Expedited Registry Security Request. (ERSR)

"The Expedited Registry Security Request (ERSR) has been developed to provide a process for gTLD registries who inform ICANN of a present or imminent security incident (hereinafter referred to as "Incident") to their TLD and/or the DNS to request a contractual waiver for actions it might take or has taken to mitigate or eliminate an Incident. A contractual waiver is an exemption from compliance with a specific provision of the Registry Agreement for the time period necessary to respond to the Incident. The ERSR has been designed to allow operational security to be maintained around an Incident while keeping relevant parties (e.g., ICANN, other affected providers, etc.) informed as appropriate."

In the wake of the worm "Conficker", (https://en.wikipedia.org/wiki/Conficker), it was realized that there were cases in which registries may desire to take reasonable action that would technically be a breach of contract.

In the case of Conficker this came to light in the form of registries wishing to block botnet command and control domain names by registering them and thus act as a registrar. At the time there was strict separation between the registry and registrar model.

The action was clearly desirable from the standpoint of security and the registries needed reassurance that they would not be penalized for their action.

It was also recognized that in the case of an imminent threat that even the few business days an ESRS case may take might be too slow.

"It is recognized that in some extraordinary instances registries may be required to take immediate action to prevent or address an Incident. In cases of such Incidents, registries should submit an ERSR as soon as possible so ICANN may respond with a retroactive wavier if appropriate."

The process that was developed is called ERSR.

https://www.icann.org/resources/pages/ersr-2012-02-25-en

This process has been used successfully multiple times and has demonstrated a flexibility in the ICANN systems to deal with emerging threats.

Key point for ICANN staff:

ICANN has a tried and tested mechanism to allow Registries to take necessary actions in the case of present or imminent security incidents and to supply contractual waivers where necessary.