

**Prepared by James Galvin, Afilius, on 10 October 2016**

There are two sets of recommendations being reviewed to confirm that they are aligned and are not in conflict. I served as Chair of the IRD Expert Working Group that produced one set of recommendations. I was a member of the Translation and Transliteration PDP Working Group that produced the other set of recommendations as one of the representatives of the Registry Stakeholder Group.

The specific concerns are as follows.

- Were the IRD recommendations considered in the development of the T&T recommendations?
- Are the T&T recommendations in conflict with the IRD recommendations?
- What steps, if any, would you recommend to the GNSO Council to consider the policy implications of the recommendations of the IRD working group?

It is important to note that both of these working groups were active in parallel. As an individual serving within both groups I made a point of comparing the discussions and bringing to the attention of both groups any issues or concerns that appeared to be in conflict or unaligned when I recognized them. I actively engaged within each group to achieve alignment and ensure the recommendations were not in conflict. All discrepancies were reviewed in detail within each group. Because the IRD working group discussions were restricted to the experts within the group, I ensured we received comments from key individuals in the T&T working group on the IRD working group draft recommendations.

In response to the first concern, the IRD recommendations were considered in the development of the T&T recommendations.

The short answer to the concern of whether or not the two sets of recommendations are in conflict is, "No, they are not." A more complete, nuanced response is as follows.

The following two recommendations are intended to be equivalent.

- From the T&T: The Working Group recommends that the language(s) and script(s) supported for registrants to submit their contact information data may be chosen in accordance with gTLD-provider business models.
- From the IRD: A registry must be able to accept and store any language or script that might reasonably be expected to be used in their target market.

There is a natural tension regarding the language and script used to represent the data among all of the points from a registrant to the final display of the data, including at least how the registrar collects it and how the registry stores it. Both

the T&T and the IRD working groups recognized this and both groups agreed with full consensus that the appropriate place to anchor the preference is with the registry. A gTLD will have a business model with which it intends to serve its target registrants. The registry will necessarily recognize that in order to serve its target registrants it must present and manage its services in the languages and scripts used by the target registrants.

The IRD working group went a step further in its deliberations and included the following additional recommendation.

- Registrants should only be required to input registration data in a language(s) or script(s) with which they are skilled.

The purpose of this recommendation was to redirect any intent to burden registrants with any special skills or requirements. The IRD recommendations are based on three foundational principles, the first of which is the "User Capability Principle: the capability of the data-submitting user should be the constraining factor. Such users should not be burdened with tasks that cannot be completed under ordinary circumstances." This principle is the primary motivation for this recommendation.

These three recommendations are intended to be complementary. A registry is expressly permitted to engage in any approved business model with any registrant, but it must expect that only registrants who ordinarily work with the languages and scripts supported by the registry may use the services of the registry. Some might consider this point obvious from a business point of view. Nonetheless, the IRD working group believed this point was often ill considered, if at all, in many discussions of internationalization and thus chose to make it explicitly.

Finally, with respect to what steps the GNSO Council should consider, I would suggest that the problem to be solved is to have a clear and unambiguous statement of whether or not there is any conflict between these two sets of recommendations.

It is my personal opinion there is no conflict, based on my recollections of my engagement with the two working groups that created the sets of recommendations, respectively. I recognize that since one set of recommendations is the result of a consensus policy, there may be a requirement for some additional review and a consensus statement to confirm this.