



Government of
The Republic
of Vanuatu



Telecommunication &
Radiocommunication
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Report on Public Consultation on the .vu ccTLD Principles

Introduction

The consultation on the .vu Country Code Top Level Domain (ccTLD) draft principles has been completed. These principles were developed to provide operating procedures in Managing and administering this important internet resource in line with the .VU ccTLD Regulation.

Overview

In addition to that, the TRR has a general obligation and procedure to observe and act upon in its public consultation to ensure that stakeholders have a full opportunity to make their current views known on important industry issues like the .vu ccTLD. On 10th August, a short session was organized to introduce the seven principles of the operations of the .vu ccTLD management and administration where stakeholders shared their views before the draft documents were published for further consultation. The seven Principles discussed are listed below:

1. Domain name markets should be competitive (Domain name should have a choice of registrars);
2. Choice for registrants should be maintained and expanded (Having more choice for registrants);
3. Domain name should be first come, first serve;
4. Parties to domain registrations should be on a level playing field;
5. Registrant data should be public;
6. Registry / Registrar operations within a TLD should be split (Current .vu ccTLD arrangement is seen as the monopoly (Same Registry and Registrar);
7. TLD policy should be determined by open multi-stakeholder processes.

Those stakeholders that attended the session included representatives from TVL, Digicel, CNS, Daily Post, Bred Bank, Central School, OGCIO and VBTC. Keith Davidson of New Zealand presented and chaired the session. There was positive feedback from the

stakeholders on the principles hence the development of the draft Principles for further consultation.

The consultation on the .vu ccTLD draft Principles commenced on 13th October 2017 and the deadline for submissions was originally set for 29th September 2017. The deadline was then extended to 15th December 2017 at the request of a number of key stakeholders. The consultation document was sent to the Heads of organisations or Officers responsible for the organisations listed in the table below, representing various stakeholders, and publically advertised on the daily post and TRR's website.

Organization
Telecom Vanuatu Ltd
Digicel Vanuatu Ltd
Telsat Vanuatu Ltd
Incite Vanuatu
VFSC
Wantok Vanuatu Ltd
FCC
VNPF
SPIM
GPT
OGCIO
RBV
ICL
Speedcast
ANZ Vanuatu Ltd
NBV
Bred Bank Vanuatu Ltd
Central School Vanuatu
New Zealsand
Domain Name Commission, NZ
Intellectual Property Department

During the TRR Regulatory Internet Forum, held at the Port Vila Golf club on 28th November 2017, there was also a consultation on the “.vu Operations and Procedures” document with special attention on section 7.3 about ‘First come First serve’ option for registration of .vu domain names. All stakeholders agreed that there should be a restricted or reserved name list maintained by the Registry in accordance with the .vu ccTLD Regulation of 2016.

Submissions

Although there is a mass circulation of the consultation document as you can see some of the stakeholders listed above, there has been no local formal submissions to TRR by the due date although TRR's outreach to the community on these draft policies was very good and positive. Those other stakeholders visited for a further face to face consultation were, Telecom Vanuatu, the Vanuatu Financial Services Commission, the Intellectual Property Right Office and the Vanuatu IT User Society committee members. External submissions were also considered to ensure there is balanced views in works expected from this exercise. An independent submission was received from a New Zealand expert on Domain Name Commission of the .nz whom also has provided her submission as an Internet Governance Expert in the region.

Expert Advice

During the consultation period TRR was also been provided with expert advice on the papers from key international experts on Internet Governance Matters.

General Comments Received from Participants of the TRR's Public Consultation on .vu ccTLD & TRR's Responses

Responses from Participants attending Regulatory Internet Forum 2018	
Respective Submission by the Participants	TRR's Responses, Comments and Views
.vu Operations and Procedures Section 7.3 to be amended based on the outcome report of the Regulatory Internet Symposium	TRR agrees that this section be amended to reflect the opinion of the Internet community in Vanuatu. The community that attended the 2018 Regulatory Internet Forum all agreed that a Restricted or reserved name list need to be maintained as stated in the .vu ccTLD Regulation of 2016.
Responses Received from International Internet Governance Expert	
Respective Submission by the Individual International Expert	TRR's Responses, Comments and Views

<p>Document 1 - .vu Policy Development Process</p> <p>This process is well considered and appears to comply with international best practice for the operation of a ccTLD, especially regarding the commitment to bottom-up, consensus driven multi-stakeholder policy development.</p>	<p>TRR thanks the Expert's input on this part of the document.</p>
<p>Document 2 - .vu Principles and Responsibilities</p> <p>The principles are consistent with international best practice for ccTLDs and appear to designate responsibilities to the various stakeholders appropriately.</p>	<p>TRR agrees and thanks the Expert Advisor for her input and support.</p>
<p>Document 3 - .vu Operations and Procedures</p> <p>In general the operations and procedures outlined appear to be consistent with international best practice for ccTLDs. I do raise the following specific issues for your consideration:</p>	<p>TRR thanks the Expert's views and will consider the sections as they are.</p>
<p>Document 3 - .vu Operations and Procedures</p> <p>In general the operations and procedures outlined appear to be consistent with international best practice for ccTLDs. I do raise the following specific issues for your consideration:</p>	<p>TRR thanks the Expert for her general views provided.</p>
<p>Document 3 - .vu Operations and Procedures</p> <p>In general the operations and procedures outlined appear to be consistent with international best practice for ccTLDs. I do raise the following specific issues for your consideration:</p> <p>Issue 1 - Section 7.3 states "Any eligible Registrant may register an available domain name at the second or third level on a first come, first served basis." I understand the TRR workshop held on 28 November 2017 on domain names indicated some disquiet at the idea of a totally open, unreserved first come,</p>	<p>TRR thanks the advisor for her views provided in support of the process and direction the TRR is heading on with this deliverable.</p> <p>TRR agrees that section 7.3 of this document be amended as per the recommendation provided in line with the discussions at the Regulatory Internet Forum of 2017 and also it supports the .vu ccTLD Regulation of</p>

<p>first served domain name registration policy. Given those views expressed, I would suggest that TRR reconsider amending this to reflect the current situation while you continue to work with the community on this matter. TRR could also give consideration to whether Section 7.7 should be amended to empower TRR to unilaterally suspend or cancel a domain name if, in the opinion of the Regulator, the specific domain name is not appropriate. If TRR does take such an approach, they could also commit to transparency and publicly report on when they exercised any power they do give themselves in the legislation. If this change is incorporated into the policy the naming policy should be the subject of further consultation during the next 3 years, and be reviewed at that time.</p> <p>Issue 2 - Sections 19 and 20 deal with WHOIS enquiry. It should be noted that there is a move internationally to remove access to all levels of detail for Port 43 WHOIS enquiries, due to the very high levels of abuse of this service, particularly relating to harvesting registry information for illicit purposes. I would recommend that the policy specifies that Port 43 WHOIS may be restricted leaving an option for some information to be withheld as TRR considers this matter further.</p>	<p>2016 under Schedule 3 section 3 that states that 'a list of restricted list is to be maintained at the Registry' .</p> <p>TRR agrees that this section be amended inline with the recommendation derived from Part 3 Section 5 (n) of the .vu ccTLD Regulation of 2016, which is one of the TRR Functions stating "to perform such other functions as necessary to ensure the effective management and administration of the .vu ccTLD"</p> <p>TRR agrees with this recommendations as part of international best practice.</p>
<p>Document 4 - Registry Connection Process</p> <p>In general these requirements appear appropriate, with one exception. Section 7 is headed "TERMINATION OF AUTHORISED REGISTRAR ACCESS" and I would submit that it is more appropriate to change this to "7 SUSPENSION OF AUTHORISED REGISTRAR ACCESS" as it is more likely that a sanction will be a suspension until the situation is remedied, as opposed to the unlikely event of a termination of a Registrars access</p>	<p>TRR agrees with this recommendation that a suspension would be more appropriate as a start of the enforcement procedure.</p>

Note: The Principles approved and uploaded on the TRR's website will be reviewed when required.

23 May, 2018



Dalsie Baniala

Telecommunications and Radiocommunications Regulator