

RIPE



Update on IANA Stewardship Transition

RIPE CRISP team members:

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The Process So Far...

- **June 2014**

- IANA Stewardship Transition Coordination Group (ICG) issues Request for Proposals to three IANA “affected communities”

- **Q4 2014**

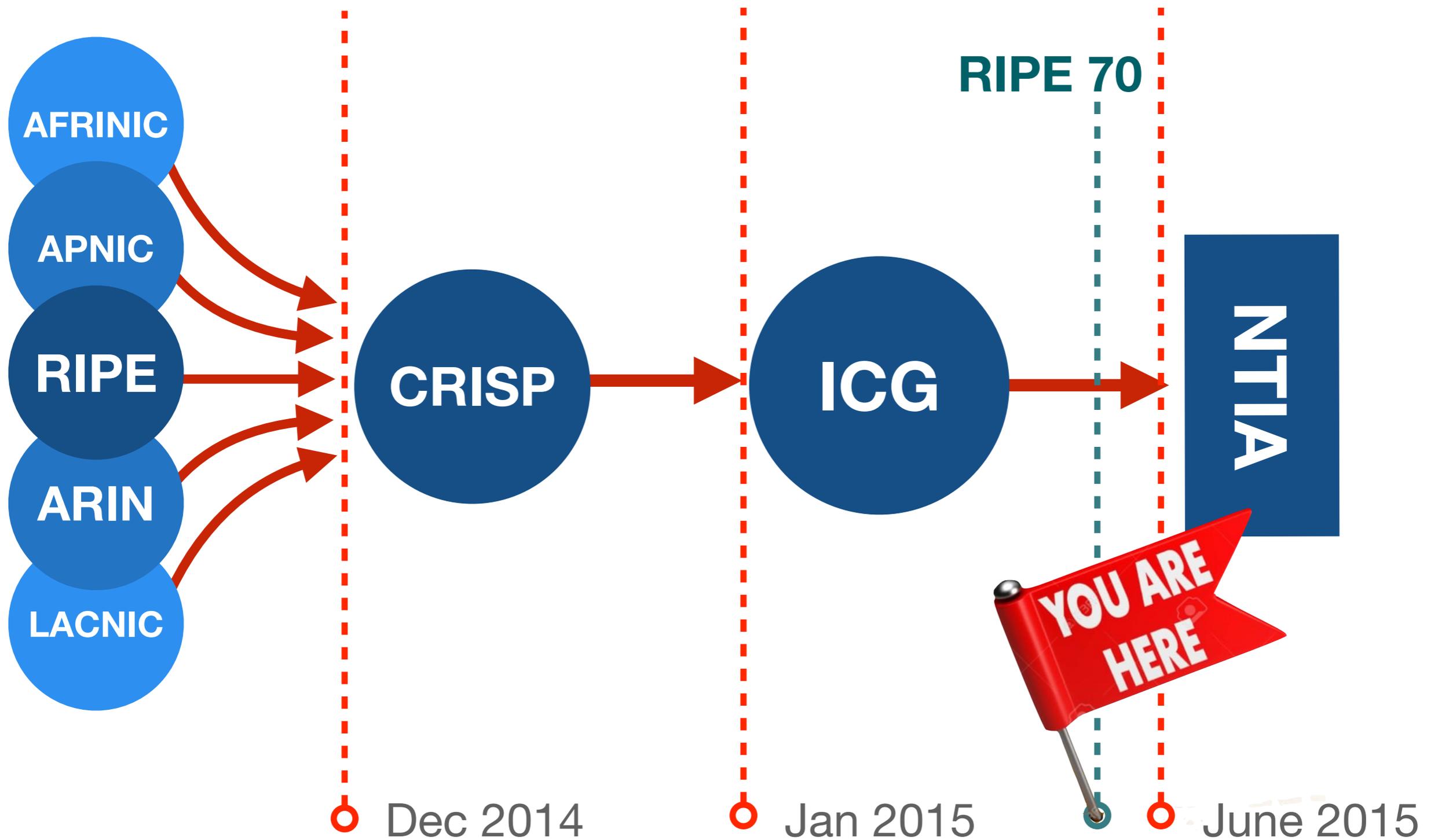
- Consolidated RIR IANA Stewardship Proposal Team (CRISP Team) established to prepare an Internet numbers community proposal
- Global discussion platform established: ianaxfer@nro.net

- **January 2015**

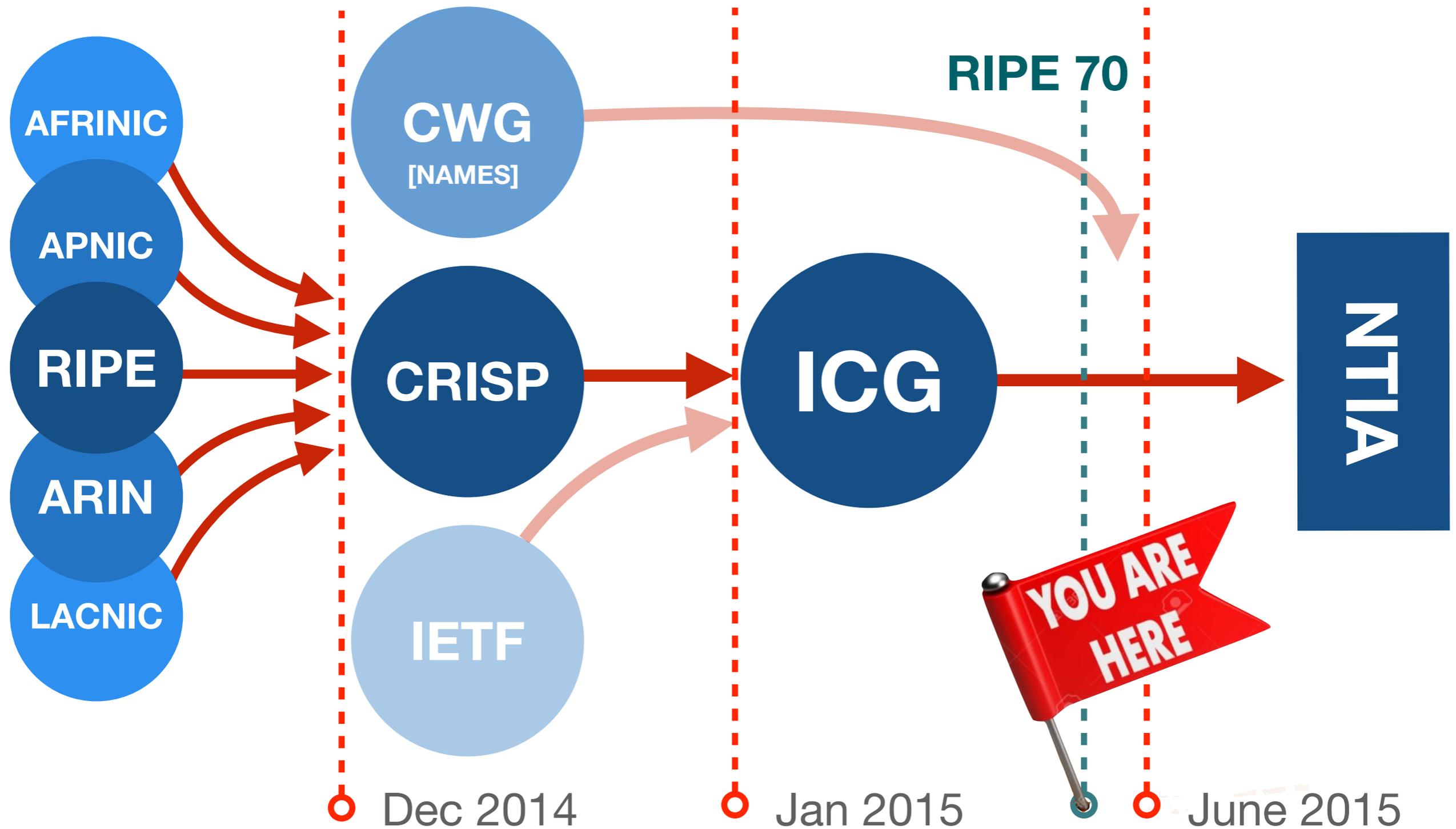
- Internet numbers community IANA stewardship proposal submitted to the ICG



Overview of the process



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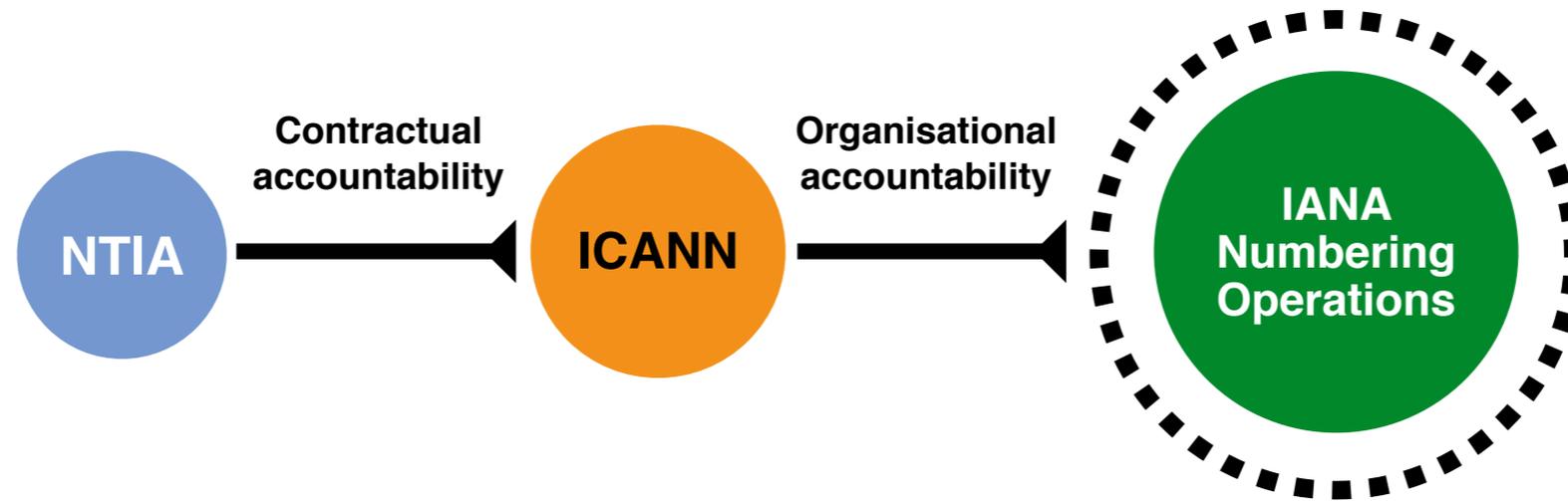


Components of the Proposal

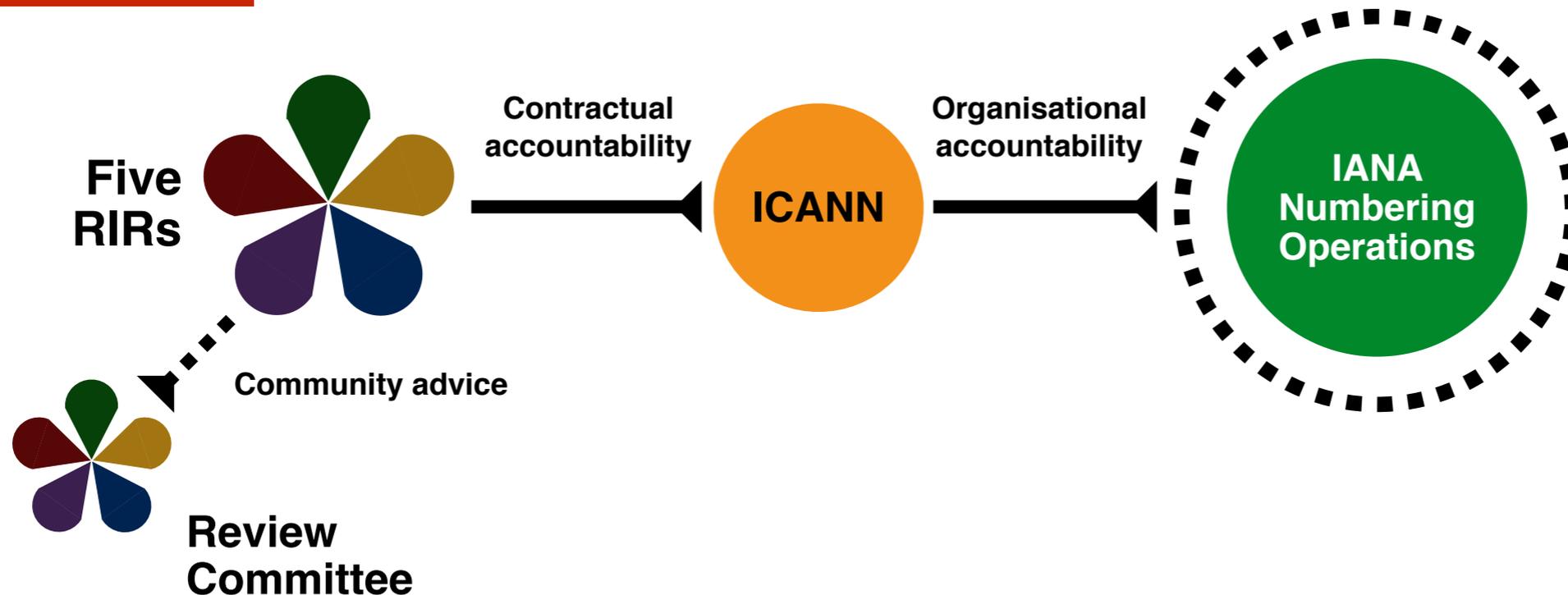
- ***IANA function stability and reliability:*** ICANN to continue as the IANA Numbering Services Operator, with provisions for orderly transition to another operator should such need arise
- ***Replace the role of the NTIA with the RIRs (as representatives of RIR communities):*** RIRs to establish a service level agreement (SLA) with the IANA Numbering Services Operator
- ***Establish a community-based Review Committee:*** To review the performance of IANA Numbering Services and provide advice to the RIRs
- ***Clarify IPR-related issues:*** Intellectual property rights (IPR) related to the provision of the IANA services stay with the community

IANA Accountability

BEFORE (Currently)



AFTER



Consensus Positions

Reached Consensus:

- Principles for an IANA Service Level Agreement
- Ongoing engagement of community throughout drafting of the SLA and development of Review Committee selection process
- Need for clarification of IANA intellectual property rights
- Minor editorial suggestions and clarifications

Did Not Reach Consensus:

- Need to specify a particular jurisdiction/dispute resolution mechanism
- Need to specify a particular selection process for the Review Committee
- Need to incorporate SLA text within the proposal



IANA SLA Principles

1. Separation of policy development and operational roles
2. Description of services provided to RIRs
3. Obligation to issue reports on transparency and accountability
4. Security, performance and audit requirements
5. Review of the IANA operation
6. Failure to perform
7. Term and termination
8. Continuity of operations
9. Intellectual property rights and rights over data
10. Dispute resolution
11. Cost-based Fee

[Section III.A.3. of the proposal]



Review Committee

- Role is to advise the RIRs on review of the service levels described in the IANA SLA
 - Provide feedback from the community's perspective
- Made up of community representatives from each RIR service region
 - Equal representation from each RIR service region
- Member selection will be driven by each RIR community, based on open and bottom-up principles

[Section III.A.4. of the proposal]



Feedback Received

- ianaxfer@nro.net discussion prior to proposal submission:
 - 377 posts
 - 53 unique posters
 - Mailing list archive is published on the NRO website
- Numerous posts in support of the proposal, both on global and regional lists
 - No objections to the actual components of the proposal
 - One poster requested adding more details on some of the proposal components, but the suggestion failed to receive support from other contributors
- Two comments to global icg-forum expressing concerns

Further Feedback

During the ICANN 52 Public Forum, ICANN Chair Steve Crocker said that, in regards to the ICG proposals from the numbers and protocol parameters communities, the ICANN Board felt there was “nothing fundamental in them that we have a problem with, full stop.”

<http://blog.apnic.net/2015/02/20/event-wrap-icann-52>



Community Engagement

- Each version of the proposal was shared on:
 - The global ianaxfer@nro.net mailing list (open to anyone)
 - NRO CRISP webpage (<https://www.nro.net/crisp-team>)
 - The CRISP Team members forwarded each version to each RIR community's mailing lists
- Feedback from the community was confirmed and discussed at every CRISP Team teleconference
 - Feedback received via ianaxfer@nro.net
 - Feedback via RIR regional forums (conveyed by the CRISP Team members)
- Feedback collected and shared via a public spreadsheet of issues, ensuring:
 - Clear, public rationale behind all CRISP team decisions
 - Further comments/clarification questions could be made if necessary
- Final proposal submitted to ICG 15 January 2015

Consultation with Other Operational Communities

- Intellectual property rights on IANA trademark and IANA.org:
 - Clarity needed on these issues in case of a change of IANA operator
- Section III.A.3 last paragraph:
 - “The transfer of the IANA trademark and IANA.ORG domain to the IETF Trust will require additional coordination with the other affected communities of the IANA Services, namely, protocol parameters and names. It is the preference of the Internet Numbers Community that all relevant parties agree to these expectations as part of the transition.”
 - IETF Trust is willing to host the above intellectual property
- Communicating with Co-Chairs of the CWG-Stewardship regarding any potential conflicts

More Information

CRISP Team:

<https://www.nro.net/crisp-team>

Numbers Community IANA Proposal:

<http://www.nro.net/crisp-final-proposal>

FAQ:

<http://www.nro.net/crisp-proposal-faq>



**RIPE
NCC**

Draft IANA Service Level Agreement (SLA)

Athina Fragkouli

Legal Counsel, RIPE NCC

- It is expected that the RIRs, as the contractual party of this agreement, will draft the specific language of this agreement.
- During the drafting process, the RIRs are expected to consult their respective RIR communities,
- Drafting process to be guided by the principles listed below.
- References to relevant sections of the current NTIA agreement are also noted, as it is expected the new agreement will share many of the same contractual goals and mechanisms. (Section III.A.3)

- RIR Legal Team
 - AFRINIC - Ashok Radhakisoorn
 - APNIC - Craig Ng
 - ARIN - Michael Abejuela
 - LACNIC - Andres Piazza
 - RIPE NCC - Athina Fragkouli
- Draft has not been:
 - Approved by the NRO Executive Committee
 - Reviewed by the CRISP Team
 - Negotiated or shared with ICANN

RIRs Legal Team

- Provided the first draft
- Administrative role - Does not make decisions
- Translated principles into operational clauses
- Will explain the processing of each community comment into the final draft

NRO EC

- Did not give input to the first draft
- Will give feedback together with the rest of the community
- Will decide on the final SLA

ICANN

- Did not give input to the first draft
- Can give feedback together with the rest of the community

CRISP Team

- Did not give input to the first draft
- Will coordinate the discussion
- Will comment with regards to compliance with CRISP proposal

- Intended to be signed as part of the IANA stewardship transition
- Based on current NTIA contract
- In accordance with the principles of the CRISP proposal
 - Includes reference to the relevant CRISP principles and NTIA provision(s)
- Also includes other legally important provisions

IANA SLA Principles

1. Separation of policy development and operational roles **Article 2**
2. Description of services provided to RIRs **Article 4**
3. Obligation to issue reports on transparency and accountability **Article 6**
4. Security, performance and audit requirements **Article 7**
5. Review of the IANA operation **Article 8**
6. Failure to perform **Article 9**
7. Term and termination **Article 10**
8. Continuity of operations **Article 11**
9. Intellectual property rights and rights over data **Article 12**
10. Dispute resolution **Article 13**
11. Cost-based Fee **Article 5**

[Section III.A.3. of the proposal]



- Description of the signing parties (RIRs and ICANN)
- Background
- Definitions and interpretation
- Article 3: Joint obligations and rights of RIRs
- Article 14: Governing Law and jurisdiction
- Article 15: Miscellaneous
- Signatures

- The SLA is between the five RIRs and ICANN
 - Regulates performance of IANA numbering services
 - Includes only obligations to each other
- Obligations of the RIRs to the RIRs Community and the public are NOT included in the SLA, e.g.
 - Creation and function of a Review Committee
 - Transfer of trademarks to an independent entity (e.g. IETF Trust)
 - IANA Number Registries to the public domain
- These issues will be dealt with separately to ICANN

- Draft published on 1 May (Public Draft v1.0)
- Available here:
 - <https://www.nro.net/wp-content/uploads/Numbers-SLA-1.0.pdf>
- Comments until 14 June 2015 UTC 23:59
- Aiming to publish final draft by ICANN 53 meeting (21-25 June 2015)

1. At RIR meetings:

- ✓ APNIC 39 (2-6/3)
- ✓ ARIN 35 (12-15/4)
- ⦿ RIPE 70 (now)
- ➔ LACNIC 23 (18-22/5)
- ➔ AFRINIC 22 (3-5/6)

* Reports available here:

<https://www.nro.net/nro-and-internet-governance/iana-oversight/sla-developments>

2. Through IANAXFER mailing list

- ianaxfer@nro.net

* Archives available here: <https://www.nro.net/pipermail/ianaxfer/>

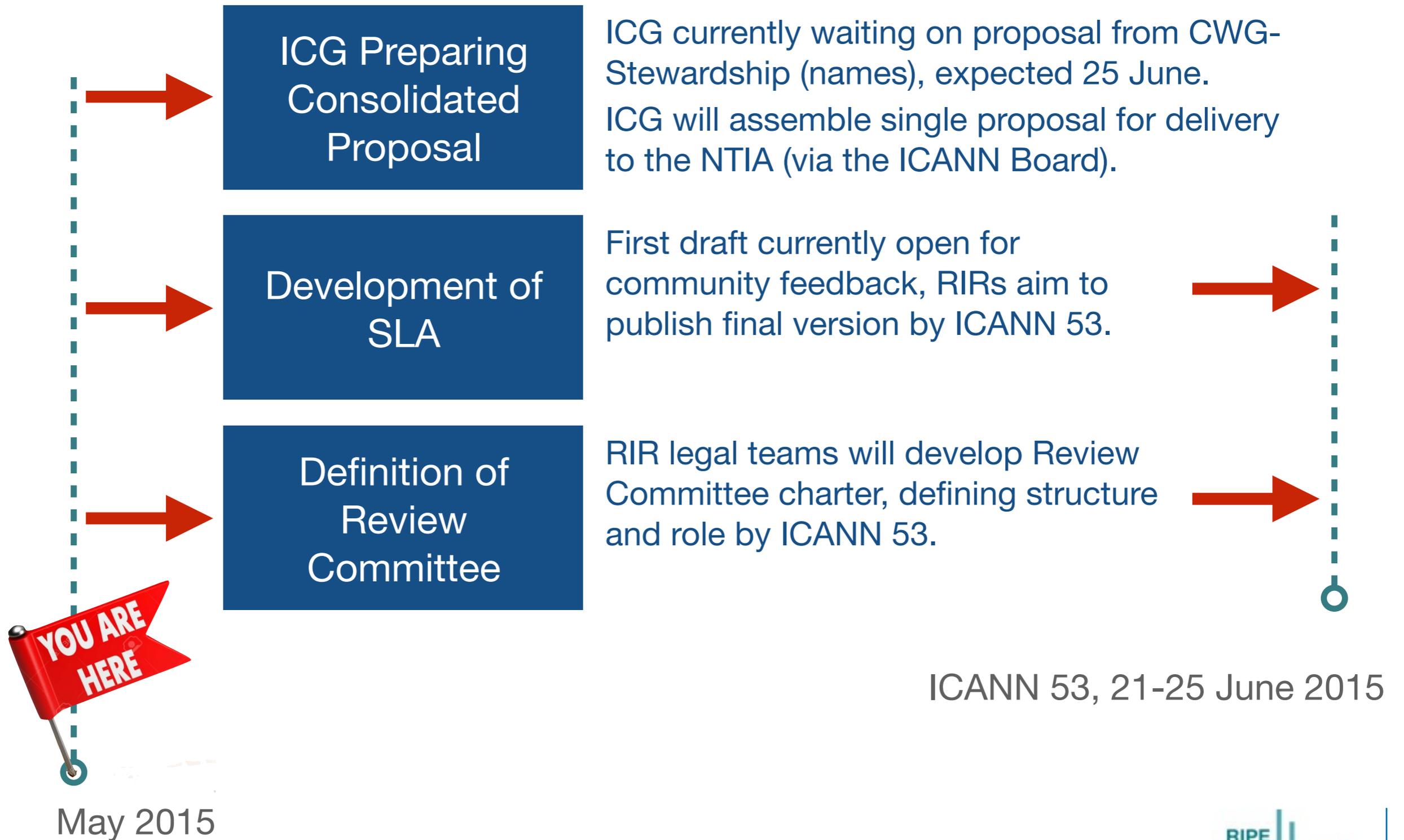


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Where to from here?



Timeline(s)



Potential Challenges: Time

- The current NTIA agreement expires in September
- The CWG plans to submit its proposal to the ICG on 25 June 2015
 - The ICG will require time to assemble a single proposal
 - The NTIA will require time to vet the proposal
- Deliverables for the numbers community:
 - Internet numbers community proposal on IANA stewardship ✓
 - Final text of an IANA Service Level Agreement
 - Formation of a community-based Review Committee
- *NTIA has asked for community input on extension of current agreement (6 May, deadline end of June)*

Potential Challenges: Other IANA communities

- CWG-Stewardship (names community) published 2nd draft for comment in April
 - Names community facing different issues
 - Draft suggests a “post-transition IANA” (PTI), legally separate, but wholly owned by ICANN
 - Further discussion needed on whether this proposal is consistent with CRISP and IETF proposals
 - Some ambiguity on which elements of PTI relate only to naming functions, which are general for all IANA functions

Potential Challenges: ICANN & NTIA

- Negotiation with ICANN over SLA terms
- Political questions
 - Speculation surrounding NTIA position, other U.S. political actors
- CRISP team (and community) priorities:
 - Committed to the success of this transition
 - Transparency throughout the discussion process
 - Respect for principles agreed to in the CRISP proposal

Discussion

