



AT-LARGE ADVISORY COMMITTEE

ALAC Statement on the GNSO Community Comment 2 (CC2) on New gTLD Subsequent Procedures Policy Development Process

Introduction

Led by Maureen Hilyard, ALAC Members of the Asian, Australasian, and Pacific Islands Regional At-Large Organization (APRALO), a group of At-Large Community members, on behalf of the ALAC, developed an initial draft of responses to questions in each Work Track of the New gTLD Subsequent Procedures Policy Development Process. The contributors are:

- Work Track 1: Evin Leibovitch, member of the North American Regional At-Large Organization (NARALO) and Carlton Samuels, member of the Latin American and Caribbean Islands Regional At-Large Organization (LACRALO)
- Work Track 2: Holly Raiche, ALAC Member of APRALO
- Work Track 3: Alan Greenberg, ALAC Member of NARALO and the ALAC Chair
- Work Track 4: Satish Babu, the APRALO Chair and Andrei Kolesnikov, ALAC Member of the European Regional At-Large Organization (EURALO)

On 19 May 2017, the first draft of the Statement was posted on its [At-Large Workspace](#). The Statement contains summary response for each Work Track, as well as detailed response to specific questions in a table format.

On that same date, ICANN Policy Staff in support of the At-Large Community sent a Call for Comments on the Statement to the At-Large Community via the [ALAC Announce Mailing List](#).

On 24 May 2017, a version incorporating the comments received was posted on the aforementioned workspace and the ALAC Chair requested that Staff open an ALAC ratification vote.

In the interest of time, the ALAC Chair requested that the Statement be transmitted to the ICANN public comment process, copying the ICANN Staff member responsible for this topic, with a note that the Statement is pending ALAC ratification.

Once ratified, this Statement will be resubmitted incorporating updated ratification information in the introduction section.

ALAC Statement on the GNSO Community Comment 2 (CC2) on New gTLD Subsequent Procedures Policy Development Process

Summary of the ALAC Response to Work Track 1 Questions: Overall Process, Support, and Outreach

While the ALAC and wider At-Large Community see very few benefits from the further expansion of new gTLDs in the domain system (1.1.1), we believe some benefits could be eked out by the proposed Registry Service Provider (RSP) programme to develop and enhance the technical and knowledge capacity of RSPs, especially for underdeveloped economies. Our support for any new gTLD round is contingent on access to strings that might be of interest to pre-defined communities along with a primary focus on change to a rebooted Applicant Support Programme. Special attention should be directed at the eligibility criteria or in supporting potential applicants to be able to meet appropriate eligibility standards as in 1.2.1. The Applicant Support Programme could be improved through greater communication (1.2.3) and ICANN must be sensitive to the lack of resources related to Internet connectivity in least developed countries where basic infrastructure, reliability and affordability continue to be a challenge (1.2.4). Improvements to the Applicant Support Programme will enable more potential applicants in relevant regions, to succeed (1.2.5).

The ALAC hopes that the Guidebook would have been improved from lessons learned in the first round and that it will not require changes mid-stream. Such changes would not only create further confusion but also mistrust in ICANN's management of the whole process (1.3). Although a "one fee fits all" is a reasonable standard (based presumably on cost recovery (1.4)), it is assumed that the Applicant Support Programme will provide for other fee levels to meet the needs of eligible applicants (1.5). Regardless of the application process itself, there are issues raised by the CCT-RT that must be addressed as a priority to ascertain the benefit or harm caused to the internet user by further gTLD expansion (1.6). We refer issues relating to stability and security systems to the section of the SSAC #94 report where they discuss String Similarity and the confusion caused by the EPSRP guidelines (1.8) In order to reinforce priority for applicants seeking information about support (1.7), we believe that more effective opportunities for RALO outreach with the support of GSE, would help build stronger communication with potential applicants about the RSP and Applicant Support programmes (1.9) and we do not recommend the fragmentation of the Guidebook (1.10)

WT1 Questions	ALAC Response
<u>1.1 (Registry Service Provider) Accreditation Programs</u>	
1.1.1 Benefits and risks have been identified by the WG as provided above in the Context section. What additional benefits or risks do you see in implementing such a program? Are there other considerations that need to be considered?	The At-Large Community is generally dubious of the value of ongoing expansion in gTLDs, given that the benefit from the previous round is yet to be proven. Documentation provided to the CCT-RT suggests that gTLD expansion actually exerts a negative effect on Internet users (that is, suppliers of Internet-based services and the end-users who partake of these services). As such, the internal relationships between contracted parties and their service providers is of relatively little import to Internet users.
1.1.2 If an RSP program is established for new gTLDs, do you have any suggestions for some of the details or requirements of the program? For instance, how would the scalability of the RSP be measured across a variable numbers of registries?	While At-Large does not see any benefits from the further expansion of new gTLDs into the domain system, benefits could be achieved by the proposed programme to develop and enhance the technical and knowledge capacity of RSPs, especially for underdeveloped economies. In order to achieve the objectives of the GNSO recommendation there is a dire need for high level technical capacity building as

WT1 Questions	ALAC Response
	<p>well as ensuring that applicants have the appropriate operational management knowledge, skills and understanding required to run a successful registry operation. Training and preparedness even for the pre-approval and the Pre-Delegation Testing must be a pre-requisite level of entry for entrants as RSPs from underdeveloped economies considering such a venture.</p> <p>There would be value in ICANN providing such capacity development support covering all the appropriate criteria requirements for a RSP. Having an external regulatory body would also ensure that RSPs in developing regions especially, met the minimum standards for redundancy, capacity, monitoring, reaction time to threats, reporting and statistical process controls. In developing regions, monitoring and support to ensure that these standards are maintained by a regional regulatory body, perhaps under the auspices of ICANN, to regulate the performance of new RSPs and ensuring consistently high level of technical and governance processes.</p>
<p>1.1.3 Who should be responsible for evaluating whether an RSP meets the requirements of the program?</p>	<p>See response to 1.1.1</p>
<p>1.1.4 Should there be any continuing obligations for approved RSPs, such as high-level requirements for accreditation? Should the requirements be variable based on the types of TLDs the RSP intends to serve or other factors? Please explain.</p>	<p>The onus of compliance with the RAA is on the registry. At-Large is of no opinion on the benefits or drawbacks of separate regulation of service providers.</p>
<p>1.1.5 Should there be an Agreement between an RSP and ICANN? If so, what enforcement mechanisms should be made available to ICANN in the event that such an Agreement is breached</p>	<p>No. The onus of RAA compliance – and contact with ICANN – should remain with the Registry.</p>
<p>1.1.6 What, if any, are the potential impacts (both positive and negative) of an RSP Program on ICANN-Accredited Registrars? If there are any negative impacts, what are ways in which those impacts can be mitigated?</p>	<p>See response to 1.1.1</p>
<p>1.1.7 Should there be a process to reassess RSPs on a periodic basis? If so, how often should an assessment be conducted and what would the process</p>	<p>See response to 1.1.1</p>

WT1 Questions	ALAC Response
be for a re-approval	
1.1.8 If there is an RSP Program, how far in advance should such a Program be launched prior to the opening of the next application window?	See response to 1.1.1
1.1.9 Should there be an RSP application “cut-off” date to allow sufficient time for an RSP seeking approval to receive approval in order for their application to be approved before the opening of an application window?	See response to 1.1.1
<p>1.1.10 If there is a list of pre-approved RSPs in any RSP Program, should there be a provision granted to organizations that act as an RSP to an existing delegated TLD? If yes, how would such a provision work?</p> <p>If not, could ICANN use an RSP’s existing performance to satisfy any of the technical requirements and/or tests used in the approval process?</p>	See response to 1.1.4
1.1.11 If an RSP program is established, how should it be funded? For instance, should registries pay into the program which will reduce related ICANN evaluation fees (and associated application fees)?	See response to 1.1.4
<p><u>1.2 Applicant Support</u></p>	
<p>1.2.1 - Some have suggested it could be beneficial to expand the scope of the Applicant Support (AS) program by:</p> <ol style="list-style-type: none"> 1. Broadening support to IDNs or other criteria 2. Allowing the Applicant Support program to include the "middle applicant", defined as struggling regions that are further along in their development compared to underserved or underdeveloped regions. The “middle applicant” is intended to be an expansion and NOT intended to be at the exclusion from applicants in underserved or 	<p>The origins of the AS program were always intended to include IDN support. This is not readily evident to be a problem that needs fixing.</p> <p>Considering that there were zero successful applicants from under-served or under-developed economies, attention should be focused to learning from that and making criteria less stringent for applicants from these areas. This involves potential expansion of the traditional definition of community applications, as well as the enabling of for-profit entities in under-served and underdeveloped economies to participate in the program.</p> <p>This could include major technical training (for example, to increase the number of registrars in these regions) as well as</p>

WT1 Questions	ALAC Response
<p>underdeveloped regions. The “middle applicant” provides a balance between opportunities while considering the economic and developmental realities and priorities for potential applicants. Do you believe there is value in the above suggestions? Do you feel there are other areas in which the Applicant Support program could be extended to benefit other regions?</p>	<p>knowledge and capacity building and access to appropriate resource personnel who could assist under-served and underdeveloped economies to better understand appropriate business models that would help them to successfully implement new gTLDs based on lessons learned from previous new gTLD experiences. Proactive consultation with key personnel from these economies to ascertain what their needs are in order to create a more successful development of new gTLDs for this targeted group would be helpful.</p> <p>Expanding a too-restrictive program to operate in richer economies will not, we believe, result in benefits consistent with the original aims of the program.</p> <p>Rather than expanded to other regions, the AS program must be modified so it can be more-readily exploited in the regions it was originally intended to serve. Expansion to richer economies should not proceed until the AS is evidenced to be functional in the originally targeted regions.</p>
<p>1.2.2 The Applicant Support Program for the 2012 round was mainly focused on financial support and application submission. Should funding be extended to other areas of the process or for ongoing operational costs? Are there other support mechanisms that should be explored?</p>	<p>The primary focus of any changes to the Applicant Support program should be in the eligibility criteria or in supporting potential applicants to be able to meet appropriate eligibility standards as in 1.2.1. But also, there is a strong need for mentorship and continued support to be built into the support programme so that potential builders of new gTLD operations are not just left to their own meagre resources after training to fend for themselves, as is usually the case with a lot of development programmes. Addressing the benefits in other areas is premature unless the rate of successful applications to rejections is dramatically improved.</p>
<p>1.2.3 Do you have any suggestions for improving publicity and outreach to potential applicants who would benefit from the Applicant Support program? Do you have any suggestions on how to improve the process to apply for support?</p>	<p>The Applicant Support program was barely mentioned in the original ICANN promotion of the 2012 gTLD round, so any new communications will be an improvement and is critical to any successful outcomes for potential applicants in under-served or under-developed economies.</p> <p>Referring to 1.2.1, and expanding training and awareness opportunities to be more inclusive of their needs in this area, primarily in facilitating and enabling these opportunities which requires funding and other resources to make them effective enablers for new gTLD development in their regions. Inclusion of the Applicant Support program in all promotional activities related to new TLD applications would be sensible.</p>

WT1 Questions	ALAC Response
<p>1.2.4 The WG has noted that even if the Applicant Support program is well-funded, well-communicated and comprehensively implemented, potential applicants may still choose not to apply for a gTLD. What other metrics could be used to evaluate the success of Applicant Support initiatives beyond the volume of applications? A study conducted by AM Global Consulting, 'New gTLDs and the Global South' determined that there was limited awareness of the New gTLD Program and the benefits in applying amongst potential applicants; Would additional metrics on future Applicant Support program(s) and its ability to raise awareness be helpful? Do you have any other metrics that would be helpful measuring the success of the program?</p>	<p>ICANN must be sensitive of the dire lack of resources related to Internet connectivity in least-developed economies. Where basic infrastructure and reliable access continues to be a challenge, ICANN must accept that existing availability of TLDs (ccTLDs and existing gTLDs) may be sufficient in regions where resources may be more effectively applied to critical local Internet infrastructure. ICANN would display poor global citizenship - and weaken public trust - if it promotes the investment of rare resources to new gTLDs in preference to core infrastructure.</p> <p>Although the CCWG on Auction Proceeds is only just starting its discussions on how these funds might be used in the future, some consideration could be given to assisting LDCs to address and improve core needs with regards to gTLDs and how they can help their countries and regions. One objective could be the development of outreach by registries and registrars into the underserved and underdeveloped sectors - implementing appropriate training programmes for developing locally situated registries/registrar that will address and support the needs of potential business, educational and social entrepreneurial LDC end-users. Meeting relevant on-going training needs, would also create a sustainable pool of trained personnel from within the region to manage and operate the use of new gTLDs as well as help to consolidate work with their own ccTLDs within their region. This would therefore help to build more capacity and confidence among a wider field of potential applicants. At the same time, training and infrastructure is not sustainable if mentoring and support from knowledgeable technical and management personnel is not continued as follow-up for local developers, to help them to successfully use their domains to expand their economic and social outreach into global networks, until such time as they are able to fly on their own.</p> <p>In relation to the proposal in 1.2.1, metrics could be associated with the number of people within LDCs who opt for and are successfully trained as registrars.</p>
<p>1.2.5 Do you have any other general recommendations for improving the Applicant Support program?</p>	<p>See response to 1.2.2</p> <p>Improvement which starts at changing and supporting opportunities for people in under-served and underdeveloped economies to improve their chances to meet the eligibility criteria, will enable more potential applicants, in relevant regions, to succeed.</p> <p>Specifically, the rule that prevented a failed 2012 Applicant</p>

WT1 Questions	ALAC Response
	Support effort from re-submitting as a conventional gTLD (without support) must be eliminated. This rule was believed to be a significant barrier to entry for many would-be applicants.
<u>1.3 Clarity of Application Process</u>	
1.3.1 How should changes to the Applicant Guidebook and/or the new gTLD Program be handled in subsequent application windows?	See response to 1.1.1 Such operational issues are of little concern to the general public.
<u>1.4 Application Fees</u>	
1.4.1 Should another mechanism be considered? For example, cost plus reasonable return, fixed plus variable, volume discounts, or other?	See response to 1.1.1 Such operational issues are of little concern to the general public.
1.4.2 Although the 2012 round is not complete, there is currently a surplus of fees collected relative to costs incurred. As such, do you believe that the principle of breaking even was implemented effectively? Do you believe \$185,000 was a reasonable fee? Is it still a reasonable fee? Should the basic structure of the application fee (e.g., approximately one third of the fee was allocated for (i) the cost recovery of historical development costs, (ii) operations and (iii) legal and other contingencies) be reassessed or restructured? Is it too early to make this assessment? With the experience gained from the 2012 round, do you think that a break-even model can be more accurately implemented for future applications? Do you have suggestions on how to minimize any surpluses or shortfalls?	Hindsight is always 20-20. ICANN made its calculations based on what it believed would be break-even, with absolutely no precedent. Obviously a new calculation needs to be derived that may be able to, for instance, eliminate the historical-cost component if that has been fully recovered by the last round.
1.4.3 Should the concept of break-even be strictly adhered to or should other aspects be considered? Some WG members have noted concerns about the responsibility required to run a registry which could be negatively impacted by a fee that is “too low.” Others have noted that the fee is	ICANN’s responsibility is to price the program based on cost recovery. Any other philosophical approach indicates needless bias towards either established players or would-be entrants - any such stance would be seen as political and a potential source of public mistrust.

WT1 Questions	ALAC Response
<p>potentially too high and could create barriers to entry in some underserved regions. As such, should there be a cost floor (minimum) or cost ceiling (maximum) threshold that the application fee should not go below/above despite costs estimates? If so, do you have suggestions in how the cost floor and ceiling amounts should be set?</p>	
<p>1.4.4 If there is a price floor, how should the excess funds resulting from floor costs less the actual costs be justified? Conversely, how would shortages be recovered if the ceiling costs are below actual costs?</p>	<p>No comment offered.</p>
<p>1.4.5 Should the WG seek to establish more clarity in how the excess or deficiency of funds are utilized/recovered? If so, do you have any suggestions for establishing that clarity?</p>	<p>No comment offered.</p>
<p><u>1.5 Variable Fees</u></p>	
<p>1.5.1 Should the New gTLD application fee vary depending on the type of application? For instance, open versus closed registries, multiple identical applications or other factors? The 2012 round had “one fee fits all,” and there seems to be support within the WG for continuing that approach provided that the variance between the different types of applications is not significantly different - do you agree? If not, how much of a variance would be required in order to change your support for a one fee for any type of application approach?</p>	<p>“One fee fits all” is a reasonable standard, else applicants will work to game the system to achieve best advantage. There may be cause to reduce the fees for eligible community applications, and the Applicant Support program addresses those potentially unable to pay for identifiable reasons.</p>
<p>1.5.2 What are the implications of having different costs by type of application and how could they impact future budgeting efforts? How could they impact competition and choice?</p>	<p>See response to 1.5.1</p> <p>We do not believe that there should be differential pricing, except perhaps for community applications for which evaluation criteria already exists (and maybe worthy of revisiting).</p>

WT1 Questions	ALAC Response
<p>1.5.3 Should the application fee be variable based on the volume of applications received from a single applicant? If so, how should the fee be adjusted and what are the potential impacts from doing so?</p>	<p>No. The fee should not be changed based on the volume. There should be a level playing field for all. There should especially be no consideration for applicants for whom projections are not matched by market realities.</p>
<p><u>1.6 Application Submission Period</u></p>	
<p>1.6.1 If the WG determines that a system of rounds is the right approach, is three (3) months an appropriate length of time to accept applications? What considerations should be taken into account when determining the length of the application window?</p>	<p>See response to 1.1.1</p> <p>Regardless if done in rounds or in “first come first served” continual application processes, At-Large is skeptical of the public benefit of ongoing gTLD proliferation. More information, such as the data being collected by the CCT-RT, needs to be collected in order to make an informed judgment regarding the benefit or harm caused to Internet user by further gTLD expansion.</p>
<p>1.6.2 If we have a few next ‘rounds’ followed by a continuous application process, how should the application submission period be handled in the lead-up rounds?</p>	<p>See response to 1.6.1</p> <p>The choice of hard rounds or a continuous application process is less relevant to Internet users than the general concerns regarding potential harm to Internet users caused by gTLD proliferation.</p>
<p>1.6.3 Do you think the length of the submission period will impact Applicant Support and what factors do you think should be considered in determining an appropriate length of time?</p>	<p>See response to 1.2.1</p> <p>The choice of hard rounds or continuous applications should not affect the Applicant Support program provided that the program (and specifically its evaluation criteria) is appropriately updated.</p>
<p><u>1.7 Application Queuing</u></p>	
<p>1.7.1 Do you agree that a process similar to the prioritization draw should be used in the future? If rounds are not used, would this method still be appropriate? Would a prioritization draw, or similar method, work for a continuous application period or would it be better to base processing/evaluation on order of receipt?</p>	<p>No preference</p>
<p>1.7.2 Should certain subgroups of applicants/application types be prioritized over others? For instance, from the 2012 prioritization draw, IDNs</p>	<p>Applicants asking for Applicant Support and community evaluation be given priority.</p>

WT1 Questions	ALAC Response
<p>were moved to the front of the queue for application processing. If you think IDNs or some other category of applications (e.g., Brands, communities, etc.) should be prioritized, do you have suggestions on how to determine the prioritization?</p>	
<p><u>1.8 Systems</u></p>	
<p>The WG considers this subject to be mainly implementation focused, but nevertheless, has identified areas for improvement. For instance, security and stability should be improved, more robust user testing (e.g., potential applicants) should be incorporated, systems should be better integrated, adequate time for system development should be afforded, etc. Do you have suggestions on additional areas for improvement?</p>	<p>While the ALAC cannot comment specifically on systems, particularly in relation to security and stability we can however refer to the recommendations made in the tables attached to the SSAC Report #94, responding to questions in this CC2 questionnaire. With particular attention to their responses to 3.4.2 (String similarity) where they recommend that the Board should request a review of the Extended Process Similarity Review Panel (EPSRP) to determine why its proposed guidelines do not respect the principles of conservatism, inclusion and stability. There is some contention between the SSAC view and that of the ccNSO over this issue which has been discussed by the ALAC and we believe it needs to be resolved.</p>
<p>The WG also noted that ICANN should expand its system capabilities to include the ability to send invoices to organizations who require documentation in order to process payments for any fees related to their application. Do you agree that this would be beneficial?</p>	<p>No comment offered.</p>
<p><u>1.9 Communications</u></p>	
<p>1.9.1 The WG considers this subject to be mainly implementation focused, but nevertheless, has identified areas for improvement. For instance, the knowledge base could be made more timely and searchable, applicant advisories could be better communicated (e.g., create some sort of subscription service), program information could be consolidated into a single site, ICANN’s Global Stakeholder Engagement team could be leveraged to promote global awareness, etc. Do you have suggestions on additional areas for improvement?</p>	<p>ICANN’s Global Stakeholder Engagement team is responsible for promoting global awareness. At-Large does not have much authority to undertake any real communication activity without funding and other support from GSE and At-Large Support staff. However, communication to the masses is an important feature of getting the right messages out about ICANN, the DNS, etc, and the RSP and Applicant Support programmes, and the GSE team is not being totally successful in getting these out to under-served countries. However RALOs are disadvantaged when outreach opportunities funded by ICANN are limited to 5 CROP slots. This is a joke when you have RALOs like APRALO which deals with over 70 individual countries and with the fastest growth of end-users of all the regions. Such is the extent of this problem, regional teams need to be organised within</p>

WT1 Questions	ALAC Response
	underserved regions to more effectively introduce, educate and inform people who may be qualified but without the right contacts to learn about the RSP and Applicant Support programmes.
1.9.2 Metrics to understand the level of success for communications were not established - do you have suggestions on what success looks like?	Success could be measured in the number of people who apply for the training programmes and successfully achieve its outcomes, those who eventually get to set up their own RSP (or who gather together in a team to do so within a region). Success could also relate to the number of outreach opportunities within each of the region that results in getting people to apply, and talking to them about the programme.
<u>1.10 Applicant Guidebook</u>	
1.10.1 The Applicant Guidebook served as the roadmap for applicants, but also all other participants to the program. As such, there is a mixture of historical and practical information, some of which is relevant to only certain parties. Do you think it makes sense to partition the Applicant Guidebook into different audience-driven sections or by type of application?	We see no need to fragment the Guidebook, as it may create confusion (especially when versions written for different audiences are perceived to conflict)

Summary of ALAC Response to Work Track 2 Questions: Legal, Regulatory, and Contractual Requirements

The ALAC largely supports proposals made under Track 2. The ALAC supports the continued use of one Registry Agreement for all applicants, with exceptions for applicants only as necessary. This should ensure that, as much as possible, there is a level playing field for applicants, as well as easier understanding of the requirements that all new gTLD operators must meet. We also support that, again as much as possible, all relevant sections of the application are incorporated into the Registry Agreement. This should make any commitments made by applicants enforceable by ICANN under the Registry Agreement.

The Applicant Guidebook also has various restrictions on the use of Reserved Names, ineligible strings, two-character ISO 3166 codes and geographic names. The Guidebook should include all of those and any subsequent restrictions on names and/of strings that are clearly spelled out for all applicants.

WT2 Questions	ALAC Response
<u>2.1 Base Registry Agreement</u>	
2.1.1 Which of these models do you think would be most effective for recognizing the different operational requirements of different TLDs? Which	Support a single registry agreement to ensure, as far as possible, consistency of terms across all categories of TLDs.

WT2 Questions	ALAC Response
<p>of these models do you think would be most efficient in terms of development, implementation, and operational execution (e.g., contracting, contractual compliance, etc.)? Do you think there are any alternative options that could effectively facilitate TLDs with different operational requirements?</p>	
<p>2.1.2 Should further restrictions pertaining to sunrise periods, landrush, or other registry activities be developed? If so, do you have suggestions on attributes of these restrictions? Should they be incorporated into the base agreement? Should there be any restrictions established on registry pricing?</p>	<p>No comment offered.</p>
<p>2.1.3 Should the entire application be incorporated into the signed Registry Agreement? Should portions of the application, explicitly identified, be incorporated into the signed Registry Agreement? If changes are made between applying and executing the Registry Agreement, how should this be handled? If changes are made after executing the Registry Agreement, how should this be handled? If changes like these are contemplated, how can the needs of the community to properly consider the contents of an application be weighed against an applicant's need to make either minor adjustments or fundamental changes to their registry?</p>	<p>Agree all relevant aspects of application should be incorporated into the Registry Agreement. This would ensure that what a proposed Registry Operator has undertaken to do is part of the agreement. Any changes should be the subject of notice with an opportunity for public comment.</p>
<p><u>2.2 Reserved Names</u></p>	
<p>2.2.1 Do you believe any changes are needed to the String Requirements at the top level as defined in section 2.2.1.3.2 of the Applicant Guidebook (https://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf)? Please explain.</p>	<p>We have not sought any changes.</p>
<p>2.2.2 Do you believe any changes are needed to the list of Reserved Names at the top level as defined in section</p>	<p>We have not sought any changes.</p>

WT2 Questions	ALAC Response
2.2.1.2.1 of the Applicant Guidebook (https://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf) Please explain.	
2.2.3 Do you think Special Use Domain Names should be added to the Applicant Guidebook section on reserved names at the top level to prevent applicants applying for such labels?	Yes. This is to prevent applicants from applying for reserved names.
2.2.4 Do you believe that any changes are needed to a Registry Operator's right to reserve domain name? If yes, what changes are needed and why? If not, why not?	We do not expect Spec 5 to change as it seems to be sufficient as is.
<u>2.3 Registrant Protections</u>	
2.3.1 ICANN has included the following programs to protect registrants: an Emergency Back-End Registry Operator (EBERO), Continued Operations Instrument (COI), Data Escrow requirements, and Registry Performance Specifications in Specification 10 of the base registry agreement? Such programs are required regardless of the type of TLD. Are there any types of registries that should be exempt from such programs? If so, why? Do the above programs still serve their intended purposes? What changes, if any, might be needed to these programs if an RSP pre-approval program, discussed in section 1.1.1., were to be developed?	Current protections should remain. On possible development of an RSP program, while the ALAC does not see any benefits from the further expansion of new gTLDs into the domain system, benefits could be achieved by the proposed programme to develop and enhance the technical and knowledge capacity of RSPs, especially for underdeveloped economies
2.3.2 In the working group discussions, it became clear that the EBERO funding model requires review and potential modification. The current COI model is one that has proven to be difficult to implement for many registries, ICANN and even financial institutions. Are there other mechanisms of funding EBERO providers other than through Letters of Credit and/or other Continuing Operations Instruments?	No comment offered.

WT2 Questions	ALAC Response
<p>2.3.3 Do you think that the criteria, requirements, and/or the extent to which background screenings are carried out require any modifications? Should there be any additional criteria added to future background screenings? For example, should the previous breach by the Registry Operator, and/or any of its affiliates of a Registry Agreement or Registrar Accreditation Agreement be grounds for ICANN to reject a subsequent application for a TLD by that same entity and/or its affiliates? Why or why not? What other modifications would you suggest? Should background screening be performed at application time or just before contract-signing time? Or at both times? Please explain.</p>	<p>The ALAC does not have suggested changes. On timing for screening, the ALAC believes that it should be both at the time of application (to immediately weed out unsuitable applicants) and at time of contract signing (to ensure there have not been material changes in the application).</p>
<p>2.4 Closed Generics</p>	
<p>2.4.1 In the 2012 round, the operation of a TLD where the string was considered “generic” could not be closed to only the Registry Operator and/or its Affiliates. Originating from GAC Advice on the subject, this rule was promulgated by ICANN’s New gTLD Program Committee of the ICANN Board, but was never adopted as a policy by the GNSO. This rule was subject to public comment and input from the community. Should this rule be enforced for subsequent application windows? Why or why not?</p>	<p>Yes, permitting closed generics could impact both consumer choice and consumer confusion.</p>
<p>2.4.2 Do you have suggestions on how to define “generic” in the context of new gTLDs? A “generic string” is currently defined in the Registry Agreement under Specification 11.3.d as meaning, “a string consisting of a word or term that denominates or describes a general class of goods, services, group, organization or things, as opposed to distinguishing a specific brand of goods, services, groups, organizations or things from those of others.” Are any modifications needed to the definition?</p>	<p>No, the definition is clear and the ban should be maintained.</p>

WT2 Questions	ALAC Response
<p>If so, what changes? If the exclusion of closed generic TLDs is to be maintained, are there any circumstances in which an exemption to the rule should be granted?</p>	
<p>2.5 Applicant Terms and Conditions</p>	
<p>2.5.1 Do you believe that this paragraph gives ICANN an absolute right to reject any application for any reason including a reason that contradicts the Applicant Guidebook, or any law or policy? If yes, should such an unrestricted right appear in any modifications to the Guidebook? If no, please list the other documents that you believe should be read in conjunction with this paragraph, e.g. GNSO Policy on new gTLDs, ICANN Bylaws, other portions of the Guidebook, California implied covenant of good faith and fair dealing, etc.</p>	<p>Yes, ICANN should have that right, and it should be clearly spelled out in the Applicant Guidebook and in an ICANN policy.</p>
<p>2.5.2 If ICANN had an effective appeals process (as asked about in Question 3.5.2 below) for an applicant to challenge the decisions of the ICANN staff, board and/or any entities delegated decision making authority over the assignment, contracting and delegation of new gTLDs, would a covenant not to sue be more acceptable? Please explain.</p>	<p>The ALAC suggests that if appeals are allowed, they should only be allowed when decision is based on an error of fact that ICANN has available at the time.</p>
<p>2.5.3 According to Section 14 of the Applicant Terms and Conditions, ICANN has the ability to make changes to the Applicant Guidebook. One task of this Working Group is to address the issue of predictability in future rounds, including with respect to the AGB. Do you think that ICANN should be limited in its ability to make changes to the Applicant Guidebook after an application procedure has been initiated? Please explain.</p>	<p>The ALAC agrees that after the application procedure has been initiated, Guidebook should not be changed.</p>
<p>2.5.4 Do you believe that any changes are needed in the Terms & Conditions in Module 6 of the Applicant Guidebook?</p>	<p>No comment offered.</p>

WT2 Questions	ALAC Response
<p>If so, what are those changes and what is the basis or rationale for needing to do so?</p>	
<p><u>2.6 Registrar Non Discrimination & Registry / Registrar Separation</u></p>	
<p>2.6.1 The Working Group has not yet deliberated the issues of Registrar Non-discrimination or Registry/Registrar Separation (also known as Vertical Integration). However, now that we have several years of operations of vertically integrated registries and registrars, what issues, if any, have you noticed with vertically integrated Registries?</p>	<p>No comment offered.</p>
<p>2.6.2 Specification 13 grants an exception to the Registry Code of Conduct (i.e., Specification 9 in the Registry Agreement) and specifically from the vertical integration restrictions. In addition, Registry Operators may seek an exemption from the Code of Conduct if the TLD string is not a generic term and if it meets three (3) other specified criteria set forth in Specification 9 of the Registry Agreement. Are there any other circumstances where exemptions to the Code of Conduct should be granted?</p>	<p>No comment offered.</p>
<p>2.6.3 Some have argued that although we allow Registries to serve as both as a registry and as a registrar, the rules contained within section 2.9 of the Registry Agreement and in the Code of Conduct prohibit the integrated registry/registrar from achieving the economic efficiencies of such integration by not allowing a registry to discriminate in favor of its own registrar. Do those arguments have merit? If yes, what can be done to address those claimed inefficiencies? If not, please explain. What safeguards might be required?</p>	<p>The ALAC supports the retention of non-discrimination rule even if causes inefficiencies.</p>

WT2 Questions	ALAC Response
<p>2.7 TLD Rollout</p>	
<p>2.7.1 The Applicant Guidebook specified timelines by which applicants had to complete the contracting (9 months) and delegation (12 months) steps of the process. However, this requirement only means that the contract needs to be executed and nic.TLD be delegated. Are these timeframes reasonable? Is there still a need for these requirements? Please explain.</p>	<p>No comment offered.</p>
<p>2.8 Contractual Compliance</p>	
<p>2.8.1 Noting that the role of Contractual Compliance is to enforce the registry agreement and any changes to that role are beyond the scope of this PDP, the WG is not anticipating policy development related to this topic. The WG expects that any new contractual requirements would be made enforceable by inclusion in the base agreement. Do you agree with this approach?</p>	<p>The ALAC agrees with the approach.</p>
<p>2.9 Global Public Interest</p>	
<p>2.9.1 The Final Issue Report suggested that in considering the public interest the WG think about concerns raised in GAC Advice on safeguards, the integration of Public Interest Commitments (PICs), and other questions around contractual commitments. Have PICs served their intended purpose? If not, what other mechanisms should be employed to serve the public interest? Please explain and provide supporting documentation to the extent possible.</p>	<p>The CCT-RT Draft Report which is supported by the ALAC makes it clear that a significant amount of further information is necessary before it is possible to say that the introduction of new gTLD has increased either consumer trust or consumer choice. The ALAC, therefore, reinforces the CCT-RT Report’s pre-requisite recommendation for more and better data before it is possible to state that the objectives of the program have achieved. At this point, therefore, the ALAC does not support any new round of new gTLDs.</p> <p>Reputation and familiarity, as proxies for trust, have facilitated greater public trust in the legacy gTLDs than new gTLDs. However, one factor that could contribute to trust was that certain restrictions be placed on who can become a registrant and on how the new name is used.</p> <p>ALAC statement: AL-ALAC-ST-1114-02-00-EN produced on 19 November 2014, provided an expansive ALAC comment on the Public Interest Commitment. “Greatest amongst those concerns are the lack of public oversight, the</p>

WT2 Questions	ALAC Response
	temporary and arbitrary nature of the 'optional' PICs, and an unsure and adversarial enforcement process that created significant obstacles for reporting of breaches."

Summary of ALAC Responses to the Work Track 3 Questions: String Contention Objections and Disputes

The recommendation on string confusion is one that must be enhanced. Problems related to singular and plural versions of related strings must be addressed, and for strings that are inherently confusing in their own right, delegation could be considered (3.1.1). The implementation of the recommendations relating to string confusion was problematic, especially the potential for different rules for the same pairs of strings. A recent report looking at defensive registrations implied that legal rights protections were not sufficient. The entire issue of community applications and objections needs careful consideration and review (3.1.2). While an independent objector (IO) is warranted, allegations of lack of objectivity identified in the first round must be addressed, to ensure that the IO is beyond reproach (3.1.6). With regards to GAC Advice procedures, we recommend that their advice in relation to gTLDs includes rationales (3.1.11).

With regards to policy/implementation guidance or implementation, no change is required if the only benefit of community TLD is in relation to objections and priority. However the ALAC supports other advantages such as preferential pricing (but at the application and operation levels) and if that is adopted, all community applications should be examined (3.3.1). The ALAC would agree that the CPE process did not provide consistency and predictability in the 2012 round and suggest .kids and .gay as two such examples (3.3.2). However, the CPE is still considered a reasonable process if properly implemented and when the criteria is not set purely to limit gaming (3.3.3).

As noted in 3.1.1, for consistency and predictability, singular and plural needs to be considered, and mitigation policies should be a factor as well (3.4.1). User confusion must be considered as a high priority (3.4.3). We agree that the approach to string similarity in gTLDs should be harmonised with ccTLDs (3.4.2). Private auctions should not be held as they could lead to speculative applications (3.4.6). We believe that along with the new review mechanisms which will be implemented as a result of the ICANN Accountability measure, existing accountability mechanisms will be adequate avenues to address issues encountered in the new gTLD programme (3.5.1).

WT3 Questions	ALAC Response
3.1 Objections	
3.1.1 Do you think that the policy recommendations (Recommendations 2, 3, 6, and 20) require any modifications? If so, what would you suggest?	<p>The recommendation on string confusion is one that must be enhanced. Singular and plural versions of related strings proved to be problematic in the first round and must be addressed this time. Such provision should not be limited to just the addition of an S but should be more generalized as suggested in a recent Registry SG document.</p> <p>That being said, as discussed in relation the ccNSO Extended Process Similarity Review Panel (EPSRP) document, for strings that are inherently confusing in their own right, but for which STRONG irrevocable policies mitigating against confusion in full domain names, delegation could be considered.</p>

WT3 Questions	ALAC Response
<p>3.1.2 Do you believe that those recommendations (which led to the establishment of the String Confusion, Legal Rights, Limited Public Interest, and Community Objections grounds) were implemented effectively and in the spirit of the original policy recommendations? If no, please provide examples.</p>	<p>No. String confusion proved to be problematic and the potential for differing rulings on the same pairs of strings was particularly problematic. A recent report looking at defensive registrations may imply that legal rights protections were not sufficient. The entire issue of community applications and objections needs careful consideration and review.</p>
<p>3.1.3 Do you believe there were any issues with standing requirements as defined in the Applicant Guidebook (AGB), or as carried out by the providers? Please explain.</p>	<p>No.</p>
<p>3.1.4 Do you believe there is evidence of decisions made by objection dispute panels that were inconsistent with other similar objections, the original policy recommendations, and/or the AGB? Please explain.</p>	<p>No comment offered.</p>
<p>3.1.5 Are you aware of any instances where any party or parties attempted to ‘game’ the Objection procedures in the 2012 round? If so, please provide examples and any evidence you may have available.</p>	<p>No comment offered.</p>
<p>3.1.6 Do you believe that the use of an Independent Objector (IO) is warranted in future application processes? If not, then why? If yes, then would you propose any restrictions or modifications be placed on the IO in future rounds?</p>	<p>The use of an IO is still warranted. However, there were allegations of lack of objectivity in the first round and steps must be taken to ensure that the IO is beyond reproach.</p>
<p>3.1.7 Do you believe that parties to disputes should be able to choose between 1 and 3 member panels and should the costs of objections reflect that choice?</p>	<p>No comment offered.</p>
<p>3.1.8 Is clearer guidance needed in regards to consolidation of objections? Please explain.</p>	<p>No comment offered.</p>
<p>3.1.9 Many community members have highlighted the high costs of objections.</p>	<p>No comment offered.</p>

WT3 Questions	ALAC Response
<p>Do you believe that the costs of objections created a negative impact on their usage? If so, do you have suggestions for improving this issue? Are there issues beyond cost that might impact access, by various parties, to objections?</p>	
<p>3.1.10 Do you feel that GAC Early Warnings were helpful in identifying potential concerns with applications? Do you have suggestions on how to mitigate concerns identified in GAC Early Warnings?</p>	<p>No comment offered.</p>
<p>3.1.11 What improvements and clarifications should be made to GAC Advice procedures? What mitigation mechanisms are needed to respond to GAC Advice? How can timelines be made more precise?</p>	<p>GAC advice in relation to gTLDs must include rationales. No comment on timelines offered.</p>
<p>3.2 New gTLD Applicant Freedom of Expression</p>	
<p>3.2.1 Noting that the 2007 Final Report on new gTLDs tried to balance the rights of applicants (e.g., Principle G) and rights holders (Recommendation 3), do you believe that the program was successful in doing so? If not, do you have examples of where either an applicant's freedom of expression or a person or entity's legal rights were infringed?</p>	<p>No comment offered.</p>
<p>3.3 Community Applications and Community Priority Evaluations</p>	
<p>3.3.1 As indicated in the Implementation Guidance of the 2007 Final Report, the claim by an applicant to support a community was intended to be taken on trust unless the applied-for TLD is in contention with one or more TLDs or is the respondent in an objection. As a result, the claim to support a community was only evaluated in Community Priority Evaluation (CPE) and Community Objections. Do you believe that the implementation and delivery of CPE</p>	<p>No change is required IF the only benefit of being a Community TLD is in relation to objections and priority. However, the ALAC supports other advantages such as preferential pricing (both at the application and operational levels) and if that is adopted, all Community applications should be examined.</p>

WT3 Questions	ALAC Response
<p>were consistent with the policy recommendations and implementation guidance provided by the GNSO? If no, do you have suggested improvements to either the policy/implementation guidance or implementation?</p>	
<p>3.3.2 There is a general sentiment amongst many in the community that the CPE process did not provide consistency and predictability in the 2012 round. Do you believe this was the case and if so, do you have examples or evidence of these issues?</p>	<p>Yes, that was the case. In the view of the ALAC, .kids and .gay are two such examples.</p>
<p>3.3.3 CPE was the one instance in the New gTLD Program where there was an element of a comparative evaluation and as such, there were inherently winners and losers created. Do you believe there is a need for community priority, or a similar mechanism, in subsequent procedures? Do you believe that it can be designed in such a fashion as to produce results that are predictable, consistent, and acceptable to all parties to CPE? The GNSO policy recommendations left the issue of a method for resolving contention for community claimed names to Board and the implementation. Do you believe that a priority evaluation is the right way to handle name contention with community applicants? Should different options be explored? If so which options should be explored and why?</p>	<p>CPE is still reasonable if properly implemented and the criteria is not set purely to limit gaming.</p>
<p>3.3.4 Were the rights of communities (e.g., freedom of expression, freedom of association, freedom of religion, and principle of non-discrimination) infringed by the New gTLD Program? Please provide specific examples.</p>	<p>No comment offered.</p>
<p>3.3.5 Besides CPE, are there other aspects of the New gTLD Program related to communities that should be considered in a more holistic fashion? For instance, in the 2012 round, the claim to support a community is largely</p>	<p>See response to 3.1.1.</p>

WT3 Questions	ALAC Response
<p>only relevant when resolving string contention. Do you think community applications should be structured and/or evaluated differently than other applications?</p>	
<p>3.4 String Similarity</p>	
<p>3.4.1 There was a perception that consistency and predictability of the string similarity evaluation needs to be improved. Do you have examples or evidence of issues? If so, do you have suggested changes to the policy recommendations or implementation that may lead to improvement? For instance, should the standard of string confusion that the evaluation panel used be updated or refined in any way?</p>	<p>As noted above, singular/plural needs to be considered and mitigation policies should be a factor as well.</p> <p>See response to 3.1.1.</p>
<p>3.4.2 Should the approach for string similarity in gTLDs be harmonized with the way in which they are handled in ccTLDs (ccNSO IDN ccTLD Fast Track Process is described here: https://www.icann.org/resources/pages/fast-track-2012-02-25-en)?</p>	<p>Yes.</p> <p>See response to 3.1.1.</p>
<p>3.4.3 The WG and the wider community have raised concerns specifically related to singles and plurals of the same word. Do you have suggestions on how to develop guidance on singles and plurals that will lead to predictable outcomes? Would providing for more predictability of outcomes unfairly prejudice the rights of applicants or others?</p>	<p>See response to 3.1.1.</p> <p>Additional criteria could impact some applications but user confusion must be considered as a higher priority. Mitigation could lessen any negative impact on applications.</p>
<p>3.4.4 Do you believe that there should be some sort of mechanism to allow for a change of applied-for TLD when it is determined to be in contention with one or more other strings? If so, do you have suggestions on a workable mechanism?</p>	<p>No.</p>
<p>3.4.5 Do you feel that the contention resolution mechanisms from the 2012 round (i.e., CPE and last-resort auctions) met the needs of the community in a</p>	<p>Yes.</p>

WT3 Questions	ALAC Response
sufficient manner? Please explain.	
3.4.6 Do you believe that private auctions (i.e., NOT the auctions of last resort provided by ICANN) resulted in any harm? Could they lead to speculative applications seeking to participate in a private auction in future application processes? Should they be allowed or otherwise restricted in the future?	Yes, private auctions could lead to speculative applications. They should not be allowed.
3.5 Accountability Mechanisms	
3.5.1 Do you believe that the existing accountability mechanisms (Request for Reconsideration, Independent Review Process, and the Ombudsman) are adequate avenues to address issues encountered in the New gTLD Program?	Yes, considering the new review mechanisms implemented as a result of the ICANN Accountability measure and subject to the response to 3.5.2.
3.5.2 Should there be appeal mechanisms, specific to the New gTLD Program, introduced into the program? If yes, for what areas of the program (e.g., evaluations, objections, CPE)? Do you have suggestions for high-level requirements (e.g., if the appeal should be limited to procedural and/or substantive issues, who conducts the review, who is the final arbiter, safeguards against abuse, etc.).	The ALAC suggests that if appeals are allowed, they should only be allowed when decision is based on an error of fact that ICANN has available at the time.

Summary of ALAC Responses to Work Track 4 Questions: Internationalized Domain Names and Technical & Operations

The ALAC agree to allow single character IDN TLDs (4.1.1.) but we also recommend the consideration of additional policy safeguards such as community and local government support, and cultural-linguistic research (4.1.2). These additional safeguards must be harmonised with ccTLDs (4.1.4). With regards to the delegation and operation of IDN variant TLDs we believe that this is a complex issues when considered from an end-user perspective. Suggestions have been made with regards to their stability and resilience, and how this might best be approached to include end-user communities and other relevant stakeholders (4.1.3).

The UAI is important to the promotion of equal and consistent domain name acceptance. As a civil society initiative, it contributes valuable information and guidance to the policy development process within ICANN (4.2).

We do not feel a need to differentiate between ASCII and IDN in terms of technical capacity of the applicant (4.3.1.1). We agree that technical evaluation should consolidate as much as possible (4.3.1.2) without any new and invasive evaluation of existing TLD operators (both gTLD and ccTLD) (4.3.1.2.1). Operational results (2012)

show that templates demanded (and received) for the round were unrealistic (4.3.2.1) when the only demonstration needed should be proof of ability to maintain basic TLD operations and infrastructure (4.3.2.2). It is unclear why there was a requirement for financial plans when there was no penalty for wrong planning (4.3.2.3).

As no new risks or failure modalities are expected with regards to name collisions, existing policy safeguards may be sufficient (4.4.1). In general, a per-label security and stability review may not be required (4.5.1). While it is generally felt that the diversity of the root system can handle the additional load caused by "normal" new TLDs, special TLDs may require additional measures to maintain stability (4.5.2).

WT4 Questions	ALAC Response
4.1 Internationalized Domain Names	
<p>4.1.1 Do you agree or disagree with allowing 1-char IDN TLDs, in specific combinations of scripts and languages where a single character can mean a whole idea or a whole word (ideograms or ideographs)?</p>	<p>We agree with the proposal to allow single-character IDN TLDs.</p> <p>For some language and cultural communities, the single character IDN TLD may be an option. This should not be applicable for a “mono-scripts”, such as Latin, Russian or Greek. But might work for China or neighboring countries, where a single hieroglyph might carry complete meaningful description.</p> <p>There are no major technical issues in single character IDN TLDs, but the potential for user confusion, in general, would be higher in these cases. It would be safer, from a confusability perspective, to permit such TLDs only on a case-to-case basis for particular languages, rather than by default.</p>
<p>4.1.2 Do you have any general guidance or would you like to flag an issue requiring policy work for subsequent procedures regarding IDNs?</p>	<p>For single-character IDNs, it would be prudent to consider additional policy safeguards such as the requirement for one or more of: 1) community support; 2) cultural-linguistic research paper(s); and 3) local government support.</p>
<p>4.1.3 How do you envision the policy and process to allow IDN Variant TLDs to be delegated and operated? Possible options include but are not limited to bundling (allowing but requiring procedures similar to .ngo/.ong where only the same registrant can register a name across TLDs), disallowing (as it was in the 2012-round) or allowing without restrictions. Must there be a solution established prior to launching subsequent procedures?</p>	<p>We believe that this is a complex issue when considered from an end-user perspective. Besides variants, there are also multiple options such as idn.ascii, ascii.idn, idn.idn and also the left-to-right and right-to-left variations. We suggest that this issue must be addressed taking through a participator process that includes end-user communities and other relevant stakeholders.</p> <p>Considerations include:</p> <ul style="list-style-type: none"> • For end-users, additional bundled variant registration may causing cost increases as well difficulties in search engine optimization (SEO); • Unbundled variant registration may cause unfair competitive registrations; • Registries and registrars may have a motivation in collecting fees from bundled/unbundled variant

WT4 Questions	ALAC Response
	<p>registrations</p> <p>From a purely end-user centric position, priority should be given to IDN TLD in case of competing variant applications (such as IDN city name vs. ASCII city name in non-Latin language communities).</p> <p>On the matter of variant TLDs, from a stability and resilience perspective, we make the following suggestions:</p> <ol style="list-style-type: none"> 1. The two TLDs must have the same Registry Operator (RO) and handled as one unit. The two TLDs must be delegated to the same set of name servers. 2. The WHOIS of the two domains must be handled consistently, possibly through a common interface. 3. The registrations of Second-Level Domains (SLDs) must be synchronized so that if an SLD is registered under one variant, it must also be registered under the other by the same registrant and the same registration information or be blocked. Such an SLD pair must be handled as a unit that cannot break. 4. The registrations must be maintained in a shared database. 5. When querying WHOIS for an SLD, all variants should be reported as such. 6. In case the RO fails, back-up options must be in place. This means that ICANN must standardize how a pair of TLDs is registered, and ensure its compliance to the procedure. ICANN policy must ensure that unified approach to variants is maintained for the lifetime of the label.
<p>4.1.4 Should the process of allowing 1-char IDN TLDs and IDN Variant TLDs be coordinated and/or harmonized with ccTLDs? If so, to what extent?</p>	<p>ccTLDs are generally an integral part of most IDN communities, and the local ccTLD plays significant role at the operational level as well as at the governance level. ccTLDs are thus an important stakeholder as any other SO/ACs for single char IDN TLDs and IDN variant TLDs.</p> <p>Therefore, the process of allowing single-character IDNs must be harmonized with ccTLDs, and single-letter TLDs should only be allowed in consultation with relevant ccTLDs.</p>
<p>4.2 Universal Acceptance (UA)</p>	
<p>4.2.1 Do you see any UA issue that would warrant policy development work, noting that there is extensive coordination work already being done by the Universal Acceptance Steering Group (https://uasg.tech/) ?</p>	<p>The Universal Acceptance Initiative (UAI) plays a significant role in the promotion of the equal and consistent domain name acceptance. However, this must not be mixed with policy development work within ICANN in order to keep the complexity of the things under control. For instance, the issue of similarity and confusability can be professionally reviewed by the UA group members, but only in form of</p>

WT4 Questions	ALAC Response
	<p>participation of individual experts in appropriate policy development working groups within ICANN community.</p> <p>UAI, which is doing very valuable work, is a civil society initiative and not a direct ICANN initiative. As such, UAI cannot make binding policy, which has to be under ICANN. UAI can inform and guide the policymaking process in ICANN, but the policy process should proceed as a regular ICANN process.</p>
<p>4.3 Application Evaluation</p>	
<p>4.3.1.1 Do you believe that technical capability should be demonstrated at application time, or could be demonstrated at, or just before, contract-signing time? Or at both times? Please explain.</p>	<p>We feel that there is no need to differentiate between ASCII or IDN in terms of technical capacity of the applicant. The main required option for IDN applicant might be full UA compliance in terms of SRS front-end and Web. Since technical operations of the TLD is no more a new thing, only new technical centers/operators need to demonstrate capacity and operations prior to contract signing.</p> <p>One additional aspect that may need to be considered under technical capability maybe the need to collect, maintain, transliterate and translate IDN RDS/WHOIS information.</p>
<p>4.3.1.2 Do you believe that technical evaluation should be done per application, per cluster of similar technical infrastructure of a single applicant entity/group, or per cluster of similar infrastructure among all applicants in a procedure (e.g, consolidate as much as possible)?</p>	<p>We agree that evaluation should consolidate as much as possible.</p>
<p>4.3.1.2.1 If consolidated, should the aggregate requirements of applied-for TLDs and currently operated TLDs be taken in consideration for evaluation?</p>	<p>We agree that there is no reason to bring in new & invasive evaluation of existing TLD operators (both gTLD and ccTLD). One aspect that could be added in the case of currently-operated TLDs may be to check on history of quality-of-service issues with the applicant which would reflect the technical capability.</p>
<p>4.3.2.1 ICANN sought detailed financial information as it pertains to an applicant’s proposed business model, projected revenue, and operating expenses. However, it required such information be provided through a static template rather than allowing applicants to provide their own financial models. Did this present any issues in</p>	<p>Operational results from the 2012 round show that the templates demanded (and received) for the round were not realistic. ICANN should concern itself only about availability of funds to maintain the minimum/basic operations in order to keep TLD alive and not anything overly elaborate.</p>

WT4 Questions	ALAC Response
the 2012 round? Please explain.	
4.3.2.2 Can financial capability be demonstrated with less detail, in a different manner, or via a different mechanism? Are there details or levels of detail that are unnecessary?	The only demonstration needed for financials should be the proof of ability to maintain basic TLD operations and infrastructure.
4.3.2.3 In the prior round, detailed business plans were provided, but not evaluated; they were however used to provide context to evaluators in scoring applicant responses. Do you believe that this information needs to be collected in order to evaluate an applicant's financial capabilities? Please explain? How should changes in business plans during the application process be handled?	Business plans presented by applicants in 2012 did not really work. Since there is no penalty for wrong planning, it is unclear why there should be a requirement for financial plans. Therefore, these can be dropped.
4.3.2.4 Some have argued that for Brand TLDs that do not rely on the distribution of domains, an evaluation of the business model unnecessary. Do you agree with this assertion? Please explain	No comment offered.
4.3.2.5 Are there any other types of TLDs for which the collection of business models may be unnecessary? Please explain.	No comment offered.
4.3.2.6 Do you believe that financial capability should be demonstrated at application time, or could it be demonstrated at, or just before, contract-signing time? Or at both times? Please explain.	No comment offered.
4.3.2.7 Do you believe that financial evaluation should be done per application or per possible registry family assuming all applied-for strings are won?	No comment offered.
4.3.2.8 Given the international nature of ICANN and its outreach to less developed areas, is the one size fits all approach to financial evaluation appropriate?	No comment offered.

WT4 Questions	ALAC Response
4.3.3.1 What suggestions do you have for improving the application evaluation process that you would like the community to consider?	No comment offered.
4.4 Name Collision	
4.4.1 What general guidance for namespace collisions would you like the community to consider for subsequent procedures, and why?	In general, no new risks or failure modalities are expected vis-a-vis name collisions. Consequently, the existing policy safeguards may be sufficient.
4.4.2 Were there non-applied for strings that would fall into a high risk category that you would suggest not be allowed in subsequent procedures? If yes, which ones and why? Should a Name Collision based evaluation be incorporated into the process for subsequent procedures? What data sources could/should be used for analyzing namespace collisions for subsequent procedures?	No comment offered.
4.4.3 Based on data from the first round, can the controlled interruption period be reduced in future rounds?	No comment offered.
4.4.4 Should any measures be suggested or requested from TLDs that already ended or will end their emergency readiness after two years of delegation? Are any measures needed for gTLDs delegated prior to the 2012 round?	No comment offered.
4.5 Security and Stability	
4.5.1 Considering that, different from the 2012-round, we now have Top-Level Label Generation Rules available for most, if not all, scripts and languages, does the per-label security and stability review still makes sense?	In general, per-label review may not be required.
4.5.2 Considering the already published CDAR study and comments to that study, do you have any comments regarding root zone scaling?	The diversity of the root system can handle the additional load caused by “normal” new TLDs through the usual scaling up process followed by root server operators, assuming that names are gradually delegated. For special TLDs (which prove to be very successful in driving DNS traffic), additional measures may be required to maintain stability.