issues were found by the reviewer(s) the IFO has three options:

1. The IFO accepts the results and adjusts its decision. This concludes the review process.
2. The IFO accepts the results, but opts to redo the process which resulted in the original decision. Once the IFO completes the redo of the process, the original applicant must decide to:
 - Accept the new results – this will conclude the Review process.
 - Apply for a Review of the new decision by the IFO (in such a case if the Reviewer(s) find significant issues the IFO will only have two options – Accept or Reject the findings).
3. The IFO rejects the results:
 - 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.

OVERSIGHT. The policy is directed at ICANN and the IFO as the entity that performs the IANA Naming Functions with respect to ccTLDs. It will not amend the way in which ICANN interacts with the IFO, nor the respective roles and responsibilities. The proposed policy will not change the role that the ICANN Board of Directors has with respect to individual cases of ccTLD delegation, transfer, retirement, revocation, or any other policy developed by the ccNSO and

adopted by the ICANN Board, which allows ccTLDs to review a decision by the IFO. The working group that developed the proposed policy recommends that all disputes and claims regarding the delegation, transfer, revocation and retirement of ccTLDs remain and are excluded from ICANN's Reconsideration Request Process and the Independent Review Process (see ICANN Bylaws Sections 4.2 (d) (i) and 4.3 (c) (ii)), and recommends the amendment of the Bylaws accordingly.

FAQ 03. Why is the policy important to ccTLDs?

The goal of the policy is to increase the predictability and legitimacy of decisions pertaining to the delegation, transfer, revocation, and retirement of ccTLDs. The proposed policy offers a review mechanism that meets the following objectives:

- Low cost | there is a minimum application fee to use the ccRM. ICANN will pay for implementing and supporting the ccRM, as well as all reviewer costs
- Fast | Reviewers will return a decision in less than 90 days.
- Fundamental Fairness | follows the principles of due process

FAQ 04 - Why should I vote?

[Annex B, Article 13 of the ICANN Bylaws](#) stipulates that at least 50% of the total number of the ccNSO Emissaries must vote to constitute the quorum. If the quorum is not met, a second final vote will need to take place. More than 66% of the votes received need to be in favor of the Council Recommendation. Only if those requirements are met, the policy recommendations will be submitted to the ICANN Board of Directors for their consideration.

FAQ 05. How can I vote?

The ballots will be sent to the e-mail addresses of the ccNSO Emissaries, as listed in the ccNSO Member Database. There are currently 173 Emissaries, corresponding to 173 ccNSO members. The first round of voting will start on Tuesday, 18 April 2023 (00:01 UTC) and will close on Tuesday, 9 May 2023 (23:59 UTC). If you are in doubt whether you are the person eligible to vote, please contact joke.braeken@icann.org

FAQ 06. How can I learn more?

- [Join the informative webinars on 18 April](#), or [consult the recordings](#)
- Consult the proposed policy (Members Report) [here](#).
- Keep an eye out for the announcements on the ccNSO members mailing list and website
- Check out the [ccPDP3-RM materials on the ccNSO website](#)
- [Annex B of the ICANN Bylaws](#) describes the process that governs the ccNSO policy development process.