

auDA Name Policy Advisory Panel

NEW SECOND LEVEL DOMAINS IN THE AUSTRALIAN DOMAIN NAME SYSTEM

REPORT TO THE auDA BOARD

June 2001

1. INTRODUCTION

The final report of the auDA Name Policy Advisory Panel, recommending a number of changes to domain name policy, was accepted by the auDA Board in May 2001. The report is located at <http://www.auda.org.au/panel/name/papers/finalreport.html>. The changes proposed by the Panel will be introduced by auDA later in 2001.

The auDA Board also gave to the Panel the task of seeking comments and making proposals relating to NEW NAMES – that is, new Australian second level domains (2LDs), including proposals relating to the existing Australian 2LDs.

The Panel released a public discussion paper on new 2LDs in May 2001. The paper is located at <http://www.auda.org.au/panel/name/papers/new2LDs.html>. The Panel received 16 submissions in response to this paper. The recommendations contained in this report reflect the outcomes of this consultation, and also draw on public comments on the Panel's earlier reports, as well as the Panel's own deliberations.

In its public discussion paper on new 2LDs, the Panel aimed to canvas public opinion on five matters:

1. Criteria for use in considering new 2LDs and changes to current 2LDs.
2. Changes to the existing 2LDs.
3. Introduction of new 2LDs, if any.
4. The Australian response to the new international TLDs.
5. The most appropriate process to be used to select new 2LDs.

This report to the auDA Board first considers the process for creation of new 2LDs, and then makes some recommendations relating to specific 2LDs.

2. PROCESS FOR CONSIDERING NEW 2LDS

Recommendation 2.1:

The Panel recommends that new 2LDs be selected through a process by which auDA will issue an open call for proposals.

It is proposed that auDA would issue an invitation (or invitations) to submit proposals for the creation of new 2LDs.

Such proposals should state:

1. The reason for proposing a new 2LD, in terms of the criteria set out in Recommendation 2.2 below, and the reason why the purposes of the new 2LD are not met adequately by the existing domain name system (DNS).
2. The eligibility criteria which would apply to the new 2LD. Proponents must assume that general eligibility rules as set out in the final report of the Name Panel would apply to all new open 2LDs.
3. A description of the new 2LD which is sufficiently detailed to differentiate it clearly from existing 2LDs (or align it with an existing 2LD if that is its purpose). The proposal must indicate the relationship of the new 2LD to other 2LDs, including the extent to which there is any overlap in purpose.
4. Examples and suggestions as to possible names for the new 2LD – the choice of an actual 2LD name might be left to auDA.
5. Indication of what other rules might apply to the new 2LD.

The following should also be considered as elements in the process:

- Proposals should be non-binding on both the proponent and auDA.
- The process should be open, so that any Australian will have the right to submit a proposal for a new 2LD, without having to pay an 'entry' fee.
- The process might involve several iterative phases before final decision by auDA.
- The proponent would have no proprietary rights in the proposal, and would be required to declare any pecuniary interest in it.

Recommendation 2.2:

The Panel recommends that the following criteria be used in evaluating and determining appropriate new 2LDs.

The Panel has considered criteria which distinguish a good DNS. The ten 'essential attributes' identified by the Panel were listed in its final report in April, and have been provided at Attachment A. These attributes are intended to set the consideration of new 2LDs within a broad policy context.

In determining whether a new 2LD should be adopted, the following specific criteria are recommended in particular:

- A category of existing or potential domain name users is not well served by the existing 2LD structure. In this circumstance, a 2LD might be created to serve the needs of a community of interest not well served now, or the rules for an existing 2LD might be clarified or changed to meet such needs.

- ❑ The proposed 2LD is robust, sustainable and viable. This encompasses notions of community support and DNS integrity, as well as commercial viability. There should be a clear threshold of support before a new 2LD is created.
- ❑ The proposed 2LD enhances competition.
- ❑ The proposed 2LD widens the range of choices available to domain name users. For example, the proposed 2LD might improve the ability of registrants to use a more 'desirable' or 'appropriate' domain name.

The Panel notes that criteria may differ for different types of 2LDs – for example, the criteria for community-focused 2LDs may differ from the criteria for commercial 2LDs.

The Panel makes no recommendations regarding the manner in which auDA would assess proposals against these criteria, or weightings which would be applied. Nor does the Panel indicate any timing for calling for proposals, except to note below that some new 2LDs are considered by the Panel to be more urgent than others.

3. EXISTING 2LDS

Recommendation 3.1:

The Panel recommends that auDA draft a policy statement and rules in a uniform format for each of the existing Australian 2LDS.

The Panel recommends that auDA precede the introduction of competition by drafting a policy statement and rules in a uniform style for each of the existing 2LDS and any new 2LDS. These rules would incorporate the changes to domain name policy that have been recommended by the Panel, and other consultative processes accepted by the Board.

Recommendation 3.2:

The Panel recommends that the rules drafted for id.au should permit the licensing of domain names directly under id.au.

Many of the comments made throughout the Panel's three public consultations related to the importance of a flexible, straightforward and attractive Australian 2LD for personal names. Further comments have noted the importance of creating an Australian personal names domain to coincide as much as possible with the introduction of a global TLD for personal names (.name), and the growing demand for personal addressing.

The Panel's recommendation is based on a common perception that the current personal 2LD, id.au, has not proven attractive to Australians because it is too cumbersome (ie. 4LDs are not as attractive as 3LDs, and longer names not as attractive as shorter names). Restructuring id.au to permit 3LD registrations should overcome these problems.

The Panel notes that there is likely to be a need for transitional arrangements to ensure that existing rights of the id.au sub-delegates and registrants are taken into account.

Recommendation 3.3:

The Panel recommends that auDA undertake a public review of conf.au and info.au, to determine their role in the Australian DNS.

The Panel notes that the conf.au and info.au 2LDS are not being used for a variety of reasons, the main one being lack of public awareness. The Panel's view is that these domains are potentially very useful and should be separately reviewed by auDA to determine their role in the Australian DNS.

For example, the Panel notes that the original 'short duration' purpose of conf.au has changed through practical experience (ie. the need for the domain name continues beyond the date of the conference, as a natural place to record proceedings and associated published papers).

The Panel suggests that registrations in conf.au and info.au be suspended pending the outcome of the review.

The Panel provides no further recommendations in relation to the other existing open 2LDS – asn.au, com.au, net.au and org.au.

4. NEW 2LDS

Recommendation 4.1:

The Panel recommends that a new community-focused geographic 2LD or 2LDs should be given high priority in the process for selecting new 2LDs.

The Panel has considered several types of new 2LDs, listed in the discussion paper, which have been suggested at various stages in the consultative process. While the Panel concludes that there is, in most cases, no urgent need for the creation of new 2LDs or for a consultative process to consider their creation, the Panel considers that a high priority should be given to two types of name – geographic and personal. Personal domain names have been addressed under Recommendation 3.2.

The Panel received two substantial and considered submissions on the subject of geographic domain names, and there was evidence of considerable support for creation of a new 2LD or 2LDs to meet this need. The Panel considers that this is a priority issue for auDA in its further consideration of new 2LDs. However, the Panel cautions that proposals for new geographic 2LDs should be carefully considered and widely canvassed. In particular, it is critical that new geographic 2LDs are community-focused, not government-focused.

The Panel makes the following observations in relation to other types of new 2LDs. The comments below do not imply that the Panel recommends the adoption or rejection of any proposal for such 2LDs, should they be forthcoming if/when auDA issues an open call for proposals.

- ❑ Informal associations might be included within a revised definition of asn.au.
- ❑ There is no demonstrated need for an ‘open slather’ 2LD. The Panel considers that its recommendations to date already provide a great deal more flexibility in the DNS and a wider range of options. The Panel also notes that any open slather 2LD should nevertheless require adequate levels of proof of identity, to address law enforcement and consumer protection concerns.
- ❑ The gateways concept is complex and would need to be tested with an initial ‘proof of concept’. The Panel notes that a gateway is inherently a monopoly and would therefore raise competition policy issues.
- ❑ There does not appear to be a case for a new commercial 2LD at the moment, as the existing commercial 2LDs meet user needs adequately.
- ❑ Interest has been shown in a proposal to create additional 2LDs for industry groups and professional associations, which would enable them to issue domain names to their members.
- ❑ Ongoing international work on technical standards for mapping telephone numbers into the DNS precludes the consideration of a telephone 2LD at present.
- ❑ There is apparent support for an indigenous 2LD, and for the proposition that conceptual diversity in the DNS is important. However, this type of 2LD would require an initiative from indigenous groups.

Recommendation 4.2:

The Panel recommends that the new ICANN TLDs should not be accorded priority in the process for selecting new 2LDs.

The Panel has considered the seven planned new TLDs to be introduced by ICANN in 2001. The Panel considers that although alignment with the global domain space is an important consideration, it would not be in the best interests of the Australian DNS to automatically adopt the new TLDs.

Australia already has a 2LD for personal names that could be restructured to make it more attractive and easier to use (see Recommendation 3.2). The Panel sees no current need for an open slather 2LD like the planned .info TLD, although it does see a need to consider carefully what use is to be made, if any, of the existing info.au (see Recommendation 3.3). The Panel sees no need for a further commercial 2LD (like .biz) at this stage.

The Panel notes that some of the new TLDs (.aero, .coop, .museum and .pro) are intended to meet the needs of a specific community of interest. The Panel suggests that as part of the process for deciding on new 2LDs, auDA should consult with relevant Australian bodies in order to help assess user demand for this type of closed domain space.

TEN ESSENTIAL ATTRIBUTES OF A GOOD DNS

- 1 **Coherent.** A common set of principles, baseline policies and rules which apply to everyone across all 2LDs.
- 2 **Flexible.** Responsive to the different needs of different types of domains, and to changing environments.
- 3 **Competitive.** Protects domain users as the ultimate beneficiaries of a well-regulated system.
- 4 **Simple.** Clear and simple rules, applications simple to process.
- 5 **Robust.** Rules must be technically feasible and stable, and registry information should be reliable and publicly accessible.
- 6 **Consistent with other rights.** Including intellectual property rights of individuals and businesses.
- 7 **Internationally benchmarked.** Has regard to international standards and best practice, while also reflecting Australian community standards and identity.
- 8 **Participative.** Promotes self-regulation and stakeholder participation.
- 9 **Fair.** Promotes trust in the integrity of the system.
- 10 **Transparent.** Adequately addresses privacy and other consumer protection issues.