

IANA Report on Redelegating of the .IQ Top-Level Domain

IANA Report

Subject: Request of NCMC for Redelegating of .IQ Top-Level Domain

Date: July 2005

The Internet Assigned Numbers Authority (the IANA), as part of the administrative functions associated with management of the domain-name system root, is responsible for receiving requests for delegation and redelegation of top-level domains, investigating the circumstances pertinent to those requests, and reporting on the requests. This report gives the findings and conclusions of the IANA on its investigation of various requests for redelegation of the .IQ (Iraq) country-code top-level domain (ccTLD).

Factual and Procedural Background

In 1997, the University of Southern California's Information Sciences Institute (USC's ISI), which then performed the IANA functions, approved a request for establishment of the .IQ ccTLD. At that time and today, that two-letter code was and is set forth on the ISO 3166-1 list maintained by the ISO 3166 Maintenance Agency (ISO 3166/MA) as the approved alpha-2 code for Iraq.

In May 1997, the .IQ ccTLD was delegated by Dr. Jon Postel (then in charge of the IANA function at USC's ISI) to the Alani Corporation, affiliated with the InfoCom Corporation, and their staff designated as the administrative and technical contacts. In January 2000, the ccTLD information was updated to reflect InfoCom as an organization related to the named sponsoring organization and the administrative contact, and as the address for the technical contact, Mr. Bayan Elashi. In October 2002, new nameservers were added to the root-zone file for .IQ. Operations for the ccTLD were conducted in the United States, from InfoCom's offices in Richardson, Texas.

The technical contact, Bayan Elashi, was arrested in December 2002. In July 2004 Bayan Elashi, InfoCom, and others were convicted in a United States court, for conspiracy to violate, the Export Administration Regulations and the Libyan Sanctions Regulations. In April 2005 Bayan Elashi, InfoCom, and others were convicted in a United States court, for conspiracy to deal in the property of a Specially Designated Terrorist and conspiracy to commit money laundering, along with other related crimes. Additionally, Bayan Elashi was convicted of dealing in the property of a Specially Designated Terrorist and money laundering.

The .IQ ccTLD was never active. For most of the time the ccTLD was operated by Alani Corporation/InfoCom, the only entries appeared to be two that pointed to the registry itself.

In June 2004, the Coalition Provisional Authority formally contacted ICANN regarding the steps necessary for redelegation of the .IQ ccTLD. In December 2004, Prime Minister Allawi sent ICANN a letter designating the appropriate party representing Iraq and requesting that ICANN begin the process of redelegating the domain to the National Communications and Media Commission of Iraq.

On 23 June 2005 IANA received a template requesting redelegation of the .IQ ccTLD to the National Communications and Media Commission (NCMC) of Iraq.

Evaluation

This report is being provided under the [contract for performance of the IANA function \(http://www.icann.org/general/iana-contract-17mar03.htm\)](http://www.icann.org/general/iana-contract-17mar03.htm) between the United States Government and ICANN. Under that contract, ICANN performs the IANA function, which [includes receiving delegation and redelegation requests concerning ccTLDs \(http://www.icann.org/general/iana-contract-17mar03.htm#C.2.1.1.2\)](http://www.icann.org/general/iana-contract-17mar03.htm#C.2.1.1.2), investigating the circumstances pertinent to those requests, making its recommendations, and reporting actions undertaken in connection with processing such requests.

In acting on redelegation requests, the IANA currently follows the practices summarized in "Internet Domain Name System Structure and Delegation" ([ICP-1, http://www.icann.org/icp/icp-1.htm](http://www.icann.org/icp/icp-1.htm)). ICP-1 represents an update of the portions of [RFC 1591 \(http://www.rfc-editor.org/rfc/rfc1591.txt\)](http://www.rfc-editor.org/rfc/rfc1591.txt) which was issued in March 1994) dealing with ccTLDs, and reflects subsequent documents and evolution of the policies followed by the IANA through May 1999. Relevant guidance is also provided in the GAC Principles.

In considering delegation or redelegation of a ccTLD, the IANA seeks input from persons significantly affected by the transfer, particularly those within the nation or territory which the ccTLD has been established to benefit. As [noted in ICP-1 \(http://www.icann.org/icp/icp-1.htm#a\)](http://www.icann.org/icp/icp-1.htm#a), the parties affected include the relevant government or public authority: "The desires of the government of a country with regard to delegation of a ccTLD are taken very seriously. The IANA will make them a major consideration in any TLD delegation/transfer discussions."

Based on the materials submitted and the IANA's evaluation of the circumstances, NCMC qualifies as an appropriate manager for the .IQ registry. It has the support of the Iraq Transitional Government, as indicated in the letter of December 2004 from Prime Minister Allawi.

Mutual agreement of the old and the new delegees is a factor that ICANN takes very seriously when considering redelegation requests. Here, the designated technical contact is unavailable for consultation due to imprisonment. However, it is particularly noteworthy that between the original delegation in 1997 and 2002, Alani Corporation/InfoCom did not promote the use of the domain, or serve the interests of the Internet users of Iraq.

The GAC Principles serve as "best practices" to guide governments in assuming proper roles with respect to the Internet's naming system, which the GAC has observed is a public resource

to be administered in the public interest. In general, they recognize that each government has the ultimate responsibility within its territory for its national public-policy objectives, but also that ICANN has the responsibility for ensuring that the Internet domain-name system continues to provide an effective and interoperable global naming system. The GAC Principles guide governments on how to responsibly structure their relations with ccTLD managers (see [clauses 5.5, http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#5.5](http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#5.5) and [clause 9, http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#9](http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#9)). Among these specific principles, the best practices contemplate that governments will assist in ensuring that the ccTLD manager complies with ICANN policies related to global coordination of the Internet DNS ([clauses 9.1.7 and 9.1.8, http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#9.1.7](http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#9.1.7)).

According to the relevant communications, NCMC is well-suited to be inclusive of, and accountable to, the Iraq Internet community; and to operate through appropriate processes. The NCMC is an independent Iraqi institution responsible for regulating all forms of electronic communications, including voice and data telecommunications, radio and television broadcasting and information and Internet services. They will provide timely and helpful service to the community, in the local languages, and in the local time zone.

Conclusion

The structure proposed by NCMC and endorsed by the Iraq Government is to have NCMC undertake management of the .IQ ccTLD under appropriate oversight of the Iraq Government concerning the national policy interests. NCMC and the Iraq Government also acknowledge and support ICANN's responsibility for coordinating management of the DNS, including the .IQ ccTLD, to safeguard global technical coordination interests. In reviewing the request, in light of the Iraq Government's endorsement of NCMC as the appropriate manager, the IANA concludes that the .IQ ccTLD should be redelegated to NCMC.