Management of ccTLDs by Member States
of the European Union

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In order to support Internet development nationally, many transitional countries are reconsidering the structure for management of their country code Top Level Domains ("ccTLDs"). The goal of this reexamination is to ensure that the ccTLD is managed in the public interest, at low cost and with minimal regulatory burdens.

One set of models for addressing this issue can be found in the European Union. The vast majority of EU countries use private, non-profit organizations or foundations to manage their ccTLDs, with only 2 or 3 countries relying on government regulatory agencies.

European Union Law

Also relevant to the analysis of European norms is the EU "framework directive," Directive 2002/21/EC of the Parliament and Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services. The directive is actually a little confusing on the issue of ccTLD management, for it addresses domain names in the same article that addresses telephone numbering. Article 10 of the framework directive is entitled "Numbering, naming and addressing." It would be wrong, however, to read Article 10 as suggesting that administration of Internet domain names is to be lumped together from a regulatory standpoint with regulation of telephone network numbering. To the contrary, paragraphs 1-4 of Article 10 are devoted to numbering of telephone networks; they make it clear that national numbering plans for telecommunications are to be controlled by national regulatory authorities. But only paragraph 5 refers to naming and addressing, making it clear that a different approach is preferred with respect to Internet naming and addressing. Paragraph 5 of Article 10 merely states that " Member States shall coordinate their positions in international organisations and forums in which decisions are taken on issues relating to the numbering, naming and addressing of electronic communications networks and services." Otherwise, Article 10 leaves ccTLD management outside the realm of direct government management.

Survey of EU Member States

Austria:
Nic.at is the registration and administration office for the .at TLD. Nic.at is owned by the non-profit Internet Private Foundation Austria (IPA). See
http://www.nic.at/en/company/internetaustria/ia_internetaustria.asp

The following explains why the Austrian ISP Association (ISPA) created a non-profit entity to manage the .at ccTLD:

> "The field of domain administration requires resources regarding management, national and international representation, fundamental policy questions and strategic direction which are beyond what can reasonably be provided in a prudent way and on a voluntary basis by the board of an association. Therefore, the ISPA board has recognized that a more appropriate ownership structure than an association is required to provide these services as required by the Austrian internet community in the long term. The chosen structure – transferring the registry into a charitable Internet Private Foundation Austria – corresponds to the present structures in several other EU countries (e.g. Netherlands, Denmark and Sweden). The clear definition of the trust's purpose permits an exclusive attention to the tasks of the domain name administration as well as a professional management, outside the vagaries of a voluntary association and other external influences."

http://www.nic.at/en/company/geschichte/fg_firmengeschichte.asp

Belgium: The .be ccTLD is managed by DNS, a non-profit organization founded in 1999 by the ISP Association, Fabrimetal (Agoria) and Beltug with the mission of registering domain names under .be, facilitating Internet access and stimulating its use.
http://www.dns.be/eng/AboutUs/mission.htm

Denmark: DK Hostmaster A/S, which manages the .dk domain, is a private company, owned by Dansk Internet Forum (DIFO).

Finland: The Finnish Communications Regulatory Authority (FICORA), a government body, administers the ccTLD. In 1997, the granting of domain names under the root ".fi" was transferred from KPN Qwest Finland Oy (a for-profit company) to the Telecommunications Administration Centre (renamed FICORA as of 1 September 2001). The purpose of the transfer was to separate administration of the ccTLD from business interests.

France: The AFNIC (French Network Information Center) is a non-profit organization, founded in 1997 by the French National Institute for Research in Computer Science and Control (INRIA), and the government, represented by the Ministries of Telecommunications, Industry and Research. The AFNIC took over the activities of NIC-France / INRIA on January 1, 1998. Its mission is to improve the manner in which all Internet stakeholders, public and private, are represented in domain names management issues, and to achieve management flexibility that was impossible with a research organization. http://www.nic.fr/english/

Germany: The .de ccTLD is managed by DENIC eG, a cooperative of Internet Service Providers. http://www.denic.de/doc/DENIC/index.en.html

Greece: The .gr ccTLD Registry, part of the Institute of Computer Science, of the Foundation for Research & Technology Hellas (FORTH), is in charge of all domain name registrations under the .gr ccTLD, under the rules and regulations set out by the National Telecommunications & Post Commission. FORTH is one of the two main national research centers in Greece, supervised

and partly funded by the General Secretariat for Research and Technology of the Hellenic Ministry of Development.

Ireland: The IE Domain Registry (IEDR) is an independent, non-profit organization that manages the .ie ccTLD.

Italy: The function of the Italian Registration Authority is performed by the Institute of Informatics and Telematics of the National Research Council.

Luxembourg: The RESTENA Foundation, a national network for education and research, manages the cc TLD.

Netherlands: The non-profit Foundation for Internet Domain Registration in the Netherlands (SIDN) has been responsible for issuing and registering '.nl' domain names since 1996. The flexibility, knowledge and expertise provided by SIDN have meant that government regulation of this field has never been necessary. When SIDN was set up, it was decided that it should operate on a cost-covering basis. There is, however, competition between the "participants" in SIDN, who process applications for domain names. Hence, the participants decide for themselves what they will charge companies and individuals for registering domain names. The founders of SIDN were careful to ensure that it would not be transparent. A mixed legal structure was therefore chosen. SIDN is a foundation, but has a Council of Participants (CoP) with its own chairman. The SIDN website contains very detailed information about the organization, its governance and its commitment to transparency and public participation in its decision-making http://www.domain-registry.nl/sidn_english/flat/Home/

Portugal: The Foundation for National Scientific Computation (FCCN) is a private non-profit institution whose responsibilities include managing the registration service for .pt domains under the authority delegated by the IANA.
http://www.fccn.pt/ingles/dns/Regras/?in_menu_option=90941

Spain: The function of assignment of second level domain names under the .es country code is entrusted to the Ente Público de la Red Técnica de Televisión, RED.ES.
http://www.nic.es/indexeng.html

Sweden: The Network Information Centre Sweden AB (NIC-SE) registers and coordinates the ccTLDs. NIC-SE was organized by IIS Foundation.

United Kingdom: Nominet UK is a not-for-profit Internet Domain Name Registry. The Company acts as trustee for .uk Domain Names on behalf of the Internet community. As a not-for-profit company, Nominet has no shareholders, pays no dividends and does not proactively sell Internet services. It charges for Domain Name registrations only to cover its operational costs. Nominet has over 2000 members who have voting rights and are entitled to input into the way the Company is run. The most active members are Internet Service Providers (ISPs), but anyone with an interest in the Internet may become a member by paying an initial joining fee and an annual subscription thereafter. http://www.nic.uk/nominet/about/whoweare.html

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