



REPUBLIC OF THE UNION OF MYANMAR
MINISTRY OF TRANSPORT AND COMMUNICATIONS
POSTS AND TELECOMMUNICATIONS DEPARTMENT



Myanmar Electronic Addressing Plan (Draft)
For
Public Consultation

July,2018

Preface

- A. Pursuant to Chapter 7 of the Myanmar Telecommunications Law, the Department shall prepare an Electronic Addressing Plan and guide the Service Licensees to comply with and use the Electronic Addressing Plan. The Department drafted its initial view of the Electronic Addressing Plan within this Public Consultation Document and ask all stakeholders for feedback. The Department incorporated a series of questions into the Draft Electronic Addressing Plan to streamline the feedback.
- B. Please note that this Draft Electronic Addressing Plan is not aligned with international organization as APNIC. Alignment with APNIC is planned for the second phase of drafting the Electronic Addressing Plan after industry feedback is reflected in the current Draft Electronic Addressing Plan.
- C. The Department invites all stakeholders to submit their view on the questions and issues raised in the Draft Electronic Addressing Plan. This Consultation Document is the first of two public consultations. This document provides the initial proposal for the legal framework of the Electronic Addressing Plan. The Department plans to issue the prefinal legal framework with its second public consultation where the stakeholder feedback will be reflected, discussed and proposals are provided on charges.
- D. Submissions are welcome on the Draft Electronic Addressing Plan where comments are specifically sought and on all items of this document stakeholders might consider relevant. All submissions should be substantiated with reasons and, where appropriate, evidence or source references. Stakeholder should provide written submissions as soft copy in English or Myanmar language to the Department in full by 5.08.2018.
- E. The Department developed a MS Excel tool “Public Consultation Document Questionnaire - EAP.xlsx” for the industry feedback which is attached to this document to simplify and structure the feedback. The DEPARTMENT would be grateful if feedback would be provided in this MS Excel tool. Soft copies shall be provided either via email or via USB stick. Industry stakeholders can provide their feedback in the sheets (1) Introduction, (2) EAP Questions and (3) Summary & Conclusion.

F. Submissions should be addressed to:

Director General

The Republic of the Union of Myanmar

Ministry of Transport and Communications

Posts and Telecommunications Department

Building No. 2

Nay Pyi Taw, Myanmar

Attention: Daw Seint Seint Aye

Email: resource@ptd.gov.mm

- G. The Department intends to make submissions received available to the public. Any confidential information shall be provided under a separate cover clearly marked “CONFIDENTIAL”. For any party who wishes to make a confidential submission, a “public” version of the submission shall also be provided where confidential information is redacted. Please mark the version with confidential data as “Questionnaire of Myanmar Electronic Addressing Plan for Public Consultation Document Confidential.xlsx” and the version not containing confidential data as “Public Consultation Document Questionnaire - EAP “Not Confidential.xlsx”. The Department does not make the populated as confidential marked MS Excel file publicly available.
- H. The Department thanks interested parties upfront for their participation in this consultative process and looks forward to receiving submissions with the industry feedback.

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Summary of Questions

Number	Section	Question
1	I	Please provide your feedback on Section I.
2	II	Please provide your feedback on the provided definitions. Shall any definition be adjusted or deleted or added?
3	III	Please provide your feedback on the proposed assignment process for IP Addresses.
4	IV	Please provide your feedback on the propose ASN assignment process.
5	V	Please provide your view whether you see the necessity to establish rules and regulation for existing “.mm” Domain Names.
6	V	Please provide your feedback on defined duties of the Department.
7	V	Please provide your view on the general concepts of Reserved Second Level “.mm” Domain Names and Sensitive Second Level “.mm” Domain Names. Do you see a necessity to establish the concept of Reserved and Sensitive Second Level “.mm” Domain Names?
8	V	Please provide feedback on the proposed Third Level “.mm” Domain Names reserved for special usage and the Third Level “.mm” Domain Names which are reserved until the Department unreserved them.
9	V	Please provide your feedback on the proposed concept of Principally Reserved Names and on the proposed Principally Reserved Names itself.
10	V	Please provide your feedback on the proposed concept and definition of Sensitive Names.
11	V	Please provide your feedback on the proposed validity of Domain Names.
12	V	Please provide your feedback on the proposed general eligibility criteria of “.mm” Domain Names. Do you see any technical challenges with the proposed characterization?
13	V	Please provide your feedback on the proposed eligibility criteria for the application for “.mm” Domain Names.
14	V	Please provide your feedback on the proposed assignment responsibilities and the proposed application process.
15	V	Please provide you feedback on proposed power, duties and responsibilities of the Registrar on Application.
16	V	Please provide your feedback on the proposed registration process including renewal, cancellation, suspension and transfer.

Number	Section	Question
17	V	Please provide your feedback on the dispute resolution process in relation to right of registering. Please provide your feedback that the final DNDRP shall be define by the Registrar. Please provide your feedback on the proposed “neutral judge” (Arbitrators), the DNDRP Panel, the additional potential to go to court and payment mechanisms of the cost of the proceedings. Do you see the necessity to allow appeal to Minister after Arbitration is concluded, providing that there is the additional option to address the dispute to court? Do you see the need to further specify Arbitrators within the Electronic Addressing Plan or shall this be open to be derived by the Registrar? Do you see the necessity for public consultation of the developed DNDRP Policy?
18	V	Please provide your feedback on the dispute resolution process in relation to Sensitive Names. Please provide your feedback that the final SDNDRP shall be define by the Registrar. Please provide your feedback on the proposed SDNDRP Panel and Subpanel, the additional potential to go to court and payment mechanisms of the cost of the proceedings. Do you see the necessity to allow appeal to Minister after Arbitration is concluded, providing that there is the additional option to address the dispute to court? Do you see the need to further specify the SDNDRP Panel within the Electronic Addressing Plan or shall this be open to be derived by the Registrar? Do you see the necessity for public consultation of the developed SDNDRP Policy?
19	V	Please provide your feedback on the proposed dispute resolution process in relation to Regulated Names.
20	V	Please provide your feedback on the proposed transfer rules.
21	V	Please provide your feedback on the proposed charging mechanisms.
22	V	Please provide your general feedback on the proposed Electronic Addressing Plan. Would you see the necessity to incorporate further details? Is the Electronic Addressing Plan exaggerated and should be reduced to less detail?

Draft Myanmar Electronic Addressing Plan

Section I – Title, Extent, Commencement, Variation & Legal Effect

1. Short title, extent and commencement:

- a. This Directive shall be called "Myanmar Electronic Addressing Plan" or in short "Electronic Addressing Plan".
- b. The Directive shall cover application for and use of Electronic Addresses, i.e. IP Addresses, Autonomous System Numbers (ASN) and Domain Names.
- c. This Directive shall come into effect from the date it is issued and shall continue for such time until revised, varied or replaced by the Department.

2. Variation & Revocation: The Department may at any time review, add to, vary or revoke this Directive in whole or in parts in accordance with the provision of Chapter 7 of the Law

3. Legal effect of this Directive:

- a. This Directive shall be applicable for all Licensee, all Registrars and all persons and entities which are entitled to apply for and to use Electronic Addresses, IP Addresses, Autonomous System Numbers (ASN) and Domain Names.
- b. If any provision of this Directive is held to be unlawful, all other provisions will remain in full force and effect.

Question 1:

Please provide your feedback on Section I.

Section II – Definitions

4. **Definitions:** In this Directive, unless the context otherwise requires:

- a. “**.mm** Country Code Top Level Domain ” or “**.mm** ccTLD ” means the ccTLD “.mm” which has been designated in ISO 3166-1 to the Republic of the Union of Myanmar;
- b. “**.mm** Domain Name” means a Domain Name under the “.mm” ccTLD.
- c. “**Address**” means a string or combination of digits and symbols that identifies an instance in the Internet;
- d. “**Asia-Pacific Network Information Center**” or “**APNIC**” means the Regional Internet Registry administering IP Addresses for the Asia Pacific;
- e. “**ASN Assignment Holder**” means a person or an entity in the Republic of the Union of Myanmar which was assigned one or several ASN.
- f. “**Application Service**” shall have the meaning as defined in the Licensing Rules;
- g. “**Applications Service Provider**” means a Licensee holding an Application Service License pursuant to Section 8 of the Licensing Rules and providing an Application Service;
- h. “**Autonomous System**” or “**AS**” means one or a group of IP networks operated by one or more network operators that has a single and clearly defined external routing policy;
- i. “**Autonomous System Number**” or “**ASN**” means a unique two-byte number associated with an Autonomous System (“AS”). The ASN is used as an identifier to allow the AS to exchange dynamic routing information with other Autonomous Systems. ASN are allocated to regional Registries by the IANA, which is APNIC for the Asia-Pacific region;
- j. “**Complainant**” means a third party that lodges a complaint against a Respondent in accordance with a specific dispute resolution process the Registrant is subject to;
- k. “**Country Code Top Level Domain**” or “**ccTLD**” means a domain in the top level of the global DNS assigned according to the two-letter codes as defined in the ISO 3166-1 Standard “Codes for the Representation of Names of Countries and Their Subdivisions – Part 1: Country codes”;
- l. “**Department**” means the Posts and Telecommunications Department under the Ministry;
- m. “**Domain Name**” means a Name which enables a user of the Internet to access an entity in the Internet;
- n. “**Domain Name System**” or “**DNS**” means the hierarchical naming system built on a distributed database for computers, services, or any resource connected to the Internet, associating various information with Domain Names assigned to each of the participating entities including but not limited to translation of Domain Names meaningful to humans into the numerical identifiers associated with networking equipment for the purpose of locating and addressing these devices worldwide.

- o. “**Electronic Address**” means a name or a sequence of numbers which operates using the Internet Protocol to locate devices;
- p. “**Internationalized Domain Name**” means a Domain Name that contains at least one label that is represented, in whole or in part, in a language-specific script or alphabet, such as Arabic, Chinese, Cyrillic, Myanmar, Tamil, Hebrew or the Latin alphabet-based characters with diacritics or ligatures, such as French.
- q. “**Internet**” means the World Wide Web.
- r. “**Internet Assigned Numbers Authority**” or “**IANA**” means a function of ICANN responsible for the allocation of globally unique names and numbers that are used in Internet Protocols including but not limited to Generic Top Level Domain Name (GTLDN), Unrestricted GTLDN, Sponsored GTLDN, Geographic GTLDN and Internationalized Domain Names;
- s. “**Internet Corporation for Assigned Names and Numbers**” or “**ICANN**” means a nonprofit private corporation that oversees global IP Address allocation, autonomous system number allocation, root zone management in the Domain Name System (DNS), media types, and other Internet Protocol-related symbols and Internet number;
- t. “**Internet Protocol**” or “**IP**” means the signaling layer in the global Internet.
- u. “**IP Address**” means a number identifying each sender or receiver of information sent across the Internet using the Internet Protocol. Two versions of IP Addresses are differentiated:
 - i. “**Internet Protocol version 4 Address**” or “**IPv4 Address**” means an IP Address used in the Internet Protocol version 4 which uses 32-bit Addresses;
 - ii. “**Internet Protocol version 6 Address**” or “**IPv6 Address**” means an IP Address used in the Internet Protocol version 6 which uses 128-bit Addresses;
- v. “**IP Address Assignment Holder**” means a person or an entity in the Republic of the Union of Myanmar which was assigned one or several IP Addresses.
- w. “**ISO 3166**” means the international standard “Codes for the Representation of Names of Countries and Their Subdivisions” maintained by the ISO 3166 Maintenance Agency;
- x. “**ISO 3166-1**” means the part “Country Codes” of the ISO 3166;
- y. “**Licensee**” shall have the meaning as defined in the Law and in the Licensing Rules;
- z. “**Ministry**” means the Ministry of Transport and Communications (MOTC) of the Republic of the Union of Myanmar;
- aa. “**Name**” means the human recognizable format of identifying an Electronic Address usually comprise words and/or alphabets;
- bb. “**Name Server**” means a server in the Internet which resolves a Domain Name to a physical IP Address;

- cc. “**Primary Name Server**” means a Name Server which provides the authoritative resolution of a Domain Name to a physical IP Address for a particular level in the Domain Name hierarchy;
- dd. “**Register**” means any one of the Registers established or maintained by the Department for the purposes of Chapter 7 of the Law;
- ee. “**Registrant**” means a person or an entity who or that has registered a “.mm” Domain Name;
- ff. “**Registrar**” means a person or an entity who or that is entitled to register Domain Names in the Republic of the Union of Myanmar;
- gg. “**Registry**” means the inventory of Domain Name records for the Republic of the Union of Myanmar;
- hh. “**Second Level Domain Name**” means a Name at the second level of the global Domain Name hierarchy;
- ii. “**Secondary Name Server**” means a Name Server which provides redundancy to the Primary Name Server, which can be queried if an instance of the Internet is unable to reach the Primary Name Server;
- jj. “**Third Level Domain Name**” means a Name at the third level of the global Domain Name hierarchy; and
- kk. “**WHOIS**” means the Internet Protocol used to provide public information services in relation to Domain Name registration data.

Question 2:

Please provide your feedback on the provided definitions. Shall any definition be adjusted or deleted or added.

Section III – IP Addresses

5. Provision of IP Addresses:

- a. IP Addresses shall be obtained from the APNIC following its open assignment policies or through holders of IP Address assignments located in the Republic of the Union of Myanmar subject to conditions set out in this Directive.
- b. IP Address assignment holders
 - i. which are incorporated in the Republic of the Union of Myanmar under the relevant law as Myanmar or Foreign Company; or
 - ii. who are permanent residents in the Republic of the Union of Myanmar; and
 - iii. who have been issued with IP Addresses by APNIC;

shall within thirty (30) working days after IP Addresses were assigned to this IP Address Assignment Holder submit required information as specified by the Department from time to time in accordance with Clause 7a to the Department manually or electronically or as otherwise directed by the Department.

- c. All IP Address Assignment Holders shall be entitled to provide these IP Addresses to third parties on a permanent basis (e.g. fixed IP Address) for use in the Republic of the Union of Myanmar.
- d. The provision of IP Addresses by IP Address Assignment Holder to third parties shall be conducted in a fair, equitable and non-discriminatory manner and third parties shall be assigned with unique public IP Addresses.

6. Conditions of Use:

- a. Notwithstanding anything to the contrary in any conditions of use imposed by APNIC, the holder of any IP Addresses shall comply with the following conditions of use as set out in Clause 6b subject but not limited to any other conditions referred in this Direction.
- b. The use of any IP Address shall be subjected to the following conditions:
 - i. The use of any IP Address shall be subject to this Directive;
 - ii. The IP Addresses issued shall not be charged, sold, auctioned, traded or transferred otherwise than as permitted under this Directive;
 - iii. Comply with the conditions imposed by APNIC to the extent that they are not contrary to the conditions of this Directive, the Act and any other laws, rules and regulation as the case might be; and
 - iv. IP Addresses that have been issued to third parties shall not be suspended or cancelled by the provider except:

(a) where the end-user has not complied with the conditions of the network service

or Applications Service to which the numbers relate, such as timely payment of charges associated with the service;

(b) in compliance with instructions from the Department; or

(c) upon the third party's request.

7. Retention of Information:

a. IP Address Assignment Holder shall keep or retain the following information:

i. the IP Address Assignment Holder's use of IP Addresses issued by APNIC;

ii. the assigned IP Addresses; and

iii. the identity of each third party the IP Address Assignment Holder issued IP Addresses to.

b. The Department might request IP Address Assignment Holder to submit information in accordance with Clause 7a to the Department manually or electronically or as otherwise directed by the Department.

Question 3:

Please provide your feedback on the proposed assignment process for IP Addresses?

Section IV - Autonomous System Numbers (ASN)

- 8. Provision of ASN:** ASN used in the Republic of the Union of Myanmar shall be obtained from APNIC following its open assignment policies subject to conditions set out in this Directive or the Department otherwise determines.

Question 4:

Please provide your feedback on the propose ASN assignment process?

Section V - Domain Names

9. **No Retrospective Effect:** The provisions of this Section shall not have retrospective effect and shall not nullify any valid Domain Names which have been assigned prior to the effective date of this Directive in accordance with Clause 1c of this Directive, unless the assignment was obtained dishonestly or in bad faith.

Question 5:

Please provide your view whether you see the necessity to establish rules and regulation for existing “.mm” Domain Names.

10. Duties of the Department:

- a. In accordance with ISO 3166-1 which designates the “.mm” ccTLD to the Republic of the Union of Myanmar and in accordance with Chapter 7 of the Law, the Department shall direct rules and regulation on allocation and usage of the “.mm” ccTLD and all Domain Names under the “.mm” ccTLD.
- b. Apart from Second Level “.mm” Domain Names applied for and/or already in existence the Department might, from time to time, determine the creation of any Second Level Domains.
- c. The Department might determine from time to time a Third Party to operate the registry of the “.mm” ccTLD which shall not be entitled to act as a Registrar.

Question 6:

Please provide your feedback on defined duties of the Department. Please provide in particular your view on the Clause 10.c. in relation to the operation of the registry of the “.mm” ccTLD

- ◆ whether the operation of the “.mm” ccTLD registry shall be open for any Third Party; or
- ◆ whether the operation of the “.mm” ccTLD registry shall be open for any Third Party fulfilling certain criteria (please specify in this case the criteria); and
- ◆ whether the party operating the “.mm” ccTLD registry shall be entitled or not to act as a Registrar.

11. **Categories of “.mm” ccTLD:** Domain Names under the “.mm” ccTLD may comprise any alphanumeric character and multilingual characters. Domain Names under the “.mm” shall be categorized as follows:

- a. **“Second Level “.mm” Domain Names”** are Second Level Domain Names under the “.mm” ccTLD open for all parties;
- b. **“Third Level “.mm” Domain Names”** are Third Level Domain Names under Second Level “.mm” Domains open to all eligible users;

- c. “**Internationalized “.mm” Domain Names**” are Internationalized Second Level Domain Names which are open to all user once the Department unreserved them;
- d. “**Reserved Second Level “.mm” Domain Names**” are Second Level “.mm” Domain Names which are reserved by the Department from time to time for specific usage or for specific user pursuant to Clause 12 of this Directive; and
- e. “**Sensitive Second Level “.mm” Domain Names**” are Second Level “.mm” Domain Names which contain Sensitive Names pursuant to Clause 14 of this Directive. Sensitive Names might be exempted by the Department from time to time from usage.

Question 7:

Please provide your view on the general concepts of Reserved Second Level “.mm” Domain Names and Sensitive Second Level “.mm” Domain Names. Do you see a necessity to establish the concept of Reserved and Sensitive Second Level “.mm” Domain Names?

12. Reserved Second Level “.mm” Domain Names:

- a. The following Third Level “.mm” Domain Names shall be reserved for special usage:
 - i. “.com.mm” shall be reserved for commercial organizations or activities;
 - ii. “.net.mm” shall be reserved for network-related organizations or activities;
 - iii. “.org.mm” shall be reserved for non-profit or charitable organizations or activities which do not qualify for other categories;
 - iv. “.edu.mm” shall be reserved for educational institutions of the Republic of the Union of Myanmar;
 - v. “.name.mm” shall be reserved for Myanmar individual’s personal use;
 - vi. “.gov.mm” shall be reserved for government departments or agencies; and
 - vii. “.hluttaw.mm” shall be reserved for the Parliament of the Republic of the Union of Myanmar reflecting the threefold Parliament Structure of the national Parliament consisting of Pyidauungsu Hluttaw, Pyithu Hluttaw, Amyotha Hluttaw and the State & Region Hluttaw.
- b. The following Third Level “.mm” Domain Names shall be reserved and shall not be available for registration until the Department has unreserved the same. The Department might amend the following listed Third Level “.mm” Domain Names from time to time.
 - i. “.info.mm”;
 - ii. “.shop.mm”;
 - iii. “.taxi.mm”;
 - iv. “.museum.mm”;

- v. “.aero.mm”;
 - vi. “pro.mm”; and
 - vii. Any other Name approved by ICANN or by the Department.
- c. Internationalized “.mm” Domain Names shall be reserved and shall not be available for registration until the Department has unreserved the same.
 - d. Upon the release of the reservation by the Department of the Third Level “.mm” Domain Names pursuant to Clause 12b, the Department may specify the purpose, for which the Third Level “.mm” Domain Names within each Third Level “.mm” Domain Names can be used, the eligibility criteria for a Registrant and/or such other relevant matters.

Question 8:

Please provide feedback on the proposed Third Level “.mm” Domain Names reserved for special usage and the Third Level “.mm” Domain Names which are reserved until the Department unreserved them.

13. Principally Reserved Names: The following Names shall be reserved and shall not be available for registration for the public:

- a. **Country / State / Province / District / City / Town / Village Tract / Ward / Village Name:** Names by themselves containing country or state or province or district or city or town or village tract or ward or village Names or well-known Names such as “Myanmar”, “Shan”, “Mandalay”, “Inle Lake”, etc. or the Myanmar language equivalents shall be reserved. Related Domain Names may only be applied for by the relevant authority, or persons who have been duly authorized by the relevant state authority.
- b. **Names related to the Government of the Republic of the Union of Myanmar** such as “Government of the Republic of the Union of Myanmar” or “President” and variations thereof or any other words or non-Latin characters (or a combination of such non-Latin characters) that might suggest a link to the Government, or the Myanmar language equivalents shall be reserved.
- c. **Names related to Religions:** Names by themselves containing words in either English or Myanmar language, that are sensitive to the main religions in Myanmar such as "Buddha", “Buddhism”, "Hindu", "Islam", "Christianity", etc. shall be reserved.
- d. **Names related to Banks or Finance Companies** by themselves or as part of a label, contains the words "bank" or "finance company" (or any derivative of the words in any language) shall be reserved. Only parties who have prior written approval from Central Bank of Myanmar may apply for these Domain Names.
- e. **Geographical Names** by themselves containing Names, in English or Myanmar language of inter-governmental organizations or country Names shall be reserved.

- f. **Regulated Names:** Regulated Names means Names prescribed by statute which may only be used subject to the necessary qualifications, consents, licenses and / or permissions having been obtained from the relevant government ministry, department, agency or regulatory authority, as may be applicable to the Registrar. Government agencies and / or regulatory authorities shall be able to request the de-registration or suspension of certain “.mm” Domain Names that fall within their jurisdiction and are in breach of a statutory provision of the law. The requests made shall be based on the requesting party’s legal authority and shall subject to the oversight of the Department.

Question 9:

Please provide your feedback on the proposed concept of Principally Reserved Names and on the proposed Principally Reserved Names itself.

14. **Sensitive Names** means Names which may be considered scandalous, obscene, offensive, indecent and/or contrary to public norms of the Republic of the Union of Myanmar, or Names which give the connotation that such Names are directly or indirectly obscene and scandalous. For the purpose of interpretation, a Name shall be considered to be:

- a. “**obscene**” where it relates to a perversion of sex or sexual activities running counter to accepted standards of morals;
- b. “**offensive**” where it hurts the feelings of groups within the society, including but not limited to, where it comprises of derivatives and colloquialisms of words that are offensive, including:
 - i. derogatory terms referring to people;
 - ii. racial or ethnic slurs;
 - iii. religious slurs;
 - iv. sneering sexual (identity/preference) remarks;
 - v. undesirable reference towards culture, society or community;
 - vi. vulgar or crude expressions that refer to the anatomy, bodily function, body by-products and gender.

Question 10:

Please provide your feedback on the proposed concept and definition of Sensitive Names.

15. **Validity of Domain Names:**

- a. All Domain Names shall be valid for one (1) year from the date of registration and may be renewed for subsequent periods of up to five (5) years or any other period that may be determined from time to time.

- b. Renewal of the registration is subject to the Registrant continuing to meet the eligibility criteria pursuant to Clauses 17c, 17d, 17e, 17f, 17g, or 17h of this Directive and subject to conditions of registration.

Question 11:

Please provide your feedback on the proposed validity of Domain Names.

16. Eligible Domain Names under the “.mm” ccTLD:

- a. A Domain Name under the “.mm” ccTLD may comprise any alphanumeric character and multilingual characters such as Myanmar language script character.
- b. All ASCII “.mm” Domain Names must:
 - i. be at least 2 (two) character long, but subject to such length as may be technically feasible;
 - ii. contain only letters (a-z), numbers (0-9) and hyphens (-), or a combination of these; and
 - iii. start and end with a letter, not a hyphen.
- c. All non-ASCII “.mm” Domain Names must:
 - i. be at least (two) 2 characters long but subject to such length as may be technically feasible;
 - ii. contain only Myanmar script character, numbers (0-9) and hyphens (-), or a combination of these; and
 - iii. start and end a Myanmar script character, not a hyphen.

Question 12:

Please provide your feedback on the proposed general eligibility criteria of “.mm” Domain Names. Do you see any technical challenges with the proposed characterization?

17. Eligibility Criteria for the Assignment of Domain Names under the “.mm” ccTLD:

- a. All applicants must either be Myanmar entities or individuals, or foreign entities or individuals with valid proof of identification and valid addresses in the Republic of the Union of Myanmar as defined under the eligibility criteria for Second Level “.mm” Domain Name registrations pursuant to Clause 17c.
- b. All applicants must either be Myanmar entities or in the case of natural persons, at least permanent residents of the Republic of the Union of Myanmar as defined under the eligibility criteria for each Third Level Domain Name Registrations pursuant to Clauses 17d, 17e, 17f, 17g, or 17h.

- c. To be eligible for being assigned a Second Level “.mm” Domain Name under the “.mm” ccTLD, the applicant must meet at least one of the following criteria:
- i. An individual of eighteen (18) years of age or above and holder of a valid passport or national identity card of the Republic of the Union of Myanmar;
 - ii. An individual of eighteen (18) years of age or above living outside of the Republic of the Union of Myanmar and holding a valid passport or national identity card of the Republic of the Union of Myanmar;
 - iii. A foreign individual of eighteen (18) years of age and above holding a valid passport with proof of residence in the Republic of the Union of Myanmar;
 - iv. A Foreign or Myanmar company incorporated under the relevant law;
 - v. A Regional Office registered under the relevant law;
 - vi. A society registered pursuant to the relevant law;
 - vii. A foreign embassy;
 - viii. A foreign office approved by the Ministry of Foreign Affairs;
 - ix. A professional firm, such as law, audit, architect and real estate firms registered either with or established in accordance with the respective statute or body governing that professional firm;
 - x. A statutory body or organization established in the Republic of the Union of Myanmar pursuant to statute;
 - xi. A trade union established pursuant to the relevant law;
 - xii. Religious entities approved or accredited or registered by relevant bodies;
 - xiii. Government aided primary and/or secondary schools (including vocational schools);
 - xiv. Universities under the administration of the Ministry of Education;
 - xv. Private schools and private higher educational institutions established or licensed pursuant to the relevant law
 - xvi. Educational institutions accredited / registered by a relevant government department/agency; or
 - xvii. A ministry, a government department or agency, a state government department or agency, or a local authority department or agency.
- d. To be eligible for being assigned a Third Level “biz.mm”, “com.mm”, “net.mm” or “org.mm” Domain Name under the “.mm” ccTLD, the applicant must meet at least one of the following criteria:
- i. A Foreign or Myanmar company incorporated under the relevant law;
 - ii. A Regional Office registered under the relevant law;

- iii. A society registered pursuant to the relevant law;
 - iv. A foreign embassy;
 - v. A foreign office approved by the Ministry of Foreign Affairs;
 - vi. A professional firm, such as law, audit, architect and real estate firms registered either with or established in accordance with the respective statute or body governing that professional firm;
 - vii. A statutory body or organization established in the Republic of the Union of Myanmar pursuant to statute;
 - viii. A trade union established pursuant to the relevant law;
 - ix. Religious entities approved or accredited or registered by relevant bodies;
 - x. Government aided primary and/or secondary schools (including vocational schools);
 - xi. Universities under the administration of the Ministry of Education;
 - xii. Private schools and private higher educational institutions established or licensed pursuant to the relevant law;
 - xiii. Educational institutions accredited/registered by a relevant government department/agency; or
 - xiv. A ministry, a government department or agency, a state government department or agency, or a local authority department or agency.
- e. To be eligible for being assigned a Third Level “edu.mm” Domain Name under the “.mm” ccTLD, the applicant must meet at least one of the following criteria:
- i. Government aided primary and/or secondary schools (including vocational schools);
 - ii. Universities under the administration of the Ministry of Education;
 - iii. Private schools and private higher educational institutions established or licensed pursuant to the relevant law; or
 - iv. Educational institutions accredited/registered by a relevant government department/agency; or
- f. To be eligible for being assigned a Third Level “name.mm” Domain Name under the “.mm” ccTLD, the applicant must meet at least one of the following criteria:
- i. An individual of eighteen (18) years of age or above and holder of a valid passport or national identity card of the Republic of the Union of Myanmar;
 - ii. An individual of eighteen (18) years of age or above living outside of the Republic of the Union of Myanmar and holding a valid passport or national identity card of the Republic of the Union of Myanmar; or
 - iii. A foreign individual of eighteen (18) years of age and above holding a valid passport

with proof of residence in the Republic of the Union of Myanmar;

- g. To be eligible for being assigned a Third Level “gov.mm” Domain Name under the “.mm” ccTLD, the applicant shall provide a recommendation letter from the Ministry and must meet at least one of the following criteria:
- i. A ministry;
 - ii. A government department or agency;
 - iii. A state government department or agency;
 - iv. A local authority department or agency; or
 - v. A statutory body or organization established in the Republic of the Union of Myanmar pursuant to statute.
- h. To be eligible for being assigned a Third Level “hluttaw.mm” Domain Name under the “.mm” ccTLD, the applicant must be a national Parliament of the Republic of the Union of Myanmar
- i. Pyidauungsu Hluttaw;
 - ii. Pyithu Hluttaw;
 - iii. Amyotha Hluttaw or
 - iv. a State or Region Hluttaw (Parliament) within the Republic of the Union of Myanmar.
- i. The Department might amend the eligibility criteria pursuant to the Clauses 17c, 17d, 17e, 17f, 17g, or 17h of this Directive from time to time.

Question 13:

Please provide your feedback on the proposed eligibility criteria for the application for “.mm” Domain Names.

18. Assignment of Domain Names under the “.mm” ccTLD: All Domain Names under the “.mm” ccTLD are assigned by the Department directly or through the Registrar to eligible parties pursuant to the Clauses 17c, 17d, 17e, 17f, 17g, or 17h of this Directive. Parties are required to satisfy the eligibility criteria pursuant to the Clauses 17c, 17d, 17e, 17f, 17g, or 17h of this Directive and such other criteria as may be specified by the Registrar.

19. Application for Registration of a Domain Name under the “.mm” ccTLD:

- a. An application for the registration of a Domain Name under the “.mm” ccTLD shall be in the format as required by the Registrar and shall be accompanied by the following information (“Registration Data”):
- i. the applicant’s name, postal address, e-mail address, telephone number, and if available, fax number;

- ii. the name of the person authorized by the applicant for contact purposes in case the applicant is not a natural person;
 - iii. the IP Addresses of the Primary Name Server and Secondary Name Server(s) for the Domain Name and the corresponding names of the Name Servers;
 - iv. name, postal address, e-mail address, telephone number, and, if available, fax number of:
 - (a) the technical contact for the Domain Name;
 - (b) the administrative contact for the Domain Name;
 - (c) the billing contact for the Domain Name;
 - v. the relevant supporting documents to demonstrate the eligibility criteria for the Domain Name under which the assignment is applied for; and
 - vi. any remark concerning the Domain Name which should appear in the WHOIS directory.
- b. An application shall be deemed to have been made upon the Registrar receiving the completed application form with all the required Registration Data.

Question 14:

Please provide your feedback on the proposed assignment responsibilities and the proposed application process.

20. Powers, Duties & Obligations of Registrars on Application:

- a. The Department may appoint one or more Registrars to assist the Department to manage the registration, billing and renewal of “.mm” Domain Names for and on behalf of the Department. The duties of the Registrar may include modification of registration data, cancellation or suspension of Domain Names and transfer of the Domain Names.
- b. The Registrar may charge a fee for any applications for the registration of a “.mm” Domain Name.
- c. The Registrar shall verify and register the “.mm” Domain Name applied for upon ensuring that the application complies with this Directive, the stipulated requirements of the Registrar and any other rules prescribed by the Department.
- d. A “.mm” Domain Name application shall be refused by the Registrar if:
 - i. the “.mm” Domain Name is reserved or contains Reserved Names pursuant to Clause 13 of this Directive and the applicant does not fulfill related eligibility criteria;
 - ii. the “.mm” Domain Name contains Sensitive Names pursuant to Clause 14 of this Directive; or
 - iii. the Domain Name is identical and registered by others.
- e. If the application of a “.mm” Domain Name is refused, then the Registrar shall give written

notice to the applicant of its decision and the reason(s) for such decision. Where the rejected applicant requests for additional information relating to the refusal, the Registrar may impose a fee prior to fulfilling such request.

Question 15:

Please provide you feedback on proposed power, duties and responsibilities of the Registrar on Application.

21. Availability of Registration Data:

- a. Except for the supporting documents submitted or verified online, together with the relevant application form, the Registration Data shall be available to the public and shall appear in the WHOIS directory which shall be accessible on-line unless the Department otherwise instructs.
- b. The availability of the Registration Data shall be subject to the prevailing data protection regulation or law at all times, where applicable, once a data protection regulation or law is established and in power.

22. Rights and Obligations of Registrant & Registrars:

- a. **Conditions of Registration:** The Registrar shall ensure that the registration of any “.mm” Domain Name by a Registrant shall be subject to the following conditions:
 - i. the Registrant warrants that the Registration Data and all other information submitted for the application of registration is complete, true and accurate;
 - ii. the registration of the Domain Name is governed under the terms and conditions as contained in the Registration Agreement; and
 - iii. the registration of the Domain Name is in compliance with any provision of the Act or any subsidiary legislation made under the Act in relation to the registration or any relevant other written laws.
- b. **Incomplete, Incorrect or Inaccurate Information:**
 - i. The Registrar shall be authorized by the Department to set in place a process to receive and process complaints that have been lodged against any “.mm” Domain Name that are alleged to have been registered based on incomplete, incorrect or inaccurate information.
 - ii. The Registrar may suspend or delete a Domain Name if the Registrar receives independent evidence that the Registrant has provided incomplete, incorrect or inaccurate information during the registration, renewal or modification of the “.mm” Domain Name.
 - iii. Where in accordance with the process set in place by the Registrar, it is established that the Registrant has neglected, failed and/or refused to update or substantiate any type of license and/or authorization required from the relevant government ministry, department, agency or regulatory authority, the Registrar is authorized to suspend and / or delete the relevant “.mm” Domain Name in accordance with the said process.

c. **Modification of Registration Data:**

- i. The Registrar shall provide Registrants the ability to modify their Registration Data subject to such verification procedures as may be put in place by the Registrar.
- ii. Modifications to the Registration Data which amount to a transfer of a Domain Name must be done in compliance with Clause 26 of this Directive, failing which the Registrar may suspend and / or delete the Domain Name.

d. **Renewal of Registration:**

- i. Registrants may apply to renew their “.mm” Domain Name registration with any Registrars upon the payment of a non-refundable renewal fee as prescribed by the Department or Registrars.
- ii. Registrants shall be informed by the Registrar via notification in invoice, e-mail and Registrars’ notice to ensure that their registration data remains accurate, complete and correct.
- iii. The Registrar shall carry out random checks on the veracity of the information provided by the Registrants from time to time.

e. **Transfer Fee:** In the event that the Registrar with whom the renewal is made is not the same as the Registrar who registered the registration or the Registrar who handled the renewal immediately preceding the present renewal. (“Previous Registrar”), the Previous Registrar may charge a Transfer Fee (not exceeding the amount approved by the Department) for the transfer of the supporting documents to the Registrar who is making the present renewal.

f. **Cancellation or Suspension of a Registration:**

- i. The Registrar to suspend and / or delete a “.mm” Domain Name registration in any of the following circumstances:
 - (a) upon the breach of any condition or warranty contained in the registration agreement;
 - (b) upon failure to pay any fee or renewal fee in relation to the registration; or
 - (c) upon the contravention of any provision of the Act or any subsidiary legislation made under the Act in relation to the registration or any relevant written laws.
- ii. Provided that any cancellation or suspension in the public interest shall only be carried out by the Department.
- iii. A Registrant affected by a deletion or suspension effected by the Registrar pursuant to Clause 22f(i) and Clause 22f(ii) might appeal to the Ministry in accordance with the provisions of the Act.

Question 16:

Please provide your feedback on the proposed registration process including renewal, cancellation, suspension and transfer.

23. Disputes Relating to The Right to Register a “.mm” Domain Name:

- a. The Registrar shall set an independent dispute resolution process in place to deal, in an expedited manner, with disputes relating to the right of the Registrant to register a particular “.mm” Domain Name (“**Domain Name Dispute Resolution Process**” or “**DNDRP**”). The Registrar shall publish the DNDRP related policy (“**DNDRP Policy**”). The DNDRP shall resolve in particular trademark related disputes. The Registrar itself shall not be involved in the decision process.
- b. The DNDRP shall follow rules defined under the Myanmar Arbitration Law. Complainant and Registrant shall within the defined process of the Registrar jointly decide on one or several Arbitrators in line with the Myanmar Arbitration Law. Complainant and Registrant shall have the choice to address the dispute to a court instead of addressing the dispute an Arbitrator. Subject of choosing Arbitration as dispute resolution mechanisms, Myanmar Arbitration Law shall be applied.
- c. The DNDRP shall be conducted by one or several Arbitrators (“**DNDRP Panel**”) and shall result in a decision on whether the “.mm” Domain Name in question is to be retained by the Registrant or to be transferred to the Claimant or to be deleted. No other award on damages shall be made by the DNDRP Panel.
- d. “**DNDRP Panel**” mean qualified persons appointed to decide the Proceeding between the Parties, constituted by a Chairman and two other Panel members selected by the said Chairman, in accordance with the Policy and Rules of the Registrar and the Myanmar Arbitration Law. The Registrar shall provide Complainant and Registrant a list with Arbitrators accredited under the Myanmar Arbitration Law.
- e. Upon a decision being reached by the DNDRP Panel and being communicated to the Registrar, the Registrar shall enforce the decision of the DNDRP Panel. The losing party shall have the right to commence an action in court, which if done within the parameters specified in DNDRP Policy, will lead to the Registrar not implementing the decision of the DNDRP until such time as the court action is disposed of.
- f. The decision of the DNDRP Panel shall be final and the losing party shall not have the right to appeal to the Department or to the Ministry.
- g. The Complainant shall ex-ante cover the costs of the DNDRP proceeding unless the DNDRP PANEL decides to transfer the Domain Name or to delete the Domain Name. In this case, the Registrant shall ex-post reimburse the Complainant the cost of the DNDRP proceeding.
- h. The DNDRP Policy shall be subject to public consultation and the Registrar shall suitable industry feedback within the proposed DNDRP Policy. The public consultation is facilitated by

the Department.

Question 17:

Please provide your feedback on the dispute resolution process in relation to right of registering. Please provide your feedback that the final DNDRP shall be define by the Registrar. Please provide your feedback on the proposed “neutral judge” (Arbitrators), the DNDRP Panel, the additional potential to go to court and payment mechanisms of the cost of the proceedings. Do you see the necessity to allow appeal to Minister after Arbitration is concluded, providing that there is the additional option to address the dispute to court? Do you see the need to further specify Arbitrators within the Electronic Addressing Plan or shall this be open to be derived by the Registrar?

Comment: A more detailed DNDRP Policy is planned to be publicly consulted with the Department’s Draft Decision Report.

24. Complaints Relating to Sensitive “.mm” Domain Names:

- a. The Registrar shall set an independent dispute resolution process in place to deal with complaints from members of the public who object to the registration of a “.mm” Domain Name on the grounds of it being sensitive to the public of the Republic of the Union of Myanmar, obscene, scandalous, indecent, offensive or contrary to public norms or policies of the Republic of the Union of Myanmar (“**Sensitive Domain Name Dispute Resolution Process**” or “**SDNDRP**”).
- b. The Registrar shall establish a SDNDRP Panel consisting of experts representing various fields of expertise relevant to the issue of Sensitive Names: (1) Linguists, (2) Information Technology Practitioner and (3) Legal Practitioner.
- c. A SDNDRP in relation to a Sensitive Name raised by a Complainant shall be conducted by a Subpanel where the Chairman of the Subpanel is appointed by the SDNDRP Panel and two experts of the SDNDRP Panel are appointed by the Chairman. The Subpanel shall also cover the three fields of expertise pursuant to Clause 24b. The SDNDRP shall result in a decision on whether the “.mm” Domain Name in question is to be deleted by the Registrant or not. No other award on damages shall be made by the SDNDRP Panel.
- d. Upon a decision being reached by the SDNDRP Panel and being communicated to the Registrar, the Registrar shall enforce the decision as per the decision of the SDNDRP Panel. The losing party shall have the right to commence an action in court, which if done within the parameters specified in SDNDRP Policy, will lead to the Registrar not implementing the decision of the SDNDRP until such time as the court action is disposed of.
- e. The decision of the SDNDRP Panel shall be final and the losing party shall not have the right to appeal to the Department or to the Ministry.
- f. The Registrar shall add the “.mm” Domain Name found to be sensitive by the SDNDRP Panel or by the court to a list of Names deemed sensitive and the related “.mm” Domain Name shall be exempted for future use as “.mm” Domain Name.

- g. The Complainant shall ex-ante cover the costs of the SDNDRP proceeding unless the SDNDRP Panel decides to delete the Domain Name. In this case, the Registrant shall ex-post reimburse the Complainant the cost of the SDNDRP proceeding.

Question 18:

Please provide your feedback on the dispute resolution process in relation to Sensitive Names. Please provide your feedback that the final SDNDRP shall be defined by the Registrar. Please provide your feedback on the proposed SDNDRP Panel and Subpanel, the additional potential to go to court and payment mechanisms of the cost of the proceedings. Do you see the necessity to allow appeal to Minister after Arbitration is concluded, providing that there is the additional option to address the dispute to court? Do you see the need to further specify the SDNDRP Panel within the Electronic Addressing Plan or shall this be open to be derived by the Registrar?

Comment: A more detailed SDNDRP Policy is planned to be publicly consulted with the Department's Draft Decision Report.

25. Disputes Relating to Regulated Names:

- a. The Registrar shall set a process in place to receive and process complaints pertaining to “.mm” Domain Names that consist of Names prescribed by statute that may only be used by the Registrant upon meeting the relevant qualifying criteria or obtaining the consent, license and / or permission from the relevant government ministry, department, agency or regulatory authority, as may be applicable (“**Regulated Domain Name Dispute Resolution Process**” or “**RDNDRP**”).
- b. Where in accordance with the process set in place by the Registrar it is established that the Registrant is unable to establish or secure the required qualifying criteria or obtain the consent, license and / or permission required from the relevant government ministry, department, agency or regulatory authority, the Registrar shall suspend or delete the relevant “.mm” Domain Name in accordance with the said process.
- c. The Registrant shall not have the right to appeal to the Department or to the Ministry.

Question 19:

Please provide your feedback on the proposed dispute resolution process in relation to Regulated Names.

Comment: A more detailed RDNDRP Policy is planned to be publicly consulted with the Department's Draft Decision Report.

26. Transfer of Domain Name

- a. The Registrar shall transfer a Domain Name in the following circumstances:
 - i. **Voluntary transfer:** upon receipt of a request by the Registrant of the “.mm” Domain Name to transfer the Domain Name to a specified person or entity in such form required by the Registrar and such request must be accompanied by a Letter of Undertaking duly signed by the authorized signatory of the Registrant, if the Registrant is a body corporate, that the Domain Name is not subject of any pending dispute resolution;
 - ii. **Transfer pending dispute resolution:** Upon receipt of a request by the Registrant of the “.mm” Domain Name to transfer the “.mm” Domain Name to a specified person or entity in such form as may be required by the Registrar and a written undertaking by the proposed transferee which shall be irrevocable, valid and free of any reservations or restrictions agreeing to be bound by any decision of the Department or any competent body adjudicating a dispute pertaining to that “.mm” Domain Name;
 - iii. **Transfer in accordance with a dispute resolution decision:** Until the expiry of ten (10) working days following receipt of a copy of decision of the DNDRP Panel to transfer the “.mm” Domain Name to a specified person, unless it is notified of an appeal of the decision;
 - iv. **Transfer in accordance with court order:** Upon receipt of a certified copy of an order of the High Court requiring the transfer of the “.mm” Domain Name to a specified person;
 - v. **Transfer upon the determination of the Registrar or the Department:** In accordance with terms and conditions, policies, rules and regulations and relevant laws governing the registration of Domain Names; or
 - vi. **Transfer upon death of the Registrant:** in accordance with applicable laws governing wills and the administration of estates in the Republic of the Union of Myanmar.
- b. In no other circumstance shall the Registrar transfer a registered “.mm” Domain Name except as may be authorized by the Department or the Ministry.
- c. The Registrar may impose a fee for the transfer subject to approval by the Department.

Question 20:

Please provide your feedback on the proposed transfer rules.

27. Charges for Electronic Addressing Provisioning:

- a. Every application for an Electronic Address provisioning under this Directive shall be accompanied by the application fees as approved by the Department.
- b. All Registrants of Electronic Addresses shall be required to pay such fees in accordance to terms as approved by the Department.

- c. The registration fee might be prorated based on the period of use (for short term use, three months being the minimum term) or might be prorated to a specified expiry date.

Question 21:

Please provide your feedback on the proposed charging mechanisms.

Question 22:

Please provide your general feedback on the proposed Electronic Addressing Plan. Would you see the necessity to incorporate further details? Is the Electronic Addressing Plan exaggerated and should be reduced to less detail?