Report of Public Comments

Title:	Interim Report IDN ccNSO Policy Development Process
Publication Date:	29 March 2013
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Comment Period:		Important Information Links
Open Date:	5 February 2013	Announcement
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Section I: General Overview and Next Steps

In the framework of the ccNSO Policy Development Process on IDN ccTLD's the purpose of the Interim Report was to report on and seek feed-back on feasible recommendations for overall policy for the selection of IDN country code Top Level Domains strings (IDN ccTLD's) and the inclusion of IDN ccTLD managers in the ccNSO. The Interim Report builds on the Final Paper's of IDN ccPDP Working Groups 1 and 2, which have been open for public comment.

In accordance with the rules of the IDN ccPDP, the Issue Manager shall at the end of the comment period review the comments received and may, in the Issue Manager's reasonable discretion, add appropriate comments to Interim Report, to prepare the "Final Report". The Issue Manager shall not be obligated to include all comments made during the comment period, nor shall the Issue Manager be obligated to include all comments submitted by any one individual or organization.

Once completed the Final Report will be submitted to the chair of the ccNSO Council. The chair will then distribute the report among the Council members and formally send the Final Report to the GAC chair with an invitation to the GAC to offer opinion or advise. The Council will then start its deliberations on the topics covered and consider whether to make a recommendation. The council recommendation(s) will then be put into a Members Report and submitted to the ccNSO Members to vote upon the recommendations.

Section II: Contributors

At the time this report is prepared a total of 3 comments were received, and no spam email. The contributors are listed below in order of receiving their comments.

Organizations and Groups:

Name	Submitted by	Initials
Government of the United Kingdom, Department for Culture, Media and Sport (DCMS)	Mark Cavell	MC
EURID	Giovanni Seppia	GS
APTLD	Jian Zhang	JZ

Individuals:

Name	Affiliation (if provided)	Initials

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)

- The comments of MC focused on the requirement that an IDN ccTLD string should be in a Designated language. For this purpose a "designated" language is defined as a language that has a legal status in the Territory or that serves as a language of administration. MC does not agree that a country's right to express its name in the scripts of its choice is constrained in any way with regard to its ccTLD and therefore recommends reconsideration of the requirement, for the following reasons:
    - o Countries like the UK, which are strongly multi-cultural, may wish to foster online communication for ethnic minority groups
    - o For business opportunities
- The comments of EURID are in support of the two panel proposals to evaluate the confusing similarity of strings, and should be based on neuro-scientific and neuro-psychological research. EURID also supports that the members of the Panels will be made publicly known. GS suggests that the proposed Permanent IDN ccTLD Advisory Panel should include scientific experts.
- The APTLD welcomes the overall policy and beliefs the recommendations are on the right track. APTLD is seeking clarification on the following topics:
    - o If the IDN ccPDP Final Report will not be published before ICANN IDN Variant policies are finalized and if experiences from the Fast Track Process will be taken into account, when dealing with this topic
    - o In the context of confusing similarity a reference is made to "Reserved Names" but it is

- not clear to which names
  - A disparity is noted between the description of the procedure for the Technical review and the Confusing Similarity review, and whether the technical review should be conducted in a limited timeframe (30 days).
  - Note on heading Transitional Arrangement
  - Timing of voting for emissaries.

> *This section is intended to provide an analysis and evaluation of the comments received.*

The comments of the UK Government focus on the constraint imposed by the requirement of Designated Language of the country or territory. This requirement was introduced under the Fast Track Process (as the "Official Language" requirement), and has been included and made public as part of the policy since November 2010 (see: http://ccnso.icann.org/announcements/announcement-29nov10-en.htm and http://ccnso.icann.org/workinggroups/final-progress-report-idn-ccpdp-wg1-29nov10-en.pdf) .

The requirement has been discussed at length in the WG. It was noted, that based on the requirement discussed and depending on the standards used, a conservative estimate of potentially over 1,75 million IDN ccTLD string could be eligible (over 250 entries in the ISO 3166-1 list * over 7000 living languages, according to Ethologue, which is the basis for ISO 639-3, see: http://www.ethnologue.com/). Given the overarching principle that the security, stability and interoperability of the DNS should be preserved, limitations had to be introduced.

As under the Fast Track, the WG recognized that ICANN should not be put into a position to determine the most appropriate meaningful representation of the name of a country or territory nor the appropriate language. This is first and foremost a matter of the relevant actors in the country or territory. After extensive discussion the WG therefore proposed to re-affirm that the most acceptable limitation is that the meaningful representation of the name of the country or territory has to be in a language that has a legal status in the country or territory or serves as a language of administration. This was done in particular to take into account that designating a language as such, is a national proces. In the aforementioned progress report it was noted that in some countries, for example Sweden, over time additional languages were designated for administrative purposes.

Finally, acknowledging that in time the rule may prove to be too limiting, the proposed review of the policy in five years could also include a review of this requirement. Further, the ccNSO Council, at the request of the Chair of the IDN ccPDP WG 1, which proposed the policy for the selection of IDN ccTLD strings, has established a Study Groups on the use of country and territory names as TLD's.

With regard to the proposal of GS it is noted that the task of the Advisory Panel is to assist and provide guidance to ICANN Board and staff on the interpretation of the policy in the event the overall policy does not provide sufficient guidance and/or the impact of the policy is considered to be unreasonable or unfair for a particular class of cases. This is first and foremost a policy related activity. However, external experts, including the scientific experts as suggested, may and should be consulted if considered necessary by the Advisory Panel. This is however a matter of the Panel itself.

As to the clarifications requested by APTLD the following:

- Regarding the IDN Variant Management issue: It is envisioned that the ccNSO IDN ccTLD PDP will be concluded before the discussion of the policy aspects IDN Variant Management has come to fruition. Note that ICANN Variant policies do not by definition are part of the IDN ccTLD Variant Management policy. Some aspects of ICANN Variant policies may be included in the Implementation plan as technical criteria (for example the IDN Root Label Generation Rules).

- The "Reserved Names" referenced in the context of the confusing similarity rule refer to the list of names included in the Applicant Guidebook version 2012-06-04, section 2.2.1.2.1 Reserved Names. For clarification this reference will be included in the Final Report.

- As to the disparity in the description on procedures for the Technical review and Confusing Similarity review, this is due to the basic difference between the two reviews: the Technical review is a one panel process, the second panel is a two Panel process. As to the indicative timeframe, this is now included.

- The heading of the Transitional Arrangement has been adjusted

- As to adjusting the timeframe for voting by the emissaries, the IDN ccPDP WG 2 already noted that as part of the process of appointing an emissary, the members involved are advised to develop a workable procedure, which considers for example internal consultations mechanisms.