Voting Process: Frequently Asked Questions

2024 Global Amendments to the Base gTLD Registry Agreement and the 2013 Registrar Accreditation Agreement

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Background

In November 2022 the Registrar Stakeholder Group (RrSG) and Registries Stakeholder Group (RySG), collectively the Contracted Parties House (CPH), proposed to the ICANN organization (org) the idea of collaborating to enhance the existing contracts by creating clear obligations to stop or otherwise disrupt DNS Abuse. In their proposal, they suggested, and ICANN agreed, to certain guideposts for the amendments:

- The focus of the new provisions will be on DNS Abuse, as defined in the amendments;
- The amendments will neither include matters pertaining to website content abuses nor access to registration data;
- Any new provisions should appropriately reflect the roles and responsibilities of registrars and registries in each agreement, and will not seek to impose pass-through requirements on either group.

In January 2023, ICANN org responded to letters from the RrSG and RySG to formally initiate the process to amend the 2013 Registrar Accreditation Agreement (RAA) and the base gTLD Registry Agreement (Base RA) to strengthen the existing abuse mitigation obligations. The proposed amendments will enable ICANN Contractual Compliance to take enforcement actions against those registrars or registry operators who fail to take prompt and appropriate action reasonably necessary to stop or otherwise disrupt well-evidenced DNS Abuse.

This is an important building block in a longer journey that could include policy discussions open to the full ICANN community, and potentially future negotiations between the CPH and ICANN org. Further policy development could also be pursued in the Generic Names Supporting Organization (GNSO) to broaden the examination of what additional obligations should exist and define in more detail what is expected of registrars and registry operators in a community-wide process.

The resulting proposed amendments incorporate:

- Requirements to ensure abuse contacts are readily accessible on the contracted party's (CP's) webpage and to provide the reporter with confirmation upon receipt of abuse reports
- The ability for registrars and registry operators to use webforms instead of email as an abuse reporting mechanism
- A definition of DNS Abuse for purposes of the RAA and Base RA

- A specific requirement to promptly take appropriate mitigation actions against domains for which the contracted party has actionable evidence demonstrating that the domains are being used for DNS Abuse
- Recognition that CPs should exercise reasonable discretion in selecting and implementing appropriate mitigation actions depending on the circumstances of each case
- Recognition of the different roles of registrars and registry operators
- A target outcome of stopping or otherwise disrupting the use of gTLD domain names for DNS Abuse

In addition, the proposed amendment to the Base RA amends Specification 11, Section 3(b) to replace the term "security threats" with "DNS Abuse" which clarifies that registry operators must periodically conduct a technical analysis to assess whether domains in the top-level domain (TLD) are being used to perpetrate DNS Abuse and maintain statistical reports on identified DNS Abuse instances. A positive benefit of replacing "security threats" with "DNS Abuse" expands the requirement for registry operators to include spam when it is used as a delivery mechanism for other forms of DNS Abuse. Additionally, this variation of spam will be added as something to include in their periodic analyses and reports.

The amendments are intended to result in prompt and reasonable mitigation actions that minimize the scope and intensity of the harm and victimization caused by DNS Abuse while limiting collateral damage caused by CPs' actions in response to the DNS Abuse. The proposed amendments contemplate that the best-equipped parties conduct a thorough review of the matter, and take the appropriate, proportionate mitigation actions depending on the circumstances. The proposed amendments do not specify the mitigation actions or their timing as such approach may not guarantee the desired outcome in all instances. The negotiation teams discussed a prescriptive approach, but, ultimately, decided such an approach may unintentionally result in undesirable, disproportionate outcomes where DNS Abuse involves compromised domain names or delayed responses in situations where swift action is required. The appropriateness and promptness of the actions will depend on the specific circumstances of each case.

ICANN org also developed a draft ICANN Advisory that would come into effect if the proposed amendments are approved. The draft Advisory further explains the new requirements, provides guidance, and sets out expectations for action by CPs to establish compliance. The draft Advisory also elaborates upon terms like "mitigation actions," "appropriate," "stop" (contributing to stop), and "disrupt" (contributing to disrupt). Additionally, the draft Advisory contains examples of DNS Abuse, actionable evidence, and corresponding appropriate and prompt mitigation actions, considering the circumstances of each case.

The proposed changes to the RAA and Base RA were published for [Public Comment](#) on 29 May 2023. On 31 August 2023, ICANN org published the [Public Comment Summary Report](#).

In order to become approved, the proposed global amendments must receive approval from contracted parties and the ICANN Board of Directors.

On 25 September 2023, ICANN org sent a [legal notice](#) to registry operator and registrar primary contacts, registry legal (notice) contacts, and registrar corporate contacts informing registries and registrars that the **voting period will open at 17:00 UTC on 9 October 2023**.

Frequently Asked Questions (FAQ)

1. Who is eligible to vote?

Proposed Base RA Global Amendment: Applicable Registry Operators are eligible to vote on the proposed Base RA global amendment (Base RA Global Amendment). [Section 7.6(j)(i)](#) of the Base RA defines Applicable Registry Operators as "collectively, the registry operators of top-level domains (TLD) party to a registry agreement that contains a provision similar to this Section 7.6, including Registry Operator". Therefore, if your Registry Agreement contains the applicable provision, you are eligible to vote.

Proposed RAA Global Amendment: Applicable Registrars, those registrars with a currently effective RAA, are eligible to vote on the proposed RAA global amendment (RAA Global Amendment).

ICANN org expects **each vote to be cast by the primary contact**. Please review and ensure that your primary contact information in the [Naming Services portal](#) (NSp) is current and is the appropriate individual with the authority to cast a vote on behalf of the registry operator or registrar prior to the voting period. If you need to update your primary contact:
- Registry operators should submit a General Inquiry case in NSp.
- Registrars should email a completed [Primary Contact Update Form](#) to globalsupport@icann.org.

2. Who is not eligible to vote?

Proposed Base RA Global Amendment: Registry operators whose registry agreements do not contain Section 7.6 of the Base RA or a provision similar to Section 7.6 of the Base RA are not eligible to vote.

Proposed RAA Global Amendment: Entities, such as resellers, that are not ICANN-accredited registrars on the RAA are not eligible to vote.

3. When is the voting period?
The voting period opens on 9 October 2023 at 17:00 UTC and closes on 8 December 2023 at 23:59 UTC.

4. How will ICANN administer the vote?
ICANN org is using eBallot, a third-party voting platform operated by Votenet Solutions, Inc., for this campaign. Votenet Solutions, Inc. has implemented secure voting solutions over the past 19 years, holding more than 37,000 voting events and serving over 2,700 clients across the United States, Canada, Asia, Africa, and Europe. This is the same vendor and system used for the annual registrar fee vote, CPs survey, and the recent Registration Data Access Protocol (RDAP) global amendment vote.

5. How will I be notified that voting has started?
Three communications will be sent to inform registries and registrars:
1. Approximately two weeks in advance of the start of the voting period, ICANN org will send an email to the **primary contact, registry legal (notice) contact,** and **registrar corporate contact** – as specified by the registry operator or registrar – to formally announce the voting period.
2. Approximately an hour prior to the voting period opening, a reminder email will be sent to the primary contact informing them of the voting period opening.
3. At the start of the voting period, eBallot (the voting platform operated by Votenet Solutions, Inc.) will send an email to the primary contact with an invitation containing a direct link to an online ballot that will permit the primary contact to vote.

6. How do I access the voting system?
At the start of the voting period, the eBallot platform will send an email to the primary contact – as specified by the registry operator or registrar – with an invitation containing a direct link to an online ballot that will permit the primary contact to vote. The online ballot can be accessed from any smartphone or device that has full browser capabilities.

7. If I am the primary contact for multiple gTLDs or multiple ICANN registrar accreditations, how many ballots should I receive?
For registry operators, if the registry primary contact's email address is associated with multiple gTLDs within the same registry operator account, the vote will apply to each gTLD that is associated with the registry primary contact's same email address. The registry primary contact will receive one email invitation per registry operator account, unless unique registry primary contact email addresses are associated with gTLDs under the registry operator account. In such instances, separate invitations will be sent to each unique registry primary contact email address associated with the registry operator account.

> *Registry operator example 1*: A registry primary contact that uses the same email address for each registry agreement under the same registry operator will receive a single ballot request to cast a vote once.

Registry operator example 2: A registry primary contact that uses multiple, different email addresses for registry agreements under the same registry operator will receive multiple ballot requests by TLD Registry Agreement and associated email address.

For registrars, if the registrar primary contact's email address is associated with more than one registrar within a registrar family, the vote will apply to all associated registrars.

Registrar example 1: A registrar primary contact that uses the same email address for each registrar accreditation within the same registrar family will receive a single ballot request to cast a vote.

Registrar example 2: A registrar primary contact that uses multiple, different email addresses for registrar accreditations within the same registrar family will receive multiple ballot requests by accreditation and associated email address.

8. How will I know which accounts I'm voting for?

The registry operator account name or registrar group name will be displayed in both the invitation to vote email message and the onscreen voting ballot.

9. What if I do not receive the email at the start of the vote?

The email from the eBallot platform will be sent to voters at the same time the vote opens. If you do not receive the email notification(s) for the vote shortly thereafter, please check your spam folder(s). If you still cannot find the email notification(s), please take the following steps:

1. Whitelist the following email addresses (you may need to reach out to your IT Department or Internet service provider (ISP) for assistance):
   a. noreply@eballot.com: electronic ballots are sent from this address
   b. help@eballot.com and/or support@votenet.com: voter inquiry and support related response emails are sent from these addresses.

2. Submit a General Inquiry case in the Naming Services portal (NSp) or email globalsupport@icann.org with the subject line "Need Email Ballot for DNS Abuse Global Amendment".

10. How do I submit my vote?

Click on the link provided in the email notification from eBallot, and approve or disapprove of the proposed Global Amendment by selecting one of the following options and submitting your selection in the eBallot platform:

1. "**Yes**" – voting "yes" means that you **_approve_** the proposed Global Amendment.

2. "**No**" – voting "no" means that you **_do not approve_** the proposed Global Amendment.

Abstaining or otherwise failing to vote is the same as voting "**No**".

11. How many votes do I get?
Applicable Registry Operators receive one vote per gTLD registry agreement. Applicable Registrars receive one vote per RAA.

Voting weights are calculated according to the respective agreement provisions:
- Base RA Section 7.6(j)(ii)
- RAA Section 1.20.1

12. Will I receive confirmation of my vote?
Yes, there are two confirmations. After their vote has been cast, voters will be brought to a confirmation screen displaying the date and time their vote was received, along with a confirmation number. Voters will also receive a confirmation email indicating that their vote has been cast.

13. I submitted my vote incorrectly, can I change my vote?
After you've initially cast your vote, you may then change your vote at any time while the voting period is open. There is no limit to the amount of times a vote can be changed. To change your vote, click on the link provided in the original voting email you received and resubmit your vote.

14. Can someone vote on my behalf?
As previously mentioned in question 1 above, ICANN org expects each vote to be cast by the primary contact. Please review and ensure that your primary contact information in the Naming Services portal (NSp) is current and is the appropriate individual with the authority to cast a vote on behalf of the registry operator or registrar prior to the voting period. If you need to update your primary contact:
- Registry Operators should submit a General Inquiry case in NSp.
- Registrars should email a completed Primary Contact Update Form to globalsupport@icann.org.

15. How will ICANN verify the results of the vote?
ICANN org will be using a secure, online voting platform called eBallot, that is administered by Votenet, which will authenticate eligible voters and tabulate submissions for the voting campaign. After the voting period closes, Votenet will complete an audit process and provide a written certification, which will be shared with CPs via email and posted to the 2024 Global Amendment webpage.

16. Who will have access to voting data?
ICANN org voting administrator, Votenet, an independent third-party administrator will have access to voter data. During the 60-day voting period, ICANN org will publish data relating to the progress of the vote including whether a registrar or registry operator has voted, but ICANN org will not publish data regarding how individual registrars or registry operators vote except to the extent required by law, the ICANN Documentary Information Disclosure Policy, or other

applicable policy.

17. Will ICANN provide updates about the vote?

Yes, ICANN org will post updates of current voting results approximately once every two weeks on the dedicated 2024 Global Amendment webpage. Updates will report on the status of votes reaching the applicable approval thresholds and share which registry operators and registrars have and have not voted.

ICANN org will not publish data regarding how individual registrars or registry operators vote except to the extent required by law, the ICANN Documentary Information Disclosure Policy, or other applicable policy.

18. How do the Global Amendments reach approval?

Base RA Changes: In order for the proposed Base RA Global Amendment to be approved, it must be submitted to and receive approval from Applicable Registry Operators and the ICANN Board of Directors. As more fully set forth in Section 7.6(j)(ii) of the Base RA, two thresholds are required to be met to achieve Registry Operator Approval:

1. A "yes" vote by registry operators whose payments from the prior year account for two-thirds (⅔) of total fees paid to ICANN; and
2. A "yes" vote by the majority (greater than 50%) of registry operators. Note that each registry operator has one (1) vote per TLD registry agreement.

RAA Changes: In order for the proposed RAA Global Amendment to be approved, it must be submitted to and receive approval from Applicable Registrars and the ICANN Board of Directors. As more fully set forth in Section 1.20.1 of the RAA, the following threshold is required to be met to achieve Registrar Approval:

● A "yes" vote from registrars who make up 90 percent of the total registered domains under management (TDUM). Note that per Section 1.20.1 of the RAA the TDUM will be adjusted to more evenly distribute voting weight among registrars.

The final TDUM adjustment will be based on the most recent Per-Registrar Transactions Report available prior to the conclusion of the voting period.

Please note that not voting or abstaining is the same as voting "No".

19. What happens after the conclusion of the voting period?

For the proposed Base RA Global Amendment: The voting period will be open for 60 days. Following the voting period, the vote will be tabulated and then verified by Votenet. For the Base RA Global Amendment to be approved it must receive Registry Operator Approval and approval from the ICANN Board of Directors. If approved, the Base RA Global Amendment shall be

effective and deemed an Approved Amendment to the Base RA following a 60-day notice from ICANN to Registry Operators. If the proposed Base RA Global Amendment is not approved, it will go back to the negotiating teams to discuss next steps.

For the proposed RAA Global Amendment: The voting period will be open for 60 days for Registrar Approval. Following the voting period, the vote will be tabulated, verified by Votenet. For the Global Amendment to be approved, it must receive Registrar Approval and approval from the ICANN Board of Directors. If approved, the RAA Global Amendment shall be effective and deemed an Approved Amendment (as defined in the RAA) by the Applicable Registrars to the RAA following a 60-day notice from ICANN to registrars. If the proposed RAA Global Amendment is not approved, it will go back to the negotiating teams to discuss next steps.

20. If approved, when will the amendment be effective?
If the Base RA Global Amendment receives Registry Operator Approval and ICANN Board Approval, it will be deemed an Approved Amendment and shall be effective and deemed an amendment to each affected Registry Agreement following a 60-day written notice from ICANN org to registry operators. This notice will be provided via email to the primary contact and legal (notice) contact and will be posted on ICANN's website.

If the RAA Global Amendment receives Registrar Approval and ICANN Board Approval, it will be deemed an Approved Amendment and shall be effective and deemed an amendment to each affected RAA following a 60-day written notice from ICANN org to registrars. This notice will be provided via email to the primary contact, registry legal (notice) contact, and registrar corporate contact and will be posted on ICANN's website.

21. If the Global Amendment is approved, when will the draft Advisory be issued (i.e., it will no longer be a draft)?
The ICANN Advisory will be issued when the proposed amendments are approved and then posted on the Contracted Party Advisories webpage and the 2024 Global Amendment webpage. The draft Advisory explains the new requirements, provides guidance, and sets out expectations for action by CPs to establish compliance.

22. If the Global Amendment is approved, will contracted parties be required to sign the Global Amendment?
No, signatures will not be required if the Global Amendment is approved. As noted in response to question 20, if a Global Amendment received approval from the applicable parties (in the case of the Base RA, registry operators and the ICANN Board; in the case of the RAA, registrars and the ICANN Board; it will be deemed an Approved Amendment and shall be effective and deemed an amendment to the affected agreement following a 60-day notice from ICANN org to the applicable party.

23. Where can I find the Global Amendment once it is effective?
ICANN will publish the effective Global Amendment accordingly:

- **For the Base RA Global Amendment**: The effective Global Amendment will be published on the [Registry Agreements](#) webpage. Additionally, ICANN will post the Global Amendment to each Applicable Registry Operator's Registry Agreement page on [ICANN.org](#).
- **For the RAA Global Amendment**: The effective Global Amendment will be published on the [RAA webpage](#).

24. Where can I find additional information?

Please reference [Sections 7.6 and 7.7 of the Base RA](#) and Section [7.4 of the RAA](#) for additional information. ICANN org has also established the [2024 Global Amendment webpage](#), which provides background information, relevant resources, and upcoming dates.

25. If I still have questions, who can I contact?

To submit questions regarding the voting process, open a General Inquiry case in NSp or send an email to globalsupport@icann.org with "Inquiry – DNS Abuse Global Amendment" in the subject line.

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