

**From:** Annebeth Lange  
**Sent:** Wednesday, January 17, 2018 11:16 AM  
**To:** Katrina Sataki  
**Subject:** Re: WT5 news?

Hi Katrina

Just to give you an update from the morning call in WT5 and where we are now, so that you have something to tell the council tomorrow.

The discussion today was:

1. Agree on ToR
2. Path to the 2012 AGB (History Lesson)
3. Definition of a Geographical Name (2012 AGB)

#### 1. Terms of Reference

We have had a lot of discussion on Terms of Reference. The disagreement has been about “what is status quo”. The GNSO opinion is that if we cannot agree on changes in the GNSO Policy from 2007, this will be status quo. The GNSO Council has the mandate to modify those policy recommendations via a PDP, and they will certainly listen to WorkTrack5 if we agree. But if we don’t, we are not sure which way this will turn out. The other stakeholder groups are of the opinion that it is the AGB 2012 that will be status quo if we cannot agree. However, there is a gap between the GNSO policy from 2007 and the AGB 2012, and we need to get the changes into their policy to avoid more discussions in the future and a lot of problems with the GAC. The GAC will certainly not agree on the GNSO policy from 2007 – which gives no protection at all for geographical names – so if that is the result, we can look forward to another round of lengthy discussion like those between 2007 and 2012.

The conclusion today was that ToR can be circulated as approved subject to any strong objection. We have not had any objections since last meeting.

#### 2. History Lesson (see below )

Since there are participants that have not followed the road from 2007 to 2012, I gave a short résumé of the development. I enclose it for your information. The most interesting thing for us here is that all earlier policy/documents etc. have the same “rule” for 2-letter codes: “All 2-letter ASCII strings should be only for ccTLDs”.

3-letter strings (codes from ISO 3166-1) are still in the flux, different opinions on those. The same applies for country & territory names long form/short form, capitals, cities etc.

During the discussion today, it seemed to be agreement that 2-letter strings ASCII should still be for ccTLDs (present and future), even if there were some voices from the business and IP side that wanted it differently.

### 3. Definition of Geographical Name from 2012 AGB – and in the future

Discussion if this should be the starting point. Some wanted to start from scratch, but I think we will end up with an analysis of those names that are in 2.2.1.4.1 and 2.2.1.4.2. After agreeing of what a geographical name is, the next step is to discuss which rules should apply for that specific group of names. It is not self-evident that all groups should be treated alike.

I hope this gives you enough to update the council tomorrow. Please get back to me if you want more information.

Kindly  
Annebeth

## History lesson geographic domains

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The road for geographic domains started already back in 1984, when IETF, Internet Engineering Task Force, developed the Request for Comments 920. They used the ISO 3166-1 list of codes for the representation of names of countries and their subdivisions. This system was followed in RFC 1591 in 1994.

The reason behind this was that IANA was not in the business of deciding what is and what is not a country – it was needed a list as a basis for country-codes top-level domains - and ISO, which is under UN, has a procedure for determining which entities should be and should not be on that list.

When ICANN started the process of expanding the number of top-level domains, the first thing was the IDN-WG on internationalized domains – domains in other scripts than ASCII – presented in 2007. Same year several things that had impact on geographic names happened.

In 2007 the Governmental Advisory Committee – the GAC – published their Principles regarding new gTLDs. The main message was that new gTLDs

- should respect the sensitivities regarding terms with national, cultural, geographic and religious significance and
- should avoid country, territory or place names, and country, territory or regional language and people descriptions, unless in agreement with the relevant governments or public authorities

To avoid confusion with ccTLDs no 2-letter gTLD should be introduced.

The GNSO Council the same year initiated the Reserved Names Working Group (RN-WG) to find out if there should be any reserved name. The main message regarding geographical names was:

- All 2-letter strings should be only for ccTLDs
- For other geographical names → there should be no reserved names, but challenge mechanisms for governments

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The recommendations of the WG were then integrated into the GNSO PDP on the Introduction of New gTLDs (recommendation 5 especially important)

- A string should not be a reserved word, but since there should be no geographical reserved names, this did not have an impact on what we are now discussing
- However, the applicants should be made aware of the GAC Principles on new gTLDs
- And the proposed challenge mechanism would allow governments to initiate an objection

The next step was the first version of the Draft Applicant Guidebook in 2008. It required that:

- Applied for strings must consist of 3 letters or more – consequently 2-letters should be left for ccTLD space
- Any string that was a “meaningful representation of a country or territory name listed in the ISO 3166-1 standard” must have support or non-objection for relevant government etc.

The first version therefore respected the GAC Principles set forward in 2007. Up till now, it was mainly stakeholders from GNSO that had been active in the discussions. When the initial draft was published, the rest of the stakeholder groups woke up and things began to happen. The AGB went through a series of comment periods, discussion meetings and revisions.

The second version was mostly unchanged, but the description of “country and territory names” was extended and refined.

Also, the third version stated that applicants needed support or non-objection from government for applications for country & territory names.

However, after the GAC in August 2009 stated that “meaningful representations or abbreviations of a country or territory name listed in the ISO 3166-1 standard should not be allowed in the gTLD space”, the ICANN Board, at the urging of the GAC supported by the ccNSO, directed the staff to exclude country & territory names from delegation in version 4 of the AGB.

Leaving 2-letter strings in ASCII to ccTLDs has been agreed on through all these different documents and versions.

In addition to not allowing country & territory names as defined in AGB 2.2.1.4.1 as gTLDs, the AGB also set conditions in 2.2.1.4.2 - for other geographical names, requiring government support.

Since it obviously is a gap between the AGB 2012 – the terms & conditions the applicants had to abide by – and the GNSO has not developed any additional policy recommendations since then – our task is to find a way to close that gap.