

ICANN – CCNSO - DRDWG

Report (DRAFT) for September 23th, 2010 (14:00 UTC)

1. Present / apologies

Jaap Akkerhuis, expert invited by the Chair

Bart Boswinkel, ICANN

Becky Burr, NomCom appointee to the ccNSO Council

Kim Davies, ICANN

Keith Davidson, .nz (Chair)

Slobodan Markovic, .rs

Paulos Nyirenda, .mw

Kristina Nordström, ICANN

Patricio Poblete, .cl

Kathryn Reynolds, .ca

Nigel Roberts, .gg

Suzanne Sene, GAC (dropped off during the call due to electrical problems)

Dotty Sparks de Blanc, .vi

Bernard Turcotte, ICANN

2. Confirmation of last meeting report

2.1. Approved

3. Reports on open consultations and discussion

- 3.1. BT needs to investigate a few issues before closing the report.
- 3.2. BT needs to correct information on .YU retirement.
- 3.3. KDavies confirmed that there was no further public information on the administrative redelegation of .PR.
- 3.4. Final report will be available for September 30th meeting of the WG.
- 3.5. BB noted that as per ICANN requirements staff will have to post a final report on the consultation which should be done the week of September 27th.
- 3.6. KDavidson noted that while in Vilnius for the (what conference?) many people approached him and were complimentary on the public consultation document.

4. Draft retirement report and discussions

- 4.1. There was general support for the format of the document and its content
- 4.2. There were no objections to the recommendations in section 3.
- 4.3. The following are the comments and requests made from the WG during the review of the document:
 - 4.3.1. KDavies noted that RFC1591 stipulates that only active ISO3166-1 entries can be ccTLDs and as such implicitly provides grounds for retiring those that are no longer active. (BT - done in V03)
 - 4.3.2. KDavies confirmed that discussions are still ongoing with respect to the retirement of .SU. (BT - no action required)
 - 4.3.3. KDavies advised that he would post a few items on the retirement of ccTLDs on the mailing list (included in Annex A and B). (BT- useful elements included in the report)

– done in V03).

4.3.4. SM requested that the same corrections requested for the public consultation report with regards to the .YU situation be applied to the retirement report and noted that it was important to ensure that there was a clear and transparent process with predictable dates and outcomes for the retirement of ccTLDs. (BT – done in V03).

4.3.5. KDavidson requested that PD Thrush be identified as an ICANN Director in the quote referring to him. (BT – done in V03)

4.3.6. BB noted that the ICANN Board Resolution on extending the .YU period needed to be included (Annex C). (BT - done in V03)

4.4. BT noted that he would update the report for the September 30th WG meeting.

5. Update on EL / Bill Semich / Nigel Roberts issues

5.1. NR noted that he was satisfied that his concerns had been addressed by BT in the most recent documents.

5.2. BT noted that EL had written to him supporting the current approach and process.

5.3. KDavidson noted that this should be on the September 30th agenda in the hopes that EL and BS will be present to close off this discussion.

6. Other business

6.1. No other business

7. Confirmation of future meetings:

7.1. Please note the duration and items have been updated to reflect the progress made at this meeting.

7.2. The next meeting is next week September 30th and will again be a 14:00UTC.

- September 30 (14:00 UTC for 1.5 hours)
 - Review final Public Consultation Report
 - Complete Retirement report and discussion
 - Delegation report and discussion

- October 14th (22:00 UTC, for 2.0 hours)
 - Review final report on retirement
 - Complete Delegation report and discussion
 - Redelegation report discussion.

- October 28th (06:00 UTC, for 2.0 hours)
 - Review final report on Delegation
 - Complete redelegation report discussion
 - Un-approved redelegation report discussion

- November 11th (14:00 UTC, for 2.0 hours)
 - Review final report on reelegation
 - Complete Redelegation report and discussion
 - Complete Un-approved redelegation report discussion

- November 25th (22:00 UTC, for 2.0 hours)
 - Review final report on un-approved Redelegation.

- ICANN Cartagena meeting December 5-10
 - Review final report on un-approved redelegation

Annex A – Submissions by K. Davies.

Hi folks,

This may be useful as a little additional background, following our discussion on ccTLD retirement on today's call. It is a small snippet from something I wrote a couple of years ago that never went anywhere, that briefly summarises the retirement issue. I've touched it up a little since then. Purely my own, unratified work so feel free to beat me up if you think it is off base. I'm looking at you Nigel. :)

kim

==

Valid country-code top-level domains derive their legitimacy from the ISO 3166-1 standard. As new countries are created, their respective country codes are added to this standard, and thus become eligible to be delegated as a country-code top-level domain. Similarly, as countries cease to exist, they are retired from this standard, and their domains are consequently expected to conclude operations and be replaced with their successor country codes. There is a lack of process and clarity as to the expectations and requirements on country-code operators to undertake the latter, and a lack of graduated enforcement options for ICANN.

The basis for the existence of a country-code top-level domain is the relevant two-letter code's existence in the ISO 3166-1 standard as a two-letter "alpha-2" code. RFC 1591 is clear on the matter:

The IANA is not in the business of deciding what is and what is not a country. The selection of the ISO 3166[31] list as a basis for country code top-level domain names was

made with the knowledge that ISO has a procedure for determining which entities should be and should not be on that list.

This is a principle that is still maintained today. By deferring to ISO 3166-1 as the arbiter of what is a valid country and country code, ICANN is not called on to be in the difficult position of recognising countries.[32]

Countries and territories with a corresponding entry in the ISO 3166-1 standard have a presumptive right in principle to apply to ICANN for delegation subject to the regular delegation requirements. This presumptive right to a specific TLD is a key difference between country-code top-level domains and all other top-level domains.

The ISO 3166-1 standard itself is maintained by the “ISO 3166 Maintenance Agency”, a function of the ISO organisation. This organisation is comprised of a staffed secretariat, and ten organisations[33] that provide advice on changes.

While additions of country-codes based upon listing in the ISO 3166-1 standard is a widely accepted principle, it is often asked why exceptions shouldn't be made for retired country-codes. However, the issues involved relating to country recognition are the same for retirement as for creation — by diverging from the standard, ICANN would be implicitly recognising pseudo-“countries”, in contravention of the RFC 1591 principle[34].

Another issue relating to standards divergence is the risk of collisions within the ISO 3166-1 name space. If a retired code is re-assigned by the ISO 3166 Maintenance Agency for a new country, its use by another country not officially in the ISO 3166-1 standard would deprive a new country of their own code to use. It is only by adhering to the standard that these collisions avoided in the long term. This is not an entirely academic concern — the code “CS” was used by Czechoslovakia, and after retirement was recycled for use by “Serbia and Montenegro”[35]. At that time, a 5-year period was given before a

code could be recycled. In 2007, this recycling period was altered to be 50 years.[36]

However, the risk of collision with other country codes is not the only, or indeed the primary, problem of non-retired country-code top-level domains. The principle driver for resolving the status of these domains relates to a void in the governance structure for the domain.

As noted earlier, the operators of ccTLDs are given wide latitude to operate their domains free from formal oversight by ICANN and its processes, because they have oversight within their own countries. Without a formal country existing for a country-code domain for a non-existent state, this oversight has evaporated and the domain is effectively ungoverned. It is not at all clear what the local Internet community is, how it can oversee the domain, or what the relevant local law and local government is[37]. In effect, the governance mechanisms intrinsic to ccTLDs to keep them in check no longer exist.

So, it logically follows that as does the right for a domain to be created be derived from the ISO standard, so too does the requirement that if an entity cease to exist in that standard, its matching domain needs to be retired.

At present there is no formal procedure for this retirement other than an implied inverse of the delegation procedure. Based on the proposition that upon assignment of a new country code, an appropriate trustee supported by the community brings a new country-code top-level domain into an orderly existence; it therefore holds that when a country code is revoked, it is similarly expected that the responsible trustee will perform an orderly decommissioning of the domain in an appropriate amount of time. At the conclusion of the winding-down of the domain, a root zone change request would be transmitted to IANA to implement. However, the lack of explicitness of the framework for this to be achieved has resulted in operational difficulties and ambiguity to the wider community[38].

To address this vacuum in part, through their decision making the ICANN Board has indicated that domains should be retired swiftly. In the most recent case, delegated successor country code domains contingent on a timely wind-down of the predecessor

country-code. In delegating .ME and .RS to new operators, the ICANN Board passed the following resolution on 11 September 2007:

Whereas, the .YU top-level domain is currently used by the citizens of both Serbia and Montenegro,

Whereas, ICANN has delegated the .RS domain for use in Serbia, and the .ME domain for use in Montenegro,

Whereas, the ISO 3166-1 standard has removed the “YU” code, and the ISO 3166 Maintenance Agency recommends its use be discontinued,

Whereas, ICANN is not responsible for deciding what is or is not a country, and adheres to the ISO 3166-1 standard for guidance on when to add, modify and remove country-code top-level domains,

Whereas, there is a transition plan to move registrations in .YU to the new domains .RS and .ME, with the operator of .RS acting as the temporary caretaker of .YU until the transition is complete,

Resolved (07.77), that the .YU domain be redelegated to the Serbian National Registry of Internet Domain Names in a temporary caretaker capacity.

Resolved (07.78), that the Serbian National Registry of Internet Domain Names be instructed to report their progress on decommissioning the .YU domain every six months to ICANN against a relevant set of metrics.

Resolved (07.79), that the Serbian National Registry of Internet Domain Names, and the

Government of Montenegro, work to complete the transition from the .YU domain to the .RS and .ME domains, so that it may be removed from the DNS root zone no later than 30 September 2009.

In this case, the ICANN Board granted a two-year transition period with reporting obligations to the operators of .RS to gracefully retire .YU, in order to ensure a timely wind-down of the domain.[39]

—

[31] In 1994, when RFC 1591 was published, what is the ISO 3166-1 standard today was simply ISO 3166. The standard was supplemented in 1998 with additional elements: ISO 3166-2 detailing codes for sub-national entities; and ISO 3166-3 detailing codes for former countries. The scope of two-letter country codes is therefore limited to ISO 3166-1 today, rather than the entire suite.

[32] ICANN frequently receives delegation requests for entities such as Kosovo, Kurdistan and Somaliland, but can (as at mid-2009) absolutely reject them by exhibiting strict adherence to ISO 3166-1. An ICANN Blog post on this topic is at <http://blog.icann.org/?p=357>

[33] http://www.iso.org/iso/country_codes/background_on_iso_3166/members_of_iso_3166_ma.htm. ICANN is one of the ten organisations but to date has treated it as an observer role and does not exercise its vote on decisions relating to creation or removal of country codes.

[34] ICANN has made one clarification which resulted in one ccTLD being delegated that is not in the ISO 3166-1 standard. The rulemaking in the ICANN Board's 25 September 2000 meeting allows for "alpha-2 codes not on the ISO 3166-1 list ... only in cases where the ISO 3166 Maintenance Agency, on its exceptional reservation list, has issued a reservation of the code that covers any application of ISO 3166-1 that needs a coded representation in the name of the country or territory involve". Only one successful delegation has been applied for under this rule — EU.

[35] .CS was never delegated for Serbia and Montenegro by ICANN. At the time of discussion to transition from the former Yugoslavian code .YU, it was recognised in the short-term a referendum would likely further split the country in two. This indeed

happened, and .ME and .RS were ultimately assigned for Montenegro and Serbia respectively.

[36] The Internet Architecture Board took issue with the short period of disuse before recycling, and wrote to ISO suggesting the 5 year period be changed to a “long period of time (such as 200 years)”. <http://www.iab.org/documents/correspondence/2003-09-25-iso-cs-code.html>

[37] There may be some notion of a successor government that takes on the obligations of the former country, however this would likely not meet the definition of an appropriate governance structure except in specific cases where its borders and citizens were a direct match to the previous geopolitical entity, such as in the case where it is a country renaming and reconstituting but borders are not changed. Otherwise, the former local Internet community that is no longer in the new country would be disenfranchised.

[38] There is no framework for delegation, either, however there are a lot more historical case studies to glean precedents from.

[39] At the request of the .YU operators, this deadline was extended on 30 September 2009 for an additional six months, and the domain was subsequently removed from the DNS root zone on 1 April 2010.

Annex B – Additional submission by K. Davies on 2006 consultation on retirement of ccTLDs

<http://www.icann.org/en/announcements/announcement-2-05dec06.htm>

Discussion Paper on Retiring Country Code Top-Level Domains

5 December 2006

The Internet Assigned Numbers Authority (IANA), a function performed by ICANN in accordance with its obligations under contract with the U.S. Government, is responsible for the delegation of top-level domains in the DNS root.

IANA relies upon the ISO 3166-1 standard, and specifically the alpha-2 codes contained therein, for definition of two-letter codes that may be used for country-code top-level domains (ccTLDs). IANA allocates ccTLD operators based upon their ability to meet delegation criteria, which includes the ability to demonstrate local support, and technical competency requirements.

Whilst this practice is relatively straightforward for the establishment and ongoing operation of assigned codes, IANA has no formally defined process on how to decommission a country-code top-level domain when it is retired from the “officially assigned” state in the ISO 3166 database.

To date, in the case where a code has been replaced by one or more new codes, IANA has advised the relevant operators that the old code would need to be retired and that they should develop plans to do so¹. However, IANA has not aggressively pursued the affected

operators to conclude the decommissioning process.

IANA is seeking to review its practices associated with top-level domains which have been revoked from the officially assigned list, and more specifically, top-level domains which have been replaced by a new country code.

A select list of ISO 3166-1 alterations that help illustrate the dimension of the issue are:

1.

Zaire's ("ZR") renaming to the Democratic Republic of the Congo ("CD").

2.

The breakup of the Soviet Union resulting in the code "SU" being replaced with codes for the independent states, such as "RU", "BY", and "UA". Every former soviet state has a new code, which been allocated to an operator by IANA.

3.

East Timor's code changing from "TP" to "TL".

4.

Czechoslovakia's ("CS") division into the Czech Republic ("CZ") and Slovakia ("SK").

5.

The remaining components of Yugoslavia ("YU") becoming Serbia and Montenegro

("CS"). Following a referendum, in September 2006 Serbia and Montenegro further split into two independent identities Serbia ("RS") and Montenegro ("ME").

The ISO 3166 standard also has codes which are "exceptionally reserved", in essence meaning they are special allocations that may be used under certain circumstances. In that category, IANA presently has delegations for three of these codes:

*

The United Kingdom ("GB") have elected to use the exceptionally reserved code of UK as its primary ccTLD.

*

The European Union have been delegated the exceptionally reserved code of EU.

*

Ascension Island is delegated the exceptionally reserved code of AC.

Whilst IANA has overseen the successful transition of "ZR" to "CD", domains such as "SU" and "TP" still exist in the DNS root.

Some of the relevant issues to consider:

*

In the event a code is not revoked in a timely manner, there is a risk that its continued

use would deprive its new user of a valid country code should it be reallocated. This is highlighted by the case of "CS", which served Czechoslovakia, and later Serbia and Montenegro.

*

Broadly speaking, each country or autonomous territory has a single top-level domain at their disposal. It may be considered inequitable that certain countries have more than one such domain available. This is highlighted by East Timor (TP and TL) and the United Kingdom (GB and UK), although it should be noted that GB is effectively inactive.

*

The global policy surrounding the operation of ccTLDs heavily emphasises the role of the local Internet community, local government, and local law. Should a code represent an area that does not align to a present-day country, the matter of which government and law has jurisdiction becomes unclear.

With these issues in mind, we are seeking community input on how IANA should handle top-level domains that are no longer ordinarily assigned codes in the ISO-3166.

Guiding questions:

1.

Should IANA adhere to the ISO-3166 standard and remove top-level domains from the DNS root that become transitionally reserved (i.e. retired)?

2.

If so, by what process should this be conducted?

3.

What implementation timeframes for removal should be specified?

4.

If removal is test-based, what specific milestones should signify removal from the root zone?

5.

What pre-emptive right, if any, should existing operators have toward a new code that covers an area previously serviced (in whole, or in part) by another code?

6.

In the event there is more than one code for a particular country available for its use (e.g. GB and UK), what policy should govern their status?

IANA appreciates any and all comments on this issue. Responses either to the questions posed, or the issue in general, can be submitted by sending email to cctld-sunset-comments@icann.org. Comments will be viewable at <http://forum.icann.org/lists/cctld-sunset-comments>.

The comment period will be open until 31 January 2007. At the conclusion of this comment period, a staff report on the comments and a recommended operating procedure will be developed.

Further Reading:

*

ccTLD Database

<http://www.iana.org/cctld/cctld-whois.htm>

*

IANA Report on the Deletion of .zr Top-Level Domain

<http://www.iana.org/reports/zr-report-20jun01.htm>

*

ISO 3166-1 Decoding Table

http://www.iso.org/iso/en/prods-services/iso3166ma/02iso-3166-code-lists/iso_3166-1_decoding_table.html

Footnotes

1 The ICANN Board resolution to delegate .TL during its January 2005 meeting specifically calls for the migration of domains from .TP to .TL. ICANN made public statements during 2003 that the .SU domain would be decommissioned, with an estimated time-frame of one year. ICANN staff consultations have been conducted with other affected TLD operators.

NOTE FROM BT: Most of the comments received were about not decommissioning .SU.

Annex C – ICANN Board Minutes wrt extending the period for the decommissioning of .YU

<http://www.icann.org/en/minutes/prelim-report-30sep09.htm>

3. Status Update on .YU (Yugoslavia) domain

The Board received an update from Staff on the status of the decommissioning of the .YU top-level domain, the timeframe required for completion, and discussed potential ideas to provide structure to decommission needs in the future.

The Board then took the following action:

Whereas, the .YU top-level domain is being decommissioned after being superseded by the .RS and .ME domains for Serbia and Montenegro respectively,

Whereas, the Board resolved during its 11 September 2007 meeting that the .YU domain be decommissioned by 30 September 2009,

Whereas, the .YU domain's caretaker RNIDS has sought an extension of the deadline in order to better finalise the transition away from the .YU domain,

Resolved (2009.09.30.15), that the deadline for .YU domain decommissioning be extended to 30 March 2010,

Furthermore, whereas RNIDS has asked ICANN for better guidance for the future on how the process of retiring country-code top-level domains should be conducted, in the form of clear and transparent rules,

Whereas, the Board is aware that the ccNSO Council has established a working group to advise on whether to launch a policy development process to review the current policy on delegation, redelegation and retirement of country-code top-level domains,

Resolved (2009.09.30.16), that the ccNSO is asked to consider the RNIDS request on better supporting the process of retiring country-code top-level domains, and report back to the Board its findings.

All Board members present unanimously approved of these resolutions.