**Comments on A5 and A6**

(The text in blue is the original text from the current version of the draft language)

**A5**

Recommendation 1.4: No ceiling value is necessary as existing measures in the RZ-LGR to reduce the number of allocatable top-level variant labels and market forces combined will keep the number of activated top-level variant labels conservative.

The ALAC Team agrees in general with this language, however we have the following comments:

1. In the event no ceiling value is instituted, there is a possibility that we are opening the doors for DNS abuse especially in terms of confusability wherein if there are large numbers of variants, it would be harder to differentiate between variants and DNS abuse attempts.
2. “Market forces” as a policy instrument is somewhat vague without a clear definition of its specific nature. Besides, market forces apply to all ICANN policy and it is unclear why this would be a special case.
3. We understand all scripts in the RZ-LGR have been conservative in fixing maximum allocatable variants except the Arabic script. We wonder why Arabic has chosen not to adopt this practice.

Recommendation 1.5: Best practice guidelines be developed for the management of a gTLD and its variant labels by registries and registrars with a view to ensuring a consistent user experience.

We understand that the need for more concrete obligations on the part of registries increases, therefore there is support for the development of binding policies as opposed to just best practice guidelines which supposedly are voluntary.

**A6**

Recommendation 1.6: Any existing gTLDs and their delegated and allocated variant labels (if any) not validated by a proposed RZ-LGR update must be grandfathered. In other words, the proposed update will apply to future new gTLDs and their variant labels and will not be retrospective; there will be no change to the contractual and delegation status of existing gTLDs and their delegated and allocated variant labels, which predate the proposed RZ-LGR update and are subject to the version of RZ-LGR when those labels were delegated or allocated.

We agree with this formulation. We suggest that provide a precise definition of what “grandfathering” entails (or point to an existing definition elsewhere). We also note that future Charter questionss have a bearing on the definition of the scope of grandfathering and so we may want to revisit this question later.

Recommendation 1.7: For all future versions of the RZ-LGR, Generation Panels (GPs) and the Integration Panel must make best effort to retain full backward compatibility with existing gTLDs and their delegated and allocated variant labels (if any). The LGR Procedure must be updated to specify the exceptional circumstances that could result in a proposed update to the RZ-LGR not being able to retain full backward compatibility.

Agree with the text. However, it is unclear if a given script community can predict the “exceptional circumstances” (apart from the dependencies on IDNA2008 and Unicode standards) that could result in breaking backwards compatibility in order to update the LGR Procedure.

Recommendation 1.8: In the unexpected event where a proposed update of the RZ-LGR is unable to retain full backward compatibility for validating any existing gTLDs as well as their delegated and allocated variant labels (if any), the relevant GP must call out the exception during a public comment period and explain the reasons for such exception. The public comment period should also include the elements in the following Implementation Guidance.

We agree with the public comment process to inform the communities concerned about the exceptional situation.

Implementation Guidance 1.9: The GP analysis should identify security and stability risks (if any), as well as possible actions to mitigate the risks (if known and understood by the GP) associated with allowing an existing gTLD and their delegated and allocated variant labels to be grandfathered.

We agree that analysis of the impact and mitigation strategies must be undertaken. Two comments:

1. The phrase “if known and understood by the GP” weakens the text…what happens if the GP does not know or understand the risks or mitigation measures?
2. Rather than leaving this to the GPs (whose members are expert linguists not on the risks to the Root Zone), we would like to suggest a language such as “the GPs, together with other technical entities such as RSSAC, SSAC or ICANN Org, should identify the security and stability risks…”

Implementation Guidance 1.10: ICANN org should facilitate a dialogue between the registry operator of the grandfathered gTLD, ICANN org, and the GP, to provide an assessment of the potential impact of grandfathering on the gTLD registry operator, their customers, and end users, as well as proposed measures to reduce the impact.

Notwithstanding the recommendation to grandfather affected gTLDs, in the event security and stability risks are identified, ICANN org and the affected registry operator should discuss possible measures to minimize the risks that would result in minimal disruption to the registry operator, their customers, and end users.

We agree with the proposed language. We are not sure if the phrase “the gTLD registry operator, their customers, and end users” (used twice in the text) has any special context to it, and if it is as inclusive in comparison with “registry, registrar, registrants and end-users”.