

Introduction:

This comment is a response of the ICANN Business Constituency (BC) on the call for response on the proposed recommended policy for the Retirement of country code Top-Level Domains (ccTLDs) and the 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.

Comment:

The BC thanks the Board, staff and ccNSO for an opportunity to provide comments on [the proposed policy for retirement of ccTLDs](#) and commend all community members that served on the PDP.

We note the following:

1. That the process of conducting Stress Test across various verticals and identifying 16 possible situations that could possibly affect the retirement of a ccTLD fully compliant with the policy process proposed for adoption has greatly improved the outcomes.
2. Various models apply to delegation and operations of ccTLDs, with some countries/Territories arranging for third party entities to administer the Country code. Some of those third parties might want to cut their losses by terminating their work, which might not enable a process that would protect registrants who need time and resources to transition their domains and brands. Nor would that enable a registrant to maintain their domain in the retiring ccTLD, even where they have a registration contract with a lease longer than the extended term of retirement.
3. In the case of a Country or Territory making a significant change in its name like Zaire (ZR) changed to the Democratic Republic of Congo (CD) in 1997, a third party operator with a contract or interest to keep maintaining the old Country code may seek to keep the old Country code running
4. The BC welcomes the Boards decision that in satisfying each of the 16 conditions highlighted in the Stress Test, there be a need to include a specific mechanism for the Transfer of a ccTLD after the Notice of Removal has been sent, to allow for an expedient and “administrative” Transfer that will ensure an orderly Retirement Process.
5. In the case where a request to transfer a Country code after a Retirement notice has been sent and for which no current policy addresses, the BC aligns with the Boards decision that specific mechanisms should be carefully developed for adoption by the community in the shortest time possible time to address this.
6. In our earlier comment, the BC suggested that “the IFO should include in its Notice of Removal a statement that the Registry should refrain from registering any new domain with validity beyond the proposed Date of Retirement”. Whilst the Interim Paper in Section 4.2, second

paragraph (page 6) – states that the IFO shall include with the Notice of Removal a document describing the reasonable requirements, the BC proposes that such notice be hardcoded in the “Reasonable Requirements Document”.

7. The BC also suggested that IFO should mandate a periodic review of the ISO 3166-1 MA standard to create a predictable process that triggers the Notice of Retirement. Section 3 (page 5). Section 4.2, first paragraph (page 6) - Once the IFO confirms that a ccTLD should be retired and has a Functional Manager, it shall promptly notify the Manager of the ccTLD that the ccTLD shall be removed from the Root Zone 5 years (“Default Retirement Date”) from the date of this notice (“Notice of Removal”) unless a Retirement Plan states otherwise.

Although the working group classifies this an operational issue and should not be part of the Policy. However, the IFO should ensure such reviews are mandated in the Retirement Plan to be developed by all parties.

This comment was drafted by Lawrence Olawale-Roberts.
It was approved in accord with our Charter.