DotAfrica Government Reserved Name List

Policy
# Table of Contents

1. Introduction .............................................................................................................................................. 3
2. Basic Principles ........................................................................................................................................ 3
3. Definitions ................................................................................................................................................... 4
4. Available Tools ........................................................................................................................................... 5
5. Representatives ......................................................................................................................................... 5
   - Registration of Representatives ............................................................................................................. 5
   - Change of contact details ......................................................................................................................... 7
   - Substitution of Representatives .............................................................................................................. 7
   - Account Suspension and Deletion ............................................................................................................ 7
   - Lookup .................................................................................................................................................... 7
6. Reserved Names ......................................................................................................................................... 8
   - Government Reserved Name Categories ................................................................................................. 8
   - Offensive Names ...................................................................................................................................... 9
   - Application and Reservation Process ..................................................................................................... 9
   - Dispute Resolution ................................................................................................................................. 11
   - Updates to Reserved Name Records ....................................................................................................... 12
   - Extension of Reservation Period ........................................................................................................... 12
   - Deletion of Reserved Names ................................................................................................................... 12
   - Redeeming Reserved Names .................................................................................................................. 13
   - Other Reserved Names ............................................................................................................................ 13
7. Public Lookup ........................................................................................................................................ 14
8. Fees ......................................................................................................................................................... 14
9. Appointment of the Moderator ................................................................................................................. 15
10. Limitation of Liability ............................................................................................................................. 15
11. Modifications, Guidelines and Enforceability ......................................................................................... 15
1. INTRODUCTION

1.1 This document describes the Government Reserved Name Policy for the dotAfrica TLD. Its objective is to promote the adoption and use of the dotAfrica TLD by African governments and recognised intergovernmental organisations by allowing such governmental authorities to protect their national interests.

1.2 This will be achieved by allowing governmental authorities to reserve names that are of significance to them and their citizens before the dotAfrica TLD is opened to general domain name registrations. The reserved names will not be available for registration by any other entity and can later be redeemed after the TLD has been launched.

2. BASIC PRINCIPLES

2.1 Several basic principles underpin this policy.

- The purpose of the Government Reserved Name List is not to keep names from registration indefinitely, but rather to give governmental authorities pre-emptive rights to names. This has three implications.
  - Firstly, if a reserved name is not registered within the time set in this policy, it will be removed from the Government Reserved Name List and may be registered by any other party. The exception to this is names falling under the offensive names category, which will be reserved indefinitely.
  - Secondly, if a governmental authority fails to reserve a name under this policy, it may not have any better right to a name than any other applicant for that name.
  - Thirdly, it is incumbent on the relevant governmental authority which reserved a name to redeem this name within the time provided.

- The dotAfrica administrator is committed to the introduction of the dotAfrica TLD in a way that takes into consideration reasonable protection and priority for relevant prior rights and to curb abusive registrations. This Government Reserved Name Policy is not intended to circumvent the opportunity for Intellectual Property Rights (IPR) holders to claim their rights for Domain Names under the dotAfrica TLD.

- The dotAfrica administrator will make best efforts to inform African governments and recognised intergovernmental organisations of this policy and the need to make use of the Government Reserved Name Policy.

- This policy will be implemented using prescribed systems and tools to govern the registration of representatives and to facilitate efficient submission, moderation, search and redemption of reserved names.

- Once reserved names have been registered as Domain Names, they will be treated in the same way as any other domain name. Accordingly if the registrant of such a domain name does not renew its registration, the registration will expire and the name will become available to registration by any person. Reserved names which have been redeemed will be subject to the same dispute resolution policies as all other domain names.
Finally, this policy is not intended to facilitate the reservation of trade marks or premium commercial names – other policies cater for such names.

3. DEFINITIONS

“Accredited Registrar” means a registrar that has been accredited by ICANN and the Administrator to sponsor the registration of Domain Names in the .africa TLD.

“Administrator” means the registry operator of the dotAfrica TLD.

“Application” means an application for inclusion of a name in the RNL in terms of this policy.

“AUC” means the African Union Commission.

“Beneficiary” means the party recorded in the RNL as the ultimate registrant of a Reserved Name.

“Domain Name” means a Domain Name of the Domain Name system.

“dotAfrica” means the “.africa” TLD.

“Launch” means the date of commencement of the Sunrise Phase of the dotAfrica TLD launch.

“Governmental Authority” means African Governments, and recognised intergovernmental organisations.

“Guide” means the Government Reserved Name List Guide made available by the Administrator which sets out details of the implementation of this policy as well as interpretive guidelines.

“ICANN” means the Internet Corporation for Assigned Names and Numbers, a non-profit public benefit corporation incorporated in the State of California, United States of America.

“IDN” means Internationalised Domain Names, which are Domain Names that contain IDNs are Internet Domain Names that contain non-ASCII (American Standard Code for Information Interchange) characters, and are displayed in software applications, in whole or in part, in a language-specific script or alphabet, such as Arabic, Chinese, Russian, Tamil or the Latin alphabet-based characters with diacritics, such as French. For example, a string in traditional Chinese commonly has an equivalent simplified Chinese. A potential example in Latin characters is encyclopædia and encyclopædia”.

“Moderator” means the moderator appointed by the AUC to in terms of this policy.

“Pre-Sunrise” or “PSR” means the phase in the launch of the dotAfrica TLD between delegation of the TLD by ICANN to the Administrator and the Launch date.

“Redemption” means registration of Reserved Names as corresponding Domain Names under the dotAfrica TLD.

“Representative” means an individual registered to access the RNL Portal and apply to reserve names on behalf of a Governmental Authority in terms of this policy.

“Reservation Period” means the period after the Launch date for which the Reserved Name will be
Reserved Names Policy Copyright © ZA Central Registry 2013
August 15, 2013

listed in the RNL.

“Reserved Name” means a name that has been inserted into the Government Reserved Name List.

“Review Panel” means the review panel established by the AUC in terms of this policy to review objections to the Moderator’s decisions.

“RNL” means the Government Reserved Name List, being the list of names reserved in terms of this policy.

“RNL Portal” means the Reserve Name List Portal, a website that has been created by the Administrator to facilitate the Government Reserved Name List application process.

“SMD” means Signed Mark Data.

“TLD” means a Top Level Domain of the Domain Name system.

4. AVAILABLE TOOLS

4.1 For the purpose of the Reserved Name List and its successful operation, the Administrator has set up a Reserved Name List Portal (RNL Portal). The purpose of the RNL Portal is to:

- Facilitate the registration of Governmental Authority representatives
- Facilitate the reservation of names into the RNL
- Facilitate the Objection Process for listed reserved names
- Provide a public place for the identification of Representatives and Reserved Names
- Provide guidelines, processes and policies for the RNL
- Act as a knowledgebase for all things RNL related

5. REPRESENTATIVES

5.1 Applications can only be made via the RNL Portal by Representatives who have been registered on the RNL portal. Representatives must be registered by Governmental Authorities prior to any Application being made.

5.2 If any stakeholder wishes to insert a name in the RNL, it must contact the Representative for its Governmental Authority who will make the Application on that stakeholder’s behalf as described in this policy (subject to approval by the Governmental Authority).

5.3 Only Governmental Authorities may register Representatives, and only one Representative may be registered per Governmental Authority.

5.4 Registration of Representatives

5.4.1 Registration of Representatives follows the process as outlined by Figure 1 below.
5.4.2 The Administrator will send letters of introduction to Governmental Authorities describing the terms of this policy and inviting nomination of a Representative per Governmental Authority.

5.4.3 Each Governmental Authority should send a nomination to the Administrator including the name, email address and letter of appointment from the Governmental Authority for the person concerned, and stating that the Representative accepts the terms of this policy.

5.4.4 The Administrator must send an invitation to each nominated Representative with a link to the appropriate page on the RNL Portal.

5.4.5 The Administrator will set a deadline for nomination of Representatives, after which received submissions will be processed.

5.4.6 Representatives will register via the RNL Portal, and must provide the following information as part of the registration process:

- **Title**
- **First Names**
- **Last Name**
- **Contact email address**: The email address at which individuals may get a hold of the Representative for either additional information or to propose name reservations
- **Government Authority of the Representative**: The government / intergovernmental organisation that the Representative has been nominated by to be their RNL Representative
- **Office/Designation**: The position the Representative holds in their respective institution
- **Motivation**: Additional information to support the need for the creation of the Representative’s RNL account.
- **Supporting Documentation**: letter of appointment or other credentials.

\[Figure 2: Representative Registration Process\]
• **Acceptance of Terms and Conditions**: Representatives must accept the terms of this policy before they will be registered.

5.4.7 The Moderator will review all registration submissions for accuracy or duplication. The Moderator has discretion whether to approve the registration of any particular Representative.

5.4.8 In the case of more than one submission from a single Governmental Authority, the Moderator will refer the matter to the Review Panel to resolve the duplication.

5.4.9 If registration is approved, a Representative account will be created on the RNL Portal, and the Representative will be notified via email to the email address provided in the registration process. The notification will include credentials (Username and Password) for the RNL Portal. A Representative must use the provided information to access the RNL Portal and reserve names.

5.4.10 Declined registrations will be notified via email to the email address provided in the registration process. The notification will include the reason for failure.

5.5 **Change of contact details**

5.5.1 Representatives may change their contact details via the RNL Portal.

5.6 **Substitution of Representatives**

5.6.1 Should a Governmental Authority wish to replace its Representative for any reason, it must notify and provide the Moderator with the necessary information; the Moderator will update the Representative account accordingly.

5.7 **Account Suspension and Deletion**

5.7.1 In the event that the Moderator has identified a critical discrepancy with a Representative account, the Moderator reserves the right to suspend such account until further notice. The Representative will be unable to access the RNL Portal.

5.7.2 Critical discrepancies include, but are not limited to:

• Abuse of the Government Reserved Name List and its intended purpose
• Abuse of the Reserved Name List Portal and its intended purpose
• Abuse of good faith concepts outlined in this Government Reserved Name List Policy
• Abuse of the procedures and guidelines set forth in this Government Reserved Name List Policy

5.7.3 If a Governmental Authority wishes to delete its corresponding Representative account, it must notify the Moderator who will mark the account as pending deletion. The account will be deleted after the deletion period described in the Guide has lapsed.

5.7.4 If a Representative account is deleted, all pending Applications will be withdrawn and all corresponding Reserved Names will be removed from the RNL.

5.7.5 Approved Representative accounts will not expire.

5.8 **Lookup**
5.8.1 The Guide will set out the information relating to Representatives that will be made available for public lookup. This may include personal information.

5.8.2 Representatives will have extended lookup functionality as set out in the Guide, including information about other Representatives and Applications.

6. RESERVED NAMES

6.1. **Government Reserved Name Categories**

6.1.1 Governmental Authorities can apply to enter names into the Government Reserved Name List if names fall into one or more of the categories described below, and Governmental Authorities intend to make use of the names.

6.1.2 This policy is not intended for the reservation of trade marks or premium commercial names, and Governmental Authorities should wait for the Sunrise or Landrush Phases of the dotAfrica TLD should they wish to register such names.

6.1.3 **Geographic Names**

6.1.3.1 This category will contain names of recognised geographic areas and features that are of substantial significance to Governmental Authorities, including variants and common expressions for these names.

6.1.3.2 Examples include the names of:

- countries and provinces;
- capital cities and provincial capitals;
- major towns and metropolitan areas;
- major rivers, mountains and lakes; and
- UNESCO World Heritage Sites and national parks & reserves.

6.1.3.3 In applying for reservation of a geographic name, the Representative must explain the importance and significance of the name to the Governmental Authority concerned.

6.1.4 **Religious, Cultural and Linguistic Names**

6.1.4.1 This category will contain religious, cultural or linguistic names that are of substantial significance and uniquely linked to Governmental Authorities, including variants and common expressions for these names.

6.1.4.2 Examples include names of:

- languages;
- tribes and peoples;
- religious groups; and
- people and places of cultural or historic significance.

6.1.4.3 In applying for reservation of religious, cultural or linguistic names, the Representative must explain the importance and significance of the name to the Governmental Authority concerned.
6.1.5 Economic and Public Interest Names

6.1.5.1 This category will contain names that are of substantial economic or public interest significance and uniquely linked to Governmental Authorities, including variants and common expressions for these names.

6.1.5.2 In applying for reservation of economic and public interest names, the Representative must explain the importance and significance of the name to the Governmental Authority concerned.

6.1.5.3 In order to establish significant economic importance the Representative must show that:

- Significant economic or public benefit has accrued in the past from the use of the name;
- Use of the name by the Beneficiary would be substantially in the economic or public interest of the Governmental Authority; and / or
- Use other than by the Beneficiary would result in substantial prejudice or harm to the Governmental Authority.

6.2 Offensive Names

6.2.1 A name will be considered an offensive name if the name itself would inherently have the effect of advocating prejudice or hate on the basis of race, ethnicity, political association, gender, sexuality, religion, conscience, or culture; or have the effect of inciting violence or the causing of harm to any person or class of persons, whether on any of the aforementioned grounds or otherwise.

6.2.2 If the application is successful, the Administrator must indefinitely list the name in the RNL and ensure that it is blocked from registration by any party.

6.3 Application and Reservation Process

6.3.1 Governmental Authorities may apply to enter names in the RNL during the Pre-Sunrise phase.

6.3.2 Applications will be processed and allocated in accordance with the graph and following steps below.
6.3.3 Application

6.3.3.1 Only Representatives can make Applications and must do so via the RNL Portal.

6.3.3.2 Applications must be submitted before the deadline made public by the Administrator, except for Applications for offensive names, which can be submitted at any time in respect of names that have not been registered as Domain Names. If an offensive name has already been registered as a Domain Name, a complaint can be made under the dotAfrica Dispute Resolution Policy.

6.3.3.3 The application must set out at least the following:

- **Name**: The name to be reserved, including the “.africa” string. Eg: “mydomain.africa”.
- **Category**: The reserved name category under which the name is to be reserved.
- **Motivation**: The motivation for the Application.
- **Beneficiary**: The intended Beneficiary of the reservation, including the information stipulated in the Guide (not necessary for offensive names).

6.3.3.4 Representatives can withdraw Applications at any time before the corresponding names are listed in the RNL.

6.3.3.5 The Administrator will limit the number of Reserved Names that each Representative can list in the RNL, which limit may be varied at the discretion of the Administrator, and Representatives should accordingly choose their proposed names carefully. The default limit will be 100 Applications for government reserved names, and 20 Applications for offensive names.

6.3.3.6 Representatives may submit Applications for IDN names. As the dotAfrica TLD will not initially support IDN names, these Applications will not be moderated, the names will not be entered in the RNL and will not count towards any reservation limit; rather the Applications will be held in abeyance until such time as the dotAfrica TLD supports IDN names. The Applications will then be moderated in good time before the commencement of such IDN name support.

6.3.4 Moderation

6.3.4.1 The Moderator may request a Representative to submit further particulars and / or documentary evidence in support of an Application. Any such further submission must be submitted
within a period set out by the Moderator in the request, which period must be within the limits described in the Guide. Submission will be by electronic format through the RNL Portal, but the Moderator may request submission by other formats as he/she deems necessary. If the Representative fails to make the further submission within the time period stipulated in the request, the Application will lapse.

6.3.4.2 The Moderator will consider the Application and approve it if:

- the name is available for reservation;
- the Application is submitted before the deadline for submissions has passed;
- the Representative provides adequate particulars of the Application and supporting documentation in a timely fashion and in the correct format; and
- the Application has otherwise met the requirements set out in this policy.

6.3.4.3 If more than one Application has been made for the same name by different Representatives, the Moderator must notify the Representatives of the duplication and request that they resolve the matter between them. If the Representatives are unable to reach an agreement by the Launch date, the Moderator must refer the dispute to the Review Panel for resolution, and the disputed name will be entered into the RNL with the Administrator as the Beneficiary, pending the decision of the Review Panel.

6.3.4.4 The Representative will be informed of the outcome of the Application via the RNL Portal.

6.3.4.5 All Applications will be moderated by the Launch date.

6.3.5 Reservation

6.3.5.1 If the Application is successful, the name will be entered in the RNL as a Reserved Name.

6.3.5.2 A Reserved Name will have a default Reservation Period of 12 months after the Launch date, but the Moderator may in exceptional circumstances, based on the motivation provided, set the Reservation Period for a period of up to three years.

6.3.5.3 Offensive names and names of countries will always be reserved indefinitely.

6.4 Dispute Resolution

6.4.1 Objections to decisions of the Moderator and disputes between Representatives that the moderator is unable to resolve will be referred to a Review Panel established by the AUC.

6.4.2 The Review Panel must establish rules and procedures for the submission and hearing of disputes that are consistent with the principles of natural justice.

6.4.3 Any Governmental Authority may refer an objection to the Review Panel subject to the rules and procedures described above.

6.4.4 The Review Panel must give written reasons for its decisions. The Administrator will comply with decisions of the Review Panel and amend the content of the RNL accordingly.
6.5 Updates to Reserved Name Records

6.5.1 Representatives may request updates to Reserved Name records through the functionality provided in the RNL Portal. Only the Beneficiary can be changed in this way.

6.5.2 Changes must be made on the instruction of Governmental Authorities and carried out in good faith and in the interests of Beneficiaries, as the Beneficiary will be the first registrant and will assume control of the Domain Name upon Redemption.

6.5.3 The Beneficiary will be notified of the pending update and the pending update period as set out in the Guide. The update will be automatically effected after the pending update period expires.

6.5.4 The Representative may withdraw the pending update within the pending update period.

6.5.5 The Beneficiary and the Representative will be notified of the update or its withdrawal.

6.6 Extension of Reservation Period

6.6.1 During the initial Reservation Period, if a Reserved Name has not yet been Redeemed, the Representative may request that the Reservation Period be extended. The request must be made by the Representative through the RNL Portal, and can only be granted if the Reservation Period has not yet expired.

6.6.2 The Reservation Period may only be extended once, for a period of 12 months, after which the Reserved Name will expire if not Redeemed.

6.7 Deletion of Reserved Names

6.7.1 Reserved Names will be deleted from the RNL under two circumstances: where the Reservation Period has expired, and in the case of a voluntary deletion.

6.7.2 Expiry of Reservation Period

6.7.2.1 If the Reservation Period of a Reserved Name expires, the Reserved Name will automatically enter the deletion process described below.

6.7.2.2 It is the responsibility of the Representative to ensure that the Beneficiary is aware of the expiration.

6.7.3 Voluntary Deletion

6.7.3.1 If a Beneficiary does not wish to Redeem a Reserved Name and the Representative does not wish to substitute another Beneficiary for that Reserved Name, then the Representative may delete the Reserved Name from the RNL.

6.7.3.2 The Representative must use the RNL Portal to request deletion of a Reserved Name and must submit written consent from the Beneficiary for such deletion. Upon such request, the Reserved Name will enter the deletion process described below.

6.7.4 Deletion Process
6.7.4.1 The initiation of the deletion process will have the following consequences:

- The Reserved Name status will change to “pending deletion” and the pending deletion period will commence and run for a period set out in the Guide;

- The Representative and Beneficiary will be sent notice per email that the Reserved Name has entered the deletion process;

- The Representative and Beneficiary will be sent a final notice per email of the impending deletion within a period described in the Guide;

- The Representative can interrupt the deletion process by doing one of the following before the deletion period expires:
  - Redeeming the Reserved Name;
  - Requesting an extension to the Reservation Period (if an extension is possible for the Reserved Name); or
  - Withdrawing the deletion request (in the case of a voluntary deletion);

- On expiry of the deletion period, the Reserved Name will automatically be deleted from the RNL and will revert into the pool of available domain names, or at the Administrator’s sole discretion may be withheld to be auctioned at a later date after proper advertisement of the intention to auction the name in question.

6.8 Redeeming Reserved Names

6.8.1 Beneficiaries must Redeem Reserved Names during the Reservation Period. The Administrator may suspend Redemptions for a period immediately preceding the expiry of the Redemption Period as set out in the Guide.

6.8.2 Reserved Names can only be Redeemed via an Accredited Registrar via the RNL Portal using a secure method described in the Guide.

6.8.3 Successful Redemption of a Reserved Name will result in the name being marked as “redeemed” in the RNL, and the Beneficiary of the Reserved Name will be listed as the first registrant of the Domain Name.

6.8.4 After Redemption the standard registry policies and procedures will apply to the Domain Name.

6.9 Other Reserved Names

6.9.1 The Administrator is obliged by its Registry Agreement with ICANN to reserve certain names from registration or allocate them to itself, and will also reserve names for internal administrative purposes. These names will not be available for reservation in the RNL and include:

- The following strings must be reserved for technical reasons: the ASCII labels EXAMPLE, WWW, RDDS, WHOIS and NIC at all levels of the .africa TLD.
• All two-character ASCII labels such as “.ke” and “.za” in the second level of the TLD.

• Names reserved for use in connection with the operation of the Administrator, for example “registry.africa”.

• Certain intergovernmental organisation names and acronyms.

• Names that may cause technical disruption or issues around the DNS system, including gTLDs and auto-Configuration Domains. Technical Names will be inserted and deleted by the Administrator in its sole and unfettered discretion.

• Certain premium names such as “.baby”, “.cloud”, or “.book”.

6.9.2 Country and Territory Names may be reserved by Representatives, but cannot be Redeemed until so mandated by ICANN.

7. PUBLIC LOOKUP

7.1 A lookup facility for the Reserve Name List will be made publicly available, subject to such protections for personal and confidential information as are required by applicable law.

7.2 The following will be available using the facility:

• **Representatives**: The purpose of the public listing is to ensure that individuals wishing to propose a name for reservation may identify their Representative and contact them accordingly. The name and contact details of each Representative will be available.

• **Reserved Names**: the following information will be made available in respect of Reserved Names:-
  - Reserved Name
  - Category
  - Representative name
  - Governmental Authority
  - Beneficiary

7.3 The dotAfrica registry’s Whois facility will also reference RNL data.

7.4 Note that in the case of offensive names and “other reserved names” described above, the query will only return the result “reserved”.

8. FEES

8.1 No fees will be charged. After Redemption the normal dotAfrica TLD fee structure will apply.
9. APPOINTMENT OF THE MODERATOR

9.1 The Administrator in consultation with relevant stakeholders will appoint a moderator to fulfil the duties prescribed by this policy.

10. LIMITATION OF LIABILITY

10.1 To the extent allowed under mandatory law, the Administrator will only be liable where the Administrator’s gross negligence or wilful misconduct is proven. In no event will the Administrator be held liable for any indirect, consequential or incidental damages or loss of profits, whether contractual, based on tort (including negligence) or otherwise arising, resulting from or related to reservation of a name in the RNL, registration or the use thereof or to the use of its software or website, even if it has been advised of the possibility of such loss or damages, including but not limited to decisions taken by the Administrator to reserve or not to reserve or to register or not to register a name.

10.2 To the extent allowed under mandatory law, the Administrator’s liability for damages will in any case be limited to an amount equal to the application fee paid to the Administrator (that is, the fees collected from the sponsoring registrar by the Administrator for the submission of the application for registration of the corresponding Domain Name, not including any other fees paid by the registrant for the acquisition of the domain, such as fees paid to the sponsoring registrar or auction fees) in the context of submitting the application for registration of the Reserved Name concerned as a Domain Name.

10.3 The Representative will hold the Administrator harmless from claims filed or disputes initiated by third parties, and will indemnify and compensate the Administrator for any costs or expenses incurred or damages for which it may be held liable as a result of third parties taking action against it on the grounds that the reservation of a name in the RNL, application for or the registration or use of a name as a Domain Name by the Beneficiary infringes the rights of a third party.

10.4 For the purposes of this article, the term “Administrator” also refers to its members and subcontractors, including the verification agents, and each of their respective directors, agents and employees.

10.5 The obligations of sponsoring registrars are laid out in the Registry-Registrar Agreement. Such obligations include the conformance with this Government Reserved Name Policy.

11. MODIFICATIONS, GUIDELINES AND ENFORCEABILITY

11.1 The Administrator may modify this Government Reserved Name Policy from time to time, which modifications will take effect at the time they are announced on the RNL Portal and dotAfrica website.

11.2 The Administrator may issue interpretive guidelines on the RNL Portal or to Representatives regarding the provisions of this policy. The content of such guidelines will be for interpretive purposes only and will not constitute policy.