

Policy for the Retirement of ccTLDs

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In December 2015, the ccNSO Council discussed the launch of a formal ccNSO Policy Development Processes to address the lack of policy with respect to retirement of ccTLDs and to introduce a Review Mechanism on issues pertaining to the delegation, transfer, revocation and retirement of ccTLDs. This discussion was grounded in the need to ensure the predictability and legitimacy of decisions with respect to the delegation, transfer, revocation and retirement of ccTLDs.

In March 2017, and in accordance with Annex B section 3 and 4 of the ICANN Bylaws, the ccNSO Council decided - among others – to initiate the third (3rd) ccNSO Policy Development Process with the initial focus on developing a policy for Retirement of ccTLDs (Part 1), and on the development of policy recommendations for a Review Mechanism pertaining to decisions on delegation, transfer, revocation and retirement of ccTLDs (Part 2).

In February 2021 the ccNSO Working Group on Retirement of country code Top-Level Domains (ccTLDs) concluded its work by unanimously supporting the policy recommendations pertaining to the retirement of ccTLDs.

On 04 June 2021 the ccNSO Council decided to split ccPDP3 accordingly and this decision became effective on 11 June 2021¹.

The recommended Retirement Policy as contained in the Final Paper of the Retirement Working Group was submitted to the ccNSO Council and ccNSO Membership for their consideration and adoption.

At its meeting on 17 June 2021 the ccNSO Council adopted all recommendations contained in the Final Report and the ccNSO Membership supported the Council Recommendation..

The ICANN Board of Directors [adopted the policy in June 2022](#).

This document is extracted from the [Board Report](#) (Annex A)

¹ <https://ccnso.icann.org/en/about/council/decisions-resolutions/2021>

1 Introduction

Request for Comment (“RFC”) 1591 states:

4. Rights to Names

[...]

2) Country Codes

The 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.

In 2014 the ccNSO through its Framework of Interpretation confirmed that RFC 1591 applies to ccTLDs.

The ISO 3166-1 list is not static and country codes are added and removed on a regular basis. When a new ISO 3166-1 Alpha-2 code element (Alpha-2 code) is added, a ccTLD corresponding to that Alpha-2 code can be added to the Root by the IANA Naming Functions Operator (IFO). However, as was identified in 2011 by the ccNSO Delegation and Redelelegation Working Group, there is no formal policy available for the removal of a ccTLD from the Root Zone when a Country Code is deleted from the ISO 3166-1 list of country names.

It is important to note that ccTLDs are defined as those entries in the Root Zone database identified as such; these include:

- 2 letter ccTLDs corresponding to an ISO 3166-1 Alpha-2 Code Element (the majority of ccTLDs).
- 2 letter Latin ccTLDs not corresponding to an ISO 3166-1 Alpha-2 Code Element ².
- IDN ccTLDs as approved by ICANN.

2 Policy Objective

The objective of the Policy is to provide clear and predictable guidance and to document a process that is orderly and reasonable up and to, but excluding, the removal of a ccTLD from the Root Zone³.

² The ccTLDs .uk and .ac which refer to exceptionally reserved codes UK and AC are grandfathered as ccTLDs and .eu, which corresponds to the exceptionally reserved code EU, was delegated under the relevant ICANN Board resolution from September 2000 (<https://www.icann.org/resources/board-material/minutes-2000-09-25-en>)

³ The removal of a (cc)TLD by the IFO is excluded from the policy, as this is outside of the policy scope of the ccNSO.

3 Applicability of the Policy

This Policy applies to all entries in the Root Zone database which are identified as ccTLDs and are subject to a Retirement Triggering Event (Trigger). 0

Retirement Triggering Events are defined as follows:

- For 2 letter ccTLDs which corresponded to an ISO 3166-1 Alpha-2 Code Element – The Trigger is the deletion of that corresponding Alpha-2 Code Element from the ISO 3166-1 Standard by the ISO 3166-1 Maintenance Agency (“ISO 3166/MA”)
- For 2 letter Latin ccTLDs which do not correspond to an ISO 3166-1 Alpha-2 Code Element – The Trigger is the ISO 3166-1 MA making a change (other than making it an ISO 3166-1 Alpha-2 Code Element) to any of these. For each such Triggering Event the IFO will consider if the change requires deleting that ccTLD. If the ccTLD Manager disagrees with the IFO’s decision to initiate the Retirement process it can appeal the decision using the ccTLD Appeals Mechanism.
- For IDN ccTLDs – The Triggering Event will be identified in the Policy on the (de-)selection of IDN ccTLD strings, the development of which was initiated on 21 May 2020⁴ and which applies to all IDN ccTLDs.

For the purposes of this Policy, a Functional Manager is the entity listed as “ccTLD Manager” in the IANA Root Zone database or any later variant, who is active with respect to the management of the ccTLD or with whom the IFO can officially and effectively communicate.

If a ccTLD is to be retired but does not have a Functional Manager, the IFO cannot transfer responsibility to a new Manager according to its standard process. This set of circumstances would create a deadlock situation which would prevent the IFO from ever retiring the ccTLD. To avoid such a deadlock, and only under these specific conditions, this Policy allows the IFO to proceed with a Transfer of responsibility for the ccTLD to establish a Functional Manager and ensure the ccTLD can be retired. Such a Transfer should follow the IFO Transfer Process where possible.

4 Retirement Process

4.1 Expectations

⁴ See Issue Report ccPDP4 as adopted:

<https://community.icann.org/display/ccnsowkspc/Policy+Development+Process+%28ccPDP4%29+-+%28de-%29selection+of+IDN+ccTLD+Strings?preview=/138969190/138969196/ISSUE%20report%20ccPDP%204%20version%20final%20-%2014%20May.pdf>

There is a good faith obligation for both the IFO and the Manager of the retiring ccTLD to ensure an orderly shutdown of the retiring ccTLD which takes into consideration the interests of its registrants and the stability and security of the DNS.

Note: Given the importance and exceptional nature of the ccTLD Retirement Process the IFO, prior to sending a Notice of Removal (see next section), should contact the ccTLD Manager and confirm who the IFO should be dealing with regarding the Retirement Process. The person or role identified by the ccTLD Manager to deal with the Retirement Process is referred to as the Retirement Contact and in the remainder of this document the use of the term ccTLD Manager should be understood to mean ccTLD Manager or Retirement Contact if one has been formally identified to the IFO by the ccTLD Manager.

4.2 Notice of Removal

Once the IFO confirms that a Retirement Triggering Event has occurred and that the ccTLD should be retired and has a Functional Manager, it shall promptly notify the Manager of the ccTLD that the ccTLD shall be removed from the Root Zone five (5) years (Default Retirement Date) from the date of this notice (Notice of Removal) unless a Retirement Plan (see following sections for details) which is agreed to by the Manager and the IFO stipulates otherwise and is in accordance with this Retirement Policy.

The IFO shall include with the Notice of Removal a document describing the reasonable requirements (Reasonable Requirements Document) it expects of a Retirement Plan and note that the IFO will make itself available to the Manager to assist in the development of such a plan should the Manager request it.

4.3 Setting a Date for Retirement

The IFO cannot request that a retiring ccTLD be removed from the Root Zone less than five (5) years from the date the IFO has sent the Notice of Removal (Section 4.2 of this Policy) to the retiring ccTLD Manager unless an alternate Retirement Date is mutually agreed to by both the ccTLD Manager and the IFO. If the Manager wishes to request an extension to the Default Retirement Date, it must request this from the IFO as part of a Retirement Plan. The IFO must remove a retiring ccTLD from the Root Zone no later than ten (10) years after having sent a Notice of Removal to the ccTLD Manager (Maximum Retirement Date).

4.4 Retirement Plan

After receiving a Notice of Removal, the Manager must decide if it wishes to request an extension to the Default Retirement Date.

If the Manager of the retiring ccTLD does not wish an extension to the Default Retirement Date stated in the Notice of Removal it is expected, but not mandatory, that the Manager produce a Retirement Plan for the ccTLD which would typically include:

- A copy of the Notice of Removal
- Date the ccTLD is expected to stop taking registrations, renewals and transfers that exceed the Date of Removal from the Root Zone. It is important to note that there is a reasonable expectation that the date provided is the earliest practical date for implementing this.
- Details of a communications plan to advise the registrants of Retirement of the ccTLD.

If the Manager of the retiring ccTLD wishes to request an extension beyond the Default Retirement Date stated in the Notice of Removal, it must produce a Retirement Plan which is acceptable to the IFO and is in accordance with the conditions listed below.

Granting an extension to the Default Retirement Date is at the discretion of the IFO and shall not be unreasonably withheld. The Reasonable Requirements Document that the IFO will have included with the Notice of Removal will describe the factors it will consider when evaluating a request for an extension to the Default Retirement Period.

A Retirement Plan which requests an extension shall include, in addition to the previously listed items, the following:

- The length of the extension requested (a maximum of five (5) additional years) including the proposed Date of the removal of the ccTLD from the Root Zone.
- The reasons for requesting an extension as well as an impact analysis which supports the reasons for making the extension request.

If the ccTLD Manager wishes to produce a Retirement Plan it must do so within twelve (12) months of the IFO having sent the Notice of Removal to the Manager of the retiring ccTLD. At its discretion the IFO can extend the twelve (12) month limit to a maximum of twenty-four (24) months in total after receiving a request for such an extension from the Manager. If the IFO grants such an extension it shall promptly notify the Manager of this.

If the ccTLD Manager submits a Retirement Plan to the IFO, the IFO shall provide a definitive response to the Manager regarding the request for an extension within ninety (90) calendar days of such a request being received by the IFO.

The response by the IFO, if positive, shall state the length of the extension which has been granted. If the response is negative, the IFO shall include the specific reasoning for the refusal. The approval of an extension request shall not be unreasonably withheld.

If the request for an extension is rejected and the ccTLD Manager believes that the rejection is unreasonable or is inconsistent with the Reasonable Requirements Document, it may appeal the decision by the IFO (see Section 5.2 of this Policy).

If the Manager of the retiring ccTLD and the IFO cannot agree on a Retirement Plan within twelve (12) months, or up to a maximum of twenty-four (24) months if the IFO has granted such an extension, of the IFO having sent the Notice of Removal to the Manager, then the IFO will promptly advise the Manager that the ccTLD shall be removed from the Root Zone 5 years from the date the IFO has sent the Notice of Removal to the Manager of the retiring ccTLD.

4.5 Exception Conditions

If the Manager becomes non-functional after a Retirement Plan is accepted, the IFO can use the same procedure outlined in the Requirements section to Transfer the ccTLD to a new Manager. In such cases the Retirement Date set with the previous manager shall not change unless it is in accordance with this Retirement Policy.

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f the Manager breaches the Retirement Plan, the IFO should work with the Manager to reinstate the Retirement Plan. If this is not possible, the IFO can advise the Manager that it will maintain the Default Retirement Date from the Notice of Retirement.

5. Oversight & Review Mechanism

5.1 Oversight

This Policy is directed at ICANN and the IFO as the entity that performs the IANA Naming Functions with respect to ccTLDs.

This Policy is not intended and shall not be interpreted to amend the way in which ICANN interacts with the IFO and the delineation of their roles and responsibilities.

This Policy will not change or amend the role that the ICANN Board of Directors has with respect to individual cases of ccTLD Delegation, Transfer and Revocation, which is understood to be limited to a review to ensure that the IFO (staff) has followed its procedures properly. It is important to note that the IFO decisions to 1. notify the ccTLD Manager of the Retirement and 2. remove a ccTLD from the Root Zone Database, are of out scope for this Policy (see Section 2).

5.2 Review Mechanism

In this Policy on Retirement, decisions have been identified which shall be subject to a Review Mechanism. These decisions are:

1. The IFO initiating the Retirement Process for a 2 letter Latin ccTLD which does not correspond to an ISO 3166-1 Alpha-2 Code Element following the ISO 3166-1 MA making a change to this entry (other than making it an ISO 3166-1 Alpha-2 Code Element). If the ccTLD Manager disagrees with the IFO's decision to initiate the Retirement Process it can appeal the decision using the ccTLD appeals mechanism.
2. The IFO refusing to grant a request by the ccTLD Manager for an extension to the Default Retirement Date of its ccTLD (section 4.4). If the ccTLD Manager disagrees with the IFO's decision to refuse the request for an extension it can appeal the decision using the ccTLD Review Mechanism.

The Review Mechanism for relevant decisions pertaining to the Delegation, Transfer, Revocation or Retirement of ccTLDs is subject of a separate Policy development effort. Once the Policy is adopted by ICANN, the decisions mentioned above in this section shall be subject to the Review Mechanism.

8. References

- Domain Name System Structure and Delegation (RFC 1591), March 1994 -- <https://www.ietf.org/rfc/rfc1591.txt>
- ccNSO Delegation and Redefinition Working Group: Final Report on the Retirement of ccTLDs, March 2011 - <http://ccnso.icann.org/workinggroups/drd-wg-retirement-report-07mar11-en.pdf>
- Framework of Interpretation of Current Policies and Guidelines Pertaining to the Delegation and Redefinition of country-code Top-Level Domain Names, October 2014 - <http://ccnso.icann.org/workinggroups/foi-final-07oct14-en.pdf>
- ISO 3166-1:2013, *Codes for the representation of names of countries and their subdivisions — Part 1: Country codes* - http://www.iso.org/iso/country_codes
- Response to the IANA Stewardship Transition Coordination Group Request for Proposals on the IANA Stewardship Transition from the Cross Community Working Group on Naming Related Functions, June 2016, Annex O: ccTLD Appeals Mechanism Background and Supporting Findings, Sections 414-428 - https://community.icann.org/download/attachments/53779816/FinalTransitionProposal_11June.pdf?version=1&modificationDate=1434047705000&api=v2
- Relevant IANA Reports on the Retirement of ccTLDs - <https://www.iana.org/reports>
- Relevant Decisions ICANN Board of Directors - <https://features.icann.org/resolutions>
- Issues to explore and define with respect to the retirement of ccTLDs, Working Group Issue Paper, January 2017 - <https://community.icann.org/download/attachments/64068742/Issues%20to%20ex>

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