

**Recommendation 16 (Consumer Choice)**  
**Recommendations 34, 35 and 36 (Safeguards)**

1. Clear problem statement? I think there is good argument of relating those recommendations together, because they are all related to the fact that we lack direct experience, data and a common framework for analysis of the *supply and demand* impact of registration restrictions on the expansion of the DNS.
2. Rationale for the set of recommendations
  - it can be argued that the set of recommendations lack a clear problem statement. In my view it is something like, ".....as the application process developed, a differentiated set of restrictions arrived (as opposed to clear cut policy development), some of them from the application itself (Pharmacy, ONG-NGO), some to reflect good intentions (PICs), some as required by Governments (highly regulated industries). In any case, we lack empirical data as well as a common classification/evaluation framework of those restrictions **(which is the problem #1 to be addressed by the recommendations proposed under Rec. 16 = we need to understand the level of its significance)**.
    - Today we can't correlate the effectiveness of those registration restrictions in terms of the stated purpose of the restrictions BEFORE delegation. (Registry level)
    - Registrations restrictions can be considered an initial barrier to entry. Today we can't correlate the impact of those restrictions in the number of effective registrations and with the level of enforcement by registries and registrars (Registry/Registrar level)
    - Today we can't assume that the avoidance of the restrictions by applicants/registrants is or leads to one form of abuse or another (Registrant level)
    - Today we don't understand how registration restrictions relate to other safeguards (general usage level)
  - If any of those issues is found to be relevant from any angle, subsequent procedures should consider developing a clear policy based strategy about or framework for constant development and application of restrictions, ahead of any new procedure!

### 3. Comments to the recommendations:

- Less opposition to Recommendation 16 than to the following ones, but lacks a clear rationale for the need of the exercise
- It is not clear if the soon expected DNS abuse study will solve the issues of 34-36
- 35 (implementation and costs) is probably the clearest of all 4 recommendations in terms of the scope of the recommendations
- My recommendation is to **(a)** fusion all of them, **(b)** get away from the data collection focus. Data collection is not just not only to be used for analysis, but **(c)** for the development of a general classification and framework for restrictions, to be used in the future for
  - evaluation of the previous ones and
  - a better (policy based) structure for future applications, delegation and use of new gTLDs