# Public Comments-Report Template (v1.2)

***Overview**:*
*This template is being provided to assist Staff in the preparation of a report that summarizes and, where appropriate, analyzes community comments. Please save the document in either *.doc or *.pdf format and submit to: web-admin@icann.org. For presentation consistency and to preserve formatting, all Staff Reports will be uploaded to the forum in PDF format; text reports will no longer be supported.*

**Instructions**:

- **Title**: Please enter the exact title that was used in the original Announcement.
- **Comment Period**: Enter the original Open Date and Close Date/Time *(Format: Day Month Year, e.g., 15 June 2011; Time should be expressed in UTC).* Please note if any extensions were approved, e.g., "Extended to Day Month Year [UTC Time]".
- **Prepared By**: This field will accommodate a situation where a report is developed by an individual or group other than the principal Staff contact, e.g., a Working Group.
- **Important Information Links**: Do not enter any information in this section; Web-Admin will provide the appropriate links.
- **Section I: General Overview and Next Steps**

  Please use this area to provide any general summary or highlights of the comments and indicate the next steps following publication of the report. *(Note: this field will auto-text wrap).*
- **Section II: Contributors**

  Please use the tables provided to identify those organizations/groups and individuals who provided comments. It is not necessary to identify "spammers" or other commenters who posted off-topic or irrelevant submissions. In addition, if there is a large number of submissions, it is acceptable to characterize the respondent communities rather than attempt to list them individually in tables.
- **Section III: Summary of Comments**

  This section should provide an accurate, representative, and thorough review of the comments provided. As the disclaimer explains, this is a summary only of the contributions that the author determines appropriate to the topic's purpose. Authors are cautioned to be conscious of bias and avoid characterizing or assessing the submissions. If an analysis of the comments is intended, please use Section IV below. *(Note: this field will auto-text wrap).*
- **Section IV: Analysis of Comments**

  Please use this section for any assessments, evaluations, and judgments of the comments submitted and provide sufficient rationale for any positions that are advocated. If an analysis

will not be undertaken or, if one will be published subsequently, please add a note to that effect in this section. *(Note: this field will auto-text wrap).*

*Note: You may also utilize, for this section, the Public Comment Issue Tracking Checklist template, which is available at: https://wiki.icann.org/display/policy/Templates.*

| **Translations: If translations will be provided please indicate the languages below:** | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | |

# Report of Public Comments

| **Title:** | **Draft Recommendation Overall Policy for the Selection of IDN ccTLD Strings** |
|---|---|
| **Publication Date:** | |
| **Prepared By:** | Bart Boswinkel |

| **Comment Period:** | |
|---|---|
| Open Date: | 29 August 2012 |
| Close Date: | 9 November 2012 |
| Time (UTC): | 23.59 |

| **Important Information Links** |
|---|
| Announcement |
| Public Comment Box |
| View Comments Submitted |

| **Staff Contact:** | Bart Boswinkel | **Email:** | Bart.Boswinkel@icann.org |
|---|---|---|---|

**Section I: General Overview and Next Steps**

The overall policy is limited to the selection of IDN ccTLD strings.

Until the introduction of IDN ccTLDs under the Fast Track Process, ccTLD strings were limited to the two letter codes obtained from the ISO 3166-1 list. As this mechanism could not be used for the selection of IDN ccTLD strings, an alternative method was developed was introduced which is commonly referred to as the Fast Track Process.

As under the Fast Track Process the delegation of IDN ccTLDs shall be in accordance with the delegation process of (ASCII) ccTLDs. Thus the recommendations contained in the report build on and are complementary to the delegation, re-delegation and retirement processes applicable to all ccTLDs. As a consequence once the selection process of an IDN ccTLD string has been successfully completed, the policy, procedures and practices for the delegation, re-delegation and retirement of ccTLDs apply. This also implies that any suggestion to change the policy for the delegation, redelegation and retirement of ccTLDs is out of scope of the IDN ccPDP.

The recommendations describe (at a high level) the decisions and requirements, activities, and roles and responsibilities of the actors involved in the processes. It is anticipated that further detail may need to be added by ICANN staff as a matter of implementation and it is recommended that the ccNSO reviews and approves the final planning document, prior to implementation.

The WG has closely reviewed all submitted comments to determine at its reasonable discretion whether to modify its recommendations. According to Annex C of the ICANN Bylaws and its charter the WG is not obligated to include all comments made during the comment period, nor is it obligated to include all comments submitted by any one individual or organization.

The Working expects to publish its Final Paper by the end of this calendar year (2012), and submit it to the IDN ccPDP Issue Manager.

**Section II: Contributors**

*At the time this report is prepared a total of 6 comments were received, excluding 1 spam email. The contributors are listed below in order of receiving their comments.*

Organizations and Groups:

| Name | Submitted by | Initials |
|---|---|---|
| Register of National Internet Domain Names of Serbia | Branislav Andjelic | BA |
| EURid | Giovanni Seppia | GS |
| Association UNINET | Iliya Bazlyankov | IB |
| Greek government | Panagiotis Papaspiliopoulos | PP |
| At-Large Advisory Committee (ALAC) | ICANN at-large staff | ALAC |

Individuals:

| Name | Affiliation (if provided) | Initials |
|---|---|---|
| Petko Kolev | | PK |

**Section III: Summary of Comments**

*General disclaimer: In this section a broad and comprehensive summary of the comments is provided. It is not intended to include every specific aspect or stated position by each contributor. If the reader is interested in specific aspects of any of the summarized comments or the full context, she or he is advised to read the specific contributions, which can be found through the link referenced above ( View comments submitted)*

In their comments UNINET and the Greek Government explicitly support the proposed policy and in particular the proposed two-panel structure for the confusing similarity review and related measures to increase the transparency of the proposed review processes.

EURid, and by reference to the EURid comments UNINET, the Greek Government and Petko Kolev, explicitly expressed support for the overarching principles to preserve the

security, stability and interoperability of the DNS and the request for an IDN ccTLD should be an ongoing process.

As to confusing similarity EURid noted, and again by reference supported by UNINET, the Greek Government and Petko Kolev:

- The introduction of the two-panel structure and the proposed measures to increase the transparency of the review processes and the Panels should consist of experts with sound scientific and academic background in the study of languages and character perception.
- Confusing similarity should be reviewed against "any combination of ISO 646 Basic Version characters and existing TLDs and reserved names."
- In the Implementation Plan ICANN staff should include precise timeframes for the various validation steps to enable requesters of IDN ccTLD to report to their local communities on the progress of the request.

UNINET and by reference Petko Kolev supported the proposed transitional arrangement.

The Register of National Internet Domain Names of Serbia (RNIDS) noted that some languages have 4 to 16 cases for a nominative. In order to achieve flexibility in creating second-level domains, and to receive the same commercial benefits as other TLD's it is proposed that as part of request for a nominative form of and IDN ccTLD string automatically all other cases should be granted and all should be active.

Petko Kolev noted that it was unclear from the text on the transitional arrangement which Panel would conduct the second, final review.

ALAC believes that the recommendations should include a statement that issue of IDN variant TLD's is urgent and need to be addressed in a timely manner and concurrently should affirm that the outcome of the discussion pertaining to the Label Generation Rule set for the Root zone should be binding and applicable to all TLD's (ccTLD's and gTLD's).

ALAC expresses its concern that an assessment on confusing similarity based only on the appearance of selected strings to users unfamiliar with the script may not be consistent with the nature and purpose of IDN ccTLDs. Without taking into account sufficient linguistic factors, problematic results may occur. ALAC believe that further consultations with the IDN communities in implicated ccTLD territories can effectively address this issue in the policy making process.

ALAC notes that according to the recommendations issues pertaining to concurrent and competing requests from the same Territory in the same language should be resolved in Territory. ALAC urges ICANN to provide informational material and case studies on best practices to consider in their dispute resolution process or to encourage the use of any neutral dispute resolution facility for IDN ccTLD string contention.

ALAC finally notes that , as IDN's are crucial for enhancing diversity and multilingualism on the Internet, the attribution of IDN TLD, should take into account that some languages have a wide geographical distribution that goes beyond national borders and are thus not the sole property of one sovereign state alone. Due consideration should be given to protecting the rights of concerned language communities which share with the inhabitants of the relevant Territory a common language or script.

-

**Section IV: Analysis of Comments**

*This section provides an analysis and evaluation of the comments received.*

It is noted that the Greek government, EURid, UNINET and Petko Kolev explicitly and in particular support:

- The proposed policy in general and in particular,
- The overarching principles to preserve the security, stability and interoperability of the DNS
- The request for an IDN ccTLD should be an ongoing process
- The proposed two-panel structure for the confusing similarity review and related measures to increase the transparency of the proposed review processes.
- Confusing similarity should be reviewed against "any combination of ISO 646 Basic Version characters and existing TLDs and reserved names."

As to the comment that the Panels should consist of experts with sound scientific and academic background in the study of languages and character perception, it is stated in the proposed policy that the method and criteria for the confusing similarity reviews should be based on technical linguistic and cognitive psychological factors. This implies that the review should be based on scientific research in languages and character perception. Further, although the composition of the Panels and the development of the method and criteria is considered a matter for implementation, it is recommended that the implementation plan and therefore the proposed composition of the Panels needs to be adopted by the ccNSO Council and hence the broader community. This mechanism is also applicable for the second comment regarding the Implementation Plan regarding the inclusion of precise timeframes.

As to the unclearity of the text in the proposed transitional arrangement, this has been adjusted: the so called Extended Process Similarity Review Panel (second Panel) would conduct such a second, final review.

With regard to the proposal by RNIDS that as part of request for a nominative form of and IDN ccTLD string automatically all other cases should be granted and all should be active, it is noted that:

1. The examples provided are out of scope of this IDN ccPDP (they refer to city names),

2. It is unclear to what extent the issue noted is relevant and applies to IDN ccTLD for Serbia as delegated to RNIDS under the Fast Track process,
3. It is considered part of the current discussions on IDN variant management, and hence not (yet) addressed in the proposed policy.

ALAC suggests that the recommendations should indicate that the issue of IDN variant TLDs is urgent and need to be addressed in a timely manner. It is noted that the scope of the IDN ccTLD PDP is limited by the scope and processes as defined in Article IX, Annex B and Annex C of the ICANN Bylaws. As such including a statement as suggested would be out of scope of this ccPDP. Without going into the merits of the suggestion, it is more appropriate for others to make the suggested statement.

As to the applicability of the Root Zone Label Generation Rules as suggested by ALAC, according to ICANN's IDN-Variant-TLD-updated-Plan dated 23 August 2012, the Label Generation Rules for the Root Zone in respect of IDNA Labels, is part of the Variant Issue program. Including such a statement at this stage, if applicable at all, would pre-empt the outcome and further steps of the variant issue discussions

With regard to the suggestion by ALAC that as part of confusing similarity review the policy should especially take into account sufficient linguistic factors and to that end further consultations with the IDN communities in implicated ccTLD territories could address the issue in the policy making process the following is noted: Based on the experience with the Fast Track process the method and criteria used for the assessment cannot be determined only on the basis of a linguistic and/or technical method of the string evaluation and its component parts, but also needs to take into account and reflect the results of scientific research relating to confusing similarity, for example from cognitive neuropsychology. Only such a holistic approach based on scientific research would.

ALAC urges ICANN that in cases where stakeholders in territory are unable to come to an agreement, we urge ICANN to provide informational materials and case studies on best practices for the local actors to consider in their dispute resolution process or to encourage the use of any neutral dispute resolution facility for IDN ccTLD string contention. With regard to this point the principle that the issue should be resolved in territory is one of the well-understood and long-standing principles and practices for the delegation and re-delegations of ccTLD's. It should also be noted that assistance as suggested is already standing practice under the Fast Track Process, and although not part of the Fast Track methodology as such is documented in its implementation plan. As such it is anticipated that this practice will be continued once the proposed policy is adopted and has become operational

Finally, as to the ALAC suggestion that the needs of cross-border communities need to be considered, it is noted that - without going into the merits of the argument on the introduction of IDN TLD and the need for IDN's - the proposed policy relates to the introduction of IDN ccTLD's. By the proposed definitions, the requested IDN ccTLD string has to be a meaningful representation of the name of the Territory in a designated language of that Territory. As this clearly links the IDN ccTLD Territory, it is first and foremost a local matter. It is also noted that

the recommendations should not be interpreted to imply that a language is the sole property of one sovereign country. Finally, as stated in the recommendations, in case a language script community crosses borders, the community is encouraged to cooperate.