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AT-LARGE ADVISORY COMMITTEE
Comment on the Phase 1 Final Report of the EPDP on Internationalized Domain Names

On 23 January 2024, the Public Comment proceeding opened for the Phase 1 Final Report of the EPDP on Internationalized Domain Names. On 24 January 2024, an At-Large workspace was created for their Public Comment submission. The At-Large Consolidated Policy Working Group (CPWG), decided it would be in the interest of end users to develop and submit an At-Large Advisory Committee (ALAC) Public Comment Statement. Justine Chew - ALAC Member and former Vice-Chair of the IDNs-EPDP - volunteered to draft the ALAC statement.

On 1 February 2024, Justine Chew submitted initial comments for the ALAC statement, which was posted on the workspace for discussion. On 7 February 2024, the initial comments were briefly discussed during the CPWG call. Additional statement comments were provided after the initial comments were reviewed during the CPWG call by Satish Babu and Hadia Elminiawi, both of whom are ALAC representatives to the IDNs-EPDP. The comments and At-Large positions were discussed during subsequent CPWG calls in February.

On 28 February 2024, the CPWG finalized the At-Large Public Comment Statement. The ALAC Chair, Jonathan Zuck, requested that the Public Comment Statement be ratified by the ALAC before submission to the ICANN Public Comment feature.

On 01 March 2024, staff confirmed the online vote resulted in the ALAC endorsing the statement with 15 out of 15 votes in favor. 0 votes against, and 0 abstentions. Please note 100% of ALAC members participated in the poll. The ALAC members who participated in the poll are (alphabetical order by first name): Aziz Hilali, Bill Jouris, Bukola Oronti, Claire Craig, Eduardo Diaz, Joanna Kulesza, Jonathan Zuck, Justine Chew, Lilian Ivette De Luque, Marcelo Rodriguez, Pari Esfandiari, Raihanath Gbadamassi, Satish Babu, Shah Zahidur Rahman, Tommi Karttaavi.. You may view the results here: https://tally.icann.org/cgi/results?e=58f286859e7

The ALAC and the ICANN At-Large Community appreciate the opportunity to address our comments on the Phase 1 Final Report of the EPDP on Internationalized Domain Names (IDNs-EPDP) with the ICANN Board. We hope that they will be taken into account in the Board's consideration of the IDNs-EPDP's final recommendations.

Mitigating risk of end-user confusion and harm

The ALAC commends to the ICANN Board the revisions made by the IDNs-EPDP Working Group ("the WG") to one of its preliminary recommendations and corresponding implementation guidance in response to public comments received for the Phase 1 Initial Report. We strongly support the step taken by the WG to apply the Conservatism principle[1] to moderate an applicant's ability to seek one or more allocatable variant labels to their respective applied-for string or existing TLD (such ability as encapsulated across Final Recommendations 3.3, 3.4, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15 and 3.25).

The WG's strengthening of Final Recommendation 3.5 and Implementation Guidance 3.6 help to ensure that gTLD variant labels are introduced and managed in a safe and secure manner. Read together with Final Recommendation 3.7, Implementation Guidance 3.8, and Implementation Guidance 3.9, the Final Recommendation 3.5 and Implementation Guidance 3.6 provide useful guidance for efforts to mitigate the potential risks associated with variant management both before and after a string is delegated. The WG should be congratulated for taking into account the individual end user perspective in balancing the potential risk of user confusion and potential for harm through exploitation of such user confusion, against the utility of a language's unconditional need for, and use of variant TLDs to facilitate a better end-user experience.

Strings in scripts not yet integrated into the RZ-LGR

In regards to a potential contradiction between the IDNs-EPDP Final Recommendation 3.22 and the Subsequent Procedure PDP Final Report Implementation Guidance 25.3 in respect of scripts not (or not yet) integrated into the Root Zone Label Generation

[1] The Conservatism principle suggests the adoption of a more cautious approach in the gTLD policy development as a way to limit any potential security and stability risks associated with the variant label delegation. Source: https://www.icann.org/en/public-comment/proceeding/phase-1-final-report-of-the-epdp-on-internationalized-domain-names-23-01-2024

Rules (RZ-LGR), the ALAC is of the view that the IDNs-EPDP Recommendation 3.22 (which in effect discourages applications for strings in scripts not yet integrated into the RZ-LGR) would be the more sensible way to proceed**.** It would not be prudent for ICANN to accept, and be obliged to process through Initial Evaluation, such applications (which SubPro PDP IG 25.3 suggested be allowed) if they have little to no chance of passing Initial Evaluation due to non-conformance to the RZ-LGR (since such scripts are not supported by the RZ-LGR). Not having to process such strings alleviates the demand for valuable evaluation resources.

Further, the proposed String Similarity Review process requires that all applied-for strings be subject to a visual similarity test as part of the application evaluation process. The complexity of the test will also increase, possibly dramatically, with the proposed introduction of variant labels at the top-level. By limiting applied-for strings required to be compared to just valid top-level domain labels (i.e. those which conform to the RZ-LGR) (on the one side) against many others (on the other side, such as Reserved Names, existing TLDs, other applied-for strings, and their respective applicable variant labels), valuable evaluation resources can be preserved and put to more productive use.

By way of recourse, potential applicants for strings in scripts not yet supported by the RZ-LGR should instead promptly engage with ICANN org to facilitate the relevant not-yet supported scripts to be integrated into the RZ-LGR, so as to not undermine the utility and status of the RZ-LGR as an important resource to determine the validity of top-level domain labels.