

**Country Code Names Supporting Organization comments on:
ICANN consultation on ccTLD Delegation and Re-delegation standards**

April 2013

Introduction

The ccNSO Council welcomes the opportunity to comment on ICANN's consultation on ccTLD delegation and re-delegation standards. The comments below have been considered and endorsed by the ccNSO Council, though do not necessarily represent the consensus view of all ccNSO members, some of whom may decide to submit their own comments.

Lesley Cowley OBE
Chair of the ccNSO

General comments

The ccNSO Council notes that the current consultation on delegations and re-delegations is part of a series of efforts from ICANN to establish performance standards for the delivery of the IANA functions, as required by the contract between ICANN and the NTIA.

As previously stated in the it's comments on the IANA customer service complaint resolution process¹, the ccNSO Council notes that ccTLDs represent a significant and active proportion of IANA's stakeholder community, specifically in relation to IANA's role in the maintenance of the DNS root zone.

The stable, reliable, accurate and effective execution of the IANA functions is of utmost importance to ccTLD managers. Therefore, the ccNSO Council welcomes both the concept of formalising IANA performance metrics and the open, collaborative and consultative processes through which they are being developed.

The responses below have been structured as a series of comments that the ccNSO Council holds are within the scope of the current consultation, though do not immediately translate to the individual questions raised as part of the consultation process. They should be recognised and assessed as an overarching statement of views and values.

¹ <http://forum.icann.org/lists/iana-complaint-resolution/pdf/2snePb8y.pdf>

Pertinence of the ongoing work of the FOI-WG

As a threshold issue, the ccNSO Council notes that there is currently ongoing work within the ccNSO's Framework of Interpretation Working Group(FOI-WG)² that is relevant to this consultation.

The FOI-WG is tasked with developing and proposing a "Framework of Interpretation" for the delegation and re-delegation of ccTLDs which will provide clear guidance to IANA and the ICANN Board on interpretations of current policy statements. The group is working in conjunction with the GAC, gNSO and At Large and its outputs will touch upon the issue of Key Performance Indicators.

The group is also analysing the full body of historical delegation and re-delegation requests received by IANA and preliminary analysis indicates that there is considerable inconsistency between timeframes for the processing of these requests.

However, the outcomes and recommendations of the FOI-WG will not be finalised until late this year. Therefore, the ccNSO Council strongly recommends that ICANN and IANA remain flexible towards recognising and incorporating the findings of the FOI-WG, beyond the timeframes for comment and implementation associated with the current consultative process.

Comments on proposed performance metrics

In the broadest sense, the ccNSO Council agrees that "accuracy", as proposed in the consultation documentation³, is an appropriate performance indicator, and that a performance target of 100% is an appropriate standard.

However, the blunt way in which "timeliness" has been proposed to be implemented as a KPI – with target timelines of 60 days - over-simplifies the reality of the diverse delegation and re-delegation landscape. Such a performance metric is ideally suited to processes that are totally within the control of IANA such as simple changes to contact details or name server information.

However, not all delegation and re-delegation processes are the same, and cannot reasonably be afforded a consistent set of target timeframes. There is no "one size fits all" approach to the process. Considerable complexities arise in particular circumstances, and the use of universally-consistent timelines runs the risk of establishing performance standards that cannot be met.

Worse still, a rigid adherence to metrics related to timeliness may deliver rushed and sub-optimal outcomes (in the case of contested re-delegations), and this is a scenario that the ccTLD community would strongly oppose.

² <https://ccnso.icann.org/workinggroups/foi wg.htm>

³ <http://www.icann.org/en/resources/cctlds/cctld-drd-performance-15jan13-en.pdf>

In the spirit of providing constructive input, the ccNSO Council therefore recommends that IANA should broaden its KPI framework to accommodate at least three different scenarios, with each having its own set of indicators. These are:

1. A delegation or re-delegation where there is full support from the local Internet community - including the incumbent operator, in the case of a re-delegation.
This is the most straightforward scenario and could be afforded a relatively rigid timeliness metric. The timeframe for such a delegation or re-delegation would be largely dependent upon the efficiency and effectiveness of IANA, and not upon the responsiveness and cooperation of external parties.

Therefore, it is appropriate to establish an indicator of performance *for IANA*, requiring that the task be performed expediently within “X” days (currently proposed as 60 days in the consultation documentation).

In addition, the ccNSO Council posits that an 80% target for IANA’s adherence to timeliness goals is a largely meaningless metric. Failure to adhere to self-set deadlines in 1-in-5 delegation and re-delegation requests will do nothing to engender improved stakeholder satisfaction. The ccNSO Council believes that its proposal for the separation of different *types* of delegation and re-delegation scenarios would allow ICANN to set a 95% or higher KPI for timeliness in the case of uncontested processes.

2. A re-delegation where the incumbent operator does not consent, but is deemed to be performing “unacceptably” by the local Internet community.
This describes a slightly more complicated scenario where the ccTLD is, in the view of the local community, not functioning satisfactorily and the incumbent operator may have “obvious” shortcomings such as failing to maintain registration and re-registration services.

In this case, a re-delegation should be performed expediently within timeframes commensurate with a “simple” delegation or re-delegation, with the addition of an appropriate amount of time to analyse and assess claims regarding the incumbent ccTLD operator’s under-performance: i.e. “X” + “Y” days. In such a circumstance, establishing a timeliness metric that is based upon the processes and activities of IANA would serve to improve customer satisfaction and confidence.

However, the ccNSO Council stresses that there may be extant circumstances where the strict application to such a formula may deliver sub-optimal outcomes and therefore flexibility should be built into the performance assessment process. Any contested delegation involves considerable engagement with external stakeholders and even the most “straightforward” case of failure by the incumbent may experience delays beyond IANA’s control.

3. A re-delegation where the incumbent operator does not consent, and is performing “acceptably”, as assessed by the local Internet community.

In such circumstances, a far greater degree of investigation and discussion will be required to ascertain the preferable course of action in response to the re-delegation request.

The FOI-WG's preliminary analysis of re-delegation scenarios suggests that, historically, such processes have taken as long as two years. In this instance, the use of timeframe-related KPIs is not an appropriate performance measure.

Rather, thoroughness, probity and transparency may be more appropriate metrics. In simple terms, ensuring the correct decision is made, through a predictable and transparent process, is of greater import than rapid resolution.

Once again, all of the above observations are based upon the ongoing work of the FOI-WG and the ccNSO Council reiterates the need for ICANN and IANA to remain flexible towards accommodating the final findings of this group, once delivered.

Additional performance targets

As mentioned in the above commentary, the ccNSO Council believes that timeliness and accuracy – which are valid, if appropriately implemented – are not the only useful metrics for assessing IANA's performance with regard to delegations and re-delegations.

Therefore, the ccNSO Council proposes the issues below as performance goals IANA should strive to adhere to. These are initial proposals, and the ccTLD community welcomes the opportunity to explain and collaboratively refine them, as IANA proceeds towards the finalisation of its performance standards.

Transparency

The issue of transparency relates to Question 3 of the current consultation regarding reporting and format of results. The ccNSO Council believes a number of tangible tools and metrics can be implemented to monitor and assess IANA's performance.

- An overall “dashboard” system that provides a simple, accessible resource that contains all relevant information relating to delegations and re-delegations. Such a tool would allow the community to closely monitor progress and would also prove useful to stakeholders involved in the process itself. In terms of a metric, IANA could commit to 100% accuracy and update within “X” working days of specified events. The dashboard system will become an increasingly important tool with the advent of new gTLDs and a resultant increase in workload for IANA.
- Improved, meaningful IANA Reports (as distinct from the up-to-the-minute dashboard system) that provide detail on all stages of the acceptance, processing, verification and conclusion of each request.

- Although not a specific topic for this consultation, improved transparency is also desirable in regard to Board Minutes relating to delegation and re-delegation processes, with a preference towards full disclosure of relevant discussions and decisions, with redactions used in exceptional circumstances, not as the norm.

User satisfaction

- A regular survey process should be implemented for parties involved in delegations and re-delegations, including the incumbent operator and requestor. Specific performance indicators could be built upon the responses received to these surveys.

Once again, the feedback process should be focussed upon deliverables that are within IANA's control (processing times, consultation and transparency, communications etc).