New Names Advisory Panel

PROPOSALS FOR NEW SECOND LEVEL DOMAINS

Recommendations to the auDA Board, April 2003

1. Introduction – Work of the Panel, June 2002 - March 2003

In May 2002, .au Domain Administration Ltd (auDA) called for proposals for the creation of new second level domains (2LDs), to be evaluated by an independent New Names Advisory Panel (the Panel). The Call for Proposals, Terms of Reference and membership of the Panel are available on the auDA website at http://www.auda.org.au/policy/panel-newname-2002.

The Panel held seven meetings in Sydney, from July 2002 to February 2003. It conducted four public consultations and received over 40 submissions. All minutes, papers and submissions are available on the auDA website at http://www.auda.org.au/policy/panel-newname-2002. The final consultation (held in February/March 2003) did not raise any new issues. Consequently, the Panel did not need to hold a meeting in March, and instead finalised its deliberations online via the mailing list.

The work schedule of the Panel over its life included four deliverables:

1. Policy Advice to auDA Board
   Consideration and proposal to the auDA Board of a number of statements clarifying some important policy aspects of the creation of new 2LDs. These proposals, set out in an Interim Report, were approved by the Board in October 2002 (refer to the Panel's Interim Report to the auDA Board, October 2002 at http://www.auda.org.au/policy/panel-newname-2002/interim-report.pdf).

2. New Geographic 2LDs
   Consideration and proposal to the auDA Board of eight new 2LDs, to facilitate community use of Australian place names as 2LDs (refer to the Panel's Recommendations to the auDA Board, November 2002 at http://www.auda.org.au/policy/panel-newname-2002/geo2LDs-final.pdf).This proposal was approved by the Board in November 2002. On one matter (the future of the current ban on use of Australian place names in commercial 2LDs) the Panel failed to reach consensus, and made no recommendation.

3. Process for consideration of new 2LD proposals
   Consideration of a future process for the consideration of new 2LD proposals. This process was made available for public comment and discussion in January 2003 (refer to the Panel's Process for Future Consideration of New 2LD Proposals, January 2003 at http://www.auda.org.au/policy/panel-newname-2002/process-draft.html). The Panel has presented its final proposal in a separate report to the Board.

4. Evaluation of new 2LD proposals
   Evaluation of the new 2LD proposals submitted to auDA in May/June 2002. The Panel released its draft recommendations for public consultation in February 2003. This report contains the Panel's final recommendations to the Board.

The Panel has throughout its deliberations acknowledged that consideration of new 2LDs is a difficult task, for a number of reasons. These include:
- Lack of clarity of a number of policy issues relating to creation of new 2LDs and to the future growth and development of the Australian DNS.
- Limited involvement in the issues by the Australian DNS community, let alone the wider community.
- Policy and commercial complexity involved in creating new 2LDs.

- The scarcity of precedents and models internationally which provide useful guidance, due to the somewhat unique position and history of the Australian DNS.
- The proposed creation by the Panel of eight new 2LDs (for use by communities), which was a stated priority of the Board, has already created a substantial impost on auDA's limited resources.

2. Evaluation process

There were 17 proposals lodged in May/June 2002 for new second level domains. A list of proposals received by auDA is at Appendix A.

The Panel evaluated each proposal against the selection criteria outlined in the auDA Call for Proposals, as follows:

1. The 2LD must be robust, sustainable and viable. For example, in the case of closed 2LDs there should be a clear, long-term commitment from the body which it is proposed would manage the 2LD.

2. The 2LD should serve the needs of users, or a community of users, that are not well served by the existing 2LDs. For example, a proposal should define the user group and indicate clearly why its needs are not as well served at present as they would be with the proposed 2LD.

3. There must be clear support for the 2LD, in particular among the users it is intended to serve, and in general terms from the wider community. Strong evidence of this support should be provided (eg. letters of support, the resolution of a governing body, or survey evidence). There should be clear evidence that user community support is broadly representative of that community. Reasonable objections to the creation of the 2LD from the wider community will be taken into account by the Panel during its public consultation.

4. The 2LD should widen the choice of domain names available to users of the Australian DNS. For example, a proposed 2LD that simply duplicates an existing 2LD will generally not be considered to widen the choice of available domain names.

In the course of discussions, it became clear to the Panel that the creation of new 2LDs raises a number of other important issues that were not explicitly mentioned in either the auDA Call for Proposals or the Panel Terms of Reference. The result was an Interim Report, endorsed by the auDA Board in October 2002, that clarified the broader policy context of the Panel's evaluation process.

In assessing proposed new 2LDs, the Panel considered both the case made out by the proponents for the proposed new 2LD, and the extent to which the proposal may be likely to meet the selection criteria. The Panel also considered the extent to which a case had been made out for the proposed 2LD to be closed, if it had been proposed as a closed 2LD.

At its December 2002 meeting, the Panel agreed on a "shortlist" of four proposals that provided more substantive supporting information and addressed the selection criteria better than the others. These are (in alphabetical order):
- catholic.au - proposed by the Australian Catholic Bishops' Conference
- conf.au - Mark Tearle (and supported by others)
- research.au - Australian Vice-Chancellors' Committee
- uni.au/university.au - the Australian Vice-Chancellors' Committee.

The Panel met with the proponents of the shortlisted proposals in January 2003, to discuss some of the issues raised in the Interim Report.

3. Evaluation principles

The Panel's evaluation process was guided by a number of basic principles, aimed at ensuring that the selection of new 2LDs is consistent with the existing Australian DNS structure and policy framework.

Open and closed 2LDs
There has been little support on the Panel for new closed 2LDs in any of the cases put to it. The Panel does not recommend the creation of any closed 2LDs at this stage, on the grounds that the policy objectives of auDA - open and transparent management, a competitive industry - are best achieved through open 2LDs administered by auDA. The Panel notes that the auDA Board has indicated a clear preference for open 2LDs.

Interim Report principles
The Panel's Interim Report set out a number of principles, to which it is now bound both through its own processes and through the endorsement of the auDA Board. These include:

- There is a preference for open 2LDs which permit diversity rather than closed 2LDs which confer advantage on a single organisation or individual.
- Having more 2LDs does not in itself undermine sustainability. One issue is how far we want to drill down into sub-groups, in addition to very broad general categories, but in general sustainability is a different issue to size and specificity.
- Having more 2LDs does require financial and other support in order to be viable and sustainable, so costs are an issue – both set-up costs and running costs.
- User demand at all levels is important in determining the sustainability of a new 2LD.
- The needs of users are diverse and the appropriateness of a name strategy should be primarily determined by users – a clear statement of need from an informed user or community is hard to overturn, given the market-driven approach taken by auDA. Whether needs are well-served is primarily for users to decide.
- Support must exist widely - from peak organizations, prospective registrants, and ordinary end users. The Panel has generally felt that evidence which is limited to a governing body is too limited.

4. Recommendations

Shortlisted proposals
The Panel's recommendations on the four shortlisted proposals are set out below.

- catholic.au - Australian Catholic Bishops' Conference

The Panel is in unanimous agreement that the proposal should not be recommended, because it conflicts with the basic policy principle that a 2LD should not be created for a single organisation. The Australian DNS is built upon the concept of broad generic 2LDs, and the proposal does not accord with that fundamental policy.

The Panel notes that the proposal is well documented and strongly argued, with a great deal of supporting information. It rates well against the selection criteria, although the Panel queries the depth of support amongst the proposed user community and the perceived inadequacy of org.au to meet the needs of the community.

The Panel suggests that the proposal might be acceptable if it was reframed as an open 2LD, should an open 2LD meet the needs and intentions of the proponents. This comment is not intended to raise expectations that such a proposal would be automatically accepted; it would need to be evaluated separately. The Panel notes that no international precedent exists for this type of domain and it would constitute a radical innovation in the DNS.

- conf.au

The Panel is in unanimous agreement that the proposal to retain this existing 2LD should be recommended.

The Panel notes that auDA would need to undertake further consultation to develop suitable eligibility and allocation criteria for the 2LD, and that a marketing campaign would be useful in promoting its relevance among intended users.

- uni.au and university.au

A majority[1] of the Panel agrees that the proposal should not be recommended, because of concerns about setting objective eligibility criteria and because the Panel feels that there was not a compelling case for the 2LD to be closed. Some Panel members support the proposal as a closed 2LD but with open 2LD attributes (eg. objective eligibility criteria). Several Panel members do not support the proposal at all (as a closed or open 2LD), because they feel it has not been demonstrated that user needs are not already well served by edu.au.

The Panel notes that the proposal is well-argued, and the AVCC provided further submissions in response to the Panel's consultation documents, addressing the issues raised. A majority of the Panel agree that the proposal rates well against the selection criteria.

The Panel suggests that the proposal might be acceptable if it was reframed as an open 2LD, should an open 2LD meet the needs and intentions of the proponents. This comment is not intended to raise expectations that such a proposal would be automatically accepted; it would need to be evaluated separately.

The Panel also notes the submission by the Department of Education, Science and Training (DEST) in February 2003, which argues that the proposed uni.au 2LD should not be managed solely by the AVCC but should involve other education stakeholders including government. The Panel feels that DEST's views form a significant obstacle to the proposal as it is currently envisaged by the AVCC, which would need to be addressed directly with DEST if the AVCC intended to re-submit the proposal to auDA in future.

- research.au

The Panel is in unanimous agreement that the proposal should not be recommended, for three main reasons: 1) the proposal itself is not sufficiently developed, 2) there is no clear reason why research.au should be a closed 2LD, and 3) there had been inadequate consultation with the wider research community which could be expected to use the proposed 2LD.

The Panel suggests that the proposal might be acceptable if it was reframed as an open 2LD, developed in consultation with relevant stakeholders in the public and private research sector. This comment is not intended to raise expectations that such a proposal would be automatically accepted; it would need to be evaluated separately.

Non-shortlisted proposals
The Panel believes that the proposals listed below should not be recommended at this time, largely due to failure to address the selection criteria adequately and/or lack of supporting information. In some cases the Panel felt that a 2LD might be more appropriate as an open 2LD rather than a closed 2LD.

The Panel notes that none of these proposals are inherently ineligible, and in principle, all of them could be further developed and refined and then resubmitted for consideration under the new process (if approved by the auDA Board). The comments provided below are intended to give some guidance to the proponents, should they wish to reconsider or redevelop their proposal.

- aom.au - proposed by Richard Lim

This proposal failed to address the selection criteria and would require legislative change by the Commonwealth Government, which places it outside the scope of the Panel (and auDA).

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[1] Under the auDA rules relating to the operation of Advisory Policy Panels, the Panel is required to achieve consensus on its recommendations. In lieu of consensus, a two thirds majority is acceptable.

- biz.au/info.au - Michael Pappas

There is no evidence of support for these proposals from the intended user group (Australian businesses). The Panel believes that user needs are already well served by the existing 2LDs for business, com.au and net.au.

- club.au - Australian National Clubs Association

There is no evidence of support for this proposal from the intended user group (clubs), and no evidence that it would meet a need not currently being met by the existing 2LDs. The Panel feels that the case for the 2LD to be closed rather than open has not been established. The Panel notes that the organisation which it is proposed would manage the 2LD has not yet been incorporated.

- emb.au - Anand Kumria

There is no evidence of support for this proposal from the intended user group (foreign embassies). The Panel feels that the case for the 2LD to be closed rather than open has not been established. The Panel notes that the proponent has not consulted the organisation which it is proposed would manage the 2LD.

- law.au - Law Council of Australia

The Panel notes that the Law Council of Australia has submitted a preliminary proposal that has not yet been fully discussed or endorsed by the Council's membership. At this stage there is no clear evidence of support for this proposal from the intended user group (lawyers). The Panel feels that the case for the 2LD to be closed rather than open has not been established.

- med.au - Anand Kumria

There is no evidence of support for this proposal from the intended user group (medical practitioners). The Panel feels that the case for the 2LD to be closed rather than open has not been established. The Panel notes that the proponent has not suggested an appropriate organisation to manage the 2LD.

- pharmacy.au - Pharmacy Guild of Australia

There is no evidence of support for this proposal from the intended user group (pharmaceutical industry). The Panel feels that the case for the 2LD to be closed rather than open has not been established.

- retail.au - Australian Retailers Association

The proposal did not provide sufficient information for the Panel to evaluate it against the selection criteria.

- various 2LDs - David Patterson

The proposal did not provide sufficient information for the Panel to evaluate the suggested 2LDs against the selection criteria.

NEW 2LD PROPOSALS*
May/June 2002

No	Proposed 2LD	2LD Category	Proposed by
1	aom.au	closed	Richard Lim
2	biz.au	open	Michael Pappas
3	catholic.au	closed	Australian Catholic Bishops Conference
4	club.au	closed	Australian National Clubs Association
5	conf.au	open	Mark Tearle
6	emb.au	closed	Anand Kumria
7	info.au	open	Michael Pappas
8	law.au	closed	Law Council of Australia
9	med.au	closed	Anand Kumria
10	pharmacy.au	closed	Pharmacy Guild Of Australia
11	research.au	closed	Australian Vice-Chancellors' Committee
12	retail.au	closed	Australian Retailers Association
13	state/territory.au	geographic	C-Ballarat Ltd And City Of Ballarat
14	state/territory.au	geographic	Stephen Gethin
15	state/territory.au	geographic	One City One Site Working Party
16	uni.au university.au	closed	Australian Vice-Chancellors' Committee
17	various 2LDs	open/closed	David Patterson

* All proposals are available on the auDA website at
http://www.auda.org.au/policy/panel-newname-2002