

Proposal: LACTLD comments to the second CWG draft proposal

The following document represents the collective position of the ccTLDs of LACTLD¹, which was rounded up during a policy workshop held in Lima on 20 May 2015 where consensus from the ccTLD members present was achieved on the following issues.

Inasmuch as LACTLD represents the interests of its members, mainly ccTLDs that operate in the region of Latin America and the Caribbean, the proposal reflects the fundamental points of view of this community of stakeholders, whose main objective is to maintain the stability and security of the operations of their respective registries and hence the Internet.

In addition, the following comments have been produced considering the following framework of expectations: a) maintaining IANA standards and high quality services for registry operators; b) the development of a proposal with clear rules of the game for ccTLDs, as different entities of gTLDs, where it is necessary to maintain the distinctions between the policies and processes between both types of registries.

We are grateful for the work accomplished by the CWG and the efforts to develop a second version of the proposal for the names community. We consider that the current document gets closer to the expectations of the names community after the comments received for the first draft on December 2014. We would also like to highlight that it is a sensitive endeavour to send more specific comments on a proposal which is still being adjusted without the specification of the Service Level Expectations (SLEs); in addition it has components which are related with the proposal of the CCWG Accountability and the FOI, particularly with reference to ccTLD delegation/transfer/revocations.

We hope that the following comments coming from LACTLD members are considered in the next proposal:

1. We consider that the removal of the authorization to the changes requested by TLDs is a highly positive measure. Even though this is a decision in which there is not much to add, we would like to highlight that we believe this measure recognizes a trajectory of consolidation of ccTLDs.
2. We believe that the PTI, as an organization affiliated to ICANN, is a proposal that provides the necessary safeguards for the operational stability of the IANA functions and to maintain the standards of excellence for the stability of the DNS. It also addresses the independence and continuity of the operations with appropriate accountability mechanisms.
3. With respect to PTI and its composition we are interested in highlighting that it is important to make explicit the relationship between the ICANN board and the PTI. From the proposal we are unsure about its composition, specific functions or its designation. We believe it is important that the board of the PTI maintains its executive functions and the capacity to make direct decisions on the IANA operations.

¹ Which includes both ccNSO and non ccNSO members.

We consider that the creation of the PTI with an expert board, devoted to the executive decisions of the management of the IANA is of vital importance. The PTI should be integrated by experts belonging to the names community. The PTI as an organization affiliated to ICANN should be accountable to the Board of ICANN.

4. On delegation / transfer / revocation. This is a theme of uttermost relevance for ccTLDs. Considering that the PTI structure and its scope are not entirely defined and that in the CCWG Accountability proposal it has been reiterated that the mechanisms of delegation-revocation will be defined by the community of ccTLDs in the development of its own processes², these new structures / reforms envisaged by the stewardship and operation of IANA functions will have repercussions in the current processes and mechanisms of delegation / transfer / revocation. Since this is a central component in the horizon of expectations of a registry we believe the proposal should be clearer on this issue. We have concerns that despite the fact that it is stated that this will be addressed later on within the ccTLD community, currently there is no clarity regarding who will be the entity responsible for defining when a process of delegation / transfer / revocation has been fulfilled in order for the IANA Functions Operator (IFO) to make effective those changes.

From the current CWG proposal, there are several entities that could be potentially involved in this function: a) The ICANN Board; b) The PTI; c) The IFO; d) the Customer Complaint Resolution; e) The CSC. As it can be noted, this theme should be more effectively upheld in order to establish the mandate of these entities with respect to this issue. In addition, the CWG proposal addresses the consideration of “stress tests” that the CCWG Accountability report considers (p. 32, section IV.C) on ICANN’s response when faced with a government request to manage (transfer) the incumbent ccTLD. We believe that the results of this exercise should constitute a solid documented evidence and input which the CWG should necessarily consider in its final proposal.

5. The escalation mechanisms facing problematic circumstances are adequate and the introduction of these entities to resolve specific problems concerning the registries in the Problem Resolution process help to understand the specificities of clients of the names community. Nevertheless, we consider that it is essential that these mechanisms become clearer in case the Separation Revision mechanism should require activation.
6. Despite the fact that there is a strong time pressure for the proposal, this must promote decisions based on consensus and developed in a bottom-up manner.

² Consolidating the work undertaken by the FOIWG and considering the comments of the GAC in its February communiqué on the FOIWG.