

Resolution

made by the following members of the German Bundestag: Dorothee Bär, Wolfgang Börnsen, Peter Albach, Renate Blank, Gitta Connemann, Reinhard Grindel, Monika Grütters, Dr. Günter Krings, Hartmut Koschyk, Johann-Henrich Krummacher, Maria Michalk, Philipp Mißfelder, Rita Pawelski, Ruprecht Polenz, Dr. Norbert Röttgen, Marco Wanderwitz, Volker Kauder, Dr. Peter Ramsauer and the parliamentary party of the CDU/CSU as well as the following of the German Bundestag: Jörg Tauss, Martin Dörmann, Christoph Pries, Monika Griefahn, Siegmund Ehrmann, Kerstin Griese, Fritz-Rudolf Körper, Angelika Krüger-Leißner, Dr. Uwe Küster, Markus Meckel, Petra Merkel, Steffen Reiche, Michael Roth, Renate Schmidt, Olaf Scholz, Wolfgang Thierse, Simone Violka, Dr. Peter Struck and the parliamentary party of the SPD.

Advancement of address space in the Internet

The Bundestag wants to pass a resolution:

I. The German Bundestag notes:

The Internet pervades all areas of modern society so that, today, it is hard to imagine economically and socially significant processes that do not include its use. Answering questions about its legal framework in a worldwide information and communications network, its technical specifications and fair access to its infrastructure are thus of great social, cultural, legal and economic significance for Germany and for all other nations.

The issuing of unique addresses is a fundamental characteristic of the Internet as a worldwide data, information and communications network, so that users can easily find content worldwide, in a comprehensible way. Control of the Internet's address space, of domains and top-level-domains (TLDs), i.e. the highest level of the domain hierarchy, is a decisive part of this infrastructure. ICANN, the "Internet Corporation for Assigned Names and Numbers" has this control; it is a private, non-profit-making organisation under US law, with its headquarters in Marina del Rey. It makes decisions about the fundamentals of managing names and addresses in the Internet and about standards for the technology and procedures.

Even if the ICANN cannot make binding laws, it does coordinate the technical aspects of the Internet and its power to set standards effectively has major economic and political implications worldwide. And, although the ICANN should long be part of the autonomous self-regulation of the Internet or should be legitimised by increased international cooperation, it is today only connected to the US administration via government supervision and a contract. This has long been the subject of discussion about the future structure of the political control of the Internet, most recently at the UN world summit on the information society.

Germany is represented by the German government in the ICANN Governmental Advisory Committee (GAC) and, together with other governments from around the world, participates in the decisions taken by this committee. It can thus participate, together with a large number of economic and scientific institutions, as well as private users, in the further development of the Internet, which also includes the address space.

The further development of the Internet address space is of particular significance for Germany: In Germany, the top-level-domain ".de" is by far the most successful top-level-domain worldwide which is commercially operated at a national level. Over 10 million domains have already been registered under ".de".

Even if the Internet is globally structured, owing to the great success of this and of other national addresses, a worldwide trend has started to further develop the addressing in the area of top-level-domains. Apart from the familiar addresses such as ".com", ".org" and the national addresses such as ".de", the address space is being extended for regional addressing, to encourage increased local and regional use and to make homogenous markets and usage areas more visible and recognisable already through the top-level-domains. The usability is also increased by the option of restricting search enquiries to the local area and by keeping more of the Internet traffic local. In the past, ICANN has only approved regional top-level-domains for nation states. In the meantime however, following this trend, the first regional top-level-domains have been created with the introduction of ".eu" for Europe, ".asia" for Asia and ".cat" for Catalonia. At the same time, there is increasing support for the approval of characters from other languages within the scope of Internet addresses. Since 1st April 2004, umlauts and accents such as ä, ö, é, etc. can be used in addresses.

For Germany, this development provides good opportunities for the Länder, regions and cities to better present their special features commercially and culturally, worldwide. For example, in cities such as London, New York City or Berlin, today there are more domain registrations than in over 150 countries which already have their own top-level-domain.

As, so far, neither metropolitan areas nor comparably large regions have their own top-level-domains, private initiatives have been formed worldwide, which intend to apply to ICANN for the registration of top-level-domains for cities such as London, Paris, Berlin and New York City. To avoid German cities, communities and regions from being put at a disadvantage to other regions and large cities, the Bundestag expressly supports initiatives like this from Germany, provided they are supported or backed by the responsible public authorities.

This subject was discussed at the ICANN meeting from 2nd to 8th December 2006, in Sao Paulo, Brazil and, at the next meeting from 26th to 30th March 2007, in Lisbon, Portugal, the introduction of such regional top-level-domains will be discussed and procedures and schedules for their introduction agreed.

ICANN will also use this opportunity to discuss new rules for the "Whois" service. The "Whois" service for a domain is a protocol and an information service based on that protocol, with which personal data can be requested about the owners of domains, contact persons and the responsible technical administrators. To date, this information is available to everyone, even though it includes sensitive personal information such as telephone numbers, email addresses, IP addresses and postal addresses, thus far exceeding the amount of information available in public telephone directories.

Modern Whois servers, such as the DENIC registry, which looks after German domains, only permit a limited number of enquiries. However this does not yet provide effective protection from bulk-requests for addresses from so-called "spammers" and direct marketing organisations. The protection of personal information is thus at odds with the necessity of being able to contact the owner of a

domain, presenting an important subject which, in the opinion of the Bundestag, should also be raised by the German government at the coming ICANN meeting.

II. The German Bundestag calls upon the German Government,

1. within the scope of its participation in ICANN's Governmental Advisory Committee (GAC), to support the approval of new top-level-domains, particularly those for regional and urban communities in Germany, such as ".bayern", ".nrw" and ".berlin", provided the initiatives concerned are supported or backed by the responsible public authorities. The introduction of new, regional, top-level-domains is a sensible addition to the national identifier ".de" and is also suited for the stimulation of regional economies and to promote local identities in the Internet for business, culture, politics and citizens. Particularly the semantic, i.e. the meaningful character, of top-level-domains using the name of the region, offers a long-term and economically relevant location-based advantage for the local authorities affected in the national and global competition for resources, encouraging self-confidence and a sense of community for each region concerned. Germany has an opportunity here to participate in a worldwide trend and must not be put at a disadvantage compared to other regions and metropolitan areas.
2. within the scope of its participation in the UN's Internet Governance Forum (IGF) to work towards the administration of the domains and top-level-domains remaining in the framework of self-administration by the Internet community, under the supervision of an international cooperation. At the same time, the protection of the rights of the owners of the rights to the names must be appropriately guaranteed.
Following the usual international practice for the administration of domains, the German Bundestag has excluded the national administration of the ".de" domain from the responsibility for the administration of numbers by the Bundesnetzagentur (Federal Network Authority), leaving it in the responsibility of the privately organised institutions of self-regulation. This has proven successful, even in the area of reducing bureaucracy, and could also apply in future as a model for the new regional top-level-domains. At the same time, the owners of rights to names must be granted an appropriate interest in the issuing of domains below the top-levels, both as far as the rules for issuing names is concerned, as well as the reservation of domains at no cost, which are associated with their function (e.g. "staatskanzlei.rheinland-pfalz", "tourismus.nrw").
3. within the framework of their participation in ICANN's Governmental Advisory Committee (GAC) to promote the introduction of flexibility in character sets for the domain name systems through so-called Internationalised Domain Names (IDNs = umlauts and other special characters) in top-level-domains (e.g. ".köln").
Umlaut domains and umlaut top-level-domains promote the use of the Internet, the German language as well as business and culture at local and regional level. The successful and positive implementation of umlaut domains below the ".de" top-level-domain has already confirmed this (e.g. www.köln.de).
4. within the framework of their participation in ICANN to promote further development of the storage and transmission of Whois data, so as to better guarantee the protection of personal data, and particularly to prevent identity theft and to prevent unwanted advertising (so-called "spam").

Whois data which relates to individuals who have registered a domain, contains a variety of personal details and thus need particular protection. However, it must also be possible to quickly identify the corresponding person and contact them. The law enforcement agencies will also be interested in this. At the moment however, this data is massively abused by "spammers" and swindlers. A better guarantee than is currently available is thus required so that the stored information may not be used for anything other than its intended purpose. An exact check is thus required as to who is to be permitted to have access to the Whois data, for which technical or any other reasons, and if mechanisms can't be made available which link the calling up of the data with proof of having a justified interest in the information. The starting point for the considerations

should be the question as to whether, as a first step, if it wouldn't be sufficient for public access to the information to go via the technical domain administrators. In addition, it should also be clarified which other access options are necessary for national authorities on the basis of common international regulations.

5. to attentively follow the ICANN process, in close cooperation with the German users of the Internet, as well as European partners and, in the medium term, to pursue the internationalisation of the supervision of the domain name administration.

Berlin, 8th March 2007

Volker Kauder, Dr. Peter Ramsauer and the parliamentary party

Dr. Peter Struck and the parliamentary party