

Final Report of the ccNSO Policy Gaps Analysis Working Group

Section 0. Summary of Recommendations.....	1
Section 1. Introduction.....	2
Section 2. Overview of Policies.....	2
Section 3. Gap Analysis Recommendations.....	3
Section 3.1 Identifying the priority topics to be addressed.....	3
Section 3.2 Deciding priorities.....	5
Section 3.3 Advice on structure of the Study Groups.....	6
Section 3.4 How to deal with future “policy” gaps?.....	7
Section 3.5 Working Method - The analytical framework to categorize issues.....	8
Annex A - Overview of policies, related guidance, and practices relevant for ccTLDs..	8
1. Policy mandate of the ccNSO.....	9
2. Selection of ccTLDs.....	10
3. Delegation, Transfer, Revocation and Retirement of ccTLDs.....	11
4. Possible mechanisms to assist a ccTLD manager to resolve a dispute with IANA.....	12
5. Voluntary practices.....	14
6. Other Relevant Documents.....	15
7. Archived.....	15
Annex B - Issue Types and Approaches.....	16
Annex C - Methods to address Gaps and issues.....	26
A. Instruments to address gaps/issues.....	26
B. Impact/effort of the instruments.....	26
C. What is the nature of a gap identified?.....	27

Section 0. Summary of Recommendations

To conclude its work, the Policy Gap Analysis Working Group presents the following recommendations to the ccNSO Council:

Recommendation 1: Maintain an Overview of Policies, related guidance, and practices relevant for ccTLDs

The ccNSO Council is recommended to accept the Overview of Policies, related guidance, and practices relevant to ccTLDs as presented (at Annex A). This Overview is intended to inform ccTLD Managers and other stakeholders about the key elements that form the framework for how ICANN/PTI and ccTLDs relate to each other and the opportunities they have to structure their relationship.

After acceptance, the ccNSO Council should keep the document up to date by amending the Overview:

- Each time a new policy arising from a policy development process is submitted to or adopted by the ICANN Board
- Each time the Council is informed of any other guidance, interpretation or practice.

For the avoidance of doubt, the Overview does not replace, amend, supersede or change (the interpretation of) any (Policy) documentation.

Recommendation 2: Establish Study Groups on IANA Public Records and Disaster Recovery

Following community consultation, the Working Group recommends that the ccNSO Council establish Study Groups for each of the identified topics, starting with two: IANA Public Records and IANA's Role in Disaster Recovery.

The Working Group further recommends that the Council, in consultation with the community, determine the order in which the remaining topics (see section 3.1) will be addressed. This prioritization should take place once one of the two initial Study Groups is nearing completion of its work.

Recommendation 3: Implement a process to document and handle potential gaps

The ccNSO Council is recommended to document a process for raising potential issues related to policies and other matters within the scope of the ccNSO's policy mandate. In addition, the Council is advised to develop a method for how it intends to address such issues once they are raised.

To support this, the Council could consider establishing a standing policy committee, which could, among other responsibilities:

- Address policy-related issues as they arise and propose ways for the Council to handle them.
- Maintain the Overview of Policies document on behalf of the Council (see Section 2).
- Manage and take ownership of the existing list of policy-related work.
- Further assess the current state of the policy framework, including, for example, whether existing policies should be re-published in clearer, more accessible formats.

The Terms of Reference for such a committee should ensure transparency and predictability for all stakeholders.

Advice for consideration by Council

Finally, the Working Group advises that when establishing Study Groups, the Council should carefully consider the scope of work, expected deliverables, and working methods, along with specific guidance for each of the two initial Study Groups. Further, to support the Council in addressing new policy issues, the Working Group has also developed a framework for categorizing issues.

Section 1. Introduction

In June 2023, the ccNSO Council was informed by IANA staff that operational measures would need to be taken for an extraordinary and temporary operational situation ([IANA caretaker operation](#)), without being able to rely on specific policies that would govern the situation at hand. As a result, the ccNSO Council invited IANA staff to participate in an ad-hoc ccNSO Council group to identify potential gaps in IANA policies, procedures, and practices related to country code top-level domains (ccTLDs). The ad-hoc group, after briefing and consulting the community at meetings since ICANN77, recommended that the Council mandate and establish a Working Group to further analyze the issues and to engage the broader community in this work.

The ccNSO Policy Gap Analysis (PGA) Working Group began its work in August 2024. The Working Group was chartered with three key objectives.

The first objective was to complete an overview of existing ccTLD-related IANA policies and related guidance (section 2).

The second objective, building on the work of the ad-hoc group of Councillors and IANA-staff, was to identify, analyze, and advise the Council on whether and how to address gaps in existing ccNSO policies, guidance, or practices pertaining to the delegation, transfer, revocation, and retirement of ccTLDs, and other related IANA Naming Functions for ccTLDs (section 3).

The third objective was to ascertain whether a consolidated policy overview would be feasible. The Working Group agreed that a consolidated overview may be helpful and advisable, however given that the group compiled the Overview of Policies, this was not considered a priority.

Section 2. Overview of Policies

Over time, and in line with its mandate, the ccNSO has developed a range of policies, policy-related advisories and interpretations, as well as practices that may be relevant to ccTLDs.

The Working Group has developed an Overview that provides an inventory of these documents. The purpose of this Overview is to inform ccTLDs and other stakeholders of the full scope of these policies, advisories, interpretations, and practices—including those currently under development. In addition to policies and policy-related material, the Overview also includes mechanisms that may help ccTLDs structure their relationship with ICANN.

In summary, the Overview sets out the key elements of policy and practice that form a framework for how ICANN/PTI and ccTLDs relate to each other and may structure their relationship. When this work product was presented to the ccTLD community both at ICANN81, ICANN82 and online in January 2025, the feedback was positive. After being

accepted by Council, the overview will be a community resource. The full Overview of Policies as at 15 April 2025 is included as Annex A to this document.

Recommendation 1: Maintain an Overview of Policies, related guidance, and practices relevant for ccTLDs

The ccNSO Council is recommended to accept the Overview of Policies, related guidance, and practices relevant to ccTLDs as presented. This Overview is intended to inform ccTLD Managers and other stakeholders of the key elements that form the framework for how ICANN/PTI and ccTLDs relate to each other and may structure their relationship.

After acceptance, the ccNSO Council should keep the document up to date by amending the overview:

- Each time a new policy arising from a Policy Development Process is submitted to or adopted by the ICANN Board
- Each time the Council is informed of any (change of) other guidance, interpretation or practice.

For avoidance of doubt, the Overview does not replace, amend, supersede or change the interpretation of any original (Policy) documentation.

Section 3. Gap Analysis Recommendations

Section 3.1 Identifying the priority topics to be addressed

After extensive internal discussions and consultation with the broader community, the Working Group identified six topics for future ccNSO work. These topics emerged from the group's analysis of the issues list presented by IANA. The six topics are:

1. IANA public records

This topic is a combination of the following three issues introduced by IANA:

- a. Purpose of public records** - There is no framework through which to assess why public records are published by IANA in the current policies. The structure of the contact model is largely inherited from the pre-ICANN era through the hand-off of InterNIC responsibilities.
- b. Data Accuracy** - Do IANA records need to be published, accurate?
- c. Enforcement / Graduated Compliance** - At present there are two approaches available to IANA to address non-compliant situations. One is simply asking the manager to comply, and the other is revocation for cause. What, if any, additional mechanisms are needed to be added to attain a greater level of compliance with policy requirements?

2. Eligibility assessment before changes

There are significant gaps in cases where significant changes are made to the ccTLD manager prior to seeking review by IANA. Asking for a transfer *after* changes on the ground frustrates the intent of performing a meaningful review and approving it. Approval is presumed by the policy to condition the outcome.

3. Local presence

This topic is a combination of the following two issues introduced by IANA:

- a. Local presence requirements** - The current policy guidance in RFC 1591 stipulates that "... at least the administrative contact must reside in the country involved." The current IANA interpretation of this presence requirement is to assess not just the self-reported location of the administrative contact, but where the ccTLD manager (as a legal entity) is domiciled, and where primary operations are conducted. This is under an interpretation that the local residence requirement is to ensure the ccTLD is answerable under local accountability measures within the country or territory's jurisdiction.
- b. Minimum level of involvement** - There is a wide gamut of operational situations for ccTLD managers. Some ccTLD managers are responsible for every aspect of the ccTLD, from policy setting to technical platform to operations and providing direct registrations services. Does there need to be definitions for what the minimum obligations of a ccTLD manager to do directly?

4. Resignation

There is no specified policy on how a ccTLD manager, or a public point-of-contact, can resign from their role. It is assumed and operationalized that any time a ccTLD manager or a contact no longer wishes to perform their role, they will be replaced by a change request that identifies their successor.

5. Disaster recovery

Generally, disaster recovery for a ccTLD is considered wholly the responsibility for the ccTLD manager and its local community to address. However, when it isn't addressed, the parties often look to IANA for mechanisms to address it, and IANA is expected to do what it reasonably can to address threats to the operation of a ccTLD.

What, if any, requirements should be established around disaster recovery and/or the ability to sustain ongoing operations of the domain in the case of disaster or non-compliance with global policies?

Another area of disaster recovery is where ccTLD managers have sought to make private arrangements with IANA on special procedures to perform in such emergencies.

6. Request confidentiality

Requests to perform fundamental actions on a ccTLD (delegate, transfer, revoke) are generally processed confidentially by IANA. Only at the conclusion of a successful request of this nature, a report is published that distills key factors in the evaluation

Section 3.2 Deciding priorities

Using the analytical framework to ascertain the nature of the topics and identifying the instrument to be used to address the topic (see below section 3.4), the Working Group concluded that each of the topics needs further exploration.

The Working Group believes that before taking next steps, if any, the issues underlying the topics need to be further explored both qualitatively and quantitatively, and where necessary the results of these explorations should inform further deliberations. The results of the assessments are included in Annex B.

As a final step the Working Group discussed the priority to work on the topics. Given the limited bandwidth of resources in terms of volunteers, support staff, and IANA staff, the Working Group is very aware that it is not effective and efficient to use resources to address all topics in one (major) project.

Therefore the ccNSO Council is advised to establish Study Groups for each of the topics, starting with two Study Groups: **IANA Public Records**, and IANA's role in **Disaster recovery**.

The rationale for these choices is:

- **IANA Public Records**

- The quality of the data in the IANA records is a matter of significant public and community interest - it is to everyone's benefit for this data to be accurate and up to date.
- How to keep the data accurate and up-to-date will generate consideration of steps to be taken when it is not, and such consideration will help inform the future consideration of other issues. In other words, it is a foundational discussion that helps deal with other matters more efficiently later.
- This is the issue that in an operational sense gives IANA most concern, and so dealing with it first will help IANA be more efficient.

- **Disaster recovery**

- There is no current role for IANA, but participants seem interested in exploring this.
- Because there is no current role, there is no existing policy to have to account for - a relatively "blank page" study can occur.
- There is significant public interest in ccTLDs being resilient and available even when disaster strikes, so discerning whether IANA has a role in this can help with ICANN's overall support of a stable and secure Internet.

The Working Group also advises the Council that the order in which the remaining four topics should be addressed should be determined by Council after consulting the community. This should happen once one of the two suggested Study Groups nears completion of its work.

Recommendation 2: Establish Study Groups on IANA Public Records and Disaster Recovery

Following community consultation, the Working Group recommends that the ccNSO Council establish Study Groups for each of the identified topics, starting with two: IANA Public Records and IANA's Role in Disaster Recovery.

The Working Group further recommends that the ccNSO Council in consultation with the community determine the order in which the remaining four topics are to be addressed. This prioritization should take place once one of the two initial Study Groups is nearing completion of its work.

Section 3.3 Advice on structure of the Study Groups

As stated the Working Group recommends the ccNSO Council establish two Study Groups: one to explore and advise on next steps if any the issues pertaining to IANA Public Records, and the other one pertaining to the role of IANA with respect to ccTLD disaster recovery.

In setting up these Study Groups the Council is advised to take the following matters into consideration:

- 1) Scoping of work, deliverables and working methods are important. For both groups the following is considered important:
 - a) Study the issue from multiple perspectives, i.e.
 - i) From IANA's perspective
 - ii) From a general ccTLD manager perspective
 - iii) From other ICANN SO/AC perspectives
 - b) Identify current policy and current practice, with a focus on whether practice is suitably backed up by policy or not, and whether there are any gaps in practice
 - c) Seek community feedback on any contentious points
 - d) Make recommendations as to whether any new policy, interpretation, or practice would be required
 - e) Seek data and factual documentation to scope the issue
 - f) Detail the working method, deliverable and timelines to ensure progress can be monitored and timely completion is ensured.

- 2) Specific advice for the IANA Public records Study Group
 - a) Consider all three areas
 - i) What is the purpose of such records i.e. what data is shown and why is it collected and needed?
 - ii) Is accuracy important, why or why not?
 - iii) What should be done or be able to be done if inaccuracies are not fixed?

- b) Consider asking ccTLDs if there are any additional record types they would find helpful for IANA to maintain
- 3) Specific advice for the Study Group looking into IANA's role in disaster recovery
 - a) Take a broad look at disaster recovery for a ccTLD and identify aspects that are or should be:
 - i) Just determined inside the country or territory
 - ii) Suitable for an IANA role
 - b) If a different role for IANA is suggested, set out arguments that justify the changed approach
 - c) Do a stakeholder analysis of how disaster recovery issues could be best handled at the IANA level (e.g. how to help Significantly Interested Parties, including governments, understand their roles in comparison to the roles of the ccTLD Manager and of IANA)

Section 3.4 How to deal with future “policy” gaps?

The Working Group notes that the work of the ad-hoc Council group and the subsequent work of the Working Group itself was initiated in June 2023 (ICANN76) by a letter from IANA to Council, bringing certain issues to the attention of Council.

It is noted that since the 2023 letter, other related processes have been conducted to seek clarification on policies, interpretation of policies etc.:

- In April 2024, the ccNSO Council was approached by the ccPDP3 Review Mechanism Board Caucus to provide clarifications regarding the proposed review mechanism policy.
- In March 2025, ICANN/IANA sought clarification from the ccNSO Council on interpreting the retirement policy.

Based on these experiences to date, the Working Group recommends that the ccNSO Council document a process on how parties should raise potential issues with respect to in-scope policies and related matters to the ccNSO Council. In addition, the Council is advised to develop a method on how it intends to handle issues that have been raised.

The Council could consider establishing a standing Council Committee to fulfil this role, which among other things could:

- Handle issues as they arise and suggest to Council ways to deal with them.
- Maintain the Overview document on behalf of the Council (see section 2).
- Manage and ‘own’ the existing list of policy related work.
- Further examine the ‘state of the policy framework’ and whether e.g. to re-publish existing policies in clear documents.

The Terms of Reference of such a Council Committee would ensure transparency and predictability to all stakeholders.

Recommendation 3: Implement a process to document and handle potential gaps

The ccNSO Council is recommended to document a process for raising potential issues related to policies and other matters within the scope of the ccNSO’s policy mandate. In

addition, the Council is advised to develop a method for how it intends to address such issues once they are raised.

To support this, the Council could consider establishing a standing policy committee, which could, among other responsibilities:

- Address policy-related issues as they arise and propose ways for the Council to handle them.
- Maintain the Overview document on behalf of the Council (see Section 2).
- Manage and take ownership of the existing list of policy-related work.
- Further assess the current state of the policy framework, including, for example, whether existing policies should be re-published in clearer, more accessible formats.

The Terms of Reference for such a committee should ensure transparency and predictability for all stakeholders.

Additionally, the Working Group advises that when establishing Study Groups, the Council should carefully consider the scope of work, expected deliverables, and working methods, along with specific guidance for each of the two initial Study Groups. To support the Council in addressing new policy issues, the Working Group has also developed a framework for categorizing issues.

Section 3.5 Working Method - The analytical framework to categorize issues

For future use, the analytical framework developed by the Working Group is referenced. As a first step, the Working Group analyzed the issues presented by IANA to better understand their nature, as this determines the appropriate instrument or approach to address each issue.

1. A gap in the policy or lack of policy can only be addressed through a ccNSO Policy Development Process.
2. If the gap has been determined to be an issue of interpretation of policy, and therefore guidance needs to be provided, two instruments are available:
 - A ccNSO Policy Development process, to restate the policy and address gap
 - A ccNSO initiated Cross-Community group, supported by the ICANN Board (to ensure that IANA will be guided by the results of the effort).
3. If the gap is qualified as lack of guidance to ccTLDs, a ccNSO WG or Study Group is probably the most appropriate route.

List of Issue types	List of Methods to address the issue
<ul style="list-style-type: none"> ● Policy gap ● Guidance on policy gap ● Implementation gap ● Unforeseen incident ● Not a gap 	<ul style="list-style-type: none"> ● Policy Development Process (PDP) ● Cross community Working Group (CCWG) like the Framework of Interpretation ● ccNSO Guideline through WG ● ccNSO best practice statement (through WG) ● Study Group - may provide basis for next step ● Exchange of Letters ccNSO & ICANN/PTI (ccNSO Statement process)

The detailed documentation of the framework is included in Annex C.

Annex A - Overview of policies, related guidance, and practices relevant for ccTLDs

Overview of Policies

Version 1
Approved PGA WG - May 2025
Adopted ccNSO Council - [date]

Over time, and in accordance with its mandate the ccNSO has developed various policies, policy related advisories and interpretation, and practices that may be relevant for country-code top-level domains (ccTLDs). The purpose of this document is to provide a current overview of those policies, policy related advisories and interpretation, and practices and those which are under development. In addition, mechanisms are included that may support a ccTLD in structuring its relationship with ICANN.

In 2003 the ccNSO was created with the specific mandate (to the exclusion of other groups) to develop and recommend to the ICANN Board global policies relating to country-code top-level domains (Article 10.1 of the ICANN Bylaws). The scope of this mandate was further detailed in Annex C of the Bylaws: the ccNSO's responsibility is limited to and with exclusion of others to develop policies specifying the rules and conditions under which data will be processed (included, altered or deleted) in the root zone database.

In addition, the ccNSO is mandated to develop voluntary best practices for ccTLD managers, assisting in skills building within the global community of ccTLD managers, and enhancing operational and technical cooperation among ccTLD managers. Adherence to these practices will be voluntary.

As the introduction of the first ccTLDs pre-date both ICANN (which was established in 1998) and the ccNSO, basic rules and conditions for how IANA would process data with respect to ccTLD, including the data that designates and distinguishes a ccTLD from other TLDs, were documented elsewhere, such as in "Domain Name System Structure and Delegation" (published by IANA as RFC1591 in 1994). When the ccNSO was created this was acknowledged in Annex C of the Bylaws.

In summary, this document sets out the key elements of policy and practice that form a framework for how ICANN/IANA and ccTLDs relate to each other and structure their relationship.

For reference since completion of the IANA Stewardship Transition process in 2016 the IANA (Naming) Function is performed by Public Technical Identifier (PTI) an affiliate of ICANN.

1. Policy mandate of the ccNSO

The specific mandate of the ccNSO (at the exclusion of other groups) is to develop and recommend globally-scoped policies to the ICANN Board relating to country-code top-level domains (Article 10.1 of the ICANN Bylaws). The scope of this mandate was further detailed in Annex C of the Bylaws: the ccNSO's responsibility is limited to, and with exclusion of

others, to develop policies specifying the rules and conditions under which data will be processed (included, altered or deleted) in the root zone database for ccTLDs.

Topic	Document	Adoption by the ccNSO	Adoption by the ICANN Board	Implementation
ccNSO's mandate regarding setting policy for IANA concerning ccTLDs	ICANN Bylaws: section 10.1, 10.6 & Annex C	N/A	June 2003	N/A
ccNSO mandate regarding providing guidance and voluntary best practices	ICANN Bylaws section 10.1		June 2003	N/A
Local accountability of the ccTLD Manager	RFC 1591 - March 1994 & ICANN Bylaws - Annex C	N/A	June 2003	Guidance ccTLD-ICANN Accountability Framework

2. Selection of ccTLDs

From RFC 1591, “[i]n the Domain Name System (DNS) naming of computers there is a hierarchy of names. The root of the system is unnamed. There are a set of what are called “top-level domain names” (TLDs). These are the generic TLDs (EDU, COM, NET, ORG, GOV, MIL, and INT), and the two letter country codes from ISO-3166.” Furthermore, it reads that for ccTLDs “[t]he IANA is not in the business of deciding what is and what is not a country. The selection of the ISO 3166 list as a basis for country code top-level domain names was made with the knowledge that ISO has a procedure for determining which entities should be and should not be on that list.”

For internationalized ccTLDs (IDNccTLDs), the relationship between the IDN country representation and ISO3166 list is maintained. An IDNccTLD string has to be a meaningful representation of the name of a county or territory listed on ISO3166 in a designated language and related script of that listed country or territory.

Process	Document	ccNSO	ICANN Board	Implementation
Use of ISO 3166-1 standard list two-letter country code as ccTLD	RFC 1591 - March 1994	N/A		Qualifying top-level domain strings
Use of some Exceptionally reserved codes as ccTLD (.eu)	Board resolution	N/A	Board decision 2000 Re EU	Qualifying top-level domain strings
Definition of IDN ccTLDs	IDN Working Group Board Proposal	June 2008	June 2008	Fast Track Implementation

Process	Document	ccNSO	ICANN Board	Implementation
				Plan (2009), latest version 2019

Pending (under development/to be adopted)

Process	Document	ccNSO	ICANN Board	Implementation
Definition of IDN country codes TLD and their variants	Part A of Board Report ccPDP4	June 2024	Pending	

3. Delegation, Transfer, Revocation and Retirement of ccTLDs

Delegation of a ccTLD - According to the ccNSO Framework of Interpretation (Fol), “Delegation” (section 3 of RFC1591) refers to the process by which IANA initially assigns management responsibility or assigns previously assigned responsibility (after a revocation) for the management of a ccTLD.

Transfer of a ccTLD - According to the Fol, “Transfer” (section 3.6 of RFC1591) refers to the process by which IANA transfers responsibility from an incumbent manager to a new manager with the consent of both parties.

Revocation of a ccTLD - According to the Fol, “Revocation” (section 3.5 of RFC1591) refers to the process by which IANA rescinds responsibility for management of a ccTLD from an incumbent manager.

Retirement of a ccTLD - According to the retirement policy (section 2.1), retirement of a ccTLD is a process that is orderly and reasonable up to, but excluding, the removal of a ccTLD from the Root Zone.

Caretaker (operations) - According to description it means that the domain is in a temporary transitional state designed to sustain basic operations.

Process	Document	ccNSO	ICANN Board	Implementation
RFC 1591 - March 1994	Delegation	RFC 1591 - March 1994 , Fol 2015	June 2015	Delegating or transferring a country-code top-level domain (ccTLD)
	Transfer	RFC 1591 - March 1994 , Fol 2015		Delegating or transferring a country-code top-level domain (ccTLD)

Process	Document	ccNSO	ICANN Board	Implementation
Caretaker				Caretaker operations for a top-level domain
Revocation	RFC 1591 - March 1994 , Fol 2015			No public facing documentation at this time.
Framework of Interpretation RFC1591	https://ccnso.icann.org/workinggroups/foi-final-07oct14-en.pdf	October 2014, https://ccnso.icann.org/sites/default/files/filefield_46795/foi-final-resolutions-11feb15-en.pdf	June 2015	Delegating or transferring a country-code top-level domain (ccTLD)
Retirement Policy	Board Report	September 2021	September 2022	Retirement of a Country-code Top-level Domain (ccTLD)
Clarification Section 3 of the Retirement Policy	Letter Chair of the ccNSO Council to President PTI	ccNSO Council April 9, 2025		

Pending (under development/to be adopted)

Process	Document	ccNSO	ICANN Board	Implementation
Deselection IDN ccTLD strings	Board Report ccPDP4, Part A section 12	June 2024	Pending	

4. Possible mechanisms to assist a ccTLD manager to resolve a dispute with IANA

Overview of processes which offer ccTLD managers, and applicants for new ccTLDs mechanisms to assist in resolving disputes with ICANN/PTI pertaining to the delegation, transfer, revocation, and retirement of (IDN) ccTLDs and (de-)selection of IDNccTLD strings.

Mechanisms available to an (IDN) ccTLD as direct customer of IANA Naming Services

Process	Document	ccNSO	ICANN Board	Implementation
IANA Complaint Procedure Customer Complaint Resolution Process	IANA Naming Services Contract section 8.1 (a) This procedure includes escalation to the	N/A	October 2016	https://www.iana.org/help/complaint-procedure

Process	Document	ccNSO	ICANN Board	Implementation
	management team of the PTI and to the Ombudsman.			
Mediation procedure direct customer - PTI	IANA Naming Services Contract section 8.1 (c)	N/A	October 2016	—

Mechanisms available for actions pertaining to the retirement of (IDN) ccTLDs and selection of IDNccTLD strings

Note: If ccPDP3 review mechanism and ccPDP4 (de-)selection are fully implemented, the two mechanisms listed below are no longer available

Process	Document	ccNSO	ICANN Board	Implementation
ICANN's Independent Review Mechanism for covered actions (retirement and IDNccTLD string selection) Note: Disputes pertaining to the delegation and redelegation of ccTLDs are excluded (Section 4.3 (c) ii.)	ICANN Bylaw Article 4.3		October 2016	
ICANN's Reconsideration Process Note: Disputes pertaining to the delegation and redelegation of ccTLDs are excluded (Section 4.2 (d) i.)	ICANN Bylaw Article 4.2		October 2016	

Ombudsman Mechanism available to (IDN) ccTLD for matters that the IRP (section 4.3) has not been invoked

Process	Document	ccNSO	ICANN Board	Implementation
ICANN's Ombudsman. Note the Ombudsman may act as dispute resolution practitioner for those matters the IRP set forth in Section 4.3 of the Bylaws have not been invoked.	ICANN Bylaw Article 5		October 2016	Ombudsman Website

Pending (under development/to be adopted)

Process	Document	ccNSO	ICANN Board	Implementation
ccNSO Policy Review Mechanism	Board Report ccPDP3 Review Mechanism	June 2023	Pending	
	Clarification and Interpretation of policy Review Mechanism	September 2024		
Applicability of the review mechanism to IDN ccTLDs	ccPDP4 Board Report, part A section 13	September 2024	Pending	

5. Voluntary practices

Over time the ccNSO has developed voluntary practices for ccTLD managers, assisting in skills building within the global community of ccTLD managers, and enhancing operational and technical cooperation among ccTLD managers. In addition, the ccNSO has developed voluntary practices to assist ccTLDs and ICANN to structure their bilateral relations. Adherence to these practices is always voluntary.

Voluntary practices regarding wildcarding and use of emoji's as second level domains

Process	Document	ccNSO	ICANN Board	Implementation
Advice on wildcards	Final Report Wildcarding Study Group		N/A	N/A
Advice not to use emojis	Final Report Study Group	September 2019	N/A	N/A

ccNSO Guidelines to assist ccTLDs and ICANN to structure their bilateral relation

Process	Document	ccNSO	ICANN Board	Implementation
Guidance on accountability relationship between ccTLD manager and ICANN	Guideline ccTLD – ICANN Accountability Framework	19 January 2005	Letter ICANN CEO 2005	Overview Agreements ccTLDs- ICANN: https://www.icann.org/resources/pages/cctlds/cctlds-en Templates: EoL and Template letter ccTLD- to ICANN Template letter ICANN to ccTLD Template Accountability Framework

Process	Document	ccNSO	ICANN Board	Implementation
Guidance on ccTLD manager financial contribution to ICANN	Guideline Financial Contributions	20 November 2013	Letter ICANN CEO to ccNSO accepting Guidance	Annual Overview Financial Contributions

Voluntary Practices relating to IDN Tables and registration of IDN Second and higher level domain names

Process	Document	ccNSO	ICANN Board	Implementation
Advice to IDNccTLD Managers with respect to Submission of IDN Tables	ccPDP4 Final Report Report Part B, C1	Adopted by ccNSO Council 07 March 2024	N/A	https://www.iana.org/help/idn-repository-procedure & https://www.iana.org/domains/idn-tables
Advice with respect to registrations under the IDNccTLD (variants) under management	ccPDP4 Final Report Part B, C2	Adopted by ccNSO Council 07 March 2024	N/A	N/A

6. Other Relevant Documents

Process	Document	ccNSO	ICANN Board	Implementation
General framework of principles and guidelines for the relationship between national governments, the ccTLD Manager associated with that country, and ICANN	GAC Principles 2005	N/A	N/A	See various Delegation Reports. latest

7. Archived

Process	Document	ccNSO	ICANN Board	Implementation
ICP-1: Internet Domain Name System Structure and Delegation (ccTLD Administration and Delegation)	Archived		ICP-1 was adopted by the Board in May 1999 Was archived by Board resolution on adoption of Fol: June 2015	Current practices of the Internet Assigned Numbers Authority (IANA) in administering RF C 1591

Annex B - Issue Types and Approaches

Priority	Issue name	Issue type	Approach for the issue / Notes of discussion
	<p>A - Data Accuracy Do IANA records need to be published, accurate?</p>	<p>Policy Gap</p> <ul style="list-style-type: none"> • Accuracy in data is currently required by the Accountability Framework guidelines, but it has no enforceability or consequences. And such frameworks are optional for ccTLDs. • Policy is currently silent on this • Any credible approach to requiring accurate record keeping would need to include ways to deal with any failure to meet the requirements. • Only a PDP would have the standing to impose such consequences as part of the framework. <p>It would be possible to define this as a knowledge or practice gap, if the aim was to test community expectations without using a method that could implement any consensus identified. But this work would need to happen anyway as part of a PDP, and if a PDP was subsequently needed, would probably be done a second time, costing time and resources.</p> <p>Is the issue a matter of lack of policy on need to keep data up to date or compliance i.e. lack of tools to enforce compliance (nothing else but nuclear option)? See item c)Note that maintaining the data accurately is part of the AF Guideline and core requirement under the AF and Exchange of letters.</p>	<p>Combined with item A, B and C topic for additional fact finding, and based on suggestions make recommendations</p> <p>Initially considered Policy Development Process (PDP)</p> <ul style="list-style-type: none"> • Only a PDP has the standing to create an enforceable approach to dealing with this issue. <p>However after discussion it was not considered a PDP Issue.</p> <p>Observation: accuracy not well defined Need for compliance path/empowerment</p> <p>Scope of policy: directed at IANA how to deal with ccTLDs. This proposal is directed at ccTLDs out of scope of ccNSO. Can turn around.</p> <p>Start with the purpose of public records.</p> <p>Security and stability are the most important points. Need to have data.</p> <p>Tying data accuracy, How can we deal with it? Name and shame? Enable community to identify ccTLD.</p> <p>Analysis of level of accuracy, look at scale of problem before going forward. Data in-accuracy not point of revocation.</p> <p>To understand scope and relevancy: Study Group that may make additional recommendations.</p>

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	<p>B - Purpose of public records There is no framework through which to assess why public records are published by IANA in the current policies. The structure of the contact model is largely inherited from the pre-ICANN era through the hand-off of InterNIC responsibilities.</p>	<p>Type of issue not proposed</p> <ul style="list-style-type: none"> • A clear statement of purpose for the publication of records would be helpful. • This could be done in a range of ways. <p>This issue should probably be combined with Issue A on data accuracy. Doing so would make the basis for publication clear and give clear reasons why any failure to maintain such records was important.</p>	<p>Study Group, combined with A and C</p> <ul style="list-style-type: none"> • If a stand-alone to develop the rationale for public records, could be a CCWG (like the Framework of Interpretation) or Study Group. <p>Records which are not publicly available, should they be included?</p> <p>In addition to public interest, other related information.</p> <p>KD: No policy gap. Actions taken, operational responsibilities. Data protection , practical matter: no guidance about framework for use. IANA could write strawman. Common, what is tech contact, admin, include tech Low-key Study Group</p> <p>Responsibility as operators.</p>

	<p>C - Enforcement and/or graduated compliance options</p> <p>At present there are two approaches available to IANA to address non-compliant situations. One is simply asking the manager to comply, and the other is revocation for cause.</p> <p>What, if any, additional mechanisms are needed to be added to attain a greater level of compliance with policy requirements?</p>	<p>Potential gap in policy, however additional study needed, combine with A and B</p> <ul style="list-style-type: none"> • A workable set of mechanisms would go beyond the current policy. • There is no mandate for IANA to develop such steps without the policy framework allowing it to do so. 	<p>Study Group Combined with A and B</p> <ul style="list-style-type: none"> • Any system of enforcement needs to be binding on the ccTLD involved, and on IANA. • IANA is already mandated to take the most impactful action: revocation for cause. In most cases this would be disproportional. One could argue through interpretation to develop an escalation path with ultimate step revocation for cause. For example, first send a notification, seeking compliance, secondly publish and notification, if no response or no adequate adjustments, notification of breach of policy/ significant misbehaviour. Proposed action: Interpretation of policy/ guidance by ccNSO on implementation of policy. • Only policy or contracts are binding, and in this system the contracts are meant to give effect to the policy and should not make decisions affecting ccTLD interests without a policy mandate. • Only a PDP would involve the community in making decisions about this sensitive issue. <p>Most jurisdictions go through an escalation process. Already existing mechanisms. Re-assess topic after better understanding Topic A and B and others.</p>
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			<p>Limited Escalation Path: could go as far as name or shame or other. What does compliance mean in this context? What is the scope of the problem?</p> <p>Alleviate community in terms of best practices/practical experience. IANA's aspiration is to make it better, therefore need for a tool-set.</p>
	<p>D - Ensuring eligibility assessment occurs before practical changes There are significant gaps in cases where significant changes are made to the ccTLD manager prior to seeking review by IANA. Asking for a transfer <i>after</i> changes on the ground frustrates the intent of performing a meaningful review and approving it. Approval is presumed by the policy to condition the outcome.</p>	<p>Implementation gap</p> <ul style="list-style-type: none"> • The policy implicitly assumes good faith in requesting agreement for changes like transfers before on-the-ground facts change. • Setting out expectations could be as simple as updating IANA processes. • There would need to be an enforcement framework of the sort mentioned in Issue C to make sure failure to follow such expectations had appropriate consequences. 	<p>Study Group</p> <ul style="list-style-type: none"> • A light community process or a broader cross-community process could test the issue here and develop a short statement of expectations for how the processes at the IANA level relate to processes on the ground. • This could then inform IANA customers, and be part of an enforcement framework as contemplated in Issue C. <p>Part of reason of transfer, getting clear before expanding to wide Study Group, need to get ccTLD clear out.</p> <p>Parties have a unilateral right to change. No penalty to move ccTLDs after it is delegated.</p> <p>Study approach</p>

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	<p>E - Local presence The current policy guidance in RFC 1591 stipulates that "... at least the administrative contact must reside in the country involved."</p> <p>The current IANA interpretation of this presence requirement is to assess not just the self-reported location of the administrative contact, but where the ccTLD manager (as a legal entity) is domiciled, and where primary operations are conducted.</p> <p>This is under an interpretation that the local residence requirement is to ensure the ccTLD is answerable under local accountability measures within the country or territory's jurisdiction.</p> <p>The current IANA interpretation is more specific than the text of the policy.</p>	<p>Not a gap</p> <ul style="list-style-type: none"> • The policy framework provides requirements - there is no "gap". • IANA practices provide details about how the requirements are implemented. <p>Note: some stakeholders may view this as a policy gap because they wish to change the policy's requirements.</p> <p>Such a change would be a different matter to this PGA work, which is about finding and closing gaps in the policies or implementation.</p>	<p>Study Group -</p> <ul style="list-style-type: none"> • If there is a lack of detail and explanation about how the policy applies in practice, a Study Group could develop an explanation which could be tested with the community. <p>Current policy can not be met. Is it still necessary, given the modern world?</p> <p>Restate: RFC1591 specific statement. Is that a minimalist approach or other?</p> <p>Interpretation to have substantial presence. Interpretation of RFC1591. To date no real push-back against interpretation</p> <p>What's the nature of the problem? It's IANA interpretations may need to be validated</p> <p>Advanced understanding needed of what is approved. Signal understanding of issue</p> <p>Fundamentally if a government legislates, legislation applies. Local presence is base-line.</p> <p>Being managed outside the country does make sense. IANA's sense that there is a nexus between the ccTLD and country makes sense. Talking about etc. will shift the dial</p> <p>Revisit together with a minimum level of involvement.</p>

	<p>F - Resignation</p> <p>There is no specified policy on how a ccTLD manager, or a public point-of-contact, can resign from their role. It is assumed and operationalized that any time a ccTLD manager or a contact no longer wishes to perform their role, they will be replaced by a change request that identifies their successor.</p>	<p>Policy gap</p> <ul style="list-style-type: none"> • This situation is not contemplated by the policy framework, which has assumed there is always an available manager. • Determining how to deal with such a situation is a significant matter for the ccTLD and for the local Internet community involved. • A new element of policy would provide the solid foundation to deal with any future cases of this type. 	<p>Study Group</p> <p>Only a PDP can provide a solid foundation by generating policy to close this gap.</p> <p>This is the situation with the .LB ccTLD that emerged in 2023 and started this PGA work.</p> <p>Alternatively, one could argue the situation of resignation or other events are transitional. As other transitional situations (for example those used during the hypotheticals) have shown the circumstances are always fairly unique (like in the .lb case). PTI/IANA does have enough “tools” to handle these unique situations when they arise. To ensure PTI/IANA is not overstepping its boundaries, agreement between ICANN/PTI and the ccNSO to document the case and if necessary the ccNSO could develop and recommend policy/guidance or take another action if deemed necessary. Effectively this is to institutionalise the actions pertaining to .lb case i.e the introduction of the caretaker.</p> <p>Resignation: different, new situation. What we don't know, whether anything needs to be done. Conceptually split, Study Group, anything fundamental Not operate the ccTLD It is a policy gap, but first develop understanding of the situation.</p> <p>Important situation (more politics and perception) Responsibility for continuity with SIP and manager)</p>
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Priority	Issue name	Issue type	Approach for the issue / Notes of discussion
			<p>PTI might guidance, Incident review</p> <p>At first glance easiest on the list: worked out well how it worked out. Potential constraint on IANA (through PDP, or otherwise?) more study needed.</p> <p>What happens in meantime, with users, if no one steps in, what happens if only IANA is informed.</p> <p>The .LB case: IANA did NOT operate, locally operated.</p> <p>Details known. Deal with GAPS Identify situations on the basis of IANA Reports? Follow method .lb case (ccNSO informed by letter, ccNSO supports immediate, specific action, if considered reasonable, and undertakes study to assess, gap in policy, interpretation, implementation of policy or practice.</p> <p>Specific situation of resignation needs to be researched further.: Need to flesh out further</p>

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	<p>G - Minimum level of involvement There is a wide gamut of operational situations for ccTLD managers. Some ccTLD managers are responsible for every aspect of the ccTLD, from policy setting to technical platform to operations and providing direct registrations services. Does there need to be definitions for what the minimum obligations of a ccTLD manager to do directly?</p>	<p>Guidance on policy gap</p> <ul style="list-style-type: none"> • The policy framework dates from an era when ccTLDs were generally small and simple, and today's reality is different. • The wide variety of models being used today does not of itself create a policy problem. • Starting by generating some clear guidance about this would be preferable to launching a PDP, as it is not clear whether policy needs to be changed, and because this is a sensitive issue given it could potentially have a direct impact on large numbers of ccTLDs. 	<p>Study Group A Study Group could:</p> <ul style="list-style-type: none"> • identify aspects of the issue that are relevant to ccTLDs and other stakeholders • engage with other relevant stakeholders as part of its work • report back outlining the various aspects of the issue, the perspectives of other stakeholders, and whether any further work is needed (and if so, what work) <p>Notes</p> <p>Earlier discussion considered recommending a CCWG (like the Framework of Interpretation)</p> <ul style="list-style-type: none"> • Such a group would engage the broad set of stakeholders that should have input into this question. • It could provide a report analysing the issues without the risk of unexpected policy. • Such work may inspire a future PDP but also may not, depending on the findings. <p>No Comments</p>

Priority	Issue name	Issue type	Approach for the issue / Notes of discussion
	<p>H - Disaster recovery Generally, disaster recovery for a ccTLD is considered wholly the responsibility for the ccTLD manager and its local community to address. However, when it isn't addressed, the parties often look to IANA for mechanisms to address it, and IANA is expected to do what it reasonably can to address threats to the operation of a ccTLD.</p> <p>What, if any, requirements should be established around disaster recovery and/or the ability to sustain ongoing operations of the domain in the case of disaster or non-compliance with global policies?</p> <p>Another area of disaster recovery is where ccTLD managers have sought to make private arrangements with IANA on special procedures to perform in such emergencies. In essence, they would seek to pre-define a set of conditions under which IANA would seek to recognize another party to manage the domain, through mutual agreement.</p> <p>Should there be any policies regarding how such arrangements are made?</p>	<p>Implementation gap</p> <ul style="list-style-type: none"> • The first area, of how IANA can engage in disaster recovery, lends itself to implementation clarity. Setting out clearly what IANA would and would not do would be beneficial. Best practice for ccTLDs could also be developed. • The second area, of private arrangements, could also lend itself to such implementation clarity. Setting out the types of arrangements IANA can and cannot engage in would increase transparency. 	<p>Study Group</p> <p>A Study Group could develop guidance about the IANA role in disaster recovery and the sorts of private arrangements it can and cannot enter into. IANA could agree to abide by such an output, which it would be involved in creating, and on which the policy framework is silent.</p> <p>ccNSO Best Practice could be developed to guide how ccTLD managers can best protect their ccTLD in the case of a disaster, sharing community expertise, engaging with TLD Ops, etc.</p> <p>Concern to step into how ccTLD are run, overstepping remit of ccNSO.</p>

Priority	Issue name	Issue type	Approach for the issue / Notes of discussion
	<p>I - Request confidentiality Requests to perform fundamental actions on a ccTLD (delegate, transfer, revoke) are generally processed confidentially by IANA. Only at the conclusion of a successful request of this nature, a report is published that distils key factors in the evaluation</p>	<p>Not a gap</p> <ul style="list-style-type: none"> • The policy framework provides no requirements. • The practice of IANA is well established and attracts occasional concern from some stakeholders. • This doesn't represent a gap from the ccNSO's perspective - some stakeholders want to change the current approach. 	<p>Study Group</p> <ul style="list-style-type: none"> • If IANA feels this is an important matter to improve transparency on, or test community views on, the ccNSO could operate a Study Group to prepare a report on the issue and seek community views. <p>Clarify current practice, report on issues. Sensitize community by detailing issues in issues paper. First understand if change is needed. If changes, how to change</p>
	<p>J - Lack of clear statement of current policies Not discussed to date with PGA WG</p>	<p>Implementation gap</p> <ul style="list-style-type: none"> • The policy and guidance framework is spread across many documents. • Some of those documents include relevant and obsolete policy/guidance in the same place. • The impact is confusion for IANA, for ccTLD Managers and for other stakeholders seeking to understand or engage with this work. 	<p>The PGA-WG has developed an overview to make the whole framework more transparent and visible.</p> <p>Future work could include preparing a draft statement of policy that brought together relevant existing language into a single document.</p> <p>As an informational tool, this could be done by a Study Group or, if broader community input was needed, by a CCWG (like the Framework of Interpretation).</p> <p>For such a document to replace existing policies it would need to be built through a Policy Development Process.</p>

Annex C - Methods to address Gaps and issues

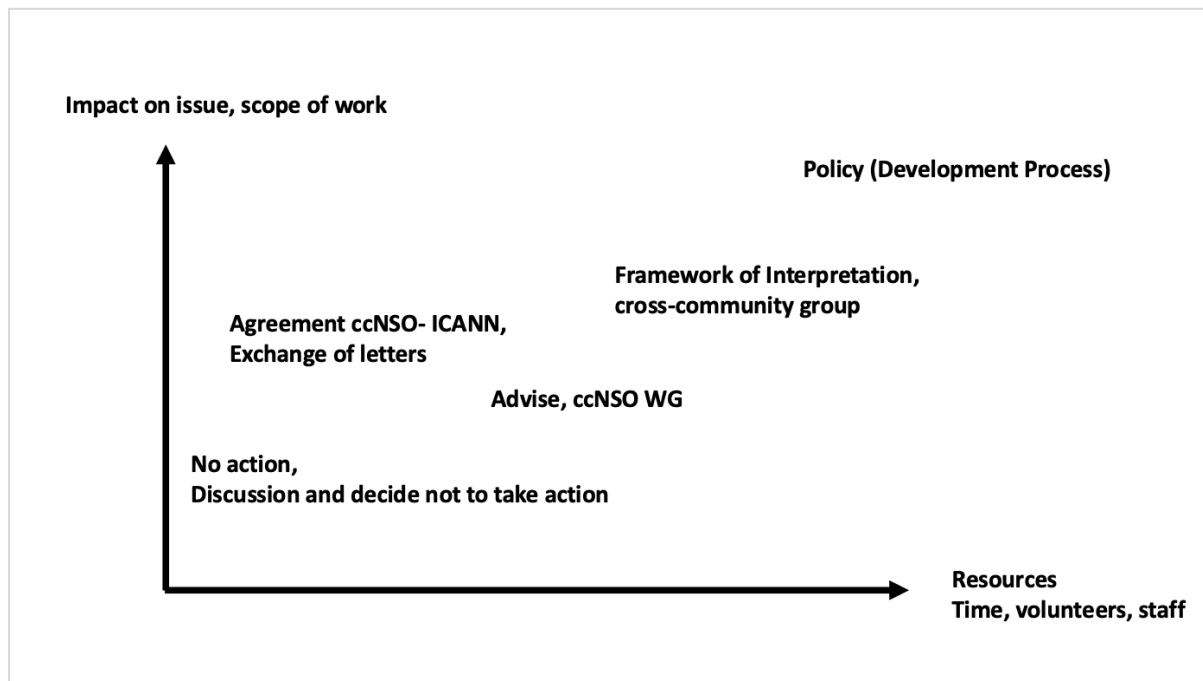
A. Instruments to address gaps/issues

Over time the ccNSO has developed and used various instruments to address policy and policy related issues:

1. **Policy Development Process** - As defined in Annex B). Structured approach. **Limited in scope and remit (Annex C)**. Assumption accountability of ccTLD is handled locally.
2. **(Cross) Community group making recommendations to the Board** and IANA on how to interpret the current policy. Examples:
 - a. Framework of Interpretation of RFC1591 - <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-25-06-2015-en#1.d>) – note the related discussion with the GAC and related GAC -communique: <https://gac.icann.org/advice/communiqués/gac-52-singapore-communique.pdf>)
 - b. At request of the Board Joint ccNSO-SSAC Group the Risk Mitigating panel was introduced which is part of the Fast Track process.
 - c. Method to select IDNccTLDs (2007-2008) resulting in the Fast Track process (2009)
3. **Working Group to develop voluntary Best Practice for ccTLDs (suggested in Article 10.1 ICANN Bylaws)**
 - a. However, as the ccNSO may also engage in other activities authorized by its members. Adherence to the results of these activities will be voluntary and such activities may include: seeking to develop voluntary best practices for ccTLD managers, assisting in skills building within the global community of ccTLD managers, and enhancing operational and technical cooperation among ccTLD managers.)
Examples: Study Group with light weight advice to ccTLDs on wildcards; Study Group on use of Emoji 's;
 - b. PDP4 WG Advise to ccTLDs on IDN tables, which is included in Final Report
4. **Exchange of letters** - Exchange of letters between ccNSO and ICANN (example the .lb case: ICANN informing ccNSO Council of decision and event, Council acknowledging event and decision and start to ascertain if policy is needed, and inform ICANN accordingly) of result.
5. **No action** - No action needed from the ccNSO

B. Impact/effort of the instruments

Each of these instruments has its own strengths and weaknesses, and range of applicability. The selection of an instrument will determine the impact (impact on issue, scope of work) and efforts required to reach a positive use of the instrument.



C. What is the nature of a gap identified?

The Working Group performed an initial analysis of the issues identified by IANA to assess where there is a gap from a ccTLD/ccNSO perspective. After completion of this assessment the Working Group will need to assess whether gaps exist in:

- a Policy (e.g. RFC1591, Retirement),
- interpretations of policies (e.g. Framework of Interpretation),
- IANA procedures or process,
- guidance/expectations for ccTLDs non-issue from ccTLD/ccNSO perspective,
- an issue that is unique i.e. expected to be so rare that it is once in a lifetime; or

Alternatively, it may be deemed there is no issue to be addressed from a ccNSO/ccTLD perspective.

Issue types and methods to address them

Issue types	Methods to address the issue
<ul style="list-style-type: none"> • Policy gap • Guidance on policy gap • Implementation gap • Unforeseen incident • Not a gap 	<ul style="list-style-type: none"> • Policy Development Process (PDP) • Cross community Working Group (CCWG) like the Framework of Interpretation • ccNSO Guideline through WG • ccNSO best practice statement (through WG) • Study Group - may provide basis for next step • Exchange of Letters ccNSO & ICANN/PTI (ccNSO Statement process)