

## Response to Documentary Information Disclosure Policy Request

To: Ms. Oksana Prykhodko

Date: 24 April 2013

Re: Request No. 20130326-1

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Thank you for your Request for Information dated 26 March 2013 (the “Request”), which was submitted through the Internet Corporation for Assigned Names and Numbers’ (ICANN) Documentary Information Disclosure Policy (DIDP). For reference, a copy of your Request is attached to the email forwarding this Response.

### **Items Requested**

You requested the following information on the delegation of the IDN ccTLD .ykp to Ukraine:

1. What was the package of documents, submitted to IANA/ICANN on this issue (first of all, could you please send us “publicly available registration policy” of .ykp, confirmation of support from Ukrainian government and Ukrainian Internet community, concept of the development of this domain)? Could you please let us know “a brief overview of the history of the request” and “ICANN Staff ... report to the ICANN Board”?
2. Did ICANN/IANA perform the test on security and stability of .ykp? If yes, what is the result? Are you monitoring the situation after delegation?
3. Did you ask for any additional consultations with other SO (for example, Ukrainian representatives in GAC, ccNSO, ALAC)? If yes, what reaction did you receive? If not - why?

### **Response**

All three items requested seek information relating to the Fast Track Process application that was submitted by the Ukrainian Network Information Center” (UANIC) for the delegation of the IDN ccTLD .ykp to Ukraine. The IDN ccTLD Fast Track Process enables countries and territories that use languages based on scripts other than Latin to offer users domain names in non-Latin characters. To do this, ICANN opened the IDN ccTLD Fast Track Process to allow for countries that use non-Latin based languages to also request top-level domains that reflect their country's name in local scripts. A request for an IDN ccTLD using the Fast Track Process is comprised of two separate processes: (1) String Evaluation – the process to request and get evaluated IDN ccTLD string(s) as representation(s) of the eligible country or territory; and (2) String Delegation – the process whereby an eligible sponsoring organization applies to operate an approved

string, and the string is added to the DNS root zone. The guidelines governing the Fast Track Process are set forth in the Fast Track Implementation Plan, available at <http://www.icann.org/en/resources/idn/fast-track/idn-cctld-implementation-plan-04jun12-en.pdf>.

The first item seeks the disclosure of information submitted to ICANN to support the request for delegation, including “‘publicly available registration policy’ of .ykp, confirmation of support from Ukrainian government and Ukrainian Internet community, concept of the development of this domain.” You also seek “a brief overview of the history of the request” and the “ICANN Staff ... report to the ICANN Board.”

To the extent it is appropriate for public dissemination, ICANN has already made public the Board Briefing Materials on the delegation of the .ykp IDN ccTLD, including an overview of the application’s history, the evaluation of the request, and report to the ICANN Board, at <http://www.icann.org/en/groups/board/documents/briefing-materials-1-28feb13-en.pdf>, at pp. 6-7, <http://www.icann.org/en/groups/board/documents/briefing-materials-2-28feb13-en.pdf> at pp. 30-43. In addition, the final delegation report for the .ykp IDN ccTLD is available at <http://www.iana.org/reports/2013/ukr-report-20130219.html>.

The remaining pieces of information that you request in this first item are part of the submissions provided to ICANN in support of either the Fast Track string evaluation or the delegation process, including documentation of support from the Ukrainian government and the Ukrainian Internet community. Information provided by applicants in the Fast Track process as well as in the delegation step are not subject to disclosure pursuant to the following DIDP Defined Conditions of Nondisclosure:

- Information provided by or to a government or international organization, or any form of recitation of such information, in the expectation that the information will be kept confidential and/or would or likely would materially prejudice ICANN's relationship with that party.
- Information provided to ICANN by a party that, if disclosed, would or would be likely to materially prejudice the commercial interests, financial interests, and/or competitive position of such party or was provided to ICANN pursuant to a nondisclosure agreement or nondisclosure provision within an agreement.
- Confidential business information and/or internal policies and procedures.
- Information that relates in any way to the security and stability of the Internet, including the operation of the L Root or any changes, modifications, or additions to the root zone.

To the extent that information that was provided to the Board as part of the delegation process has been redacted, that information is subject to the following Defined Conditions of Nondisclosure:

- Internal information that, if disclosed, would or would be likely to compromise the integrity of ICANN's deliberative and decision-making process by inhibiting the candid exchange of ideas and communications, including internal documents, memoranda, and other similar communications to or from ICANN Directors, ICANN Directors' Advisors, ICANN staff, ICANN consultants, ICANN contractors, and ICANN agents.
- Information exchanged, prepared for, or derived from the deliberative and decision-making process between ICANN, its constituents, and/or other entities with which ICANN cooperates that, if disclosed, would or would be likely to compromise the integrity of the deliberative and decision-making process between and among ICANN, its constituents, and/or other entities with which ICANN cooperates by inhibiting the candid exchange of ideas and communications.
- Information that relates in any way to the security and stability of the Internet, including the operation of the L Root or any changes, modifications, or additions to the root zone.

For item 2 of your Request, ICANN understands that you are seeking documentary information regarding any tests of the security or stability of the .ykp IDN ccTLD, to the extent those tests were conducted. Considerations of the security and stability of the DNS are paramount to ICANN, and both the Fast Track Process and the delegation process are based on the preservation of the security, stability and resiliency of the DNS. As a result, the outcomes of assessments or evaluations performed in those processes have to take security and stability into account. For example, a Fast Track application cannot successfully complete string evaluation if it does not pass a DNS Stability Panel review. To the extent that information exists within ICANN regarding the security or stability of the .ykp domain and is appropriate for public dissemination, that information is within the links identified above. To the extent that further information exists within ICANN on this item, this information is subject to the following Defined Conditions for Nondisclosure:

- Information that relates in any way to the security and stability of the Internet, including the operation of the L Root or any changes, modifications, or additions to the root zone.
- Information subject to the attorney-client, attorney work product privilege, or any other applicable privilege, or disclosure of which might prejudice any internal, governmental or legal investigation.

- Drafts of all correspondence, reports documents, agreements, contracts, emails, or any other forms of communication.

The third item within your Request seeks a narrative response regarding delegation process. Information on the ccTLD Delegation and Redelegation Procedure is already publicly available at <http://www.iana.org/domains/root/delegation-guide>. Specific information on the delegation of the .ykp domain representing Ukraine in Cyrillic is publicly available in the delegation report posted at <http://www.iana.org/reports/2013/ukr-report-20130219.html>. This report describes the request, the process used for its evaluation, details the results of the IANA Department's analysis of the request and a recommendation to the ICANN Board. The DIDP is available to seek documentary information that is already available within ICANN, and not for the creation of narrative responses or summaries of information that is already available.

For each of the items identified above as subject to Defined Conditions for Nondisclosure, ICANN has determined that there are no particular circumstances for which the public interest in disclosing the information outweighs the harm that may be caused to ICANN's internal processes by the requested disclosure.

### **About DIDP**

ICANN's DIDP is limited to requests for information already in existence within ICANN that is not publicly available. In addition, the DIDP sets forth Defined Conditions of Nondisclosure. To review a copy of the DIDP, which is contained within the ICANN Accountability & Transparency: Framework and Principles please see <http://www.icann.org/en/about/transparency/didp>. ICANN makes every effort to be as responsive as possible to the entirety of your Request.

We hope this information is helpful. If you have any further inquiries, please forward them to [didp@icann.org](mailto:didp@icann.org).