

1 Policy for the Retirement of ccTLDs

2 **DRAFT**

3 ccNSO

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5 1 Background & Introduction

6 Request For Comment [2] ("RFC") 1591 [1] states:

7 4. Rights to Names

8 [...]

9 2) Country Codes

10 The IANA is not in the business of deciding what is and what is not a
11 country. The selection of the ISO 3166 list as a basis for country code
12 top-level domain names was made with the knowledge that ISO has a
13 procedure for determining which entities should be and should not be
14 on that list.

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

17 The ISO 3166-1 list is dynamic and country codes are added and removed¹ on a regu-
18 lar basis. When a new country code is added a ccTLD can be added via the standard
19 delegation process by the IANA Naming Functions Operator² (IFO). However, as was
20 identified in 2011 by the ccNSO Delegation and Redellegation Working Group, there
21 is no formal policy available for the removal of a ccTLD from the Root Zone when a
22 country code is removed from the ISO 3166-1 list of country names.

23 **2 Policy Objective**

24 The objective of the policy is to provide clear and predictable guidance and to docu-
25 ment a process that is orderly and reasonable from the time:

¹ISO 3166-1, Section 3.4

²Currently operated by PTI

- 26 • A code element is removed from the ISO 3166-1 list by the ISO 3166/MA; or
 - 27 • a code element is removed from the list of exceptionally reserved codes by the
 - 28 ISO 3166/MA; or
 - 29 • an IDN ccTLD string of characters no longer qualifies as an IDN ccTLD string (to
 - 30 be defined under ccPDP 4).
- 31 up and to, but excluding, the removal of a ccTLD from the Root Zone³.

32 **3 Applicability of the Policy**

33 This policy is developed in accordance with Article 10, section 6 (a) and (b) of the

34 ICANN Bylaws and accordingly is directed at ICANN.

35 For the purpose of this policy an IDN ccTLD is deemed to be a ccTLD considered to be

36 a ccTLD and an IDN ccTLD is considered to be a ccTLD Manager, unless it is explicitly

37 state otherwise.

38 This policy is applicable to ccTLD Managers which are members of the ccNSO and

39 are managed by a functional Manager and where the corresponding country code

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

40 has been removed from the ISO 3166-1 list or in the case of IDN ccTLDs which no
41 longer qualifies as such.

42 For the purposes of this policy a Functional Manager is the entity listed as “ccTLD
43 Manager” or any later variant used in the IANA Root Zone database, and who is ac-
44 tive with respect to the management of the ccTLD or with whom the IFO can officially
45 and effectively communicate.

46 If a country code has been removed from the ISO 3166-1 list and its corresponding
47 ccTLD does not have a Functional Manager the policy for the retirement of a ccTLD
48 is not applicable and the IFO cannot transfer responsibility to a new manager ac-
49 cording to its standard process. This set of circumstances would create a deadlock
50 situation which would prevent the IFO from ever removing the retiring ccTLD from
51 the Root Zone. To avoid such a deadlock, and only under these specific conditions,
52 this policy allows the IFO to proceed with a transfer of responsibility for the retiring
53 ccTLD to establish a functional manager and insure the ccTLD can be retired. Such
54 a transfer should follow the standard IFO process where possible

55 In the event the retirement process is triggered by the removal of a code element
56 from the list of exceptionallionally reserved codes the removal process shall be de-
57 cided on a case by case basis, taking into account all relevant circumstances of the
58 case. As an example, if a code element is removed from the exxceptionally reserved
59 list and transferred to the standard list and remains assigned and associated with
60 the same Country name to which it was assigned and associated with in the list of
61 exceptionally reserved codes elements then the ccTLD should not be retired.

62 **4 Retirement Process**

63 **4.1 Expectations**

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

67 Note: Given the importance and exceptional nature of the ccTLD retirement process
68 the IFO, prior to sending a Notice of Retirement, should contact the ccTLD Manager
69 and confirm who the IFO should be dealing with regarding the retirement process.
70 The person or role identified by the ccTLD Manager to deal with the retirement pro-
71 cess is referred to as the Manager in the remainder of this document.

72 **4.2 Notice of Retirement**

73 Once the IFO has been informed, and confirmed, that a country code has been re-
74 moved from the ISO 3166-1 list and that the IFO has also confirmed that the ccTLD
75 has a functional manager, it shall promptly notify the Manager of the ccTLD that the
76 ccTLD shall be removed from the Root Zone 5 years (Default Retirement Period) from

77 the date of this notice (Notice of Retirement) unless a Retirement Plan (see follow-
78 ing sections for details) which is agreed⁴ to by the Manager and the IFO stipulates
79 otherwise and is in accordance with this Retirement Policy.

80 The IFO shall include with the Notice of Retirement a document describing the rea-
81 sonable requirements (Reasonable Requirements Document) it expects of a Retire-
82 ment Plan and that the IFO will make itself available to the Manager to assist in the
83 development of such a plan should the Manager request it.

84 **4.3 Time Span for Retirement**

85 The IFO cannot require that a retiring ccTLD be removed from the Root Zone less
86 than 5 years from the time the IFO has sent a Notice of Retirement to the retiring
87 ccTLD Manager unless this is mutually agreed by the ccTLD Manager and the IFO.

88 If the Manager wishes to request an extension to the Default Retirement Period it
89 must request this from the IFO as part of a Retirement Plan.

90 The IFO must remove a retiring ccTLD from the Root Zone no later than 10 years after
91 having sent a Notice of Retirement to the ccTLD Manager (Maximum Retirement
92 Period).

⁴Failure to reach agreement between the Manager and the IFO on a Retirement Plan as specified in the policy automatically implies that the ccTLD will be removed from the Root Zone 5 years from the date of the Notice of Retirement

93 4.4 Retirement Plan

94 After receiving a Notice of Retirement the Manager must decide if it wishes to re-
95 quest an extension to the Default Retirement Period.

96 If the Manager of the retiring ccTLD does not wish an extension to the Default Re-
97 tirement Period stated in the Notice of Retirement it is expected, but not mandatory,
98 that the Manager produce a Retirement Plan for the ccTLD which would typically in-
99 clude:

- 100 • Date the ccTLD Manager is expected to stop taking registrations that exceed the
101 date of removal from the Root Zone.
- 102 • Date the ccTLD Manager is expected to stop accepting the renewal of existing
103 registrations that exceed the date of removal from the Root Zone.
- 104 • Date the ccTLD Manager is expected to stop accepting the transfer of registra-
105 tions that exceed the date of removal from the Root Zone.
- 106 • Date the ccTLD is expected to be removed from the Root Zone.
- 107 • Details of the communications plan to advise the registrants of retirement of the
108 ccTLD.

109 If the manager of the retiring ccTLD wishes to request an extension beyond the De-
110 fault Retirement Period stated in the Notice of Retirement it must produce a Retire-
111 ment Plan which is acceptable to the IFO and is in accordance with the conditions
112 listed below.

113 Granting an extension to the Default Retirement Period is at the discretion of the
114 IFO. Such an extension shall not be unreasonably withheld. The Reasonable Require-
115 ments Document that the IFO will have included with the Notice of Retirement will
116 describe the factors it will consider when evaluating a request for an extension to
117 the Default Retirement Period.

118 A Retirement Plan which requests an extension shall include:

- 119 • The length of the extension requested (a maximum 5 additional years) including
120 the proposed date of the removal of the ccTLD from the Root Zone.
- 121 • The reasons for requesting an extension
- 122 • An impact analysis which supports the reasons for making the extension request.
- 123 • Date the ccTLD Manager is expected to stop taking registrations that exceed the
124 date of removal from the Root Zone.
- 125 • Date the ccTLD Manager is expected to stop accepting the renewal of existing
126 registrations that exceed the date of removal from the Root Zone.
- 127 • Date the ccTLD Manager is expected to stop accepting the transfer of registra-
128 tions that exceed the date of removal from the Root Zone.

129 • Details of the communications plan to advise the registrants of retirement of the
130 ccTLD.

131 If the ccTLD Manager wishes to produce a Retirement Plan it must do so within 12
132 months of the IFO having sent the Notice of Retirement to the Manager of the retir-
133 ing ccTLD. At its discretion the IFO can extend the 12 month limit to a maximum of
134 24 months in total. If the IFO grants such an extension it shall promptly notify the
135 Manager of this.

136 If the ccTLD Manager submits a Retirement Plan to the IFO, the IFO shall provide a
137 definitive response to the Manager regarding the request for an extension within
138 90 days of such a request being received by the IFO.

139 The response by the IFO, if positive, shall state the length of the extension which has
140 been granted. If the response is negative, the IFO shall include the specific reason-
141 ing for the refusal⁵. The approval of an extension request shall not be unreasonably
142 withheld.

143 The WG anticipates that if the request for an extension is rejected and the ccTLD
144 Manager feels that the rejection has been unreasonably withheld or is inconsistent

⁵The WG anticipates that if the request for an extension is rejected and the ccTLD Manager feels that the rejection is inconsistent with the rules it will be able to use the review mechanism that will be developed in part 2 of the ccNSO PDP 3. To avoid any misunderstanding, ICANN's IRP process is not applicable to decisions pertaining to ccTLDs.

145 with the rules it will be able to use the review mechanism that will be developed in
146 part of the ccNSO PDP 3.

147 If the Manager of the retiring ccTLD and the IFO cannot agree on a Retirement Plan
148 within 12 months, or up to a maximum of 24 months if the IFO has granted an exten-
149 sion, of the IFO having sent the Notice of Retirement to the Manager, then the IFO
150 shall promptly advise the Manager that the ccTLD shall be removed from the Root
151 Zone 5 years from the IFO having sent the Notice of Retirement to the Manager of
152 the retiring ccTLD.

153 **4.5 Exception Conditions**

154 If the Manager becomes non-functional after a Retirement Plan is accepted the IFO
155 can use the same procedure outlined in the Requirements section to transfer the
156 ccTLD to a new manager.

157 If the Manager breaches the Retirement Plan the IFO should work with the Manager
158 with the objective of reinstating the Retirement Plan. If this is not possible the IFO
159 can advise it will return to the initial 5 year retirement period.

160 4.5.1

161 5 Oversight & Review Mechanism

162 Oversight - This policy is directed at ICANN and the IFO as the entity that performs
163 the IANA Naming Functions with respect to ccTLDs. This includes but is not limited
164 to the delegation, transfer, revocation and retirement of ccTLDs. This policy is not
165 intended and should not be interpreted to amend the way in which ICANN interacts
166 with the IFO and the delineation of their roles and responsibilities. With respect to
167 the delegation, transfer and revocation of ccTLDs this delineation is documented
168 for the current IFO - Public Technical Identifiers (PTI) - in the IANA Naming Function
169 Contract. However, it is expected that the IANA Naming Function Contract will be
170 amended to refer to this policy with respect to the retirement of ccTLDs. In addi-
171 tion, this policy is not expected to change or amend the role of the ICANN Board
172 of Directors has with respect to individual cases of ccTLD delegation, transfer and
173 revocation, which is understood to be limited to **a review to ensure that the IFO**
174 **(staff) has followed the proper procedures.** for purposes of this policy it is strongly
175 advised that the ICANN Board of Directors limit itself to a similar review with respect
176 to the decisions of the IFO regarding the retirement of ccTLDs.

177 It is important to note that the IFO's decisions to:

178 -Notify the ccTLD manager of the retirement

179 -Remove a ccTLD from the Root Zone

180 Are out of scope for this policy (see Section 2)

181 Review Mechanism - The Review mechanism for decisions pertaining to the delega-
182 tion, transfer, revocation and retirement of ccLTDs shall be developed in part 2 of
183 the ccNSO PDP 3. In this policy on retirement decisions have been identified which
184 shall be subject to such a review mechanism.

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185 References

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188 Editor, March 1994 (1591). - RFC. - ISSN 2070-1721. - <http://www.rfc-editor.org/rfc/rfc1591.txt>
189
- 190 [2] WIKIPEDIA: Request for Comments. [https://en.wikipedia.org/wiki/](https://en.wikipedia.org/wiki/Request_for_Comments)
191 [Request_for_Comments](https://en.wikipedia.org/wiki/Request_for_Comments), Last Accessed: 2019-02-08