GNSO Expedited Policy Development Process on Internationalized Domain Names (EPDP-IDNs) Phase 1 Final Report

GNSO Council Meeting

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16 Nov 2023

ICANN

Agenda

- **Background Refresher**

- **Phase 1 Final Report Overview**

- **Featured Recommendations**

- **Key Changes After Public Comment**

- **Q&A**

- **Appendix**

Background Refresher

IDN Related GNSO Policy Activities

Complete

New gTLD Subsequent Procedures PDP

- Topic 25 focuses on IDN related outputs

- ICANN Board adopted these outputs on **16 March 2023**

- Implementation effort underway to prepare for launching New gTLD Program: Next Round

Ongoing

Expedited PDP on IDNs

- GNSO Council determined that Issue Report is not needed to initiate policy work on IDNs

- Charter approved by GNSO Council on **20 May 2021** (48 questions under 7 topics)

- Two-phased approach to facilitate SubPro implementation planning

Enable future delegation of variant gTLDs at the top-level

SubPro: What Was Discussed & Not Discussed

What SubPro outputs addressed

Developed high-level variant management recommendations for future gTLDs, such as:

- RZ-LGR as sole source for validating future gTLDs and calculating variant labels

- "Same entity" principle at the top- and second-levels:

  - Variant gTLDs must be managed by same registry operator

  - Variant domain names must be registered to same registrant

What SubPro outputs did NOT address

- Whether SubPro high-level recommendations should apply to **existing gTLDs and existing variant domains names**

- How to **enable variant gTLD applications in the New gTLD Program**

- How to address **other recommendations, studies, and advice related to IDNs** (e.g, technical utilization of RZ-LGR, SSAC Advice, IDN Implementation Guidelines)

EPDP-IDNs Team Overview

Composition:

- "Representative + Open" model: members + participants + observers

- Liaisons from ICANN Board, ICANN org, and ccNSO provided feedback along the way

Mission:

- Determine the approach for a consistent definition of variant gTLDs: utilization of RZ-LGR
- Develop policy that will allow for the introduction of variant gTLDs

Focus:

- Apply SubPro high-level recommendations to existing gTLDs and existing variant domain names
- Enable variant gTLD applications in the New gTLD Program
- Address topics not discussed by SubPro

EPDP-IDNs Team Overview (Cont.)

Challenge:

- How to strike a balance between encouraging / supporting the introduction of variant gTLDs and promoting the security / stability of the DNS, due to potential 'permutation' of variants

Difficult Topics:

- Whether to impose a ceiling on the number of variants that can be delegated
- Adapt String Similarity Review to address the introduction of variant gTLDs

Coordination with ccNSO:

- Board requests coordination between GNSO and ccNSO to ensure consistent solution for variant TLDs
- EPDP-IDNs and ccPDP4 (ccNSO's PDP on IDNs) appointed liaisons to each other and met periodically to discuss alignment

Project Plan & Timeline

	Phase 1	Phase 2
Scope	**Top-level** variant management	**Second-level** variant management
Timeline	• **Initial Report: 24 Apr 2023 [Complete]** • **Final Report**: **8 Nov 2023 [Complete]**	• **Initial Report**: **Apr 2024** • **Final Report**: **Oct 2024**
Progress	• **69 final recommendations** developed after deliberation on **29** P1 charter questions • **Full consensus** support for all recommendations • GNSO Council to consider adoption of the Phase 1 Final Report in **Dec 2023**	• Completed initial deliberation on **12 out of 19** P2 charter questions • Plan to hold **F2F workshop** in Kuala Lumpur, Malaysia from **6-8 Dec 2023** • Aim to **complete initial deliberation** on remaining charter questions by Dec 2023

Phase 1 Final Report Overview

High-Level Overview

Majority of Phase 1 final recommendations aim to address how gTLD variant labels can be applied for, evaluated, and contracted through the New gTLD Program:

- **69 Final Recommendations**
  - Including **11 Implementation Guidance**

- Sequence of recommendations roughly follows the **New gTLD Program process flow**
  - Application Submission, Administrative Check, Initial Evaluation (25 recommendations)
  - String Similarity Review (4 recommendations)
  - Objection Processes (5 recommendations)
  - String Contention (2 recommendations)
  - Contractual Requirements (14 recommendations)
  - Delegation and Removal (13 recommendations)

- **6 recommendations** would only impact **existing IDN gTLDs** delegated as a result of 2012 round

- No corresponding recommendations necessary for **8 charter questions**

Guiding Principles

The EPDP Team developed recommendations based on four underlying principles:

RZ-LGR as Sole Source	Same Entity	Integrity of the Set	Conservatism
RZ-LGR will be the sole source to determine valid top-level domain labels, their variant labels, and disposition values of variant labels	At the top-level of the DNS, the same registry operator must manage the approved labels from the variant label set of a primary gTLD from the application, legal, and operational standpoints	The relationship between a primary label and its allocatable and blocked variant labels shall not be infringed upon as long as the primary label exists	Adopt a more cautious approach in the gTLD policy development as a way to limit any potential security and stability risks associated with the variant label delegation

Glossary

Section 3 Glossary explains 34 key terms and phrases, including:

- **Primary (Label)**

  The label that is the source for calculating the variant label set and determining its variant labels that are allocatable or blocked in accordance with the RZ-LGR

  - For future new gTLD applications, a primary label is identified by the applicant as the main applied-for label that acts as a source

  - For existing gTLD registry operators, their existing gTLDs will automatically become the primary label

- **Variant Label Set**

  The set of labels that is calculated by the RZ-LGR using the primary label. The variant label set consists of:

  - Primary label

  - Allocatable variant label(s)

  - Blocked variant label(s)

Featured Recommendations

Featured Recommendations

EPDP-IDNs Team would like to highlight several recommendations for GNSO Council's attention. These recommendations involved substantial discussions, and the implementation effort may be potentially complex:

Delegation and Removal	Application Submission, Admin Check, Initial Evaluation	String Similarity Review
● Final Recommendation 8.1 ● Final Recommendation 8.2	● Final Recommendation 3.5 ● Implementation Guidance 3.6 ● Implementation Guidance 3.9 ● Final Recommendation 3.11 ● Final Recommendation 3.12 ● Final Recommendation 3.13 ● Final Recommendation 3.14	● Final Recommendation 4.1 ● Final Recommendation 4.2 ● Final Recommendation 4.3 ● Final Recommendation 4.4

Connected Recommendations

Balancing act to incentivize variant applications while achieving security / stability goal

Final Recommendations 8.1, 8.2

Final Recommendation 8.1: No ceiling value for delegated top-level variant labels from a variant label set is necessary as existing measures in the RZ-LGR to reduce the number of allocatable top-level variant labels, as well as economic, operational, and other factors that may impact the decision to apply for variant labels, will keep the number of delegated top-level variant labels conservative.

Final Recommendation 8.2: In order to encourage a positive and predictable registrant experience, ICANN org must, during implementation, create a framework for developing non-binding guidelines for the management of gTLDs and their variant labels at the top-level by registries and registrars.

Final Recommendation 3.5

Final Recommendation 3.5: In addition to explaining the mission and purpose of the applied-for primary gTLD string or existing gTLD, the applicant seeking one or more gTLD variant labels will describe the justification of such need. The justification given by the applicant shall at minimum provide the following information:

3.5.1 The meaning or intended meaning (for non-dictionary words) of each of the applied-for variant label(s), including sources;

3.5.2 Explanation of how the primary and variant labels are considered the same;

3.5.3 Explain the benefits and the user communities who will benefit from the introduction of the applied-for variant label(s); and

3.5.4 A description of the steps that the applicant will take to minimize the operational and management complexities of variant gTLDs and variant domain names that impact registrars, resellers and/or registrants.

Implementation Guidance 3.6

Implementation Guidance 3.6: With respect to the evaluation of the information submitted per <u>Final Recommendation 3.5</u>:

3.6.1 The evaluation panel must include evaluators with relevant script expertise;

3.6.2 The evaluation panel should apply criteria based on a general standard of reasonableness and the criteria must be established during implementation;

3.6.3 Consistent with Recommendation 27.2 of the SubPro PDP Final Report, evaluation scores on the questions should be limited to a pass/fail scale (0-1 points only);

3.6.4 The applicant must pass each element to enable the applied-for variant label to proceed to the next stage of the application process; and

3.6.5 The evaluation outcome of any one applied-for variant label should not impact the evaluation outcome of any other applied-for variant label in the application (including the primary gTLD string).

Implementation Guidance 3.9

Implementation Guidance 3.9: Within 15 months of the delegation of the first gTLD variant label and every 24 months thereafter, ICANN org should conduct research in order to identify whether any additional criteria or tests should be used, as part of the application process, to evaluate the technical and operational capability of an applicant to manage a variant label set at the registry level. ICANN org must offer the community an opportunity to provide input on the scope of the research to be undertaken, as well as any proposed outputs on additional criteria or tests, and such outputs should not be applied retroactively.

Final Recommendations 3.11, 3.12, 3.13

Final Recommendation 3.11: A future applicant applying for a primary gTLD string and up to four (4) of that string's allocatable variant labels during an application round must incur the same base application fee as any other gTLD applicant who does not apply for variant labels in that round.

Final Recommendation 3.12: Any applicant applying for more than four (4) allocatable variant labels of a primary gTLD string in an application round may incur additional fees that ICANN org considers to be proportionate to any additional costs associated with evaluating the application and consistent with the cost recovery principle.

Final Recommendation 3.13: A future registry operator applying only for allocatable variant label(s) of its delegated primary gTLD must incur a discounted base application fee. ICANN org will decide on the discount based on what it considers to be proportionate to any costs associated with evaluating the application and consistent with the cost recovery principle.

Final Recommendation 3.14

Final Recommendation 3.14: If a registry operator from the 2012 round applies for up to four (4) allocatable variant labels of its existing IDN gTLD:

> 3.14.1 in the immediate next application round, the base application fee will be waived for that application as a one-time exception; or

> 3.14.2 in any application round subsequent to the immediate next application round, that application must incur a discounted base application fee as set out in Final Recommendation 3.13.

If a registry operator from the 2012 round applies for more than four (4) allocatable variant labels of its existing IDN gTLD:

> 3.14.3 in the immediate next application round, that application may incur additional fees as set out in Final Recommendation 3.12; or

> 3.14.4 in any application round subsequent to the immediate next application round, that application must incur a discounted base application fee as set out in Final Recommendation 3.13 AND may incur additional fees as set out in Final Recommendation 3.12.

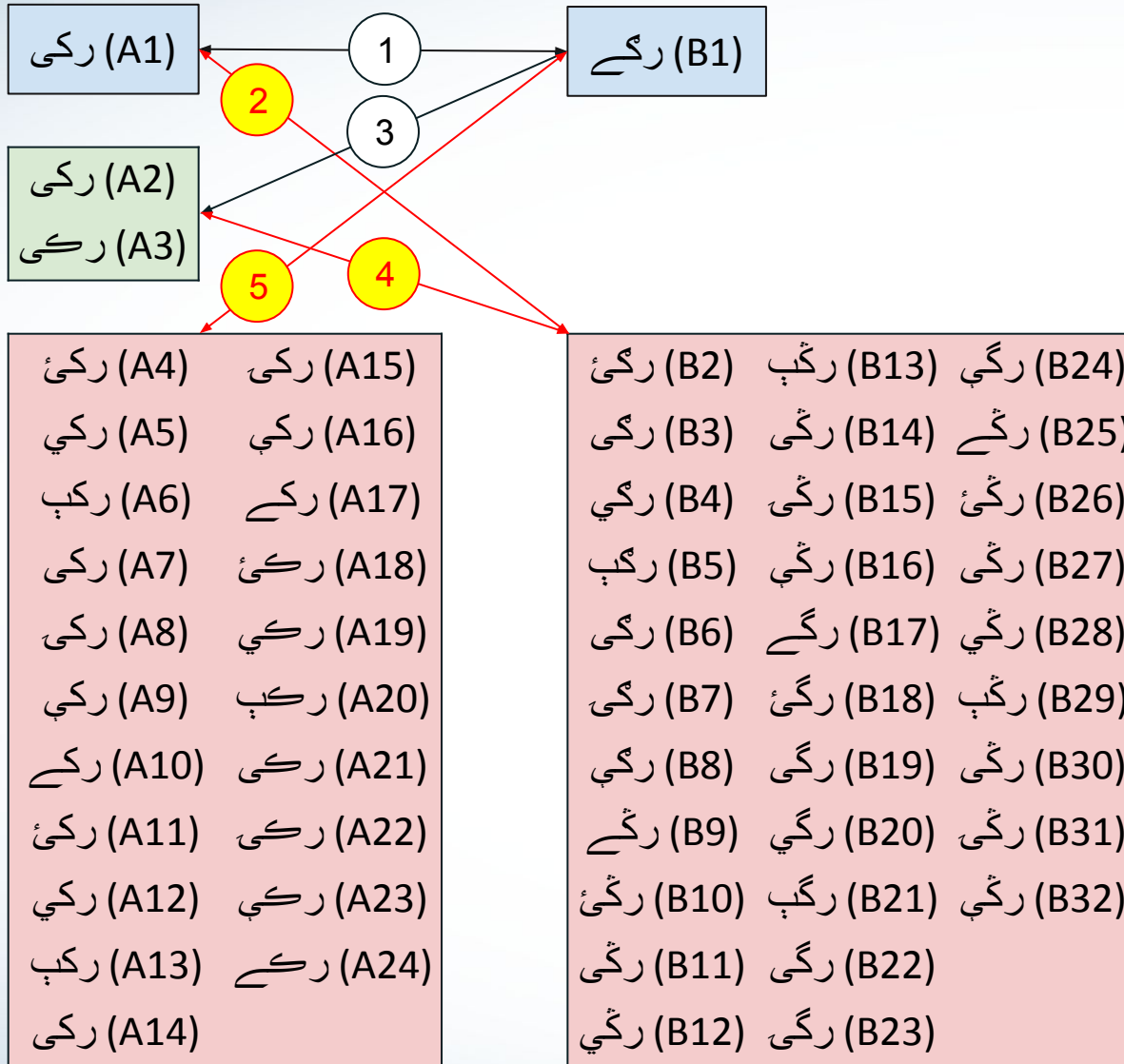# Recommendations 3.11, 3.12, 3.13, 3.14 (Summarized)

Tiered Application Fee Structure		
Apply for	**Next Round**	**A Future Round After Next Round**
New Applicant		
Primary label only	Base Application Fee	Base Application Fee
Primary label + ≤ 4 variant labels	Base Application Fee	Base Application Fee
Primary label + > 4 variant labels	Base Application Fee + (May Incur) Additional Fees	Base Application Fee + (May Incur) Additional Fees
Existing Registry Operator from 2012 Round		
≤ 4 variant labels	Base Application Fee Waived	Discounted Base Application Fee
> 4 variant labels	Base Application Fee Waived + (May Incur) Additional Fees	Discounted Base Application Fee + (May Incur) Additional Fees
Future gTLD Registry Operator		
≤ 4 variant labels	Not Allowed	Discounted Base Application Fee
> 4 variant labels	Not Allowed	Discounted Base Application Fee + (May Incur) Additional Fees

Final Recommendations 4.1, 4.2, 4.3, 4.4 (Summarized)

Apply the "Hybrid Model" for the String Similarity Review

- Extend visual similarity check to the <u>entire variant label set</u> of an applied-for label

  - Mitigate the potential risks from: 1) denial of service / no-connection; and 2) misconnection

  - Detect more combinations of visually confusable labels

  - Eliminate unnecessary complexity of comparing blocked against blocked

- String Similarity Review Panel may decide whether / what <u>blocked variant labels to omit</u>

  - Omission must be based on guidelines / criteria, on the basis of manifestly low level of confusability between scripts

  - Additional research or study to identify such scripts

- All labels from a variant label set <u>share the same outcomes</u>

Recommendation 4.1 (Example)

رکی (A1)   1   رگے (B1)

2
3

رکی (A2)
رکی (A3)

5   4

رکئ (A4)	رکی (A15)	رکئ (B2)	رگُپ (B13)	رگی (B24)
رکي (A5)	رکِي (A16)	رکی (B3)	رگی (B14)	رگے (B25)
رکپ (A6)	رکے (A17)	رکي (B4)	رگی (B15)	رکئ (B26)
رکی (A7)	رکئ (A18)	رکپ (B5)	رگي (B16)	رگی (B27)
رکی (A8)	رکي (A19)	رکی (B6)	رگے (B17)	رگي (B28)
رکي (A9)	رکپ (A20)	رکی (B7)	رگئ (B18)	رگُپ (B29)
رکے (A10)	رکی (A21)	رکي (B8)	رگی (B19)	رگی (B30)
رکئ (A11)	رکی (A22)	رکے (B9)	رگي (B20)	رگی (B31)
رکي (A12)	رکي (A23)	رگئ (B10)	رگُپ (B21)	رگي (B32)
رکپ (A13)	رکے (A24)	رگی (B11)	رگی (B22)	
رکی (A14)		رگي (B12)	رگی (B23)	

May find the following confusingly similar labels…

2   رکی (A1) & رگی (B3) & رگی (B6)

4   رکی (A2) & رگی (B3) & رگی (B6)

4   رکی (A3) & رگی (B3) & رگی (B6)

5   رگے (B1) & رکے (A10) & رکے (A17) & رگے (A24)

Potential outcome…

رکی (A1) & its variants A2-A24 AND رگے (B1) & its variants B2-B32 get processed in a contention set

If the Hybrid Model were not used…

رکی (A1) and رگے (B1) would have been both delegated with the misconnection risk. E.g., a user may mistake رکی (A1) as رگی (B3), a blocked variant of رگے (B1), but arrive at site controlled by a registrant different to رگے (B1).

Key Changes Following Public Comment

High-Level Overview

- **12 submissions received during Public Comment period on Phase 1 Initial Report**

  - Commenters: ALAC, BC, CCWP-Human Rights, CORE Association, GAC, ICANN org, Julius Kirimi, PointQuebec, RrSG, RySG

- **42 out of 68** preliminary recommendations received comments

- Majority of comments **did not raise any significant concerns** about preliminary recommendations or many **issues that the team had not previously considered**

  - Comments regarding ".québec" string were deemed out of scope, per GNSO Council guidance

- **Majority of recommendations were finalized without substantive change**

Key Changes

Removed "IDN" from almost all recommendations

- Future-proof policy recommendations against the possibility that any update to RZ-LGR could result in allocatable variant labels being created from ASCII code points

Added Rec 3.25 regarding withdrawing, adding, or modifying applied-for variant gTLDs

- Withdrawal is allowed, but adding a variant label after application submission is prohibited

- Permits modification for .Brand TLD application under specific condition as set out in SubPro Rec 20.8

Clarified in Rec 3.17 that single-character gTLD applications in Han script shall be accepted

- Chinese, Japanese, and Korean Generation Panels determined additional guidelines beyond the analysis already provided in the RZ-LGR unnecessary

Key Changes (Cont.)

Filled gaps in Rec 4.4 by specifying outcomes when confusing similarity is found between:

- An applied-for primary gTLD string (or its variant) and a requested primary ccTLD string string (or its variant)

- An applied-for primary gTLD (or its variant) and an application held over from a previous round

Revised Rec 7.3 to require a new Specification for newly approved variant of existing gTLD

- Adopt consistent approach by requiring that an existing gTLD and its approved variants be subject to one RA

- Removed preliminary IG 7.4 as a result of this revision

Added IG 8.12 to require a transition plan for variant gTLD removal request

- In the event that domain name registrations exist under a variant gTLD, RO's request for its removal should include a transition plan for ICANN org's review

Key Changes (Cont.)

Enhanced Rec 3.5, IG 3.6, IG 3.9 concerning evaluation of variant gTLD applications

- Commenters raised concerns that several preliminary recs did not align with conservatism principle
  - Rec 3.11 & 3.12 - Base application fee advantage for variant label applications
  - IG 8.1 - No ceiling value for delegated variant gTLDs
- Agreed not to place arbitrary constraints, as it would discourage variant gTLD introduction
- Enhance evaluation elements that are built into the application process to limit the number of variant gTLDs that can be delegated

Q&A

Appendix

Resource Links

- **EPDP-IDNs Phase 1 Final Report:**
  https://mm.icann.org/pipermail/council/attachments/20231108/fcbce142/Phase1FinalReportontheInternationalizedDomainNamesExpeditedPolicyDevelopmentProcess-0001.pdf

- **EPDP-IDNs Phase 1 Initial Report Public Comment:**
  https://www.icann.org/en/public-comment/proceeding/phase-1-initial-report-on-the-internationalized-domain-names-epdp-24-04-2023

- **ICANN Board Resolution regarding "Variants":**
  https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-special-meeting-of-the-board-of-directors-25-09-2010-en#2.5

- **RZ-LGR Version 5:** https://www.icann.org/resources/pages/root-zone-lgr-2015-06-21-en

- **"Staff Paper" on Variant Management:**
  https://www.icann.org/resources/pages/idn-variant-tld-implementation-2018-07-26-en

- **EPDP-IDNs Charter:**
  https://gnso.icann.org/sites/default/files/policy/2021/presentation/CharterGNSOIDNsEPDPWorkingGroup20May21.pdf