
ICANN Transcription

IDNs EPDP

Thursday, 13 July 2023 at 12:00 UTC

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DEVAN REED:

Good morning, good afternoon, and good evening. Welcome to the IDNs EPDP call taking place on Thursday, 13 July 2023 at 12:00 UTC.

We do have apologies from Jennifer Chung. All members and participants will be promoted to panelist. Observers will remain as an attendee and will have view access to chat only.

Statements of Interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. If you need assistance updating your Statements of Interest, please e-mail the GNSO secretariat. All documentation and information can be found on the IDNs EPDP wiki space. Recordings will be posted shortly after the end of the call. Please remember to state your name before speaking for the transcript. As a reminder, those who take part in the ICANN multistakeholder process are to comply

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with the Expected Standards of Behavior. Thank you and over to our chair, Donna Austin. Please begin.

DONNA AUSTIN: Thanks, Devan. Welcome, everybody, to today's call or meeting #87. That's quite a lot of meetings. All right. So this week, I don't have much by way of chair updates. In fact, I don't think I have any. I'm sure Ariel will remind me if I do. I think our plan for this meeting today is just to continue with the public comments. So, Ariel, if you're ready to go, I think I'll hand it over to you.

ARIEL LIANG: Thanks, Donna. I'll just hand you two topics. I wonder whether you want to talk about it for your chair update.

DONNA AUSTIN: Okay. The survey results. Ariel, they've been shared with or will be shared with Council leadership and also shared with this group. Is that correct?

ARIEL LIANG: Yes, that's correct. Also, just a note that the survey result has been sent to the GNSO Council leadership. And if any of them requests to share with the full Council, it will be forwarded to the Council list as well.

DONNA AUSTIN:

Okay. Thanks. So from my perspective, there was nothing of concern that came out of the survey. It's good to know that from the perspective of the team that we're taking along okay. So I think from a Council perspective, this was an opportunity for course correction or making other adjustments if anything adverse came out of the survey, but it seems we're in good shape. So, I'm not expecting any changes to the way that we're doing our work.

The other thing is that for the face-to-face survey that we carried out, I think the timeframe that we're leaning towards is 6th, 7th, and 8th of December.

ARIEL LIANG:

Yes. That's Wednesday through Friday for that week.

DONNA AUSTIN:

Okay. All right. So that's the dates that I think will be settled on, and that's based on the survey. We don't have any update on location yet. I think there's about four different locations that are being explored at the moment. So once we have that information, we'll make it available to folks. The dates again are the 6th, 7th, and 8th of December. I think probably what we will settle on these probably two and a half days, but that will depend on how far along we are we're considering the charter two questions and what we think we want to cover off in those few days. I think we're making pretty good progress on the charter two questions, but as most of you will appreciate, we're going to hit a bit of a pause on that so that we can finalize the Phase 1 report. So that's the update.

On the 28th of July, there is a Council meeting. I've been asked to attend that meeting to provide an update on our timeline. So consistent with what we went through, I think we went through it a couple of weeks ago. The bottom line is basically no change to Phase 1. We're still looking at having the final report to Council in November, and then we'll move the timeframe up for completing the Phase 2 work, pretty much move it up by 12 months to October 2024. So I think that's the bottom line that we agreed on that.

So that's the update that I'll provide. Update to Council on the 20th. All right. So before I put everybody to sleep, I'll hand it back over to you, Ariel.

ARIEL LIANG:

Sounds good. Thanks, Donna. I'm happy to come for the rescue. So I'm going to put the spreadsheet in the chat and make sure everybody can access on your own. Just a quick reminder that last week, we went through the public comments, one by one, just sequentially. We preliminary stopped at Recommendations 3.7. There are some pending items for the leadership team to kind of consider and come back to the group with some suggested approach. Although we haven't drawn a conclusion for all of the recommendations that we worked through last week, but will definitely come back to those open items to close it off. Then today's plan is to basically do what we did last week, just going through the public comments sequentially based on the recommendation numbers, and then see how far we go.

So with that, Recommendation 3.8, we got no comments so nothing to look at for this one. I'm sorry, this is the Implementation Guidance. But I just want to note that this one is related to actually one of the recommendations I think we have to go back to. It's 3.7. But we can look at this later when we go back to 3.7 to close it off.

And then 3.9, it's another Implementation Guidance. It says ICANN Org may conduct research that helps identify additional standards or tests that should be used to evaluate the technical and operational capability to manage the variant label set. I want to note that after last week's meeting we did some update by including the relevant charter question on the top, right before the recommendation or Implementation Guidance, and that perhaps can provide more context of the language. This is corresponding to charter question D1b, and specifically this blue part about whether any specific Implementation Guidance should be provided. And it's again related to the process by which registry operator or future applicant applying for variant labels.

And for this one, we received mostly either support recommendation as written or support recommendation intent with wording change. The first one is from RySG. RySG actually provided some suggested wording change and it says, "ICANN Org may conduct research that helps identify widely acceptable practices that may be used to evaluate the technical and operational capability to manage a variant label set at the registry level." So, the wording that RySG has a bit of issues with the standards or tests in the 3.9 itself, and also replace "should" with "may". And then at the end is to instead of "manage the variant label set," change to "manage a variant label set at the registry

level”. So that’s the suggested wording change proposed by RySG. Also, there’s a rationale down below. If Dennis or anybody else from RySG wants to help elaborate, happy to have you chime in here. But I think it’s probably self-explanatory in terms of what was suggested.

Also ALAC had some suggestion as well. I think the part that’s specifically suggested by ALAC is to add the phrase from time to time before conduct research. Also to change “ICANN Org may conduct research” to “ICANN Org should conduct research”. So I think that’s what ALAC was suggesting, but happy to have anybody from ALAC team to chime in and provide more common rationale for the suggested change.

And finally, there’s another group that’s called CCWP Human Rights. So it’s a Cross-Community Working Party in ICANN that’s focusing on human rights issue. Recently, they did provide a bit comments for the initial report. And for this one, they didn’t really explicitly select the option support recommendation intent with wording change, but just based on my review of their content, I put their comment in this category. I’m happy to have the group correct me if you think it’s not the right categorization. So what this group says is that 3.9 does not provide any explanatory information regarding the research proposed and does not state how the outcome of this research will be applied. And given that these outcomes may ultimately be used as a basis for approving or denying requests for variant TLD strings, this research is of significant interest to the ICANN community and has implications for the rights of registrant. Then the group suggests amendments to stipulate that ICANN Org will communicate to the ICANN

community clearly defined timeframes, processes, and opportunities for public input before engaging any research activities.

I think just from staff's understanding is they had the incorrect understanding this research will actually influence application outcome. Because I think in the rationale for 3.9, we explicitly know that such guidelines may not become a reality until there's more variant gTLDs are delegated in the root and they're more experienced to draw from reality. So it's not something, I guess, from the group's perspective that will be used as application evaluation criteria. So I think that's not the correct interpretation of 3.9. But they probably did make some good points in terms of asking ICANN Org to define timeframes, processes, and opportunities for public comment. So I think those are the items that could be included as the framework for developing the guidelines. And maybe that's something that's relevant to this 3.9 Implementation Guidance.

So these are the main comments received for this Implementation Guidance. I will stop here and see whether the group has any input or questions.

DONNA AUSTIN: Thanks, Ariel. Dennis, go ahead.

DENNIS TAN TANAKA: Thank you, Donna. Dennis Tan, Registries. Thank you for that. Yes, the comment from the Registry Stakeholder Group is, I believe, self-explanatory, but I just want to add a little bit of color

and expand on it, basically, the rationale. It's early to direct to ICANN Org to go and find standards and tests to be applied in the future in whatever fashion we intend to do this. We mentioned the limited experience in the gTLD world managing variant TLDs.

The one example that came up during our conversations provide input is this NGO/ONG technical bundle, which was offered by PIR as not variant per se as we envision it. But nevertheless, they created a product that behave as a variant, meaning one and the same kind of thing. But even noting that that was an example, they don't offer that anymore. Don't quote me on this, but I assume the reason that they don't offer it just because of the complexity. And the registrar was very complex to deal with that implementation. It was very specific. So the registry operator decided to break those TLDs apart and they don't offer those anymore as a technical bundle. So it's just one example.

It's early. If we are talking about two years' time, three years' time, or to see what practices are there, I think it's okay to collect that information from a practitioner's standpoint, gather input, how are those implemented, and have conversation, create a forum to exchange ideas, what works, what doesn't work. But I think directing the Implementation Review Team to go and find a standard, we believe it's premature. We'll leave it there. Thank you.

DONNA AUSTIN:

Thanks, Dennis. Sorry, Satish. Go ahead.

SATISH BABU: Thanks, Donna. The ALAC position was basically that it should not be optional. For instance, if there is a standard that is kind of adopted, then that standard is to be followed. It's not an optional thing. So the original text talked about standards and tests. Now, if these are indeed standards, then this may be the beginning, it would be big because you can't say that the standard is optional. So that is the reason why we suggested "should" here. Now, if you're going to change standards to widely acceptable practices, although we are not discussing in our team, there is a little bit of loss of quality there because a standard is something which has a certain stature, whereas widely accepted practices does not reach that level of robustness. Thanks.

DONNA AUSTIN: Thanks, Satish. So it sounds like we have a little bit of an issue here that we need to resolve. Given this is Implementation Guidance, I take the point that we've got a little bit of a challenge here because the introduction of variants will be new so there's going to be little information out there. But I do understand Satish's point that if there are standards, then why not call those out? Dennis?

DENNIS TAN TANAKA: Thank you, Donna. Reacting to Satish's comments, in general, standards, like for example, the IETF standard openness, those are documents built, developed by practitioners. There's some technical consensus as far as documents go and there's certain waiver. But at the end of the day, those standards are voluntary to implement.

Satish, I guess, I'm asking for you to elaborate, the phrase that you used if a standard is adopted. The way we registries/registrars adopt certain standards is because it's mandated either by our contracts or consensus policy, and that's the only way we are required to follow certain standards instead of others. So I just want to get a clarification. Again, because there is no standard today as far as how you manage variant TLD. There is no such technical guidance or code or standards at the end of the day. And in the future, I foresee different implementations and practices, how they work. I think it's prudent and beneficial for practitioners to have a conversation and exchange idea what works, what doesn't work, but calling something one practice over all their A standard, and then force everybody to adopted it. That's kind of where we don't want to go. We advise prudence as to how we talk about the standards on management of variant in general. Thank you.

DONNA AUSTIN: Thanks, Dennis. Satish?

SATISH BABU: Thanks, Donna, and thanks, Dennis, for that clarification. You do understand that some standards are voluntary. I also agree that we don't have any standards right now. But this Implementation Guidance, it is for the future. And the way we saw standards versus best practices is that best practices are just best practices. They can be adopted but not mandatory. But when you elevate a best practice to a standard, there is a higher expectation that people follow it because that's the very reason it's a standard, not

a best practice. So from where we are coming from, we are looking at standard is something that is desirable that we implement that. And by leaving it “may,” that desirability is being diluted. I mean, we can discuss this and we have to further discuss it in a small group. But this is how we can formulate the original recommendation. Thanks.

DONNA AUSTIN:

Thanks, Satish. I think we need to think about this Implementation Guidance in the context of the recommendation and the intent of this Implementation Guidance. So it really is implementation related to the evaluation of the capability of potential applicant to manage a variant label set. So it's not that a potential applicant will be held to any standard. But what we're talking about here is the evaluation process as the application. The recommendation is probably also important to keep in mind. I believe it's Recommendation 3.7. And that is a future IDN gTLD applicant must be required to demonstrate its ability to manage the applied-for primary IDN gTLD string and applied-for allocatable variant labels from both the technical and operational perspective. The same requirement applies to existing registry operator in 2012 who wish to apply for allocatable variant labels of their existing IDN gTLD.

So, this Implementation Guidance, it seems to me, it's really about what could ICANN use as part of the evaluation process. Satish, the sense I got from you is that it will be a standard that the registry operator would be held accountable to at some point, but it's not really what this Implementation Guidance I think was intended to do. I do appreciate that we did have standards or tests

in the original language. So we need to find out if we can find a way to make the Registries happy and ALAC as well. Hadia?

HADIA EL MINIAWI:

Thank you. So I guess we all agree that for now, it is best practices and guidelines that are going to be developed. But I guess what we were looking for from Satish's comment and our comment—this is like a forward looking a comment. So in the future, and maybe it's not the near future, we can actually develop standards that could be used. It doesn't mean that those will be mandatory standards. But there is room for this. It's now that we have this PDP through which we can actually set the guidelines, guardrails, rules. In the future, it will be difficult too when time comes and it is possible to set a kind of standard, we won't have the opportunity because we won't have a PDP open for discussion to introduce this. Thank you.

DONNA AUSTIN:

Thanks, Hadia. I think part of the challenge here to a registry operator that is contracted to ICANN or registrar that's contracted to ICANN, standard has a specific meaning. So there are RFCs or other standards that have gone to a reasonably robust process that a registry or registrar might need to abide by because of what's in the Registry Agreement. I think the problem here is probably associated with the use of the term standard because it does have a particular meaning or connotation to a contracted party. Maybe I'm misunderstanding this, but I think that's probably where the rub is. Whereas what I think you're referring to, Hadia, is not a standard necessarily that has a capital S but more what

seems to be a standard approach across, I don't know, whatever, across the management of TLD. So standard in the sense that many of the registry operators have the same kind of practice. So it's more of a standard approach rather than a standard with a capital S. Satish?

SATISH BABU:

Thanks, Donna. I think we don't want to put in too many restrictions here. So the word standards is actually as you mentioned, one of the reasons why we were taking this approach, perhaps if you can reformulate—I don't know whether it's possible to reformulate once the public committee is on and all that—but if we can change that slightly, take out standards, and Justine has mentioned criteria and test. So putting some other language there instead of standards, then we should not have a problem with it. Thanks.

DONNA AUSTIN:

Okay. Thanks, Satish. So long as we're not losing the meaning of the area of concern. So, Justine suggested maybe we could use criteria and test plus some further formulation. So, I think we can probably come up with something that meets the intent of both the registries and ALAC in their responses.

The other challenge we have is when we use may and should. I note that our original Implementation Guidance language is "ICANN Org may conduct research" and ALAC revised language is "ICANN Org should". Are there any strong views one way or the other on those? I note that ALAC also added from time to time, so

maybe that's something we can add into the Implementation Guidance as well. Dennis?

DENNIS TAN TANAKA: Thank you, Donna. Two things here. That's a good clarification, Donna. We are coming from the Implementation Guidance 3.8, which pertains to testing the capabilities of a registry operator in terms of variant management. I want to offer this. It's not only during the application process that those capabilities are going to be tested, evaluated, and observed or rejected or what have you. But I envision that those same test evaluation procedures are going to be applied when an existing registry operator activates a variant TLD later on because that's the one that we have contemplated. So at that point in time, the registry operator is already an incumbent registry operator with certain obligations and what have you, the language. But nevertheless, it will go through a evaluation process in order to activate the variants. So same as for example, when registry operator wants to add additional IDN services on their product portfolio. All of a sudden, I lost my train of thought here.

DONNA AUSTIN: So it's along the lines, Dennis, that it's not just during the application process that this could be an issue for a registry operator. I don't know whether we're still talking about standards or whether we've moved on to may versus should.

DENNIS TAN TANAKA: Yes, I was going there. So the second part was, because these processes, evaluation procedures and tests are going to be not just during the application process but also doing the operations of a registry operator, most certainly ICANN Org will produce a process to do that. So may/should, I don't know. You will go but for certain it will happen. Because I don't see how ICANN Org will evaluate registry operator's abilities to activate variant TLDs and manage those without having a standard process. Just as a parallel, we are having a conversation with ICANN Org, we meaning Registry Stakeholder Group, as to how do we ensure consistent and predictable process to review IDN tables, for example. So I foresee same things happening for variant TLDs. So I think it's a certainty that there will be some kind of process and we want to be consistent and predictable. But in going back now to our language, whether it's going to be a should or may, maybe I like to see may because that will let ICANN Org decide what's the best timing of it instead of directing they should do it. And now comes the question to when they should be doing that and all the things. So I wanted to offer that. Thank you.

DONNA AUSTIN: Thanks, Dennis. Satish?

SATISH BABU: Thanks, Donna, and thanks, Dennis, again for the clarification. My personal problem with me is that it also means may not, which means there is nothing binding on ICANN Org to do any work on this particular point, whereas should makes it more binding in the sense work has to be done, they should conduct more research.

So may to me dilutes and basically makes it kind of pointless because it's too big. Thanks.

DONNA AUSTIN: Thanks, Satish. Okay. So I'm hearing some pretty strong views for may and for should. Nigel?

NIGEL HICKSON: Yes. Thank you very much. At the end of the day, if we stick with may, we stick with may. But you can't have a recommendation with may. We wouldn't have that in government, and I don't think we should have it in ICANN, it's completely meaningless. Should or some other. If we're recommending someone to do something, then we say, "Well, we think you should do this in appropriate time or whatever." A recommendation is should, not may. That's what I'm saying. So we either have a recommendation or we don't, I suppose.

DONNA AUSTIN: Thanks, Nigel. So another one leaning towards should. It is Implementation Guidance so it's not a Recommendation. But I'm interested to hear from others as to whether they have a preference here on the may versus should. I think Justine noted in chat that she thought the regular language for Implementation Guidance is should rather than may. So from a consistency perspective, I'm not sure, Ariel, whether you remember what we use there.

ARIEL LIANG: I was trying to go through some other Implementation Guidance, and I think posting some instances have been used. But I do want to double-check some other records to make sure I'm speaking this correctly. But I think in principle, as long as must is not using Implementation Guidance, it's acceptable because the expectation for Implementation Guidance is different from Recommendation. Recommendation is more or less mandatory or is a requirement, but I will double-check.

DONNA AUSTIN: Okay. Thanks, Ariel. May means that they can do it and should means that they—I don't know. In the interest of moving on to the next one here, I think we're okay on the standards. So the concern around using standard I think we understand that. So maybe widely accepted practices or something a little bit stronger than that is probably okay. But on the Implementation Guidance, the may and should I think we still need to think about that a little bit. Satish, I think you did say that you'd come back to us so we can hold this thought for a while. I recognize that Nigel is in favor of should over may. So if there's no other comments on this one, I think we keep moving. Justine? If you're talking, Justine, we can't hear you.

JUSTINE CHEW: Can you hear me?

DONNA AUSTIN: Yes, I can now.

JUSTINE CHEW:

My mic wasn't plugged in properly. I don't really want to belabor this point. But I wonder if we could utilize the Cross-Community Working Parties on Human Rights comment regarding ability for community to maybe comment on whatever that's being developed or the research that is planned for to identify criteria, standards, or tests. I wonder if we should or need to say something along the lines of these things should probably go for public comment, then maybe there is that added security that the community will get to look at it and perhaps comment. Just a thought.

DONNA AUSTIN:

Thanks, Justine. It's a good thought. It's an opportunity to overcome any concerns that those would be impacted by anything that came up. So we could add some specifics to the Implementation Guidance, cover off some of the suggestions from the CCWP. So that's another option that's open to us as well. I don't know to what extent whether we've captured anything in rationale that provides a little bit more color on those things. Maybe we can draw from that or from our actual conversations around this, the charter question itself, whether there's something in that. But we can certainly note that as a possibility as well.

So, Dennis, if we had something along those lines that any proposed outputs or proposals to evaluate the technical and operational capability that it would have to have to undergo some kind of perhaps public comment or public review, would that assist in your concern over using should?

DENNIS TAN TANAKA: Thank you, Donna. Yeah, I believe that's a good way to look at it, that there's going to be community input in which the Registry Stakeholder Group would be very interested in having that conversation. And that's a way bottom-up, essentially. It's a good compromise. But let's look at the proposed text. But yeah, I think that would be a good way to think about it.

DONNA AUSTIN: Okay, great. Thanks, Dennis, and thanks, Justine, for the suggestion. All right. So I think we can move on to the next one. Thanks, Ariel.

ARIEL LIANG: Okay, sounds good. Thanks, everybody, for the discussion. Next one is 3.10. It's still developed under the context of D1b. It says, "The fee structure associated with future IDN gTLD applications that include variant labels as well as applications for variant labels of existing IDN gTLDs from existing registry operators from the 2012 round must be consistent with the principle of cost recovery reflected in the 2012 Applicant Guidebook and affirmed by new gTLD Subsequent Procedures PDP."

So this is a Recommendation. We mostly received either support recommendation as written or support recommendation intent with wording change. I would basically just focus on these two, one from RySG, the other from ICANN Org.

So the RySG's comment is actually consistent with some of the comment provided for previous recommendation. That's in terms of the usage of existing registry operator from 2012 round and also existing IDN gTLDs. This term actually has been considered by the leadership team. And perhaps in a future meeting, we'll come back to the group with a proposal how to use it consistently throughout the report and recommendations with some rationale. So perhaps this comment can be addressed when we get to the global change-related proposal from leadership team.

I think I saw a hand up. I saw a thumbs up loading in my screen. So I assume it's agreed by some of the members in the group.

Just quickly, I'll cover the ICANN Org comment here. Again, this is a staff categorization. We put ICANN Org comment here that didn't explicitly select this option. So the first paragraph, to be honest, I personally don't know what to do exactly with it. But I will just quickly read this. It says the ICANN Org had the assumption that the group may assume variant TLDs are required by the same community. However, this assumption does not always hold true in all cases. There are evident distinctions between variant TLDs in different languages in Arabic script using countries such as Arabic, Urdu, and Persian, which demonstrate that variant TLDs do now uniformly cater to the language speaking communities across different nations. Just upon further review, I think this may be misplaced. As the comment for this recommendation, it probably should be in another recommendation. We talked about the community TLD variant label application expectation. I think this may go there. But again, I personally don't know what to do with this comment. It doesn't

seem like a suggestion to change language. It just seems just stating a fact that that may be in practice right now.

Then the second paragraph says the rationale for Recommendation 3.10 states that variant labels are not necessarily intended as a commercial opportunity to explore a new market. This is a sentence including the rationale, and ICANN Org observes based on affirmation examples that there is indeed a clear possibility to explore new markets. So again, it could be in our rationale, the sentence may come off not seems to include other opportunity to explore new markets, that kind of scenario, for variant TLD application. But, again, we put not necessarily intended so I'm not sure exactly what to do with it, whether the rationale needs to be changed. But I just want to note these are the comments from ICANN Org.

DONNA AUSTIN: Thanks, Ariel. I'm not 100% sure what we need to do with that other than perhaps note that it's there. I don't think that it's contradictory. So I'm not sure what the point is. Justine?

JUSTINE CHEW: Thanks. I put in the chat to say that I support what you said. But since you called on me, so I'm saying it verbally. Yeah, I think we should just note the comment from Org and not do anything about it. Thank you.

DONNA AUSTIN: Okay. Thanks, Justine. Sarmad?

SARMAD HUSSAIN: I think this comment probably does not belong with this recommendation. Or maybe we can work offline and then come back. Thank you.

DONNA AUSTIN: Okay. Thanks, Sarmad. So there's nothing that we need to do on the Registry comment about deleting from the 2012 round at this point because we'll consider that in a holistic review that we're doing around that language. So we can note that and leave it for now. Okay. So we got to keep going, Ariel.

ARIEL LIANG: Thanks, Donna. I note that Justine had a question for me for 3.9. There's no Org comment for this one. So I just want to quickly respond to her for that question.

Moving on to 3.11. Again, it's developed in the context of D1b, specifically about the aspects of associated fees, including the application fees. This is the set of recommendation that generated quite a bit of discussion and comments from the community, also from ICANN Org. So 3.11 says a future IDN gTLD applicant applying for a primary IDN gTLD string and up to four of that string's allocatable variant labels during an application round must incur the same base application fee as any gTLD applicant who does not apply for variant labels in that round. So that's the one that we had a lot of discussion about towards the end of the deliberation of these charter questions.

We received somewhat different kind of level of support. Most of the commenters actually support recommendation as written. But then we also received some concerns. Also, again, this is not something explicitly stated in, for example, ICANN Org's comment and BC's comment, but just based on the way they wrote the comment, this is how we tried to categorize it.

ICANN Org, the comment is a little bit long and it pointed to the SSAC advice again, and that's something the group is already familiar with. It's SAC060 that talks about a large number of variants strings may present challenge for management of variant domains, and there could be a permutation issue. So the group is already familiar with that SSAC advice.

I think the second paragraph basically supplement that information. So I'm just going to summarize it. It basically says even RZ-LGR did set limit in terms of allocatable variant label. That limits is not necessarily adequate. Also ICANN Org have included—the quotation it says RZ-LGR can be thought as creating a maximum set of valid labels to allocatable variants. But other steps are expected to include suitable mechanism to further reduce the list of labels. And then policies outside RZ-LGR mechanisms may apply further restrictions. So that basically supplements the SSAC advice by including these mentions. Actually, this quote is from the overview summary document of RZ-LGR Section 6.2. So that's additional information here.

I think as closing of Org's comment, it basically says this recommendation does not align with the conservatism principle. We basically kind of encourage more application for variant labels, and up to four will basically pay for the same application fee. That

goes against conservatism. So that's closing comment of ICANN Org.

Just to quickly wrap up all the comments on this page, BC also expressed concerns that—maybe I should put this in the concerns category rather than do not support—but anyway, basically BC says it remains concerned about the stealing value which goes beyond the conservatism rule. And it does now support the proposed up to four variant label threshold to the existing registry operators. Then BC believe the orderly introduction of variants should be based on the experiences from the Fast Track process in 2010 in which provide a new concept of synchronized IDN ccTLD and would allow for delegation of multiple labels that are considered equivalent, as well as the Board resolution stating general and wide community support for the notion of simultaneously delegating this particular requested pair of IDN ccTLDs to meet the well understood needs of users of Chinese.

So I think they basically feel uncomfortable with up to four, and then they're referencing the Fast Track process in 2010. So, they did express concern, but I'm not able to completely understand the linkage between the concern to the Fast Track yet because they're really different processes and under different circumstances. So I will stop my ramble here and back to the group for the discussion.

DONNA AUSTIN:

Thanks, Ariel. In some respects, I think these two comments are as much about the ceiling value as they are about the fee. So I guess I have a question of whether we want to leave this

conversation until we look at the ceiling value or whether we just bring forward the ceiling value conversation. So we have Sarmad and then Michael.

SARMAD HUSSAIN:

Thank you, Donna. Just to, I guess, reiterate in some ways, I think one of the reasons or discussions which have gotten led to the number four was that Root Zone LGR is already looking at making this variants as conservative as possible. So, I guess what the ICANN Org comment is clarifying is that even though the design of Root Zone LGR was one of the principles was to minimize allocatable variants but there are limitations on what can be achieved algorithmically. And therefore, within Root Zone LGR itself notes and states that allocatable variants it can create should be looked at as a maximal set, not a minimal set. And policy outside the Root Zone LGR, which is an algorithmic process, should really tighten this up, I think. I guess in addition to that, given that it is recommended that there should be no additional fee, that takes at least some of that additional, in a way, constraint on applying for variant TLDs. So given that all of these four, which is potentially a maximal set, not a minimal set, can be applied without a fee, this obviously does not align with the conservatism kind of principle. Thank you.

DONNA AUSTIN:

Thanks, Sarmad. I understand what you're saying but I struggle a little bit, how is four not conservative? So, what number would be conservative? I know we spent a lot of time talking about this and I understand that if we're kind of giving a free ride to what some

might perceive as a free ride up to four, then it's not really a disincentive. They will just apply for the four. But we do know that, really, the only script is Arabic that could possibly have up to four that would be a free ride. So I guess there's a question for us here as to we've taken guidance from the RZ-LGR and noting that allocatable variants are only allowed by a small number of scripts. And that's what we thought would constrain and help us with that conservative approach. But there's a question here about whether we want to reconsider that. Michael?

MICHAEL BAULAND:

Thanks. I got two comments, one regarding the ICANN Org's comment and one regarding the BC comment. First, I agree with some of you but I think four is kind of conservative. Also, the four we just put there because we didn't know any other better number and wanted to have the public comment to let us know if we should maybe increase or decrease it, so we can discuss whether four or three or five or two is a better number. But we should have three variants because we want to promote the use of variants, don't we? At least, I thought that was the goal of the IDN EPDP to give the communities better possibilities to use their language and their scripts. And this should be done by giving at least a certain number of possible variants for free, not making them pay for that, because that would essentially block the usage of those variants.

The second comment regarding BC is it seems that they are not happy with four but I didn't understand whether they say it's too low or too high. But does that mean not getting that argument or did they not say whether it's too low or too high? Thanks.

DONNA AUSTIN:

Thanks, Michael. My read of the BC comment is that we're not being conservative enough. And that our ceiling value, if I remember correctly, is we didn't mention a number in the ceiling value because we've relied on the work that's been done by the Root Zone LGR. They've provided that guidance. We also said that I think that we wouldn't expect that an applicant is going to apply for a hundred variants from an economic or operational perspective. And then we also had to maintain the requirement that if you do, whatever you do apply for, once you're contracted, you have to delegate those within the 12 months or 18 months. So there was a couple of things there.

I think the real thing for us when we had the discussion is this PDP is about enabling the introduction of variant TLDs and supporting the language community. So how do we provide that balance between—if we're considered too conservative then we're potentially doing the language community a disservice by not allowing them to use the variants for the required need. I think we came up with four because we know that—I think one of the scripts, it suggests up to two and maybe there's another one that has three, and the four was because we don't know what would be a good number for Arabic, and that's open-ended.

I think we probably have to really look at the ceiling value, which is a recommendation on its own. Because Justine's saying we said no ceiling value. But I can understand that from what ICANN Org is saying in their comments here about SAC060, or whatever it is, is that we've relied on no ceiling value because the Root Zone LGR does a certain amount of work for us. There's only seven

scripts or something that have allocatable variants. But the one that could blow out, I suppose, is Arabic.

Back to Sarmad's point that there was an expectation that the work of the Root Zone LGR wouldn't be the only means by which you would be able to—constrain is the wrong word—but identify the number of allocatable variants. Maybe we need to look at that ceiling value in light of these comments. But for now I'm tempted to say let's reconsider the comments on this one once we've had a relook at 8.1. Because, for one, I'm not sure what other comments we have on 8.1 and whether they're inconsistent with what's here or the same. Sarmad?

SARMAD HUSSAIN:

In this context as well, there is also another, I guess, recommendation or guidance that when the applicant applies for a variant, they would explain the reason for applying, for example, identifying the community, which would need that variant. However, I think the guidance or recommendation is that question, of course, provides that information but also may not actually be evaluated from a scoring perspective. I guess that's apparent. What that's also doing is maybe also not able to, I guess, establish the conservatism or align with the conservatism principle as well. Thanks.

DONNA AUSTIN:

Sorry. Nice little conversation to myself. Sorry about that, guys. The only comments we have on 8.1 from ICANN Org, although I think that comments from BC on the ceiling value probably would

sit in this as well. But, as Justine said, we need to bear in mind that we have five commenters that support our approach to the ceiling value. We also have a request outstanding to the Arabic Root Zone LGR to see if they would consider putting a number on the allocatable variants as well. I guess we can come back to 8.1. I guess, just to put on note that it's a conversation that we'll have to have and see if the comments change, folks' thoughts on where we landed with no ceiling value.

So let's go back to 3.11, Ariel. It's where I think we were. Okay. At this point in time, I don't see any reason to change this recommendation. All right. So we're going to keep it for now. So let's move on, Ariel.

ARIEL LIANG:

Okay. Moving on to 3.12. That's a non-recommendation in the general category of fee structure of a variant label application. It says, "In any applicant applying for more than four allocatable variant labels of a primary IDN gTLD string in the application round may incur additional fees that ICANN Org considers to be proportionate to any additional costs associated with evaluating the application and consistent with the cost recovery principle."

Again, most of the commenters that responded, they support the recommendation as written. ICANN Org expressed concerns and think it's consistent with the 3.11 concerns. The comment is actually in the form of a question. ICANN Org is asking is the EPDP team in agreement with ICANN Org's understanding that during the next round, applicants will bear additional expenses linked to IDN applications, which include four allocatable variant

labels of a primary IDN gTLD string and no additional costs. If so, then ICANN Org assumes that the cost of the variant gTLD applications will be spread across the whole program to meet cost recovery principles.

I think it's a question for the group to respond. I don't know whether it's something that needs to be explicitly answered including a rationale. But I think when we develop the cost recovery principle recommendation, it was noted in the group's understanding the whole program is cost recovery. It doesn't necessarily mean each application will be cost recovery. So I think the answer to ICANN Org's question is yes, it's consistent with the Org's understanding. But I will stop here for the group for discussion.

DONNA AUSTIN:

Thanks, Ariel. I'm not sure I understand the first question. Maybe it's the way it's worded. Ariel, your question about whether we need to respond to this, I think we do need to have something that answers the question so it's not something that comes back at us that "We didn't understand what you meant because you didn't respond to our questions." So I think we need to at least do that. Because I'm not sure the next round of applications for applicants will bear the additional expenses linked to IDN applications. I don't know what that means, really. Is Michael Karakash on the call? Can he flesh this out for us a little bit?

MICHAEL KARAKASH:

I'm on the call. Can you what repeat your question was?

DONNA AUSTIN: Can you just give us a little bit of—personally, I’m not sure what the first question here is asking. Is the EPDP team in agreement with ICANN Org’s understanding that during the next round, applicants will bear the additional expenses linked to IDN applications, which include four allocatable variant labels of a primary gTLD at no additional cost? I don’t understand the question.

MICHAEL KARAKASH: Sure. Thanks. I think we’ve discussed this internally. I also know that Sarmad can provide a more technical response to this. I don’t want to put him on the spot but—

DONNA AUSTIN: Sarmad?

SARMAD HUSSAIN: Thank you. Sure. I can try to explain. I think what is being suggested or asked by ICANN is that there is, of course, some cost associated with evaluating an IDN gTLD string application. In Recommendation 3.10, of course, it suggests that beyond the four allocatable variants, that cost can be built into the process. So I guess the ICANN Org is asking that if the cost is built into the process after the four allocatable variants, of course, the first four IDN gTLD string allocatable variants are also evaluated and they bear the same cost, perhaps. I guess the question is that ICANN Org is checking whether that additional cost for IDN gTLD

allocatable variants will be put to the program. Program, meaning the next gTLD application round, which means all the applicants, not just the IDN gTLD applicant will be at a cost because the cost will be, I guess, distributed across the whole program.

DONNA AUSTIN: Right. Okay. Michael and then Dennis.

MICHAEL BAULAND: I think the answer is yes to that. I don't think it's a problem because there are many things or checks or whatever happening during an application and not all of them affect all applicants. And the whole process is cost recovery before it's set and some applications benefits, so to say, because they pay less than they would have to pay and others have to pay more because they are simpler of nature, but still bear the average cost of an application. That was already the case without the variant and I don't think this solution wouldn't make this [worse], so to say. Thanks.

DONNA AUSTIN: Thanks, Michael. Dennis.

DENNIS TAN TANAKA: Thank you, Donna. More along the same lines what Michael said. The previous round and most recently, SubPro, I don't believe there is a recommendation to structure fees to shape or abide strictly to the cost recovery. Meaning, if a registry operator needs or is required to go through certain processes, it will be for more or

less. The example that I have always used is the IDN tables. A registry operator applying to no IDN table does not see any cost benefit in the application fee, whereas a registry operator applying for multiple IDN tables conversely does not see an increase in application cost.

I think knowing that these IDN EPDP wants to provide access enabled applications combining TLDs to a certain number, that should inform the implementation and the cost overall. In the previous round, yes, you can think of it. Some applications go that others because certain applications needed more time to process other staff time, whatever, than others. So there was [subsidization] already happening there. Well, I'll keep my opinion. But I just wanted to say that that's already happening. It is expected. I'll stop there. Thank you.

DONNA AUSTIN:

Okay. Thanks, Dennis. Thanks, Sarmad, for the clarification. The answer to ICANN Org's questions is yes and yes. I think we've cleared that up. I think we can move on, Ariel.

ARIEL LIANG:

All right. Sounds good. Thanks, everybody for the input. So moving on to 3.13. Also, it's part of the fee structure related to recommendations. It says a future registry operator applying only for allocatable variant labels of its delegated primary IDN gTLD must incur a discounted base application fee that ICANN Org considers to be proportionate to any costs associated with evaluating the application and consistent with the cost recovery

principle. Again, most of the commenters responded to this recommendation support, the recommendation as written and consistent with other recommendations. ICANN Org, I think this comment is categorized as concerns. I'll just read this comment from Org.

An assumption made by EPPD team in Recommendation 3.13 suggesting that evaluating a variant string during the application process is less costly compared to evaluating the primary string. However, it is important to note that even if the primary string is delegated to the variant string, you need to undergo most of the steps in the application process. Although further analysis is needed to determine any actual cost reduction, it is possible that additional tests are required for variant TLDs which could potentially result in increased costs. So I think, in essence, the Org's concern was the term discounted because it's basically saying it may not necessarily be cheaper to only evaluate variant labels compared to evaluating the primary string. I think that's what the concern comes from. And I will stop here.

DONNA AUSTIN:

Thanks, Ariel. So noting the concern from ICANN Org and the fact that other commenters supported this, do we have any ... Does this sway us one way or the other to perhaps remove the discounted base application fee and just have a base application fee? I mean, I would note that we're giving the discretion to ICANN Org. When we say discounted, there might just be a 10% discount. It doesn't have to be a 70% discount. So the discretion is with ICANN on this one. Michael?

MICHAEL BAULAND: I disagree with the comment from ICANN because I think if evaluating one or two or three variants is most likely cheaper because there are several checks that have to be done for the whole application, like the financial capabilities of the applicant or the technical capabilities, the RSG, the test of the back end, and whether you have one variant or two variants make no difference at all. Sometimes also having no variants or one variant doesn't make a difference for the checks. I think having one or two or three variants, it's definitely cheaper than the first application label, so to say. Thanks.

DONNA AUSTIN: Thanks, Michael. I'm noting in chat that Jerry supports what Michael has said. Nigel supports keeping the recommendation as it is. And Satish has noted that people have been waiting for a long time for the variants, more than a decade. So ICANN should reduce the cost as much as possible. I don't see any movement to change the recommendation as it is, so I think we can move on, Ariel.

ARIEL LIANG: Okay, sounds good. Thanks, everybody. And thanks for the comments in the chat as well. Moving on to 3.14. That's another fee-related recommendation. It's a bit more detailed here. Just to refresh everybody's memory, it says, "If existing registry operator apply for up to four allocatable variant labels of its existing IDN gTLD and then there are two different scenarios versus if it applies

in the immediate next round, the base application fee will be waived as a one-time exception. And if such an existing RO applies variant labels in any round subsequent to the next round, then the application must incur a discounted base application fee as set out in 3.13.”

Second type is if the existing registry operator applies for more than four allocatable variant labels—again, there are two scenarios. If this happens in the immediate next round, then the application may incur additional fees as set out in 3.12. And then if such application was submitted in any subsequent round to the next round, the application must incur a discounted base application fee, plus may incur additional fees. This is something specifically related to existing ROs. Again, we probably have to do the global change by deleting this phrase led by the asterisk sign. That’s the recommendation.

We have received more comments here. But most of the folks that responded supported this recommendation as written. For Org’s comment, it’s again categorized as concerns. The first comment says—in Org’s comment for 3.12 is “EPDP team in agreement with Org’s understanding that during next round, applicant will bear additional expenses linked to IDN applications which include four allocatable variant labels of a primary IDN gTLD string at no additional cost.” I think that’s the same question about the cost recovery principle, how is that implemented, and I think the answer is yes here, but happy to have the group comment on this.

Then again, the second comment is basically look at this comment in connection with its comment for 3.11. It’s again with the concern, fees and no additional cost. I think we may have to

pause the PointQubec comment. It's basically talking about GeoTLD-related things, but that's in connection with the major issue that it's facing. We may not need to talk about this for now before that point is somehow addressed.

But we can take a look at the BC comment here. It didn't explicitly say it doesn't support but actually in the comment itself, it says it does not support the fee waiver proposal for existing ROs and it believes if the waiver is introduced, it will impact the financial health of the new gTLD program, given various changes proposing the evaluation process, and likely an extended amount of workload and other resources will be performed. With that reason, BC believe this could create a greater cost and operational burden on ICANN. Therefore, it recommends a reasonable fee structure of the existing ROs or future IDN gTLD applicant to apply for variant strings. Just a quick reminder, it's a really very limited number of ROs can apply for variant labels based on the current RZ-LGR calculation. So I wonder how to take BC's comment to a consideration. I see Justine has her hand up.

JUSTINE CHEW:

Thanks. I had trouble understanding this comment from BC, actually. Because predominantly, they said fee waiver proposal for existing IDN ROs and then they go and talk about—okay, maybe I'm looking at the wrong thing. So I withdraw my comment for now. Sorry about that.

DONNA AUSTIN: Thanks, Justine. As Ariel noted in what we're talking about or what we believe we're talking about here is a small number of registry operators in 2012. Based on the survey that we conducted, we don't think we will have a lot of existing IDN gTLD registry operators that will be coming forth for variant labels. It's a small number. I think to Satish's point earlier that these gTLD operators have been waiting for 10 years now. I think we discussed it at the time, it's some form of compensation and recognition that they have been waiting that long. I'm happy to be corrected, but I don't think there's much sympathy for the BC comments. I think the recommendation as it is is okay. Hadia?

HADIA ELMINIAWI: Thank you, Donna. I raised my hand basically to agree with you and also to note that part of this waiver also is that we actually want to encourage IDN gTLDs. All in all, the process will be based on a cost to recovery. However, as we have discussed, this still could happen with the existence of the waiver. Thank you. And also, as Satish mentions, of course, we need also to accommodate the registry operators that have been waiting for more than 10 years now. Thank you.

DONNA AUSTIN: Thanks, Hadia. Can we just have the old comment up again, Ariel? PointQuebec we're just going to put on hold for now and not worry about that.

I don't know if there's anything to do on that ICANN Org comment either. Let's keep going, Ariel. We've got 20 minutes left.

ARIEL LIANG:

All right, sounds good. Keep going, 3.15. This is actually not part of this fee discussion. It's something related to the process by which existing ROs apply for variant labels. It says that the one-time exception for the immediate next application round, applications for allocatable variant labels of existing IDN gTLDs must receive priority in processing order ahead of all other new gTLD applicants, including the IDN applicants that [lack] to participate in the prioritization draw. Just a quick refresher, the prioritization draw was something proposed by SubPro. They actually have a pretty detailed formula on how to calculate that. Basically, what our recommendation says is that for the variant label application from existing IDN gTLD ROs, they have to be put at the front of the queue even among the IDN applicants that will get prioritized.

So that's the recommendation. We mostly got support from commenters. The PointQubec comment, we probably have to park it to deal with this later.

And then BC is the one that I guess could be categorized as either concern or do not support. So it says BC remains concerned about the proposed application priority given to existing IDN ROs if a prime variant string in a subsequent round, while BC has long supported giving priority to IDN applications, we do not recommend adding variant TLD application processing in the front of the application queue. BC believes that the variant application should be grouped with other IDN strings in the same batch or order. That's BC's comment. And I will stop here to see whether the group has any input for this one.

DONNA AUSTIN: Hadia and then Justine.

HADIA ELMINIAWI: Thank you. I guess the point here is that existing IDN registries would have actually by now had their variants delegated if they wished if it was actually allowed in the previous round. But because it was not allowed in the previous round, now they need to apply with everyone else that is applying in the upcoming round. I guess this is the logic behind giving them an advantage now because they should have existed already, but because it was not allowed, they do not. Thank you.

DONNA AUSTIN: Thanks, Hadia. Justine?

JUSTINE CHEW: Thanks. The query I had earlier was actually this one, which is to say that they talked about subsequent rounds. I'm not sure whether they mean the next immediate round or a subsequent round as in the next round after the immediate round. If we're going to just assume that they're talking about the immediate next round, then I would agree what Hadia said. If they mean something else, then I think we need to clarify.

DONNA AUSTIN: Thanks, Justine. I don't know the extent to which we want to see clarification on this. I don't know that it would change our mind at all.

JUSTINE CHEW: Perhaps if I may add, if we assume that they mean the immediate next round instead of a subsequent round as we know it, then we can—hang on. I'm thinking the other way. Never mind. I withdraw.

DONNA AUSTIN: If the way that they're used in a subsequent round means the immediate next round then it's not an issue. But if they think that priorities are going to be given in not just the immediate next round but in subsequent rounds as well, then that's a misunderstanding of the recommendation.

JUSTINE CHEW: Correct. That's what I was trying to get at. If they mean the immediate next round, then we have our reasons why we recommended it. If they mean the next round after the next immediate round, then it's a misunderstanding. Yes, correct.

DONNA AUSTIN: Okay. All right. I think this recommendation is okay. Can we keep moving, Ariel?

ARIEL LIANG:

Yes, we can. Moving to 3.16. This recommendation is developed in the context of charter question B5. B5 is asking about how to handle variant application of a non-standard gTLD types such as community TLD, .brand, Geo, that kind of TLDs. The recommendation says, “An applied-for allocatable variant label must be subject to the same application requirements and evaluation criteria as associated primary IDN TLD string. Specifically, the same documentation requirements apply to both the primary and the applied-for allocatable variant label.”

Then regarding the three types that we talked about, this means an applicant for a community-based TLD string and its allocatable variant labels is required to submit a written endorsement of its primary string and variant label from established institutions representing the community that the applicant has named. Then for GeoTLD, the applicant is required to submit documentation of support or non-objection to its primary string and allocatable variant label from the relevant governments, republic authorities. For .brand TLD and its variant labels, the applicant is required to submit proof that its applied-for primary and applied-for allocated variant labels are identical to registered trademarks owned and used by the registry operator with affiliates. That’s the recommendation. We received mostly support as written. The PointQuebec’s comment, we have to park it for now.

Then we also got some concern from the working party on Human Rights. It says it has a question regarding the definition of established institution. It is unclear whether this means recognition from a state entity or not. This requirement may disproportionately impact communities that are not recognized by their governments

or face other barriers to legal identity. Across the world, not all communities have a single institutional representation and there may even be competing ones. In such instances, it is unclear how ICANN will decide which institution is established. Would that recommend that this section be deleted as it would limit smaller communities with no power to get recognition from the state entity?

I just wanted to comment, we got this verbiage from SubPro report, at least from the Applicant Guidebook, how it was written in terms of community TLD, what documentation needs to be submitted from whom. I don't think that IDN EPDP is making any change to that. But I see Justine has her hand up.

JUSTINE CHEW:

Thanks, Ariel. I don't believe anyone here would support a change in the recommendation, to be very bold. But it's probably worthwhile including the term established institution in the glossary or finding a way to explain what the term means in order to switch the comment that's been given here.

DONNA AUSTIN:

Thanks, Justine. I assume or I would hope that given we've pulled this language from SubPro that they would have a definition of established institution that we could use. I think it's a good idea to provide a definition for it in the glossary. Hopefully that definition already exists. Okay. Let's move along, Ariel.

ARIEL LIANG:

All right. Sounds good. We'll double-check and reference the existing definition elsewhere. Moving on to 3.17. It was created in connection with charter question A7, that's about the single character TLD. We didn't receive any comments but we understand the Chinese, Japanese, and Korean GPs are still deliberating on the request for developing some kind of guidance and they're doing process working on that. But I just wanted to note that hopefully they can at least give the group some kind of notice where the direction is generally heading so that when we finalize this recommendation, we'll see whether this is still the right approach. I just want you to note this is something we have parked in our backlog that we have to check before this recommendation is finalized.

I guess we can move on to 3.18. This is developed in the context of charter question E5. It's about reserved strings ineligible for delegation. It says the reserved names list must not be expanded to include variant labels. So we have received—most of the comments has the SubPro recommendation as written. Then Org has some minor suggestions. Org suggest the team revise the mention of the reserved names list to the new gTLD program reserved names list to avoid confusion with terminology used in Specification 5 of the Registry Agreement, which also refers to registry reserved names. It's just to be more accurate in terms of our terminology. Any comments and questions about this one?

DONNA AUSTIN:

I see in the chat that Michael's agreeing with the suggested change. And I think for consistency, we should try to use the same

terminology that's used elsewhere. I don't see any problem with using that.

ARIEL LIANG: Okay, sounds good. Thanks, Michael, and thanks, Donna. I guess this is my cue to move on. So 3.19, again, it's about the reserved names. And it says no application of variant label for reserved names. We got no comment. We're just support. We're just good. Nothing to change there. Then 3.20, it's about—oh, Justine has her hand up.

JUSTINE CHEW: Sorry, Ariel. When you say no change, I think we probably should have a change. Same with 3.18.

ARIEL LIANG: The terminology?

JUSTINE CHEW: Yes. We should apply it to 3.19 as well. Thanks.

ARIEL LIANG: Thank you. Good call. I'll make sure. So if no other comments—3.20, it's about strings ineligible for delegation. That's not reserved names, but the Red Cross, Red Crescent, International Olympic Committee, and IGO/INGO names, I believe. Also, we said the list of strings eligible for delegation must not be expanded to include variant labels. We've got either support recommendation as

written or no comment. I think this one is probably okay. Org didn't say anything about the terminology here. So I guess it's already accurate.

Maybe move on to 3.21. We're going too fast right now, which is good. It's actually about strings ineligible for delegation. It's again, the Olympics, Red Cross, and IGO/INGO. Maybe I don't need to read the recommendation here because we've got either support as written or no comment. So I guess we'll just move on.

This one, 3.22. I guess just a reminder, this recommendation is about if RZ-LGR implementation is somewhat incorrect and certain string is evaluated as invalid, what to do with that? This is a somewhat elaborate recommendation. I guess as a reminder for folks is that we did recommend using the challenge mechanism that was recommended by SubPro to deal with the scenario that there is incorrect implementation of RZ-LGR. And applicant can challenge that based on the belief that the DNS stability panel made the wrong evaluation based on the problematic implementation of RZ-LGR. And then, if their string is deemed invalid or blocked, they can utilize the challenge mechanism to challenge that. But they cannot challenge the RZ-LGR in principle, but the implementation of that.

Even we do not really have comment or just support recommendation that's written, I think I noted a while back that this is something the Board's action related to SubPro recommendation may have an impact on this one because the current stand—I'm happy to have Alan or Edmon to chime in if there's any additional update on that. It said the current stand is not adoption to the challenge mechanism. So this

recommendation reference that challenge mechanism and actually support using that for challenging this kind of scenario. If, ultimately, the Board really indeed do not adopt that SubPro recommendation, then there will be a collateral impact on this one. This group may want to think about how to address that. But I'm happy to stop here. I see Edmon has his hand up.

EDMON CHUNG:

Obviously, I can't speak for the Board on this because the Board hasn't taken a final decision on it. But as a Board liaison, I guess I can bring a little bit of the background of the discussion from the Board. I mean, the same has been expressed by Avri and Becky in other sessions as well. The reason why the Board has concern with the broad appeals mechanism is that it seems like it's envisioned to be a process that is one size fits all. But in reality, especially through the ODA and then the staff looking at it, it seems like every particular challenge might have its own nuances. What the Board is looking for is not really to reject the concept of having appeals, but potentially if there are specific appeals and specific mechanisms that might make it a bit easier to actually implement.

For the purposes here, I think, yes, this should be highlighted. But in the case where the broader abuse mechanism is not adopted by the Board, I think this group should develop a specific appeals mechanism to address the issue that that we need to address. That's, I guess, at a very high level. That's what I wanted to add.

DONNA AUSTIN: Thanks, Edmon. Maybe to that point, we could potentially put some Implementation Guidance around this with that. Changing the recommendation that might be an option available to us, but we have to look into it. Hadia?

HADIA ELMINIAWI: Thank you. As you mentioned and as I understand from Edmon, the problem here is about having a defined mechanism through which the challenge can happen. My question may be to Edmon. Who is expected to actually put this mechanism in place? And maybe as Donna mentions, it could be through the Implementation Guidance. Going forward, I don't know if we hinge our recommendation on SubPro, then SubPro would need to come with a mechanism. But maybe for us to finish the work, maybe we should come up with a mechanism in the implementation. Thank you.

DONNA AUSTIN: Thanks, Hadia. I think what we need here is a better understanding of the Board's concerns more generally, and then see how that potentially impacts the recommendation. We have identified the grounds for challenge. I'm not sure what's in the recommendation, but maybe there's a way that we can clean this up so that whichever way the Board goes, it's not going to be detrimental to this recommendation. Edmon?

EDMON CHUNG: I guess in response to Hadia, in my mind, there are three parts. One, first of all, is that I guess we shouldn't worry too much about

it right now and we should just go along with our work and park this issue. The second part of it is that in the case where the broader appeals mechanism was not there, I think we should definitely provide some parameters of what types of appeals we need for IDN-specific issues. That's the second part. The third part, in response to Hadia, is that what we provide in the second part as policy and also implementation guidelines eventually would be implemented in the implementation process. So the details of the mechanism would happen in the implementation process. Hopefully that makes sense.

DONNA AUSTIN:

Okay. Thanks, Edmon. That's helpful information. All right. I think we can draw the call for today to a close given that we're one minute over time. We will come back to this next week. All right. Thanks, Ariel. Thanks, everybody. Devan, you can end the recording now.

[END OF TRANSCRIPTION]