DRDWG

ICANN CARTAGENA MEETING
DECEMBER 2010

Presentation outline

- WG mandate
- Third Progress Report
- Final report on the retirement of ccTLDs
- Final report on the delegation of ccTLDs
- Final report on the re-delegation of ccTLDs with consent of the incumbent operator
- Roadmap to San Francisco and completion of the work of the DRDWG
- Links

Working Group Mandate

- Purpose
  - The purpose of the WG is to advise the ccNSO Council whether it should launch a policy development process to recommend changes to the current policy for delegation, re-delegation and retirement of ccTLDs
- Scope
  - The WG will consider the current policies relating to delegation, re-delegation and retirement of ccTLDs and report on any issues or matters of concern that it believes exist with these current policies. It will also consider possible solutions to any issues or matters of concern
  - The IANA functions contract between the US Government and ICANN, including any contract implementation issues or procedures relating to it, are considered outside the scope of this WG

Third Progress Report

- Update on WG progress since September 2010:
  - Summary of issues and recommendations for:
    - Final report on the retirement of ccTLDs
    - Final report on the delegation of ccTLDs
    - Final report on the re-delegation of ccTLDs with consent of the incumbent operator
  - Plan to complete the work of the WG for the San Francisco meeting

Final Report on the Retirement of ccTLDs

- Main issues:
  - There is no meaningful policy regarding the retirement of ccTLDs - the three instances of retirements seem insufficient to properly frame such a critical activity.
  - There is significant divergence between the approach to the retirement of .TP and .YU
  - Statement by Peter Dengate-Thrush regarding the 2007 .YU decisions.

Final Report on the Retirement of ccTLDs

- Main issues – continued:
  - The September 2009 Board minutes relating to extending the period for retiring the .YU ccTLD contain some relevant text:
    - "*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*"
  - The issue of what happens if the manager is not in agreement with retiring a ccTLD that is no longer listed as an active ISO3166-1 code is not addressed. Application of the practices appeared inconsistent when considering the .SU and .TP cases which have been removed from the active ISO3166-1 list for years

Final Report on the Retirement of ccTLDs

- Recommendation
  - The DRD WG recommends that the CCNSO undertake a PDP on the Retirement of ccTLDs

Final Report on the Delegation of ccTLDs

- Issues:
  - Failure to consistently follow established policies, processes and procedures
  - Lack of predictability in the application current rules and procedures to the delegation of ccTLDs
  - Applicability of ICP1
  - …no publicly documented process or procedure for updating IANA processes and procedures that apply to ccTLDs
  - IANA Reports need to be clear on what has been provided for community support, how it has been evaluated and if it meets the requirements or not
  - Inconsistencies in terminology

Final Report on the Delegation of ccTLDs

- Recommendations:
  - *The DRDWG have conducted research on the ICANN decisions relating to delegations and re-delegations of ccTLDs and believe the research highlights decisions made that contain elements of inconsistent application of policies, guidelines and procedures, and on occasions that ICANN decisions have been based on criteria not included in the relevant policies, guidelines and procedures. The decisions of the ICANN board should be logical and predictable*
  - *Although elements of this report support a recommendation for the ccNSO to undertake a PDP, this WG notes the considerable time requirement to develop a PDP along with the urgent need to provide clarification of various issues and procedures within ICANN, and therefore for reasons of expediency, efficiency, effectiveness and flexibility, recommends a two-step process to the ccNSO Council*

Final Report on the Delegation of ccTLDs

- Recommendations – continued:
  - *The DRDWG recommends that, as a first step, the ccNSO Council undertake the development of a "Framework of Interpretation" for the delegation of ccTLDs. This framework should provide a clear guide to IANA and the ICANN Board on interpretations of the current policies, guidelines and procedures relating to delegations of ccTLDs*
  - *The results of the use of such a Framework of Interpretation should be formally monitored and evaluated by the ccNSO council after a pre-determined period. If the results of this evaluation indicate that the Framework of Interpretation failed to provide logical and predictable outcomes in ICANN decision making, the ccNSO Council should then launch a PDP on the delegation of ccTLDs*

Final Report on the Re-delegation of ccTLDs with Consent of the Incumbent Operator

- Issues:
  - Lack of fair and consistent application of ICANN Bylaws applying to minutes of Board meetings
  - Failure to consistently follow established policies, processes and procedures
  - Lack of predictability in the application current rules and procedures to the re-delegation of ccTLDs
  - Applicability of ICP1

Final Report on the Re-delegation of ccTLDs with Consent of the Incumbent Operator

- Issues – continued:
  - There is no publicly documented process or procedure for updating IANA processes and procedures that apply to ccTLDs.
  - Interpretation of "*consent*", by IANAs own admission, is highly variable depending on a number of factors including culture and the immediate physical security of the ccTLD manager.
  - Definition required for what constitutes "*significantly interested parties*" and "*community support*"

Final Report on the Re-delegation of ccTLDs with Consent of the Incumbent Operator

- Recommendations:
  - *The DRDWG have conducted research on the ICANN decisions relating to delegations and re-delegations of ccTLDs and believe the research highlights decisions made that contain elements of inconsistent application of policies, guidelines and procedures, and on occasions that ICANN decisions have been based on criteria not included in the relevant policies, guidelines and procedures. The decisions of the ICANN board should be logical and predictable*
  - *Although elements of this report support a recommendation for the ccNSO to undertake a PDP, this WG notes the considerable time requirement to develop a PDP along with the urgent need to provide clarification of various issues and procedures within ICANN, and therefore for reasons of expediency, efficiency, effectiveness and flexibility, recommends a two-step process to the ccNSO Council*

Final Report on the Re-delegation of ccTLDs with Consent of the Incumbent Operator

- Recommendations – continued:
  - *The DRDWG recommends that, as a first step, the ccNSO Council undertake the development of a "Framework of Interpretation" for the re-delegation of ccTLDs. This framework should provide a clear guide to IANA and the ICANN Board on interpretations of the current policies, guidelines and procedures relating to re-delegations of ccTLDs*
  - *The results of the use of such a Framework of Interpretation should be formally monitored and evaluated by the ccNSO council after a pre-determined period. If the results of this evaluation indicate that the Framework of Interpretation failed to provide logical and predictable outcomes in ICANN decision making, the ccNSO Council should then launch a PDP on the re-delegation of ccTLDs*

Roadmap to San Francisco and completion of the work of the DRDWG

- Complete final report on the "*Re-delegation of ccTLDs without the consent of the incumbent operator*" early in 2011
- Integrate results of the public consultations on the final reports
- Produce a final integrated report for a full public consultation during Q1, 2011
- Present the final integrated report at the ICANN meeting in San Francisco in March 2011

Links

- Third Progress Report:
  - http://ccnso.icann.org/workinggroups/drdwg.htm
- Retirement Report:
  - http://forum.icann.org/lists/drdwg-retirement/
- Delegation Report:
  - http://forum.icann.org/lists/drdwg-del/
- Re-delegation with consent of the incumbent operator Report:
  - http://forum.icann.org/lists/drdwg-redel/
- Feedback email addresses included in the 3 above reports. Any other issues please address keith@internetnz.net.nz