

# **Registrar Constituency Position on Proposed IDN ccTLD Fast Track Implementation Plan**

**January 7, 2008**

## **BACKGROUND**

In November 2008, the members of the Registrar Constituency (“RC”) were asked to provide feedback regarding ICANN’s Proposed IDN ccTLD Fast Track Implementation Plan (“IDN ccTLD Plan”). This Position Paper captures the overall sentiment expressed by the RC members who provided feedback about this matter and seems to reflect the general sense of the RC.<sup>1</sup> However, due to time constraints, no formal vote regarding this Position Paper was taken.

## **RC POSITION**

The RC supports the introduction of IDN ccTLDs. The RC believes that the introduction of new IDN ccTLDs will have a positive effect on the global ICANN community. Accordingly, after reviewing the IDN ccTLD Plan, RC members have raised a variety of concerns.

### **1. IDN ccTLD Applicants Should Be Responsible For Costs.**

The RC recognizes that ICANN is committing significant resources to the IDN ccTLD initiative, and the RC shares ICANN’s commitment to seeing the IDN ccTLD process succeed. The RC notes, however, that the IDN ccTLD Plan does not yet specify appropriate financial contributions from IDN ccTLD applicants or operators. Accordingly, the RC is concerned about other ICANN community members being unfairly burdened with paying for implementation costs associated with IDN ccTLDs.

For example, reviewing and processing IDN ccTLD applications will consume ICANN resources. In the RC’s view, IDN ccTLD applicants should be responsible for paying ICANN’s costs associated with evaluating IDN ccTLD applications, not unlike new gTLD applicants who are responsible for paying fees to cover ICANN’s costs for processing new gTLD applications. Similarly, IDN ccTLD operators should be responsible for paying a minimum annual fee that is equal to ICANN’s costs associated with maintaining the IDN ccTLD.

The RC recognizes that not all countries possess equivalent financial resources. In light of this fact, the RC suggests that the ccNSO consider a funding model that recognizes differences in the ability to pay between developing versus developed countries, so that the adopted funding model covers the total costs to ICANN for introducing new IDN ccTLDs.

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<sup>1</sup> Although this Position Paper seems to reflect the general sense of the RC, during discussions one RC member objected to it.

2. IDN ccTLD Operators Should Have A Nexus With Registrants.

Registrants for a new IDN ccTLD must have a nexus with the country associated with that IDN ccTLD. In the alternative, a new IDN ccTLD that is intended for registration at the second level by registrants unconnected with a specific country should be applied for under the new gTLD process.

3. IDN ccTLDs Should Not Enter Root Before IDN gTLDs.

The RC is concerned about the possibility for unfair advantages being created based on the timing of IDN ccTLDs and IDN gTLDs entering root. In the RC's view, there should be no first to market advantage for either IDN. To eliminate the likelihood of first to market advantages, IDN ccTLDs should not enter root, whether through the Fast Track process or otherwise, before IDN gTLDs.

4. IDN ccTLD Operators Must Commit to IDNA Standards.

The RC notes that IDN ccTLD operators must adhere to the Internationalizing Domain Names in Applications ("IDNA") protocol to ensure the security, stability and resilience of the Domain Name System. Accordingly, IDN ccTLD operators should be required to commit to adhering to the current IDNA protocol as it exists today, along with adherence to updated versions of the IDNA protocol that may arise in the future.

ICANN should have a re-delegation process established for situations where an IDN ccTLD operator fails to comply with the protocol. Such a process could permit ICANN, under its terms and conditions for supporting the TLD in the root, to initiate a re-delegation process if the IDN ccTLD operator does not adhere to IDNA standards. The RC suggests that the ccNSO be responsible for developing an appropriate process to manage re-delegation in the event that an IDN ccTLD operator fails to comply with Internet standards in this area.

5. IDN ccTLD Operator Selection Criteria Should Be Consistent With New gTLDs.

In order to promote competition and fairness, the technical, operational and financial criteria set for the selection of an IDN ccTLD operator should be consistent with the criteria established for new gTLD operators. Eligibility to apply to become an operator should have criteria similar to the new gTLD process. Additionally, approved IDN ccTLD operators should be from the relevant territory or be supported by the local sovereign government, local Internet business, or local user community.

6. The Term "Operator" Should Be Clarified Where Necessary.

The IDN ccTLD Plan uses the term "Operator" to refer to multiple entities. For example, the term is used to refer to a "ccTLD Manager," which is the entity that has a relationship with ICANN (i.e. the entity listed in the IANA database). Additionally, the term is used

to refer to a "Registry Operator," which is the entity that is performing the technical functions.

Because the "Registry Operator" is not always the same entity as the "ccTLD Manager" the RC suggests that ICANN carefully draft the final version of the IDN ccTLD Plan to avoid language that may confusingly conflate these entities.

## **CONCLUSION**

The opinions expressed by the RC in this Position Paper should not be interpreted to reflect the individual opinion of any particular RC member.