

IANA Report on Request for Redelegation of the .ca Top-Level Domain

IANA Report

Subject: Request of the Canadian Internet Registration Authority for Redelegation of .ca
Top-Level Domain

Date: 1 December 2000

The Internet Assigned Numbers Authority (the IANA), as part of the administrative functions associated with management of the domain-name system (DNS) root, is responsible for receiving requests for delegation and redelegation of top-level domains (TLDs), investigating the circumstances pertinent to those requests, and reporting on the requests. The IANA has received a request for redelegation of the .ca (Canada) country-code TLD (ccTLD). This report gives the findings and conclusions of the IANA on its investigation of that request.

Factual and Procedural Background

In May 1987, the University of Southern California's Information Sciences Institute (which then performed the IANA functions) approved a request for initial delegation of the .ca ccTLD. At that time and today, that two-letter code was and is set forth on the ISO 3166-1 list maintained by the ISO 3166 Maintenance Agency (ISO 3166/MA) <http://www.din.de/gremien/nas/nabd/iso3166ma/codlstp1/en_listp1.html> as the approved alpha-2 code for Canada.

The original delegation of the .ca ccTLD was made naming the University of British Columbia in Vancouver, British Columbia, Canada, as the sponsoring organization and John Demco of that university as both administrative and technical contact. Over the next decade, the .ca ccTLD was operated by Mr. Demco and a committee of dedicated volunteers across Canada. It is now used extensively by Internet users within Canada, with approximately 120,000 names registered under the .ca ccTLD as of 30 November 2000.

Although these volunteer efforts served the Canadian Internet community well for a full decade, by 1997 the growth of the Internet and electronic commerce caused the community to begin contemplating a change. Discussions that year at the Canadian Internet community's annual conference led to the formation of the Canadian Domain Names Consultation Committee to investigate transitioning the current management of the .ca ccTLD to a means of operation more appropriate to the requirements caused by the

evolving character of the Internet. Following a public consultation, the Committee recommended that a private-sector, not-for-profit corporation be set up to take over the administration of .ca. On 30 December 1998, the Canadian Internet Registration Authority (CIRA) was incorporated as a not-for-profit corporation with the intention of managing the .ca ccTLD in the public interest.

In an 11 March 1999 letter, the Government of Canada gave its recognition to CIRA as the appropriate administrator of the .ca ccTLD. This recognition, which was consistent with the Government of Canada's "Reform of the Domain Name System: Current Developments & Statement of Principles" <<http://e-com.ic.gc.ca/english/651d2.html>>, was based on the Government's expectation that CIRA would put in place an effective structure predicated upon:

- conducting CIRA's activities in an open and transparent manner that ensures wide public access to all relevant information;
- following fair and sound business practices;
- ensuring an appropriate balance of representation, accountability and diversity on the Board of Directors for all categories of stakeholders;
- applying for domain names being as quick and easy as applying for domain names in other top level domains, and priced competitively;
- reducing conflicts between persons granted domain names and other rights holders, including trade-marks or business names; and
- a system that facilitates and encourages entry for new players including registrars.

While strongly encouraging private-sector leadership in achieving these goals, the 11 March 1999 letter also pledged the Government's continuing advice and assistance in achieving these goals.

CIRA, the University of British Columbia, and the Government of Canada entered into an Umbrella Agreement as of 9 May 2000 that stated that "the .ca domain space should be developed as a key public resource for social and economic development for all Canadians." In the Umbrella Agreement, the Government of Canada designated CIRA to manage the .ca ccTLD in accordance with the principles and structure set out in the 11 March 1999 letter. CIRA and the University of British Columbia pledged to cooperate in orderly transition of the .ca ccTLD's management. The Agreement requires CIRA to manage, operate, and control the .ca ccTLD in accordance with the public-interest principles of the 11 March 1999 letter and any supplemental principles that are in the public interest and reasonable. The designation of CIRA continues indefinitely, subject to termination in the event that the Government of Canada reasonably determines that CIRA is unable to continue operating the .ca ccTLD in accordance with those principles. In the Agreement, CIRA confirmed that its stewardship over the .ca ccTLD does not give rise to property rights in CIRA to the .ca ccTLD and agreed, in the event transfer to a newly designated manager of the .ca ccTLD is necessary, to cooperate in that transfer.

After entry of the Umbrella Agreement, CIRA and the University of British Columbia began implementing an orderly, gradual transition to CIRA's management of the .ca ccTLD. CIRA has developed new policies for administration of the .ca ccTLD. Among those policies is a system for the provision of registration services by numerous, competitive registrars; Canadian Presence Requirements providing that registrants in the .ca ccTLD have a substantial, bona fide connection with Canada; and registration rules. CIRA is presently in

the process of developing, through an open consultation involving the Canadian Internet community, an alternative dispute-resolution mechanism for domain-name disputes in the .ca ccTLD. In October 2000, a CIRA-administered nameserver was added to the .ca nameserver constellation to permit the transfer to be conducted in a highly stable manner.

In a 10 October 2000 letter to Michael M. Roberts, President of the Internet Corporation for Assigned Names and Numbers (ICANN), the Government of Canada communicated that it was formally designating CIRA as the Government's designee to be the .ca delegee. The letter provided a designated point of contact within the Government of Canada. With the letter, the Government provided to ICANN copies of the 11 March 1999 letter and the 9 May 2000 Umbrella Agreement, setting forth the terms and conditions of the designation and requirements for CIRA's management of the delegation. Subsequently, the IANA has been provided with CIRA's contact details regarding CIRA.

In a 30 November 2000 letter to Mr. Roberts, CIRA requested redelegation of the .ca ccTLD effective 1 December 2000. In the letter, CIRA expressed its willingness to enter into a formal, legally binding agreement with ICANN that promotes the operation of the .ca ccTLD in a stable and secure manner; that ensures the safety and integrity of the registry database; that facilitates transfer of all relevant DNS data to a replacement delegee, if, for any reason, reassignment is necessary; that commits CIRA to complying with ICANN-developed policies that concern interoperability of the .ca ccTLD with other parts of the DNS and Internet, operational capabilities and performance of CIRA, and the obtaining and maintenance of (and public access to) accurate and up-to-date contact information for domain name registrants; and that provides for CIRA's contribution to ICANN's cost of operation in accordance with an equitable scale, based on ICANN's total funding requirements (including reserves), developed by ICANN on the basis of consensus.

Evaluation

This report is being provided under the contact for performance of the IANA function between the United States Government and ICANN. Under that contract, the IANA function that ICANN is responsible for performing includes:

- Administrative functions associated with root management. This function involves facilitation and coordination of the root zone of the domain name system. It includes . . . receiving delegation and redelegation requests, investigating the circumstances pertinent to those requests, and reporting on the requests. This function, however, does not include authorizing modifications, additions, or deletions to the root zone file or associated information that constitute delegation or redelegation of top-level domains. The [IANA contract does] not alter root system responsibilities defined in Amendment 11 of the Cooperative Agreement.

In acting on redelegation requests, the IANA currently follows the practices summarized in "Internet Domain Name System Structure and Delegation" (ICP-1). ICP-1 represents an update of the portions of RFC 1591 (which was issued in March 1994) dealing with ccTLDs, to reflect evolution of the policies followed by the IANA through May 1999.

In considering delegation or redelegation of a ccTLD, the IANA seeks input from persons concerned or affected by the transfer, particularly those within the nation or territory which

the ccTLD has been established to benefit.

The IANA's redelegation procedures recognize that, where the affected stakeholders can come to agreement about how a ccTLD should be operated, the result is often more satisfactory than that achieved where the parties cannot agree and the IANA is required to actively resolve the dispute. Here, the present ccTLD manager, John Demco of the University of British Columbia, and the proposed new manager, CIRA, have worked cooperatively to achieve a transition that is designed to promote an administration of the .ca ccTLD that meets the evolving needs of the Canadian Internet community as well as the global Internet community.

The Government of Canada has also expressed its support for the structure and principles underlying CIRA and for transfer of the responsibility for management of the .ca ccTLD to CIRA. As Dr Postel observed in ccTLD News Memo #1 and as reiterated in ICP-1, the views of the government of the affected nation or territory are taken very seriously in delegation and redelegation matters. As noted in the IANA Report on Request for Redelegation of the .pn Top-Level Domain, governmental views are particularly pertinent when the government is fulfilling its role of promoting management of the ccTLD in the public interest.

Here, the participation of the Government of Canada is especially significant. In their Umbrella Agreement, the Government and CIRA have crafted mechanisms that facilitate input from the Government, which has general responsibility within Canada for promoting the public interest and ultimately represents the interests of the people of Canada, while ensuring that CIRA enjoys, in the execution of its responsibilities, appropriate rights under applicable law. In particular, the Umbrella Agreement envisions private-sector leadership, with governmental guidance stated in broad, public-interest terms, and requires that any governmental action to replace CIRA be justified by substantial reasons. The Government of Canada, moreover, has recognized ICANN's primary responsibility for establishing, disseminating, and overseeing implementation of the technical standards and practices that relate to the operation of the global DNS.

CIRA, for its part, has not only entered into the Umbrella Agreement with the Government of Canada but has also committed to enter into an agreement with ICANN providing for operation of the .ca ccTLD in a manner that facilitates ICANN's performance of its global coordination responsibilities. CIRA's commitment provides the framework for a stable and appropriate agreement between ICANN and CIRA as contemplated by section V.C.6 of the Memorandum of Understanding between the United States Department of Commerce and ICANN, as amended by Amendment 2.

Conclusion

In sum, there has been broad stakeholder participation in CIRA's formation and its development of new registration policies for the .ca ccTLD. The proposed redelegation to CIRA has the clear support of the Canadian Internet community. The commitments of CIRA and the Government of Canada lay the basis for a set of legal relationships that will ensure that those two entities and ICANN can perform their respective responsibilities for stable operation of the .ca ccTLD in the interests of the Canadian and global Internet communities.

It is therefore the IANA's conclusion that the .ca top-level domain should be redelegated as requested by CIRA. ICANN and CIRA should promptly work toward reducing CIRA's commitments to a formal written agreement. As the Department of Commerce has recognized in Amendment 2, entry into and implementation of stable and appropriate agreements between ICANN and ccTLD managers is vital to achievement of the transition to private-sector technical management of the Internet envisioned by the White Paper. Accordingly, after conclusion of a CIRA-ICANN agreement providing for stable and appropriate relationships among CIRA, the Government of Canada, and ICANN, the Department of Commerce should establish revised procedures for maintenance of the .ca entry in the root zone file that enable ICANN to perform its obligations under its agreement with CIRA and that permit moving forward responsibly with the transition to private-sector technical management of the Internet.

Comments concerning the layout, construction and functionality of this site should be sent to webmaster@icann.org.

Page Updated 01-December-00

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