

30 April 2019

Mr. Cherine Chalaby, Chair
ICANN Board of Directors

Subject: GNSO Council Request for Deferral of ICANN Board Vote on IDN Guidelines 4.0

Dear Cherine,

It has come to the attention of the GNSO Council that the ICANN Board is currently scheduled to consider and vote to approve the IDN Guidelines 4.0 during its 3 May 2019 meeting. The GNSO Council formally and respectfully requests that the ICANN Board defer a vote on the IDN Guidelines 4.0 issue while we consider any policy implications under our remit.

The GNSO Council is in receipt of the 8 April 2019 [letter](#) from ICANN concerning the Board's 14 March 2019 approval of the Recommendations on Management of IDN Variant TLDs, where the Board also requested that the GNSO and ccNSO work together to ensure development of consistent policies. As we, the GNSO Council, have just begun our review and consideration of the IDN variant topic, both at the top level and the second level, and any associated policy implications, we require additional time to develop a fully informed understanding, and to appropriately coordinate with the ccNSO.

As the variant TLD Recommendations impact both existing and future TLDs, we believe a new PDP will be required to conduct this work for existing TLDs, while keeping the Subsequent Procedures PDP involved for future TLDs. Further, IDN Guidelines (for the second level), are no longer mere guidelines but have taken on the force of contract obligations. Of particular concern to the GNSO Council, this evolution from implementation guidelines (i.e., best practices) to contractually mandated obligations has taken place outside of a GNSO PDP.

The GNSO Council now intends to study the full extent of the impacts from the IDN Variant TLD Recommendations and IDN Guidelines upon existing registry agreements to determine the range of issues and appropriate expertise needed for the policy development process. As part of this effort, we are studying the operational implementation of the "same entity" requirement on second level registrations, which is also a requirement under the IDN variant TLD Recommendations.

The GNSO Council looks forward to engaging constructively on this topic, and we thank you in advance for your consideration of this request.

Sincerely,

Keith Drazek
GNSO Chair

Cc: Mr. Goran Marby, ICANN CEO
Mr. Cyrus Namazi, ICANN Senior Vice President, Global Domains Division