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## ICANN Transcription

### IDNs EPDP

**Thursday, 10 August 2023 at 12:00 UTC**

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DEVAN REED:

Good morning, good afternoon and good evening. Welcome to the IDNs EPDP call taking place on Thursday, 10 August 2023 at 12:00UTC. We do have apologies today from Farrell Folly, Michael Bauland, and Alan Barrett.

All members and participants will be promoted to panelists. Observers will remain as an attendee and will have field access to chat only. Statements of interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. If you need assistance updating your statements of interest, please email the GNSO Secretariat. All documentation and information can be found on the IDNs EPDP wiki space. Recordings will be posted shortly after the end of the call. Please remember to state your name before speaking for the transcript. As a reminder, those who take part in the ICANN multistakeholder

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process are to comply with the expected standards of behavior. Thank you and over to our Chair, Donna Austin. Please begin.

DONNA AUSTIN:

Thanks very much, Devan, and welcome everybody to today's call. I don't know that I have any updates for today. Just a heads up that we will be meeting next week, but we won't be meeting the following week because it clashes with a GNSO Council call. So we've decided to cancel the meeting for that week. So we have this week and next week. I don't know that there's anything else. So I guess with that, we'll just get back into it, Ariel.

ARIEL LIANG:

Thanks, Donna. This is Ariel. If I may, I'd just like to remind the group about the draft text that was distributed earlier this week. It's the Phase 2 recommendations that the group has worked on before we picked up on the public comment review. So the text is out till 22nd of August. And please conduct your review and in one of the future meetings, we'll come back to that. So this is a reminder from my end. And I think we can go back to public comment review now. Let me just put this in the chat here.

So we're starting at 8.8. We're almost done for the entire public comment review. 8.8, we got no comments except for support recommendations as written. And then we'll go to IG 8.9. So for this IG, it's relating to the update of RZLGR. And if there's any kind of exceptional case that the update is not backward compatible, and it may result in already delegated gTLD become invalid or blocked, then the generation panel will have to provide

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explanation of such exceptions, and then also include this information in the public comment for that RZLGR update. So this is implementation guidance related to that scenario. And just to refresh everybody's minds, I'm just going to read this quickly. The GP analysis should identify security and stability risks, if any, as well as possible actions to mitigate the risks associated with allowing a delegated gTLD and its delegated and allocated variant labels, if any, to be grandfathered. There should also be an assessment conducted by ICANN Org of the potential impact of grandfathering on registries, registrars, registrants, and end users, as well as proposed measures to reduce the negative impact. As part of the assessment, ICANN Org should facilitate a timely dialogue between the registry operator of the grandfathered gTLD relevant functions in ICANN Org, the GP, other experts, and affected parties. Notwithstanding the recommendation to grandfather affected gTLDs in the event security and stability risks are identified, ICANN Org and the affected registry operator should discuss possible measures to minimize the risks that would result in minimal disruption to registries, registrars, registrants, and end users.

So this is the implementation guidance related to that grandfathering scenario. And we did receive a comment from ICANN Org. It was categorized as a support recommendation intent with wording change. It says, as noted in the input provided for 8.7, ICANN Org will share the assessment results outlined in 8.9 with the generation panels and assist in facilitating relevant discussion. It is worth emphasizing that GPs operate according to their own process and procedures. Consequently, ICANN Org will serve as a facilitator in these discussions without imposing any

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additional requirements on the GPs beyond the scope of the RZLGR procedure.

So it's a very similar comment as its comment for the relevant recommendations relating to GP and IP process and relating to the grandfathering situation. So basically it just says ICANN Org cannot force the GP to comply with the recommendations from the EPDP because that's an external process, but it will share the information with them. So I think that's the intent of this comment. So I will stop here and see whether there's any reaction from the group and whether you think there's anything we can do with this implementation guidance, which is not a recommendation.

DONNA AUSTIN:

Ariel, given this is connected to 8.7, could you just remind us what we discussed in 8.7? Because it seems that the two are relevant here. So just to refresh.

ARIEL LIANG:

Yes, yes. So basically 8.7 talks about the GPs and IPs must make best effort to retain full backward compatibility of RZLGR updates. So that's the specific recommendation. And the Org's input is very similar. It's basically Org can't force the GPs and IPs to comply with that recommendation. But what the EPDP team considered is there could be some other options to address that. One is to point to the stability principle in the LGR procedure in 8.7, because it's already there. The LGR procedure already has the stability principle. So just basically remind the GPs and IPs to follow that. Or append a disclaimer that recognizes that CANN-Org cannot

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force GPs and IPs to comply with EPDP recommendations. So there are a couple of ways to, I guess, soften the language or make it more workable or implementable. But still, the leadership team has to consider potential amendment and then bring this back to the group for consideration. And I think there's another comment, is if there's already stability principle in the LGR procedure, it asks the question whether this recommendation is actually needed. So that's another thing to consider. Yeah.

DONNA AUSTIN:

Thanks, Ariel. And just to note that from a leadership team perspective, we haven't got around to having a look at this yet. So we don't have any thoughts on this just yet. So if anything springs to mind separate and different from what we already discussed with 8.7, please let us know. Okay. I'm not seeing any hands or any comments in chat. So I think what we'll do is just put this down as a leadership action and the solution I suppose to be consistent with what we will suggest for 8.7.

ARIEL LIANG:

Okay, sounds good. We'll note that. So moving on, 8.10, we got no specific comments. 8.11, we got a comment from I can work, which is a slightly more significant than previous comments. So 8.11, it says a delegated variant label that is voluntarily removed from the root zone will not require the removal of the associated primary IDN gTLD or its other delegated variant labels. So that's the removal of a variant label. It can be done kind of independently from the primary and other delegated variant labels. So that's the recommendation. And ICANN Org has this comment,

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I put it under significant change required. It says ICANN Org has been working with the registry operators to promote robust safeguards for registrants to ensure consumer trust in the Internet. Based on the language used in 8.11, the voluntary removal of a variant label from the root zone, ICANN will consider impacts to existing third party registrations. To safeguard the interests of registrants, ICANN review and approval would be required in case where registrations already exist under a variant TLD. For variant TLDs without existing registrations, the current procedure of undelegating a gTLD with no registrations should continue to be followed. However, considering the potential complexities introduced by variant TLDs being part of a variant set, where other TLDs in the set may still be delegated, further analysis is necessary during implementation to determine the optimal approach. Could the EPDP team confirm their agreement with this understanding? And then second paragraph, ICANN Org further highlights the absence of an existing process that clearly outlines the course of action for a variant TLD once it is delegated and removed from the root zone. It will be beneficial if the IDN EPDP team could provide guidance regarding the possibility of redelegating a variant TLD and specify the conditions under which such redelegation may occur. So basically, it's just to emphasize that if there's already registrations under a delegated variant TLD, the removal wouldn't be as straightforward and this process would require ICANN review and approval and I believe in like history, and there when such case happens, ICANN Org will require some kind of transition plan. But I believe our registry colleagues can further elaborate on that. And then the second paragraph is just asking once TLD is undelegated, can it be redelegated again? So

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that's a kind of a follow up question. So I see a couple of hands up.

DONNA AUSTIN: Thanks, Ariel. So just before we go there, so the recommendation is a delegated variant label that is voluntarily removed from the root zone. So I'm just wondering whether we have another recommendation that speaks to voluntary removal at all, because there's an applied assumption here and I just wonder whether we've got another recommendation about voluntary removal of a label from the root zone. Maxim and then Hadia.

MAXIM ALZOBA: I'm going to speak about the first part. I suggest that the language provided has a bit more clarity, like not just TLDs without existing registrations, because in a TLD you have to have as a registry NIC string at least, and it's going to be all basically deployed TLDs that have registrations. So it should be without such third-party existing registrations or something like that. So we are saying that not just an empty TLD, but a TLD without existing registrations of third parties, because a TLD itself can have registrations for promotional TLD, for example. Thanks.

DONNA AUSTIN: Thanks Maxim. So you're making a distinction about registrations at the second level that there may be circumstances where the registry themselves are using strings at second level for specific purposes that are short-lived purposes, and therefore there

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wouldn't be necessarily any consequence of removing a variant label. Hadia?

HADIA ELMINIAWI:

Hi, thank you. So my first comment is actually regarding the voluntary removal of a variant. So this recommendation does not actually address the actual process of removal of a variant label. It just speaks about the consequences of the removal of a variant label. So if we actually want to speak of the removal itself, I think it needs to be in a separate recommendation that speaks to that.

As for the consequences, we are saying that this does not require the removal of the associated primary, but also other possible consequences may be related to the variant itself, as ICANN mentions, whether it could be re-delegated or not. But again, if it is to be re-delegated, it would be re-delegated to the same entity. And so it's not possible to be re-delegated to another entity.

So again, we could amend this recommendation to include all possible consequences to the removal of a delegated variant. However, I think we also need another recommendation that speaks to the possibility and the process of the removal of a delegated variant. Thank you.

DONNA AUSTIN:

Thanks, Hadia. And I'm seeing some support in the chat for a transition plan for supporting existing registrants. Dennis, go ahead.

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DENNIS TAN:

Thank you, Donna. Dennis Tan, Registries. Yeah, just wanted to add to the comment that I put in here about the transition plan and just offer my thoughts here, why I think is a sensible ask and that the registry operator working with ICANN, of course, how to make the delegation or removing the delegation of a variant TLD out of the root zone when existing registration is existing, why that has to be done in a very deliberate and thoughtful manner.

Once the registry operator delegates registrations and variants, for that matter, in the variant TLDs, the registry, I suppose, would not have the—how I put it? Lack of a better word, the power to say you, registrant, you can only initiate variant domain names from TLD A instead of the TLD B, which is a variant, right? Once they are delegated, primary domain names will come from left and right. And therefore, what happens with one TLD variant that is going to be removed and there are a number of primary domain names out of that TLD variant, right? And how that affects the variant TLD set. I mean, are there not longer the whole set goes away? Can somehow the remaining variant TLDs absorb those registrations? So it gets really, really complicated once you start delegating domain names at the second level.

So while we, this group, is recommending that yes, I mean, as variant TLDs, for some reason the RO decides they don't want to operate it no more, then it will have to come at a cost, right? And it's not going to be free of responsibility. So if there are existing registrations, then the registry operator will need to think about the existing registrants and how to minimize the impact and how they will manage that transition to the remaining variant TLDs in the set. So just wanted to offer that. Thank you.

DONNA AUSTIN: Thanks, Dennis. And if my memory serves correctly, this recommendation, I think, was in response to a question from ICANN Org when we had comments from them on a number of recommendations we already had kind of settled on, which was what happens to the primary if a variant label is undelegated? I think it was something along those lines. So I think the recommendation here is about whether if you remove a delegated variant label, does that mean that you have to remove the primary as well and the other variant label? So I think it's a consequential thing.

So perhaps there's a little bit of a misunderstanding of the recommendation, but I take the point that whether we do it as implementation guidance or whether we expand on this recommendation to say that consistent with existing processes for removing any gTLD, there would need to be some kind of transition plan. So I don't know what the current process is if somebody wants to remove a TLD from the root, but perhaps we could just say that whatever the current practice is for that purpose, then that would be recommended in this instance as well. Maybe that's a way to handle it. Edmon?

EDMON CHUNG: Speaking here personally, I agree with you actually, Donna, but I raised my hand to talk about one other thing. This response from the staff team seems to be a bit strange because a variant TLD would have exactly the same registrations as the primary TLD, as far as I would imagine, right? I mean, that's the whole point of the

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variant. So it can't happen that a variant TLD has no registration if the primary already has some registrations because they're supposed to work the same. At least that's as far as I understand it. If not, then we really need to talk about this.

DONNA AUSTIN: Thanks Edmon. Sarmad?

SARMAD HUSSAIN: So follow up on Edmon's comment, the variant TLDs don't necessarily need to have the same registrations. In some cases they may, but it is not a requirement. There is actually also a SubPro recommendation to that effect. And the example normally given is that there is, for example, Arabic script TLD, which has an Arabic language and a, let's say Persian language variant. And the registrations under the Persian variant TLD will be the Persian versions of second level. Whereas the registration that second level under the Arabic language TLD will be the Arabic language versions, for example. And so in those cases, the registrations under the two TLDs actually could be different and may actually diverge. Thank you.

DONNA AUSTIN: Thanks Sarmad. Denison and Edmon.

DENNIS TAN: Thank you Donna. I think more building on Sarmad, yeah, and going one level down, right, to the registry databases, there is no

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guarantee that they're going to be the same having two TLD variants that both registries will have exact same records, especially when some registry operators will go to the method or the operational approach known as, in the discussions that we're having within the CPH tech ops as the attribute model where a domain name, the variant activations are attributes of a primary domain name. So the only object that exists in the registry database is the primary domain name, which could be from one TLD or the variant TLD. So the registry databases in that case will not match each other. Thank you.

DONNA AUSTIN: Thanks. Edmon.

EDMON CHUNG: Yeah. And I understand what is being said, but what Sarmad explains cannot happen or else the same entity rule would fall apart. Those cases is always first come first serve, right? I mean, the domain is registered to a particular registrant. Yes, it is possible that different TLDs would, well, different variant TLDs may or may not have the quote unquote registration, but trying to register a Persian variant of an Arabic domain should fail. If that is not the case, then we should make it clear, because that's the whole idea of a variant and the same entity rule, right? I mean, the entire set spanning across IDN variant TLDs and IDN variants must be the same entity. So it is possible to activate it differently and have different zones in the variant TLDs, but it is still the same registrant is something that I want to emphasize. And if

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that's not the case, we better make it clear that that needs to be the case, I think.

DONNA AUSTIN: Thanks Edmon. Sarmad?

SARMAD HUSSAIN: Yes, just to follow up. It is required to be the same registrant. So that part is, I think, set again through the recommendations in SubPro. The only, I think, I put in the recommendation, which is relevant from SubPro in the chat as well. What it says is that all those options, Arabic, Persian are in a single set across variant TLDs are only available to the same registrant, but it is up to the registrant on which subset of those allocatable variants and the variant TLDs the registrant requests to activate. So they may actually, the same registrant may activate the Arabic version, but may not actually activate the Persian version, for example. But in that case, the Persian version doesn't really go to anyone else. It gets reserved or withheld to be registered by the same registrant. Thank you.

DONNA AUSTIN: Thanks, Sarmad. So I'm a little bit concerned that we're getting a little bit off point here. I think the conversation that is being had is related to second level discussions. And the text that Ariel sent out for review this week captures some of that discussion. So the second level discussion that we had in DC, I think that's the conversation that folks are having now, but really this is pretty specific and as I said, I think the recommendation was developed

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to address a concern from ICANN GDS about what would happen if a variant label was undelegated or—and I think we had the term undelegated, then we changed to voluntarily removed because there was concern about the term undelegated. But it's really to address the possibility that for some reason the variant label is removed from the root zone and what's the consequence of that on associated primary and its other delegated variant labels. So the intent was only to address that circumstance. So I think what we're saying is that it's possible to undelegate or remove one of the variant labels from a set. And there's no consequence of that on the primary gTLD or the other delegated variant labels. So I think that was the intent of this recommendation. What we could do is the voluntary removal from the root zone would have the same set of practices or whatever the situation is now when a gTLD is removed from the root. And I think Dennis has spoken to those and there is support for adding that. So I guess the other question we need to think about is whether once a variant is undelegated and removed, can it be delegated again? Personally, I think we're getting into 1% risk land with that. So I'm not sure how to respond. Ariel.

ARIEL LIANG:

Thanks, Donna. I think you're spot on in terms of the core matter concerning this recommendation. It's basically just to provide some insight because we're aware of the Org discussion about this recommendation, is that they feel a little bit discomfort that the recommendation is pretty simple and didn't include some kind of terms and conditions regarding the removal of the gTLD. And they will feel probably more comfortable if there's some kind of wording

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such as the removal is subject to ICANN Org review and approval, something like that to provide ICANN a bit of power to kind of approve such removal and doesn't make this just go through by itself, then they will be a little bit less nervous about this recommendation. And I think that's kind of related to the point that Dennis mentioned in terms of if there's a registration under a TLD, then having a transition plan and then ICANN can have a say in this. So that's just a bit of an insight into this recommendation.

DONNA AUSTIN:

Thanks, Ariel. So would folks support perhaps drafting some implementation guidance on this that in the event of or a request to remove a delegated variant label from the root zone would require submitting a request or transition plan to ICANN Org for consideration or something along those lines? I did see a thumbs up, but I can never tell who's doing that. So if there's no objection here, I think that's the way we'll go on this. Sarmad.

SARMAD HUSSAIN:

So a question on the second part of this comment from ICANN. I guess the assumption is that if it is undelegated, then the re-delegation, would that require just a regular process of applying for a variant TLD in the next round? Is that a fair assumption? And if it is not, then maybe there is something which needs to be probably explained further.

The second, I guess, question related to that second point is that if it is undelegated, it just goes into the withheld pool, like every other allocatable variants and goes through the same application

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process, or does it go into a separate special status for some time before it actually goes back to the withheld status? Just trying to clarify that part. Thank you.

DONNA AUSTIN: Thanks, Sarmad. Any thoughts on this from anyone? Dennis?

DENNIS TAN: Thank you, Donna. That's an interesting question. So let me just paraphrase it and [inaudible] it. I think the idea of what you're describing sounds like a cool off period. And if I recall correctly, there's something similar concept with ccTLDs, right, in terms of deselection and when that specific label is eligible to reapply again or delegated.

I mean, at the outset, it sounds like reasonable. So that TLD that's been voluntarily undelegated, requested for undelegation from the registry operator, they don't decide as soon as it's removed from the root zone, reapply it again as in the first attempt. And then that creates also another set of implications from existing registrations and whatnot. So that I don't have an answer to that, but it's something that I think this group can, it's worth talking about. Thank you.

DONNA AUSTIN: Thanks Dennis. So one can only assume that, well, I suppose we could assume a number of things, but if a registry operator is going to the pain, I suppose, of voluntarily removing one of their labels from the root zone, there would be a good reason to do so.

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I know there's a number of brand TLDs that have, I don't know whether that were delegated or simply got out of their contract with ICANN, but it seems that if they wanted that, actually, maybe we can take some guidance from what that process is. So I think I know that the string is not available—or is that the new rules, that a string is put aside for two years and nobody else can apply for it. And I think Hadia had mentioned that same entity is going to apply here anyway. So, yeah, I think it is two years.

So maybe it is possible, in the event that they want to redelegate their undelegated TLD from the root zone, then they would have to go through another application process. So Justine saying just re-apply, I think that's the most sensible thing. So scenario, registry operator one requests undelegation, which is granted and executed, then registry operator two acquires registry operator one's assets and wants the TLD variant that was undelegated just a few months back. Yeah, that's a possible scenario, Dennis. But while they have the rights to what was undelegated, I guess, because of the same entity principle, that's the only right that they have. If they wanted a TLD, then they're going to have to apply for it. I think this is pretty much an edge case anyway. And now we're going into an edge case.

So what we're specifically talking about here is once the TLD is undelegated, what happens if the existing registry operator or a future registry operator wants to delegate it, they're going to have to apply for the TLD again. Is that a sensible approach? Okay, so Dennis is on board, Justine's on board, Maxim's on board. Hadia?

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HADIA ELMINIAMI: Thank you. This is Hadia for the record. But if we're saying applying for it again, that means they will need to wait for the next round to apply for it, which I think is fair. But then also there are other consequences related to the cost of the variant. So for example, if we decide that the primary plus four variants, for example, will cost the same, then, and then currently, for example, they have the primary and two variants, then if they reapply at this point in time, because they left it before and reapplying now, would they endure extra costs? So I think we will need to think about it from all aspects. Thank you.

DONNA AUSTIN: So Hadia, I understand what you're saying, and I appreciate what you're saying. But there are decisions here that registry operators are taking or wannabe registry operators are taking, and they do that in accordance with the rules. So if the variant label wasn't undelegated or voluntarily removed, and they wanted that label, then they would have to apply for it. So there's conscious decisions that entities are making here, and they should understand the consequence. So I think the consequence here is if three or four years down the track, you decide you want that label, to use that label again, you'll have to apply for it. And that's just the rule. Okay, all right. So I think I think we've got a path forward on that one. Thanks, everybody.

ARIEL LIANG: Yeah. Next one is 8.12. In the event that a label is removed from the root zone as a consequence of its registry operator's breach of registry agreement, its associated variant label set must also be

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removed from the root zone. So this is something related to involuntary removal, I guess. And ICANN Org has a comment. And it's not as substantive as the previous one. So it says to mitigate any opportunities for misinterpretation, ICANN Org suggests the EPDP team revise the language to say in the event a TLD is removed from the zone, the rest of the variant label set, if any, must be removed from the root zone. So that's basically replacing associated variant label set with the rest of the variant label set. I think that's the suggestion. And ICANN Org further emphasizes that a breach of a contract does not necessarily lead to the immediate removal of a TLD from the root zone. In the event of a breach, ICANN would evaluate the consequences of such a removal and take appropriate action. But I think the second paragraph may not be really necessary because the recommendation clearly says it's in the event a label is removed as a consequence of the breach. So it's already laid out the circumstance. It's removed already from the breach. It didn't really say it has to be removed due to a breach. But I guess it's just ICANN Org provide some kind of clarification. It doesn't necessarily result in a removal every single time. So I will stop here and see whether there's any comment from the group regarding the first paragraph. I think the suggested revised wording from Org's side.

DONNA AUSTIN:

Thanks Ariel. I agree that the second paragraph is really an aside. I don't think it's anything that we have to necessarily deal with. So I guess I'll just ask, are there any objections from anyone to change the language in the recommendation to what's being

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suggested by ICANN? Okay, so Satish has no objection. Anil is okay with it. Justine's okay with it. Hadia has no objection. So I think on this one, we will accept the change suggested by ICANN.

ARIEL LIANG:

Okay, thanks, Donna and everybody. Moving on to 9.1, we have no specific comments. 9.2, the same. 9.3, the same. 9.4, that's actually the last, and it's the implementation guidance. It basically talks about the label transition and it provides some examples of or explanation of a different label transition path. So that's the IG—it's kind of long. I'm not going to read the whole thing. And I just want to note that there's one comment from ICANN work here. It says ICANN Org recommends the EPDP team provide further clarification for the expression rejected state of a label comes off to enhance its precision. ICANN Org understands this to mean the condition which led to the rejection of a label is no longer relevant. So I see it's actually related to the third transition from rejected to withheld same entity. This transition happens when the rejected state of a label comes off. Such a valid label can be treated as any other withheld same entity label. So, it basically talks about this particular transition, and then we probably should just clarify what rejected state of a label comes off means. And then ICANN Org is asking whether it can be replaced with the condition which led to the rejection of the label is no longer relevant. Whether the group agrees with this, and if so, then maybe it can be a simple change to that sentence. So I'll stop here and see whether any comment and question from the team.

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DONNA AUSTIN: Thanks, Ariel. So, again, do we have any objection to just changing the language from this transition happens when the rejected state of the label comes off to this transition happens when the condition which led to the rejection of the label is no longer relevant? Okay, so no objection from Nitin, Hadia, Satish, Justine's okay with it. Justine?

JUSTINE CHEW: I had one proposed change for consideration to replace the word relevant to applies.

DONNA AUSTIN: Yep. I think that is probably a good change. So Justine is suggesting that the condition which led to the rejection of the label no longer applies. Also, Satish is saying is no longer applicable. I would think no longer applies is ... Any thoughts between applies or applicable here? Okay, Jennifer's okay with applies. So I think Dennis is okay. All right. Nitin's okay. Okay, so I think we'll take out relevant and switch in applies. And I think we need to take [use] out as well.

ARIEL LIANG: Okay, sounds good. Staff have noted that. And thanks, everybody who provided comment in the chat. So if I guess we're moving on to the last tab in this spreadsheet. Great job, everybody. It's a long, hard process, but we are at the end now. So this tab basically captures some kind of overarching comments or general comments from the commenters. And most of the comments we already talked about. So for example, the RySG's comment about

the global change regarding IDN gTLD registry operators of the 2012 round. This is something we already touched on when we went through the different tabs. And in fact, part of this call, we'll talk about this one. And then for some other commenters.

So BC basically had a comment that we need to basically follow the principle of conservatism and no variant IDN.IDN domain should be introduced and allocated to public without understanding all the implications of the variant gTLD application. So basically, it just talks about we need to be conservative and consider all these potential consequences. So I think that's the general comment from BC. There's nothing we have to do specifically relating to this comment, but just in our overall consideration of our recommendation, we need to follow that conservatism principle.

And then I think ALAC has a comment basically appreciates and supportive of the EPDP's efforts, especially relating to the glossary. And that will provide clarity to the recommendations and implementation guidance. And also comfortable with the description provided in the glossary. So that's a comment from the ALAC.

And for the GAC, it didn't really provide any specific comment for the recommendations. And a general comment. It basically says it enthusiastically supports the work of this group and basically kind of praised the work of the recommendations and the report. So that's a generous support from the GAC.

And then Julius Kirimi, that's an individual that commented for our initial report, does also appreciate the work of this group. And then

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we also have a comment from .Quebec again. This is something the group already asked the GNSO Council for guidance how to treat its submission for public comment. And basically, this comment talks about the First Nations and indigenous groups, native language and scripts, IDN gTLD applications. And they talk about that particular category and basically asked to provide opportunity to provide such strings, but maybe the RZLGR hasn't incorporated their scripts and languages yet. But I think the group already have affirmed the SubPro recommendation is if a certain script that hasn't been incorporated in the RZLGR, then application can be submitted, but it will stay in limbo until such time when RZLGR has that script incorporated. So I think SubPro already talked about it. But you know, we will talk the .Quebec comment for now, until such time when GNSO Council provides guidance how to address them.

And we also have a comment from the Human Rights Working Party, basically talks about they support most of the recommendations in the report but urge amendments to make it easier for community based TLD strings, in order to ensure privacy rights of registrants are respected. Not sure how to deal with this one specifically. But I think the relevant comment from the Human Rights Working Party has already been discussed in the context of specific recommendations. So we'll go back to that at the later point.

And then finally, another general comment from RrSG, the Registrar Stakeholder Group. So basically, it supports the recommendations of this initial report. And then we categorize their supporting each of the tabs as well, based on feedback from

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Michael. So that's some general comments. And I will stop here and see whether there's any questions from the group.

DONNA AUSTIN:

Thanks, Ariel. So any comments from anyone? Thoughts? Okay. So we've reached another important milestone in our work, I guess that we've worked through the comments from the phase one initial report. And we've got guidance on how to resolve the comments. So leadership will work with ICANN Org and do that. And work out some language that we will feed back to the group.

But I think what we're going to do next is we're going to have a look at the suggestion from the Registry Stakeholder Group about whether we need existing IDN gTLD, or whether we need IDN gTLD registry operators of the 2012 round, or whether it should simply be gTLDs. And you might recall that when we started working through some of the initial comments we had, we thought there were circumstances where we could just use gTLDs or more specification would be required.

So thanks largely to Justine, who's worked through, gone through all of the recommendations to see where this phrasing is used in our recommendations, we've got some suggestions on how to deal with that phrase and what we can do across the board in making some global change or whether it says we need to keep the wording because of specifically, it relates to the recommendations. So that's what we're going to run through now. And if we can get through this quick enough, we can all have an early mark. So there's your incentive. So Ariel, can I hand it over to you to take us through this?

ARIEL LIANG:

Yes, absolutely. And also kudos to Justine, who did the heavy lifting and went through every single recommendation to see whether the global change makes sense. So I'm basically just reporting back the work she did here. And so here we go. And just as a background refresher, we talked about the global comment from RySG is to make a global change of replacing IDN gTLD registry operators from up to 2012 round to simply gTLDs . So that's the that's the global change. And also RySG that there should be exception for recommendations 3.14 and 3.15 with the global change doesn't necessarily apply there, because that could potentially change the intent of the recommendation. And then the rationale for this global change is to ensure that the existing rights of existing registry operators is protected. And it's not just limited to IDN registry operators, all the existing registry operators. So that's kind of the rationale behind this suggestion from RySG.

And then in addition to RySG's comments, ALAC also made comments in some of the recommendations and suggest to replace the gTLDs delegated from the 2012 round with all existing delegated gTLD without mentioning the 2012 round. I think it's also in the same vein to make this inclusive and not to create potential misunderstanding by mentioning 2012 round. It could be subject to misinterpretation.

And ICANN Org also has provided similar comments in some recommendations. One of the things it pointed out is that if you recall in each of the recommendations, we have this phrase that's led by asterisk sign, it talks about this recommendation only applies to existing IDN gTLDs from the 2012 round. So

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ICANN Org mentioned that this phrase could be too limiting and even contradicting the scope of the actual recommendation itself. So that's one of the comment from ICANN Org regarding that phrase. And also in some other recommendation, it did point out that RZLGR applies to all gTLDs not just IDN gTLDs. So in our recommendation, some of them really just talk about IDN gTLDs, it may not be the most accurate, because you know, applies to ASCII strings as well.

And also, it will be more future proof if we just say gTLDs instead of IDN gTLDs in case for example, the Latin generation panel decides to create more allocatable variant labels from ASCII code points. If such update happens in the future, then our recommendation will still stand if we just say gTLDs instead of IDN gTLDs. So that's some comments from ICANN Org. So it's very kind of in the similar kind of sentiment, I guess as RySG and ALAC.

So just as a reminder, what is the action item for the leadership team when we went through several of those recommendations and seeing similar comments, it's basically to consider whether when and where to use the phrase existing IDN gTLDs from the 2012 round. So basically, consider whether this phrase is still appropriate in our recommendation. And then another action item is to consider the appropriate approach with regard to this phrase, recommendation X only applies, impacts existing IDN gTLDs from the 2012 round, like what to do with this phrase that was under eight recommendations. So that's the action item.

And this is what the leadership team is suggesting after Justine doing the heavy lifting of going through every single

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recommendation. What is suggested is first delete IDN globally in our recommendation and implementation guidance or language also delete 2012 rounds. And then when we are referring to the gTLDs that have been delegated in the root zone, basically currently there are 1000 or something we're referring to these gTLDs just use the word existing. And then finally, regarding that phrase, led by the asterisk sign, remove it, but emphasize the intended messaging in the rationale of the applicable recommendation.

So one example, it doesn't need to be the exact phrase, but it's kind of in that kind of sentiment, like example is we can say at the time this recommendation was developed, it would only impact existing IDN gTLDs delegated as a result of the 2012 round, like something along that line. But basically emphasize this intended messaging in the rationale instead of having that statement under the recommendation. So that's the suggested global change. And just to make it a little clearer, we provided some examples how the change would be reflected. But of course, we still need to look at the language and additional public comment to keep refining these recommendations. The revised column doesn't necessarily mean this is the final wording of the recommendation, we still have to consider other public comments. But this is how the global change would affect the language of the recommendations.

So for example, recommendation 1.1, it says, the RZLGR must be the sole source to calculate the variant labels and disposition value for existing delegated gTLDs from the 2012 round. So this is the phrase that's under discussion highlighted and when we revise it, the first part remains the same. But the second part, we replace

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existing delegate gTLDs from the 2012 round with all existing gTLDs. So now you will see the 2012 round is taken out. And then we're just using existing instead of existing delegated. So that's a one example.

And the second example, recommendation 2.1, it says any allocatable variant labels of an existing IDN gTLDs from the 2012 rounds, as calculated by the RZLGR can only be allocated to the registry operator of the existing IDN gTLDs were withheld for possible allocation only to that registry operator.

So for the change, we have replaced existing IDN gTLDs from the 2012 round with existing gTLDs and then replace existing IDN gTLDs in the latter half of this recommendation with existing gTLDs so IDN is removed and also 2012 round is removed.

The third example here, we included this because it talks about not just existing but also future, and you will see how the global changes reflected. This recommendation talks about the fee structure associated with future IDN gTLD applications that include variant labels, as well as applications for variant labels of existing IDN gTLDs from existing registry operators from the 2012 round must be consistent with the principle of cost recovery, etc. And that's the original 3.10. And then for the revised one, we replace future IDN gTLD applications with future gTLD applications. So remove IDN. And then this long phrase, existing IDN gTLDs from the existing registry operators from the 2012 round, replace that with gTLDs from existing registry operators. So remove IDN and remove the 2012 rounds. So that's a global change. So I'm not gonna read 3.11 because it's very similar

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change. So basically, remove IDN here in both cases, but just make it general as GTLD.

So that's some of the examples. And now I will talk about the rationale why these changes are proposed. So delete IDN is because there are several kind of arguments for that. One is in our EPDP charter, the group is tasked to develop recommendations regarding the definition of all gTLDs and the variant management mechanism of variant gTLDs in the root zone. So IDN was actually not even specified in the general tasks of the group. It is for all gTLDs, not just IDN. So in our charter, we already have that coverage.

And then the second point is basically kind of agree with ICANN Org's comments to future proof updates to the RZLGR in case allocatable variant labels are created from ASCII code points. So right now, for ASCII, they don't have allocatable variant labels, but we don't know whether in the future it could become the case. So delete IDN will make our recommendations still stand in the time that that happens. So that's some rationale behind why IDN is deleted.

And then for using existing when referring to all gTLDs that have been delegated in the root zone, the leadership team considered several options, such as existing, delegated, existing delegated, contracted and delegated. So there are several options the leadership considered. But the conclusion is that existing seems the most appropriate, because first, several commenters have already suggested using existing and also in the 2012 AGB, this word has been referred to, for example, in the string similarity

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review section, it talks about existing TLDs. So there's a use case for that already.

And then another thing is that there may be some consideration, maybe from the 2012 round, there are several strings that have been approved, but they haven't been delegated. And then we did look into these cases. So based on the ICANN website, there are several TLD strings that fall in that category. So [.merck, .web and .webs,] they're in the contracting phase and then .hotel is on hold. So it's really not a lot of these cases. And all of these are ASCII strings. So the leadership team considered that and feels it's probably okay to just use existing. And we don't need to further expand that to contracted and delegated, that kind of thing. It's a little convoluted. And also, it's really just four cases of these. So that's the rationale of using existing.

And then delete 2012 round. So basically, the leadership team agree with several commenters' input that this phrase could be too restrictive or limiting, and also can potentially cause misinterpretation. We did have a 2012 round, but the strings were delegated in other years after 2012. So if you keep mentioning this, it could potentially cause misinterpretation. So might as well remove it and existing already covers this kind of concept here.

And finally, regarding the phrase led by the asterisk sign, this is not part of the recommendation language. So it shouldn't be placed right underneath the recommendation and give it a false sense of weight. And it's better just to emphasize similar messaging in the rationale. And also similarly, it could be a bit restrictive and limiting and potentially cause misinterpretation. So

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we remove that statement, but try to rephrase it in a similar way in the rationale.

So that's the rationale for the global change. The leadership team did believe some exceptions have to be made. And it basically agrees with RySG that for recommendations 3.14 and 3.15, the 2012 rounds, and also the IDN, these two phrases should still be kept there. Because if you recall, these two recommendations provide a one-time exception to a specific group of gTLD registry operators in the scenario where they apply for variant labels, they can benefit from, for example, not pay the base application fee in the immediate next round. And also, I think they will receive the priority in processing order ahead of other applicants if they apply in the next round. And this is a one-time exception for a specific group of registry operators that have been waiting for more than a decade for the opportunity to apply for variant labels. So that's why emphasizing 2012 round and emphasizing IDN seems appropriate for these two recommendations. And it's basically to make sure the intent of the recommendation is still carried over by not changing that to a general phrase. So that's basically agreeing with RySG's input for that. And I will just go to the last slide.

There are two other recommendations that the leadership team parked the discussion for now. It's 7.3 and 7.4, 7.4 is implementation guidance. So it basically talks about the registry agreement, whether the existing ROs get their variant label approved, how the registry agreement will be affected. So the group preliminary recommended having a separate registry agreement for the newly approved variant label for that category of registry operators. But this recommendation did receive some

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pushback from public comment. So it could potentially undergo some substantive amendments. And 7.4 is implementation guidance related to 7.3. So if 7.3 changes, then 7.4 will likely change as well.

So for these two, the leadership team kind of hold off on suggesting change to the phrase IDN gTLD registry operator from the 2012 round until they're ready to look at other public comment and see whether this recommendation will still stand. So yeah, so that's the discussion from the leadership team. And I'll just go back to this slide and see what the group things in terms of the suggested global change and also the exception the leadership team provided, that the global change doesn't apply to two cases.

DONNA AUSTIN:

Thanks, Ariel. So I know that's quite a bit for folks to digest here and now. But as I said in the chat, what we're really looking for here is in principle support or not for the approach so that that will allow us to develop the revised text. And as we do with any text that we provide to the group, there'll be a two week period for review. So if the global change doesn't work from your respective perspectives, then when we come to discuss the revised language, we can deal with it on a case by case basis. So, Hadia?

HADIA ELMINIAWI:

Thank you. This is Hadia for the record. So I guess all the changes make sense and are logical. My previous only concern that this could be considered out of our scope, but based on what

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Ariel just pointed out in the charter, we are not out of scope with these changes. So I think it does make sense. Thank you.

DONNA AUSTIN: Thanks very much, Hadia. And we've got agreement from, or in principle support anyway from Anil, Zuan, Jennifer, Satish and Dennis. So thanks everybody for sticking with us through that. And thanks Justine for doing the bulk of the thinking on this one and going into the detail of each recommendation to see what would work best to you. So with that, do we have anything else for today, Ariel?

ARIEL LIANG: I think we have covered everything.

DONNA AUSTIN: Okay, well, that's good news. So thanks again, everybody. As I said, another milestone today in getting through the initial reading of all the comments. Leadership has a little bit of work to do to get your thoughts and comments into some form of text that everybody can review.

I'm not sure what we'll be going through next week, but just a reminder that Ariel has sent out text for the discussions that we had in DC on second level. So if everyone can take a look at that. And I guess we'll be going back to our second level charter questions next week. So we'll take a little bit of a break from phase one and spend a little bit of time on phase two. So I think with that, we can end the recording. Thanks, Devan. Thanks, everybody.

[END OF TRANSCRIPTION]