

Background:

ICANN organization has developed a set of [recommendations and supporting documentation](#) (“staff papers”) on a mechanism for implementing Internationalized Domain Names (IDN) variant TLDs. These documents were released for public comment in July of 2018 and were finalized based on the feedback received from the community in February of 2019. The recommendations for managing IDN variant TLDs were [approved](#) by the Board in March of 2019. The Board resolved that:

*Resolved (2019.03.14.08), the Board approves the Variant TLD Recommendations and requests that the ccNSO and **GNSO take into account the Variant TLD Recommendations while developing their respective policies to define and manage the IDN variant TLDs for the current TLDs as well as for future TLD applications.***

Accordingly, the GNSO Council convened an IDN Scoping team to review the materials and determine the best path forward. The Scoping Team reviewed existing materials to determine if they may serve as an adequate proxy for an Issue Report. In addition to the recommendations contained in the document, an impact analysis was also included, identifying specific areas of focus for consideration by the GNSO when developing policy regarding IDN variant TLDs. At least in part because of that detailed analysis and assessment, most of the IDN Scoping Team members came to the conclusion that an Issue Report is not needed in order to initiate any subsequent policy development work. The staff papers and other documentations developed by the ICANN community constitute extensive, pertinent background information on the issue of IDN variants.

In addition, the Scoping Team recognized that even if the variant TLD management related recommendations are supported as drafted in the staff papers, policy development is needed to validate and convert into policy recommendations and subsequently, Consensus Policy. The impact analysis in the staff papers also pointed out the various areas, including existing ICANN policies and procedures, that may be potentially impacted by these recommendations. This impact analysis would help clarify and narrow the scope of the policy track work, providing the basis and background materials to help the GNSO Council develop charter questions. More information can be found in [Annex A](#) of the Scoping Team Final Report.

The Scoping Team, in collaboration with the IDN Program team, also prepared an extensive set of existing documentation that may help support IDN variant TLD policy development. This can be found in [Annex B](#) of the Scoping Team Final Report.

Applicability of an Expedited Policy Development Process (EPDP)

The ICANN Bylaws in section Annex A-1 specify when an EPDP is appropriate, which is expected to be in limited circumstances. The Bylaws note that it may be appropriate:

*(2) to create new or additional recommendations for a specific policy issue that had been **substantially scoped previously such that extensive, pertinent background information already exists**, e.g. (a) in an Issue Report for a possible PDP that was not initiated; (b) as part of a previous PDP that was not completed; or (c) through other projects such as a GGP. The following process shall be in place until such time as modifications are recommended to and approved by the Board.*

GNSO Support staff coordinated with ICANN legal to help determine if the examples included to determine if a subject has been “substantially scoped previously such that extensive, pertinent background information already exists” should be seen as exhaustive or only as examples. From ICANN legal’s read of Bylaws, the list does not appear to seek to specifically limit to just those examples included, even if they may serve as the ideal set of background materials.

As such, it falls to the GNSO Council, as the managers of the gTLD policy development process, to determine if the existing materials meet the standards of being sufficiently scoped and relevant to initiate an EPDP.

The IDN Scoping Team indicated that it believes existing materials are sufficient to launch an EPDP, rather than requiring an Issue Report to launch a PDP.