

I C A N N
POLICY FORUM

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MARRAKECH

24-27 June 2019





A Case Study: Competition, Consumer Trust, Consumer Choice

At-Large Capacity Building Workshop: An Introduction to Policy Development at ICANN

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Developing an ALAC Policy Statement: a Recap:



ALAC policy advice development process

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You are the Penholder: What to do:

- Read, Read, Read
 - The document to be responded to
 - Background documents
 - ALAC Policy Statements – what have we said on the issue
- What are the issues?
- What is/are the impacts on end users
- Is a Statement Necessary?
- Draft a statement –
 - Identify the issue(s) ALAC is commenting on
 - ALAC's position – and WHY

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The Background: Affirmation of Commitments 2009

Section 9: Recognizing that ICANN will evolve and adapt to fulfill its limited, but important technical mission of coordinating the DNS, ICANN further **commits to take the following specific actions together with ongoing commitment reviews specified below:...**

9.3 Promoting competition, consumer trust, and consumer choice: ICANN will ensure that as it contemplates expanding the top-level domain space, the various issues that are involved (including competition, consumer protection, security, stability and resiliency, malicious abuse issues, sovereignty concerns, and rights protection) **will be adequately addressed prior to implementation.** If and when new gTLDs (whether in ASCII or other language character sets) have been in operation for one year, ICANN will organize a **review** that will examine **the extent to which the introduction or expansion of gTLDs has promoted competition, consumer trust and consumer choice,** as well as effectiveness of (a) the application and evaluation process, and (b) safeguards put in place to mitigate issues involved in the introduction or expansion. ICANN will organize a further review of its execution of the above commitments two years after the first review, and then no less frequently than every four years....

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The documents: ICANN

Firefox File Edit View History Bookmarks Tools Window Help

ICANN

https://www.icann.org/search/#/?searchText=competition, Consumer Trust

competition, Consumer Trust Consum

Language

- English
- العربية
- Español
- Français
- Русский
- 中文

Competition, Consumer Trust and Consumer Choice Review (CCT ...
<https://www.icann.org/resources/reviews/specific-reviews/cct>
The table below includes documents relating to the implementation of recommendations from the Competition, Consumer Trust and Consumer Choice Review ...

Competition, Consumer Trust & Consumer Choice Review | ICANN ...
<https://newgtlds.icann.org/en/reviews/cct>
8 October 2018 – Competition, Consumer Trust, and Consumer Choice Review Team – Final Report & Recommendations Published for Public Comment to the ...

Competition, Consumer Trust, and Consumer Choice Review Team ...
<https://www.icann.org/news/announcement-2018-10-10-en>
Oct 10, 2018 ... LOS ANGELES – 10 October 2018 - The Final Report and Recommendations [PDF, 4.89 MB] of the Competition, Consumer Trust, and ...

Board Action on Competition, Consumer Trust and Consumer ...
<https://www.icann.org/news/blog/board-action-on-competition-consumer-trust-and-consumer-choice-review>
Mar 5, 2019 ... The first Competition, Consumer Trust, and Consumer Choice (CCT) Review, initiated under the Affirmation of Commitments in December ...

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The Documents: ALAC

The screenshot shows a Firefox browser window displaying the ICANN Policy Summary page. The browser's address bar shows the URL <https://atlarge.icann.org/policy-summary>. The page title is "Policy Comments & Advice".

On the left side, there is a search filter panel titled "Search Comments & Advice". It includes the following sections:

- Title Contains:** A search box with the text "mpetition consumer choice consumer trust" and a search icon.
- Penholder:** A search box with a search icon and a "Reset" link.
- Publish Date Range:** Two input fields for "Start Date" and "End Date", with a "Reset" link.
- Topic:** A dropdown menu with the following options:
 - Accountability/Transparency: 2 (checkbox checked)
 - Contracted Party Agreements: 0 (checkbox unchecked)

The main content area displays a list of policy comments with the following columns: "Publish Date" and "Title".

Publish Date	Title
11 Dec 2018	Competition, Consumer Trust, and Consumer Choice Review Team (CCT) Final Report & Recommendations Topic(s): Reviews/Improvements
15 Jan 2018	Competition, Consumer Trust, and Consumer Choice Review Team – New Sections to Draft Report of Recommendations Topic(s): DNS , Reviews/Improvements
18 May 2017	Competition, Consumer Trust and Consumer Choice Review Team Draft Report of Recommendations for New gTLDs Topic(s): DNS
26 Feb 2013	ALAC Correspondence on the Report of the GNSO WG on Consumer Trust, Consumer Choice, and Competition Topic(s): Accountability/Transparency , ICANN Board/Bylaws , New gTLDs
16 Apr 2012	Draft Advice Letter on Consumer Trust, Consumer Choice, and Competition

The bottom of the screenshot shows the Windows taskbar with various application icons, including Firefox, Chrome, and several utility programs.

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The Reading

- **Draft Report: March 2017**
 - ALAC Comments
- **Draft Report – Additional Sections: November 2017**
 - ALAC Comments
- **Final Report: September 2018**
 - ALAC Comments

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Draft Report: March 2017

Report's Recommendations in three main categories

- Requests for more and better data collection
- Policy issues to be addressed by the community
- Suggested reforms relating to transparency and data collection within ICANN Contractual Compliance

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ALAC Response: May 2017

- Lack of definition/methodology to determine consumer trust
- Concern over ‘parked’ new gTLDs and their use; should they be counted in contributing to consumer choice
- Lack of data on consumer confusion, noting consumer expectation of a connection between the name and the website, and that there will be restrictions to ensure the connection
- Small number of applicants FROM the global south
- Support for recommendations for
 - further research of ‘parked’ domains and their use
 - further information on consumer choice and consumer trust
 - Recommendations on public interest commitments

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Draft Report - New Sections: November 2017

- More 'rigorous' research about 'parked names
- Additional measures to address DNS Abuse, including RAA amendments and incentives and adoption of a DNS Abuse policy
- Additional measures on trademark issues
- Additional measures on 'parked' domains, including relationship between parked domains and competition
- Negotiations on RAAs to prevent systemic use of specific registrars for technical DNS abuse
- Additional (JZ) recommendation on additional requirement for WHOIS information listing resellers associated with registrars

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ALAC Response to New Sections: December 2017

- Support for Recommendation for further collection of data on parked domains
- Support for the additional recommendations on DNS Abuse including:
 - Amendments to Registry agreements to provide incentives for proactive abuse measures and amendments for provisions on prevention of systemic use of specific registrars for technical DNS abuse
 - Conduct publicly available study on relationship between specific registry operators, registrars and DNS abuse
 - Establish DNS Abuse Resolution policy
- Support for additional requirement for WHOIS information listing resellers associated with registrars

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Final Report: September 2018

Report's Recommendations in three main categories

- Requests for more and better data collection
- Policy issues to be addressed by the community
- Suggested reforms relating to transparency and data collection within ICANN Contractual Compliance

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ALAC Response: December 2018

Support for the Following Recommendations:

- Recommendation on Data driven Analysis
- Recommendations on Consumer Choice (with proviso to wait for outcomes of ICANN response to GDPR)
- Recommendations on Consumer Trust
- Recommendations on Safeguards
- Recommendations on Evaluations

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Thank you
Questions