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Questions remain as CIRA takes over dot-ca domain: Governance a problem: Only those who pay to register get to vote for policy-makers

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OTTAWA - The Canadian Internet Registration Authority (CIRA) takes over operation of the dot-ca domain tomorrow morning, just as new questions are being raised about the way the non-profit corporation chooses its own governing body.

CIRA will hold its first-ever elections for seven of its 10 directors early next year, but only those individuals or companies who have paid to register a dot-ca domain will get to choose those directors.

The International Corporation of Assigned Names and Numbers (ICANN), which administers the dot-com, dot-org and other domains, in contrast to CIRA, elected five of its 19 directors through direct elections held this fall in which any Internet user with a valid e-mail address was eligible to vote. More than 75,000 people, including about 2,500 Canadians, registered to vote in those elections.

The makeup and policy positions of both ICANN's and CIRA's boards of directors are becoming increasingly important as there is a growing recognition among Internet economy players that these bodies are becoming de facto regulators of a resource -- Internet domains and addresses -- that is of vital importance to the industry.

"ICANN does exercise a governance function in certain areas and I think for any body that exercises a governance function it's important that the governing board is elected. In the CIRA context, CIRA is moving towards an election. That's something that we want to see," said Drew Olsen, an economist and policy advisor for Industry Canada, and the federal government's non-voting representative on CIRA's board of directors.

"There was a time when this was pretty much a technical issue," said Michael Geist, a law professor at the University of Ottawa who specializes in Internet issues. "That's changed. When we talk now about dispute resolution policies, at-large elections or new top-level domain names, we're talking about policy choices that affect all Internet users. We are talking about Internet governance in Canada and accessibility by Canadians to Canadian domains."

But under CIRA's bylaws, only those who pay to register dot-ca domains will get a chance to vote for the individuals who will make those policy choices.

There could be as many as 180,000 registered dot-ca domains, although some individuals and companies have registered more than one domain. Under CIRA's rules, a domain name owner will only get one vote, regardless of the number of dot-ca domains registered.

The federal government has recognized the authority of CIRA to run the dot-ca domain with the understanding that the dot-ca domain "is a public resource, helping to promote the development of electronic commerce in Canada and important to our country's future social and economic development."

CIRA plans to hold elections for seven of its 10 directors in the first quarter next year.

Three board seats are reserved for appointees from particular interest groups. One board seat is for general Internet users and that person, nominated by the Canadian Internet Society, is Maureen Cubberly. One board seat, held now

by Colin Campbell of Look Communications Inc. of Toronto, is for Internet service providers. One is for registrars, a position held by John **Demco** of the University of British Columbia.

Andrew Bjerring, chief executive of Canarie Inc. of Ottawa, and a current member of CIRA's board, says there is broad consensus at the board that it lacks legitimacy because it is not elected. Because of that, he said yesterday at a conference here on domain law and policy, the board has been reluctant to do anything beyond making the new dot-ca registry operationally active. That will happen early tomorrow morning when the operation of the dot-ca registry passes from the University of British Columbia to CIRA.

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