



The Internet Corporation for Assigned Names and Numbers

Jonathan Robinson
Chair, GNSO Council

12 October 2015

Dear Jonathan:

On 28 September 2015, the ICANN Board of Directors met and, among other things, [adopted a resolution waiving the insurance requirement](#) in the 2009 and 2013 Registrar Accreditation Agreements (RAAs). The resolution also requests that the GNSO consider whether policy work on replacement insurance requirements should be undertaken in light of ICANN's [Statement of Registrar Accreditation Policy](#) (Accreditation Policy).

The RAAs required registrars to obtain Commercial General Liability (CGL) insurance with a policy limit of at least US\$500,000. This requirement was based on language in the Accreditation Policy, which states that a registrar must have and maintain a CGL insurance policy with a policy limit of at least US\$500,000, or a lesser amount if the registrar can demonstrate that a lower policy limit would still provide reasonable compensation in the event of a claim for a covered loss.

Following 18 months of research and community consultation, the Board decided to waive the CGL insurance requirement. This came in part due to the analysis of the CGL insurance requirement in consultation with industry experts which concluded that most CGL insurance policies would exclude coverage for errors and omissions by the registrar of the type that would protect a registrant for negligent acts by the registrar related to the domain name, such as accidentally deleting or failing to renew a registration, or allowing a domain name to be hijacked. In addition, this action was taken in response to community feedback that the CGL insurance requirement disproportionately disadvantaged registrars and prospective registrars in places where this type of insurance is unduly expensive and/or nonexistent.

During community consultation on the topic, some community members said that a different type of insurance requirement for registrars might better protect registrants who are harmed in the event of registrar negligence. As a result, the Board is referring this matter to the GNSO in the event the GNSO wishes to consider additional policy work on this topic.

Regards,

Steve Crocker
Chairman, ICANN Board