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AT-LARGE ADVISORY COMMITTEE

ALAC Statement on the Expired Registration Recovery Policy

Introduction

By the Staff of ICANN

Alan Greenberg, ALAC member from the North-American Regional At-Large Organization (NARALO) and ALAC Liaison to the GNSO, composed an initial draft of this Statement after discussion of the topic within At-Large and on the Mailing Lists.

On 27 November 2012, this Statement was posted on the [At-Large Expired Registration Recovery Policy Workspace](#).

On that same day, Olivier Crépin-Leblond, Chair of the ALAC, requested ICANN Policy Staff in support of ALAC to send a call for comments on the draft Statement to all At-Large members via the [ALAC-Announce Mailing List](#).

On 30 November 2012, a version incorporating the comments received was posted and the Chair of the ALAC requested that Staff open a five-day ALAC ratification on the Statement.

On 7 December 2012, Staff confirmed that the online vote resulted in the ALAC endorsing the Statement with 14 votes in favor, 0 votes against, and 0 abstention. You may review the result independently under: <https://www.bigpulse.com/pollresults?code=2801Kfsij5gdHsCkWDGmS56F>

The Chair then requested that the Statement be transmitted to the Public Comment process, copying the ICANN Staff member responsible for this Public Comment topic.

[End of Introduction]

The original version of this document is the English text available at <http://www.atlarge.icann.org/correspondence>. Where a difference of interpretation exists or is perceived to exist between a non-English edition of this document and the original text, the original shall prevail.

ALAC Statement on the Expired Registration Recovery Policy

The PEDNR PDP recommended that information about renewal fees and how a registrar will contact a registrant should be readily made available on the registrar web site (Rec. 5 & 6). It was the clear intent of the recommendations that this apply to ALL registrants.

Paragraphs [4.1 and 4.2 of the ERRP](#) require, among other things, that if a registrar operates a web site, certain information must be clearly displayed there. Paragraphs 4.1.2 and 4.2.3 require that a reseller, if one is used, must similarly display this information.

It is the understanding of the ALAC that the belief within the PEDNR WG was that all provisions of the RAA that applied to registrars must be enforced by registrars on resellers (for those who use them). Since that has now [proven to be false](#) it is imperative that either sections 4.1.2 and 4.2.3 of the proposed ERRP not be omitted, or the ERRP wording otherwise be adjusted to ensure that it covers websites operated by resellers.

The ALAC understands that registrars might be reluctant to include terms that have not been fully vetted during the PDP process, but the two paragraphs in question are identical in impact to the existing 3.12.5 and should have no unforeseen consequences not already in the current RAA.

Without these two paragraphs, there is no obligation for a registrar to ensure that a reseller displays this information and a significant percentage of registrants, those who deal with resellers, may be deprived of this information. The access to this information that the PDP was attempting to ensure is no longer guaranteed, and the registrar, by subcontracting services to a reseller, has effectively been relieved from fulfilling these RAA obligations. This calls into question the value of the immense time and energy that the community puts into developing PDP Consensus Policy Recommendations and indeed the effectiveness of the entire RAA. Resellers are responsible for a large percentage of gTLD registrations, particularly those by individual users, and they should be afforded the FULL protection of their rights under the RAA.