

Road Map for Globalizing IANA

Preface:

This short paper was written before the recent statements by [US NTIA](#) and the [European Commission](#) regarding the globalisation of the IANA function. However, since these statements call for “ICANN to convene global stakeholders to develop a proposal ...” and for “the development of a multi-stakeholder model ...”, it would appear that the following considerations remain relevant. They are addressed to the authors of the IGP proposal and to other relevant fora.

The IGP Proposal

The following comments and proposals relate to the 'globalisation' of the function of the Internet Assigned Numbers Authority ([IANA](#)). This question has been addressed by the Internet Governance Project (IGP)¹ of the University of Syracuse, New York State, USA and by the InternetNZ organisation. No doubt there will be other comments and proposals on this topic, addressed both to the forthcoming ICANN meeting in Singapore and the Netmundial conference in São Paulo.

Since much of the factual background to this proposal is common ground to the ICANN community the following comments focus on the principal elements of the IGP proposal.

1. Are ICANN and IANA distinct functions? Can they be 'globalized' through distinct processes?

Although conceptually distinct (IANA existed before ICANN), throughout the initial discussion and negotiation which led to the creation of ICANN, and since then, it has always been assumed that the two functions were almost coterminous. Indeed in the 1990's, European operators which were already familiar with IANA, including RIPE and ccTLDs who later became members of CENTR, explicitly requested the European Commission negotiators to ensure that the future ICANN would be coterminous with IANA.

It might prove difficult, even today, to un-pick that arrangement and follow the IGP recommendation to treat the globalisation of the two entities separately.

In terms of the current international political considerations, it is going to be difficult enough to achieve agreement, once, on the ICANN/IANA nexus. Proposing to do it twice, concurrently, would seem to be asking too much of the international community. Furthermore, a prior agreement over IANA would take the pressure off the reforms of ICANN which would still be necessary.

Conclusion: separating the IANA and ICANN reforms into two separate processes could very well complicate matters more than they would be simplified.

1. Internet Governance Project, University of Syracuse, Milton Mueller and Brenden Kuerbis, March 2014

2. *Is IANA really only a 'technical-clerical function' - ?*

Arguably, this used to be the case when most changes in the Root were about ccTLD name servers. For many years, very few additional TLDs were entered in the Root. That has all changed with the new gTLD programme.

In the present situation entering new gTLDs into the Root is bound to become a policy, if not a political, matter. Many new gTLD proposals are contested either through objections, through competing applications or on grounds of principle. It is inconceivable that those arguments within the ICANN system will not spill over into the IANA function.

Furthermore, the implicit assumption that the Root Server system will accommodate seamlessly the vast increase in the number of TLDs that is currently envisaged, has yet to be demonstrated in practice. Any hiccups will land directly at ICANN's door, not IANA's.

It is one of the principal weaknesses of the new gTLD programme that there is in fact very little consensus outside ICANN itself about the legitimacy or the desirability of the new gTLD programme.

Conclusion: Whatever happens to the IANA function, it is wishful thinking that it could be insulated from the ICANN policymaking process, including the GAC. Ten years ago, perhaps. Today, impossible.

3. *The composition of the proposed DNSA*

The IGP proposes that the DNSA would be run by 'all the firms operating root servers and domain name registries'. That is obviously out of the question. Why?

Although the examples of legacy Registries quoted by IGP are ostensibly benign, that is clearly not how it would be in the future: (a) each new gTLD would get a vote in the DNSA, (b) although legally separate wholly-owned subsidiaries, numbers of these 'Registries' would be controlled by a few large Registrars and other internet corporations.

Not only would one get a 'block vote' syndrome, one would have considerable pressure within the DNSA to enter each new gTLD into the Root, outstanding objections notwithstanding. Whereas, some of the objections which one may perceive on the horizon will not be resolved simply by an ICANN Board decision addressed to the DNSA. Furthermore, given the geographical distribution of the Registries, particularly after the current gTLD programme is implemented, it would become quite difficult to reconcile the IGP proposal with global balance and international participation.

Conclusion: The IGP proposal would shift the balance of power within IANA away from any 'technical clerical' function radically and quickly towards domination by the Registrars 'owning' multiple new gTLDs. The ideal of a neutral public service IANA would quickly dissolve in the face of commercial opportunism and political controversy. That is absolutely not the way to go.

4. *The proposed DNSA MoU:*

The proposal reflects a certain naïveté. A working group is proposed, containing 'individuals' from governments, among others. We would then have a MoU signed by an interesting group of potential sponsors, with no reference to geographical diversity or balance:

(a) NCUC² is included; At Large is excluded; (b) 10 Registrars (what have Registrars got to do with this?); (c) 10 members of the 'Commercial Stakeholders group' as well as 10 Registries. (some double counting there?)

Conclusion: This proposal is hardly credible on a global basis. The preparatory process as described would (a) take so long that the putative disconnection with ICANN reform would lose all interest and (b) almost certainly give rise to a 'DNSA'/IANA dominated by commercial DNS interests. It would not succeed in globalizing IANA in a manner that was acceptable to the rest of the world.

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At short notice and on a personal basis, it is indeed difficult to come up with a viable proposal for globalizing the IANA function. As a *'straw man'* one might envisage an entity not dissimilar in independence and structure to the current ICANN Nominating Committee:

1. The new IANA entity would continue to maintain, as far as possible the 'technical-clerical' functions, within the limits outlined above. Depending for policy decisions, exclusively on ICANN and the GAC – and for ccTLD matters - on the GAC member concerned.
2. The oversight body would be as small as possible comprising two or three delegates each nominated periodically by GNSO including NCUC, the ccTLD community, GAC, the Root Server Community and the At Large. The Chair would be appointed by the ICANN Board, enjoying complete independence from ICANN during her or his term.
3. There would be no reason or need for the individual Registries and - *a fortiori*– Registrars to be represented directly. Indeed, since there is a regulatory function within IANA, it would not be appropriate for the principal interested parties to be members of the oversight body.

PS: With respect to the commentary on this matter that has been posted by [Internet NZ](#), I would only add that the internal governance of a single ccTLD is a completely different proposition from the global governance of IANA. The putative comparison is hardly relevant.

CW, Xàbia, March 2014.

2. Non Commercial Users Constituency (NCUC); part of GNSO.