**Draft Outcome**

Consistent definition and technical utilization of RZ-LGR

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| **CHARTER QUESTIONS** |

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| **a1)** Evaluating all TLDs using RZ-LGR as the one and only authoritative source allows for a consistent approach for reviewing current and future TLDs. The SubPro PDP, the Staff Paper, and the Study Group on Technical Use of RZ-LGR (“TSG”) recommend that compliance with RZ-LGR (RZ-LGR-4, and any future RZ-LGR versions) must be required for the validation of all future gTLDs (including IDN and ASCII labels) and the calculation of their variant labels as a matter of policy, including the determination of whether the disposition of the label should be blocked or allocatable.[[1]](#footnote-1)  For existing delegated gTLD labels, does the WG recommend using the RZ-LGR as the sole source to calculate the variant labels and disposition values? |

**Draft Answer to Charter Question:**

The EPDP Team agreed that the RZ-LGR should be the sole source to calculate the variant labels and disposition values for existing delegated gTLD labels.

**Draft Recommendations & Implementation Guidance:**

Recommendation 1.1: The RZ-LGR be the sole source to calculate the variant labels and disposition values for existing delegated gTLD labels.

**Draft Rationale for Recommendations & Implementation Guidance:**

Rationale for Recommendation 1.1: To support its consideration of charter question a1), the EPDP Team relied on data collected and analyzed by ICANN org that calculated the variant labels of existing gTLDs by using the latest version of the RZ-LGR (i.e. RZ-LGR-4) and determined whether the variant labels match those that were identified by the applicants in the 2012 New gTLD Program.[[2]](#footnote-2) As the RZ-LGR did not exist in 2012, IDN gTLDs applicants were asked to self-identify any “variant” labels (based on their own calculations) corresponding to their applied-for label. The EPDP Team concluded that there is no significant difference between the variants calculated by the RZ-LGR and those self-identified by applicants in 2012. Only two self-identified “variants” did not conform to the RZ-LGR: one likely related to an alternative spelling; and the other was potentially a typo. As a result, the EPDP Team concluded that using the RZ-LGR as the sole source to calculate variant labels of existing gTLDs and their disposition values would not have a major impact on existing delegated gTLD operators.

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| **a2)** Before the proposed RZ-LGR mechanism, applications for IDN gTLDs have asked the applicant to identify and list any variant labels (based on their own calculations) corresponding to the applied-for string. The self-identified “variant” labels do not have legal standing, as “[d]eclaring variant strings is informative only and will not imply any right or claim to the declared variant strings.”[[3]](#footnote-3) The TSG recommends that the self-identified “variant” labels which are also variant labels calculated by RZ-LGR will need to be assigned a variant disposition based on RZ-LGR calculation, as discussed in **a1)**.  If some self-identified “variant” TLD labels by the former gTLD applicants are not found consistent with the calculation of the RZ-LGR, but have been used to certain extent (e.g., used to determine string contention sets), how should such labels be addressed in order to conform to the LGR Procedure and RZ-LGR calculations? Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter. |

**Draft Answer to Charter Question:**

The EPDP Team agreed that no recommendation or implementation guidance is needed for the self-identified “variant” gTLD labels in the 2012 New gTLD Program, as they do not have legal standing and are for information purposes only. It does not matter whether any of the self-identified “variant” labels were used for any purpose in the 2012 round (if at all).

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| **a3)** SubPro PDP recommends that ICANN establish a mechanism that allows specific parties to challenge or appeal certain types of actions or inactions that appear to be inconsistent with the Applicant Guidebook.[[4]](#footnote-4) SubPro PDP recommends that such a limited challenge/appeal mechanism applies to several types of evaluations and formal objections decisions, including the DNS Stability aspect of evaluation/challenge procedures. Previously, both the SSAC and TSG also recommended a challenge process for resolving disagreement with the RZ-LGR calculation on certain strings.[[5]](#footnote-5)  If an applied-for TLD label, whose script is supported by the RZ-LGR, is determined to be “invalid”, is there a reason NOT to use the evaluation challenge processes recommended by SubPro? If so, rationale must be clearly stated. If SubPro’s recommendation on the evaluation challenge process should be used, what are the criteria for filing such a challenge? Should any additional specific implementation guidance be provided, especially pertaining to the challenge to the LGR calculation as it can have a profound, decimating impact on the use of RZ-LGR?[[6]](#footnote-6) |

**Draft Answer to Charter Question:**

The EPDP Team agreed to the following:

* An applicant can challenge an evaluation determined by the DNS Stability Panel (DSP) that the applied-for TLD label, whose script is supported by the RZ-LGR, is “invalid”.
* Eligibility for filing such a challenge is limited to the applicant’s belief that the DSP has incorrectly assessed the label as “invalid”.
* The evaluation challenge processes and criteria applicable to the DNS Stability Review recommended in the SubPro Final Report should be used for such a challenge.

**Draft Recommendations & Implementation Guidance:**

Recommendation 1.2: SubPro’s limited challenge mechanism for DNS Stability Review applies in cases where the applicant believes that the label is valid as per the RZ-LGR and that the DNS Stability Panel has incorrectly assessed the label as "invalid", thus resulting in the application having been incorrectly disqualified.

Implementation Guidance 1.3: When the initial algorithmic check finds that the applied-for label does not conform to the RZ-LGR, the application submission system must issue a warning. However, the applicant should be allowed to submit the application if the label passes the mandatory string requirements and the IDNA 2008 requirements. This recognizes the unlikely, but possible situation, that the RZ-LGR was programmed or incorporated in the application submission system incorrectly.

**Draft Rationale for Recommendations and Implementation Guidance:**

Rationale for Recommendation 1.2: The EPDP Team developed this recommendation based on assumptions including but not limited to the following:

1) there will be an initial algorithmic check, which incorporates RZ-LGR, in the application submission system to check the validity of all applied-for labels;

2) DSP will perform a manual review of all applied-for labels to ensure that the technical implementation of the RZ-LGR is done correctly in the initial algorithmic check; and

3) DSP’s manual review is authoritative and its evaluation decision of a label being "invalid" will result in disqualification of the application.[[7]](#footnote-7)

The EPDP Team agreed that the applicant should be allowed a limited challenge against the DSP’s evaluation decision, but only on the grounds that the applicant believes the DSP has incorrectly assessed the label as “invalid”, specifically due to its incorrect assessment of the technical implementation of RZ-LGR in the initial algorithmic check. Under such circumstances, SubPro’s recommendations and implementation guidance pertaining to the limited challenge mechanism for DNS Stability Review are fit for purpose.[[8]](#footnote-8)

The EPDP Team further agreed that if the applicant believes that the label not validated by the RZ-LGR should be valid, the applicant should be advised to submit a review request to the relevant script Generation Panel directly or through ICANN org, at any time, to review its proposal to update the RZ-LGR. This is an existing RZ-LGR review process independent from the new gTLD program.

Rationale for Implementation Guidance 1.3: The EPDP Team agreed that the RZ-LGR is the authoritative source for the validation of all gTLDs and the calculation of their variant labels and disposition values. However, the EPDP Team recognized that there may be human error in the technical implementation of RZ-LGR in the initial algorithmic check of the application submission system. Hence the applicant should still be allowed to submit the label, which is deemed “invalid” according to the initial algorithmic check but passes the mandatory string requirements and IDNA 2008 requirements.

**Open Item:**

The EPDP Team discussed the scenario where an applicant attempts to apply for a label that is subject to an ongoing RZ-LGR review request. The EPDP Team agreed to the following so far:

* Any ongoing processes pursuant to a RZ-LGR review request should not hold up any other new gTLD applications in the program from the same application round.
* A new application for a label that had been subject to a RZ-LGR review request may be submitted only if and when such a label is validated by the updated version of the RZ-LGR.

The EPDP Team suggested that if an applicant applies for a label that is subject to an ongoing RZ-LGR review request, the applicant should be notified at an early stage of the application process and the application should be removed from the program. However, the EPDP Team recognized that this potential recommendation may be contingent on the output of charter question a4) deliberations, hence the discussion of this item remains open.

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| **a4)** For future gTLD applications, the SubPro PDP proposes an implementation guidance that if a script is not yet integrated into the RZ-LGR, applicants should be able to apply for a string in that script, and it should be processed up to but not including contracting.[[9]](#footnote-9) Applicants under such circumstances should be warned of the possibility that the applied-for string may never be delegated and they will be responsible for any additional evaluation costs. The burden in this case is on the applicant, who may have to wait for an indeterminate amount of time but is not aware of any other serious concerns. The SubPro PDP developed this implementation guidance by taking into consideration the TSG recommendation that the application should remain on-hold (or other appropriate status) until the relevant script is integrated into the RZ-LGR.[[10]](#footnote-10)  The WG and the SubPro IRT to coordinate and consider the following questions in order to develop a consistent solution: should the SubPro recommendation be extended to existing TLDs that apply for a variant TLD label whose script is not yet supported by the applicable version of the RZ-LGR? Consider this question in tandem with **b4)** and by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter. If not, what should be the process for an existing TLD registry who wishes to apply for a variant TLD label whose script is not yet supported by the applicable version of the RZ-LGR? |

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| **a6)** Since RZ-LGR can be updated over time, the WG needs to consider the implications for existing TLD labels and their variant labels (if any), including any potential changing of status or disposition value.[[11]](#footnote-11)  The TSG further recommends that the Generation Panel (GP) must call out the exception where an existing TLD is not validated by their proposed solution during the public comment period and explain the analysis and reasons for not supporting the existing TLD in their script LGR proposal.[[12]](#footnote-12) This will allow the community and the GP to review such a case to confirm that an exception is indeed warranted.  Does the WG agree with TSG’s suggested approach? If so, to what extent should the TLD policies and procedures be updated to allow an existing TLD and its variants (if any), which are not validated by a script LGR, to be grandfathered? If not, what is the recommended approach to address changes to the current version of the RZ-LGR that assign different disposition values to existing TLDs? Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter. |

**Draft Answer to Charter Question:**

The EPDP Team agreed to the following:

* Based on data presented by staff, all existing gTLDs are valid according to the current version of RZ-LGR.[[13]](#footnote-13)
* It is extremely unlikely that a proposed RZ-LGR update would invalidate an existing gTLD and its variants (if any), as all updates of the RZ-LGR are expected to retain full backward compatibility.[[14]](#footnote-14)
* In the unexpected event where a proposed RZ-LGR update is unable to retain full backward compatibility, the TSG recommendation proposed in the Charter question must be applied.
* There must be an extremely strong presumption that all existing gTLDs and their variants (if any) not validated by a RZ-LGR update will be grandfathered.

**Draft Recommendations & Implementation Guidance:**

Recommendation 1.4: In the unexpected event where an update of the RZ-LGR is unable to retain full backward compatibility for validating any existing gTLDs and their variants (if any), the Generation Panel (GP) must call out the exception during a public comment period and explain the analysis and reasons for not supporting such gTLDs and and their variants (if any) in their script proposal. The GP analysis should also include identified security and stability risks.

To ensure balanced representation of the issues, the public comment process must also provide an assessment of the potential impact of not validating the existing gTLD and their variants (if any) on the gTLD registry operator, their customers, and end users.

Recommendation 1.5: There must be an extremely strong presumption that all existing gTLDs and their variants (if any) affected by the aforementioned exception will be grandfathered.

Recommendation 1.6: The LGR Procedure be updated to specify the limited circumstances that could result in an update to the RZ-LGR not being able to retain full backward compatibility with existing gTLDs and their variants (if any).

**Draft Rationale for Recommendations and Implementation Guidance:**

The EPDP Team developed this recommendation based on the understanding that the goal of all future updates of the RZ-LGR must be to retain full backward compatibility with existing gTLDs and their variants (if any) to maintain the stability in the root-zone. While the possibility does exist that future RZ-LGR updates may be unable to achieve full backward compatibility, the actual probability of this occurring is considered extremely low.

The EPDP Team recognized that there may still be unexpected circumstances that render an existing gTLD and its variant(s) invalid by a RZ-LGR update, making the full backward compatibility unretainable.[[15]](#footnote-15) Given the potentially serious consequences for existing gTLD registry operators, their customers, and end-users of such an eventuality, the EPDP Team believes that there should be predictability associated with the circumstances that could eventuate in a RZ-LGR update not being able to retain full backward compatibility. For example, changes to the IDNA2008 or Unicode could be legitimate reasons for a RZ-LGR update being unable to retain backward compatibility.

In those unexpected cases, the EPDP Team agreed there must be an extremely strong presumption that the affected existing gTLDs and their variants (if any) will be grandfathered. This is foreseen in the LGR Procedure, which states that “While existing labels will almost certainly have to be grandfathered if they are in conflict with the label generation rules established by this procedure, that precedent and conflict is not a reason to invalidate any aspect of the new rules or this procedure.”[[16]](#footnote-16)

The EPDP Team further agreed that the GP proposing such an update must call out the exception during a public comment period and explain the analysis and reasons for not supporting such gTLDs and their variants (if any) in their script proposal.

As grandfathering will allow the gTLD to continue operating despite its incompatibility with the RZ-LGR, the EPDP Team recommends that the GP include, in the public comment, an opinion on any security and stability risks associated with not achieving full backward compatibility.

In the public comment, there should also be an analysis of the potential impact on the gTLD registry operator as well as the user experience of other affected Internet stakeholders, such as registrars, registrants, resellers, and end users.

The public should have an opportunity to comment on all these elements in the public comment period. The Integration Panel must take such comments into account when reviewing and considering the proposal for integration into the next version of the RZ-LGR.

**Open Items:**

The EPDP Team Leadership identified the following outstanding questions and gaps that the EPDP Team has not discussed:

* The second part of the charter question has not been addressed: “To what extent should the TLD policies and procedures be updated to allow an existing TLD and its variants (if any), which are not validated by a script LGR, to be grandfathered?” Is this an item that could be addressed by the IRT?
* Should the public comment include any mitigatory action to address potential security and stability risks associated with not achieving full backward compatibility? If so, is the Generation Panel in position to propose such mitigatory action?
* Which entity is in position to provide an analysis of the potential impact on the gTLD registry operator and other user experience?
* Should the public comment also include any proposed mechanism to reduce the impact on the affected gTLD registry operator and user experience? If so, which entity is in position to propose such a mechanism?
* Is there any circumstance that an affected existing gTLD and its variants should not be grandfathered?
* It was unclear the extent to which policy recommendations developed by the IDNs EPDP would have applicability over the RZ-LGR Procedure. For example, could the policy recommendation for grandfathering be ignored by the Integration Panel considering the exception? Leadership believes that this is an important issue that requires clarification from the GNSO Council and we are seeking input from the EPDP Team about this course of action.

1. See Recommendation 25.2 and Implementation Guidance 26.10 in the SubPro Final Report, pp.115, 119: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=115>; Recommendation 1 in the Staff Paper, p.3: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=3>; Recommendation 1 in the TSG report, p.5: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=5> [↑](#footnote-ref-1)
2. See more details of the data collection exercise here: <https://community.icann.org/download/attachments/180028295/GNSO%20IDN%20EPDP%20Data-12nov21.xlsx?version=1&modificationDate=1637684496799&api=v2> [↑](#footnote-ref-2)
3. For more details see *gTLD Applicant Guidebook*, version 2012-06-04, section 1.3.3 IDN Variant TLDs, p.1-35: <https://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf> [↑](#footnote-ref-3)
4. See Recommendation 32.1 in the SubPro Final Report, pp.154-155: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=154> [↑](#footnote-ref-4)
5. Disagreement with the LGR calculator may arise due to circumstances including but not limited to: an invalid label due to choice of "letter" not included in the repertoire, albeit being IDNA2008 protocol-valid; an invalid label due to a contextual or whole label evaluation rule imposed by either integration or generation panels’ variant; labels differ because of different assumptions. SAC060 proposed a straw man process to resolve disputes to the RZ-LGR results. The TSG recommended several technical inputs be considered when developing the resolution mechanism. See Recommendation 2, SAC060, p.9: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=9>; see Recommendation 4 in the TSG Report, pp.6-7: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=6> [↑](#footnote-ref-5)
6. Any changes in RZ-LGR brought about by a process outside the LGR Procedure would invalidate the RZ-LGR and thus the definition of the variant TLD, as stated in the LGR Procedure. TSG suggests how to address such a challenge by remaining within the LGR Procedure. [↑](#footnote-ref-6)
7. In considering question a3), it was necessary for the EPDP Team to make assumptions about the possible process flow for a subsequent new gTLD application process. Many of these assumptions were based on the 2012 New gTLD Program Applicant Guidebook and process, notwithstanding that the RZ-LGR did not exist at that time. Recognizing that the Implementation Review Team is expected to develop the implementation details for the future round of the New gTLD Program, the EPDP Team agreed on the assumed process flow and used it as a tool to assist its development of the recommendation and implementation guidance pertaining to charter question a3). See details here: <https://community.icann.org/download/attachments/176622713/EPDP%20Team%20Meeting%20%2313%20Slides.pdf?version=1&modificationDate=1636142182000&api=v2> [↑](#footnote-ref-7)
8. See the SubPro Recommendations and Implementation Guidance under Topic 32 Limited Challenge / Appeal Mechanism (specifically, Recommendations 32.2 and 32.10 and Implementation Guidance 32.3/32.4/32.5/32.6/32.7/32.9/32.11/32.12/32.13), as well as the DNS Stability Process in Annex F. [↑](#footnote-ref-8)
9. See Implementation Guidance 25.3 in the SubPro Final Report, p.115: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=115> [↑](#footnote-ref-9)
10. It is important to recognize that the RZ-LGR can be updated to include additional scripts as long as it is done in compliance with the LGR Procedure. The practical limitation, however, is that the time to create an LGR script proposal varies greatly (i.e. months or years). See Recommendation 5 in the TSG report, p.7: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=7>; for additional context and rationale, see Appendix A of the Recommendations for Technical Utilization of RZ-LGR, pp.11-12: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=11> [↑](#footnote-ref-10)
11. See Recommendation 7 in the TSG report, p.8: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=8> [↑](#footnote-ref-11)
12. See Recommendation 12 in the TSG report, p.9: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=9> [↑](#footnote-ref-12)
13. This data was collected by GDS Staff to determine the complete set of variant labels of all gTLDs from the 2012 New gTLD Program. The data was presented by staff during the EPDP Team meeting on 18 November 2021: <https://community.icann.org/x/hwO7Cg> [↑](#footnote-ref-13)
14. Source TBD [↑](#footnote-ref-14)
15. One possibility may be that a code point was mistakenly permitted in a prior version of the RZ-LGR and a corresponding TLD has been delegated in the root zone. The proposed RZ-LGR update is to remove that code point in order to fix the error, hence affecting the existing TLD. [↑](#footnote-ref-15)
16. See Section A.3.5 of the Root Zone IDNA Label LGR Development and Maintenance, p.10: <https://www.icann.org/en/system/files/files/draft-lgr-procedure-20mar13-en.pdf#page=10> [↑](#footnote-ref-16)