

Name: Rahul Sharma

Organization: Data Security Council of India

Submission ID: 130

Hi Team,

PFA inputs by Data Security Council of India on the subject. Attached are

1. DSCI comments using ICG template
2. DSCI comments using DSCI template

Kindly use as per your requirements.

If you need more details, please feel free to get back to us.

Kind Regards,

Rahul Sharma | Senior Consultant

DATA SECURITY COUNCIL OF INDIA (DSCI) | A **NASSCOM® Initiative**

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IANA Stewardship Transition Proposal - Public Comment Form

Disclaimer: The ICG will not use the information collected for any purpose other than analyzing public comments. Submitters' names, affiliations, and comments will be public.

Identifying Information

** Indicates required field*

First Name *: Rahul

Last Name *: Sharma

Email Address *: REDACTED

Country/Economy: India

Organization: Data Security Council of India

Questions Concerning the Proposal as a Whole

- 1) **Completeness and clarity:** Is the combined proposal complete? Each of the operational community proposals contains aspects to be completed in the future when the proposal is implemented. Is the combined proposal specified in sufficient detail such that it can be evaluated against the NTIA criteria?

- 2) **Compatibility and interoperability:** Do the operational community proposals work together in a single proposal? Do they suggest any incompatible arrangements where compatibility appears to be required? Is the handling of any conflicting overlaps between the functions resolved in a workable manner?

- 3) **Accountability:** Do the operational community proposals together include appropriate and properly supported independent accountability mechanisms for running the IANA functions? Are there any gaps in overall accountability under the single proposal?

- 4) **Workability:** Do the results of any tests or evaluations of workability that were included in the operational community proposals conflict with each other or raise possible concerns when considered in combination?

Questions Concerning NTIA Criteria

- 5) Do you believe the proposal supports and enhances the multistakeholder model? If yes, please explain why. If not, please explain why and what proposal modifications you believe are necessary.

- 6) Do you believe the proposal maintains the security, stability, and resiliency of the DNS? If yes, please explain why. If not, please explain why and what proposal modifications you believe are necessary.

- 7) Do you believe the proposal meets the needs and expectations of the global customers and partners of the IANA services? If yes, please explain why. If not, please explain why and what proposal modifications you believe are necessary. Please indicate if you are a customer or partner of the IANA services.

- 8) Do you believe the proposal maintains the openness of the Internet? If yes, please explain why. If not, please explain why and what proposal modifications you believe are necessary.

- 9) Do you have any concerns that the proposal is replacing NTIA's role with a government-led or inter-governmental organization solution? If yes, please explain why and what proposal modifications you believe are necessary. If not, please explain why.

- 10) Do you believe that the implementation of the proposal will continue to uphold the NTIA criteria in the future? If yes, please explain why. If not, please explain why and what proposal modifications you believe are necessary.

Questions Concerning ICG Report and Executive Summary

- 11) Do you believe the ICG report and executive summary accurately reflect all necessary aspects of the overall proposal? If not, please explain what modifications you believe are necessary.

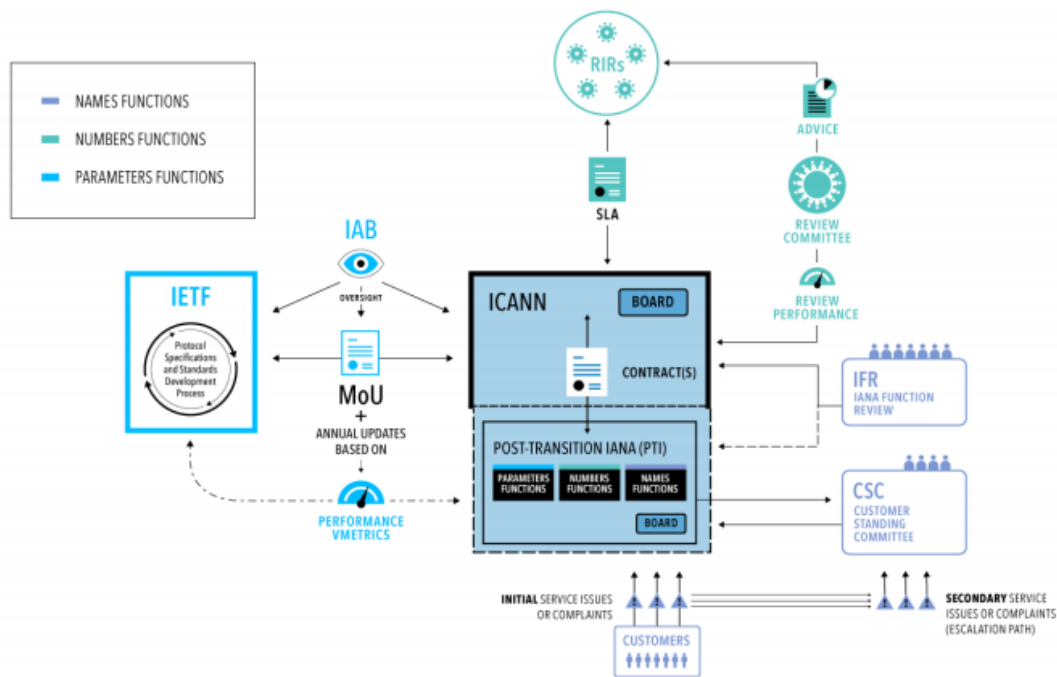
General Questions

- 12) Do you have any general comments for the ICG about the proposal?

DSCI Comments

The initial calls for democratization of the global Internet governance (IG) were made at the World Summit on Information Society (WSIS) in 2005. The need for democratization re-ignited in 2013 with growing discontent amongst various nation states and stakeholder communities on unilateral oversight of the United States over IG matters, and Internet Corporation for Assigned Names and Numbers (ICANN's) autonomy. Four critical aspects, which were a bone of contention, among others, were – US government's unilateral control, legal jurisdiction in which ICANN resides and to which its decision are subject to, lack of a credible accountability mechanism of ICANN Board, and National Telecommunications and Information Administration (NTIA's) role as an authorization entity for performing changes in DNS Root Zone File.

Rising voices led to NTIA, Department of Commerce (DoC), US announcing transition of its Stewardship role that it had been playing for many years, subject to certain conditions being met. After NTIA's announcement of 14 March 2014, ICANN launched a 'multistakeholder' process and discussion to gather community views and inputs on the principles and mechanisms for transitioning of NTIA's stewardship of the Internet Assigned Numbers Authority (IANA) functions. DSCI commends the Domain Names (CWG-Stewardship), Numbering Resources (CRISP Team) & Protocol Parameters (IANAPLAN Working Group) communities, and subsequently IANA Stewardship Transition Coordination Group (ICG), for putting forth a proposal to transition the Internet Assigned Numbers Authority (IANA) functions to a global, multistakeholder community.



The proposal, although detailed in many aspects, fails to address contentious issues that were primary reasons for initiation of the stewardship transition process. Any change to the current ecosystem should address basic principles like stability, security, scalability, reliability and smooth operation of the Internet, while enhancing the multistakeholder model. Following are a few comments and observations on the draft proposal, which should be addressed before the proposal is finalized and shared with NTIA for implementation:

- The proposal is silent on the issue of internationalization of ICANN. The community in its deliberations to develop the proposal assumed that ICANN will continue to be

headquartered in US, and remain subject to US laws. Despite the jurisdiction issue being highlighted by many individuals during the discourse, decision makers excluded them with a presumption: a proposal that asks on changing jurisdiction of ICANN will not get the sanction of the ICANN Board and NTIA. Thus, community efforts are leading to a proposal that can be deemed satisfactory to ICANN Board and NTIA, not necessarily to a proposal for benefit of global multistakeholder community, whose interest should be paramount. It is further strange to note that the Names community (CWG) proposed establishing a Post-Transition IANA (PTI), that will be an ICANN subsidiary and will perform IANA functions operations through a contract with ICANN, with following conditions:

- PTI must be US owned and operated, incorporated and organized under US law
- Primary IANA functions must be performed in the US
- PTI must have a US physical address

By listing down such requirements, despite no such pre-requisites mentioned, the ICG proposal seems influenced and hampers prospects of internationalization of entities in the Internet governance domain, and ultimately democratization of Internet. An entity such as ICANN should be subject to International laws and not US laws.

- Currently, ICANN's role as performing IANA function through the NTIA contract keeps a check (limited) on ICANN's activities and actions. Changes in stewardship must be accompanied by improvements in ICANN's accountability, possibly through a strengthened and well-enforced external accountability mechanism. These aspects are intertwined and must be pursued in parallel. With a lack of established external accountability mechanism through a strong entity, inactions and monopolistic nature of operations can rise. With no external oversight, there appears to be little check in place to ensure that a multi-stakeholder model will be preserved and strengthened.
- Rather than an ICANN subsidiary PTI performing IANA functions through a contract by ICANN (as mentioned in the ICG proposal), or an independent organization completely unrelated to ICANN performing IANA functions through ICANN contract, a multistakeholder organization (any existing organization that is capable of performing that role or establishing a new organization), to replace NTIA's role would be an ideal.

Not only were discussions in this direction not taken up, but the focus of individuals working on the proposal seems to have been on empowering ICANN by handing over NTIA's stewardship role to ICANN, with above mentioned presumptions.

The NTIA stewardship transition proposal intended to replace NTIA's stewardship role (that includes issuing IANA functions contract to ICANN), to the multistakeholder community, and not empower ICANN which currently performs IANA function. The ICG proposal seems to revise this role and hands over the contract issuing authority role to ICANN, which is currently performed by NTIA. So as per the proposal, a third party performing operations on contract (ICANN) would now be issuing contract to its subsidiary PTI for performing IANA functions.

The ICG proposal assumes ICANN as the chosen body to perform NTIA's role, without also seeing ICANN as a stakeholder in the transition due to its current role.

- One of the most important aspects, on who will authorize changes in Root Zone File post-NTIA stewardship transition, remains unanswered in the proposal. Verisign currently serves as the Root Zone Maintainer and performs the Root Zone Management functions pursuant to a cooperative agreement with NTIA, while NTIA acts as Root Zone Management Process Administrator.

This important and significant area is left untouched by the ICG proposal, but is separately covered in the report prepared by ICANN and Verisign proposal outlining a high level plan to amend the NTIA's administrative role associated with root zone management.

When the contractor itself is changing, how can the contract and organization performing the contractual function be left out of the scope of transition proposal? It is essential that it be adequately addressed to maintain security, stability and resiliency of the DNS operations.

- Role of Customer Standing Committee (CSC) in respect of Parameter Function and Number Function is not very well established in the proposal
- Relationship between PTI and the numbering and protocol parameters communities, and ultimately Internet Engineering Task Force (IETF) and Regional Internet Registries (RIRs) is not adequately defined in the proposal
- Globalization of Critical Internet Resources such as DNS Root Servers is necessary to perpetuate the idea of democratization of Internet and resources, and strengthening the multistakeholder community. Currently, out of thirteen root servers, ten reside in US, two in Europe and one in Japan. The ICG proposal should also discuss on redistributions of current Root Server infrastructure. If there is no technical limitation

now to increase the number of global DNS Root Servers, which seems to be the case prima facie, major countries and regions with vast Internet population should have at least one instance of original root server, and based on the requirements, ability to add mirrors subject to DNS traffic.

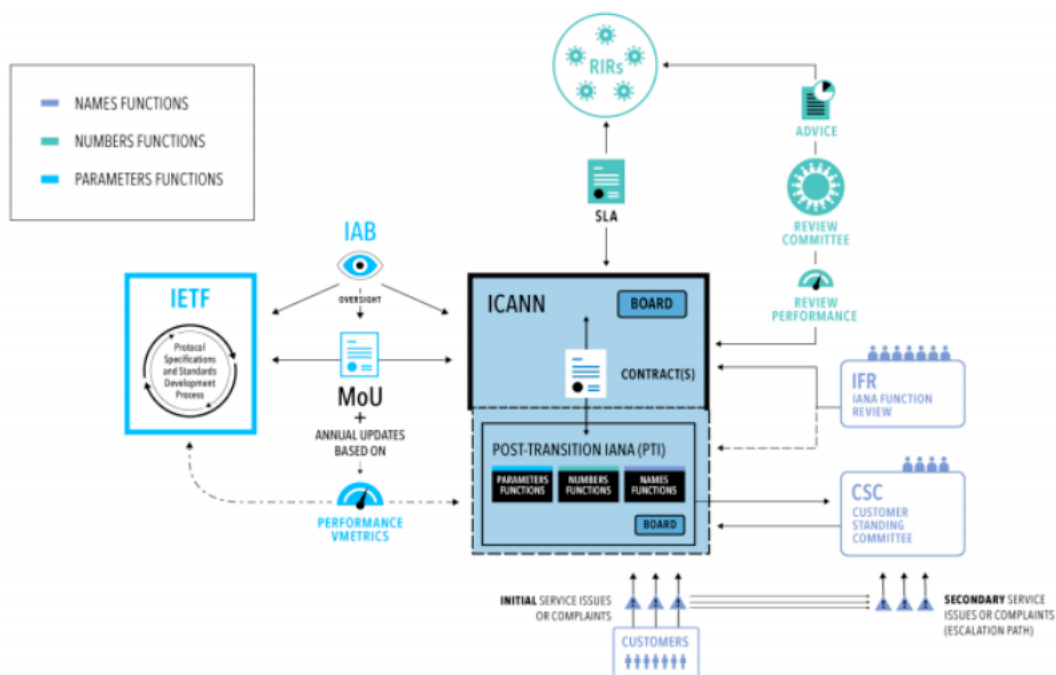
DSCI Inputs on IANA Stewardship Transition Proposal prepared by IANA Stewardship Transition Coordination Group (ICG)

08 September, 2015

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