

ALAC Statement on Request for Early Input on GNSO-TPR PDP Phase 2 Topics

This is the At-Large input to the request for “Early Input on GNSO-TPR PDP Phase 2 charter questions. The text was agreed on at the CPWG meeting on March 29, 2023 and to be sent to the GNSO-TPR WG email list in due time before April 18, 2023

Introduction

Reference to email from GNSO TPR PDP Chair Roger Carney, dated February 28, 2023, to ICANN Supporting Organizations / Advisory Committees / GNSO Stakeholder Groups / GNSO Constituencies.

The At-Large Community submits its input on the Generic Names Supporting Organization Transfer Policy Review Policy Development Process (GNSO TPR PDP) Phase 2 topics. The At-Large community welcomes the opportunity to take part in the Transfer Policy Review PDP in this next phase.

The At-Large individual Internet end user community continues to emphasize the Registrant perspective, and advocates processes and policies that make an Inter-Registrar Transfer and a change of Registrant simple, safe and secure.

The Transfer Policy Review recommendations to Phase 1a

During GNSO-TPR PDP Phase 1a, the At-Large Advisory Committee (ALAC) appointed representatives participated in the discussions and deliberations for its charter questions. The ALAC appointed representatives provided regular updates during weekly At-Large Consolidated Policy Working Group (CPWG) calls on the outcome of the discussions in the GNSO-TPR PDP Working Group. When needed, the At-Large representatives have asked CPWG for guidance and informed the GNSO-TPR accordingly.

In general, At-Large supports the recommendations given to the charter questions in Phase 1a.

At-Large will revisit their responses based on the final outcomes of Phase 1a, Phase 1b, and Phase 2.

At-Large Early Input to Phase 2

The At-Large Community submits its input on the following GNSO-TPR PDP Phase 2 topics:

1. Transfer Emergency Action Contact (TEAC)
2. Transfer Dispute Resolution Policy (TDRP)
3. ICANN-approved Transfers
4. Items raised in the Expedited Policy Development Process Recommendation 27, Wave 1 Report

1. Transfer Emergency Action Contact (TEAC)

The TEAC is a communication line between the Registry Operators and their accredited Registrars.

At-Large is of the opinion that the communication process must be defined, and must be agreed on by the Registry Operators and their accredited Registrars. This is of no relevance for individual Internet end-users (i.e., Registered Name Holders).

At-Large is confident that the Registry Operators and the Registrars will find a communication process that addresses the emergency when needed.

2. Transfer Dispute Resolution Policy (TDRP)

The recommendations provided in Phase 1a aim to enhance the security of Inter-Registrar transfers, which could reduce the necessity for a TDRP. Nevertheless, At-Large recognizes the importance of having an efficient and transparent dispute resolution policy in place and will closely follow the ongoing discussions.

At-Large is aware of the fact that the majority of transfer disputes are solved directly between the losing and gaining registrars. In addition, data from ICANN org Compliance indicates a low volume of formal addressed cases using the present TDPR.

The five TDPR charter questions do not **directly** ask the working group to discuss why the TDPR is seldom used. At-Large asks the GNSO-TPR WG to add a question on why the TDPR is seldom used to the charter questions. At-Large believes that the adding a question on the usage of the TDPR may help explain why there is such a low volume. At minimum, it will cause the working group to review current data.

The present TDRP prevents a Registered Name Holder (RNH) from initiating a transfer dispute. The current charter questions are worded in a way that the TPR working group may be unable to discuss the development of transfer dispute policy as an option for a RNH to initiate a transfer dispute.

ACTION: At-Large strongly recommends adding a charter question for deliberation that includes the possibility for a RNH to initiate a transfer dispute using the TDPR.

3. ICANN-approved Transfers

At-Large does not have any input regarding the charter questions related to ICANN-approved transfers.

4. Items raised in the Expedited Policy Development Process Recommendation 27, Wave 1 Report

At-Large welcomes the opportunity to review the Expedited Transfer Reverse Policy (ETRP). We are in favor of adding this to the GNSO-TPR PDP deliberations.