GNSO Council Comments on Draft Implementation Plan (Revision 2) for IDN ccTLD Fast Track Process

The GNSO Council welcomes the opportunity to provide comments to the Draft Implementation Plan for IDN ccTLD Fast Track Process ("Draft Implementation Plan"), along with 2 papers: 1. Documentation of Responsibility between ICANN and prospective IDN ccTLD Managers, and 2. Development and use of IDN tables and character variants for second and top level strings.

The GNSO Council congratulates ICANN staff on producing a comprehensive set of documents to advance the implementation of the IDN ccTLD Fast Track process. The Council especially recognizes the progress in the following areas:

- The consideration of including identified variant strings along with the IDN TLD applied for is consistent with the recommendation from the GNSO IDN WG that there is a need to cover script-specific character variants of an IDN TLD string and, that measures must be taken to limit confusion and collisions due to variants.

- Identification of: 1) the need for mechanisms to formalize the relationship between ICANN and the IDN ccTLD manager; 2) the fact that the circumstances and environment has changed considerably since the original introduction of the ccTLDs; 3) the need to ensure the security and stability of the Internet has increased; and, 4) the fact that the introduction of IDN ccTLDs will require that a number of additional technical aspects are taken into account, in particular it will be necessary to ensure that the IDN ccTLD manager adheres to the IDNA protocol and IDN guidelines on an ongoing basis. Identification of these issues is consistent with the GNSO Council comments to the IDNC WG Final report.

- Recognition of: 1) the principle that "ICANN strives for fair and equitable cost recovery to fund its services, seeking appropriate frameworks to recover costs from the communities it serves"; 2) "the principle of fair and equitable cost recovery is also applicable when ICANN develops new services"; and, 3) the fact that "the Fast Track program is a new program created specifically for new IDN ccTLD managers and their Internet users and that some contribution should be required from IDN ccTLD managers to offset its program costs". Recognition of these items forms a good basis for considering financial contributions for implementing the IDN ccTLD Fast Track process.

Finally, the GNSO Council brings attention to a resolution by the Council in January 2009 as follows:

Whereas both the GNSO and ccNSO are anticipating implementation of processes to introduce IDN TLDs in 2009, Resolve

1) the GNSO Council strongly believes that neither the New gTLD or ccTLD fast track process should result in IDN TLDs in the root before the other unless both the GNSO and ccNSO so agree, and

2) fast track IDN ccTLDs should not be entered into the root if they do not have an enforceable commitment to do the following:

i) follow security and stability requirements such as those contained in gTLD Registry contracts, IDN Guidelines and IDN standards;

ii) pay ICANN fees sufficient to ensure that IDN ccTLDs are fully self-funding and are not cross-subsidized by other ICANN activities.

The resolution is consistent with and furthers the position expressed by the GNSO Council in its comments in response to the ccNSO-GAC Issues Report on IDN Issues, as well as in its comments on the IDNC WG Final Report, that "the introduction of IDN gTLDs or IDN ccTLDs should not be delayed because of lack of readiness of one category, but if they are not introduced at the same time, steps should be taken so that neither category is advantaged or disadvantaged, and procedures should be developed to avoid possible conflicts."