GNSO IDN Working Group

Outcomes Report
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GNSO IDN WG

- The Mission
  - To identify and explore policy issues related to IDN at the top-level that should be considered by the GNSO for policy development
- The Tasks
  - Review
    - New gTLD draft recommendations
    - Laboratory test outcomes
    - ICANN Staff Issues report
    - RFC 4690 (IAB document)
  - Research
    - Policy implications for IDN gTLDs
  - Report (finalized March 22, 2007)
    - Identified policy issues for consideration by GNSO
    - Collected views on the issues
- The Team
  - 30 Members (9 RyC, 4 RrC, 4 NCUC, 3 IPC, 4 CBUC, 4 ISPCP, 2 NomC)
  - Liaisons from ALAC and SSAC plus five Observers
  - Staff support

Methodology

Working methods
- Face-to-face meetings, 14 teleconferences, e-mail discussion list and wiki.
- Draft issue list from WG first meeting December 2006 in Sao Paulo
- Issues regrouped into seven issue areas during the first conference calls and prioritized for discussion time

Issue areas prioritized for discussion:
- Aspects on introduction of IDN gTLDs in relation to new non-IDN gTLDs
- IDN aspects on Geo-Political Details
- Aspects relating to existing gTLD strings and existing IDN SLDs
- Aspects relating to existing SLD Domain Name Holders
- Specific Techno-Policy Details relating to IDN gTLDs

Lower priority topics, only discussed initially :
- Particular IDN aspects relating to Privacy & Whois Details
- IDN aspects on Legal Details

Methodology, cont'd

- To facilitate common understanding of the issues, the WG members built successively a "working definitions" page on the Wiki

- The WG adopted the following conventions for expression of views:

  - Agreement – there is broad agreement within the Working Group (largely equivalent to "rough consensus" as used in the IETF)

  - Support – there is some gathering of positive opinion, but competing positions may exist and broad agreement has not been reached

  - Alternative view – a differing opinion that has been expressed, without garnering enough following within the WG to merit the notion of either Support or Agreement.

Agreements

1. **Avoidance of ASCII-Squatting**
2. **GAC Consultation on Geo-political Impact**
3. **Language Community Input for Evaluation of new IDN gTLD Strings**
4. **One String per new IDN gTLD**
5. **Limit Variant Confusion and Collision**
6. **Limit Confusingly Similar Strings**

Agreements (cont)

7. **(No) Priority Rights for new gTLD strings and new domain names**

8. **Approach Aliasing as a Policy matter**

9. **Adhere to a Single Script (ASCII exception, other restrictions)**

10. **UDRP sufficient for new IDN gTLDs**

Support (extract 1)

- Promote public awareness of IDN gTLD application opportunities at an early stage
- Prioritize languages/scripts for the IDN gTLD launch according to demand/need, possibly using a notion of "distance to ASCII" (for example, by giving priority to right-to-left scripts).
- Avoid further entrenchment of the usage of "keyword" solutions.
- Treat existing gTLD registries equally in cases when they apply for IDN gTLD strings.

  Alternative view; to consider preferential rules for existing sponsored gTLD registries in the above context.

Support (extract 2)

- Provide preferential treatment of applications for particular communities in need of IDN gTLDs, for example through lower entry barriers, while safeguarding adequate levels of service to the relevant communities.

  Alternative view; prioritize according to number of potential users. **Alternative view;** resolve policy before developing priority criteria. **Alternative view;** follow the approach of the new gTLD Recommendations, i.e. no priority provisions.

Support (extract 3)

- Regarding "confusingly similar" as "visually confusingly similar" or "typographically confusingly similar".

- Consider IDN issues for extension of reserved names list, possibly by introducing a notion of "reserved concepts" (for example; the concept of "example" as expressed in other languages/scripts).

- Aliasing provides protection of and reduce confusion for existing domain name holders, while recognizing that there may also be disadvantages.

- Aliasing does not alleviate confusion and should be struck from a list of potential solutions.

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Questions

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Appendix

Complete list of Agreements & Support
  Areas

Areas of Agreement 1

4.1.1 Avoidance of ASCII-Squatting:

Agreement to avoid "ASCII-squatting" situations where applications for new non-IDN gTLD strings, if accepted for insertion in the root at an earlier stage than IDN gTLDs, could pre-empt later applications for IDN gTLDs.

> E.g. a new non-IDN gTLD ".caxap", if accepted, would prohibit the acceptance of a later application for an IDN gTLD ".caxap" (in Cyrillic script and meaning "sugar" in Russian).

4.1.2. GAC Consultation on Geo-political Impact:

Agreement that, within the process for new gTLD consideration, the process for determining whether a string has a geo-political impact is a challenge, and that GAC consultation may be necessary but may not provide comprehensive responses.

4.1.3. Language Community Input for Evaluation of new IDN gTLD Strings:

Agreement that a suitable process for consultation, including with relevant language communities, is needed when considering new IDN gTLD strings.

4.1.4. One String per new IDN gTLD:

Agreement that the approach of the New gTLD PDP with one string for each new IDN gTLD application is relevant, except in the rare cases when there is a need to cover script-specific character variants of an IDN gTLD string.

Areas of Agreement 2

4.1.5. Limit Variant Confusion and Collision:

Agreement that measures must be taken to limit confusion and collisions due to variants (i.e. substitutable characters/symbols within a script/language) while reviewing and awarding new IDN gTLDs.

4.1.6. Limit Confusingly Similar Strings:

Agreement that measures be taken to ensure that an IDN gTLD string with variants (see 4.1.4 and 4.1.5 above) be treated in analogy with current practice for IDN SLD labels, i.e. strings that only differ from an IDN gTLD string by variants (see above) are not available for registration by others.

4.1.7. Priority Rights for new gTLD strings and new domain names:

Agreement that priority rights for new strings on the top-level do not derive from existing strings.

Agreement that applications for IDN gTLDs may face challenges/objections, for instance based on claims of intellectual property rights (IPR).

Agreement that priority rights for new domain names do not derive from existing domain name strings as such, but may, for instance, derive from established IPR.

4.1.8. Suggested Approach towards Aliasing:

Agreement to address aliasing as a policy issue, rather than in terms of any specific technical mode for implementation of such a feature.

Areas of Agreement 3

4.1.9. Single Script Adherence:

Agreement to not require single script adherence across all levels in an IDN gTLD. Single script adherence across all levels in an IDN gTLD is not a technical requirement, only a potential policy requirement, especially since it would be difficult to enforce uniformly beyond the second level.

Agreement that there should be single script adherence within a label at the levels where registries maintain control. Where script mixing occurs or is necessary across multiple levels, registries must implement clear procedures to prevent spoofing and visual confusion for users. New gTLD registries must conform to the ICANN IDN Guidelines, and must publish their language tables in the IANA Registry. Registries should be required to limit the number of scripts across labels.

Agreement that new gTLDs should observe the following guidelines:

1. Mix-in of ASCII characters in other scripts should be allowed as a special case, when justified.

2. Where the accepted orthographic practice for a language requires script mixing, such mixing must be allowed.

Note: Only scripts that have Unicode support are available for gTLDs.

Areas of Agreement 4

4.1.9. Single Script Adherence, cont'd:

Agreement that other considerations in limiting scripts are:

> 1. Official/significant languages in a country exist.

> 2. An IDN gTLD registry should limit the degree of script mixing and have a limit for the number of scripts allowed for its domain names. Such limits, with justifications, should be proposed by the IDN gTLD applicant and be evaluated for reasonableness.

> 3. In all IDN gTLD applications, the applicant should adequately document its consultations with local language authorities and/or communities. See also 4.1.3.

> 4. The way to define language communities is not in the purview of the IDN-WG, but CNDC and INFITT (representing Chinese and Tamil language communities, respectively) are some models to consider.

> 5. ICANN should consult with the relevant language communities if in doubt whether an IDN gTLD string is in compliance with relevant tables.

4.1.10. Dispute Resolution for Domain Names in new IDN gTLDs:

Agreement that UDRP proceedings regarding IDN SLDs show no deficiencies to date and that a review of the current UDRP would not be a prerequisite for accepting IDN gTLD applications.

Areas of Support 1

4.2.1 **Support** for a first application round open to both non-IDN gTLDs and IDN gTLDs, if possible**.**

4.2.2 **Support** for avoiding "hostage" situations in planning a new non-IDN gTLD application round; neither non-IDN gTLDs nor IDN gTLDs should be delayed due to the other.

4.2.3 **Support** for promoting public awareness of IDN gTLD application opportunities at an early stage.

4.2.4 **Support** for prioritizing languages/scripts for the IDN gTLD launch according to demand/need, possibly using a notion of "distance to ASCII" (for example, by giving priority to right-to-left scripts).

4.2.5 **Support** for preferential treatment of applications for particular communities in need of IDN gTLDs, for example through lower entry barriers, while safeguarding adequate levels of service to the relevant communities.

Alternative view; prioritize according to number of potential users.
Alternative view; resolve policy before developing priority criteria.
Alternative view; follow the approach of the new gTLD Recommendations, i.e. no priority provisions.

Areas of Support 2

4.2.6 **Support** for resolving IDN policy issues before launch of application round.
Alternative view; prioritize launch of IDN gTLD over non-IDN gTLDs.
Alternative view; provide opportunities to reserve IDN gTLD strings in case the first application round can only address non-IDN gTLD applications fully**.**

4.2.7 **Support** for avoiding further entrenchment of the usage of "keyword" solutions.

4.2.8 **Support** for the view to consider input from local/regional pre-existing developments regarding IDN at the top-level, for example the experimental IDN systems supported by the Arab league and other countries, when considering introduction of new IDN gTLDs.

4.2.9 **Support** for a country's rights to define/reserve IDN strings for the country name.
Alternative view; to also accept a country's responsibility/right to approve any IDN gTLD strings featuring its particular script, if unique for that country.
Alternative view; to also acknowledge a country's right to influence the definitions/tables of its scripts/languages.

Alternative view; to require a country's support for an IDN gTLD string in "its" script, in analogy with the considerations for geo-political names.

Alternative view: recognition that countries' rights are limited to their respective jurisdictions.

Areas of Support 3

4.2.10 Support for a suitably convened language committee, fairly representing the geographic distribution of the respective language community worldwide, to review the selection/adoption of an IDN gTLD string in that particular language.

4.2.11 Support for developing policy of general applicability regarding geo-political aspects.

Alternative view; to develop a set of circumstance-dependent policies, with input from relevant language communities on a case by case basis.

4.2.12 Support for review of migration/exemption possibilities for existing IDN SLDs when reducing the number of allowed code points in the IDN protocol revision, while weeding out non-script/non-language characters, if possible.

Alternative view; to afford latitude for gTLDs to set policy for IDN SLDs within the limits of desirable consistency.

4.2.13 Support for addressing the topic of potential specific provisions regarding applications for IDN top-level strings from legacy gTLDs.

4.2.14 Support for treating existing gTLD registries equally in cases when they apply for IDN gTLD strings.

Alternative view; to consider preferential rules for existing sponsored gTLD registries in the above context.

Areas of Support 4

4.2.15 Support for deferring the question of particular treatment of sponsored gTLDs to the New gTLD Committee, while recognizing that sponsored gTLDs differ with regard to the geographical and language scope of their sponsoring organizations.

4.2.16 Support for not offering new IDN gTLDs the option to have a single extra LDH label for aliasing purposes.

Alternative view; to offer such an option for new IDN gTLDs..

Note: Such an extra LDH label would be different from, and in addition to, the standard (punycode) A-label for the IDN gTLD.

4.2.17 Support for measures to protect the rights of others, for example through sunrise periods.

4.2.19 Support for the view that aliasing provides protection of and reduce confusion for existing domain name holders, while recognizing that there may also be disadvantages.

Support for the view that aliasing does not alleviate confusion and should be struck from a list of potential solutions.

Note: The same result for domain name holders as aliasing provides could be achieved by normal DNS means. Aliasing per se is not an IDN specific feature, even if aliasing has raised much interest in the IDN context.

Areas of Support 5

4.2.20 Support for enabling a choice for an IDN gTLD registry with a string that has variants (i.e. substitutable characters/symbols within a script/language) to use variants for aliasing purposes.

4.2.21 Support for elimination of non-language characters, as foreseen in the IDN protocol revision.

Alternative view: to signal concerns about symbols that may be eliminated but would potentially be needed for human communications.

4.2.22 Support for regarding "confusingly similar" as "visually confusingly similar" or "typographically confusingly similar".

Alternative view: to give "confusingly similar" a wider interpretation, including phonetic similarity.

4.2.23 Support for IDN considerations for extension of reserved names list, possibly by introducing a notion of "reserved concepts" (for example; the concept of "example" as expressed in other languages/scripts).

4.2.24 Support for recognizing a current practice to display the registrant in local script and at least one of the contacts in ASCII.

Alternative view; to prescribe that both local script and ASCII versions of Whois should be available.

Alternative view; to recognize that there may be further IDN aspects on Whois issue to investigate, including but not limited to the debate on open Whois access versus privacy concerns.