
Consumer Trust, Consumer Choice and Competition Review (CCT Review)

Session 11.1 - ICANN Reviews Update

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Session Objectives

- Discuss any outcome of discussion between Board, CCT Review Team and ICANN Community, following the ICANN Board's actions on the final CCT Review Recommendations.
- Determine possible follow-up work for the GAC

Background

The Consumer Trust, Consumer Choice and Competition (CCT) Review, the first of its kind, was [initiated](#) on 23 December 2015 and conducted pursuant to the [Affirmation of Commitments](#), subsequently replaced by the new [ICANN Bylaws](#) following the [IANA Stewardship Transition](#) (1 October 2016).

Section 4.6 of ICANN Bylaws sets the mandate of the CCT Review as follows:

The review team for the CCT Review ("CCT Review Team") will examine
(A) the extent to which the expansion of gTLDs has promoted competition, consumer trust and consumer choice and
(B) the effectiveness of the New gTLD Round's application and evaluation process and safeguards put in place to mitigate issues arising from the New gTLD Round.

The GAC was represented in the 15-members [Review Team](#) by two representatives: Laureen Kapin (US FTC) and Megan Richards (European Commission).

The Review Team conducted its [work](#) over a period of nearly three years representing close to 4,000 hours of meetings.

Prior to the commencement of the Review Team's deliberations, an [Implementation Advisory Group](#) recommended a set of [66 metrics](#) which were [approved](#) by the ICANN Board (12 February 2015) for consideration by the Review Team, along with relevant [data](#) collected by the ICANN org.

The work of the Review Team was also informed by numerous [studies and research initiatives](#), including consumer and registrant surveys, and statistical analysis of DNS Abuse. In the course of its deliberations, the Review Team also sought formal Community input in relation to its [Draft Report](#) (7 March 2017) and [Additional Sections of its Report](#) (27 November 2017),

The CCT Review Team reached consensus on 35 recommendations, and published a 200 pages-long [Final Report](#) on 8 September 2018. Per ICANN Bylaws, the ICANN Board took [action](#) within 6 months, on 1 March 2019.

Issues

The so-called “Specific Reviews” provided for in the ICANN Bylaws are accountability mechanisms that are critical for the fulfillment of ICANN’s Mission and ensuring it serves the public interest.

As part of commitments related to the public interest as far as gTLD expansions are concerned, the [ICANN Bylaws](#) Section 4.6(d)(iii) provide that ICANN will:

adequately address issues of competition, consumer protection, security, stability and resiliency, malicious abuse issues, sovereignty concerns, and rights protection prior to, or concurrent with, authorizing an increase in the number of new top-level domains in the root zone of the DNS pursuant to an application process initiated on or after the date of these Bylaws (“New gTLD Round”).

In previous GAC Advice to the ICANN Board, in particular in the [GAC Los Angeles Communiqué](#) (16 October 2014) and [GAC Helsinki Communiqué](#) (30 June 2016), the GAC advised that reviews of the 2012 rounds be completed and considered in policy development before the launch of subsequent rounds.

During the ICANN64 Meeting, GAC members expressed concerns with the ICANN Board adopting only six of the 35 recommendations of the CCT Review Team. The GAC issued [Consensus Advice](#) in the [GAC Kobe Communiqué](#) to urge the Board to promptly meet with the CCT Review Team leadership and consider the possibility of revisiting certain decisions, to which the Board [responded](#) (15 May 2019) by “stand[ing] by its decisions” and committing to work with Review Team leaders on broader issues with [ICANN’s Specific Reviews](#) in general.

Leadership Proposal for GAC Action

1. **Continue to consider the actions taken by the ICANN Board on the CCT Review Recommendations** as laid out in its [resolution](#) (1 March 2019), per analysis provided in a GAC Scorecard attached to this briefing.
2. **Determine possible next steps for the GAC**, in particular:
 - a. **Contributing** to further work and analysis directed by the ICANN Board, on both accepted and pending recommendations
 - b. **Monitoring** consideration of recommendations passed through to relevant Community Groups and policy development processes
 - c. **Following up** on further consideration by the ICANN Board of recommendations placed in pending status

Relevant Developments

- On 8 September 2018, the CCT Review Team released its [Final Report](#)
- On 8 October 2018, The Final Report and its Recommendation were submitted for [Public Comment](#), in view of their Bylaws-mandated consideration by the ICANN Board. The Public Comment period closed on 1 February 2019, with 9 [submissions](#), mostly from Advisory Committees of ICANN and GNSO Stakeholders.
- On 11 December 2018, the GAC submitted a [Comment](#) on the Final Report
- On 1 March 2019, the ICANN Board held a [special meeting](#) to consider the Competition, Consumer Trust and Consumer Choice Review (CCT) Recommendations
- On 5 March 2019, ICANN org published the Board [resolution](#), its associated 7-pages [scorecard](#), along with a [blog](#) by the ICANN Board Chairman providing explanations of the Board's actions.
- On 14 March 2019, the Chair of the CCT Review Team shared the Team's [analysis](#) on the Board's actions, which was promptly followed by a [response](#) from the Board committing to further discussion with the Community during ICANN65 as well as to liaise with CCT Review Team members as part of the implementation of the recommendations.
- On 18 April 2019, in its [GNSO Council Review of the Kobe GAC Communiqué](#), the GNSO confirmed that the CCT Review Team recommendations are being considered or will be considered by the relevant policy development policy working groups.
- On April 23, 2019, CCT Review Team leadership spoke with members of the Board caucus group tasked with CCT issues.
- On 15 May 2019, the ICANN Board [responded](#) to the [GAC Kobe Communiqué Advice](#) indicating it “stands by its decisions”, clarifying that it did not reject any of the recommendations, and signaling it intends to work on addressing a number of broader issues with Review Team leaders and the Community, including of prioritization and sustainability of specific Reviews and their recommendations.

Current Positions

- GAC [Los Angeles Communiqué](#) Advice on [Reviews of First Round of New gTLDs and Preparation for Subsequent Rounds](#) (15 October 2014)
- GAC [Helsinki Communiqué](#) Advice on [Future gTLDs Policies and Procedures](#) (30 June 2016)
- [GAC Comment](#) to CCT RT Draft Report (19 May 2017)
- [GAC Comment](#) on Statistical Analysis of DNS Abuse in gTLDs (22 September 2017)
- [GAC Comment](#) on New Sections to Draft Report of Recommendations (DNS Abuse Related recommendations) (16 January 2018)
- [GAC Comment](#) on CCT Review Team Final Report (11 December 2018)
- GAC [Kobe Communiqué](#) Advice on [ICANN Board Consideration of the CCT Review Recommendations](#) (14 March 2019)

Key Reference Documents

- GAC Scorecard of ICANN Board Actions (as of 6 June 2019) attached to this briefing.
- [ICANN Board Action Scorecard](#) (1 March 2019)
- [CCT Review Recommendations](#) (8 September 2019)

Further Information

Related ICANN65 Session and Briefings:

[Session 4.1 - New gTLDs Subsequent Procedures PDP](#)

ICANN Organization Resources:

<https://www.icann.org/resources/reviews/specific-reviews/cct>

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CCT Review

Annex: GAC Scorecard of Board Action on CCT Review Final Recommendations

(as of 6 June 2019)

Note: This is provided as a tool to facilitate GAC consideration towards determining next steps on actions taken by the ICANN Board per its [resolution](#) and [scorecard](#) (1 March 2019) on the [Final Recommendations of the CCT Review Team](#) (8 September 2018). This document is not meant to replace the official record of Board actions and Final CCT Recommendations, but instead seeks to summarize and organize it in a way that may be easier for the GAC to process. Readers should refer to the official record for complete and accurate wording.

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1. CCT Review Recommendations Highlighted by the GAC in its Comment on Final Recommendations (11 December 2018)

The Need for Data

Rec. #	CCT Recommendation (in full or summarized)	GAC Comment	Board Action (summary)	Possible Next Step for GAC
1	Formalize and promote ongoing data collection	<p>Comment on Final recommendations (11 December 2018)</p> <p>The Need for Data</p> <p>The CCT Review team [...] observed that "critical data was in short supply" for the analysis of the effectiveness of safeguards and the promotion of consumer trust. For that reason, the GAC endorses recommendations in the final report that encourage the collection of data to better inform policy making before increasing the number of new gTLDs. The increased collection of data [...] should be amongst the more urgent priorities.</p>	<p>Accepts the premise of this recommendation. [...] requests ICANN org to prepare a framework of data elements to be discussed with the community [...] and consider appropriate timing and prioritization. The outcome [...] will inform Board's action on the other recommendations focusing on data collection.</p>	<p>Contribute requirements for such a data collection framework, to be developed by ICANN org</p>
8	Conduct periodic surveys of registrants that gathers both objective and subjective information with a goal of creating more concrete and actionable information.	<p>Increased data collection on end user consumer trust, DNS abuse, domain wholesale and retail pricing, reseller information, WHOIS accuracy, and other categories as identified in the report will allow for more informed decision and policy making within the ICANN community particularly with regard to future standard registry and registrar contract provisions and any subsequent rounds of gTLDs. [...]</p>	<p>Pending ICANN Org performing a gap analysis over [work that] has already been completed towards this recommendation and measured against broader community considerations of information that might be needed to support future community efforts [...]</p>	<p>Share analysis on missing information for appropriate decision making</p>
11	Conduct periodic end-user consumer surveys. Future review teams should work with survey experts to conceive more behavioral measures of consumer trust.	<p>In addition to collection of data, centralization of existing and new data should be a priority of ICANN, as mentioned in Recommendation 1. The use of expert personnel, such as a data scientist would be vital to centralizing data.</p>	<p>Pending ICANN org performing gap analysis on existing surveys. Once scope better defined, Board directs ICANN org to advise on cost of implementation</p>	<p>Contribute requirements or elements of scope for such surveys</p>
13	ICANN should collect data [...] to help regularly determine and report [on benefits of registration restrictions]		<p>Pending ICANN org considering: - existing efforts that could be leveraged, such as the continuation of the previous DNS abuse study, - availability of data as part of its planning efforts, and the types of information that are available through contracts [...]</p>	<p>Contribute requirements related to further DNS Abuse Studies, in relation to GAC comments on initial study</p>
17	ICANN should collect data about and publicize the chain of parties responsible for gTLD domain name registrations.		<p>Accepted to the extent that reseller information is already displayed within the publicly available WHOIS, [...] and [other Community Groups targeted by recommendation] may produce policy outcomes that impact this work, [to] be taken into account [...].</p>	<p>Assess alignment of action with GAC expectations in relation to this recommendation</p>
18	In order for the upcoming WHOIS Review Team to determine whether additional steps are needed to improve WHOIS accuracy [...] ICANN should gather data to assess whether a significant percentage of WHOIS-related complaints applicable to new gTLDs relate to the accuracy of the identity of the registrant [...]		<p>Pending receipt and consideration of RDS-WHOIS2 Final Report and upon release of the RDS-WHOIS2 Final Report, ICANN org performing a gap analysis of the types of information available to the RDS-WHOIS2 and the information the CCT-RT recommended to be available to that team, and to provide the Board with inputs on whether additional work is required to address this recommendation 18 [...]</p>	<p>Monitor consideration of RDS-WHOIS2 Review Final Report</p> <p>Share analysis as appropriate</p>

Sensitive and Highly Regulated gTLDs

Rec. #	CCT Recommendation (relevant extracts)	GAC Comment	Board Action (key extracts/summary)	Possible Next Step for GAC
12	<p>Create incentives and/or eliminate current disincentives that encourage gTLD registries to meet user expectations regarding: (1) the relationship of content of a gTLD to its name; (2) restrictions as to who can register a domain name in certain gTLDs based upon implied messages of trust conveyed by the name of its gTLDs (particularly in sensitive or regulated industries) and (3) the safety and security of users' personal and sensitive information (including health and financial information) [...]. Ensure that applicants for any subsequent rounds are aware of these public expectations [...].</p>	<p>Comment on Final recommendations (11 December 2018)</p> <p>Sensitive and Highly Regulated gTLDs</p> <p>We support the CCT Review Team's recommendations 12 and 23 which focus, inter alia, on creating incentives and eliminating disincentives to registries meeting user expectations about who can register gTLDs in sensitive or regulated industries and gathering data about complaints and rates of abuse in these gTLDs that often convey an implied level of trust to the public because of their names (e.g., .charity, .bank, .accountant). The GAC provided detailed advice on safeguards for sensitive, regulated and highly regulated gTLDs in its Beijing Communique and reiterated this advice in several subsequent Communiqués. Consistent with GAC advice, the GAC particularly endorses Recommendation 23, which recommends an "audit to assess whether restrictions regarding possessing necessary credentials" in highly regulated gTLDs are being enforced.</p>	<p>Passes recommendation through to [GNSO New gTLD Subsequent Procedures PDP] for their consideration.</p>	<p>Monitor consideration of recommendation by GNSO New gTLDs Subsequent Procedures PDP WG,</p> <p>and</p> <p>Engage as appropriate</p>
23	<p>ICANN should gather data on new gTLDs operating in highly-regulated sectors to include the following elements:</p> <ul style="list-style-type: none"> - A survey to determine: 1) the steps registry operators are taking to establish working relationships with relevant government or industry bodies; and 2) the volume of complaints received by registrants from government and regulatory bodies and their standard practices to respond to those complaints. - A review of a sample of domain websites [...] to assess whether contact information to file complaints is sufficiently easy to find. - An inquiry to ICANN Contractual Compliance and registrars/resellers [...] to determine the volume and the subject matter of complaints [...]. - An inquiry to registry operators to obtain data to compare rates of abuse [...]. - An audit to assess whether restrictions regarding possessing necessary credentials are being enforced [...]. 	<p>The GAC provided detailed advice on safeguards for sensitive, regulated and highly regulated gTLDs in its Beijing Communique and reiterated this advice in several subsequent Communiqués. Consistent with GAC advice, the GAC particularly endorses Recommendation 23, which recommends an "audit to assess whether restrictions regarding possessing necessary credentials" in highly regulated gTLDs are being enforced.</p>	<p>Pending ICANN org to providing a report on volume and nature of complaints received regarding gTLDs operating in highly-regulated sectors. This report will inform Board's decision on next steps and whether the data warrants conducting audits or requesting further information from contracted parties.</p> <p>Additionally, the outcome of the implementation of Recommendation 1 will inform the Board's decision on next steps and whether this recommendation can be adopted to move into costing discussion phase of implementation.</p>	<p>Contribute available data from national regulators or industry, as available.</p>

Measures to Combat Abuse

Rec. #	CCT Recommendation (in full or summarized)	GAC Comment	Board Action (summary)	Possible Next Step for GAC
13	<p>ICANN should collect data [...] on the impact of restrictions on who can buy domains within certain new gTLDs (registration restrictions) to help regularly determine and report:</p> <ol style="list-style-type: none"> 1. Whether consumers and registrants are aware that certain new gTLDs have registration restrictions; 2. Compare consumer trust levels between new gTLDs with varying degrees of registration restrictions; 3. Determine whether the lower abuse rates associated with gTLDs that impose stricter registration policies identified in the Statistical Analysis of DNS Abuse in gTLDs Study continue to be present within new gTLDs that impose registration restrictions as compared with new gTLDs that do not; 4. Assess the costs and benefits of registration restrictions to contracted parties and the public (to include impacts on competition and consumer choice) and; 5. Determine whether and how such registration restrictions are enforced or challenged 	<p>Comment on Final recommendations (11 December 2018)</p> <p>The Need for Data</p> <p>The CCT Review team [...] observed that "critical data was in short supply" for the analysis of the effectiveness of safeguards and the promotion of consumer trust. For that reason, the GAC endorses recommendations in the final report that encourage the collection of data to better inform policy making before increasing the number of new gTLDs. The increased collection of data [...] should be amongst the more urgent priorities. Increased data collection on end user consumer trust, DNS abuse, domain wholesale and retail pricing, reseller information, WHOIS accuracy, and other categories as identified in the report will allow for more informed decision and policy making within the ICANN community particularly with regard to future standard registry and registrar contract provisions and any subsequent rounds of gTLDs. [...]</p> <p>In addition to collection of data, centralization of existing and new data should be a priority of ICANN, as mentioned in Recommendation 1. The use of expert personnel, such as a data scientist would be vital to centralizing data.</p>	<p>Pending ICANN org considering:</p> <ul style="list-style-type: none"> - existing efforts that could be leveraged, such as the continuation of the previous DNS abuse study, - availability of data as part of its planning efforts, and the types of information that are available through contracts [...] 	<p>Contribute requirements related to further DNS Abuse Studies, in relation to GAC comments on initial study</p>

Measures to Combat Abuse (Continued)

Rec. #	CCT Recommendation (relevant extracts)	GAC Comment	Board Action (key extracts/summary)	Possible Next Step for GAC
14	<p>Consider directing ICANN organization, in its discussions with registries, to negotiate amendments to existing Registry Agreements, or in consideration of new Registry Agreements associated with subsequent rounds of new gTLDs, to include provisions in the agreements to provide incentives, including financial incentives for registries, especially open registries, to adopt proactive anti-abuse measures</p>	<p>Comment on Final recommendations (11 December 2018)</p> <p>Proactive Measures to Combat Abuse</p> <p>It is important to note the final report makes the following conclusion: “The new gTLD safeguards alone do not prevent DNS Security abuse in the DNS and have consequently failed to meet their intended goal in preventing the abuse phenomenon from spreading to new gTLDs” (page 98).</p>	<p>Pending ICANN org facilitating community efforts to develop a definition of “abuse” to inform further action on this recommendation. To negotiate “anti-abuse measures”, a common understanding of what “abuse” means must first be reached</p>	<p>Respond to ICANN Board pointing to existing definition including GAC Safeguard Advice (Beijing Communiqué) and Registry Agreement (Specification 11)</p>
15	<p>ICANN Org should [...] negotiate amendments to the Registrar Accreditation Agreement and Registry Agreements to include provisions aimed at preventing systemic use of specific registrars or registries for DNS Security Abuse. [...] ICANN should establish thresholds of abuse at which compliance inquiries are automatically triggered, with a higher threshold at which registrars and registries are presumed to be in default of their agreements.</p> <p>If the community determines that ICANN org itself is ill-suited or unable to enforce such provisions, a DNS Abuse Dispute Resolution Policy (DADRP) should be considered [...] Furthermore, [...] we specifically recommend that the ICANN Board prioritize and support community work in this area [...].</p>	<p>As a result, it is appropriate to consider, and the GAC supports, more proactive measures to identify and combat DNS abuse, in line with ICANN’s commitment to the operational stability, reliability, security, global interoperability, resilience, and openness of the DNS and the Internet. The report finds a clear role for ICANN to play in assisting the names community help fight DNS abuse.</p> <p>This should include incentives (contractually and/or financially) by ICANN to encourage contracted parties to adopt proactive anti-abuse measures. An environment that further encourages contracted parties to proactively combat abuse, as opposed to waiting for complaints or actions by ICANN compliance, would benefit all users and could help ease the burden on public safety organizations.</p> <p>Consequently, the GAC supports Recommendation 14 for proactive anti-abuse measures. Furthermore, the GAC would also support Recommendation 15.</p>	<p>Pending ICANN org facilitating community efforts to develop a definition of “abuse” to inform further action on this recommendation. To negotiate “anti-abuse measures”, a common understanding of what “abuse” means must first be reached</p>	<p>Respond to ICANN Board pointing to existing definition including GAC Safeguard Advice (Beijing Communiqué) and Registry Agreement (Specification 11)</p>

Measures to Combat Abuse (Continued)

Rec. #	CCT Recommendation (relevant extracts)	GAC Comment	Board Action (key extracts/summary)	Possible Next Step for GAC
16	<p>Further study the relationship between specific registry operators, registrars, and DNS Security Abuse by commissioning ongoing data collection, including but not limited to, ICANN Domain Abuse Activity Reporting (DAAR) initiatives. For transparency purposes, this information should be regularly published, ideally quarterly and no less than annually, in order to be able to identify registries and registrars that need to come under greater scrutiny, investigation, and potential enforcement action by ICANN organization. Upon identifying abuse phenomena, ICANN should put in place an action plan to respond to such studies, remedy problems identified, and define future ongoing data collection.</p>	<p>Comment on Final recommendations (11 December 2018)</p> <p>The Need for Data</p> <p><i>[...] When appropriate, this data should be collected and integrated with existing data efforts at ICANN, in particular the Domain Abuse Activity Reporting (DAAR) tool. Integration with DAAR would simultaneously support recommendation 16, that calls for increased transparency of the data on DNS abuse.</i></p>	<p><i>In reference to highlighted part of recommendation: Passes through to [RrSG, RySG, GNSO, New gTLD Subsequent Procedures PDP WG, SSR2 Review] for consideration. The Board is not accepting the policy directives that may be inherent here but rather, passes on such elements of the recommendation to the relevant community groups to consider.</i></p> <p><i>In reference to parts of the recommendation not highlighted: Pending ICANN org conducting a gap analysis of the study suggested by the CCT-RT compared to existing collection effort to inform usefulness of the study, and to inform whether establishing future ongoing data collection would be meaningful. The analysis should take into account the work that the org is already performing, such as Contractual Compliance audits. [...]</i></p>	<p>Contribute requirement and proposals in relation to action plans, and processes develop them</p> <p>Participate in relevant processes existing or to be initiated</p> <p>Share analysis on identified gaps, in connection with previous GAC PSWG work related to Abuse Reporting</p>
17	<p>ICANN should collect data about and publicize the chain of parties responsible for gTLD domain name registrations.</p>	<p>Comment on Final recommendations (11 December 2018)</p> <p>The Need for Data</p> <p><i>[...] The increased collection of data [...] should be amongst the more urgent priorities. Increased data collection on end user consumer trust, DNS abuse, domain wholesale and retail pricing, reseller information, WHOIS accuracy, and other categories as identified in the report will allow for more informed decision and policy making within the ICANN community particularly with regard to future standard registry and registrar contract provisions and any subsequent rounds of gTLDs. [...]</i></p>	<p>Accepted to the extent that reseller information is already displayed within the publicly available WHOIS, [...] and [other Community Groups targeted by recommendation] may produce policy outcomes that impact this work, [to] be taken into account [...].</p>	<p>Assess alignment of action with GAC expectations in relation to this recommendation</p>
18	<p>In order for the upcoming WHOIS Review Team to determine whether additional steps are needed to improve WHOIS accuracy [...] ICANN should gather data to assess whether a significant percentage of WHOIS-related complaints applicable to new gTLDs relate to the accuracy of the identity of the registrant [...]</p>	<p><i>[...] The increased collection of data [...] should be amongst the more urgent priorities. Increased data collection on end user consumer trust, DNS abuse, domain wholesale and retail pricing, reseller information, WHOIS accuracy, and other categories as identified in the report will allow for more informed decision and policy making within the ICANN community particularly with regard to future standard registry and registrar contract provisions and any subsequent rounds of gTLDs. [...]</i></p>	<p>Pending receipt and consideration of RDS-WHOIS2 Final Report and upon release of the RDS-WHOIS2 Final Report, ICANN org performing a gap analysis of the types of information available to the RDS-WHOIS2 and the information the CCT-RT recommended to be available to that team, and to provide the Board with inputs on whether additional work is required to address this recommendation 18 [...]</p>	<p>Monitor consideration of RDS-WHOIS2 Review Final Report</p> <p>Share analysis as appropriate</p>

Measures to Combat Abuse (Continued)

Rec. #	CCT Recommendation (relevant extracts)	GAC Comment	Board Action (key extracts/summary)	Possible Next Step for GAC
19	<p>The next CCT should review the "Framework for Registry Operator to Respond to Security Threats" and assess whether the framework is a sufficiently clear and effective mechanism to mitigate abuse by providing for systemic and specified actions in response to security threats.</p>	<p><u>Comment on CCT RT Draft Report (19 May 2017)</u></p> <p>Security Checks</p> <p>The GAC takes note of the finding that 96% of registries are conducting security checks but that work still needs to be completed as regards a Registry Operator Framework that specifies how registrars should respond to security threats. The GAC encourages the review of the Framework following its implementation in order to assess its effectiveness in mitigating DNS abuse.</p>	<p>Directs ICANN org to pass it along as input to the next CCT review for its consideration recognizing that the CCT Review Teams have the ability to set their charter according to the Bylaws and the Board cannot mandate their scope/charter.</p>	<p>No action needed until next CCT Review is formed</p>

Measures to Combat Abuse (Continued)

Rec. #	CCT Recommendation (relevant extracts)	GAC Comment	Board Action (key extracts/summary)	Possible Next Step for GAC
20	<p>Assess whether mechanisms to report and handle complaints have led to more focused efforts to combat abuse by determining: (1) the volume of reports of illegal conduct in connection with the use of the TLD that registries receive from governmental and quasi-governmental agencies; (2) the volume of inquires that registries receive from the public related to malicious conduct in the TLD; (3) whether more efforts are needed to publicize contact points to report complaints that involve abuse or illegal behavior within a TLD; and (4) what actions registries have taken to respond to complaints of illegal or malicious conduct in connection with the use of the TLD. [...] If these methods proved ineffective, consideration could be given to amending future standard Registry Agreements to require registries to more prominently disclose their abuse points of contact and provide more granular information to ICANN. Once this information is gathered, future review teams should consider recommendations for appropriate follow up measures.</p>	<p>Comment on Final recommendations (11 December 2018)</p> <p>Contractual Compliance</p> <p>We support Recommendations 20 and 21 addressing improvements that can be made by ICANN Contractual Compliance. Specifically, the report makes reference to the GAC Beijing and Singapore Communiques where the GAC advised the ICANN Board on safeguards to be implemented in New gTLDs regarding the handling by registry operators and ICANN of complaints from government agencies and the public. By implementing recommendations 20 and 21, ICANN's contract compliance function would have a better understanding on whether the implementation of these safeguards are effective or need reform. It would also be in line with other recommendations that call for transparency of data, if ICANN Contractual Compliance can publish more details as to the nature of the complaints they are receiving and what safeguards they are aligned with. Future policy making and contractual safeguards will be enhanced with the availability of this data.</p>	<p><i>In reference to highlighted part of recommendation:</i> Passes it through to [future CCT Review Teams], recognizing that the CCT Review Teams have the ability to set their charter according to the Bylaws and the Board cannot mandate their scope/charter.</p> <p><i>In reference to part of recommendation not highlighted:</i> Pending ICANN org performing an analysis of the work/initiatives already underway to determine any gaps in work currently in progress and what work recommendation entails. The Board will then review the results of the analysis and determine the best action on this recommendation, insofar as it falls within the ICANN Board or org's remit. The Board notes that this recommendation contains elements that are outside of ICANN org's role (i.e. amendments to contractual agreements), while other elements of this recommendation are costly and will require community input for prioritization and cost/benefit analysis (i.e. data collection). Furthermore, the Board agrees that anti-abuse measures are very important and notes that ICANN org has already implemented initiatives to that end; namely, DAAR, Identifier Technology Health Indicators, and Spec 11(3)(B).</p>	<p>No action needed until next CCT Review is formed</p> <p>Contribute analysis as appropriate</p>
21	<p>Include more detailed information on the subject matter of complaints in ICANN publicly available compliance reports. Specifically, more precise data on the subject matter of complaints, particularly: (1) the class/type of abuse; (2) the gTLD that is target of the abuse; (3) the safeguard that is at risk; (4) an indication of whether complaints relate to the protection of sensitive health or financial information; (5) what type of contractual breach is being complained of; and (6) resolution status of the complaints, including action details.</p>	<p>complaints they are receiving and what safeguards they are aligned with. Future policy making and contractual safeguards will be enhanced with the availability of this data.</p>	<p>Accepts the recommendation, notes that items (1), (3), (4) and (5) listed within this recommendation are already part of ICANN Contractual Compliance Department's reporting process.</p> <p>In connection with item (2) of the recommendation relating to "the gTLD that is target of the abuse", the Board directs ICANN org to investigate the potential negative impacts of implementing this item on enforcement of compliance, track this effort and propose a mitigation plan in case of any negative effects.</p>	<p>Consider alignment of current reporting with expectations.</p> <p>Follow relevant developments regarding Item (2)</p>

Privacy

Rec. #	CCT Recommendation (relevant extracts)	GAC Comment	Board Action (key extracts/summary)	Possible Next Step for GAC
10	<p>The GNSO should initiate a new Policy Development Process (PDP) to create a consistent privacy baseline across all registries, including to explicitly cover cases of privacy infringements such as sharing or selling personal data without a lawful basis, such as the consent of that person. The GNSO PDP should consider limiting the collection and processing of personal data within rules which are mandatory for all gTLD registries. It should also consider not allowing registries to share personal data with third parties without a lawful basis, such as the consent of that person or under circumstances defined by applicable law (e.g. upon requests of government agencies, IP lawyers, etc.). Also, it is necessary to be aware of emerging, applicable regulations related to the processing of the personal data. For clarification, this recommendation does not relate to issues involving WHOIS or registration directory services data.</p>	<p><u>Comment on Final recommendations (11 December 2018)</u></p> <p>Privacy</p> <p>Creating privacy baselines for all contracted parties, as mentioned in Recommendation 10, would be beneficial in clarifying what ICANN's expectations are with regards to the sharing of personal information held by these parties, beyond WHOIS data. While it is likely premature to issue such guidance or create a policy development process (PDP) to address this issue (given ongoing GDPR and data privacy related efforts such as the expedited PDP on WHOIS), identifying reasonable privacy expectations (with due consideration to local laws) would be a worthwhile project, upon conclusion of the EPDP or when further clarity is available on WHOIS compliance with relevant Data Protection legislation.</p>	<p>Passes the recommendation through to [GNSO] for their consideration.</p>	<p>Follow consideration of recommendation by GNSO</p> <p>and</p> <p>Participate in relevant processes eventually, as appropriate</p>

Participation of Underserved Region

Rec. #	CCT Recommendation (in full or summarized)	GAC Comment	Board Action (summary)	Possible Next Step for GAC
29	Set objectives/metrics for applications from the Global South.	<p>Comment on Final recommendations (11 December 2018)</p> <p>Participation of Underserved Region</p> <p>[...] the GAC believes that participation of Underserved Regions in ICANN processes and programs is a matter of Diversity [...] and should be linked to broader ICANN strategic goals and integrated as part of ICANN departments objectives. As it relates to the review of the Application and Evaluation Process of the New gTLD Program conducted by the CCT RT, the GAC supports the establishment of “clear, measurable goals for the Global South, including whether or when applications and even number of delegated strings should be objectives” of any New gTLD Application Round (Rec. 29). Subsequently, the GAC supports expanding and improving outreach to these regions noting that such outreach does require a more comprehensive approach and better targeting, building on the challenges identified with past initiatives (Rec. 30). In terms of enabling greater participation of Underserved Regions in potential future rounds of New gTLD Application, the GAC would support the proposed coordination by ICANN of a pro bono assistance program (Rec. 31) and revisiting of the Applicant Financial Support Program so as to reduce the actual cost of participation (Rec. 32). The latter program should consider the unique constraints that are specifically experienced in Underserved Regions, as outlined in our previous comments.</p>	<p>Passes the recommendation through to [New gTLD Subsequent Procedures PDP WG/GNSO] for their consideration. [...] the Board notes that the New gTLD Subsequent Procedures PDP WG could take on, should they choose to do so, defining the term “Global South” in coordination with ICANN org, its engagement teams, and geographic regions definitions to create a workable definition, or agreeing on another term to describe underserved or underrepresented regions [...]</p>	<p>Monitor consideration of recommendation by GNSO and/or New gTLD Subsequent Procedures PDP WG</p> <p>Contribute to an appropriate definition of underserved or underrepresented regions (under the term “Global South” or another term)</p>
30	Expand and improve outreach into the Global South.	<p>better targeting, building on the challenges identified with past initiatives (Rec. 30). In terms of enabling greater participation of Underserved Regions in potential future rounds of New gTLD Application, the GAC would support the proposed coordination by ICANN of a pro bono assistance program (Rec. 31) and revisiting of the Applicant Financial Support Program so as to reduce the actual cost of participation (Rec. 32). The latter program should consider the unique constraints that are specifically experienced in Underserved Regions, as outlined in our previous comments.</p>	<p>Accepts the recommendation and directs ICANN org to provide a report on related engagement, noting that if the community wishes to have more resources dedicated to this activity, this should be addressed in the next budget cycle [...] the Board notes that the New gTLD Subsequent Procedures PDP WG could take on, should they choose to do so, defining the term “Global South” in coordination with ICANN org, its engagement teams, and geographic regions definitions to create a workable definition, or agreeing on another term to describe underserved or underrepresented regions [...]</p>	<p>Contribute funding expectation for future budget cycles</p> <p>Contribute to an appropriate definition of underserved or underrepresented regions (under the term “Global South” or another term)</p>
31	The ICANN organization to coordinate the pro bono assistance program.	<p>better targeting, building on the challenges identified with past initiatives (Rec. 30). In terms of enabling greater participation of Underserved Regions in potential future rounds of New gTLD Application, the GAC would support the proposed coordination by ICANN of a pro bono assistance program (Rec. 31) and revisiting of the Applicant Financial Support Program so as to reduce the actual cost of participation (Rec. 32). The latter program should consider the unique constraints that are specifically experienced in Underserved Regions, as outlined in our previous comments.</p>	<p>Accepts contingent on the recommendation from the New gTLD Subsequent Procedures PDP WG that the pro bono assistance program continue.</p>	<p>Monitor deliberations of New gTLD Sub. Pro. PDP WG on continuation of pro bono assistance program</p>
32	Revisit the Applicant Support Program.	<p>better targeting, building on the challenges identified with past initiatives (Rec. 30). In terms of enabling greater participation of Underserved Regions in potential future rounds of New gTLD Application, the GAC would support the proposed coordination by ICANN of a pro bono assistance program (Rec. 31) and revisiting of the Applicant Financial Support Program so as to reduce the actual cost of participation (Rec. 32). The latter program should consider the unique constraints that are specifically experienced in Underserved Regions, as outlined in our previous comments.</p>	<p>Passes the recommendation through to [New gTLD Subsequent Procedures Working Group] for their consideration. The Board notes that this topic is being discussed in the New gTLD Subsequent Procedures PDP WG and expectation is for a high-level program/guidance to be provided as a result of this work.</p>	<p>Monitor consideration of recommendation by GNSO and/or New gTLD Subsequent Procedures PDP WG</p>

Community-Based Applications

Rec. #	CCT Recommendation (relevant extracts)	GAC Comment	Board Action (key extracts/summary)	Possible Next Step for GAC
34	<p>A thorough review of the procedures and objectives for community-based applications should be carried out and improvements made to address and correct the concerns raised before a new gTLD application process is launched. Revisions or adjustments should be clearly reflected in an updated version of the 2012 AGB</p>	<p><u>Comment on Final recommendations</u> (11 December 2018)</p> <p>Community-Based Applications</p> <p>The GAC supports that a thorough review of procedures and objectives related Community-Based Applications be conducted prior to the launch of any future round of New gTLD Application</p>	<p>Passes the recommendation through to [the New gTLD Subsequent Procedures PDP WG] for their consideration.</p>	<p>Monitor consideration of recommendation by GNSO New gTLDs Subsequent Procedures PDP WG</p>

2. Additional CCT Review Recommendation Discussed by the GAC in its Comment on the Draft Report (19 May 2017)

Rec. #	CCT Recommendation (relevant extracts)	GAC Comment	Board Action (key extracts/summary)	Possible Next Step for GAC
25	<p>To the extent voluntary commitments are permitted in future gTLD application processes, all such commitments made by a gTLD applicant must state their intended goal and be submitted during the application process so that there is sufficient opportunity for community review and time to meet the deadlines for community and Limited Public Interest objections.</p> <p>Furthermore, such requirements should apply to the extent that voluntary commitments may be made after delegation. Such voluntary commitments, including existing voluntary PICs, should be made accessible in an organized, searchable online database to enhance data-driven policy development, community transparency, ICANN compliance, and the awareness of variables relevant to DNS abuse trends.</p>	<p>Comment on CCT RT Draft Report (19 May 2017)</p> <p>Enforcement of PICs</p> <p>The GAC supports the recommendation that ICANN improve the accessibility of voluntary PICs by maintaining a publicly accessible database of these commitments. This would facilitate the process of analyzing and comparing PICs. In addition, the GAC recommends that the CCT-RT also consider evaluating whether the PICDRP (and related PDDRP) fulfills its intended public interest purpose of addressing fraudulent and deceptive practices, as apparently neither Specification 11 nor the Registry Agreement imposes obligations on registry operators and registrars themselves to avoid fraudulent and deceptive practices. (Note: The current Specification 11 at paragraph 3(a) only prohibits registered name holders from engaging in fraudulent and deceptive practices, not registries and registrars.)</p>	<p>Pass the recommendation through to [New gTLD Subsequent Procedures PDP Working Group], noting that ICANN org's role is to implement the adopted recommendations resulting from the Sub Pro PDP WG's work. To the extent that policies are adopted consistent with the recommendations, ICANN org will update the Applicant Guide Book (AGB) accordingly.</p>	<p>Monitor deliberations of New gTLD Sub. Pro. PDP WG in relation to publicity of PICs</p> <p>Consider avenues for evaluation of the fulfilment by the PDDRPs of their Public Interest Purposes</p>

3. Specific CCT Review Recommendation Passed through to the GAC by the ICANN Board (1 March 2019)

Rec. #	CCT Recommendation (relevant extracts)	Board Action (key extracts/summary)	Possible Next Step for GAC
33	<p>As required by the October 2016 Bylaws, Governmental Advisory Committee (GAC) consensus advice to the Board regarding gTLDs should also be clearly enunciated, actionable, and accompanied by a rationale, permitting the Board to determine how to apply that advice. ICANN should provide a template to the GAC for advice related to specific TLDs, in order to provide a structure that includes all of these elements. In addition to providing a template, the Applicant Guidebook (AGB) should clarify the process and timelines by which GAC advice is expected for individual TLDs.</p>	<p>Accepts the recommendation Directs ICANN org to initiate engagement [with the GAC and New gTLD Subsequent Procedures PDP Working Group] within its existing budget, role, and work. The Board notes that while engagement can be initiated, it is unclear that ICANN org may have the ability to collect this data under the current contractual agreements and obligations.</p>	<p>Contribute GAC requirement in terms of template, process, and timelines, as part of engagement with ICANN org and/or deliberation of the New gTLD Subsequent Procedures PDP WG.</p>

4. Other CCT Review Recommendations of Relevance to Public Policy and the GAC (Specific to Intellectual Property)

Rec. #	CCT Recommendation (relevant extracts)	Board Action (key extracts/summary)	Possible Next Step for GAC
9	The ICANN community should consider whether the costs related to defensive registration for the small number of brands registering a large number of domains can be reduced.	Passes the recommendation through to [New gTLD Subsequent Procedures PDP Working Group and/or Rights Protection Mechanisms (RPM) PDP Working Group] for their consideration.	Monitor deliberations of the noted GNSO PDP WG as appropriate
26	A study to ascertain the impact of the New gTLD Program on the costs required to protect trademarks in the expanded DNS space should be repeated at regular intervals to see the evolution over time of those costs. The CCT Review Team recommends that the next study be completed within 18 months after issuance of the CCT Final Report, and that subsequent studies be repeated every 18 to 24 months. [...]	Pending ICANN org in-depth analysis of the value of data, the usefulness of the study, the cost associated with conducting the studies and the interdependencies with other relevant studies. Upon the completion of this analysis, and given all other studies requested in the CCT Final Report, the community should determine the priority levels for all relevant studies. The Board notes that the cost and prioritization could impact [...] ability to meet the requested 18-month implementation. [...]	Share analysis as appropriate
27	Since the review team's initial draft recommendation, the PDP "Review of All Rights Protection Mechanisms in All gTLDs (RPM WG)" has started reviewing the Uniform Rapid Suspension system in detail and this is currently ongoing. Given this ongoing review, the CCT Review Team recommends that the RPM WG continues its review of the URS and also looks into the interoperability of the URS with the Uniform Domain Name Dispute Resolution Policy (UDRP). Given the current timeline, it would appear that the appropriate time to do so will be when the UDRP review is carried out by the PDP WG and at this time consideration be given to how it should interoperate with the UDRP. The review team has encountered a lack of data for complete analysis in many respects. The RPM PDP WG appears to also be encountering this issue and this may well prevent it drawing firm conclusions. If modifications are not easily identified, then the review team recommends continued monitoring until more data is collected and made available for a review at a later date.	Passes the recommendation through to the [GNSO] for their consideration.	Monitor consideration of this matter by the GNSO
28	A cost-benefit analysis and review of the Trademark Clearinghouse (TMCH) and its scope should be carried out to provide quantifiable information on the costs and benefits associated with the present state of the TMCH services [...] the RPM PDP has started reviewing the TMCH [...]. Provided that the RPM PDP has sufficient data [...] and is able to draw firm conclusions, [...] an additional review is [not] necessary. However, the CCT Review Team reiterates its recommendation for a cost-benefit analysis to be carried out if such analysis can enable objective conclusions to be drawn. Such cost-benefit analysis should include but not necessarily be limited to looking at cost to brand owners, cost to registries , and cost to registrars of operating with the TMCH now and going forward and look at the interplay with premium pricing.	Passes the recommendation through to the [GNSO] for their consideration.	Monitor consideration of this matter by the GNSO

5. Other CCT Review Recommendations of Relevance to Public Policy and the GAC

Rec. #	CCT Recommendation (relevant extracts)	Board Action (key extracts/summary)	Possible Next Step for GAC
2	Collect wholesale pricing for legacy gTLDs	<p>Pending ICANN org, through engagement of a third party, conducting an analysis to identify what types of data would be relevant in examining the potential impacts on competition and, whether that data is available, and how it could be collected in order to benefit the work of future CCT Review Teams [...] (Pending status due to questions raised about the value of the data)</p>	
3	Collect transactional pricing for the gTLD marketplace		
4	Collect retail pricing for the domain marketplace		
5	Collect secondary market data		
6	<p>Partner with mechanisms and entities involved with the collection of TLD data. As feasible, collect TLD registration number data per TLD and registrar at a country-by-country level in order to perform analysis based on the same methods used in the Latin American and Caribbean DNS Marketplace (LAC) Study.</p>	<p>Pending ICANN org conducting a gap analysis and feasibility assessment to inform potential action on this recommendation. [...] (ICANN org already has access to and has shared some data that serves this request, though it is unclear the scope of further collection that is feasible or available)</p>	
7	Collect domain usage data to better understand the implications of parked domains	<p>Pending outcome of the implementation of Recommendation 1 [...]</p>	
22	<p>Initiate engagement with relevant stakeholders to determine what best practices are being implemented to offer reasonable and appropriate security measures commensurate with the offering of services that involve the gathering of sensitive health and financial information. Such a discussion could include identifying what falls within the categories of “sensitive health and financial information” and what metrics could be used to measure compliance with this safeguard.</p>	<p>Accept the recommendation. The Board directs ICANN org to initiate engagement within its existing budget, role, and work. The Board notes that while engagement can be initiated, it is unclear that ICANN org may have the ability to collect this data under the current contractual agreements and obligations.</p>	
35	<p>The New gTLD Subsequent Procedures PDP should consider adopting new policies to avoid the potential for inconsistent results in string confusion objections. In particular, the PDP should consider the following possibilities:</p> <ol style="list-style-type: none"> 1. Determining through the initial string similarity review process that singular and plural versions of the same gTLD string should not be delegated. 2. Avoiding disparities in similar disputes by ensuring that all similar cases of plural versus singular strings are examined by the same expert panelist. 3. Introducing a post-dispute resolution panel review mechanism. 	<p>Passes the recommendation through to the [New gTLD Subsequent Procedures PDP Working Group] for their consideration.</p>	