

Paul Twomey
CEO & President
ICANN

Paris, 26 May 2009

Dear Paul,

As you are aware the GNSO council on 15 May 2009 provided comments on the issues raised in the GAC's letter of 24 April 2009, to ICANN's CEO and President. This letter was provided in response to the ICANN Board's concerns about the ability to implement the provisions of article 2 of the GAC Principles regarding new gTLDs, particularly paragraph 2.7¹.

In reviewing the GNSO Council's letter, the GAC understands that our proposal in relation to geographic names at the second level, as repeated below, is acceptable to the GNSO and could be retained as a GAC advice in response to the Board resolution of 6 March on Protection for Geographic Terms in New gTLD.

In relation to geographic names at the second level:

The GAC considers that in their applications the registries should be asked to indicate how they intend to incorporate GAC advice in their management of second level domains. The GAC (and the rest of the ICANN community) should then be invited to comment on the appropriateness of proposed measures.

In their considerations the registries may draw on existing methodology which is based on the successful process developed for the reservation, and release of, country names under the .info TLD.

In any case as a minimum, the names contained in the following internationally recognized lists must be reserved at the second level at no cost for the governments of all new gTLDs. *It is of course the prerogative of the relevant governments to adopt procedures that subsequently allow for applicants to register names from any of the lists:*

- the short form (in English) of all country and territory names contained on the ISO 3166-1 list, including the European Union, which is

¹ Applicant registries for new gTLDs should pledge to: a) adopt, before the new gTLD is introduced, appropriate procedures for blocking, at no cost and upon demand of governments, public authorities or IGOs, names with national or geographic significance at the second level of any new gTLD; b) ensure procedures to allow governments, public authorities or IGOs to challenge abuses of names with national or geographic significance at the second level of any new gTLD.

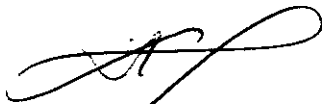
exceptionally reserved on the ISO 3166-1 List, and its scope extended in August 1999 to any application needing to represent the name European Union

http://www.iso.org/iso/support/country_codes/iso_3166_code_lists/iso-3166-1_decoding_table.htm#EU ;

- the United Nations Group of Experts on Geographical Names, Technical Reference Manual for the Standardization of Geographical Names, Part III Names of Countries of the World. This lists the names of 193 independent States generally recognized by the international community in the language or languages used in an official capacity within each country and is current as of August 2006 http://unstats.un.org/unsd/geoinfo/ungegn%20tech%20ref%20manual_M87_combined.pdf and
- List of UN member states in 6 official UN languages prepared by the Working Group on Country Names of the United Nations Conference on the standardization of Geographical Names <http://unstats.un.org/unsd/geoinfo/9th-UNCSSGN-Docs/E-CONF-98-89-Add1.pdf>

However, on the other issues raised relating to geographic names at the top level and the potential misuse of the respective names on the second level, it would appear the GNSO Council and the GAC are not in agreement. The GAC will engage in further discussion on these issues with the GNSO during our joint meeting in Sydney, with view to coming to a common position.

Yours sincerely



Janis Karklins
Chairman of the Governmental Advisory Committee
Ambassador of Latvia to France