# 1 Policy for the Retirement of ccTLDs

2 <span style="color:red">**DRAFT**</span>

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 removed[1] on a reg-
18 ular basis. When a new country code is added a ccTLD can be added by the IANA
19 Naming Functions Operator[2] (IFO). However, as was identified in 2011 by the ccNSO
20 Delegation and Redelegation Working Group, there is no formal policy available for
21 the removal of a ccTLD from the Root Zone when a country code is removed from
22 the ISO 3166-1 list of country names.

23 It is important to note that ccTLDs include:

24     • 2 letter ccTLDs corresponding to an ISO 3166-1 Alpha-2 code element (the major-
25      ity of ccTLDs)

26     • 2 letter ccTLDs not corresponding to an ISO 3166-1 Alpha-2 code element: .AC,
27      .EU, .SU, .UK

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[1]ISO 3166-1, Section 3.4
[2]Currently operated by PTI

28 • IDN ccTLDs as approved by ICANN as per the Fast Track Policy[3]

## 2 Policy Objective

30 The objective of the policy is to provide clear and predictable guidance and to docu-
31 ment a process that is orderly and reasonable up and to, but excluding, the removal
32 of a ccTLD from the Root Zone[4].

## 3 Applicability of the Policy

34 This policy is applicable to ccTLD Managers which are members of the ccNSO, are
35 managed by a Functional Manager and whose ccTLDs are:

36 • 2 letter ccTLDs which correspond to an ISO 3166-1 Alpha-2 code element which
37 has been removed from the list of ISO 3166-1 Alpha-2 code elements by the ISO
38 3166-1 Maintenance Agency ("ISO 3166/MA")

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[3]https://www.icann.org/resources/pages/fast-track-2012-02-25-en
[4]The 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.

39 • The following 2 letter ccTLDs which are not an ISO 3166-1 Alpha-2 code element:
40    .AC, .EU, .SU,.UK where the ISO 3166-1/MA has made a change to one of these
41    corresponding code elements.

42     – If the change made by the ISO 3166-1/MA is to make one of these correspond-
43       ing codes an ISO 3166-1 Alpha-2 code element then the policy does not apply.

44     – For all other changes by the ISO 3166-1/MA the IFO will consider if the change
45       supports the retiring of that ccTLD. If the IFO decides to initiate a retirement
46       process under these circumstances the ccTLD Manager will be allowed to ap-
47       peal that decision.

48 The triggering event to retire an IDN ccTLD is not currently defined and as such IDN
49 ccTLDs cannot be included in this policy. The ccTLD PDP 4 will be responsible for
50 defining the trigger condition that will initiate the retirement of an IDN ccTLD and
51 once this is completed it will be integrated into a revision of this policy.

52 For the purposes of this policy a Functional Manager is the entity listed as "ccTLD
53 Manager" in the IANA Root Zone database or any later variant, who is active with
54 respect to the management of the ccTLD or with whom the IFO can officially and
55 effectively communicate.

56 If a ccTLD is to be retired but does not have a Functional Manager the policy for the
57 retirement of a ccTLD is not applicable and the IFO cannot transfer responsibility to
58 a new Manager according to its standard process. This set of circumstances would
59 create a deadlock situation which would prevent the IFO from ever retiring the ccTLD.

60  To avoid such a deadlock, and only under these specific conditions, this policy allows
61  the IFO to proceed with a transfer of responsibility for the retiring ccTLD to establish
62  a Functional Manager and insure the ccTLD can be retired.  Such a transfer should
63  follow the standard IFO process where possible.

# 64  4  Retirement Process

## 65  4.1  Expectations

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

69  Note: Given the importance and exceptional nature of the ccTLD retirement process
70  the IFO, prior to sending a Notice of Retirement, should contact the ccTLD Manager
71  and confirm who the IFO should be dealing with regarding the retirement process.
72  The person or role identified by the ccTLD Manager to deal with the retirement pro-
73  cess is referred to as the Retirement Contact and in the remainder of this document
74  the use of the term ccTLD Manager should be understood to mean ccTLD Manager
75  or Retirement Contact if one has been identified to the IFO by the ccTLD Manager.

## 4.2 Notice of Retirement

Once the IFO has been informed, and confirmed, that a ccTLD should be retired and that the IFO has also confirmed that the ccTLD has a Functional Manager, it shall promptly notify the Manager of the ccTLD that the ccTLD shall be removed from the Root Zone 5 years (Default Retirement Period) from the date of this notice (Notice of Retirement) unless a Retirement Plan (see following sections for details) which is agreed[5] to by the Manager and the IFO stipulates otherwise and is in accordance with this Retirement Policy.

The IFO shall include with the Notice of Retirement a document describing the reasonable requirements (Reasonable Requirements Document) it expects of a Retirement Plan and note that the IFO will make itself available to the Manager to assist in the development of such a plan should the Manager request it.

## 4.3 Time Span for Retirement

The IFO cannot require that a retiring ccTLD be removed from the Root Zone less than 5 years from the time the IFO has sent a Notice of Retirement[6] to the retiring

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[5]Failure 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

[6]As defined in Article 4.2 of this policy

91 ccTLD Manager unless this is mutually agreed by the ccTLD Manager and the IFO.

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

94 The IFO must remove a retiring ccTLD from the Root Zone no later than 10 years after
95 having sent a Notice of Retirement[7] to the ccTLD Manager (Maximum Retirement
96 Period).

## 97 4.4 Retirement Plan

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

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

104   • Date the ccTLD is expected to stop taking registrations that exceed the date of
105     removal from the Root Zone.

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[7]As defined in Article 4.2 of this policy

106 • Date the ccTLD is expected to stop accepting the renewal of existing registrations
107   that exceed the date of removal from the Root Zone.

108 • Date the ccTLD is expected to stop accepting the transfer of registrations that
109   exceed the date of removal from the Root Zone.

110 • Date the ccTLD is expected to be removed from the Root Zone.

111 • Details of a communications plan to advise the registrants of retirement of the
112   ccTLD.

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

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

122 A Retirement Plan which requests an extension shall include:

123 • The length of the extension requested (a maximum 5 additional years) including
124   the proposed date of the removal of the ccTLD from the Root Zone.

125 • The reasons for requesting an extension

126    • An impact analysis which supports the reasons for making the extension request.

127    • Date the ccTLD is expected to stop taking registrations that exceed the date of
128      removal from the Root Zone.

129    • Date the ccTLD is expected to stop accepting the renewal of existing registrations
130      that exceed the date of removal from the Root Zone.

131    • Date the ccTLD is expected to stop accepting the transfer of registrations that
132      exceed the date of removal from the Root Zone.

133    • Details of a communications plan to advise the registrants of retirement of the
134      ccTLD.

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

140  If the ccTLD Manager submits a Retirement Plan to the IFO, the IFO shall provide a
141  definitive response to the Manager regarding the request for an extension within
142  90 days of such a request being received by the IFO.

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

145 ing for the refusal[8]. The approval of an extension request shall not be unreasonably
146 withheld.

147 The WG anticipates that if the request for an extension is rejected and the ccTLD
148 Manager feels that the rejection has been unreasonably withheld or is inconsistent
149 with the rules it will be able to appeal the decision[9]

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

156 ## 4.5 Exception Conditions

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

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[8]The 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.
[9]see section 5.2 of this policy

159 ccTLD to a new manager. In such a case the original timeline for retiring the ccTLD
160 shall not change.

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

# 164 5  Oversight & Review Mechanism

## 165 5.1  Oversight

166 This policy is directed at ICANN and the IFO as the entity that performs the IANA
167 Naming Functions with respect to ccTLDs.

168 This policy is not intended and should not be interpreted to amend the way in which
169 ICANN interacts with the IFO and the delineation of their roles and responsibilities.

170 This policy will not change or amend the role of the ICANN Board of Directors has
171 with respect to individual cases of ccTLD delegation, transfer and revocation, which
172 is understood to be limited to **a review to ensure that the IFO (staff) has followed
173 itsprocedures properly.**

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

175    • Notify the ccTLD manager of the retirement

176    • Remove a ccTLD from the Root Zone

177   Are out of scope for this policy (see Section 2 on page 3)

## 178   5.2   Review Mechanism

179   The Review mechanism for decisions pertaining to the delegation, transfer, revoca-
180   tion and retirement of ccLTDs shall be developed in part 2 of the ccNSO PDP 3. Until
181   such time as this policy is in place appeals will use ………

182   In this policy on retirement decisions have been identified which shall be subject to
183   such a review mechanism.

184   Glossary

# References

186 [1] Postel, Jon:    Domain Name System Structure and Delegation / RFC Editor.
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