

ccTLD Policy Development Workshop

APTLD Meeting
Kuala Lumpur, May 2008

Policy

○ Definition from Encarta

- **course of action:** a program of actions adopted by a person, group, or government, or the set of principles on which they are based

Policy

○ Definition from Merriam-Webster

- a: a definite course or method of action selected from among alternatives and in light of given conditions to guide and determine present and future decisions
- b: a high-level overall plan embracing the general goals and acceptable procedures especially of a governmental body

Policy

○ Definition from Cambridge

- a set of ideas or a plan of what to do in particular situations that has been agreed officially by a group of people, a business organization, a government or a political party
- policy-making – the activity of deciding on new policies

Policy

- Generally though, policy is commonly understood as being a set of regulations, rules or procedures
- Can also refer to plans, position and guidelines

How do these definitions fit with a
ccTLD?

Are policies necessary for a ccTLD?

Why might policies be necessary?

- Allows an approach based on general policy principles which are clearly expressed
- Ensure approach meets with needs of local internet community
- Keep ccTLD in compliance with local laws and requirements
- Clearly define how operate
- Establish consistent standards
- Remove confusion

- Provide protection for the various parties
- Set of principles on which actions are based
- Allows for understanding of whether eligible to get a name
- Definite course or method of action
- Set of ideas or plan of what to do in particular situations, as agreed previously
- Process of deciding on new policies

How do you approach setting policy
for a ccTLD?

General approach to policy development

- Issue identification and analysis
- Solution identification and policy formation
- Consultation
- Decision Making
- Implementation
- Evaluation and Review

Developing Policy

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Issue identification and analysis

- What are the general policy principles?
- What are the issues?
- Why does the issue require a policy?
- What are the desired outcomes/goals ?

Issue identification and analysis

- Policy addresses ‘why’ there is an issue – not ‘what’
 - “What” is e.g. people complaining they are stuck with one registrar who isn’t meeting their needs
 - “Why” is that it is difficult to change as the registrar controls the process
 - Implement policies that take the control away from the registrar and make it easy to change registrars

Issue identification and analysis

- Have we defined what we want to achieve clearly enough?
- Have we identified what the issues are so that we can focus clearly on developing options?
- Do we really understand and agree on what the issues are and what we want to achieve?
- Have we considered it all from different perspectives?
- Are the issues and their solutions likely to have unintentional consequences? If so, what?

Developing Policy

- Issue identification and analysis
- **Solution identification and policy formation**
- Consultation
- Decision Making
- Implementation
- Evaluation and Review

Solution identification and policy formation

○ What do others do?

- What do you like about other ccTLD operations? For example information from APTLD and its members
- What problems do you want to avoid?
- Is there any ccTLD that you want to reflect to help get acceptance from your local internet community?
- How might you improve on what others do?

Solution identification and policy formation

- Aids to identifying appropriate solutions:
 - Have a conceptual framework that guides the process of generating and assessing potential solutions
 - What main requirements that HAVE to be achieved
 - Have a clear sense of desired goals or outcomes of what you expect the policy to achieve

Solution identification and policy formation

- Assessing options includes:
 - How well fits with conceptual framework
 - Impact on registrants, registrars etc
 - Potential adverse impacts
 - Consistency with other policies / approaches
 - Ease of administering, implementing, monitoring
 - Cost
 - Legal implications
 - Trying to identify what could go wrong
- Evaluate options using the same criteria

Solution identification and policy formation

○ Policies should be written:

- Clearly
- Simple language, easily understood
- Consistently

Developing Policy

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- Solution identification and policy formation
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Consultation

- Should be part of any policy formation
- No one approach, tailor it to meet the specific situation
 - Timeframes, nature of policy,

Consultation

- Who
 - Who consult with for the nature of the policy?
- What
 - Policy options, draft policy, all aspects or limited
- When
 - Start and end dates, before or after draft policy or more than once?
- Why
 - What hoping to achieve? Reaction / input / feedback
- How
 - Letters, Emails, Internet. Purely electronic or have meetings?
- Where
 - If have meetings, where?

Consultation

- Submissions public or private?
 - Publish submissions as received
 - Identify submitters and give others a chance to address any issues raised in their submissions
 - Allow others to see how handle comments received
- What issues arise if consultation inadequate?

Developing Policy

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Decision Making

- Summary of submissions received
- Any common threads?
- Evaluation of any proposed changes:
 - Consider against criteria used to evaluate solutions
 - Impact on policy goals etc
- Final decision on nature and wording of policy

Developing Policy

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Implementation

- Date policy comes into effect
 - When required?
 - When reasonable/practical to implement?
 - For you
 - For other affected by the policy
- Duration of policy
 - No expiry or defined term?
 - If no expiry, when subject to review?

Developing Policy

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Evaluation and Review

- What relevant performance indicators?
- Review independently or in association with other policy reviews?
- When suitable to evaluate / review?
- Reviews based on operational issues?
- What will be the impact if don't review?

A policy on developing policy

Why a policy on developing policy?

- Enables you to clearly define how you set/amend policies for your ccTLD
- Allows people to see when/if they get an opportunity to contribute to policy development or review

Establishing a Policy Development Process (PDP)

- Issue identification and analysis
 - Solution identification and policy formation
 - Consultation
 - Decision Making
 - Implementation
 - Evaluation and Review

- Issue is how to develop your ccTLD policy....
 - Do you want to define a policy for developing your ccTLD policy?
 - Are there benefits to you in defining how policies are developed?
 - Would following a defined process give more credibility to your policies?

Establishing a PDP (2)

- Issue identification and analysis
- **Solution identification and policy formation**
- Consultation
- Decision Making
- Implementation
- Evaluation and Review

- What should be in your policy includes:
 - Who decides on the policies?
 - Is there public consultation in all cases?
 - If not, when should there be consultation and when done without a chance for people to comment?
 - How do you manage security issues and other matters that require urgency?

Establishing a PDP (3)

- Issue identification and analysis
- Solution identification and policy formation
- Consultation**
- Decision Making
- Implementation
- Evaluation and Review

○ Consultation on the proposed policy should:

- Be long enough for people to contribute
- Be clear so the issues are understood
- Be real so that substantive submissions are considered
- Be targeted to those most affected, as well as generally publicised

Establishing a PDP (4)

- Issue identification and analysis
- Solution identification and policy formation
- Consultation
- Decision Making**
- Implementation
- Evaluation and Review

○ Decisions on:

- Who should consider and decide?
- What have the submissions said?
- What impact on draft policy do the submissions have?
- Is there sufficient to continue as proposed / make amendments or change direction?

Establishing a PDP (5)

- Issue identification and analysis
- Solution identification and policy formation
- Consultation
- Decision Making
- Implementation**
- Evaluation and Review

- To ensure successful implementation:
 - Give time to get prepared
 - Make sure any required mechanisms/groups etc are in place
 - Clearly announce commencement date
 - Set some time frame for a review

Establishing a PDP (6)

- Issue identification and analysis
- Solution identification and policy formation
- Consultation
- Decision Making
- Implementation
- Evaluation and Review

○ Policies should be evaluated and reviewed:

- Has it worked as expected?
- Have there been any unexpected consequences?
- Is it fair?
- Have there been times it hasn't met requirements?
- Are there improvements required?

Two policy development processes

○ ccNSO

- <http://www.icann.org/general/bylaws.htm#AnnexB>
- Process outlined
- Input and Consultation
- Vote for decision

○ .nz

- <http://dnc.org.nz/content/pdp.html>
- Generally public consultation
- Process if urgent or a security issue
- Governance decision

- Who here has a PDP?
- How does it operate?

Now lets work through an example....

Some general policy principles for a ccTLD

- “First come, first served”
 - First to register or ‘greater right’
- Open registrations or registration restrictions
 - Restricted to residents / local organisations or open to all
- Third or Second level registrations
 - Where want to allow registrations and are there different rules for different options

Possible topics

- Who can register?
- What names can be registered?
- Who are the registrars?
- What happens when names reached their expiry date?
- How do registrants change their registrar?
- What billing terms?
- What WHOIS information is public?

General approach to policy development

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www.dnc.org.nz

www.dnc.org.nz/policies