

Threshold Question B

GNSO Council - PPSAI Small Team



4 September 2025

Agenda

- TQ.B Overview - Slides 3-4
- The Accreditation Models - Slide 5
 - Requested Guidance from GNSO Council - Slide 6
- Additional Proposal from IRT Member - Slide 7-8
 - Requested Guidance from GNSO Council - Slide 9

TQ.B Overview

Category 2: Accreditation Model: Accreditation Program or Alternative Implementation. Can an implementation model without a new standalone accreditation program remain consistent with the policy recommendations?

IRT Response: Yes, see the team’s response and request for the GNSO Council guidance below.

The PPSAI Final Report title contains the words “Accreditation Issues” and the report uses the phrase “Accreditation Program” throughout its text. Section 1.3.2 (Additional General Recommendations) states:

“Finally, the WG has concluded that the registrar accreditation model with its multiple steps, governed by the RAA, may not be entirely appropriate for P/P services; however, it is a useful starting point from which relevant portions may be adapted to apply to P/P service providers. The implications of adopting a particular accreditation model will need to be worked out as part of the implementation of its policy recommendations, if adopted.” (PPSAI Final Report, p. 19)

- Former IRT discussed and settled on a new standalone accreditation program with an entirely new contract/agreement (the PPAA).
- Changes in the DNS ecosystem, and the reality of how the majority of known Privacy and Proxy services operate (namely, with some relationship to the registrar), there may be a more efficient path to implementation of these policy recommendations.

TQ.B Overview (cont.)

- The PPSAI Final Report does **not** define “Accreditation Program” or provide any details on what such a “program” should entail. IRT members have discussed and interpreted this at length.

With the understanding that the intent of the recommendations was to provide rules for Privacy and Proxy Services and create contractual obligations relating to Privacy and Proxy Services that may be enforced by ICANN (regardless of how these obligations are contractually structured), this appears to be possible without a new standalone accreditation agreement and accreditation process, which may, in many cases, be duplicative of due diligence and Contractual Compliance enforcement that ICANN already performs with respect to registrars.

ICANN org identified three potential models and discussed with the IRT, and an additional late stage proposal from an IRT member was also discussed.

The Models

Model 1

“Heavyweight”
Accreditation Agreement
for All

Implementation of a new
Privacy Proxy Service Provider
Accreditation Agreement
(PPAA)

Model 2

“Fast-Track”
Opt-In

Accreditation for registrars who
opt-in (via the Registrar
Accreditation Program)
Separately published consensus
policy

Model 3

“Lightweight”
Opt-out

Requirements for registrars in
separately published
consensus policy, binding
through RAA

Note: The IRT discussions did not identify any elements of any of these three accreditation models that would be inconsistent with the policy recommendations.

The Models (cont.)

Model 4

**“No Accreditation”
Compliance enforcement
through passthrough
Registrar requirements**

Requirements for privacy and proxy services are passed through the Registrars and imposed upon this class of registrants via the Registration Agreement.

The IRT discussed a late stage proposal that Privacy and Proxy providers be considered as simply another type of registrant, as the goal ultimately is to hold Privacy and Proxy providers accountable and ensure they fall (essentially) under the same rules for data disclosure as registrars already do.

Privacy and Proxy providers would be treated as a class of registrant, with requirements for privacy and proxy services imposed upon this class of registrants via the Registration Agreement.

The rationale for this approach, as offered by the IRT member, was the following:

“e.g ensuring that registrants are bound by terms that we understand pp providers should follow. This would cleanly avoid all bureaucratic overhead, avoid having to differentiate between affiliated or non-affiliated providers, etc. This can be done by a simple policy requirement that would require registrars to pass along certain terms to all registrants through their agreements, gTAC, policies or otherwise.” Under this proposal, language might read: “Registrars must ensure that registrants using their services who register domain names for the sole use of, on behalf of or for the benefit of third parties agree to... .”

Questions Regarding Model 4

Due to the late addition of this proposal, many questions about the implementation of this approach were not able to be considered and remain unanswered, including but not limited to:

- What would actually be required of the Registrant who is a privacy or proxy service? (as the cases might differ)
- To what extent can a policy make changes to the Registration Agreement?
- How could compliance with passthrough obligations be enforced if privacy and proxy providers do not have an agreement with ICANN?
- Would this model require a rewrite of the existing policy recommendations?

It should also be noted that, depending on the GNSO Council's response to Threshold Question A on definitions, a registrant registering a domain name on behalf of a third party (in the common example, a lawyer or law firm registering a domain on behalf of a client), may be counted as a proxy service, or may not be counted as such a service.

Requested Guidance from Council

Because the PPSAI Final Report is unclear as to whether its reference to an “Accreditation Program” reflects an intention, as a matter of ICANN Consensus Policy, that ICANN must implement a standalone accreditation program for Privacy and Proxy services that looks, contractually and operationally, like the registrar accreditation program, the following GNSO Council guidance is requested:

Do the policy recommendations preclude the implementation of any (if at all) of the three proposed accreditation models?

- Model 1: New Standalone Accreditation Program (2016 IRT approach)
- Model 2: “Opt-in” Model
- Model 3: “Opt-Out” Mode

Or:

Is privacy and proxy service accreditation required? If no, substantial policy work would be required and implementation could not proceed in its current form.

Engage with ICANN



Thank You and Questions

Visit us at icann.org

Email: email



[@icann](https://twitter.com/icann)



facebook.com/icannorg



youtube.com/icannnews



flickr.com/icann



linkedin.com/company/icann



soundcloud.com/icann



instagram.com/icannorg