

Name: Ricardo Pedraza-Barrios

Organization: Colombian Government

Submission ID: 139

Dear Sir/Madam,

Please accept our submission from the Colombian Government to the Public Comment Call on IANA Transition Proposal.

Technical problems on our Internet connection prevented us on submitting our comments on time.

I attach the form filled out.

Yours sincerely,

Ricardo

Ricardo Pedraza-Barrios

Advisor

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URL: <https://comments.ianacg.org/form>

IANA Stewardship Transition Proposal - Public comment forum

Disclaimer: ICG will use the information received for the analysis of public comments only. Participants' names, affiliations and comments will be available to the public.

Commenter's Data

* Mandatory field

Name *:

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E-mail * **REDACTED**

Country/ economy: Colombia

Organization: Communications Regulatory Commission (CRC)

Questions concerning the proposal

- 1) Proposal 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?

The CWG, CRISP and IANAPLAN working groups have developed proposals following the spirit of the criteria set forth by the NTIA. In turn, The IANA Stewardship Transition Coordination Group (ICG) has had the role of assembling them into one single proposal. It is worth noting that the scope of the ICG mandate in relation to this role is:

“The assembly effort involves taking the proposals for the different components and verifying that the whole fulfills the intended scope, meets the intended criteria, that there are no missing parts, and that the whole fits together. The whole also needs to include sufficient independent accountability mechanisms for running the IANA function.”¹

Therefore, the ICG composition offers the highest level of "expertise" in the different fields of knowledge involved in this operational and technological integration effort. Consequently, it is appropriate noting that the ICG work has been of such a quality that the assessment can be carried out following the NTIA criteria.

¹ Source: <https://www.icann.org/en/system/files/files/charter-icg-27aug14-en.pdf>

It would be appropriate to point out that in order for the proposal to be considered complete, the level of consensus reached within the working group as well as within the other three operational community working groups has been widespread. In this sense, it is essential that the proposal of the working group on Enhancing ICANN Accountability -Work Stream 1 has obtained the same level of general consensus. We do understand that, in a multistakeholder model, absolute consensus is an ideal, and that general consensus is an indication of acceptance by the different stakeholders.

Given the fact that the whole proposal may still lack certain aspects that will derive from legal and legislative specifications resulting from the proposal implementation, the lack of absolute consensus on the some of the operational community proposals is understandable. The same completeness principle applies to the integrated proposal. However, the Colombian government believes that a thorough effort has been made by the operational communities, and that the highly skilled members of the IANA Stewardship Transition Coordination Group (ICG) have equally managed to deliver a comprehensive proposal within the agreed time frame so as to have a public comment process and make the final adjustments deemed necessary by the multi-stakeholder community.

- 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 among the functions resolved in a workable manner?

Compatibility and interoperability related issues in the operational community proposals have been a responsibility covered by the IANA Stewardship Transition Coordination Group (ICG) mandate, as above mentioned. Therefore, we assume said differences, if any, have been adjusted as a whole. However, in the combined proposal, we have noticed the particulars regarding IANA brand and domain name management, which we believe may be revised by the parties at the time of implementation.

- 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?

Operational community proposals have included service quality management and oversight mechanisms, and these mechanisms were adequate, independent and properly supported to run the IANA functions.

As it was mentioned before, the scope of the IANA Stewardship Transition Coordination Group (ICG) mandate includes ensuring that accountability mechanisms are fully integrated into the combined proposal.

Nevertheless, considering the fact that under the combined proposal there would be a new Board of Directors, this board will be able to define any new additional accountability aspect that may arise. Similar to ICANN, IANA will be able to regularly revise its accountability enhancements.

- 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?

As part of the scope of the ICG mandate for integration, the following has been set forth:

The assembly effort involves taking the proposals for the different components and verifying that the whole fulfills the intended scope, meets the intended criteria, that there are no missing parts, and that the whole fits together. The whole also needs to include sufficient independent accountability mechanisms for running the IANA function.”²

Therefore, the ICG composition offers the highest level of "expertise" in the different fields of knowledge involved in this operational and technological integration effort. Then, we consider that the integrated proposal has solved every conflict or eventual gap that may have appeared in the original proposals.

However, it should be noted that the legal feasibility of the proposal is an aspect that, we understand, goes beyond the scope established by the different CWG, CRISP and IANAPLAN working groups. Thus, it is essential that this aspect be thoroughly analyzed by subject matter experts. In fact, this legal feasibility analysis must be carried out based on the bylaw amendments recommended by the proposal of Work Stream 1 on enhancing ICANN accountability. Particularly, aspects to facilitate the subcontracting of PTI and other necessary components should be taken into account, and they should guarantee IANA legal independence within the proposed structure.

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.

Yes. The change in the contractual relationship between one single government and ICANN to a multistakeholder entity is the best evidence of this.

- 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.

² Source: <https://www.icann.org/en/system/files/files/charter-icg-27aug14-en.pdf>

Yes. The accountability mechanisms, service quality and Internet openness proposed by the operational communities in their proposals pose an operational scheme that aims at maintaining and, in some cases, improving DNS security, stability and resiliency.

- 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.

Yes, it meets their needs and expectations. Throughout this year, many meetings and discussion fora about the needs and expectations of customers and partners of the IANA services have been held, which shows ICANN community's interest and openness to adjust a proposal taking into account such needs.

It is worth mentioning that the Colombian government is an IANA customer through the country code domain name management operator ".co".

- 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.

We believe the proposal does maintain Internet openness, understanding that this openness refers to the potential technological evolution of domain names, IP addresses and Internet protocol parameters. Likewise, the new IANA organizational scheme does not present, a priori, projects to expand the installed identifier database. However, it can be deduced that multistakeholder consultation and engagement mechanisms would allow to maintain this Internet openness.

- 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.

Taking into account that the proposal presents a multistakeholder engagement plan, there are no concerns on this particular issue.

- 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.

The proposal implementation calls for further detail on the inter relationship among the components of the stewardship transition, the adjustments deriving from Work Stream 1 on enhancing ICANN accountability, and related contractual considerations.

Since one of the NTIA criterion is to maintain Internet openness from the perspective of domain names, IP addresses and Internet protocol parameters, and to preserve DNS security, stability and resiliency, this aspect would be one the greatest challenges for the new model. However, ICANN multistakeholder community has proved, so far, its capacity to keep a balance, which gives the Colombian government confidence that NTIA criteria will be preserved in the future.

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.

As we have indicated before, the IANA Stewardship Transition Coordination Group (ICG) composition offers the highest level of "expertise" in the different fields of knowledge involved in this operational and technological integration effort. Hence, we consider that the integrated proposal has been developed with the required quality.

General questions

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

The Government of Colombia wishes to express its deep appreciation to the members of the ICG for their effort to integrate the proposals of the CWG, CRISP and IANAPLAN working groups to whom appreciation is equally expressed for their excellent work.

The close relationship between the integrated proposal for the IANA stewardship transition, and the proposal to enhance ICANN accountability fully conditions the implementation feasibility of the first one in relation to the second one. For our government, preserving those aspects related to the GAC advisory nature in relation to the ICANN Board, in Work Stream 1, is of vital importance for any formula intending to amend ICANN bylaws.

Notwithstanding any further input addition or adjustment in relation to the process during the upcoming ICANN meeting, the Colombian Government reserves its right to provide further feedback, and supports the position to be accomplished by general consensus through the GAC.