Report of Public Comments

Title:	
Publication Date:	5 August 2018
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Comment Period:	
Comment Open Date:	21 June 2018
Comment Close Date:	31 July 2018

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Section I: General Overview and Next Steps

This public comment proceeding sought to obtain community input on the Initial Report from the GNSO's Working Group (WG) on proposed recommendations for amending prior consensus recommendations with respect to the reservation protection of ICRC (the International Committee of the Red Cross), IFRC (the International Federation of Red Cross and Red Crescent Societies), and Red Cross National Societies, as instructed by the GNSO Council. This is the International Governmental Organizations – International Non-Governmental Organizations (IGO-INGO) Working Group's Initial Report.

Section II: Contributors

At the time this report was prepared, a total of [number] (n) community submissions had been posted to the Forum. The contributors, both individuals and organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.

Organizations and Groups:

Name	Submitted by	Initials
ALAC	Alan Greenberg	ALAC
RySG/RrSG	Samantha Demetriou	RySG/RrSG
NCSG	Rafik Dammak	NCSG

Individuals:

Name	Affiliation (if provided)	Initials
none		

Section III: Summary of Comments

General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the

summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).

Refer to the Public Comment Review tool tables below for analysis of the comments and actions taken by the group, if any.

Section IV: Analysis of Comments

General Disclaimer: This section is intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the analysis.

Refer to the Public Comment Review tool tables below for analysis of the comments and actions taken by the group, if any.

Public Comment Categories – Table of Contents

General Comments

#	Comment	Contributor	WG Response / Action Taken
1.	The ALAC appreciates the opportunity to comment on the Initial Report on the Protections for Certain Red Cross Names in all gTLDs – Policy Amendment Process. The ALAC has always taken the position that as a humanitarian organization, and one that has been regularly the target of those seeking to fraudulently attract donations, the Red Cross should be afforded the courtesy of having its various identifiers protected at the second level in gTLD domain names. The current process recommends additional protection in this area and the recommendations are supported by the ALAC. See full comment.	ALAC	Agreement **WG Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
2.	Back in 2013, the NCSG's position was that: *"special protections should only be provided to those groups that are legitimately entitled to have a preference over other users of a domain name and are not able to protect their interest through existing measures because they lack legal protections. At the time the NCSG submitted its response, it believed that no specific harm has been demonstrated to a group that is unique to that group and therefore, no special protections should be provided."* (https://community.icann.org/pages/viewpage.action?pageId=40175441) Our position remains the same in 2018. Special protections should be given under exceptional circumstances. Reserving names can be detrimental to freedom of speech and the freedom to register names legally. Having said that, we acknowledge that this issue was reopened because of GAC advice which the ICANN Board gave weight to. See full comment.	NCSG	Divergence **WG Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	WG Response / Action Taken
3.	[INSERT Copy of Comment] See full comment: [Inset Link]		Concerns Divergence Agreement New Idea **WG Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

Finite List of Reserved Names

#	Comment	Contributor	WG Response / Action Taken
1.	The RySG/RrSG are supportive of the effort to identify an agreed definitive, finite list of the full names of the Red Cross National Societies, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies as well as the recommendation for an exception procedure for cases where the relevant organization wishes to apply for their protected string at the second level (as described in Recommendation #2). The RySG/RrSG are also supportive of recommendations 3-6 which provide guidance for future error corrections, additions and deletions to that list. See full comment.	RySG/RrSG	Agreement **WG Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]
2.	Recommendation #1: Finite list of names to be reserved The NCSG does not agree with this recommendation. We do not believe IGO names need special protection. 191 names are being reserved for IGOs that might not even register these names. This takes these names away from the legitimate applicants that may wish to register these domains in good faith and for legitimate purposes. Recommendation #2: Overreach at the second level It is the position of the NCSG that second level domain name should not ever have been reserved for IGOs. It is appreciated that there is a process for allowing third-party registrants to register domain names that are being "protected" for Red Cross organizations. But these second-level domains should be released and available for registration. See full comment.	NCSG	Divergence **WG Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

#	Comment	Contributor	WG Response / Action Taken
3.	[INSERT Copy of Comment] See full comment: [Inset Link]		Concerns Divergence Agreement New Idea **WG Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

Updates to Registry Agreement / Specification 5

#	Comment	Contributor	WG Response / Action Taken
1.	The RySG/RrSG are of the opinion that modifying Registry agreements for this purpose is unnecessary and has some doubts about the logistics of such an operation, especially considering the possibility of future changes to the list. Noting the Protection of IGO and INGO Identifiers in All gTLDs Policy (https://www.icann.org/resources/pages/igo-ingo-protection-policy-2018-01-16-en) is similar and overlaps to some degree with the recommendations in this report. That Policy doesn't rely on modifications to the Registry agreement but rather references a resource on ICANN's web site (https://www.icann.org/resources/pages/reserved-2013-07-08-en) containing a link to the list of reserved labels, including Red Cross strings. The RySG/RrSG suggest a similar approach be taken here and that updating this reserved names list is an appropriate and practical alternative to modifying all Registry Agreements. See full comment.	RySG/RrSG	Concerns **WG Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

2.	Recommendation #3: The Reconvened WG recommends that future error corrections, additions to and deletions of any entries in the definitive list of reserved names and their agreed variants be made only in accordance with the criteria developed by the WG and listed in Recommendations #4-6 below. The NCSG does not agree with Recommendation #3 and subsequently with the criteria developed in #4-6. We do not agree with having a reserved set of names for IGOs in the first place. To prevent further damage, the GNSO Council specifically said that the GAC list of IGOs that get this special treatment should be "finite" and base its resolution on a finite list, by starting in its preamble with: "(3) The list of names of the Red Cross and Red Crescent National Societies is a finite, limited list of specific names recognized within the Movement (http://www.ifrc.org/Docs/ExcelExport/NS_Directory.pdf);" And in its resolution that: " 4. In considering the proposed amendment, account is to be duly taken of the matters noted during the GAC-GNSO facilitated discussion at ICANN58 as well as the GAC's public policy advice to reserve the finite list of names of the Red Cross and Red Crescent National Societies, as recognized within the International Red Cross and Red Crescent Movement, in all gTLDs." The Working Group recommendation, however, has deviated from this resolution and recommends, how this list can be added to or changed (or some names deleted). The GNSO Council specifically resolved the matter based on a finite list. Thus, a finite list should remain as such: the issue should not be reopened, and no one should be able to change the list in order to add to it. See full comment.	NCSG	Divergence **WG Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]

3.	[INSERT Copy of Comment] See full comment: [Inset Link]		Concerns Divergence Agreement New Idea **WG Response:** **Action Taken:** [**COMPLETED / NOT COMPLETED**] – [Instruction of what was done.]