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Please find attached the CENTR comment on the IST proposal.

Thank you for confirming receipt.

Best Regards,

Peter

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CENTR Comment on the IANA Coordination Group (ICG) Proposal to Transition the Stewardship of the Internet Assigned Numbers Authority (IANA) Functions from the U.S. Commerce Department's National Telecommunications and Information Administration (NTIA) to the Global Multistakeholder Communityⁱ
7 September 2015

CENTR would like to thank the ICG for the proposal and the opportunity to comment. This comment is submitted on behalf of the CENTR community, which comprises more than fifty European country code top-level domain name registries.

Conditional status of the proposal

With reference to X010, CENTR recommends to provide more details for a scenario in which the conditions set forth by the CWG are not met. This might also be necessary on a secondary level, in case one or more of the ICANN Supporting Organisations (SOs) and/or Advisory Committees (ACs) retract their conditional support. In particular, we would be interested in seeing alternative timelines for the entire process in these cases.

It is understood that even in a scenario where the conditions set forth by the CWG are met, timeline of the CCWG Workstream 1 process will be a key factor. However, there seems to be some confusion on whether implementation or mere agreement is needed across the proposal (X011: ... that the dependencies ... are concluded ...; X012: Once the CCWG has concluded its work ...; X026: the finalisation of CCWG Workstream 1 ...). We believe that it might be highly improbable that the implementation of the additional accountability mechanisms is completed by the time of the submission of the ICG proposal to the NTIA. Therefore, we would suggest that this matter is fully clarified and, if necessary, different scenarios are presented.

IPR aspects

The CENTR community does not believe there is incompatibility between the different proposals from the Names, Protocols and Numbers communities in respect to IP rights. We have read with interest ICANN's Board Statement in this respect and we agree it is an acceptable interim solution.

While we believe the proposal to transfer IP Rights to an entity that is independent from the IANA Functions Operator is acceptable, we suggest to run an impact assessment of the proposal to investigate the effects of a possible separation on the IP Rights and how this would eventually impact the operational aspects of the IANA Functions.

NTIA Criteria

The CENTR community agrees that the current proposal matches the NTIA criteria, specifically:

1. *Broad community support:* We believe there have been extensive efforts to ensure all stakeholders could contribute to the discussion. For the Names community the unanimous approval by the SOs and ACs underlines the broadest possible support. In addition, the proposal from the CWG also received CENTR's support. We would like to highlight that the CENTR membership includes 10 ccTLDs that are not members of the ccNSO.
2. *Support and enhance the multistakeholder model:* This model relies on existing aspects of the multistakeholder model and well combines them. In addition, it strengthens the model as it will include an additional layer of accountability mechanisms.
3. *Maintain the security, stability, and resiliency of the Internet DNS:* As the current IANA Functions Operator will remain the same over the transition, there is no immediate impact on the security, stability and resiliency of the Internet DNS. The CENTR Community believes that the additional accountability mechanisms that will be built-in provide sufficient guarantee that the security, stability and resiliency is ensured in the long term.
4. *Meet the needs and expectations of the global customers and partners of the IANA services:* For the Names Community, service levels will improve as the process for Root Zone changes is streamlined. Given the already high level of customer satisfaction from our community, we feel confident that our future expectations will be met.
5. *Maintain the openness of the Internet:* There are no elements in the proposal that would undermine the current level of openness of the Internet.
6. *Does not replace NTIA role with a government or inter-governmental organization:* The role of the NTIA is not replaced by a government or inter-governmental organisation but is replaced by a model involving both its direct customers and the multistakeholder community.

Separation scenarios

For the sake of completeness, the CENTR community strongly recommends that the different separation scenarios are listed and include a risk assessment at a high level. These scenarios should cover the situation where one, two or all three customers of the IANA Functions Services (Names, Protocols and Numbers) would decide to move their services portfolio to a different operator. This could be combined with the proposal for a risk assessment related to IP Rights, but goes beyond that. In particular financial impacts need to be carefully evaluated and should be included in the proposal.

Service Level Expectations (SLEs)

CENTR wants to point out that the CWG proposal didn't yet include the Service Level Expectations as they were not completed at the time the proposal was sent to the ICG. We strongly support the inclusion of SLEs by the CWG and believe their implementation should be prioritized.

SLEs are crucial for IANA Functions Customers and as such should be part of the complete ICG proposal. We therefore believe that a placeholder – similar to the one on the accountability conditions – in the ICG proposal would be useful until the SLEs have been agreed upon and integrated in the CWG's final proposal.

ⁱ <https://www.ianacg.org/calls-for-input/combined-proposal-public-comment-period/>
