

# Initial Report on the Translation and Transliteration of Contact Information Policy Development Process

## Status of this Document

This is the initial report of the Translation and Transliteration of Contact Information PDP Working Group for submission to the community to seek public comment. A Final Report will be prepared following public comment and presented to the GNSO Council.

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# 1. Executive Summary

## 1.1 Background

The Translation and Transliteration of Contact Information Policy Development Process (PDP) Working Group (the “Working Group”) is concerned with the way that contact information data – commonly referred to as ‘Whois’ – are collected and displayed within generic top-level domains (gTLDs). According to the [Charter](#) (see also Annex A), the Working Group “is tasked to provide the GNSO Council with a policy recommendation regarding the translation and transliteration of contact information. As part of its deliberations on this issue, the Working Group should, at a minimum, consider the following issues:

- Whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script?
- Who should decide who should bear the burden [of] translating contact information to a single common language or transliterating contact information to a single common script?”

## 1.2 Deliberations

A key issue that emerged early on in the Working Group’s discussion was the agreement that their recommendation should bear in mind that the main purpose of translated and/or transliterated data (transformed<sup>1</sup> data) is to allow those not familiar with the original script of a contact information entry, to contact the registrant. This means that the **accuracy** of contact information data that are entered and displayed **is paramount**.

The Working Group has been very thorough in its analysis of the various arguments in favour and opposing the recommendation of mandatory translation/transliteration of contact information data – as can be seen below and also in Section 5 of this Initial Report. Once this report is open to Public Comment, the Working Group members **strongly encourage the Community to provide additional arguments in favour/opposing mandatory transformation of contact information data** further to facilitate the Working Group’s consensus-building process. Regardless of which side public comment contributions may take, the Working Group would like to request that contributing parties also

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<sup>1</sup> ‘Transformed’ is used throughout this Report to mean ‘translated and/or transliterated’; similarly ‘transformation’ means ‘translation and/or transliteration’.

reflect on the second Charter question. The Community is therefore also encouraged to **submit its views on who they believe should decide – and why – who carries the financial burden** if the Working Group was to recommend mandatory transformation of contact data in its Final Report.

### *1.2.1 Working Group's arguments supporting mandatory transformation of contact information in all generic top-level domains*

- Mandatory transformation of all contact information into a single script would allow for a transparent, accessible and, arguably, more easily searchable<sup>2</sup> database. Currently all data returned from the Whois database in generic top level domains (gTLDs) are provided in ASCII and such uniformity renders it a very useful global resource. Having a database with a potentially unlimited number of scripts/languages might create logistical problems in the long run.
- Transformation would to some extent facilitate communication among stakeholders not sharing the same language. Good communication inspires confidence in the Internet and makes bad practices more difficult. At this stage ASCII/English are the most common script/language choices. However, it should be noted that even today many users of the Internet do not share English as a common language or the Latin script as a common script. The number of such users will grow substantially as Internet access and use continue to expand across countries/continents and so the dominant use of English might deter the participation of those not confident in or familiar with it.
- For law enforcement purposes, when Whois results are compared and cross-referenced, it may be easier to ascertain whether the same registrant is the domain holder for different names if the contact information is transformed according to standards.
- Mandatory transformation would avoid possible flight by bad actors to the least translatable languages<sup>3</sup>.

### *1.2.2 Working Group's arguments opposing mandatory transformation of contact information in all generic top-level domains*

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<sup>2</sup> The AGB defines "searchable" on p.113:

A Searchable Whois service: Whois service includes web-based search capabilities by domain name, registrant name, postal address, contact names, registrar IDs, and Internet Protocol addresses without arbitrary limit. Boolean search capabilities may be offered. The service shall include appropriate precautions to avoid abuse of this feature (e.g., limiting access to legitimate authorized users), and the application demonstrates compliance with any applicable privacy laws or policies.

<sup>3</sup> However, it should be noted that transformation tools may not exist for such languages and so transformation would need to be manual until they did. It would be difficult to limit languages to e.g. only the UN ones or some other subset.

- Accurate<sup>4</sup> transformation is very expensive and a recommendation for it could effectively shift the costs from those requiring the work to registrants, registrars, registries or other parties. Costs would make things disproportionately difficult for small players. Existing automated systems for transformation are inadequate. They do not provide results of sufficient quality for purposes requiring accuracy and cover fewer than 100 languages. Developing systems for languages not covered by transformation tools is slow and expensive, especially in the case of translation tools. For purposes for which accuracy is important, transformation work often needs to be done manually.<sup>5</sup> For example the translated 'Bangkok' is more useful internationally than the transliterated 'krung thep'. However, the transliterated 'beijing' is much more useful than the translated 'Northern Capital'. Automated systems would not be able to know when to translate and when to transliterate.
- Another consequence of the financial burden of transforming contact information data would be that the expansion of the Internet and provision of its benefits became more difficult, especially in less developed regions that are already lagging behind in terms of Internet access and often don't use Latin-based scripts.
- It would be near impossible to achieve high levels of accuracy in transforming a very large number of scripts and languages – mostly of proper nouns – into a common script and language. For some languages standards do not exist; for those where there are standards, there may be more than one, for example, for Mandarin, Pinyin and Wade Giles.
- Mandatory transformation would require validation of both the original and transformed contact information every time they change, a potentially costly duplication of effort. Responsibility for accuracy would rest on registrants who may lack the language skills accurately to validate the contact information. This could create unresolvable difficulties in

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<sup>4</sup> "Accuracy" as used in the "Study to Evaluate Available Solutions for the Submission and Display of Internationalized Contact Data" June 2, 2014:

"There are at least three kinds of use the transformed contact data in the DNRD may have in another language or script (based on the level of accuracy of the transformation):

1. Requiring accurate transformation (e.g. valid in a court of law, matching information in a passport, matching information in legal incorporation, etc.)
2. Requiring consistent transformation (allowing use of such information to match other information provided in another context, e.g. to match address information of a registrant on a Google map, etc.)
3. Requiring ad hoc transformation (allowing informal or casual version of the information in another language to provide more general accessibility)"

Both accuracy and consistency would suffer if a large number of actors, for example, registrants, were transforming contact information.

<sup>5</sup> See: *Study to evaluate available solutions for the submission and display of internationalized contact data* for further information: <https://www.icann.org/en/system/files/files/transform-dnrd-02jun14-en.pdf>.

fulfilling contractual requirements between registrants and registrars as well as between registrars and ICANN. Consistent transformation of contact information data across millions of entries is very difficult to achieve, especially because of the continued globalisation of the Internet with an increase in users whose languages are not based on the Latin script. A Domain Name Relay Daemon should display what the registrant enters. Original data should be authoritative, verified and validated. Interpretation and transformation may add errors.

- Mandatory transformation into one script could be problematic for or unfair to all those interested parties that do not speak/read/understand that one script. For example, whereas transformation from Mandarin script to a Latin script might be useful to, e.g., law enforcement in countries that use Latin scripts, it would be ineffectual to law enforcement in other countries that do not read that Latin script.
- A growing number of registered name holders do not use Latin script, meaning that they would not be able to transform their contact information themselves. Therefore, transformation would have to take place at a later stage, through the registrar or the registry. Considering the number of domain names in all gTLDs this would lead to considerable costs not justified by benefits to others and be detrimental to accuracy and consistency – key factors for collecting registered name holders’ contact information data in the first place.
- The usability of transformed data is questionable because registered name holders unfamiliar with Latin script would not be able to communicate in Latin script, even if their contact information was transformed and thus accessible to those using Latin script.
- It would be more convenient to allow registration information data to be entered by the registered domain holders in their local script and the relevant data fields to be transformed<sup>6</sup> into Latin script by either the registrar or the registry. Such transformation by the registrar or registry would provide greater accuracy in facilitating those wishing to contact name holders to identify their email and/or postal address. A similar method is already in place for some of the country code top level domains (ccTLDs).
- For law enforcement purposes, when Whois results are compared and cross-referenced, in practice bad actors input the same data in various places and the issue is often whether two sets of contact information data are the same or different. The use of different

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<sup>6</sup> “Transformation” on its own is used to refer to contact information, not fields, in this report. A future system could provide field names in the six UN languages and a consistent central depository of field names in additional languages for those registrars et al. that require them for display for various markets.

transliteration standards is unlikely to affect the determination of whether or not two sets of data are the same.

- Similarly, bad actors are unlikely to flee to less translatable languages, as law enforcement is usually concerned with determining whether two sets of contact data are the same or different.

Although no consensus call has been taken for this Initial Report, it is clear to the co-Chairs of the Working Group that at this stage, **an increasing majority** of Working Group members supports not recommending mandatory transformation of contact information data. Still, a **minority** takes the opposite view and therefore, it is hoped that the public comments received might allow for and facilitate the broadest possible consensus supporting the recommendations of the Final Report. Based on this, the majority of the Working Group proposes the following draft recommendations.

### **1.2.3 Draft Recommendations**

**#1** The Working Group could recommend that it is not desirable to make transformation of contact information mandatory. Any parties requiring transformation are free to do it ad hoc outside the Domain Name Relay Daemon.

**#2** The Working Group could recommend that any new Registration Directory Service (RDS) databases contemplated by ICANN should be capable of receiving input in the form of non-Latin script contact information. However, all data fields of such a new database should be tagged in ASCII to allow easy identification of what the different data entries represent and what language/script has been used by the registered name holder.

**#3** The Working Group could recommend that registered name holders enter their contact information data in the language or script appropriate for the language that the registrar operates in.

**#4** The Working Group could recommend that the registrar and registry assure that the data fields are consistent, that the entered contact information data are verified (in accordance with the Registrar Accreditation Agreement (RAA)) and that the data fields are correctly tagged to facilitate transformation if it is ever needed.

**#5** The Working Group could recommend that if registrars wish to perform transformation of contact information, these data should be presented as additional fields (in addition to the local script provided by the registrant), to allow for maximum accuracy.

**#6** The Working Group could recommend that the field names of the Domain Name Relay Daemon be translated into as many languages as possible.

**#7** Based on recommendations #1-#6, the question of who should bear the burden of translating or transliterating contact information to a single common script is moot.

*Note: The Working Group in its discussions so far pointed out that regardless of who decides, it is most likely registrants and registrars that would have to carry the financial burden of translating/transliterating contact information. The Community is **strongly encouraged to supply its views on this issue, regardless of whether they view mandatory translation/transliteration as recommended.***

### **1.3 Stakeholder Group / Constituency Statements and Initial Public Comment Period**

For the Preliminary Issue Report, a [Public Comment forum](#) was opened from 8 January until 1 March 2013. [Four \(4\) comments](#) were received and formed part of the [Report of Public Comments](#).

The Working Group also requested all GNSO Stakeholder Groups and Constituencies as well as ICANN's other Supporting Organizations and Advisory Committees to provide feedback and provide statements on their views regarding the question whether to recommend to translate and/or transliterate contact information data. Six comments were received and the Working Group summarized the submissions in its [comment review tool](#).

### **1.4 Conclusion and Next Steps**

The Working Group will complete this section for the Final Report, i.e. once public comments on this Initial Report have been received and reviewed.

## **2. Objectives and Next Steps**

This is the initial report of the Translation and Transliteration of Contact Information PDP Working Group, presented to the Community to gather feedback on the various recommendations the Working Group is presenting. Following the review of any public comments received, the Working Group will prepare a final report to be presented to the GNSO Council for its review and possible adoption.

### 3. Mission and Scope

The Translation and Transliteration of Contact Information Policy Development Process (PDP) Working Group is concerned with the way that contact information data – commonly referred to as ‘Whois’ – are collected and displayed within generic top-level domains (gTLDs). According to the [Charter](#) (see also Annex A), the Working Group “is tasked to provide the GNSO Council with a policy recommendation regarding the translation and transliteration of contact information. As part of its deliberations on this issue, the Working Group should, at a minimum, consider the following issues:

- Whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script?
- Who should decide who should bear the burden [of] translating contact information to a single common language or transliterating contact information to a single common script?”

In relation to the first question, the Charter notes “text requests and content returned by Domain Name Registration Data Services (such as WHOIS) are historically encoded using US-American Standard Code for Information Interchange (ASCII). This is a character-encoding scheme originally based on the English alphabet. While the WHOIS protocol does not specify US-ASCII as the exclusive character set for text requests and text content encoding, the current situation is that no standards or conventions exist for all WHOIS protocol implementations to signal support of character sets other than US-ASCII.”

The second question “relates to the concern expressed by the Internationalized Registration Data Working Group (IRD-WG) in its report that there are costs associated with providing translation and transliteration of contact information. For example, if a policy development process (PDP) determined that the registrar must translate or transliterate contact information, this policy would place a cost burden on the registrar.”

Finally, the Charter also encouraged the Working Group to consider the following issues related to its two core charter questions:

- What exactly the benefits to the community are of translating and/or transliterating contact data, especially in light of the costs that may be connected to translation and/or transliteration?
- Should translation and/or transliteration of contact data be mandatory for all gTLDs?

- Should translation and/or transliteration of contact data be mandatory for all registrants or only those based in certain countries and/or using specific non-ASCII scripts?
- What impact will translation/transliteration of contact data have on the WHOIS validation as set out under the 2013 Registrar Accreditation Agreement?
- When should any new policy relating to translation and transliteration of contact information come into effect?

## 4. Approach taken by the Working Group

The Translation and Transliteration Working Group convened its first meeting on 19 December 2013. The Working Group prepared a [work plan](#), which has been reviewed on a regular basis, and revised when necessary. Also, Constituency and Stakeholder Group statements with regard to the Charter questions (see Annex A) were solicited. This request was also directed to other ICANN Supporting Organizations (SOs) and Advisory Committees (ACs) and a summary of responses can be seen in the [public comment review tool](#). The Working Group prioritized discussing the community input received, to understand better the arguments brought forward by various stakeholders. This is also the reason that the Working Group decided to create a straw man proposal to drive forward the debate on whether or not it is desirable to translate/transliterate. This proposal provided a focal point to the Working Group's discussion and was updated on a regular basis.

### 4.1 Membership

Name	Affiliation*
Amr Elsadr	NCUC
Anthony Oni	NCUC
Ching Chiao	RySG
Chris Dillon (co-Chair)	NCSG
David Cake (Observer)	NCSG
Dennis Tan Tanaka	RySG
Emily Taylor	RrSG
Edmon Chung	RySG
Ephraim Percy Kenyanito	NCUC
Jennifer Chung	RySG
Jim Galvin	RySG

<b>Name</b>	<b>Affiliation*</b>
Jonathan Robinson (Observer)	RySG
Justine Chew	Individual
Mae Suchayapim Siriwat	GAC
Patrick Lenihan	NCUC
Peter Dernbach	IPC
Petter Rindforth	IPC
Pitinan Kooarmornpatana	GAC
Rudi Vansnick (co-Chair)	NPOC
Sarmad Hussain	SSAC
Vinay Kumar Singh	Individual
Volker Greimann (Observer)	RrSG
Wanawit Ahkuputra	GAC
Wolf-Ulrich Knoblen	ISPC
Yoav Keren	RrSG
Zhai Wen	RySG
Zhang Zuan	NCUC

\*ALAC – At-Large Community

RrSG – Registrar Stakeholder Group

RySG – Registry Stakeholder Group

CBUC – Commercial and Business Users Constituency

NAF – National Arbitration Forum

NCUC – Non Commercial Users Constituency

NPOC – Not-for-Profit Operational Concerns Constituency

IPC – Intellectual Property Constituency

ISPCP – Internet Service and Connection Providers Constituency

NCSG – Non-Commercial Stakeholder Group

The Statements of Interest (SOI) for the Working Group members can be found at:

<https://community.icann.org/x/WDd-Ag>

The attendance records can be found at: <https://community.icann.org/x/VIF-Ag>

The email archives can be found at: <http://forum.icann.org/lists/gnso-contactinfo-pdp-wg/>

## 5. Deliberation and Recommendations

This section provides an overview of the deliberations of the Working Group. It is intended to serve as a record of the discussion and analysis of the Working Group, in support of the recommendations made in the following section.

During its initial discussion the Working Group identified a number of further issues and questions that are directly linked to the Charter questions, including relevant taxonomies. Details can be found on the Working Group's wiki page: <https://community.icann.org/x/WwmuAg>.

The Working Group decided to define clearly what is meant by 'contact information', relying on the definition in the Final Issue Report on the Translation and Transliteration of Contact Information that is based on the definition in the Registrar Accreditation Agreement 2013: "In the context of these issues, 'contact information' is a subset of Domain Name Registration Data. It is the information that enables someone using a Domain Name Registration Data Directory Service (such as WHOIS) to contact the domain name registration holder. It includes the name, organization, and postal address of the registered name holder, technical contact, as well as administrative contact."<sup>7</sup>

### 5.1 Deliberation on the two main Charter questions

*Charter Q1: Is it desirable to translate contact information to a single common language or transliterate contact information to a single common script?*

A key issue that emerged early on in the Working Group's discussion was the agreement that their recommendation should bear in mind that the main purpose of transformed<sup>8</sup> data is to allow those not familiar with the original script of a contact information entry, to contact the registrant. This means that the accuracy of contact information data that are entered and displayed is paramount. There remains however some divergence in the Working Group about whether the need for accuracy is an argument in favour of transformation or not – and this is also reflected in the public comments received (see 'Community Input' below).

At this stage, the Working Group has decided to summarise its discussion and put the arguments it

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<sup>7</sup> See also: <https://community.icann.org/display/tatcipdp/1+What+is+contact+information+and+What+Taxonomies+are+Available>

<sup>8</sup> 'Transformed' is used throughout this report to mean 'translated and/or transliterated'; similarly 'transformation' means 'translation and/or transliteration'.

has gathered to the community. The summary provides both detailed arguments in favour and opposing mandatory transformation and the Working Group hopes that community feedback will maximise its consensus level for the Final Report. Therefore, Working Group members **strongly encourage the Community to provide additional arguments in favour/opposing mandatory transformation of contact information data** further to facilitate the Working Group's consensus-building process.

#### **5.1.1 Working Group's arguments supporting mandatory transformation of contact information in all generic top-level domains**

- Mandatory transformation of all contact information into a single script would allow for a transparent, accessible and, arguably, more easily searchable<sup>9</sup> database. Currently all data returned from the Whois database in generic top level domains (gTLDs) are provided in ASCII and such uniformity renders it a very useful global resource. Having a database with a potentially unlimited number of scripts/languages might create logistical problems in the long run.
- Transformation would to some extent facilitate communication among stakeholders not sharing the same language. Good communication inspires confidence in the Internet and makes bad practices more difficult. At this stage ASCII/English are the most common script/language choices. However, it should be noted that already today many users of the Internet do not share English as a common language or the Latin script as a common script. The number of such users will grow substantially as Internet access and use continue to expand across countries/continents and so the dominant use of English might deter the participation of those not confident in or familiar with it.
- For law enforcement purposes, when Whois results are compared and cross-referenced, it may be easier to ascertain whether the same registrant is the domain holder for different names if the contact information are transformed according to standards.
- Mandatory transformation would avoid possible flight by bad actors to the least translatable languages<sup>10</sup>.

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<sup>9</sup> The AGB defines "searchable" on p.113:

A Searchable Whois service: Whois service includes web-based search capabilities by domain name, registrant name, postal address, contact names, registrar IDs, and Internet Protocol addresses without arbitrary limit. Boolean search capabilities may be offered. The service shall include appropriate precautions to avoid abuse of this feature (e.g., limiting access to legitimate authorized users), and the application demonstrates compliance with any applicable privacy laws or policies.

<sup>10</sup> However, it should be noted that transformation tools may not exist for such languages and so transformation would need to be manual until they did. It would be difficult to limit languages to e.g. only the UN ones or some other subset.

### 5.1.2 Working Group's arguments opposing mandatory transformation of contact information in all generic top-level domains

- Accurate<sup>11</sup> transformation is very expensive and these recommendations could effectively shift the costs from those requiring the work to registrants, registrars, registries or other parties. Costs would make things disproportionately difficult for small players. Existing automated systems for transformation are inadequate. They do not provide results of sufficient quality for purposes requiring accuracy and cover fewer than 100 languages. Developing systems for languages not covered by transformation tools is slow and expensive, especially in the case of translation tools. For purposes for which accuracy is important, transformation work often needs to be done manually.<sup>12</sup> For example the translated 'Bangkok' is more useful internationally than the transliterated 'krung thep'. However, the transliterated 'beijing' is much more useful than the translated 'Northern Capital'. Automated systems would not be able to know when to translate and when to transliterate.
- Another consequence of the financial burden of transforming contact information data would be that the expansion of the Internet and provision of its benefits became more difficult, especially in less developed regions that are already lagging behind in terms of Internet access and often don't use Latin-based scripts.
- It would be near impossible to achieve high levels of accuracy in transforming a very large number of scripts and languages – mostly of proper nouns – into a common script and language. For some languages standards do not exist; for those where there are standards, there may be more than one, for example, for Mandarin, Pinyin and Wade Giles.

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<sup>11</sup> "Accuracy" as used in the "Study to Evaluate Available Solutions for the Submission and Display of Internationalized Contact Data" June 2, 2014:

"There are at least three kinds of use the transformed contact data in the DNRD may have in another language or script (based on the level of accuracy of the transformation):

1. Requiring accurate transformation (e.g. valid in a court of law, matching information in a passport, matching information in legal incorporation, etc.)
2. Requiring consistent transformation (allowing use of such information to match other information provided in another context, e.g. to match address information of a registrant on a Google map, etc.)
3. Requiring ad hoc transformation (allowing informal or casual version of the information in another language to provide more general accessibility)"

Both accuracy and consistency would suffer if a large number of actors, for example, registrants, were transforming contact information.

<sup>12</sup> See: *Study to evaluate available solutions for the submission and display of internationalized contact data* for further information: <https://www.icann.org/en/system/files/files/transform-dnrd-02jun14-en.pdf>.

- Mandatory transformation would require validation of both the original and transformed contact information every time they change, a potentially costly duplication of effort. Responsibility for accuracy would rest on registrants who may not be qualified to check it. Consistent transformation of contact information data across millions of entries is very difficult to achieve, especially because of the continued globalisation of the Internet with an increase in users whose languages are not based on the Latin script. A Domain Name Relay Daemon should display what the registrant enters. Original data should be authoritative, verified and validated. Interpretation and transformation may add errors.
- Mandatory transformation into one script could be problematic for or unfair to all those interested parties that do not speak/read/understand that one script. For example, whereas transformation from Mandarin script to a Latin script might be useful to, for example, law enforcement in countries that use Latin scripts, it would be ineffectual to law enforcement in other countries that do not read that Latin script.
- A growing number of registered name holders do not use Latin script, meaning that they lack the language skills to be able to transform their contact information themselves. Therefore, transformation would have to take place at a later stage, through the registrar or the registry. Considering the number of domain names in all gTLDs this would lead to considerable costs not justified by benefits to others and be detrimental to accuracy and consistency – key factors for collecting registered name holders’ contact information data in the first place.
- The usability of transformed data is questionable because registered name holders unfamiliar with Latin script would not be able to communicate in Latin script, even if their contact information was transformed and thus accessible to those using Latin script.
- It would be more convenient to allow registration information data to be entered by the registered domain holders in their local script and the relevant data fields to be transformed<sup>13</sup> into Latin script by either the registrar or the registry. Such transformation by the registrar or registry would provide greater accuracy in facilitating those wishing to contact name holders to identify their email and/or postal address. A similar method is

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<sup>13</sup> “Transformation” on its own is used to mean to refer to contact information, not fields, in this report. A future system could provide field names in the six UN languages and a consistent central depository of field names in additional languages for those registrars et al. that require them for display for various markets.

already in place for some of the country code top level domains (ccTLDs):

```
Domain Name: example.cn
ROID: 20050505s10001s11652376-cn
Domain Status: clientDeleteProhibited
Domain Status: clientUpdateProhibited
Domain Status: clientTransferProhibited
Registrant ID: agent2899-0
Registrant: 中信安控科技股份有限公司
Registrant Contact Email: zxakkj@163.com
Sponsoring Registrar: Canada 001 names Ltd.
Name Server: dns8.66.cn
Name Server: dns9.66.cn
Registration Date: 2005-05-05 05:38:46
Expiration Date: 2022-05-05 05:38:46
DNSSEC: unsigned
LAHO-2819:~ lars.hoffmann$ whois test.cn
Domain Name: test.cn
ROID: 20030312s10001s00063170-cn
Domain Status: clientDeleteProhibited
Domain Status: clientUpdateProhibited
Domain Status: clientTransferProhibited
Registrant ID: xq317v49978fop
Registrant: 北京慧思德科技有限公司
Registrant Contact Email: info@wisdom.com.cn
Sponsoring Registrar: 北京新网数码信息技术有限公司
Name Server: ns15.xincahe.com
Name Server: ns16.xincahe.com
Registration Date: 2003-03-17 12:20:05
Expiration Date: 2020-03-17 12:48:36
DNSSEC: unsigned
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*Charter Q2: Who should decide who should bear the burden [of] translating contact information to a single common language or transliterating contact information to a single common script?*

The Working Group spent most of its time debating the first Charter question as the answer to this second Charter question is dependent on the outcome of the first. At this stage, the Working Group believes that if mandatory translation and/or transliteration were recommended, the burden of translation/transliteration would probably fall to the operating registrars who would be likely to pass on these additional costs to their registrants. As stated below, the Working Group encourages the Community to voice its views on this issue. This includes contributions on who should carry the costs even from those parties that may favor recommending not making translation/transliteration of contact information mandatory.

### **5.1.3 Current state of discussion**

Although no consensus call has been taken for this Initial Report, it is clear to the co-Chairs of the Working Group that at this stage, an increasing majority of Working Group members supports the position not to recommend mandatory transformation of contact information data. Still, a minority takes the opposite view and therefore, it is hoped that the public comments received might allow for the broadest possible consensus supporting the recommendations of the Final Report.

Based on this, a majority of the Working Group proposes the following draft recommendations:

## ***5.2 Preliminary Recommendations***

Preliminary Recommendation #1 The Working Group could recommend that it is not desirable to make transformation of contact information mandatory. Any parties requiring transformation are free to do it ad hoc outside the Domain Name Relay Daemon.

Preliminary Recommendation #2 The Working Group could recommend that any new Registration Directory Service (RDS) databases contemplated by ICANN should be capable of receiving input in the form of non-Latin script contact information. However, all data fields of such a new database should be tagged in ASCII to allow easy identification of what the different data entries represent and what language/script has been used by the registered name holder.

Preliminary Recommendation #3 The Working Group could recommend that registered name holders enter their contact information data in the language or script appropriate for the language that the registrar operates in.

Preliminary Recommendation #4 The Working Group could recommend that the registrar and registry assure that the data fields are consistent, that the entered contact information data are verified (in accordance with the Registrar Accreditation Agreement (RAA)) and that the data fields are correctly tagged to facilitate transformation if it is ever needed.

Preliminary Recommendation #5 The Working Group could recommend that if registrars wish to perform transformation of contact information, these data should be presented as additional fields (in addition to the local script provided by the registrant), to allow for maximum accuracy.

Preliminary Recommendation #6 The Working Group could recommend that the field names of the Domain Name Relay Daemon be translated into as many languages as possible.

“Non-Recommendation” #7 Based on recommendations #1-#6, the question of who should bear the burden of translating or transliterating contact information to a single common script is moot.

*Note: The Working Group in its discussions so far pointed out that regardless of who decides, it is most likely registrants and registrars that would have to carry the financial burden of translating/transliterating contact information. The Community is **strongly encouraged to supply its views on this issue, regardless of whether they view mandatory translation/transliteration as recommended.***

## 6. Community Input

In accordance with the PDP Manual, the Working Group reached out to ICANN's Supporting Organizations and Advisory Committees, as well as to the GNSO Stakeholder Groups and Constituencies to gauge their input on the Charter questions. Community feedback is of particular importance to the work of this Working Group because of the binary nature of the over-arching charter question of whether or not to recommend mandatory transformation of contact information data. The call for input was sent out to the leadership of the SO/ACs and SG/Cs on 4 February 2014.<sup>14</sup> A reminder was sent out to all community groups on 3 March 2014 and the Working Group also encouraged community feedback at its [presentation](#) to the GNSO during the weekend session preceding ICANN 49 in Singapore and during its [face-to-face meeting](#) at the same event.

Overall, the Working Group received feedback from the GAC representatives of Thailand, China, and the European Commission (all representing communities that rely on non-Latin scripts)<sup>15</sup>, the Intellectual Property Constituency (IPC), the At-Large Advisory Committee (ALAC), and the Non-Commercial Stakeholder Group (NCSG).<sup>16</sup> A summary of the contributions can be found in the [SO/AC and SG/C outreach review tool](#) and the full-length submissions are published on the [Working Group's wiki page](#).

The Working Group reviewed and discussed the contributions received in great detail. As pointed out above, the binary nature of the charter questions meant that community feedback was particularly valued during the Working Group's efforts so far. Where relevant and appropriate, information and suggestions derived from the various contributions were considered and have been included in 'Deliberation and Recommendations' above.

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<sup>14</sup> See Mailing list archive: <http://forum.icann.org/lists/gnso-contactinfo-pdp-wg/>

<sup>15</sup> Within the EU Greece and Bulgaria use Greek and Cyrillic scripts respectively.

<sup>16</sup> The Working Group also received a contribution from the International Federation of Intellectual Property Lawyers (FICPI). However, as this first call for community feedback is not a public comment but rather an outreach to SO/ACs and SG/C, the contribution was acknowledged but not given the same weight as other submissions. The Group noted, however, that FICPI is encouraged to contribute to the forthcoming public comment period and if they do not do so, the Group will consider its existing contribution more thoroughly at that point.

## 7. Background

Extract from the [Final Issue Report](#)

In April 2009 ICANN's Security and Stability Advisory Committee (SSAC) issued SAC 037, *Display and usage of Internationalized Registration Data: Support for characters from local languages or script*. In this document, the SSAC examined how the use of characters from local scripts affects the Internet user experience with respect to domain name registration data submission, usage, and display. The SSAC made three recommendations:

1. That ICANN's Board of Directors task the GNSO, Country Code Names Supporting Organization (ccNSO), and the SSAC to form a working group to study the feasibility and suitability of introducing display specifications or standards to deal with the internationalization of registration data.
2. That ICANN host a workshop on the internationalization of registration data during the next ICANN meeting (June 2009, Sydney).
3. That ICANN should consider the feasibility of having applications that query registration data services incorporate "standard" internationalization functionality.

ICANN's Board of Directors acted on Recommendation 1 by approving a resolution (2009.06.26.18) requesting that the GNSO and the SSAC, in consultation with staff, convene a working group to study the feasibility and suitability of introducing display specifications to deal with the internationalization of registration data.<sup>17</sup> Subsequently, the SSAC and the GNSO formed the IRD-WG to study the issues raised by the ICANN Board.

In November 2010 the IRD-WG produced an Interim Report requesting community input on several questions relating to possible models for internationalizing Domain Name Registration Data.<sup>18</sup> On 03 October 2011 the IRD-WG posted a draft Final Report for a 45-day public comment period.<sup>19</sup> After considering the public comments received, on 07 May 2012, the IRD-WG

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<sup>17</sup> See ICANN Board Resolutions, 26 June 2009, "Display and Usage of Internationalized Registration Data": <http://www.icann.org/en/minutes/resolutions-26jun09.htm#6>

<sup>18</sup> See Interim Report of the Internationalized Registration Data Working Group at: <http://gns0.icann.org/issues/ird/ird-wg-final-report-15nov10-en.pdf>.

<sup>19</sup> See Draft Final Report of the Internationalized Registration Data Working Group at: <http://gns0.icann.org/issues/ird/ird-draft-final-report-03oct11-en.pdf>.

submitted a Final Report to the GNSO Council and the SSAC for consideration.<sup>20</sup>

The SSAC approved the Final Report in May 2012. At its meeting on 27 June 2012 (in Prague) the GNSO Council passed a motion by which it approved the delivery of the Final Report to the Board.<sup>21</sup> In its motion, the Council also agreed to review the recommendations in the Final Report and to provide to the Board its advice with regard to those recommendations that may have policy implications.

At its meeting on 17 October 2012, the GNSO Council approved a motion accepting the IRD-WG Final Report recommendations.<sup>22</sup> The motion included the following clauses that resulted in the development of this Final Issue Report:

“WHEREAS the GNSO Council has reviewed the Final Report and considers that while expecting the ICANN Board to respond to the SSAC-GNSO joint letter, the Recommendation 2, translation and transliteration of contact information of IRD, of the Final Report requires timely action at the policy level which involves collaboration among domain name registrant, registrar, and registry.

“RESOLVED, the GNSO approves the Final Report and requests the ICANN Staff to prepare the IRD Issues Report on translation and transliteration of contact information (IRDIR-Rec2). The Issue Report should consider 1) whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script; 2) who should bear the burden and who is in the best position to address these issues; and 3) whether to start a policy development process (PDP) to address those questions.”

As noted above, the ‘contact information’ references in this Final Issue Report is a subset of Domain Name Registration Data. It is the information that enables someone using a Domain Name Registration Data Directory Service (such as the WHOIS) to contact the domain name registration holder. It includes the name, organization, and postal address of the registered name holder,

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<sup>20</sup> See Final Report of the Internationalized Registration Data Working Group at: <http://gnso.icann.org/en/issues/ird/final-report-ird-wg-07may12-en.pdf>.

<sup>21</sup> See <https://community.icann.org/display/gnsocouncilmeetings/Motions+27+June+2012>.

<sup>22</sup> See <https://community.icann.org/display/gnsocouncilmeetings/Motions+17+October+2012>.

technical contact as well as administrative contact. Domain Name Registration Data are accessible to the public via a directory service (also known as WHOIS service). This protocol is a client-server, query-response protocol. The RAA (RAA 3.3.1) specifies the data elements that must be provided by registrars (via Port 43 and via web-based services) in response to a query, but it does not require that data elements, such as contact information, must be translated or transliterated.

The IRD-WG defined Domain Name Registration Data as information that registrants provide when registering a domain name and that registrars or registries collect. The RAA (RAA 3.3.1) specifies the data elements that must be provided by registrars (via Port 43 and via web-based services, such as WHOIS) in response to a query. (For ccTLDs, the operators of these TLDs set policies for the request and display of registration information.)

As the SSAC noted in *SAC051 SSAC Report on WHOIS Terminology and Structure*, “The term “WHOIS” is overloaded, referring to protocols, services, and data types associated with Internet naming and numbering resources, i.e., domain names, Internet Protocol (IP) addresses, and Autonomous System Numbers (ASNs).”<sup>23</sup> The Report further notes that WHOIS can refer to any of the following:

1. The information that is collected at the time of registration of a domain name or IP numbering resource and subsequently made available via the WHOIS Service, and potentially updated throughout the life of the resource;
2. The WHOIS Protocol itself, which is defined in RFC 3912 (which obsoletes RFCs 812 and 954); or
3. The WHOIS Services that provide public access to domain name registration information typically via applications that implement the WHOIS protocol or a web-based interface.

The SSAC recommended in its report that the terms Domain Name Registration Data Directory Service (rather than WHOIS) should be used when referring to the service(s) offered by registries and registrars to provide access to (potentially a subset of) the Domain Name Registration Data.

To balance the needs and capabilities of the local registrant with the need of the (potential) global user of this data, one of the key questions the IRD-WG members discussed is whether a Domain Name Registration Data Directory Service, such as the WHOIS, should support multiple representations of the same registration data in different languages or scripts.

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<sup>23</sup> See SAC051: SSAC Report on WHOIS Terminology and Structure at <http://www.icann.org/en/groups/ssac/documents/sac--051-en.pdf>.

The IRD-WG noted that much of the currently accessible domain registration data are encoded in US-American Standard Code for Information Interchange (US-ASCII). US-ASCII is a character-encoding scheme originally based on the Latin script. This legacy condition is convenient for WHOIS service users who are sufficiently familiar with languages that can be displayed in US-ASCII.

However, US-ASCII data are less useful to the community of Domain Name Registration Data Directory Service users who are only familiar with languages that require character set support other than US-ASCII. It is important to note that this community is likely to continue to grow. Thus accommodating the submission and display of internationalized registration data is seen as an important evolutionary step for Domain Name Registration Data Directory Services such as the WHOIS.

In general, the IRD-WG recognized that internationalized contact data can be translated or transliterated into the “must be present” representation. By “must be present” the IRD-WG meant that contact data must be made available in a common script or language. In this context, **translation** is the process of conveying the meaning of some passage of text in one language, so that it can be expressed equivalently in another language. **Transliteration** is the process of representing the characters of an alphabetical or syllabic system of writing by the characters of a conversion alphabet. If transliteration were desired, then the “must be present” script would be the Latin script. If translation were desired, then the “must be present” language would be English.

The IRD-WG considered five models to address the translation and transliteration of domain name registration data contact information, but it was unable to reach consensus on a single model.<sup>24</sup> However, it recognized that the translation and transliteration of contact information had policy implications, and thus its Final Report contained the following recommendation:

**Recommendation 2:** The GNSO council and the SSAC should request a common Issue Report on translation and transliteration of contact information. The Issue Report should consider whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script. It should also

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<sup>24</sup> See Annex A: Different Models Proposed in the Internationalized Registration Data Working Group Final Report

consider who should bear the burden and who is in the best position to address these issues. The Issue Report should consider policy questions raised in this document and should also recommend whether to start a policy development process (PDP).

The Affirmation of Commitments signed on 30 September 2009 between ICANN and the US Department of Commerce contains specific provisions for periodic review of four key ICANN objectives, including WHOIS Policy.<sup>25</sup> The WHOIS Policy Review Team completed its review and published its Final Report on 11 May 2012.<sup>26</sup> In its Final Report the Review Team echoed the IRD-WG by calling for a Working Group to be formed (Recommendations 12 and 13) to develop internationalized domain name registration requirements that would include a data model that would address, “(any) requirements for the translation or transliteration of the registration data.” In addition, the SSAC further emphasized the IRD-WG’s recommendation in SAC055: *WHOIS: Blind Men and an Elephant (SSAC Comment on the WHOIS Policy Review Team Final Report)*.<sup>27</sup> In the Report the SSAC agreed with the recommendations of the Review Team on translation/transliteration of registration data and called on the ICANN Board of Directors to adopt Recommendation 2 in the IRD-WG’s Final Report. The SSAC also stated that the ICANN Board should pass a resolution clearly stating the criticality of the development of a registration data policy defining the purpose of domain name registration data.

On 08 November 2012 the ICANN Board of Directors adopted several resolutions (2012.11.08.01 - 2012.11.08.02) relating to WHOIS, in response to the recommendations it received from the WHOIS Policy Review Team and the SSAC described above.<sup>28</sup> In particular, the Board directed the CEO to:

launch a new effort to redefine the purpose of collecting, maintaining and providing access to gTLD registration data, and consider safeguards for protecting data, as a foundation for new gTLD policy and contractual negotiations, as appropriate (as detailed in the 1 November 2012 Board

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<sup>25</sup> See Affirmation of Commitments at: <http://www.icann.org/en/about/agreements/aoc/affirmation-of-commitments-30sep09-en.htm>.

<sup>26</sup> See WHOIS Policy Review Team Final Report at: <http://www.icann.org/en/about/aoc-review/whois/final-report-11may12-en.pdf>

<sup>27</sup> See SAC055: Blind Men and an Elephant (SSAC Comment on the WHOIS Policy Review Team Final Report) at <http://www.icann.org/en/groups/ssac/documents/sac-055-en.pdf>.

<sup>28</sup> See: <http://www.icann.org/en/groups/board/documents/resolutions-08nov12-en.htm#1.a>

paper entitled, “Action Plan to Address WHOIS Policy Review Team Report Recommendations” – ICANN Board Submission Number 2012-11-01), and hereby directs preparation of an Issue Report on the purpose of collecting and maintaining gTLD registration data, and on solutions to improve accuracy and access to gTLD registration data, as part of a Board-initiated GNSO policy development process;<sup>29</sup>

The Board’s Action Plan envisions the possibility of a PDP on the issue of translation and transliteration of contact information as follows: The Board directs the CEO to have Staff: 1) task a working group to determine the appropriate internationalized domain name registration data requirements, evaluating any relevant recommendations from the SSAC or GNSO; 2) produce a data model that includes (any) requirements for the translation or transliteration of the registration data, taking into account the results of any PDP initiated by the GNSO on translation/transliteration, and the standardized replacement protocol under development in the IETF’s Web-based Extensible Internet Registration Data Working Group.

The Action Plan further tasks the CEO to create an Expert Working Group on gTLD Directory Services to: create material to launch GNSO policy work and inform contractual negotiations, as appropriate. Working group output is expected within 90 days and will ideally include a straw-man model for managing gTLD registration data. The working group’s output form the basis for an Issues Report to accompany Board-initiated, expedited GNSO policy work that is expected to result in consensus policy that, at a minimum, addresses the purpose of collecting, maintaining and making available gTLD registration data, and related accuracy, data protection, and access issues. On 13 December 2013 the ICANN CEO announced the formation of the Expert Working Group. On 14 February 2013 ICANN announced the selection of the members of the Expert Working Group on gTLD Directory Services.<sup>30</sup>

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<sup>29</sup> See the Action Plan to Address WHOIS Policy Review Team Report Recommendations at: <http://www.icann.org/en/groups/board/documents/briefing-materials-1-08nov12-en.pdf>.

<sup>30</sup> See the EWG homepage for all information, including membership, Initial Report, Status Report, and Final Report: <https://community.icann.org/x/VQZlAg>.

## 8. Annex A



# Translation and Transliteration of Contact Information PDP Working Group (WG) Charter

<b>WG Name:</b>	<b>Translation and Transliteration of Contact Information PDP Working Group</b>	
<b>Section I: Working Group Identification</b>		
<b>Chartering Organization(s):</b>	Generic Names Supporting Organization (GNSO) Council	
<b>Charter Approval Date:</b>	20 November 2013	
<b>Name of WG Chair:</b>	TBD	
<b>Name(s) of Appointed Liaison(s):</b>	Ching Chiao	
<b>WG Workspace URL:</b>	<a href="https://community.icann.org/display/tatcipdp/Translation+and+Transliteration+of+Contact+Information+PDP+Home">https://community.icann.org/display/tatcipdp/Translation+and+Transliteration+of+Contact+Information+PDP+Home</a>	
<b>WG Mailing List:</b>	TBD	
<b>GNSO Council Resolution:</b>	<b>Title:</b>	Motion to Approve the Charter for the Translation and Transliteration of Contact Information PDP Working Group
	<b>Ref # &amp; Link:</b>	<a href="http://gns0.icann.org/en/council/resolutions#201311">http://gns0.icann.org/en/council/resolutions#201311</a>
<b>Important Document Links:</b>	<ul style="list-style-type: none"> <li>Final Issue Report on Translation and Transliteration of Contact Information (<a href="http://gns0.icann.org/en/issues/gtlds/transliteration-contact-final-21mar13-en.pdf">http://gns0.icann.org/en/issues/gtlds/transliteration-contact-final-21mar13-en.pdf</a>).</li> <li>Final Report of the Internationalized Registration Data Working Group (<a href="http://gns0.icann.org/en/issues/ird/final-report-ird-wg-07may12-en.pdf">http://gns0.icann.org/en/issues/ird/final-report-ird-wg-07may12-en.pdf</a>)</li> </ul>	

## Section II: Mission, Purpose, and Deliverables

### Mission & Scope:

#### Background

On 17 October 2012 the GNSO Council requested an Issue Report to address the three issues that were identified by the IRD-WG:

- Whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script.
- Who should decide who should bear the burden translating contact information to a single common language or transliterating contact information to a single common script. This question relates to the concern expressed by the Internationalized Registration Data Working Group (IRD-WG) in its report that there are costs associated with providing translation and transliteration of contact information. For example, if a policy development process (PDP) determined that the registrar must translate or transliterate contact information, this policy would place a cost burden on the registrar.
- Whether to start a PDP to address these questions.

The [Final Issue Report](#) on translation and transliteration of contact information was submitted to the GNSO Council on 21 March 2013 and on 13 June 2013 the GNSO Council approved the initiation of a PDP on the translation and transliteration of contact information.

#### Mission and Scope

The PDP Working Group is tasked to provide the GNSO Council with a policy recommendation regarding the translation and transliteration of contact information. This recommendation also will be considered by a separate Expert Working Group that is tasked with determining the appropriate Internationalized Domain Name registration data requirements and data model for Registration Data Directory Services (such as WHOIS). As part of its deliberations on this issue, the PDP WG should, at a minimum, consider the following issues as detailed in the Final Issue Report:

- Whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script.
- Who should decide who should bear the burden translating contact information to a single common language or transliterating contact information to a single common script. This question relates to the concern expressed by the Internationalized Registration Data Working Group (IRD-WG) in its report that there are costs associated with providing translation and transliteration of contact information. For example, if a policy development process (PDP) determined that the registrar must translate or transliterate contact information, this policy would place a cost burden on the registrar.

With respect to the first issue above, it should be noted that text requests and content returned by Domain Name Registration Data Services (such as WHOIS) are historically encoded using US-American Standard Code for Information Interchange (ASCII). This is a character-encoding scheme originally based on the English alphabet. While the WHOIS protocol does not specify US-ASCII as the exclusive character set for text requests and text content encoding, the current situation is that no standards or conventions exist for all WHOIS protocol implementations to signal support of character sets other than US-ASCII.

In the context of these issues, “contact information” is a subset of Domain Name Registration

Data. It is the information that enables someone using a Domain Name Registration Data Directory Service (such as WHOIS) to contact the domain name registration holder. It includes the name, organization, and postal address of the registered name holder, technical contact, as well as administrative contact. Domain Name Registration Data is accessible to the public via a Directory Service (also known as the WHOIS service). The Registrar Accreditation Agreement (RAA 3.3.1) specifies the data elements that must be provided by registrars (via Port 43 and via web-based services) in response to a query, but it does not require that data elements, such as contact information, must be translated or transliterated.

With respect to the two issues identified above concerning the translation and transliteration of contact information, the following additional background may be useful. On the first issue, whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script, the IRD-WG noted that, “[t]o balance the needs and capabilities of the local registrant with the need of the (potential) global user of this data, one of the key questions ... is whether DNRD-DS [Domain Name Registration Data Directory Services] should support multiple representations of the same registration data in different languages or scripts.” In particular, the IRD-WG members discussed whether it is desirable to adopt a “must be present” representation of contact data, in conjunction with local script support for the convenience of local users. By “must be present” the IRD-WG meant that contact data must be made available in a common script.

In general, the IRD-WG recognized that, “the internationalized contact data can be translated or transliterated into the ‘must be present’ representation. As noted above, in this context, **Translation** is the process of conveying the meaning of some passage of text in one language, so that it can be expressed equivalently in another language. **Transliteration** is the process of representing the characters of an alphabetical or syllabic system of writing by the characters of a conversion alphabet.” Based on this definition, and consistent with the current state of domain name registration data, the IRD-WG noted that if transliteration were desired, then the “must be present” script would be the Latin script. If translation were desired, then the “must be present” language would be English.

The IRD-WG did note that many language translation systems are inexact and cannot be applied repeatedly to translate from one language to another. Thus the IRD-WG noted that there will likely be problems with both consistency and accuracy, such as:

- Translation/transliteration may vary significantly across languages using the same script.
- Two people may translate/transliterate differently even within a language and the same person may translate/transliterate differently at different times for the same language.
- How would a registrar determine which particular spellings to use for a particular registrant? How would a registrant ever verify the correctness of a translation or transliteration, even if presented such data by the registrar or by a third organization that does the translation/transliteration?

Furthermore, the IRD-WG noted that for a given script, there may exist multiple systems for transliteration into Latin scripts. In the case of Chinese, the multiple transliteration systems are not only quite different from each other, but most of the systems use particular Latin characters to represent phonemes that are quite different from the most common phoneme-character pairings in European languages.

Also, it is unclear whether translation or transliteration would serve the needs of the users of

contact data. For example it is unclear that translating the name of the registrant and city would be useful. Would one have to translate "Los Angeles" into "City of the Angels" and translate "Beijing" into "Northern Capital"? The PDP should explore whether such translations facilitate or hinder the ability to contact the registrant.

Finally, as part of its discussion on this first question [the WG should also consider discussing the following questions:](#)

- What exactly the benefits to the community are of translating and/or transliterating contact data, especially in light of the costs that may be connected to translation and/or transliteration?
- Should translation and/or transliteration of contact data be mandatory for all gTLDs?
- Should translation and/or transliteration of contact data be mandatory for all registrants or only those based in certain countries and/or using specific non-ASCII scripts?
- What impact will translation/transliteration of contact data have on the WHOIS validation as set out under the 2013 Registrar Accreditation Agreement?
- When should any new policy relating to translation and transliteration of contact information come into effect?

To help to determine whether translation and/or transliteration should be mandatory, and to help the Working Group to consider to the costs of translation and/or transliteration, the Working Group may wish to develop a matrix elaborating a ruling and costs in each possible case for countries and non-ASCII scripts. The second issue, who should decide who should bear the burden translating contact information to a single common language or transliterating contact information to a single common script, relates to the concern expressed by the IRD-WG in its report that there are costs associated with providing translation and transliteration of contact information. For example, if a PDP determined that the registrar must translate or transliterate contact information, this policy would place a cost burden on the registrar. The IRD-WG considered several alternatives to address translation and transliteration of contact information as follows:

- The registrant submits the localized information as well the translated or transliterated information.
- The registrant only submits the localized information, and the registrar translates and transliterates all internationalized contact information on behalf of the registrant.
- The registrant only submits the localized information, and the registrars provide a point of contact at a service that could provide translation or transliteration upon request for a fee to be paid by the requester.
- The registrant only submits the localized information, and the registry provides translation or transliteration.
- The end users of the registration data translate and transliterate the contact information.

The PDP-WG will not be limited to considering the above alternatives, but will be encouraged to consider all possible alternatives. The PDP-WG also may consult with ICANN Legal staff when considering alternatives. In addition, the PDP-WG should review the work of other PDPs and WGs relating to IDNs and WHOIS. These include the following PDPs and WGs: [gTLD Data Registration Data Services](#), [Thick WHOIS](#), [WHOIS Survey WG](#), [IRD-WG](#), the [IDN Variant TLDs Issues Project](#), [Technical Evolution of WHOIS Service](#), and the [Expert Working Group on gTLD](#)

## Directory Services.

As part of its deliberation on who should decide who should bear that cost of translation and/or transliteration, WG members might also want to discuss who they believe should bear the cost, bearing in mind, however, the limits in scope set in the Initial Report on this issue.

During their deliberations the members of the IRD-WG recognized that many registrants will need to access domain names in their local scripts and languages, which is the one of the primary reasons for the expansion of internationalized domain names. Therefore, the IRD-WG determined that it is unreasonable to assume all registrants – wherever they happen to be located – will be able to enter the registration data in scripts or languages other than their local script or language.

The PDP WG is also expected to consider any information and advice provided by other ICANN Supporting Organizations and Advisory Committees on this topic. The WG is strongly encouraged to reach out to these groups for collaboration at an early stage of its deliberations, to ensure that their concerns and positions are considered in a timely manner.

Finally, the Working Group is expected to review/check relevant recommendations that may arise from the Expert Working Group on gTLD Directory Service if/when those become available and determine possible linkage to the issues at hand.

### **Objectives & Goals:**

To develop, at a minimum, an Initial Report and a Final Report regarding translation and transliteration of contact information to be delivered to the GNSO Council, following the processes described in Annex A of the ICANN Bylaws and the GNSO PDP Manual.

### **Deliverables & Timeframes:**

The WG shall respect the timelines and deliverables as outlined in Annex A of the ICANN Bylaws and the PDP Manual. As per the GNSO Working Group Guidelines, the WG shall develop a work plan that outlines the necessary steps and expected timing in order to achieve the milestones of the PDP as set out in Annex A of the ICANN Bylaws and the PDP Manual and submit this to the GNSO Council.

## **Section III: Formation, Staffing, and Organization**

### **Membership Criteria:**

The Working Group will be open to all interested in participating. Individuals with experience in translation and transliteration of languages and scripts will be encouraged to join, as well as those with experience in internationalized domain names (IDNs). New members who join after certain parts of work has been completed are expected to review previous documents and meeting transcripts.

### **Group Formation, Dependencies, & Dissolution:**

This WG shall be a standard GNSO PDP Working Group. The GNSO Secretariat should circulate a 'Call For Volunteers' as widely as possible in order to ensure broad representation and participation in the Working Group, including:

- Publication of announcement on relevant ICANN web sites including but not limited to the GNSO and other Supporting Organizations and Advisory Committee web pages; and
- Distribution of the announcement to GNSO Stakeholder Groups, Constituencies and other ICANN Supporting Organizations and Advisory Committees

### **Working Group Roles, Functions, & Duties:**

The ICANN Staff assigned to the WG will fully support the work of the Working Group as requested by the Chair including meeting support, document drafting, editing and distribution and other substantive contributions when deemed appropriate.

Staff assignments to the Working Group:

- GNSO Secretariat
- 2 ICANN policy staff members (Julie Hedlund and Lars Hoffmann)

The standard WG roles, functions & duties shall be applicable as specified in Section 2.2 of the Working Group Guidelines.

#### **Statements of Interest (SOI) Guidelines:**

Each member of the Working Group is required to submit an SOI in accordance with Section 5 of the GNSO Operating Procedures.

### **Section IV: Rules of Engagement**

#### **Decision-Making Methodologies:**

The Chair will be responsible for designating each position as having one of the following designations:

- **Full consensus** - when no one in the group speaks against the recommendation in its last readings. This is also sometimes referred to as **Unanimous Consensus**.
- **Consensus** - a position where only a small minority disagrees, but most agree. *[Note: For those that are unfamiliar with ICANN usage, you may associate the definition of 'Consensus' with other definitions and terms of art such as rough consensus or near consensus. It should be noted, however, that in the case of a GNSO PDP originated Working Group, all reports, especially Final Reports, must restrict themselves to the term 'Consensus' as this may have legal implications.]*
- **Strong support but significant opposition** - a position where, while most of the group supports a recommendation, there are a significant number of those who do not support it.
- **Divergence** (also referred to as **No Consensus**) - a position where there isn't strong support for any particular position, but many different points of view. Sometimes this is due to irreconcilable differences of opinion and sometimes it is due to the fact that no one has a particularly strong or convincing viewpoint, but the members of the group agree that it is worth listing the issue in the report nonetheless.
- **Minority View** - refers to a proposal where a small number of people support the recommendation. This can happen in response to a **Consensus**, **Strong support but significant opposition**, and **No Consensus**; or, it can happen in cases where there is neither support nor opposition to a suggestion made by a small number of individuals.

In cases of **Consensus**, **Strong support but significant opposition**, and **No Consensus**, an effort should be made to document that variance in viewpoint and to present any **Minority View** recommendations that may have been made. Documentation of **Minority View** recommendations normally depends on text offered by the proponent(s). In all cases of **Divergence**, the WG Chair should encourage the submission of minority viewpoint(s).

The recommended method for discovering the consensus level designation on recommendations should work as follows:

- i. After the group has discussed an issue long enough for all issues to have been raised,

- understood and discussed, the Chair, or Co-Chairs, make an evaluation of the designation and publish it for the group to review.
- ii. After the group has discussed the Chair's estimation of designation, the Chair, or Co-Chairs, should reevaluate and publish an updated evaluation.
  - iii. Steps (i) and (ii) should continue until the Chair/Co-Chairs make an evaluation that is accepted by the group.
  - iv. In rare case, a Chair may decide that the use of polls is reasonable. Some of the reasons for this might be:
    - o A decision needs to be made within a time frame that does not allow for the natural process of iteration and settling on a designation to occur.
    - o It becomes obvious after several iterations that it is impossible to arrive at a designation. This will happen most often when trying to discriminate between **Consensus** and **Strong support but Significant Opposition** or between **Strong support but Significant Opposition** and **Divergence**.

Care should be taken in using polls that they do not become votes. A liability with the use of polls is that, in situations where there is **Divergence** or **Strong Opposition**, there are often disagreements about the meanings of the poll questions or of the poll results.

Based upon the WG's needs, the Chair may direct that WG participants do not have to have their name explicitly associated with any Full Consensus or Consensus view/position. However, in all other cases and in those cases where a group member represents the minority viewpoint, their name must be explicitly linked, especially in those cases where polls were taken.

Consensus calls should always involve the entire Working Group and, for this reason, should take place on the designated mailing list to ensure that all Working Group members have the opportunity to fully participate in the consensus process. It is the role of the Chair to designate which level of consensus is reached and announce this designation to the Working Group. Member(s) of the Working Group should be able to challenge the designation of the Chair as part of the Working Group discussion. However, if disagreement persists, members of the WG may use the process set forth below to challenge the designation.

If several participants (see Note 1 below) in a WG disagree with the designation given to a position by the Chair or any other consensus call, they may follow these steps sequentially:

1. Send email to the Chair, copying the WG explaining why the decision is believed to be in error.
2. If the Chair still disagrees with the complainants, the Chair will forward the appeal to the CO liaison(s). The Chair must explain his or her reasoning in the response to the complainants and in the submission to the liaison. If the liaison(s) supports the Chair's position, the liaison(s) will provide their response to the complainants. The liaison(s) must explain their reasoning in the response. If the CO liaison disagrees with the Chair, the liaison will forward the appeal to the CO. Should the complainants disagree with the liaison support of the Chair's determination, the complainants may appeal to the Chair of the CO or their designated representative. If the CO agrees with the complainants' position, the CO should recommend remedial action to the Chair.
3. In the event of any appeal, the CO will attach a statement of the appeal to the WG and/or Board report. This statement should include all of the documentation from all steps in the appeals process and should include a statement from the CO (see

Note 2 below).

Note 1: Any Working Group member may raise an issue for reconsideration; however, a formal appeal will require that that a single member demonstrates a sufficient amount of support before a formal appeal process can be invoked. In those cases where a single Working Group member is seeking reconsideration, the member will advise the Chair and/or Liaison of their issue and the Chair and/or Liaison will work with the dissenting member to investigate the issue and to determine if there is sufficient support for the reconsideration to initial a formal appeal process.

Note 2: It should be noted that ICANN also has other conflict resolution mechanisms available that could be considered in case any of the parties are dissatisfied with the outcome of this process.

#### **Status Reporting:**

As requested by the GNSO Council, taking into account the recommendation of the Council liaison to this group.

#### **Problem/Issue Escalation & Resolution Processes:**

The WG will adhere to [ICANN's Expected Standards of Behavior](#) as documented in Section F of the ICANN Accountability and Transparency Frameworks and Principles, January 2008.

If a WG member feels that these standards are being abused, the affected party should appeal first to the Chair and Liaison and, if unsatisfactorily resolved, to the Chair of the Chartering Organization or their designated representative. It is important to emphasize that expressed disagreement is not, by itself, grounds for abusive behavior. It should also be taken into account that as a result of cultural differences and language barriers, statements may appear disrespectful or inappropriate to some but are not necessarily intended as such. However, it is expected that WG members make every effort to respect the principles outlined in ICANN's Expected Standards of Behavior as referenced above.

The Chair, in consultation with the Chartering Organization liaison(s), is empowered to restrict the participation of someone who seriously disrupts the Working Group. Any such restriction will be reviewed by the Chartering Organization. Generally, the participant should first be warned privately, and then warned publicly before such a restriction is put into place. In extreme circumstances, this requirement may be bypassed.

Any WG member that believes that his/her contributions are being systematically ignored or discounted or wants to appeal a decision of the WG or CO should first discuss the circumstances with the WG Chair. In the event that the matter cannot be resolved satisfactorily, the WG member should request an opportunity to discuss the situation with the Chair of the Chartering Organization or their designated representative.

In addition, if any member of the WG is of the opinion that someone is not performing their role according to the criteria outlined in this Charter, the same appeals process may be invoked.

#### **Closure & Working Group Self-Assessment:**

The WG will close upon the delivery of the Final Report, unless assigned additional tasks or follow-up by the GNSO Council.

## **Section V: Charter Document History**

<b>Versio n</b>	<b>Date</b>	<b>Description</b>
1.0	19 September 2013	Final version submitted by the DT to the GNSO Council for consideration
<b>Staff Contact:</b>	Julie Hedlund	<b>Email:</b> <a href="mailto:Policy-staff@icann.org">Policy-staff@icann.org</a>

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

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