

Global IT Law
Internet Governance
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domain name system - registrants

Root server (mirrored, TLD info, ICANN control)



Registries (gTLDs, ccTLDs)



Registrars (single, competitive)



Registrants (domain name holders)

Registration

Domain Name Registration

The Israeli Chapter of the Internet Society is the registry of Internet Domain Names under the ".il" national Top Level Domain (ccTLD).

The Domain Names Allocation Rules are in effect since January 1, 1999. Please consult the [Registration Rules](#), prior to submitting your request.

Please be advised:

As from November 1st, 2016, ISOC-IL will stop the registration and direct management of domain names with the suffix .IL(excluding the SLD .k12.il, which ISOC-IL will continue to manage directly . The registration activity as well as the management of the domain names currently executed directly by ISOC-IL will be fully transferred to the ISOC-IL's [accredited registrars](#).

[For more information click here](#)

the governance issues

- ICANN oversight
- Government involvement (alone or via ITU)
- WHOIS information - what is displayed
- Internationalized domains
- Domain name dispute resolution
- Creation of new TLDs
- Relationship between ICANN and various interests (registrants, registrars, TLDs, RIRs)

Internet Governance Case Study

Justice4All is an anti-terrorism organization dedicated to obtaining compensation for victims of terrorism. The organization has long sought damages from the Government of Iran, for what it claims are state-sponsored terrorism activities that have claimed the lives of many people. The Government of Iran has few assets in the United States. However, Justice4All believes that there is great value in the domain name extension dot-ir. Indeed, it believes that it can both compensate victims and hamper the government's cyber-related activities by seizing control of its domain name extension.

Justice4All has just filed a lawsuit in U.S. court claiming that the U.S. has jurisdiction over all domain names given the presence of ICANN within the country. It is demanding that the court order the transfer of the domain as compensation for damages under a national anti-terrorism compensation law.

Internet Governance Case Study

Please consider the fact situation and be prepared to discuss:

1. Who owns or controls dot-ir?
2. Does the U.S. have jurisdiction over all domains?
3. If not, who (if anyone) has jurisdiction? Who (if anyone) should have jurisdiction?

the governance evolution...





Postel

- 1970s - early 1990s - someone needs to allocate names and numbers
- Jon Postel - director of computer networks at USC
- managed names, numbers, and developed RFCs (IANA established in 1972)
- did so under contract with USG

Managing the DNS - 1991

- USG (defense dept) awards the registration of domains to Government Systems Inc.
- Contract is sub-contracted to Network Solutions Inc. (NSI)
- U.S. military still funding most activity
- Postel still running IANA

Managing the DNS - 1992

- Cerf incorporates Internet Society (ISOC) - viewed as launching pad for privatization of DNS (Internet Architecture Board)
- 300 dn registrations/month

Managing the DNS - 1993

- Defense department no longer wants to pay for this - most growth is non-military
- National Science Foundation awards a contract - NSI to handle registrations (sole bidder)
- NSI exclusive registry and registrar for .com, .net, and .org domains
- NSI paid \$1 million for service
- no fee for registration
- first come, first served

Managing the DNS - 1994

- Postel prepares charter to transfer IANA to Internet Society
- USG becomes engaged in legal status of the DNS

Managing the DNS - 1995

- NSI acquired by SAIC (listed on NASDAQ in 1997, sold to Verisign for \$21 billion in 2000)
- NSI levies fee for dn registration after acquisition - US\$100 for two years (later reduced via court action to US\$70)
- 45,000 dn registrations/month
- Postel proposes creating 150 new TLDs to counter registration fees
- revenues (registry fee plus percentage) to go to Internet Society

Managing the DNS - 1996

- community rejects Postel proposal
 - trademark community dislikes
 - prospective registries dislike fees
- ISOC establishes IHAC - brings together WIPO, ITU, Postel
- delivers new internet governance plan
 - registry/registrar model
 - trademark protection
 - limited number of new TLDs

Managing the DNS - 1997

- ISOC - ITU plan signing ceremony to establish IHAC plan in March
- Strong reaction against the plan:
 - NSI
 - trademark interests
 - US Congressional hearings
 - EU representation
- USG issues formal policy notice in July
- ultimate authority but desire to relinquish to private sector

Managing the DNS - 1998

- January - Postel emails mirror root server operators to change the root from NSI to IANA
- White House intervenes within one week - orders him to rescind request
- February - White House issues “Green Paper” - USG definitive control over root server

Managing the DNS - 1998

- June - USG releases “White Paper”
 - government accountability with private sector leadership
 - private sector leadership to be ISOC/Postel
 - new entity to hold responsibility for names and numbers
 - no new TLDs
 - domain name dispute resolution (via WIPO)

Managing the DNS - 1998

- Summer -
 - ISOC/Postel moves forward with transition
 - International Forum works on private sector alternative

Managing the DNS - 1998

- September -
 - ISOC refuses to participate in IFWP
 - ICANN established as California non-profit corporation
 - 18 board positions
 - Postel as CTO

Managing the DNS - 1998

- October
 - USG orders ICANN to negotiate with IFWP and alternatives
 - Jon Postel dies
- November
 - ICANN agrees to limited changes focused on the board
 - 9 places for supporting orgs
 - 9 places for users (“at large”)
 - formal USG approval for ICANN

Managing the DNS - 1999

First Half of the year

- ICANN establishes guidelines for registrar accreditation
- USG regulates NSI - registrar relationship -- sets price at \$9/domain
- NSI balks at handing over registry function

Managing the DNS - 1999

Second Half of the year

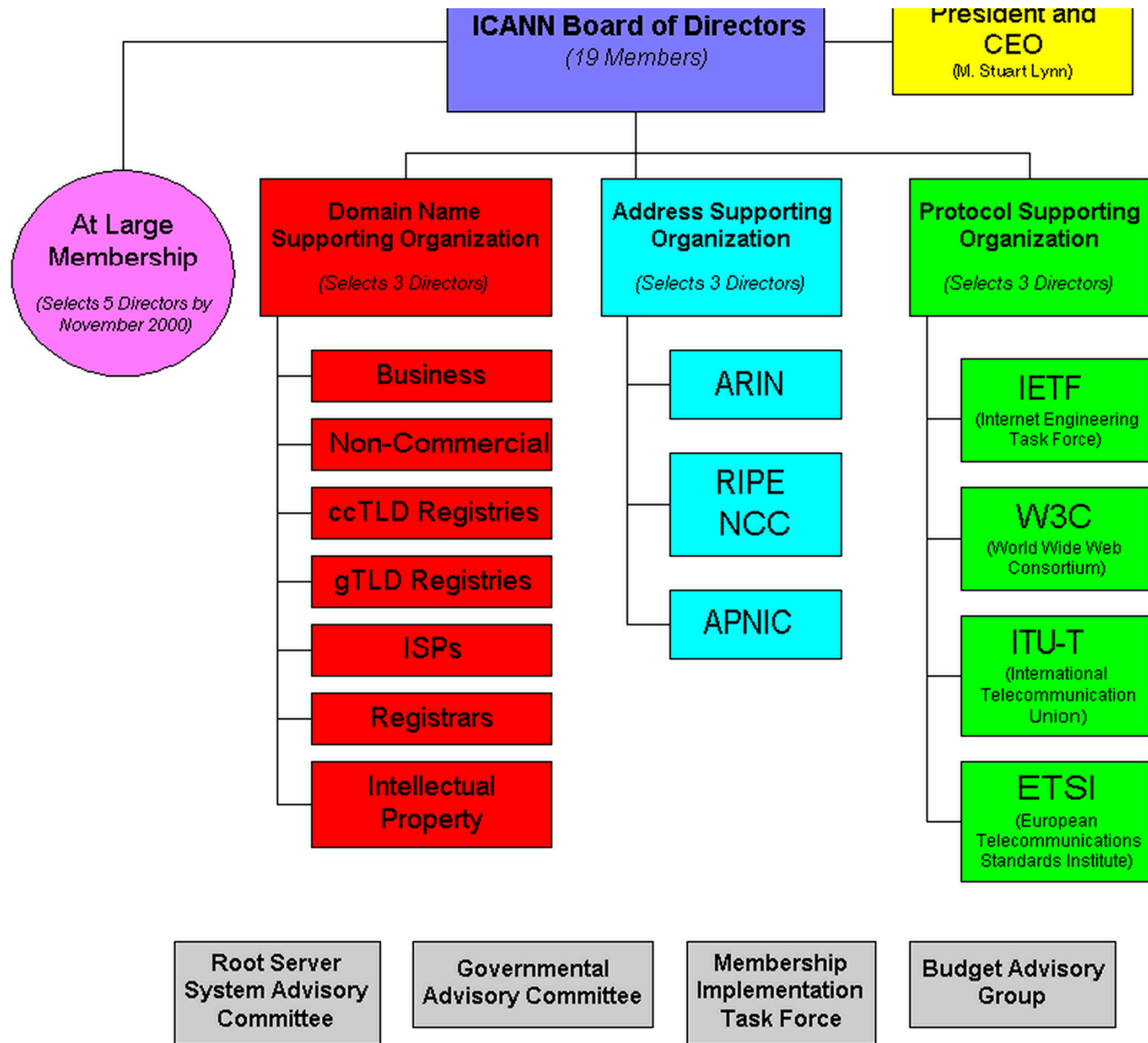
- NSI, USG, and ICANN reach settlement
 - NSI gets exclusive gTLD function for 4 years with an extra four possible
 - price reduced to \$6/domain in 2000
 - USG backs off transfer of authority to ICANN
- ICANN implements UDRP
- ICANN appoints nine directors
- New Chair of the ICANN Board - Vint Cerf

Managing the DNS - 2000

- worldwide at-large elections
 - reduce number from 9 to 5
 - extend terms for appointed members (“boardsquatters”)
- new TLDs
 - expensive application process
 - the usual suspects

Managing the DNS – 2001-02

- at-large membership
 - study led by Carl Bildt on at-large approach
 - ultimately eliminate at-large
- begin addressing whois, idns
- first major ccTLD agreement – auDA
- .org transferred from Verisign to ISOC (Public Interest Registry)



Managing the DNS – 2003-04

- Paul Twomey, Australian & former head of GAC, named CEO
- ccNSO agreement
- ITU pushes with WSIS process
- ITU focuses on ccTLDs and WSIS process; creates wedge between U.S. and EU
- redelegation of .net opens

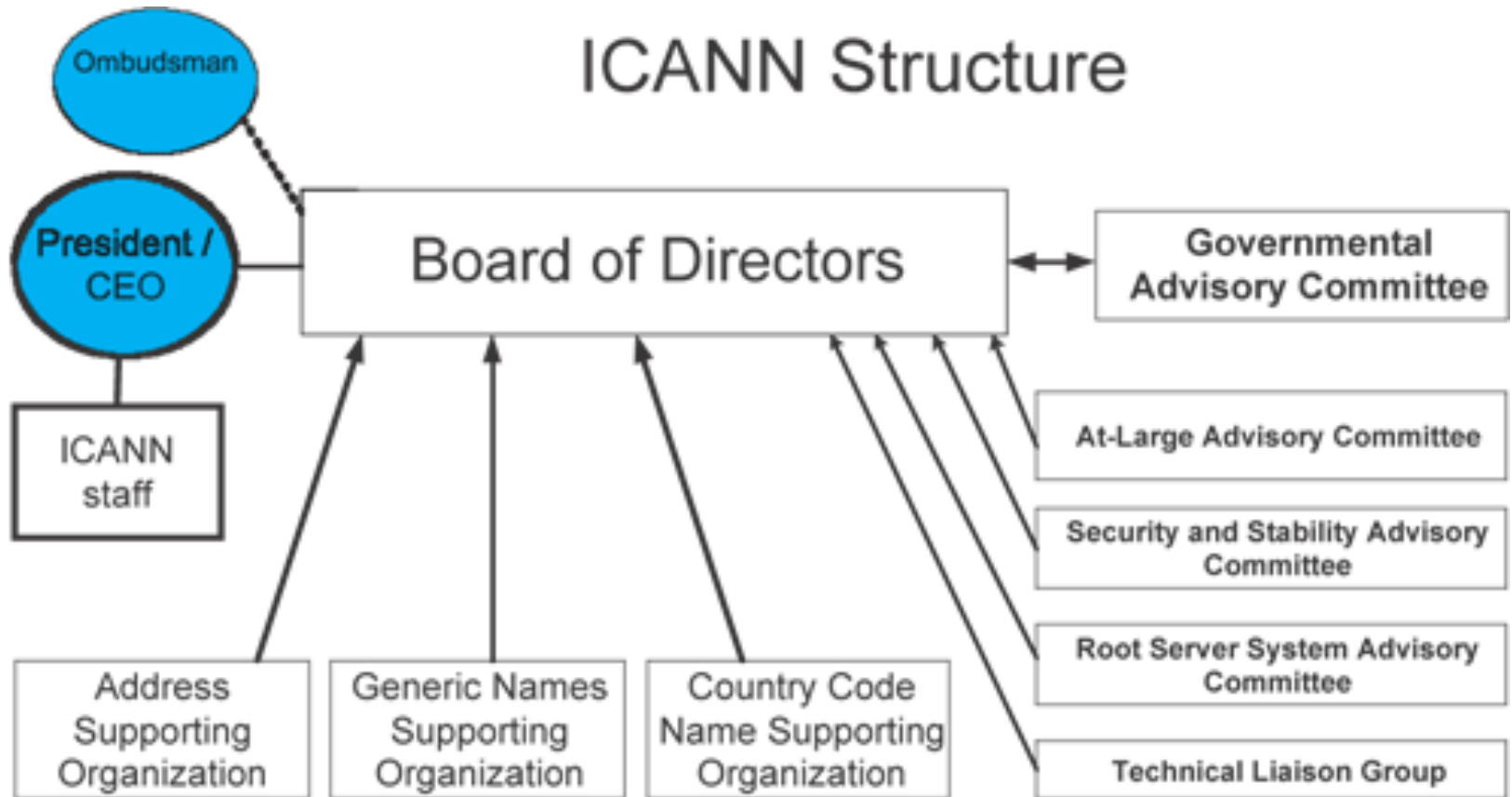
Managing the DNS - 2005

- verisign keeps .net for six more years
- verisign and icann settle litigation -
verisign gets indefinite extension of dot-com and right to increase prices
- governments intervene in dot-xxx domain extension
- wsis concludes in tunis - open to more govt involvement but u.s. retains control
- creation of Internet governance forum (IGF)

Managing the DNS - 2006

- icann reaches new agreement with usg
 - may provide for icann independence by 2010
 - may require dropping whois reform
- icann approves verisign settlement over community objections
- icann kills dot-xxx domain
- icann reaches agreements with large numbers of ccTLDs
- internet governance forum - growing pressure on idns

ICANN Structure



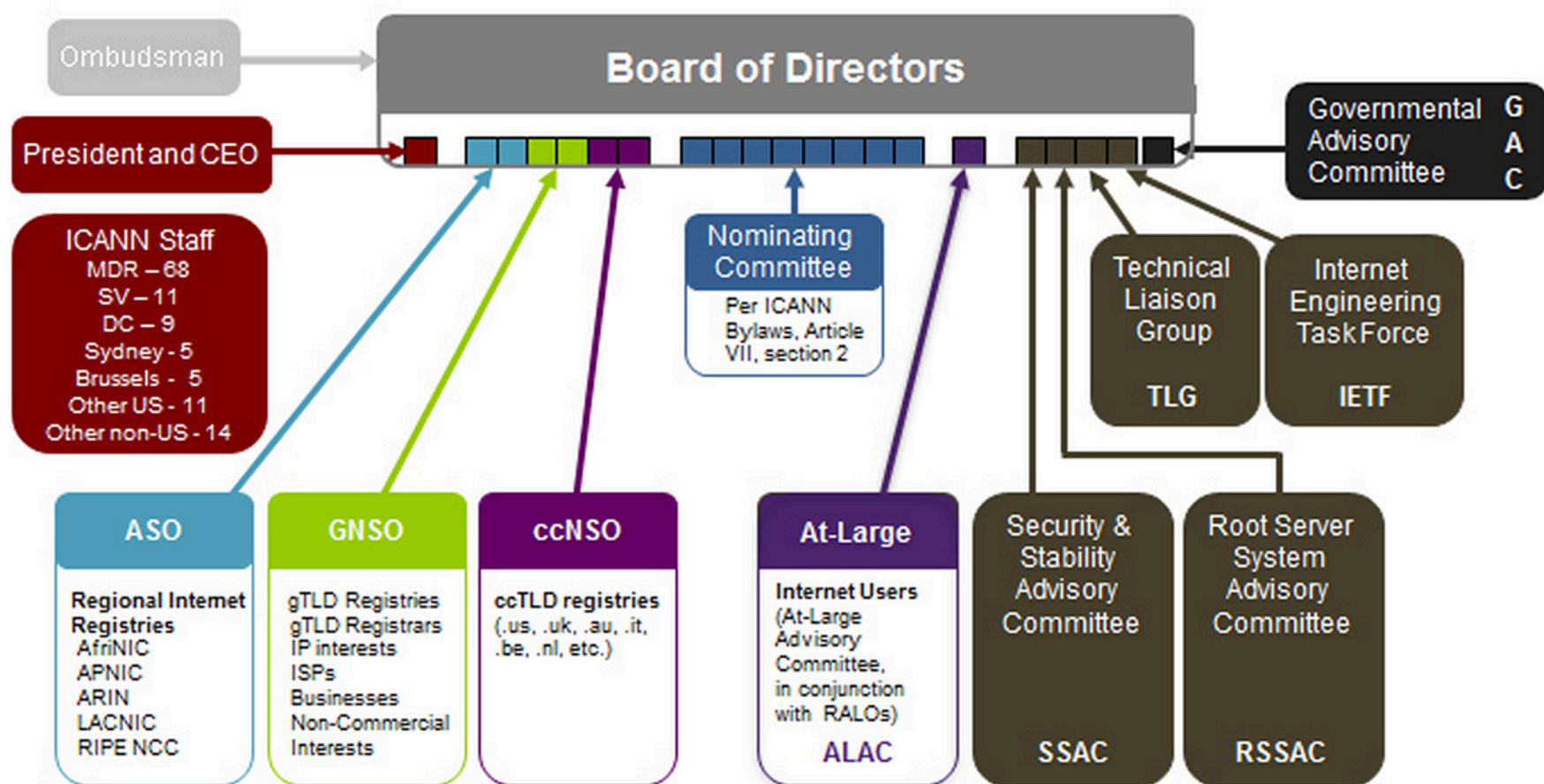
Managing the DNS – 2007 - 2010

- ongoing battles over whois, new domains, USG control
- Vint Cerf joins Verisign's Advisory Board
- ITU continues work with annual IGF meetings
- battles over .xxx domain with greater government involvement

Managing the DNS – 2011- 2013

- Two issues dominate:
 1. ITU vs. ICANN (or ROW vs. U.S.)
 - ITU uses WCIT process to gain greater governmental involvement in the internet governance process
 - Some governments want GAC to play bigger role
 2. New TLDs
 - Thousands of applications
 - Big revenue
 - Different business models
 - New “threats”

ICANN Multi-Stakeholder Model



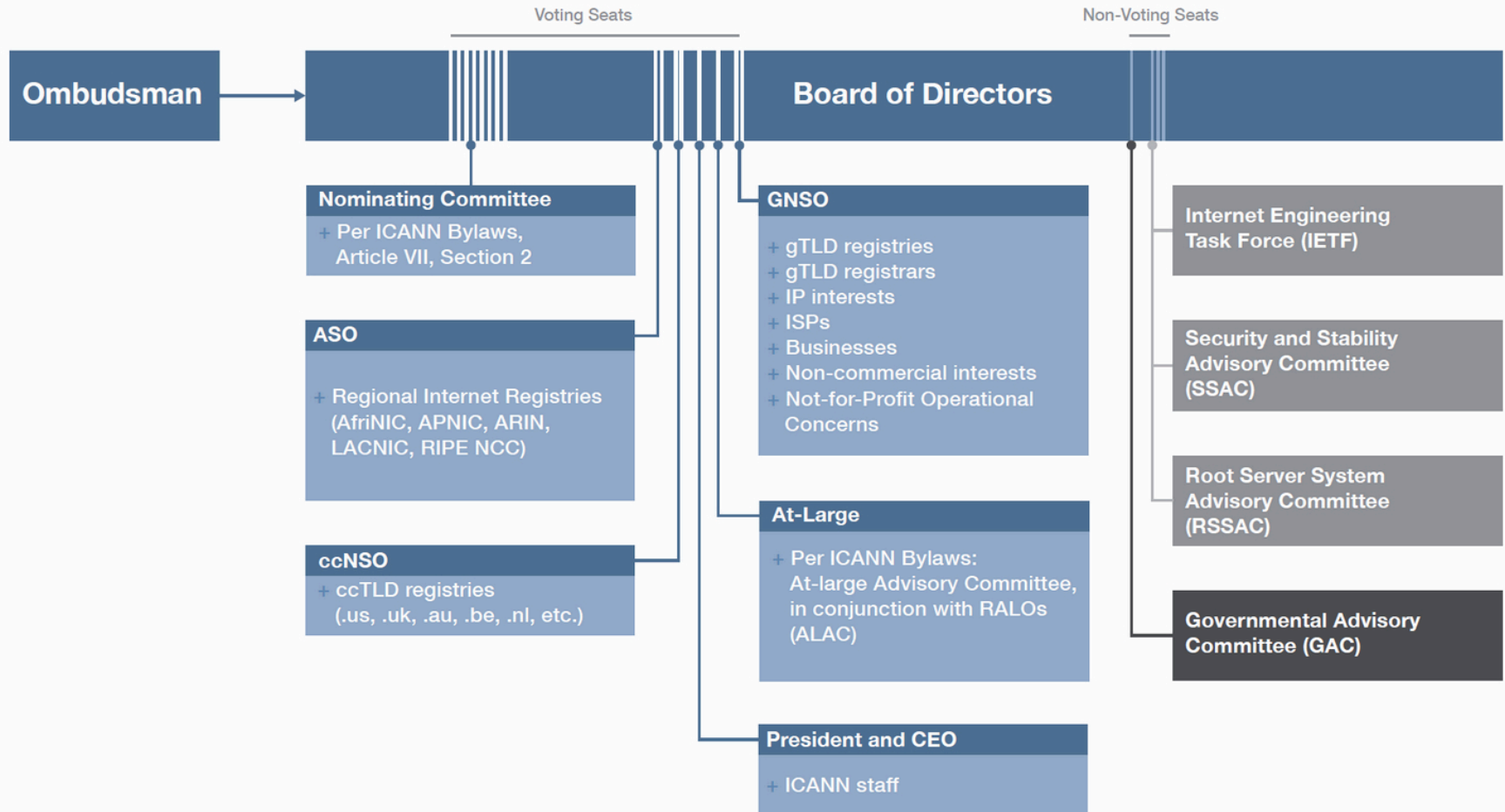
Managing the DNS – 2014-15

- Post-Snowden environment drives latest change
- U.S. to transition away from IANA oversight
- Sets terms: multi-stakeholder, not government based
- Just a transition to ICANN?
- U.S. still maintain jurisdiction (ICANN, gTLDs)
- generic TLD battles

Managing the DNS – 2016

- Proposed IANA deal:
 - enhanced ICANN accountability
 - empowered communities (including GAC)
 - structural separation
 - numbers out of ICANN
 - ICANN control over names
- Deal subject to approval from NTIA and U.S. Congress

ICANN Organizational Chart



Weinstein v. Iran

- Victims of terrorist attacks sue to obtain dot-ir domain
- Seeking to recover on earlier judgements
- Raises questions of what is a domain name extension, who controls, how can it be transferred, value, etc?
- Concern with “doomsday scenario” for split root, Internet governance confidence