

## CWG-Stewardship 2nd Draft Proposal. AFNIC's input.

1. *Please provide your name:*

Pierre BONIS

2. *Please provide your affiliation:*

AFNIC

3. *Are you providing input on behalf of another entity (e.g. organization, company, government)? Yes/No*

No

### General Comments

4. *If you have any general comments you would like to provide on the CWG-Stewardship Proposal, please provide these here.*

Afnic wants to thank and commend the CWG-Stewardship for the excellent work done since last draft proposal was published. As recalled by the CWG-Stewardship, the previous proposal had to be simplified as well a more detailed. This new draft is obviously much simpler and goes deeper into details at the same time.

Afnic have been heavily involved in the CCWG-accountability, as well as in broader discussions about the Transition, and is now confident that the linkage and coordination between IANA stewardship transition and ICANN accountability is well understood and duly taken into account within the current proposal.

This document is, from Afnic's point of view, a solid basis on which a final proposal could now be sent quickly to the ICG.

Afnic acknowledges that despite the remarkable effort done by the CWG-Stewardship, some important parts of the proposal are still to be refined. Namely and not exhaustively:

Setting SLEs together with the transition process, and not after; being more specific on the function separation Mechanism; being more specific on the PTI budget and management.

The following answers will elaborate some proposals to help refining these topics.

Please, note that most of the comments refer to document sections linked with their related annexes. We have therefore not commented the annexes themselves, except the N one.

### ***Section III - Proposed Post-Transition Oversight and Accountability***

5. *Do you have any specific comments or input you would like to provide with regards to section III.A - Elements of this Proposal? This section describes in short the main elements of the proposed post-transition oversight and accountability.*

The new proposal for accountability and its oversight part is very clear. The various bodies are well defined, as well as their respective functions.

6. *Do you have any specific comments or input you would like to provide with regards to section III.A.i.a. - Post-Transition IANA (PTI). This section describes the proposed post-transition IANA.*

Afnic agrees the proposed structure (PTI) as a new legal entity that is an affiliate to ICANN answers to the need of structural and operational separation.

In order to make sure that PTI will have the budgetary means to perform its duty, we however recommend that the funds allocated through the ICANN budget (and validated by the community as stated in the document) should be granted to PTI on a multi annual basis, and not year by year. It would allow PTI management and board to be fully responsible, and not to rely each year on the budget allocated by ICANN.

As the budget allocated to PTI will of course be of the utmost importance for this entity to fulfill its duty, Afnic recommends that an independent financial audit should be performed every year before the accounts approval by PTI board, and that this audit should be also sent to CSC for information, including a transparent stocktaking of all contracts passed between PTI and ICANN during the year, and their amount.

Furthermore, we recommend that it should be stated that PTI General Manager should have full authority on PTI staff.

7. *Do you have any specific comments or input you would like to provide with regards to section III.A.i.b. - Post-Transition IANA Board. This section describes the proposed Board for the post-transition IANA.*

Afnic agrees PTI board should not be organized with the view of reflecting the

multistakeholder approach used within ICANN. Therefore, we recommend that ICANN designate its own staff to the board. Normally, PTI board should have the authority on PTI General Manager.

8. *Do you have any specific comments or input you would like to provide with regards to section III.A.i.d. - IANA Function Review. This section describes the proposed periodic as well as special review of the IANA Function.*

Afnic is of the opinion the composition of the IANA function review team should :

- a. Give more room to IANA direct customers.
- b. Have an equal representation inside the direct customers between CCTLDS and GTLDS

In order to do so, Afnic proposes the following repartition between IFRT members:

CCNSO :3

Non CCNSO : 1

GNSO : 4

The rest of the list with no change.

9. *Do you have any specific comments or input you would like to provide with regards to section III.A.ii.a. - Customer Standing Committee (CSC). This section describes Customer Standing Committee that is expected to oversee performance of the IANA Functions as they relate to naming services.*

The composition as well as the functions and responsibilities of the CSC are in line with Afnic's expectations. However, we note that its secretariat would be provided by PTI. In order to guarantee the smooth and independent functioning of the CSC, Afnic would recommend that the budget allocated to it should include an independent secretariat.

10. Do you have any specific comments or input you would like to provide with regards to section III.A.ii.b. - Service Level Expectations. This section describes the proposed service level expectations post-transition.

As already stated, and given the fact PTI will be an ICANN fully owned entity, we feel the need to be much more specific on SLEs, because there will be no tender prior to the contracting between ICANN and PTI. For a decade or so, CCs as well as GTLDs have worked on IANA SLEs, and what need to be done to increase the SLEs to a better level. We therefore strongly believe that SLEs should be part of the transition proposal, as a starting point.

11. *Do you have any specific comments or input you would like to provide with regards to section III.A.ii.d. - Separation review. This section describes the separation review that can be triggered by an IANA Function Review if needed*

Afnic agrees with the principles set forward in the proposal. However, the separation review should be further elaborated in our view.

12. *Do you have any specific comments or input you would like to provide with regards to section III.A.iii.a. - Proposed changes to root zone environment and relationship with root zone maintainer. This section describes the proposed changes to the root zone environment and the relationship with the Root Zone Maintainer.*

Afnic understands this part of the proposal relies heavily on NTIA's decision about the contract with the current Root Zone Maintainer. Afnic supports CWG-Transition views on the necessary change in the contract between NTIA and the RZM to make sure that, in any case, the RZM has to comply with PTI's request.

Furthermore, Afnic's opinion is that the same principles of accountability including oversight by the community should apply to RZM and that it should be reflected in the current proposal.

13. *Do you have any specific comments or input you would like to provide with regards to section III.A.iv.a. - ccTLD Delegation Appeals. This section describes the proposed recommendation in relation to a ccTLD delegation appeals mechanism.*

Afnic strongly believes this ccTLD Delegation Appeals is part of policy and not of operations, but recognize there is still work to do to make sure such an appeal mechanism exists, and that it's CCNSO's task to elaborate a proposal for such a mechanism, in conjunction with all interested parties.

14. *Do you have any specific comments or input you would like to provide with regards to section III.A.iv.b. - IANA Budget. This section describes the recommendations in relation to the IANA Budget.*

See comments below on the necessity to have a multi-annual budget for PTI, an the need for yearly independent audit.

**Annexes**

15. *Do you have any specific comments or input you would like to provide with regards to section Annex N - Proposed changes to root zone environment and relationship with root zone maintainer.*

Afnic would like to add to c) that any major change in the software and new steps on the automation should be reviewed by CSC prior to its full implementation.

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*Afnic, is a multi-registry operator of the top-level domains corresponding to the national territory of France (the .fr TLD and those of several of the overseas territories) and of French projects for new Internet top level domains (TLDs).*