

## Bernard Turcotte

*Staff support to the ccNSO Policy Development Process Working Group on the review mechanism with respect to decisions pertaining to the delegation, transfer, revocation, and retirement of ccTLDs (ccPDP3-RM).*



**Q: Bernard, could you remind us of what problem this proposed policy solves?**

Bernard: "Given the ccTLDs, via the ccNSO, opted out of the ICANN Independent Review Process in 2015, there was no independent review mechanism regarding IANA Functions Operator (IFO) decisions which affect ccTLDs."

**Q: What was the biggest challenge the Working Group was facing?**

Bernard: "The biggest challenge the Working Group faced was deciding what type of review should be defined in the policy - Should this be binding on ICANN or not was the biggest question. After considering all the options the WG opted for a non-binding solution to keep costs down and to speed up the process."

**Q3. Can you tell us a bit more about your role in the Working Group as main staff support?**

Bernard: "My main role was doing the actual writing of the policy as we progressed through the various considerations of the WG. Also, I had been working with the group that is reviewing the ICANN IRP policy since 2016 and as such I brought that knowledge to the WG which was very useful as many of the issues that had been considered by that group were relevant to this WG. As such I could assist the working group in understanding the possible implications of some of the elements they were considering."

**Q4. Is there any question I should I have asked you, but did not?**

Bernard: "It is important to note that this review mechanism applies to all ccTLDs and all applicants for new ccTLDs and that cases will only be reviewed by people who have significant experience with the IFO and ccTLDs and who do not need to be lawyers. This was done in an effort to ensure the process will be efficient as there is no need to train reviewers as to what is a ccTLD, what is the IFO or ICANN and what are the rules that apply to these (this is the same reason ICANN is installing a standing panel for its IRP).

Additionally, the proposed process does not require a ccTLD to have a lawyer to prepare applications or motions for the reviewers which will also speed up the process of arriving at a decision and keep costs down (some ICANN IRP cases go on for more than one year and the reviewer/panelist costs for such cases are in the hundreds of thousands of US dollars not including lawyer fees - this was deemed unreasonable for a process which should be accessible to all ccTLDs, even the smallest ones)."