

As requested at <http://www.icann.org/planning/consultation-stratplan-2008.htm>, the gTLD Registry Constituency (RyC) of the Generic Names Support Organization submits these comments to ICANN as part of the Initial Consultation for the June 2008 - July 2011 Strategic Plan. The comments are provided following each of the four questions asked.

1. What are the major factors that will affect the DNS over the next three to five years?

a. **The introduction of new TLDs** – It is quite likely that the process for introducing **new gTLDs** will be implemented in 2008; that process will eventually, if not at the same time, include **new IDN gTLDs**. It can also be expected that **IDN ccTLDs** will be introduced in 2008 or shortly thereafter. It is reasonable to predict that both of these happenings will result in significant changes in the size of the root zone file and in the use of domain names globally. While this will result in better meeting the needs of non-English speakers around the world, care must be taken to ensure that security and stability of the DNS will not be harmed and that new TLDs are introduced in a controlled manner.

First item mentioned in the registry constituency paper is introduction of new TLDs. How should ICANN configure itself to ensure the best implementation success? What is success? Timely, predictable, objectively measured process. Look at xxx: The process went on too long, and left many unhappy. There will be some profoundly offensive names applied for in the new gTLD process; there should be a quick process to reject these; for others, there should be an orderly and efficient process to get them into the root. One way ICANN could change is to staff the new gTLD process to the level necessary for success.

ICANN policy can appear to be driven by parties with specific interests. The GNSO review should include a look at eliminating any influence of special interests. For example, see the very strong statement by business constituency that primarily looks at intellectual property. Cybersquatting concerns, which are of course valid, may be inappropriately dominating others, for example. It is important that narrow interests don't delay the rapid completion of the new gTLD process.

There appears to be a convergence of new gTLDs proposal timing with the timing of IDN consideration. There is still a lot of work to do on IDNs and that it has to be done right. It may need to be done rapidly, but it must be done right. Preparation is important as well as setting appropriate expectations. Policy development of IDNs by the ccNSO should not delay the gTLD process.

b. **The growth in the frequency and sophistication of online cyber attacks** – ICANN's primary mission is to ensure the security and stability of the Internet infrastructure, a main component of which is the DNS. Malicious and unintended attacks on the DNS will continue to grow in number and complexity, affecting DNS and Internet service providers.

ICANN should not engage in content control. For example, ICANN should not have a content-oriented role in spam control. Spam is becoming a menace, and there might be solutions to it as a technical issue. SSAC is on the right track in looking at spam.

ICANN needs to encourage service providers to find a way to fend off phishing and other attacks. DNSSEC might also be a useful tool in the security arsenal.

Registrars have been formed that are associated with a lot of registrations generating spam. "Bad actor" registrars don't respond to registry requests for information and action. ICANN could put registrar agreements in place that address these issues, i.e. put in place the right legal framework to restrict "bad actor" behavior by registrars.

Over the next year, ICANN should make it a goal to enhance communication with the ISP community. Does ICANN have a way to notify ISPs of what is going on? Proactively engaging ISPs could be a way of ending problems quicker.

Over the last few months there has been an apparent increase in undesirable behaviors by some registrars. For example, there appear to be entities that are, in effect, leasing ICANN accreditation. These types of practices make abuse simpler.

There is real concern that the Internet community is approaching a breakdown in the email system with the high volume of fraudulent email.

One aspect of fixing this problem might be for registries to share information with ICANN regarding abuses so that ICANN can be more proactive in finding solutions.

2. What are the major issues facing ICANN over the next three to five years?

- a. **The uncontrolled spread of IDN.IDNs outside the root** – The internationalization of the DNS is proceeding at a pace that has outstripped ICANN's plans to deal with the issues raised by the use of IDNs. Throughout the world, domain names in the format IDN.IDN are being registered in ever-increasing numbers in a variety of scripts. These top-level domains are not in the ICANN administered root and are not presently globally operable. However, they are in such widespread use that they pose a risk to the fundamental concept that the Internet is and must continue to be globally interoperable. ICANN urgently needs a plan to ensure that the user demand for IDN.IDNs is met without fragmenting the Internet. The alternative is separate Internets, each in its own script.

In effect, China has implemented what amounts to an alternate root. A commercial operator in Israel is specifically implementing an alternate root. The Arabic-speaking world is also moving in this same direction. There is a real sense of urgency to make progress towards an implementable IDN policy, and production IDN implementations. ICANN's current activities don't yet address the level of urgency. On the other hand, some view that implementing IDN policy correctly is the most important thing. A key gTLD registry concern is that cc registries are not advantaged in the IDN TLD process.

The Arabic speaking community has recruited 22 cc's to participate in an IDN experiment. Magnitude of what they are doing is significant. Really extends beyond a test. This "test" effort may position this group to demand IDNs.

Creating a script table for Arabic-script languages is important, and there is a political reality that key players such as Middle East Arabic-speaking states and Iran may take preemptive action. This is important for ICANN to resolve.

- b. **The impact of the domain name secondary market** – The secondary market for Internet domain names has grown beyond anything envisioned by most people as

recently as several years ago. There are new uses of domain names, new business models and new ways to work around ICANN's policies and procedures. As a result, domain names are increasingly unavailable for their originally intended uses. In addition, there are new concerns about cybersquatting and the protection of intellectual property rights.

The secondary market has developed in a way that the DNS is being used in unforeseen ways...contrary to the best interest of the Internet users. Registries and registrars have a responsibility to be able to handle these problems. A key issue is the grace period. Use something like the PIR pricing to reduce improper registrations.

- c. **The Whois situation** - The Whois controversies have simply gone on too long. It should not have taken seven years to understand that there is no consensus on how to protect individual privacy. ICANN should adopt a plan looking forward to a compromise that maximizes protection of personal privacy while recognizing that there is a public interest in limited and controlled access to data by law enforcement and other qualified bodies.
- d. **Continual improvement to policy development processes** – ICANN has taken important steps to refine its policy development processes, but it still has a long way to go. It is critical that the completed and pending Supporting Organization and Advisory Committee reviews be used to achieve improvements in this area. Commissioning reviews is inadequate if there are no meaningful changes. Also, change should be viewed as a continuum, not as a routine to be performed every few years.

Note: Due to time constraints, the topics below were not discussed.

3. What are the most important issues for the ICANN community to discuss over the next three to five years?

a. **All of the above** – 1.a, 1.b, 2.a, 2.b, 2.c, 2.d.

b. **ICANN's mission versus community demands** - How does ICANN maintain a balance between its limited mission and ongoing demands for involvement outside of that mission? There are security and stability issues posed by the unchecked growth of fraudulent activities such as "phishing-pharming". ICANN should recognize that there may be areas where it can act within its mandate, and it should consider whether there are other venues where issues outside of ICANN's mandate can be handled (e.g., spam and consumer protection).

4. What should be ICANN's priorities for the next three years?

a. **Security and stability of the Internet** should always be the #1 priority.

b. Providing a **ubiquitous IDN.IDN domain name experience** for as many non-English speakers as possible should be a high priority. This should include both **gTLD and ccTLD users**, without favoring either group. ICANN should take steps to minimize name confusion and ensure that dispute resolution processes are as simple as

possible.

- c. Significant improvements in policy development processes should be made in all ICANN supporting organizations and advisory committees separately and in their interaction with one another.