

GAC ccTLD Principles

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Geneva, 3-4 March 2003

Who are the GAC?

- 75+ Member Governments
 - International & Regional organisations
 - Chair - Mohamed Sharil Tarmizi (Malaysia)
 - Three Vice Chairs (Brazil, Kenya, Sweden)
 - Past Chair, Paul Twomey, Australia
 - Secretariat in Brussels (used to be in Canberra)
- <http://www.gac.icann.org>

What does GAC do?

- Governmental Advisory Committee to ICANN
- meets three times a year+teleconference and discussion list, e-mail
- Issues: gTLDs, ccTLDs, ADR, IPv6, Whois, IDN, DNS Security
- Methods: 1. Replies to ICANN's request
2. GAC Initiative

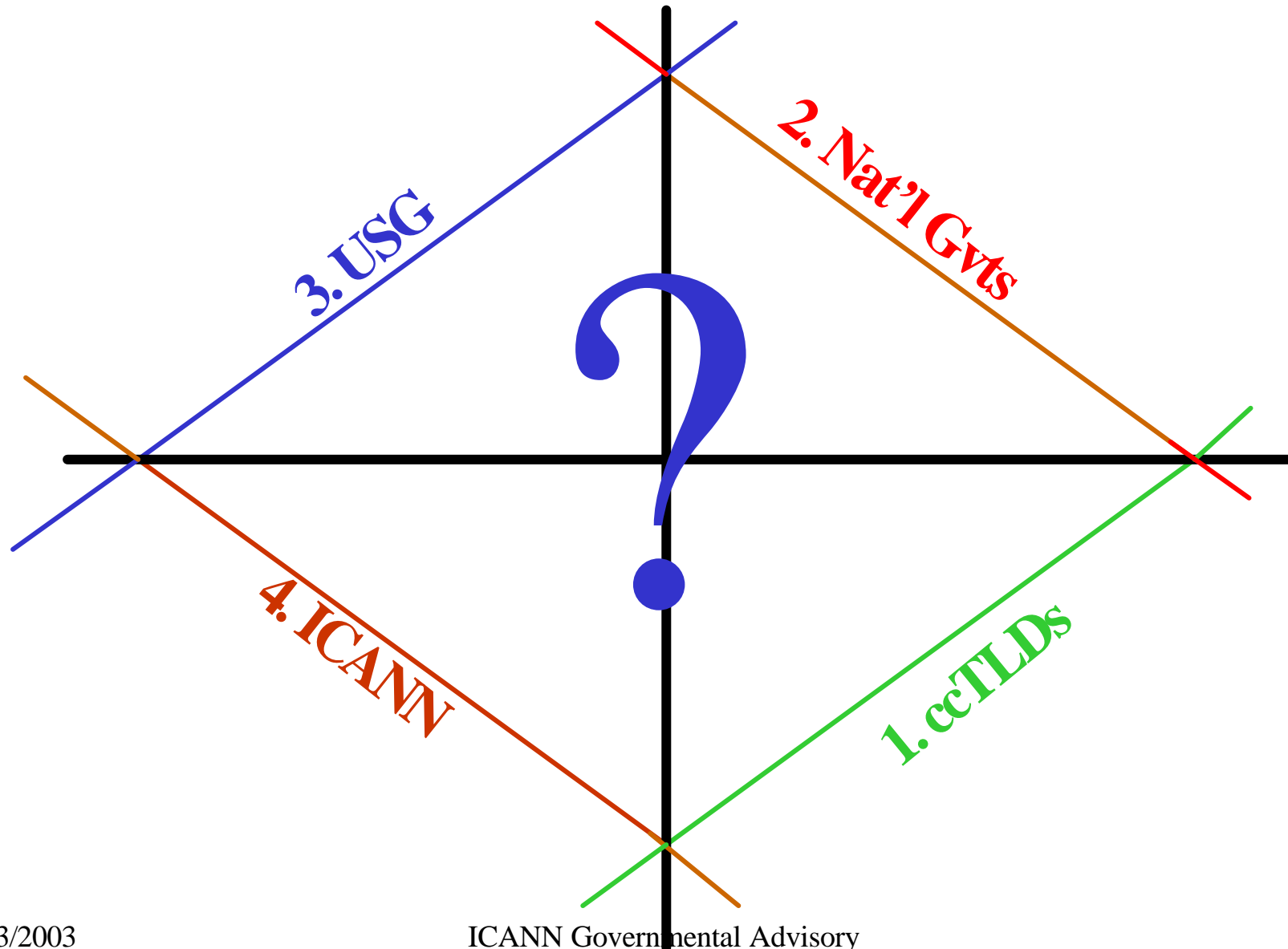
Introduction to GAC ccTLD Principles

- GAC Principles: negotiated solution to a complex problem;
- One year's work 1999-2000
- Different situations in different countries
- Flexibility implementing general principles
- Technical improvements possible, but
- The same interested parties are present
- So, do not expect radical changes.

Boundary Conditions (several parties)

1. ccTLDs
 - No arbitrary redelegation
 - IANA technical functions
2. National Government
 - Ultimate Responsibility
 - Economy and security
3. ICANN
 - Technical Stability, no liability
4. USG
 - Divest responsibility
 - No liability

Boundary conditions (2)



Today's agenda

About ccTLDs

Three interested Parties

Communication between the Parties

Delegation and re-delegation

GAC ccTLD Principles - Antecedents

- RFC 1591 - Jon Postel/IANA 1994
- ICP-1 - ICANN 1999
- ICANN request to GAC - 1999

GAC Santiago Communiqué, August 1999

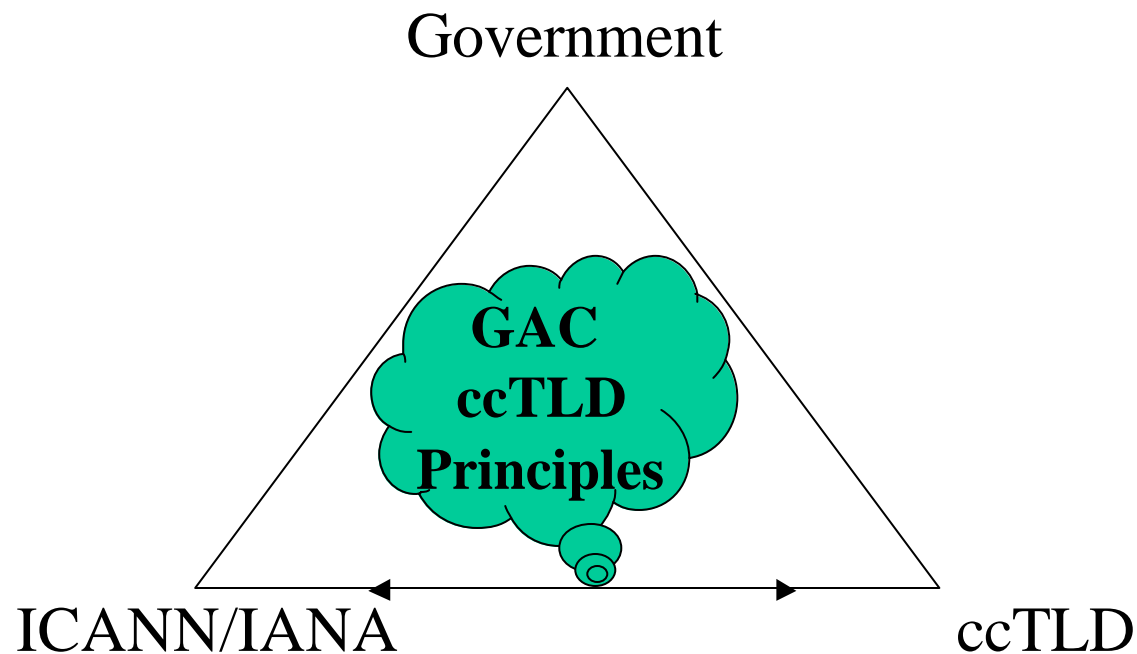
- TLDs are a public trust
- no IPR in the TLD itself
- Ultimate authority of the government

GAC ccTLD Principles - Background

- IANA issued Country Codes from 1980's
- ISO 3166-1 (not developed for this use)
- Virtually exhausted, few exceptions
- Many are *not* “countries”

GAC ccTLD Principles - Philosophy

Triangular relationship between
ICANN/Registry/Government



GAC ccTLD Principles - Terminology

- “Delegee” = Registry Manager
- “Delegation” = License or Concession
in the public interest
- “Communication” = Stable written
relationships

Today's agenda

About ccTLDs

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Three Interested Parties

1. Registry Manager
2. Government or Public Authority
3. ICANN / IANA

1. Registry Manager or “Delegee”

- Public Trust (“Local Internet Community”)
- No sub-licensing.
Operating sub-contract possible.
- No private IPR in the TLD
- Recognises ultimate public authority
- Cooperates with public authorities
- Resident or incorporated within jurisdiction

2. Government / public authority

- Ensures TLD administered in public interest
- responsible for public policy
- ensures fair conditions of competition
- Long term stability
- Registry a legal entity, not an individual

3. ICANN / IANA

- Fulfills IP and DNS technical functions
- Maintains IANA database
- Maintains the Root Zone files
- Keeps Records and audit trails
- Communicates changes in ICANN contact information

Today's agenda

About ccTLDs

Three interested Parties

Communication between the Parties

Delegation and re-delegation

GAC ccTLD Principles - The “Communications” 1. Between Government and ICANN

- Contact point in government
- contact details of Registry and term of delegation
- Registry abides by agreed relations with ICANN
- ICANN protects national interests in geographical terms.

GAC ccTLD Principles - The “Communications” 2. Between Government and Registry(1)

- TLD operated the in the interest of local and global Internet community (public trust)
- Recognition of ultimate authority of the government or public authority;
conforms to local and international law
- Transfer of data to successor entity if any;
no IPR rights in the TLD
- Dispute resolution procedures

GAC ccTLD Principles - The “Communications” 2. Between Government and Registry (2)

- Term, performance, review and revocation process, if necessary
- Conform to ICANN developed policies
- Additional ARD rules for open ccTLDs
- Irrespective of place of incorporation
- Conditions for technical sub-contracting

GAC ccTLD Principles - The “Communications”

3. Between ICANN and Registry (1)

- ICANN fulfils its technical functions
- Registry maintains the ccTLD name-servers
- Availability of zone file and registration data
(not controversial at the time!)
- Communicates changes in contact information
- Safety and Security of databases
(escrow, mirror sites etc.)

GAC ccTLD Principles - The “Communications” 3. Between ICANN and Registry (2)

Abide by ICANN developed policies for:

- interoperability
- operational performance
- Whois
- payment of contributions to ICANN

In case of re-delegation:

- ensure transfer of data to replacement entity

Today's agenda

About ccTLDs

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Communication between the Parties

Delegation and re-delegation

Delegation and Re-delegation (1)

1. ICANN should re-delegate if notified by Government concerned that:
 - Registry contravenes agreement
 - term of the agreement expires
 - loses support of local Internet community
 - threatens stability of the Internet
 - re-delegate to entity designated by government

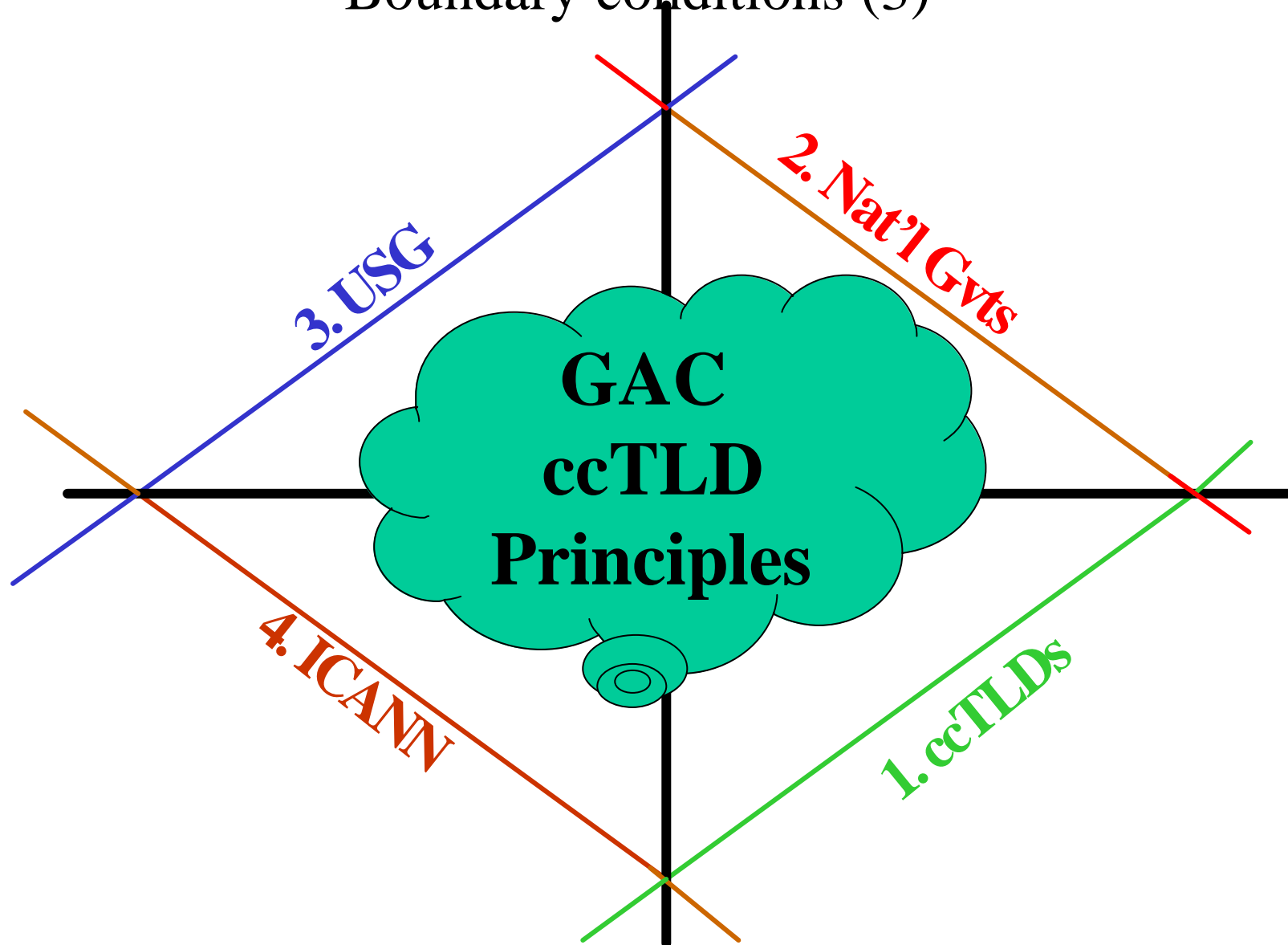
Delegation and Re-delegation (2)

“ 7.5 Delegees should enjoy, in the execution of their responsibilities, the appropriate rights under applicable law, and should not be subject to discriminatory or arbitrary practices, policies or procedures from ICANN or the relevant government or public authority. In the event of a reassignment of delegation, registrants in the ccTLD should be afforded continued name resolution, or a reasonable period in which to transfer to another TLD.”

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Boundary conditions (3)



Conclusions

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- One year's work 1999-2000
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