



**Comment on ccNSO PDP3:
Initial Proposals for
Process to Retire ccTLDs**

Status: FINAL

Version: 4

10-Jul-2020

Business Constituency Submission

GNSO//CSG//BC

Background

This document is the response of the ICANN Business Constituency (BC), from the perspective of business users and registrants, as defined in our Charter:

The mission of the Business Constituency is to ensure that ICANN policy positions are consistent with the development of an Internet that:

1. promotes end-user confidence because it is a safe place to conduct business
2. is competitive in the supply of registry and registrar and related services
3. is technically stable, secure and reliable.

BC Comment on the Proposed Policy for the Retirement of ccTLDs

The BC appreciates the opportunity to provide Comments on the draft Policy Proposal developed for the Retirement of ccTLDs and would like to commend the ccNSO council for initiating this process which is a third in the series of efforts aimed at developing policy from the constituency. The ccNSO Policy Development Process 3 working group has over a period of three (3) years done a tremendous job at developing Proposals for Retiring a ccTLD when the code is removed from the list of country codes in the ISO 3166 standard.

We believe that the intent and purpose of the policy proposals which is to provide clear and predictable guidance and to document a process that is orderly and reasonable up and to, but excluding, the removal of a ccTLD from the DNS Root Zone file can be achieved by this set proposal, where it becomes effective.

The BC commends the working group for creating mechanisms for testing its proposals and believe the 16 stress tests so far deployed are extensive but would recommend additional scenarios where the confidence in the process of retirement by end users are guaranteed and migration of critical data is properly archived and stored for historic/research purposes. The BC further suggests that ICANN/ccNSO be responsible for archiving the concerned ccTLD DNS data.

The BC however notes that the proposal and stress tests did not measure how Registrants' data and key National values resident on the retiring ccTLDs domain/servers would affect the retirement process especially in the light of multiple data privacy laws.

The BC recommends that the IFO should indicate in its Notice of Removal that the Registry should refrain from registering any new domain with validity beyond the proposed date of ccTLD retirement.

The BC notes that ICANN via its Board of Directors and the IFO are saddled with the responsibility of the removal of a ccTLD from the Root Zone, being the entity that performs the IANA Naming Functions with respect to ccTLDs. We therefore agree that it is the responsibility of the ICANN Board to review and ensure that the IFO (staff) has followed its procedures properly, before removing a ccTLD from the root zone. Indeed, a process of interest is the event that triggers the transmission of a Notice of Retirement (NoR) to ccTLD Manager or Retirement Contact by the IANA Function Officer (IFO). Though it is out of scope of the terms of reference of the Working Group but for information purpose, a link to the process would have been useful.

We would like to indicate that at the least, the decision of IFO should be driven by a mandatory periodic review of ISO 3166-1 Maintenance Agency (“ISO 3166/MA”) standard. The periodic review may be scheduled for once in a year or twice in a year at a possible interval of 6 months. This process would create a predictable process for the NoR to be triggered.

Finally, the report did not state if changes to the ICANN by-laws were envisaged considering the role of the IFO and the ICANN Board of Directors.

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This comment was drafted by Jimson Olufuye and Lawrence Olawale-Roberts.
It was approved in accord with our charter.