

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 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 ~~which are not~~ not corresponding to an ISO 3166-1 Alpha-2 code
27 element: .AC, .EU, .SU, .UK

¹ISO 3166-1, Section 3.4

²Currently operated by PTI

- 28 • IDN ccTLDs as approved by ICANN as per the Fast Track Policy³

29 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 ~~from the time:~~

- 32 • ~~A code element is removed from the ISO 3166-1 list by the ISO 3166/MA; or~~
33 • ~~a code element is removed from the list of exceptionally reserved codes by the~~
34 ~~ISO 3166/MA; or~~
35 • ~~an IDN ccTLD string of characters no longer qualifies as an IDN ccTLD string (to~~
36 ~~be defined under ccPDP 4).~~

37 up and to, but excluding, the removal of a ccTLD from the Root Zone⁴.

³<https://www.icann.org/resources/pages/fast-track-2012-02-25-en>

⁴The 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.

38 **3 Applicability of the Policy**

39 ~~This policy is developed in accordance with Article 10, section 6 (a) and (b) of the~~
40 ~~ICANN Bylaws and accordingly is directed at ICANN.~~

41 This policy is applicable ~~to~~ to ccTLD Managers which are members of the ccNSO, are
42 managed by a ~~f~~Functional Manager and whose ccTLDs are:

- 43 • 2 letter ccTLDs which correspond to an ISO 3166-1 Alpha-2 code element which
44 has been removed from the list of ISO 3166-1 Alpha-2 code elements by the ISO
45 3166-1 Maintenance Agency ("ISO 3166/MA")
- 46 • The following 2 letter ccTLDs which are not an ISO 3166-1 Alpha-2 code element:
47 .AC, .EU, .SU,.UK where the ISO 3166-1/MA has made a change to one of these
48 corresponding code elements.
 - 49 – If the change made by the ISO 3166-1/MA is to make one of these correspond-
50 ing codes an ISO 3166-1 Alpha-2 code element then the policy does not apply.
 - 51 – For all other changes by the ISO 3166-1/MA the IFO will consider if the change
52 supports the retiring of that ccTLD. If the IFO decides to initiate a retirement
53 process under these circumstances the ccTLD Manager will be allowed to ap-
54 peal that decision.

55 The triggering event to retire an IDN ccTLD is not currently defined and as such IDN
56 ccTLDs cannot be included in this policy. The ccTLD PDP 4 will be responsible for

57 defining the trigger condition that will initiate the retirement of an IDN ccTLD and
58 once this is completed it will be integrated into a revision of this policy.

59 ~~For the purpose of this policy an IDN ccTLD is deemed to be a ccTLD considered to be~~
60 ~~a ccTLD and an IDN ccTLD is considered to be a ccTLD Manager, unless it is explicitly~~
61 ~~state otherwise.~~

62 ~~This policy is applicable to ccTLD Managers which are members of the ccNSO and~~
63 ~~are managed by a functional Manager and where the corresponding country code~~
64 ~~has been removed from the ISO 3166-1 list or in the case of IDN ccTLDs which no~~
65 ~~longer qualifies as such.~~

66 For the purposes of this policy a Functional Manager is the entity listed as “ccTLD
67 Manager” ~~or any later variant used~~ in the IANA Root Zone database ~~or any later~~
68 ~~variant,~~ ~~and~~ who is active with respect to the management of the ccTLD or with
69 whom the IFO can officially and effectively communicate.

70 If a ~~country code has been removed from the ISO 3166-1 list and its corresponding~~
71 ~~ccTLD is to be retired but~~ does not have a Functional Manager the policy for the re-
72 tirement of a ccTLD is not applicable and the IFO cannot transfer responsibility to a
73 new ~~m~~Manager according to its standard process. This set of circumstances would
74 create a deadlock situation which would prevent the IFO from ever ~~removing the~~ re-
75 tiring ~~the~~ ccTLD ~~from the Root Zone~~. To avoid such a deadlock, and only under these
76 specific conditions, this policy allows the IFO to proceed with a transfer of respon-
77 sibility for the retiring ccTLD to establish a ~~Functional Manager~~ ~~functional manager~~

78 and insure the ccTLD can be retired. Such a transfer should follow the standard IFO
79 process where possible.

~~80 In the event the retirement process is triggered by the removal of a code element
81 from the list of exceptionally reserved codes the removal process shall be decided
82 on a case by case basis, taking into account all relevant circumstances of the case.
83 As an example, if a code element is removed from the exceptionally reserved list and
84 transferred to the standard list and remains assigned and associated with the same
85 Country name to which it was assigned and associated with in the list of exceptionally
86 reserved codes elements then the ccTLD should not be retired.~~

87 **4 Retirement Process**

88 **4.1 Expectations**

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

92 Note: Given the importance and exceptional nature of the ccTLD retirement process
93 the IFO, prior to sending a Notice of Retirement, should contact the ccTLD Manager
94 and confirm who the IFO should be dealing with regarding the retirement process.

95 The person or role identified by the ccTLD Manager to deal with the retirement pro-
96 cess is referred to as the Retirement Contact and Manager in the remainder of this
97 document the use of the term ccTLD Manager should be understood to mean ccTLD
98 Manager or Retirement Contact if one has been identified to the IFO by the ccTLD
99 Manager.:-

100 4.2 Notice of Retirement

101 Once the IFO has been informed, and confirmed, that a ~~country code~~ ccTLD has been
102 ~~removed from the ISO 3166-1 list~~ should be retired and that the IFO has also con-
103 firmed that the ccTLD has a Functional Manager functional manager, it shall promptly
104 notify the Manager of the ccTLD that the ccTLD shall be removed from the Root Zone
105 5 years (Default Retirement Period) from the date of this notice (Notice of Retire-
106 ment) unless a Retirement Plan (see following sections for details) which is agreed⁵
107 to by the Manager and the IFO stipulates otherwise and is in accordance with this
108 Retirement Policy.

109 The IFO shall include with the Notice of Retirement a document describing the rea-
110 sonable requirements (Reasonable Requirements Document) it expects of a Retire-

⁵Failure 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

111 ment Plan and [note](#) that the IFO will make itself available to the Manager to assist
112 in the development of such a plan should the Manager request it.

113 **4.3 Time Span for Retirement**

114 The IFO cannot require that a retiring ccTLD be removed from the Root Zone less
115 than 5 years from the time the IFO has sent a Notice of Retirement⁶ to the retiring
116 ccTLD Manager unless this is mutually agreed by the ccTLD Manager and the IFO.

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

119 The IFO must remove a retiring ccTLD from the Root Zone no later than 10 years after
120 having sent a Notice of Retirement⁷ to the ccTLD Manager (Maximum Retirement
121 Period).

122 **4.4 Retirement Plan**

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

⁶[As defined in Article 4.2 of this policy](#)

⁷[As defined in Article 4.2 of this policy](#)

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

- 129 • Date the ccTLD **Manager** is expected to stop taking registrations that exceed the
130 date of removal from the Root Zone.
- 131 • Date the ccTLD **Manager** is expected to stop accepting the renewal of existing
132 registrations that exceed the date of removal from the Root Zone.
- 133 • Date the ccTLD **Manager** is expected to stop accepting the transfer of registra-
134 tions that exceed the date of removal from the Root Zone.
- 135 • Date the ccTLD is expected to be removed from the Root Zone.
- 136 • Details of **a**the communications plan to advise the registrants of retirement of
137 the ccTLD.

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

142 Granting an extension to the Default Retirement Period is at the discretion of the
143 IFO. Such an extension shall not be unreasonably withheld. The Reasonable Require-
144 ments Document that the IFO will have included with the Notice of Retirement will

145 describe the factors it will consider when evaluating a request for an extension to
146 the Default Retirement Period.

147 A Retirement Plan which requests an extension shall include:

- 148 • The length of the extension requested (a maximum 5 additional years) including
149 the proposed date of the removal of the ccTLD from the Root Zone.
- 150 • The reasons for requesting an extension
- 151 • An impact analysis which supports the reasons for making the extension request.
- 152 • Date the ccTLD **Manager** is expected to stop taking registrations that exceed the
153 date of removal from the Root Zone.
- 154 • Date the ccTLD **Manager** is expected to stop accepting the renewal of existing
155 registrations that exceed the date of removal from the Root Zone.
- 156 • Date the ccTLD **Manager** is expected to stop accepting the transfer of registra-
157 tions that exceed the date of removal from the Root Zone.
- 158 • Details of **a**the communications plan to advise the registrants of retirement of
159 the ccTLD.

160 If the ccTLD Manager wishes to produce a Retirement Plan it must do so within 12
161 months of the IFO having sent the Notice of Retirement to the Manager of the retir-
162 ing ccTLD. At its discretion the IFO can extend the 12 month limit to a maximum of 24

163 months in total upon receiving a request for such an extension from the Manager.
164 If the IFO grants such an extension it shall promptly notify the Manager of this.

165 If the ccTLD Manager submits a Retirement Plan to the IFO, the IFO shall provide a
166 definitive response to the Manager regarding the request for an extension within
167 90 days of such a request being received by the IFO.

168 The response by the IFO, if positive, shall state the length of the extension which has
169 been granted. If the response is negative, the IFO shall include the specific reason-
170 ing for the refusal⁸. The approval of an extension request shall not be unreasonably
171 withheld.

172 The WG anticipates that if the request for an extension is rejected and the ccTLD
173 Manager feels that the rejection has been unreasonably withheld or is inconsistent
174 with the rules it will be able to ~~use the review mechanism that will be developed in~~
175 ~~part of the ccNSO PDP 3.~~ [appeal the decision](#)⁹

176 If the Manager of the retiring ccTLD and the IFO cannot agree on a Retirement Plan
177 within 12 months, or up to a maximum of 24 months if the IFO has granted an exten-
178 sion, of the IFO having sent the Notice of Retirement to the Manager, then the IFO
179 shall promptly advise the Manager that the ccTLD shall be removed from the Root

⁸The 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](#)

180 Zone 5 years from the IFO having sent the Notice of Retirement to the Manager of
181 the retiring ccTLD.

182 4.5 Exception Conditions

183 If the Manager becomes non-functional after a Retirement Plan is accepted the IFO
184 can use the same procedure outlined in the Requirements section to transfer the
185 ccTLD to a new manager. **In such a case the original timeline for retiring the ccTLD**
186 **shall not change.**

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

190 5 Oversight & Review Mechanism

191 5.1 Oversight

192 This policy is directed at ICANN and the IFO as the entity that performs the IANA
193 Naming Functions with respect to ccTLDs. ~~This includes but is not limited to the~~

194 ~~delegation, transfer, revocation and retirement of ccTLDs.~~

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

197 ~~With respect to the delegation, transfer and revocation of ccTLDs this delineation~~
198 ~~is documented for the current IFO - Public Technical Identifiers (PTI) - in the IANA~~
199 ~~Naming Function Contract. However, it is expected that the IANA Naming Function~~
200 ~~Contract will be amended to refer to this policy with respect to the retirement of~~
201 ~~ccTLDs. In addition, t~~**This policy willis** ~~not expected to~~ change or amend the role
202 of the ICANN Board of Directors has with respect to individual cases of ccTLD del-
203 egation, transfer and revocation, which is understood to be limited to a **review**
204 **to ensure that the IFO (staff) has followed its**~~the proper~~ **procedures properly.**
205 ~~For purposes of this policy it is strongly advised that the ICANN Board of Directors~~
206 ~~limit itself to a similar review with respect to the decisions of the IFO regarding the~~
207 ~~retirement of ccTLDs.~~

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

209 • Notify the ccTLD manager of the retirement

210 • Remove a ccTLD from the Root Zone

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

212 **5.2 Review Mechanism**

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

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

218 **Glossary**

219 References

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