

Note from Chris and Bart on current wording of Point E in Section 1 of the draft methodology.

The current wording of Point E in the draft interim report is:

The proposed string and delegation request should be non-contentious within the territory.

It has been argued that the use of the words 'within the territory' means that this Point is not within the purpose of the IDN WG as set out in the charter.

The **purpose** of IDN WG is "to develop and report on feasible methods, if any, that would enable the introduction,, of a limited number of non-contentious IDN ccTLDs."

However, it is important to note that under the IDN WG charter, the purpose of the IDN WG is qualified and limited by the **scope** of the IDN WG.

The scope of the IDN WG is "to develop(..) feasible methods (for the introduction of a limited number of IDN ccTLDs) In considering feasible methods the IDN WG should take into account and be guided by:...

- Current practices for the delegation of ccTLDs."

In drafting Point E as with the other points and the methodology itself, it is the **scope** of the WG that has been our guide.

There are a number of current practices followed that support the current wording of Point E. Among them are 'The Principles and Guidelines for the delegation and administration of Country Code Top Level Domains' of the Governmental Advisory Committee. Those principles state "ultimate public policy authority over the relevant ccTLD rests with the relevant government or public authority (..)". And, further, "every country or distinct economy with a government or public authority (...) should be able to ask for its appropriate country code to be represented as a ccTLD in the DNS and to designate the registry for the ccTLD concerned." The wording of principle E captures these two core concepts.

Further, the principle of sovereign equality of all States, which is part of the WSIS declaration of Principles (nr 63), is also reflected in the wording of Point E. The proposed string is a matter of the relevant state/territory subject only to any overarching global policy or criteria that may exist.

Alternative wording

Point E: **The proposed string and delegation request should be non-contentious**

This would reflect the purpose of the IDN WG, as interpreted by some members in the working group. However, in our view this wording does not reflect the scope of the IDN WG including the overarching requirements. In particular the test for the delegation would become broader than current practice allows.