

**Name:** Juan Carlos Hernández Wocker

**Organization:** Instituto Federal de Telecomunicaciones (IFT)

**Submission ID:** 142

Dear ICG:

Regarding your call for public comment about IANA Stewardship Transition Proposal that has been closed yesterday September 8, we appreciate so much if you can consider our comments attached.

We believe that this important process require a very high participation in order to really recognized that all the stakeholders interested in the process had have the opportunity to present their views of this exercise.

Thank you very much.

General Coordination of International Affairs

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: Juan Carlos Last

name: \* Hernández Wocker

E-mail: \* REDACTED

Country/economy: Mexico

Organization: Instituto Federal de Telecomunicaciones (IFT)

### 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?

Proposals submitted by each of the operational communities are clear on the transition process that each community will carry out in relation to the functions they perform. However, it is convenient to have the combined proposal version in order to observe in a clearer and more transparent manner the details of the aspects that will be jointly fulfilled by the operational communities.

Likewise, each of the proposals submitted by the communities has a specific appendix detailing how they comply with the requirements set forth by the NTIA, and therefore, the proposal is specified in sufficient detail so as to be evaluated against the NTIA criteria:

- Broad community support: each proposal details the inclusive process undertaken to guarantee engagement of all stakeholders in the proposal development, thus allowing a whole community support for each proposal.
- Supporting and enhancing the multistakeholder model: each proposal details the way in which the multistakeholder model has been implemented for the development of proposals that would be submitted to the ICG, however,

we have noted that the model will need to be more balanced as to stakeholder or community aspects as well as regional aspects in order to allow the enhancement of proposal combination and awareness.

- Keeping DNS security, stability and resiliency: the transition process will have no impact whatsoever on the DNS security and stability.
- Meeting the needs and expectations of global IANA service customers and partners: the proposal seeks to guarantee the participation of all stakeholders in the proposal development so that partners' needs and expectations are met. However, this aspect should be carefully implemented and evaluated in the short run so as to ensure that partners' needs and expectations are addressed.
- Keeping Internet openness: None of the proposals has impact whatsoever on Internet openness.
- Not replacing the NTIA role by a government- led or intergovernmental organization solution: none of the proposals submitted by the communities provides the establishment of an inter -governmental organization; nevertheless, the proposed model continues to be under the jurisdiction of one single government, then once the NTIA role has been replaced, the PTI is required to, at least, evolve into a public or private international law entity which shall not be subjected to any government.

- 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?

The document analysis indicates that the operational community proposals could work together in one single proposal, but incompatible arrangements will only be observed once the three proposals are combined into one.

In case of existing any conflicting overlaps or function incompatibility, it is considered that: they could only be resolved through the communication among the three operational multistakeholder support, and to this end, a calendar of short and medium term reviews could be timely submitted with clear indicators in order to identify incompatibility details.

- 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?

Each of the proposals submitted by the operational communities is considered to have independent accountability mechanisms to ensure IANA functions continuity, since each proposal includes oversight, review and dispute resolution mechanisms,

Which will lead to the IANA functions transition without impacting the ongoing operation.

However, it is believed that every accountability mechanism proposed by the operational communities must guarantee the following principles:

- Any information owned by the entities established shall be public; therefore, any act deriving from the exercise, competence and mechanisms of such entities must be documented in order to guarantee that accountability elements are adequate and independent for the performance of the IANA functions.
- Information access mechanisms and expeditious review procedures must be guaranteed so as to avoid gaps in general accountability related aspects.
- Finally, the principle of maximum public access regarding the functioning and management of accountability mechanisms set forth by each operational community must be preserved.

- 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?

No conflict or concern is observed regarding workability assessments included in the operational community proposals. Compilation into one proposal will be required in order to guarantee there are no conflicts or concerns.

### 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.

The proposal is considered to meet the NTIA criterion of supporting the multistakeholder model because each of the processes undertaken by the operational communities for the development of points of views were carried out using available IT resources to facilitate stakeholder engagement, and by strengthening agreements in a consensual manner. However, in order to enhance the model, participation of even local multistakeholders from different developing and underserved countries is required, which will call for further activities to improve the understanding and discussion of the proposals submitted.

- 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.

None of the proposals submitted by the operational communities is considered to affect DNS security, stability and resiliency since none of them proposes operational changes

to the IANA functions that may have a negative impact on the DNS service continuity.

All proposals introduce minimal changes to the IANA functions operating process, and it is observed that proposals only introduce the necessary changes to migrate from NTIA to another entity, and this is not a reason to do major adjustments in the DNS.

- 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.

The proposal seeks to guarantee the participation of all stakeholders interested in the proposal so that partners' needs and expectations are met.

However this aspect should be carefully implemented and evaluated in the short run, in order to guarantee that partners' needs and expectations are addressed.

- 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.

Yes, the proposal is not considered to contain aspects impacting on Internet openness, since this aspect would only be detected in case of an incomplete or incorrect proposal implementation.

- 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.

The proposal reduces the concern that the NTIA role could be taken by a government or by an intergovernmental organization, but as it was mentioned in question 1, the proposed model still continues to be under the jurisdiction of one single government, and therefore once the NTIA role has been replaced, it will be necessary for the PTI to, at least, evolve into a public or private international law entity which is not subjected to one single government.

- 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.

Once the submitted proposal is evaluated by the NTIA, and if it is appropriate and is supported by the relevant US government powers, continuing developing and enhancing the new scheme is recommended so as to allow ICANN and the subsidiary PTI to stay outside of the legal jurisdiction of one single government.

## **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.

The report and executive summary are considered to reflect the necessary aspects of the proposal so there are no additional comments on this regards.

## **General questions**

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

It would be advisable to submit a proposal containing the input of the operational communities.