

IANA Report on the Redelegating of the ES Top-Level Domain

Subject: Request of RED.ES for the redelegation of the ES Top-Level Domain

Date: September 2004

The Internet Assigned Numbers Authority (the IANA), as part of the administrative functions associated with management of the domain-name system root, is responsible for receiving requests for delegation and redelegation of top-level domains, investigating the circumstances pertinent to those requests, and reporting on the requests. This report gives the findings and conclusions of the IANA on its investigation of a request for the redelegation of the ES (Spain) country-code top-level domain (ccTLD).

Factual and Procedural Background

In April 1988, IANA approved a request for the establishment of the ES ccTLD. At that time and today, that two-letter code was and is set forth on the [ISO 3166-1 list \(http://www.iso.org/iso/en/prods-services/iso3166ma/index.html\)](http://www.iso.org/iso/en/prods-services/iso3166ma/index.html) maintained by the ISO 3166 Maintenance Agency (ISO 3166/MA) as the approved alpha-2 code for Spain. Upon its establishment, the ES ccTLD was delegated by IANA to the Centro de Comunicaciones CSIC RedIRIS (ES-NIC) with Victor Castelo as Administrative Contact and Susana Gayo as Technical Contact.

In October 2002, ICANN received an expression of interest to redelegate the ES ccTLD to RED.ES. The request was supported by the Government of Spain, which indicated, *inter alia*, that the Spanish Parliament has passed two Acts (Act 14/2000 and Act 34/2002) which expressly stated that RED.ES (formerly known as "Ente público Retevisión") was designated as the authority for the registration of Internet domain ES.

By the accompanying template, the redelegation request proposes to change the Sponsoring Organization to RED.ES, the Administrative Contact to Mr. Ramon Palacio, and the Technical Contact to Mr. Miguel Hidalgo.

In accord with the proposed arrangements, RED.ES has expressed interest, at an appropriate time in the future, to discuss and enter into an Accountability Framework with the Internet Corporation for Assigned Names and Numbers (ICANN) in a message dated 15 June 2004. On 30 August 2004, the ICANN Board of Directors approved this approach.

Evaluation

This report is being provided under the [contract for performance of the IANA function \(http://www.icann.org/general/iana-contract-17mar03.htm\)](http://www.icann.org/general/iana-contract-17mar03.htm) between the United States Government and ICANN. Under that contract, ICANN performs the IANA function, which [includes receiving delegation and redelegation requests concerning ccTLDs \(http://www.icann.org/general/iana-contract-17mar03.htm#C.2.1.1.2\)](http://www.icann.org/general/iana-contract-17mar03.htm#C.2.1.1.2), investigating the circumstances pertinent to those requests, making its recommendations, and reporting actions undertaken in connection with processing such requests.

In acting on redelegation requests, the IANA currently follows the practices summarized in "Internet Domain Name System Structure and Delegation." ([ICP-1, http://www.icann.org/icp/icp-1.htm](http://www.icann.org/icp/icp-1.htm)) ICP-1 represents an update of the portions of [RFC 1591 \(http://www.rfc-editor.org/rfc/rfc1591.txt](http://www.rfc-editor.org/rfc/rfc1591.txt) which was issued in March 1994) dealing with ccTLDs, and reflects subsequent documents and evolution of the policies followed by the IANA through May 1999. Relevant guidance is also provided in the GAC Principles.

In considering delegation or redelegation of a ccTLD, the IANA seeks input from persons significantly affected by the transfer, particularly those within the nation or territory which the ccTLD has been established to benefit. As [noted in ICP-1 \(http://www.icann.org/icp/icp-1.htm#a\)](http://www.icann.org/icp/icp-1.htm#a), the parties affected include especially the relevant government or public authority: "The desires of the government of a country with regard to delegation of a ccTLD are taken very seriously. The IANA will make them a major consideration in any TLD delegation/transfer discussions."

Based on the materials submitted and the IANA's evaluation of the circumstances, RED.ES qualifies as an appropriate manager for the ES registry, with support from the Internet community in Spain, including the government.

Mutual agreement of the old and the new delegees is a factor that ICANN takes very seriously when considering redelegation requests. Here, the existing Administrative Contact (Victor Castelo) has expressed support for the redelegation request. Although she has moved on to other responsibilities, the listed Technical Contact (Susana Gayo) has expressed no objection to the redelegation.

The GAC Principles serve as "best practices" to guide governments in assuming proper roles with respect to the Internet's naming system, which the GAC has observed is "a public resource . . . administered in the public or common interest." (<http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#5.3>) In general, they recognize that each government has the ultimate responsibility within its territory for its national public-policy objectives, but also that ICANN has the responsibility for ensuring that the Internet domain-name system continues to provide an effective and interoperable global naming system. The GAC Principles recommend that governments and ICANN pursue

their respective roles by creating a framework for accountability memorialized in communications with each other and with the ccTLD manager (see [clause 2, http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#2](http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#2)). The GAC Principles guide governments on how to responsibly structure their relations with ccTLD managers (see [clauses 5.5, http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#5.5](http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#5.5) and [clause 9, http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#9](http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#9)). Among these specific principles, the best practices contemplate that governments will assist in ensuring that the ccTLD manager complies with ICANN policies related to global coordination of the Internet DNS ([clauses 9.1.7 and 9.1.8, http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#9.1.7](http://www.icann.org/committees/gac/gac-cctldprinciples-23feb00.htm#9.1.7)).

The proposed delegation will promote service to the local Internet community and will help assure continued Internet interoperability through the global technical coordination that ICANN was created to provide.

According to the relevant communications, RED.ES is well-suited to be inclusive of, and accountable to, the Internet community in Spain and to operate through appropriate open, transparent, and inclusive processes.

Conclusion

RED.ES and the Government of Spain also acknowledge ICANN's responsibility for coordinating management of the DNS, including the ES ccTLD, to safeguard global technical-coordination interests. In reviewing the request, in light of the Government of Spain's endorsement of RED.ES as the appropriate all inclusive manager, and in view of an agreement in principle regarding the framework of accountability described above; the IANA concludes that the ES ccTLD should be redelegated to RED.ES.