

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 considered to be a ccTLD and an IDN
36 ccTLD Manager is considered to be a ccTLD Manager, unless it is explicitly stated
37 otherwise.

38 This policy is applicable to ccTLD Managers which are members of the ccNSO, are
39 managed by a functional Manager and where the corresponding country code has

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

40 been removed from the ISO 3166-1 list or in the case of IDN ccTLDs [which no longer
41 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 [exceptionally reserved codes] the removal process shall be decided
57 on a case by case basis, taking into account all relevant circumstances of the case.
58 As an example, if a code element from the [exceptionally reserved list] is assigned
59 and associated with a Country and this code is transferred to the ISO 3166-1 list
60 and remains assigned and associated with the same Country name to which it was

61 assigned and associated with in the list of exceptionally reserved codes elements
62 then the ccTLD should not be retired.

63 **4 Retirement Process**

64 **4.1 Expectations**

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

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

73 4.2 Notice of Retirement

74 Once the IFO has been informed, and confirmed, that a country code has been re-
75 moved from the ISO 3166-1 list and that the IFO has also confirmed that the ccTLD
76 has a functional manager, it shall promptly notify the Manager of the ccTLD that the
77 ccTLD shall be removed from the Root Zone 5 years (Default Retirement Period) from
78 the date of this notice (Notice of Retirement) unless a Retirement Plan (see follow-
79 ing sections for details) which is agreed⁴ to by the Manager and the IFO stipulates
80 otherwise and is in accordance with this Retirement Policy.

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

85 4.3 Time Span for Retirement

86 The IFO cannot require that a retiring ccTLD be removed from the Root Zone less
87 than 5 years from the time the IFO has sent a Notice of Retirement to the retiring

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

88 ccTLD Manager unless this is mutually agreed by the ccTLD Manager and the IFO.
89 If the Manager wishes to request an extension to the Default Retirement Period it
90 must request this from the IFO as part of a Retirement Plan.
91 The IFO must remove a retiring ccTLD from the Root Zone no later than 10 years after
92 having sent a Notice of Retirement to the ccTLD Manager (Maximum Retirement
93 Period).

94 **4.4 Retirement Plan**

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

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

- 101 • Date the ccTLD Manager is expected to stop taking registrations that exceed the
102 date of removal from the Root Zone.
- 103 • Date the ccTLD Manager is expected to stop accepting the renewal of existing
104 registrations that exceed the date of removal from the Root Zone.

- 105 • Date the ccTLD Manager is expected to stop accepting the transfer of registra-
106 tions that exceed the date of removal from the Root Zone.
- 107 • Date the ccTLD is expected to be removed from the Root Zone.
- 108 • Details of the communications plan to advise the registrants of retirement of the
109 ccTLD.

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

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

119 A Retirement Plan which requests an extension shall include:

- 120 • The length of the extension requested (a maximum 5 additional years) including
121 the proposed date of the removal of the ccTLD from the Root Zone.
- 122 • The reasons for requesting an extension
- 123 • An impact analysis which supports the reasons for making the extension request.

- 124 • Date the ccTLD Manager is expected to stop taking registrations that exceed the
125 date of removal from the Root Zone.
- 126 • Date the ccTLD Manager is expected to stop accepting the renewal of existing
127 registrations that exceed the date of removal from the Root Zone.
- 128 • Date the ccTLD Manager is expected to stop accepting the transfer of registra-
129 tions that exceed the date of removal from the Root Zone.
- 130 • Details of the communications plan to advise the registrants of retirement of the
131 ccTLD.

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

137 If the ccTLD Manager submits a Retirement Plan to the IFO, the IFO shall provide a
138 definitive response to the Manager regarding the request for an extension within
139 90 days of such a request being received by the IFO.

140 The response by the IFO, if positive, shall state the length of the extension which has
141 been granted. If the response is negative, the IFO shall include the specific reason-

142 ing for the refusal⁵. The approval of an extension request shall not be unreasonably
143 withheld.

144 The WG anticipates that if the request for an extension is rejected and the ccTLD
145 Manager feels that the rejection has been unreasonably withheld or is inconsistent
146 with the rules it will be able to use the review mechanism [that will be developed in
147 part of the ccNSO PDP 3].

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

154 **4.5 Exception Conditions**

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

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.

157 ccTLD to a new manager. In such a case the original Notice of Retirement is still
158 considered valid.

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

162 **5 Oversight & Review Mechanism**

163 **5.1 Oversight**

164 This policy is directed at ICANN and the IFO as the entity that performs the IANA
165 Naming Functions with respect to ccTLDs. This includes but is not limited to the del-
166 egation, transfer, revocation and retirement of ccTLDs. This policy is not intended
167 and should not be interpreted to amend the way in which ICANN interacts with the
168 IFO and the delineation of their roles and responsibilities. With respect to the dele-
169 gation, transfer and revocation of ccTLDs this delineation is documented for the cur-
170 rent IFO - Public Technical Identifiers (PTI) - in the IANA Naming Function Contract.
171 [However, it is expected that the IANA Naming Function Contract will be amended to
172 refer to this policy with respect to the retirement of ccTLDs.] In addition, this policy
173 is not expected to change or amend the role of the ICANN Board of Directors has
174 with respect to individual cases of ccTLD delegation, transfer and revocation, which

175 is understood to be limited to a **review to ensure that the IFO (staff) has followed**
176 **the proper procedures.** For purposes of this policy it is strongly advised that the
177 ICANN Board of Directors limit itself to a similar review with respect to the decisions
178 of the IFO regarding the retirement of ccTLDs.

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

180 • Notify the ccTLD manager of the retirement

181 • Remove a ccTLD from the Root Zone

182 Are out of scope for this policy (see Section 2 on page 2)

183 **5.2 Review Mechanism**

184 The Review mechanism for decisions pertaining to the delegation, transfer, revoca-
185 tion and retirement of ccTLDs [shall be developed in part 2 of the ccNSO PDP 3]. In
186 this policy on retirement decisions have been identified which shall be subject to
187 such a review mechanism.

188 References

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191 Editor, March 1994 (1591). – RFC. – ISSN 2070-1721. – <http://www.rfc-editor.org/rfc/rfc1591.txt>
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- 193 [2] WIKIPEDIA: Request for Comments. [https://en.wikipedia.org/wiki/](https://en.wikipedia.org/wiki/Request_for_Comments)
194 [Request_for_Comments](https://en.wikipedia.org/wiki/Request_for_Comments), Last Accessed: 2019-02-08