

Dear Steve, Fadi, and the ICANN Community:

We were pleased to find a draft Registrant Rights and Responsibilities attached to the proposed new Registrar Accreditation Agreement: <https://www.icann.org/en/resources/registrars/raa/proposed-registrant-rights-responsibilities-07mar13-en.pdf>

The idea of a statement of registrants' rights is a positive step – for Registrants, Registrars and the Internet community. That said, the existing Registrant Rights and Responsibilities draft lacks the substantive rights registrants expect and demand for assurance of the security and stability of their domain registrations.

Accordingly, we propose the following positive statement of Registrants' Rights and Responsibilities:

Registrants' Rights and Responsibilities

Registrants of domain names depend on the DNS to provide stable online location-pointers for their speech, association, commercial, and non-commercial activities. Registrants derive rights and responsibilities from applicable law as well as from the web of ICANN-based contracts. As a matter of policy, ICANN should ensure that its contracts can support a wide range of lawful and innovative end-user activities and free communications.

Registrants shall have the right to:

- Reliable neutral resolution of registered domain names;
- No suspension or termination of registration without due, disclosed process;
- Privacy in the provision and display of registration data;
- Fair and non-discriminatory treatment from ICANN, Registrars and Registries;
- No censorship of domain use, content, or communications through Registries or Registrars;
- Timely transfer of registered domain names between Registrars;
- Renewal (or choice not to renew) domain name registrations on clearly disclosed terms.

To accomplish that, registrants shall be entitled to accurate and accessible information about:

- The identity of their ICANN Accredited Registrar;
- The identity of any proxy or privacy service provider affiliated with their Registrar;
- The terms and conditions under which Registrant information is revealed by a proxy or privacy service provider;
- The terms and conditions under which Requests are relayed to Registrants by a proxy or privacy service provider (without revealing of the identifying information);
- The Registrar's terms and conditions, including pricing information, applicable to both Registrar services and any proxy/privacy services offered by the Registrar;
- Clear identification of any changes to the Registrar contract and/or the terms of the proxy/privacy agreement, to which they will be held on continuation or renewal of the domain name;
- Notice of the customer support services offered by the Registrar and its proxy/privacy service providers, and how to access them, including means to raise concerns and resolve disputes;
- Instructions that explain the Registrar's processes for registering, managing, transferring, reviewing and restoring domain name registrations, including any proxy/privacy services that may be available from the Registrar.

Registrants have the responsibilities:

- To be contactable, or to provide an alternative such as allowing the registrar to suspend registration upon an unresponded-to allegation of abuse;
- Not to use the domain name for abuse of the DNS (to be defined more specifically: e.g., specific DNS attacks, deliberate malicious distribution of malware, or criminal activity); and
- Not to "cybersquat" (as defined in the UDRP).

Very truly yours,

Robin Gross, Chair

Non-Commercial Stakeholders Group