

# IANA Retirement issues

(Draft notes)

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* Issues impacting how retirement process is to be conducted	1
* Lack of well defined expectations on how transition is to occur	2
* Largely rely on precedent, no requirements or best practice guidelines from the community, etc.	3 4
* Draw from experience in other areas (eg. telephone renumbering)	5
* Sometimes lack of consensus that retirement is required at all	6
* Retirement is a byproduct of adherence to ISO 3166-1 per RFC 1591, but is not explicitly addressed as its own topic in existing policies.	7 8
* Personnel can change over time during prolonged transition	9
* Parties in manager/registry/government etc. can move on and their replacements may be unfamiliar with the process, previous plans, etc.	10 11
* Process can stall and IANA or ICANN staff often informally reignite process only by performing extensive followup.	12 13
* Lack of clear communication during transition process	14
* Registrants under the domain may not be sufficiently educated as to the process, timeline etc.	15 16
* Blame often laid at ICANN because registry was not forthcoming that domain is due for phasing out.	17 18
* From registrants who feel the domain is expected to be permanent	19
* From those who want the domain to cease, and feel it needs to be done sooner	20
* IANA hasn't (to date) explicitly denoted status of domain eligibility (i.e. in the root zone database) but has not hidden that in presentations or when asked either.	21 22
* Lack of willingness to perform the transition	23
* The TLD manager may reject the notion they need to close down the domain even if the underlying ISO 3166-1 code is no longer assigned.	24 25

❖ TLD manager may not take even basic steps to limit future impact of retirement (i.e. stop new registrations under the TLD)	1 2
⊕ Lack of well defined checkpoints	3
❖ Board resolutions in recent cases have asked transition recipients to report routinely in their progress to flag progress and potential roadblocks	4 5
▪ In last two cases regular reporting was not forthcoming, both asked for relatively late extensions, Board granted short extension	6 7
⊕ Lack of consequence	8
❖ Fundamentally, a manager of a code removed from ISO 3166-1 may take no good faith steps to retire the domain, and there is no specific mechanism by which there could be sanction/penalty for doing so	9 10 11
▪ The ICANN Board has considered such steps but thus far no action has been taken.	12
⊕ Lack of clarity of linkage with subsequent delegations	13
❖ Almost all retirements coincide with new allocations (i.e. unless an entity is wholly subsumed by an existing country)	14 15
❖ In practice, we've interpreted such acts as a whole, and thus paired delegation of new codes with plans to retire the old codes	16 17
▪ Usually actors are the same	18
⊕ Issues relating to the country no longer existing	19
⊕ During the phase-out period, the manager may need to change as with an active TLD	20
⊕ Transfer criteria implicitly expect a country/code to continue to exist/be eligible to be properly assessed	21 22
❖ String eligibility test fails	23
▪ No longer eligible	24
❖ Government/SIP endorsement	25
▪ "FOIWG interprets [SIP] to include, but not limited to: a) the government or territorial authority for the country or territory associated with the ccTLD and b) any other individuals, organizations, companies, associations, educational institutions, or others that have a direct, material, substantial, legitimate and demonstrable interest in the operation of the ccTLD"	26 27 28 29 30
▪ No defined government	31
➤ Any single successor government may not speak credibly for the population of former country	32 33
➤ Multiple successor governments may have entirely opposed views	34
▪ No clearly defined community	35

✦ Even in simply scenarios, community in new country may not have had time to form representative organizations etc. to give voice to impact of transfer proposal.	1 2 3
✦ Peoples of the former country may have entirely opposed views on proposal.	4
✦ Often there is sensitivity of the “name” of the country, as it bring up connotations either positive/negative depending on the circumstances of the country’s succession.	5 6 7
✦ Does not meet requirement to be based in the country	8
✦ “FOIWG interprets the requirement ... IANA Operator must be able to validate that the administrative contact resides in the country or territory associated with the ccTLD.”	9 10 11
◇ Local law	12
✦ New jurisdiction may differ from previous jurisdiction	13
✦ Users may no longer have remedies under local law, as registry is now in a different country.	14 15
✦ Registry may now be outside of successor country.	16
✦ FOIWG interpretation assumes jurisdictional oversight that no longer exists e.g. “Recognizing the ultimate authority on public policy for any country is its government and legislature...”	17 18 19