Ministry of Internal Affairs and Administration
Department of Information Technology

Warsaw, July 21, 2006

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Economics Secion
American Embassy

Dear Madam:

In response to the July 20th announcement about the signing of DUE-1045-06/GK, I would like to express the position of the Department of Information Technology of the Ministry of Internal Affairs and Administration on transferring the management of the Internet's Domain Name and Addressing System to the private sector.

The position and views described in this letter are in agreement with common opinions held in Europe and are contained in the document organizing the Council of European National Top-Level Registries (CENTR), sent to NTIA on July 7, 2006. This opinion, in turn, is based on international experiences as well as national points of view on the issues enumerated by NTIA.

The basic principles that ought to be taken into account when considering the possibility of transferring the management of the Internet and the DNS to the private sector, including stability, competition and private sector coordination and representation, were drawn up for the first time in the DNS White Paper. Due to the rapid development of the Internet, these principles became instantly applicable and it is these principles that should form the basis for the answer as to the possibilities and methods of transferring management of the Internet and DNS to the private sector.

Surely the technical stability of Internet performance, which is based on technical infrastructure, should be neutral, regardless of political influences. Adherence to this notion is key to the existence of the Internet and that is why it should be the first thing considered when transferring the management of the Internet to the private sector.

The current development of the Internet is a service mainly provided by the private sector. Without interest and grassroots initiatives coming from private sector actors, the Internet would have remained a means of communication only among academics and the military, as it was in the beginning. For this reason, transferring management of the Internet to the private sector should guarantee the possibility of introducing and realizing grassroots initiatives, coming above all from the private sector. The private sector has the greatest capacity and ability to adopt technological changes regarding the Internet and often initiates changes itself.

Looking at the progress achieved by ICANN in the last few years in the field of coordinating the technical functioning of the system of Internet domain names, and particularly taking advantage of the e-IANA solution which allows the IANA database to be automated, created by the register of domain names .PL (NASK), shows that private

business can carry out the function of technological coordination while at the same time, by working together with other private sector actors, ensuring efficiency in carrying out its functions. Long-term, consequent actions taken by ICANN, encompassing above all the initiation of a solution for e-IANA and undoubtedly efficacy and speed in carrying out the tasks at hand in terms of the technical function of assisting the IANA database, can be an assurance of the legitimacy of the above argument in the future.

To guarantee that ICANN correctly executes the function of technical coordination, from the point of view of every country and the domains assigned to it, it would be necessary to institute a clear and binding designation by ICANN of its organizational functions, giving each national registry the assurance that ICANN would solve problems related with handling the registration of countries' registers (ccTLD) in the IANA database, and particularly the procedures that would need to be used in these circumstances. In the past years, the lack of these provisions was felt by many registers.

The degree and type of representation and involvement in ICANN by certain sectors depends on their ties to the highest level domains. Different issues are important to sectors whose ties are with generic domains (gTLD) then to sectors involved in matters of country domains (ccTLD). Participation of the latter group in ICANN is currently possible above all due to Country Code Names Supporting Organization (ccNSO). The creation of the possibility of representing the interests of country registers through ccNSO can be considered a meaningful step forward, even though their unsatisfactory participation in this organization ought to be a signal for renewed consideration of the form of its operation. A substantial barrier to widespread participation of national registers in ccNSO can be found above all in formulation of policies by ICANN that link registers that are members of ccNSO. At the same time in practice this policy originates and should originate at the national level.

Increasing the efficacy, assurance and automation of the services provided by the IANA database, in particular by initiating the e-IANA solution, is undoubtedly the right direction for the development of ICANN. It should be believed that the achievement of satisfactory results in this field will be met with recognition both by governments as well as national registers.

Regards,

(illegible signature)

Unofficial translation by Marta Skwarczek,
American Embassy, Warsaw