

At-Large Workspace: Proposed Consensus Policy on Protections for Certain Red Cross and Red Crescent Names in All Generic Top-Level Domains

Public Comment Close	Statement Name	Status	Assignee (s)	Call for Comments Open	Call for Comments Close	Vote Open	Vote Close	Date of Submission	Staff Contact and Email	Statement Number
14 December 2018	Proposed Consensus Policy on Protections for Certain Red Cross and Red Crescent Names in All Generic Top-Level Domains	<div style="background-color: #28a745; color: white; padding: 2px; display: inline-block;">ADOPTED</div> 14Y, 0N, 0A	Justine Chew	12 December 2018	13 December 2018	14 December 2018	17 December 2018	14 December 2018	Mary Wong policy-staff@icann.org	AL-ALAC-ST-1218-04-01-EN

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Brief Overview

Purpose: This public comment proceeding is intended to provide a reasonable opportunity for input on a proposed Consensus Policy prior to its consideration by the ICANN Board, in accordance with the ICANN Bylaws.

Current Status: The GNSO Council approved the proposed Consensus Policy in September 2018 and recommends its adoption by the ICANN Board.

Next Steps: Following the close of this public comment proceeding, the proposed Consensus Policy and all relevant input received will be forwarded to the ICANN Board for its consideration and action.

Section I: Description and Explanation

In September 2018, the GNSO Council voted to approve all the recommendations from its reconvened Policy Development Process (PDP) Working Group relating to second level protections for certain full names associated with the International Red Cross Movement and Red Cross National Societies. The PDP Final Report includes a specific, finite list of all the names and their permitted, defined variants that comprise the policy recommendations. All six recommendations were made with the full consensus of the Working Group and approved unanimously by the GNSO Council.

This proposed Consensus Policy, if adopted, will supplement the previously-adopted Consensus Policy by which the specific terms Red Cross, Red Crescent, Red Lion & Sun and Red Crystal were withheld from delegation in the 2012 New gTLD Program at both the top and second levels.

Section II: Background

In May 2017, the GNSO Council voted to reconvene its 2012-2013 PDP Working Group on IGO-INGO Protections in All gTLDs, following additional community discussions on the topic of appropriate second level protections for the names of the Red Cross International Movement and Red Cross National Societies. These community discussions included a facilitated dialogue between representatives of the Governmental Advisory Committee (GAC) and the GNSO in March 2017 and a subsequent Board resolution requesting that the GNSO Council consider invoking its documented process for modifying its previous policy recommendations on this topic.

The GNSO Council's decision was based on the following set of exceptional circumstances that were identified during the March 2017 facilitated dialogue, and noted by the Council as justifying this extraordinary step in reconvening the PDP Working Group:

1. The public policy considerations associated with protecting the Movement's identifiers in the domain name system (DNS);
2. The GAC's rationale for seeking permanent protection for the terms most closely associated with the Movement and its respective components is grounded in the protections of the designations "Red Cross", "Red Crescent", "Red Lion and Sun", and "Red Crystal" under international treaty law and under multiple national laws;
3. The list of names of the Red Cross and Red Crescent National Societies is a finite, limited list of specific names of the National Societies recognized within the Movement (http://www.ifrc.org/Docs/ExcelExport/NS_Directory.pdf);
4. There are no other legitimate uses for these terms; and
5. The GAC had provided clarification following the completion of the GNSO PDP, via its March 2014 Singapore Communique, on the finite scope of the specific list of Movement names for which permanent protections were being requested (<https://gacweb.icann.org/download/attachments/28278854/Final%20Communique%20-%20Singapore%202014.pdf?version=1&modificationDate=1397225538000&api=v2>).

The reconvened PDP Working Group published its Initial Report for public comment in June 2018. Following its analysis of all the comments received, the Working Group completed its final recommendations and submitted its Final Report to the GNSO Council in August 2018. The original GNSO Council vote on the Final Report was deferred in August 2018 at the request of the GNSO's Non-Commercial Stakeholder Group. Following additional discussions between the PDP Working Group Chair and the NCSG, the Council voted unanimously to approve all the PDP recommendations at its next meeting in September 2018. In October 2018, the Council approved a Recommendations Report, as required by the ICANN Bylaws, for transmission to the ICANN Board following the close of this public comment proceeding.

In accordance with the ICANN Bylaws, this public comment proceeding is being opened to provide the public with an opportunity to comment on the recommendations that were approved by the GNSO Council prior to their review and action by the ICANN Board.

Section III: Relevant Resources

[Reconvened PDP Working Group Final Report on Red Cross Names](#)

[Approved List of Specific Red Cross Names and Permitted Variants](#)

Section IV: Additional Information

Section V: Reports

FINAL VERSION SUBMITTED (IF RATIFIED)

The final version to be submitted, if the draft is ratified, will be placed here by upon completion of the vote.



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FINAL DRAFT VERSION TO BE VOTED UPON BY THE ALAC

The final draft version to be voted upon by the ALAC will be placed here before the vote is to begin.

The ALAC appreciates the work of the Reconvened Working Group for Protections for Certain Red Cross and Red Crescent Names in All Generic Top-Level Domains (Reconvened WG) and the opportunity to comment on its recommendations as contained in the **Final Report on the Protections for Certain Red Cross and Red Crescent Names in All Generic Top-Level Domains Policy Amendment Process** dated 05 August 2018.

The ALAC continues to take 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. Following our statement of support for the Initial Report on the Protections for Certain Red Cross Names in all gTLDs – Policy Amendment Process of 20 June 2018, (ref: [AL-ALAC-ST-0731-01-01-EN](#)), the ALAC:

- Supports the Reconvened WG's recommendations to the GNSO Council's proposed amendments (i.e. Recommendations #1, #2 and #3) as these provide clarity to the protection, exception and correction/modification mechanisms for the existing and agreed finite list of the full names of the 191 National Red Cross and Red Crescent Societies, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies vis a vis Specification 5 of the Base Registry Agreement; and
- Also supports the Reconvened WG's recommendations in addition to the proposed amendments (i.e. Recommendations #4, #5 and #6) as these provide clarity to the criteria and process to be used (including suggesting that any future changes to the finite list be proposed only by official representatives of the Red Cross Movement, as well as the involvement of the GAC and the GNSO Council) in the consideration of such proposed changes.

DRAFT SUBMITTED FOR DISCUSSION

The first draft submitted will be placed here before the call for comments begins. The Draft should be preceded by the name of the person submitting the draft and the date/time. If, during the discussion, the draft is revised, the older version(S) should be left in place and the new version along with a header line identifying the drafter and date/time should be placed above the older version(s), separated by a Horizontal Rule (available + Insert More Content control).

12 December 2018

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