

**Final Paper Policy Recommendations**  
**IDN ccTLD String Selection Criteria, Requirements and Processes**

December 2012  
IDN country code Policy Development Process  
Working Group 1

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## **1. Introduction**

### **Purpose of the working group**

The purpose of the working group (WG) is to report on and identify a feasible policy for the selection and delegation of IDN ccTLDs associated with the territories listed in the ISO 3166-1 (IDN ccTLDs) within the framework of the IDN country code Policy Development Process.

### **Scope of activities**

In meeting its purpose, the WG focused on, without limitation, the proposals and recommendations of the IDNC Working Group and the Implementation Plan based on the work of the IDNC WG, and has taken into account the experiences under and reviews of the IDNccTLD Fast Track Process

As this WG will undertake its activities within the framework of the IDN ccPDP, the limitations on the scope of a ccPDP, in particular by Article IX of and Annex C to the Bylaws, shall limit the scope of the WG's work in a similar manner.

If issues outside this scope become apparent to the WG, the Chair of the WG should inform the ccNSO Council of the issue so that it can be taken into account and dealt with more appropriately. As a result the chair of the WG has informed the ccNSO Council of the issues pertaining to the use of country and territory names in ASCII as TLDs. The ccNSO Council has established a Study Group to look into this matter.

### **Fast Track Process and overall policy for the selection of IDN ccTLD strings**

Until the introduction of IDN ccTLDs under the Fast Track Process, ccTLD strings were limited to the two letter codes obtained from the ISO 3166-1 list designating the Territory. As this mechanism could not be used for the selection of IDN ccTLD strings, a three-stage process was introduced which is commonly referred to as the Fast Track Process.

Based on the experience to date with the Fast Track Process, and to avoid doubt and ambiguity, the proposed policy is a two-stage process:

Stage 1: String selection in Territory

Stage 2: Evaluation of proposed string

It is recommended that the delegation of IDN ccTLDs shall be in accordance with the delegation process of (ASCII) ccTLDs. Thus the recommendations contained in this report build on and are complementary to the delegation, re-delegation and retirement processes applicable to all ccTLDs. This means that once the selection process of an IDN ccTLD has been successfully completed, the policy, procedures and practices for the delegation, re-delegation and retirement of ccTLDs apply.

For the Fast Track Process the criteria and requirements for selection of the IDN ccTLD string as well as the process elements were described throughout both the IDNC WG Final Report and the Final Implementation Plan. The WG agreed to present the criteria and requirements for the selection of IDN ccTLD strings separately from

processes and procedures. The WG also agreed that the starting point for the overall policy should be the criteria for the Fast Track. The proposed policy also takes into account 3 years of experience and the two Fast Track Process reviews.

In this report the overarching principles (Section 2) and the agreed criteria and requirements (Section 3) are presented first. The purpose of the overarching principles is to set the parameters within which the policy recommendations have been developed, and should be interpreted and implemented. The processes and procedures are described in section 4. Finally in Section 5 (Miscellaneous) general recommendations, such as the review of the policy, are proposed.

In each of the sections 2, 3, 4 and 5 the recommendations are listed first. If considered useful informative notes and comments are included. These notes and comments are not part of the recommendations themselves, but are included to provide depth and colour to the recommendation.

The recommendations describe (at a high level) the decisions and requirements, activities, roles, and responsibilities of the actors involved in the processes. It is anticipated that further detail may need to be added by ICANN staff as a matter of implementation and it is recommended that the ccNSO reviews and approves the final planning document, prior to implementation.

## Section 2. Overarching Principles

The purpose of the overarching principles is to set the parameters within which the policy recommendations have been developed, should be interpreted and implemented. They take into account the experiences of the IDN Fast Track Process and subsequent discussions. They have been developed to structure, guide and set conditions for the recommended policy, its implementation and future interpretation.

**A. Association of the (IDN) country code Top Level Domain with a territory.** Under the current policy for the delegation of (ASCII) ccTLDs, the two letter ASCII codes associated with the territories listed in the ISO 3166-1 standard are eligible for delegation as a ccTLD. Only the same territories shall be eligible to select IDN ccTLD strings.

**B. (ASCII) ccTLD and IDN ccTLDs are all country code Top Level Domains.** (ASCII) ccTLD and IDN ccTLDs are all country code Top Level Domains and as such are associated with a territory listed on the ISO 3166-1 list. Whilst there may be additional specific provisions required for IDN ccTLDs, due to their nature (for example criteria for the selection of an IDN ccTLD string) all country code Top Level Domains should be treated in the same manner.

**C. Preserve security, stability and interoperability of the DNS.** To the extent different, additional rules are implemented for IDN ccTLDs these rules should:

- Preserve and ensure the security and stability of the DNS;
- Ensure adherence with the RFC 5890, RFC 5891, RFC 5892, RFC 5893 and ICANN IDN guidelines.
- Take into account and be guided by the work in progress on the Principles for Unicode Code Point Inclusion in Labels in the DNS Root<sup>1</sup>.

**D. Ongoing Process.** Requests for the delegation of IDN ccTLDs should be an ongoing process and requests submitted at any time. Currently the delegation of a ccTLD can be requested at any time, once all the criteria are met.

**E. Criteria determine the number of IDN ccTLDs.** The criteria to select the IDN ccTLD string should determine the number of eligible IDN ccTLDs per Territory, not an arbitrarily set number.

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<sup>1</sup> Still in draft mode. A new updated version is anticipated. The status will need to be monitored.  
Reference: <http://tools.ietf.org/html/draft-sullivan-dns-zone-codepoint-pples-00>

### **Section 3. Criteria for the selection of an IDN ccTLD string**

#### **A. An IDN country code Top Level Domain must contain at least one (1) non-ASCII character.**

For example, *españa* would qualify under this criteria and *italia* would not. *españa* contains at least one other character other than [-, a-z, 0-9], while still being a valid top level domain name.

A different way of expressing this is that the selected IDN ccTLD must be a valid U-Label that can also be expressed as an A-label. It cannot be a NR-LDH Label.

For more formal definitions of these terms, see RFC 5890.

#### **B. Eligibility only if the name of territory listed on ISO 3166.**

To be eligible for a IDN ccTLD string, a country, territory, dependency or other area of particular geopolitical interest (hereafter referred to as: Territory or Territories) must be listed on the 'International Standard ISO 3166, Codes for the representation of names of countries and their subdivisions – Part 1: Country Codes', or, in some exceptional cases a two letter ASCII (letters a-z ) code associated with the Territory already assigned as a ccTLD and listed as an exceptionally reserved ISO 3166-1 code element<sup>2</sup>.

#### **C. The IDN ccTLD string must be a Meaningful Representation of the name of a Territory.**

The principle underlying the representation of Territories in two letter (ASCII) code elements is the visual association between the names of Territories (in English or French, or sometimes in another language) and their corresponding code elements<sup>3</sup>.

The principle of association between the IDN country code string and the name of a Territory should be maintained. A selected IDN ccTLD string must be a meaningful representation of the name of the Territory. A country code string is considered meaningful if it is:

- a) The name of the Territory; or
- b) Part of the name of the Territory that denotes the Territory; or
- c) A short-form designation for the name of the Territory, recognizably denoting the name.

#### **D. A Meaningful Representation of the name of the Territory must be in a**

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<sup>2</sup> In exceptional cases code elements for Territory names may be reserved for which the ISO 3166/MA has decided not to include in ISO 3166 part 1, but for which an interchange requirement exists. See Section 7.5.4 ISO 3166 – 1 : 2006.

<sup>3</sup> See ISO 3166-1: 2006 Section 5.1

## Designated Language of the Territory

The selected IDN ccTLD string should be a meaningful representation of the name of the territory in a “designated” language of that Territory. For this purpose a “designated” language is defined as a language that has a legal status in the Territory or that serves as a language of administration (hereafter: Designated Language)<sup>4</sup>.

The definition of Designated Language is based on: “Glossary of Terms for the Standardization of Geographical Names”, United Nations Group of Experts on Geographic Names, United Nations, New York, 2002.

The language is considered to be a Designated Language if one or more of the following requirements are met:

1. The language is listed for the relevant Territory as an ISO 639 language in Part Three of the “Technical Reference Manual for the standardization of Geographical Names”, United Nations Group of Experts on Geographical Names (the UNGEGN Manual) (<http://unstats.un.org/unsd/geoinfo/default.htm>).
2. The language is listed as an administrative language for the relevant Territory in ISO 3166-1 standard under column 9 or 10.
3. The relevant public authority in the Territory confirms that the language is used in official communications of the relevant public authority and serves as a language of administration.

In Section 4, processes and documentation, specific requirements regarding documentation of Designated Languages are included.

### **E. If the selected string is not the long or short form of the name of a Territory then evidence of meaningfulness is required.**

Where the selected string is the long or short form name of the relevant Territory in the Designated Language as listed in the UNGEGN Manual, Part Three column 3 or 4 version 2007, or later versions of that list it is considered to be meaningful.

Where the selected string is not listed in the UNGEGN then meaningfulness must be adequately documented. This is the case when:

- (i) The selected string is not part of the long or short form name of the Territory in the UNGEGN Manual in the Designated Language or
- (ii) An acronym of the name of the Territory in the Designated Language or

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<sup>4</sup> The limitation to Designated Language is recommended as criteria for reasons of stability of the DNS. According to some statistics currently 6909 living languages are identified. See for example: [http://www.ethnologue.com/ethno\\_docs/distribution.asp?by=area](http://www.ethnologue.com/ethno_docs/distribution.asp?by=area). If one IDN ccTLD would be allowed per territory for every language this would potentially amount to 252\*6909 or approximately 1.7 million IDN ccTLDs.

(iii) the Territory or the Designated Language do not appear in the UNGEGN Manual.

If such documentation is required, the documentation needs to clearly establish that:

- The meaning of the selected string in the Designated Language and English and
- That the selected string meets the meaningfulness criteria.

In Section 4, processes and documentation, specific requirements regarding documentation of the Meaningful Representation are included.

#### **F. Only one (1) IDN ccTLD string per Designated Language.**

In the event that there is more than one Designated Language in the Territory, one (1) unique IDN ccTLD for each Designated Language may be selected, provided the meaningful representation in one Designated Language cannot be confused with an existing IDN ccTLD string for that Territory.

Where a language is expressed in more than one script in a territory, then it is permissible to have one string per script, although the multiple strings are in the same language.

#### *Notes and Comments*

It should be noted that other requirements relating to non-confusability are applicable and should be considered, including the specific procedural rules and conditions for cases when the same manager will operate two or more (IDN) ccTLD's which are considered to be confusingly similar.

#### **G. The selected IDN ccTLD string should be non-contentious within the territory.**

The selected IDN ccTLD string must be non-contentious within the territory. This is evidenced by support/endorsement from the Significantly Interested Parties (relevant stakeholders) in the territory.

Concurrent requests for two strings in the same language and for the same territory will be considered competing requests and therefore to be contentious in territory. This needs to be resolved in territory, before any further steps are taken in the selection process.

#### **H. The selected IDN ccTLD string must abide by all Technical Criteria for an IDN TLD string.**



In addition to the general requirements for all labels (strings), the selected IDN ccTLD string must abide to the normative parts of RFC 5890, RFC 5891, RFC 5892 and RFC 5893.

All applicable technical criteria (general and IDN specific) for IDN ccTLD strings should be documented as part of the implementation plan. For reasons of transparency and accountability they should be made public prior to implementation of the overall policy and endorsed by the ccNSO.

Validation that a string meets the technical criteria is a process step and shall be conducted by an external, independent panel. The recommended procedure is described in Section 4, Processes and Documentation.

The method and criteria for the technical validation should be developed as part of the implementation plan and are a critical part of the review process. For reasons of transparency and accountability they should be made public prior to implementation of the overall policy and endorsed by the ccNSO.

### **I. Confusing similarity of IDN ccTLD Strings**

A selected IDN ccTLD string should not be confusingly similar with:

1. Any combination of two ISO 646 Basic Version (ISO 646-BV) characters<sup>5</sup> (letter [a-z] codes), nor
2. Existing TLDs or reserved names.

The following supplemental rules provide the thresholds to solve any contention issues between the IDN ccTLD selection process and new gTLD process:

- A gTLD application that is approved by the ICANN Board will be considered an existing TLD unless it is withdrawn.
- A validated request for an IDN ccTLD will be considered an existing TLD unless it is withdrawn.

A selected IDN ccTLD string is considered confusingly similar with one or more other string(s) (which must be either Valid-U-labels or any a combination of two or more ISO 646 BV characters) if the appearance of the selected string in common fonts in small sizes at typical screen resolutions is sufficiently close to one or more other strings so that it is probable that a reasonable Internet user who is unfamiliar with the script would perceive the strings to be the same or confuse one for the other<sup>6</sup>.

The review of whether or not a selected IDN ccTLD string is confusingly similar is a process step and should be conducted externally and independently. The recommended procedure is described in Section 4, Processes and Documentation.

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<sup>5</sup> International Organization for Standardization, "Information Technology – ISO 7-bit coded character set for information interchange," ISO Standard 646, 1991

<sup>6</sup> Based on Unicode Technical Report #36, Section 2: Visual Security Issues

The method and criteria to assess confusing similarity should be developed as part of the implementation planning. For reasons of transparency and accountability they should be made public prior to implementation of the overall policy and endorsed by the ccNSO.

The assessment of confusing similarity of strings depends on amongst other things linguistic, technical, and visual perception factors, therefore these elements should be taken into consideration in developing the method and criteria.

Taking into account the overarching principle to preserve and ensure the security, stability and interoperability of the DNS, the method and criteria for the confusing similarity assessment of an IDN ccTLD string should take into account and be guided by the work in progress on Principles for Unicode Point Inclusion in labels in the DNS Root ( <http://tools.ietf.org/html/draft-sullivan-dns-zone-codepoint-pples-00>).

#### *Notes and Comments*

The rule on confusing similarity originates from the IDNC WG and Fast Track Implementation Plan and was introduced to minimize the risk of confusion with existing or future two letter country codes in ISO 3166-1 and other TLDs. This is particularly relevant as the ISO 3166 country codes are used for a broad range of applications, for example but not limited to, marking of freight containers, postal use and as a basis for standard currency codes.

The risk of string confusion is not a technical DNS issue, but can have an adverse impact on the security and stability of the domain name system, and as such should be minimized and mitigated.

The method and criteria used for the assessment cannot be determined only on the basis of a linguistic and/or technical method of the string and its component parts, but also needs to take into account and reflect the results of scientific research relating to confusing similarity, for example from cognitive neuropsychology<sup>7</sup>.

#### **J. Variants**

##### PLACEHOLDER

To date (June 2012) identifying the issues pertaining to the management of variant TLD's are still under discussion by the community, in particular the delineation of technical, policy and operational aspects. For this reason policy recommendations pertaining to the management of variant IDN ccTLDs, if any, are not included, but will be added at a later stage.

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<sup>7</sup> See for example, M. Finkbeiner and M. Coltheart (eds), Letter Recognition: from Perception to Representation. Special Issue of the Journal *Cognitive Neuropsychology*, 2009

## Section 4 Processes and Documentation

Under the overall policy a two-stage process is recommended for the selection of an IDN ccTLD string:

Stage 1: String selection stage in Territory

Stage 2: Validation of IDN ccTLD string

In the remainder of this section the processes, procedures and required documentation, if any, will be described both at a general level and in a more detailed fashion for both stages.

### Stage 1: String Selection stage in Territory

#### *General Description*

The string selection stage is a local matter in Territory and should ideally involve all relevant local actors in Territory. The actors in Territory must:

1. Identify the script and language for the IDN Table and prepare this Table if necessary,
2. Select the IDN ccTLD string. The selected string must meet the meaningfulness and technical requirements and should not be confusingly similar.
3. Document endorsement /support of the relevant stakeholders in Territory for the selected string, and
4. Select the intended IDN ccTLD string requester before submitting an IDN ccTLD string for validation. In cases where the string requester is not yet selected, the relevant public authority of the Territory may act as nominee for the to be selected string requester.

#### *Notes and Comments*

As stated the string selection stage is a local matter in Territory and should ideally involve all relevant local actors in Territory. Typically this would include:

- The IDN ccTLD string requester. This actor initiates the next step of the process, provides the necessary information and documentation, and acts as the interface with ICANN. Typically this actor is the expected IDN ccTLD manager.
- The relevant public authority of the Territory associated with the selected IDN ccTLD.
- Parties to be served by the IDN ccTLD. They are asked to show that they support the request and that it would meet the interests and needs of the local Internet community.

Additionally these actors may wish to involve recognised experts or expert groups to assist them actors to select the IDN ccTLD string, prepare the relevant IDN Table or assist in providing adequate documentation.

Further, and at the request of the actors in Territory ICANN may provide assistance to them to assist with the in Territory Process.

## ***Detailed aspects String Selection Stage***

### IDN Table

As part of the preparation in territory an IDN Table must be defined. The IDN Table needs to be in accordance with the requirements of the policy and procedures for the IANA IDN Practices Repository<sup>8</sup>. The IDN Table may already exist i.e. has been prepared for another IDN ccTLD or gTLD using the same script and already included in the IANA IDN Practices Repository. In this case the existing and recorded IDN Table may be used by reference.

If the same script is used in two or more territories, cooperation is encouraged to define an IDN Table for that script. ICANN is advised either to facilitate these processes directly or through soliciting relevant international organisation to facilitate.

### Documentation of required endorsement / support for selected string by Significantly Interested Parties

Definition of Significantly Interested Parties. Significantly Interested Parties include, but are not limited to: a) the government or territorial authority for the country or territory associated with the IDN ccTLD string and b) any other individuals, organizations, companies, associations, educational institutions or others that have a direct, material, substantial, legitimate and demonstrable interest.

To be considered a Significantly Interested Party, any party other than the government or territorial authority for the country or territory associated with the selected IDN ccTLD must demonstrate that it has a direct, material, legitimate and demonstrable interest in the operation of the proposed IDN ccTLD(s).

Requesters should be encouraged to provide documentation of the support of stakeholders for the selected string, including an opportunity for stakeholders to comment on the selection of the proposed string via a public process.

“Stakeholders” is used here to encompass Significantly Interested Parties, “interested parties” and “other parties.”

### Classification of input

For procedural purposes the following cases should be distinguished:

- Request for the full or short name of Territory (as defined in Section 3 E).
- Other cases, where additional documentation is required.

In both cases the relevant Government / Public Authority needs to be involved and at a minimum its non-objection should be documented.

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<sup>8</sup>

<http://www.iana.org/procedures/idn-repository.html>

### *Notes and Comments*

In case where additional documentation is required:

- Unanimity should NOT be required.
- The process should allow minorities to express a concern i.e. should not be used against legitimate concerns of minorities
- The process should not allow a small group to unduly delay the selection process.

ICANN should include an example of the documentation required to demonstrate the support or non-objection for the selected string(s) in the implementation plan.

### *Documentation of the meaningfulness of the selected IDN ccTLD string*

The selected IDN ccTLD string(s) must be a meaningful representation of the name of the corresponding country or territory. A string is deemed to be meaningful if it is in the designated language of the country or territory and if it is:

- 1 The name of the country or territory; or
- 2 A part of the name of the country or territory denoting the country or territory; or
- 3 A short-form designation for the name of the country or territory that is recognizable and denotes the country or territory in the selected language.

The meaningfulness requirement is verified as follows:

1. If the selected string is listed in the UNGEGN Manual, then the string fulfills the meaningfulness requirement.
2. If the selected string is not listed in the UNGEGN Manual, the requester must then substantiate the meaningfulness by providing documentation from an internationally recognized expert or organization.

ICANN should recognize the following experts or organizations as internationally recognized:

- a. National Naming Authority – a government recognized National Geographic Naming Authority, or other organization performing the same function, for the country or territory for which the selected string request is presented. The United Nations Group of Experts on Geographical Names (UNGEGN) maintains such a list of organizations at: <http://unstats.un.org/unsd/geoinfo/UNGEGN/nna.html>
- b. National Linguistic Authority – a government recognized National Linguistic Authority, or other organization performing the same function, for the country or territory for which the selected string request is presented.

- c. ICANN agreed expert or organization – in the case where a country or territory does not have access to one of the Authorities listed before, it may request assistance from ICANN to identify and refer a recognized expert or organization. Any expertise referred from or agreed to by ICANN will be considered acceptable and sufficient to determine whether a string is a meaningful representation of a Territory name.

*Notes and Comments*

ICANN should include an example of the documentation that demonstrates the selected IDN ccTLD string(s) is a meaningful representation of the corresponding Territory in the implementation plan.

ICANN should include a procedure, including a timeframe, to identify expertise referred to or agreed as set out above under c. in the implementation plan.

*Documentation Designated Language*

The requirements for allowable languages and scripts to be used for the selected IDN ccTLD string are:

The language must be a Designated language in the territory, and have legal status in the Territory, or serve as a language of administration.

The language requirement is considered verified as follows:

- If the language is listed for the relevant Territory as an ISO 639 language in Part Three of the *Technical Reference Manual for the standardization of Geographical Names, United Nations Group of Experts on Geographical Names* (“UNGEGN Manual”) (<http://unstats.un.org/unsd/geoinfo/default.htm>); or
- If the language is listed as an administrative language for the relevant Territory in the ISO 3166-1 standard under column 9 or 10; or
- If the relevant public authority of the Territory confirms that the language is used or serves as follows, (either by letter or link to the relevant government constitution or other online documentation from an official government website):
  - Used in official communications by the relevant public authority; or
  - Serves as a language of administration.

*Notes and Comments*

ICANN should include an example of the documentation that the selected language(s) is considered designated in the Territory should in the implementation plan.

## **Stage 2: Validation of IDN ccTLD string**

### **1. General description**

The String Validation stage is a set of procedures to ensure all criteria and requirements regarding the selected IDN ccTLD string (as listed in Section 3 of the Report) have been met. Typically this would involve:

- The IDN ccTLD string requester. This actor initiates the next step of this stage of the process by submitting a request for adoption and associated documentation.
- ICANN staff. ICANN staff will process the submission and coordinate between the different actors involved.
- Independent Panels to review the string (Technical and Similarity Panels).

The activities during this stage would typically involve:

1. Submission of IDN table.
2. Submission of selected string and related documentation.
3. Validation of selected IDN ccTLD string:
  - a. ICANN staff validation of request. This includes
    - i. Completeness of request
    - ii. Completeness and adequacy of Meaningfulness and Designated Language documentation
    - iii. Completeness and adequacy of support from relevant public authority
    - iv. Completeness and adequacy of support from other Significantly Interested Parties
  - b. Independent Reviews.
    - i. Technical review
    - ii. String Confusion review
4. Publication of selected IDN ccTLD string on ICANN website
5. Completion of string Selection Process
6. Change, withdrawal or termination of the request.

## ***2. Detailed aspects String Validation Stage***

### ***1. Submission of IDN Table***

As part of the validation stage an IDN Table needs to be lodged with the IANA IDN Repository of IDN Practices, in accordance with the policy and procedures for the IANA IDN Practices Repository<sup>9</sup>.

### ***2. Submission procedure for selected string and related documentation***

This part of the process is considered a matter of implementation.

### ***3. Validation of selected string***

#### ***a. ICANN staff validation of the request***

After the requester has submitted a request for an IDN ccTLD string, ICANN should at least validate that:

- The selected IDN ccTLD refers to a territory listed on ISO 3166-1 list
- The selected string (A-label) does not exist in the DNS, nor is approved for delegation to another party,
- The selected string (U-label) contains at least one (1) non-ASCII character.
- The required A-label, U-label, and corresponding Unicode points to designate the selected IDN ccTLD string are consistent.
- Documentation on meaningfulness is complete and meets the criteria and requirements.
- Documentation on the Designated Language is complete and meets the criteria and requirements.
- Documentation to evidence support for the selected string is complete and meets the criteria and requirements and is from an authoritative source.

If one or more elements listed are not complete or deficient, ICANN shall inform the requester accordingly. The requester should be allowed to provide additional information, correct the request, or withdraw the request (and potentially resubmit at a later time). If the requester does not take any action within 3 months after the notification by ICANN that the request is incomplete or contains errors the request may be terminated by ICANN for administrative reasons.

If all elements listed are validated, ICANN shall notify the requester accordingly and the Technical Validation Procedure will be initiated.

If ICANN staff anticipates issues pertaining to the Technical and String Confusion Review during its initial review of the application, ICANN staff is advised to inform the requester of its concerns. The requester will have the opportunity to either:

1. Change the selected string, or

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<sup>9</sup> <http://www.iana.org/procedures/idn-repository.html>



2. Tentatively request two or more strings as part of the application including a ranking of the preference to accommodate the case where the preferred string is not validated.
3. Withdraw the request, or
4. Continue with the request as originally submitted.

Details of the verification procedures and additional elements, such as the channel of communication, will need to be further determined. This is considered a matter of Implementation planning.

#### *b. Independent Reviews*

##### **General description of Technical and string confusion review**

It is recommended that ICANN appoint the following external and independent Panels:

- To validate the technical requirements ICANN should appoint a “Technical Panel<sup>10</sup>” to conduct a technical review of the selected IDN ccTLD string.
- To validate a selected string is not confusingly similar, ICANN should appoint an external and independent “Similarity Review Panel” to review the selected IDN ccTLD string for confusing similarity.
- To allow for a final validation review relating the confusing similarity, and only if so requested by the requester, ICANN should appoint, an external and independent “Extended Process Similarity Review Panel.”

As part of the implementation planning the details of the roles and responsibilities of the panels and its membership requirements should be developed in conjunction with the development of the methods and criteria for assessing the technical<sup>11</sup> and confusing similarity<sup>12</sup> validity of the selected IDN ccTLD strings and details of the reporting as foreseen for the validation processes.

##### **Process for Technical Validation**

1. After completion of the ICANN staff validation of the request, ICANN staff will submit the selected IDN ccTLD string to the “Technical Panel” for the technical review.
2. The Technical Panel conducts a technical string evaluation of the string submitted for evaluation. If needed, the Panel may ask questions for clarifications through ICANN staff.
3. The findings of the evaluation will be reported to ICANN staff. In its report the

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<sup>10</sup> Or any other name ICANN would prefer.

<sup>11</sup> See Section 3 H

<sup>12</sup> See Section I

Panel shall include the names of the Panellists and document its findings, and the rationale for the decision.

4 If according to the technical review the string meets all the technical criteria the string is technically validated. If the selected string does not meet all the technical criteria the string is not-valid. ICANN staff shall inform and notify the requester accordingly.

#### *Notes and Comments*

The Technical Panel is supposed to conduct its review and send its report to ICANN staff within a reasonable time (for the Fast Track Process this was 30 days after receiving the batch of IDN ccTLD strings to be evaluated). In the event the Panel expects it will need more time, ICANN staff will be informed. ICANN staff shall inform the requester accordingly.

#### **Process for confusing similarity validation**

1. After completion of the Technical Validation ICANN staff will submit the selected IDN ccTLD string to the String Similarity Panel for the confusing similarity string evaluation.

2. The Panel shall conduct a confusability string evaluation of the string submitted for evaluation. The Panel may ask questions for clarification through ICANN staff.

3. The findings of the evaluation will be reported to ICANN staff. In the report the Panel will include the names of the Panellists, document the decision and provide the rationale for the decision. Where the string is considered to be confusingly similar the report shall at a minimum include a reference to the string(s) to which the confusing similarity relates and examples (in fonts) where the panel observed the similarity.

ICANN staff shall inform and notify the requester accordingly.

Usually the Panel will conduct its review and send its report to ICANN staff within 30 days after receiving the IDN ccTLD string to be evaluated. In the event the Panel expects it will need more time, ICANN staff will be informed. ICANN staff shall inform the requester accordingly.

4 a. If according to the review, the Panel does not consider the string to be confusingly similar, the selected IDN ccTLD is validated.

4 b. If according to the review the selected IDN ccTLD string presents a risk of string confusion with one particular combination of two ISO 646 Basic Version (ISO 646-BV) characters and this combination is according the ISO 3166 standard the two-letter alpha-2 code associated with same Territory as represented by the selected string, this should be noted in the report. ICANN staff shall inform the requester accordingly.

If, within 3 months of receiving the report the requestor shall confirm that:

(i) The intended manager and intended registry operator for the IDN ccTLD and the ccTLD manager for the confusingly similar country code are one and the same entity; and

(ii) The intended manager of the IDN ccTLD shall be the entity that requests the delegation of the IDN ccTLD string; and

(iii) The requester, intended manager and registry operator and, if necessary, the relevant public authority, accept and document that the IDN ccTLD and the ccTLD with which it is confusingly similar will be and will remain operated by one and the same manager, and

(iv) The requester, intended manager and registry operator and, if necessary, the relevant public authority agree to specific and pre-arranged other conditions with the goal to mitigate the risk of user confusion as of the moment the IDN ccTLD becomes operational;

then the IDN ccTLD string is deemed to be valid.

If either the requester, intended manager or the relevant public authority do not accept the pre-arranged conditions within 3 months after notification or at a later stage refutes the acceptance, the IDN ccTLD shall not be validated.

Alternatively, the requester may defer from this mechanism and use the procedure under 4 c.

4c.

i. If according to the review the selected IDN ccTLD string is found to present a risk of string confusion, ICANN staff shall inform the requester in accordance with paragraph 3 above. The requester may call for an Extended Process Similarity Review and provide additional documentation and clarification referring to aspects in the report of the Panel. The requester should notify ICANN within three (3) calendar months after the date of notification by ICANN, and include the additional documentation. After receiving the notification from the requester, ICANN staff shall call on the Extended Process Similarity Review Panel (EPSRP).

ii. The EPSRP conducts its evaluation of the string, based on the standard and methodology and criteria developed for it, and, taking into account, but not limited to, all the related documentation from the requester, including submitted additional documentation, IDN tables available, and the finding of the Similarity Review Panel. The EPSRP may ask questions for clarification through ICANN staff.

iii. The findings of the EPSRP shall be reported to ICANN staff and will be publicly announced on the ICANN website. This report shall include and document the findings of the EPSRP, including the rationale for the final decision, and in case of the risk of confusion a reference to the strings that are considered confusingly similar and examples where the panel observed this similarity.

If according to the Extended Process Similarity Review, the EPSRP does not consider the string to be confusingly similar the selected IDN ccTLD is valid.

### **3. Publication of IDN ccTLD string**

After successful completion of the request validation procedure and the IDN ccTLD string is valid according to both technical and string similarity review procedures, ICANN shall publish the selected IDN ccTLD String publicly on its website.

### **4. Completion of IDN ccTLD selection process**

Once the selected IDN ccTLD string is published on the ICANN website, and the IDN ccTLD selection process is completed, delegation of the IDN ccTLD string may be requested in accordance with the current policy and practices for the delegation, re-delegation and retirement of ccTLDs. ICANN shall notify the requester accordingly.

### **5. Change, withdrawal or termination of the request**

ICANN staff shall notify the requester of any errors that have occurred in the application. These errors include, but are not limited to:

1. The selected string is already a string delegated in the DNS, or approved for delegation to another party.
2. Issues pertaining to the required documentation.
3. The country or territory of the request does not correspond to a listing in the ISO3166-1 list or the European Union.
4. If in accordance with the independent review procedure the selected string is not valid.

If such errors emerge, ICANN staff should contact the requester, who should be provided the opportunity to:

- Amend, adjust or complete the request under the same application in order to abide to the criteria, or
- Withdraw the request.

If the requester has not responded within 3 calendar months of receiving the notice by ICANN staff, the request will be terminated administratively.

Details of the procedures and additional elements, such as the channel of communication, will need to be further documented. This is considered a matter of Implementation planning.

## Section 5. Miscellaneous

### **Delegation of an IDN ccTLD must be in accordance with current policies, procedures and practices for delegation of ccTLDs**

Once the IDN ccTLD string has been selected and the String Validation Stage has been successfully concluded, the delegation of an IDN ccTLD shall be according to the policy and practices for delegation of ccTLDs. This means that the practices for re-delegation and retirement of ccTLDs apply to IDN ccTLDs.

### **Confidentiality of information during due diligence stage, unless otherwise foreseen.**

It is recommended that the information and support documentation for the selection of an IDN ccTLD string is kept confidential by ICANN until it has been established that the selected string meets all criteria.

### **Creation of list over time**

Experience has shown that entries on the ISO 3166-1 table change over time. Such a change can directly impact the eligibility for an IDN ccTLD. In order to record these changes, it is recommended that a table will be created over time of validated IDN ccTLDs, its variants and the name of the territory in the Designated Language(s), both in the official and short form, in combination with the two-letter code and other relevant entries on the ISO 3166-1 list. The purpose of creating and maintaining such a table is to maintain an authoritative record of all relevant characteristics relating to the selected string and act appropriately if one of the characteristics changes over time.

### *Notes and comments*

As noted above the ISO 3166-1 is not only relevant for the creation of a ccTLD. Once an entry is removed from the list of country names, the ccTLD entry in the root zone database may need to be adjusted/removed to maintain parity between the ISO 3166 list and the root-zone file<sup>13</sup>.

### **Transitional arrangement Fast Track IDN ccTLD**

1. Closure of Fast Track Process. Upon implementation of the policy for the selection of IDN ccTLDs by ICANN, the policy for selection of IDN ccTLDs only applies to new requests, unless a requester indicates otherwise.
2. If an IDN ccTLD string request submitted under the Fast Track Process is still in process or has been terminated due to non-validation of the string, the requester may within three months after implementation of the policy request a second, final validation review by the Extended Process Similarity Review Panel .

### **Review of policy for the selection of IDN ccTLD strings**

It is recommended that the policy will be reviewed within five years after implementation or at such an earlier time warranted by extraordinary

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<sup>13</sup> See: <http://www.iana.org/reports/2007/rs-yu-report-11sep2007.html>

circumstances. It is also recommended that the ICANN Board of Directors should initiate such a review including consulting the ALAC, ccNSO and GAC on the Terms of Reference for the review.

In the event such a review results in a recommendation to amend the policy, the rules relating to the country code Policy Development Process as defined in the ICANN Bylaws should apply.

### **Verification of Implementation**

It is anticipated that some parts of the recommendations and process steps will need to be further refined and interpreted by ICANN staff before they will be implemented. It is further anticipated that this will be done through an implementation plan or similar planning documents. It is therefore recommended that the ccNSO monitors and evaluates the planned implementation of recommendations and the ccNSO Council reviews and approves the final planning document, before implementation by staff.

### **Permanent IDN ccTLD Advisory Panel**

Due to the complex nature of IDN's and the sensitivities and interest involved in the selection of IDN ccTLD strings, it is recommended that under the overall policy a Permanent IDN ccTLD Advisory Panel is appointed to assist and provide guidance to ICANN staff and the Board on the interpretation of the overall policy in the event the overall policy does not provide sufficient guidance and/or the impact of the policy is considered to be unreasonable or unfair for a particular class of cases.

The IDN ccTLD Advisory Panel members should consist of one member from ALAC, two members from the ccNSO, two members of the GAC, one member of SSAC. The ICANN Board should appoint the members of the Panel nominated by the related Supporting Organisation and Advisory Committees.