

ETNO Common Position on the sponsored Top Level Domain applications for .tel

Executive Summary

ETNO has serious reservations about the .tel and .Tel sTLDs proposed to ICANN. The specific communities that would be served by having these TLDs as sTLDs are not identified. Procedures should be created regarding the use of the sTLDs to ensure that standing international and national rules on numbering management are not violated. sTLD procedures need to safeguard consumer interests, particularly the linkage between number right of use and sTLD registration as well as privacy aspects. Until further clarification is given, ETNO can not support the proposals.

Introduction

ICANN, the Internet Corporation for Assigned Names and Numbers, invited public comments on the new proposed sponsored Top Level Domains (sTLD) in March 2004. The two sTLD applications that ETNO wishes make comments on are:

- .tel from NetNumber/Pulver
- .Tel from Telnic/Telname

It is not intended to make a comparison with ENUM. However the discussion on ENUM as the bridge between traditional PSTN and the Internet has revealed a number of issues that, irrespective of the TLD being used, need to be addressed.

Comment on .tel NetNumber/Pulver Application

The application for TLD states that it is "...to enable IP communication Service Providers to register telephone numbers.....". This may be subtly different from ENUM, where the responsibility for registering telephone numbers is with the individual who has rights of use over the number.

The NetNumber/Pulver application does not recognise the personal data that can be associated with telephone numbers. In many countries there exists data privacy legislation which needs to be taken into account by the applicant. This appears to be omitted from the proposal. There are degrees of authorisation which reflect the environment in which telephone numbers are assigned and managed. Rules, conventions and associated responsibilities exist starting from the allocation of a country code to a national administration, and onwards to telephone companies and customers. This is not included in the NetNumber/Pulver application, which is a significant weakness.

The day-to-day control and use of numbers is based on national structures and rules. The underlying assumption of the NetNumber/Pulver application is that this situation allows for the inclusion of national telephone numbers in any TLD, and that such inclusion does not contravene national rules and numbering conventions. Whilst the inclusion of global numbers, e.g. International freephone, is not explicitly identified in the application, the issues that arise from national numbers would also apply to global numbers. This is clearly evidenced by the statement in the last paragraph of section D "...As Service providers assign these E.164 telephone numbers the "day-to-day" control passes from the service provider to the individual subscriber or enterprise entity that has requested service. ...". This sentence does not recognise the structure of national numbering plans, nor does it follow national legislation that governs their use and which has developed over time to reflect different services and characteristics. There is no concept of the difference between geographic and non-geographic, or fixed and mobile numbers, and it shows a rather naive understanding of the use of numbers.

With regard to the potential list of sponsors, whilst certainly lengthy and impressive, does not show the global spread of these companies. One further consideration is that the nature of the application would appear to be better suited as a generic top-level domain name (gTLD). It is not clear what community of interest would be served by this application.

One point of confusion is the inclusion in the application of the list of attendees at the spring 2004 VON event. It must not be implied that attendees at the Spring 2004 VON event support the application.

Comments on .Tel Telnic/Telname Application

The driver for this application would appear to be directory services. However in describing the issues associated with the application weaknesses become apparent. For example, it is a known assumption that users would use their name as a means of getting the list of associated identifiers.

However there is no concept of multiple names being managed, e.g. John Smith. Significant issues in the application are those relating to governance and validation. Assuming that there is no relationship with the national numbering plan, and this is by no means clear (see below), then there appears to be no mechanism for ensuring that individuals have rights of use over the identities that they are registering. Such validation is required if "identity hijacking" is to be prevented.

The application refers to the concept of a Universal Communication Identifier. There is no reference to the work that has been completed within the European Telecommunications Standards Institute (ETSI), under the auspices of eEurope on a topic of the same name. If the UCI concept used would be different, this needs to be stated.

The application implies that existing and second level domain names are a barrier to growth of the Internet. This has not yet been proven. Irrespective of the domain name used, clear rules are required to ensure that the use of numbers, fully respects national and international principles of number governance.

There is a lack of clarity in the application. For example, section 4.4, second paragraph states that "The .Tel needs to be sponsored to ensure digits are restricted to maintain the

integrity of a letters/words based Top Level Domain and to avoid interference with established or future national and international telephone numbering plans.” This statement is not clear and assumes a relationship between .Tel and numbering plans that has not been fully explained.

The activity in relation to data protection and privacy issues is limited. With regard to “whois”, asking for agreement is limited to being reactive. There appears to be no proactive process by which issues associated with data protection and privacy can be raised and sanctions employed.

Conclusion

The issues associated with both applications for the .tel name are similar. These issues are explained below.

- Neither of the applications describes what specific community of interest would be served by having this TLD as a sponsored TLD. Rather the nature of the applications imply that a generic TLD would be the only appropriate solution

Irrespective of whether the TLD is sponsored or generic, the following issues need to be addressed and considered carefully as to how they will be solved in any implementation.

- Governance of .tel, needs to take into account the existence of global and national rules and conventions. Such governance should recognise the existence of the ITU and that, by international treaty, the ITU has the responsibility for the management of the global numbering scheme. It allocates the responsibility for administering the country codes to countries and their national administrations. Such national administration is undertaken against a set of rules and legislation. Procedures exist for ENUM that fully recognise this governance. Similar rules and procedures need to be created with regard to the use of .tel to ensure international and national rules are not violated, nor negative consequences are created.
- Additional procedures need to safeguard consumer interests. These procedures need to ensure that, assuming the governance rules have been addressed, only those individuals who have been allocated rights of use over numbers are those registering with .tel. Such procedures for authorisation/validation are to stop “hijacking” of numbers and identities.
- It is important that inclusion of numbers has the agreement of those responsible for both the national and individual aspects of the national numbering plan. This is needed to maintain its integrity and conform to data protection and privacy legislation. A similar need exists with regard to an individual’s identity.
- With regard to data associated with individuals, it is important that the appropriate mechanisms are in place to meet national and regional data privacy rules and legislation that exist to protect consumer interests. Currently these significant issues are not addressed.

Until further clarification is given concerning the aforementioned issues, ETNO can neither support the .tel application from NetNumber/Pulver nor the .Tel application from Telnic/Telname.