

ICANN Documentary Information Disclosure Policy

About the DIDP

ICANN's Documentary Information Disclosure Policy (DIDP) is intended to ensure that information contained in documents concerning ICANN's and within ICANN's possession, custody, or control, is made available to the public unless there is a compelling reason for confidentiality. A principal element of ICANN's approach to transparency and information disclosure is the identification of a comprehensive set of materials that ICANN makes available on its websites as a matter of course.

Specifically, ICANN has:

- Identified many of the categories of documents that are already made public as a matter of due course
- Developed a time frame for responding to requests for information not already publicly available
- Identified specific conditions for nondisclosure of information
- Described the mechanism under which requestors may seek review of ICANN's DIDP Response

Publicly Available Documents ICANN posts on websites it operates, mainly on www.icann.org, numerous categories of documents in due course. A list of those categories includes, but is not limited to, the following:

- **Accountability Mechanisms documents**
– <https://www.icann.org/resources/pages/accountability/reconsideration-en>
and <https://www.icann.org/resources/pages/accountability/irp-en>
- Annual Reports – <https://www.icann.org/resources/pages/governance/annual-report-en>
- Articles of Incorporation – <https://www.icann.org/resources/pages/governance/articles-en>
- **Board Committee Information** – <https://www.icann.org/resources/pages/board-committees-2018-04-13-en>
- Board Meeting Transcripts, Minutes and Resolutions – <http://www.icann.org/en/groups/board/meetings>
- Budget – <https://www.icann.org/en/about/financials>
- Bylaws (current) – <https://www.icann.org/en/about/governance/bylaws>

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ICANN (Internet Corporation for Assigned Names and Numbers)'s

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- Bylaws (archives)
 - <https://www.icann.org/en/about/governance/bylaws/archive>
- Contractual Compliance related materials -
<https://www.icann.org/resources/pages/compliance-2012-02-25-en>
- Correspondence - <https://www.icann.org/resources/pages/correspondence>
- DIDP Requests and Responses
 - <https://www.icann.org/resources/pages/governance/transparency-en>
- Financial Information (current and historical)
 - <http://www.icann.org/en/about/financials>
- Litigation documents
 - <https://www.icann.org/resources/pages/governance/litigation-en>
- Major agreements and Related Reports
 - <https://www.icann.org/resources/pages/agreements-en>
- Monthly Registry Reports – <https://www.icann.org/resources/pages/registry-reports>
- Operating Plan – <https://www.icann.org/en/about/planning>
- Policy documents – <https://www.icann.org/policy>
- Speeches, Presentations and Publications
 - <https://www.icann.org/presentations>;
<https://www.icann.org/resources/pages/government-engagement-publications-2020-03-02-en>; <https://www.icann.org/resources/pages/octo-publications-2019-05-24-en>
- Strategic Plan – <https://www.icann.org/en/about/planning>
- Material information relating to the Address Supporting Organization (ASO)
 - <https://aso.icann.org> including, **but not limited to**, ASO policy documents, Regional Internet Registry (RIR) policy documents, guidelines and procedures, meeting agendas and minutes, presentations, routing statistics, and information regarding the RIRs. **Material information relating to the Empowered Community** – <https://www.icann.org/ec>
- Material information relating to the Generic Supporting Organization (GNSO)
 - <https://gns0.icann.org> – including, **but not limited to**, correspondence and presentations, council resolutions, requests for comments, draft documents, policies, reference documents (see <https://gns0.icann.org/reference-documents.htm>), and council administration documents (see <https://gns0.icann.org/council/docs.shtml>).

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- Material information relating to the country code Names Supporting Organization (ccNSO) – <https://ccnso.icann.org> – including, **but not limited to**, meeting agendas, minutes, reports, and presentations; Material information relating to the At Large Advisory Committee (ALAC) – <https://atlarge.icann.org> – including, **but not limited to**, correspondence, statements, and meeting minutes
- Material information relating to the Governmental Advisory Committee (GAC) – <https://gac.icann.org/web/index.shtml> – including, **but not limited to**, operating principles, gTLD principles, ccTLD principles, principles regarding gTLD Whois issues, communiqués, and meeting transcripts, and agendas
- Material information relating to the Root Server Advisory Committee (RSSAC) – <https://www.icann.org/en/groups/rssac> – including, **but not limited to**, meeting minutes and information surrounding ongoing projects
- Material information relating to the Security and Stability Advisory Committee (SSAC) – <https://www.icann.org/en/groups/ssac> – including, **but not limited to**, its charter, various presentations, work plans, reports, and advisories

Submitting a DIDP Request

Any member of the public may submit a DIDP request to ICANN org. To submit a DIDP request, please send an email to didp@icann.org describing the documentary information you are seeking. Please provide as much detail as possible to identify the party submitting the request and the documents requested. If you have a question or need assistance with submitting a DIDP request, please contact the DIDP team at didp@icann.org.

Responding to DIDP Requests

All DIDP requests will be responded to in accordance with the DIDP Response Process.

ICANN org will provide a written response to all DIDP requests, as soon as practicable within 30 calendar days of receipt of the request, unless it is not feasible to do so. If that time frame cannot be met, ICANN org will inform the requestor in writing as to when a response will be provided, which shall not be longer than an additional 30 calendar days and explain the reasons necessary for the extension of time to respond.

DIDP Defined Conditions for Nondisclosure

- ICANN org has identified the following set of conditions for the nondisclosure of information: Information provided by or to a government or international organization, or any form of recitation of such information, in the expectation

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that the information will be kept confidential and/or would or likely would materially prejudice ICANN's relationship with that party.

- Internal information that, if disclosed, would or would be likely to compromise the integrity of ICANN's deliberative and decision-making process by inhibiting the candid exchange of ideas and communications, including internal documents, memoranda, and other similar communications to or from ICANN Board members, ICANN Board members' advisors, ICANN staff, ICANN consultants, ICANN contractors, and ICANN agents.
- Information exchanged, prepared for, or derived from the deliberative and decision-making process between ICANN, its constituents, and/or other entities with which ICANN cooperates that, if disclosed, would or would be likely to compromise the integrity of the deliberative and decision-making process between and among ICANN, its constituents, and/or other entities with which ICANN cooperates by inhibiting the candid exchange of ideas and communications.
- Personnel, medical, contractual, remuneration, and similar records relating to an individual's personal information, when the disclosure of such information would or likely would constitute an invasion of personal privacy, as well as proceedings of internal appeal mechanisms and investigations.
- Information provided to ICANN by a party that, if disclosed, would or would be likely to materially prejudice the commercial interests, financial interests, and/or competitive position of such party or was provided to ICANN pursuant to a nondisclosure agreement or nondisclosure provision within an agreement.
- Information that, if disclosed, would or would be likely to endanger the life, health, or safety of any individual or materially prejudice the administration of justice.
- Information subject to the attorney-client, attorney work product privilege, or any other applicable privilege, or disclosure of which might prejudice any internal, governmental, or legal investigation.
- Drafts of all correspondence, reports, documents, agreements, contracts, emails, or any other forms of communication that, if disclosed, could be harmful to an ongoing deliberative or decision-making process.
- Information that, if disclosed, could be harmful to the security and stability of the Internet, including the operation of the ICANN Managed Root Server or the Root Server System for which ICANN facilitates the coordination, or any changes, modifications, or additions to the root zone.
- Materials, including but not limited to, trade secrets, commercial and financial information, confidential business information, and internal policies and procedures, the disclosure of which could materially harm ICANN's financial or

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Trade secrets and commercial and financial information not publicly disclosed by ICANN (Internet Corporation for Assigned Names and Numbers).¶

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business interests or the commercial interests of its stakeholders who have those interests. Where the disclosure of documentary information depends upon prior approval from a third party, ICANN org will contact the third party to determine whether they would consent to the disclosure in accordance with the DIDP Response Process.

- Information requests: (i) which are not reasonable; (ii) which are excessive or overly burdensome; (iii) complying with which is not feasible; or (iv) are made with an abusive or vexatious purpose or by a vexatious or querulous individual.

Information that falls within any of the conditions set forth above may still be made public if ICANN determines, under the particular circumstances, that the public interest in disclosing the information outweighs the harm that may be caused by such disclosure.

ICANN shall not be required to create or compile summaries of any documented information and shall not be required to respond to requests seeking information that is already publicly available. ICANN may choose to, however, create new documentary information to make public in response to a request under this DIDP as ICANN deems feasible and necessary if there is little to no information available on the ICANN website.

Review of DIDP Responses

To the extent a requestor chooses to seek review of a response to a request pursuant to the DIDP, the requestor may follow the Reconsideration Request process or Independent Review Process, to the extent either is applicable, as set forth in Article 4 of the ICANN Bylaws, which can be found at <https://www.icann.org/resources/pages/governance/bylaws-en/#article4>.

DIDP Requests and Responses

Requests submitted under the DIDP and ICANN responses are available on the DIDP Requests and Responses webpage. NOTE: With the exception of personal email addresses, phone numbers and mailing addresses, DIDP Requests are otherwise published in full on ICANN's website, unless there are exceptional circumstances requiring further redaction, in accordance with the ICANN Privacy Policy.

Guidelines for the Publication of Board Briefing Materials

The publication of Board Briefing Materials on the Board Meetings webpage is guided by the application of the DIDP. The Guidelines for the Posting of Board Briefing Materials are available at <https://www.icann.org/resources/board-material/briefing-materials-guidelines-2019-12-20-en>.

Periodic Review

ICANN will review the DIDP Policy and the DIDP Response Process every five years.

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Request submitted under the DIDP and ICANN (Internet Corporation for Assigned Names and Numbers) responses are available here: [http://www.icann.org/en/about/transparency \(en/about/transparency\)](http://www.icann.org/en/about/transparency/en/about/transparency) ¶

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To submit a request, send an email to didp@icann.org.

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