The Danish Internet Forum (DIFO) wishes to thank for the opportunity to comment on "Cross Community Working Group (CWG) on Naming Related Functions Draft Transition Proposal".

DIFO is responsible for the Danish top-level Internet domain, .dk. Its core business is the registration of domain names and the administration and technical operation of the national domain name registry in Denmark.

DIFO acknowledges the great amount of work, which has been done in creating this proposal, and the involvement of the internet community.

DIFO has the following comments:

General comments

DIFO has the following general comments to the proposal. DIFO finds that these comments are fundamental principles of the outmost most importance for us.

Stability
A stable, resilient and secure internet is the overall principle that should be ensured in any model chosen. DIFO agrees with the statement on page 61 that the performance of the IANA naming functions is generally satisfactory to its direct customers. Thus the NTIA has been successful in ensuring the accountability of IANA. Therefore DIFO finds that the roles played by NTIA should be replicated. However, DIFO also finds that any model should ensure that the IANA functions can be removed from ICANN if needed.

Separation
A separation of the IANA function from ICANN is one of the key elements for DIFO; however a structural separation of the IANA function is not needed. Instead DIFO finds that there should be a functional separation of the IANA function so that the key organizational parts are separated. For instance legal advice is to be done by IANA's own legal employee and not an employee of ICANN. Furthermore we agree that the existing separation between ICANN as a policy body and ICANN as the IANA Functions Operator needs be strengthened.

Funding
DIFO finds that the services of IANA must remain free for all ccTLDs. This means that the funding most be arranged otherwise than by demand of membership or paying for the ser-

vice directly. Today the funding comes from ICANN and for the ccTLDs this is based on voluntary donations. DIFO finds it is important that all ccTLDs that are able to donate do so, but we still believe that it is important to keep this on a voluntary basis.

Automation
While DIFO agrees that the performance of the IANA Naming Functions is satisfactory; there is still room for improvement. One way of improving is by automatizing the majority of the functions so that these don't need to be authorized by a third party as it is done today by NTIA's approval of any changes. The registries themselves should be able to submit changes to IANA without any interference or subsequent approval. This should be possible for most functions except for delegation and re-delegation.

The proposal

DIFO finds that the proposal is a good way to replace the roles of NTIA. Since the proposal isn't finished yet and there are still a lot of details to be concluded DIFO finds it necessary to underline that any further work on the proposal shouldn't enhance the complexity. Moreover the accountability and transparency of all the groups are of outmost importance unless prevented or precluded by business confidentiality.

Multistakeholder Review Team - MRT
DIFO supports the creation of a MRT but we think that this should have a size that is representative of ICANN and the global internet community and at the same time is not too big. A size of 10 – 12 people should be the maximum size. While the MRT will ensure an ongoing review there is still a need for a periodic review team like e.g. the ATRT so that a thorough review is done every three years by independent members. This could be a substitute for a tender and a way to find out if there is a need for a tender.

Customer Standing Committee – CSC
DIFO agrees that the CSC should be made up of representatives of registry operators. The function of this committee is of operational nature, which according to the proposal has the responsibility of conducting an operational review in order to ensure that the technical and operational SLA is fulfilled.

Independent Appeals Panel - IAP
An independent appeals panel is important. There needs to be a way to try any decision taken by IANA in a way that is effective, non-discriminatory and affordable. This is essential to ensuring adequate accountability to the new institutional set up.

With regard to the ccTLDs, sovereignty must be respected. Re-delegation and delegation of ccTLDs should be conducted according to national rules and procedures, including respecting national authorities and appeals mechanisms, where such rules and mechanisms exist.

Contract co
DIFO supports establishing a Contract co since this seems to be the best way to ensure the possibility of removing the IANA functions from ICANN. If a Contract co is to be established it should be lightweight and have no staff.

But on the other hand we are open to any other suggestions that will enable the same level of insurance as the Contract co with respect to ensuring that the contract is fulfilled and in worst case an eventual removal of the IANA functions.

Funding of IANA functions
As stated above, DIFO finds that the IANA functions should be free, so we don't agree with and can't accept what is written on page 71: "Contractor may establish and collect fair and reasonable fees from third parties, subject to the MRT's approval. Fees, if any, will be based on direct costs and resources. After one year of charging fees, Contractor must collaborate with all Interested and Affected Parties to develop the fee structure and a method to tracks costs for each IANA function."

Policy issues
DIFO wants to underline that IANA shall not interpret any naming related policy. This is the key element of separating the policy part from IANA. Therefore DIFO objects to what is written on page 76: "Provide IANA a budget sufficient to allow it to hire independent legal counsel to provide advice on the interpretation of existing naming related policy."

Accountability
Last but not least the transition of the Stewardship for the IANA functions is dependent of adequate accountability mechanisms to be in place before the transition can actually happen. This includes making sure there is coherence between the IANA transition proposal and the two accountability processes.

On behalf of the Board of Danish Internet Forum, I remain
Yours sincerely,

Lise Fuhr
COO and Political director
Danish Internet Forum