
Policy Amendment Process: Protections for Certain Red Cross Names in All Generic Top-Level Domains

WHAT CAN I EXPECT AT ICANN62 IN RELATION TO THIS TOPIC?

While the Policy Development Process (PDP) Working Group (WG) will not be meeting at ICANN62, the Generic Names Supporting Organization (GNSO) Council is expected to receive an update on the status of the work, with the WG set to publish its Final Report in August 2018.

WHAT IS THIS ABOUT?

This section of the Policy Briefing should be read together with the following section entitled “Implementation Status: Protection of International Governmental Organization (IGO)-International Non-Governmental Organization (INGO) Identifiers in All Generic Top-Level Domains (gTLDs) Policy Recommendations.”

The Protection of IGO-INGO Identifiers in All gTLDs PDP was completed in November 2013. Although the GNSO Council accepted all the PDP WG recommendations, the ICANN Board to date has approved only those recommendations that are consistent with the Governmental Advisory Committee (GAC) advice received on the subject. These recommendations have been subsequently **implemented** with a Policy Effective date of 1 August 2018. The remaining recommendations are still under Board consideration. These were the subject of a facilitated dialogue between the GAC and the GNSO at ICANN58 as part of an ongoing process to attempt to reconcile the GAC advice and the GNSO PDP recommendations.

Following that facilitated discussion, the ICANN Board requested that the GNSO Council consider initiating the GNSO policy amendment process in accordance with the GNSO’s procedures. The GNSO Council agreed to launch the policy amendment process and reconvene the original PDP WG. The aim is to see if a finite, limited list of specific names of 191 Red Cross National Societies as well as a limited, defined set of variants for these names can be developed.

In May 2017, the GNSO Council voted to initiate the GNSO’s documented process to consider amendments to previously completed PDP recommendations, prior to their adoption by the ICANN Board. These recommendations relate to appropriate protections for the names of the National Societies of the Red Cross and the International Red Cross Movement. The original PDP WG has been reconvened for this purpose.

WHY IS THIS IMPORTANT?

The ICANN Bylaws contain provisions that outline specific steps to be taken by the Board in cases where it disagrees with either GAC advice or GNSO PDP recommendations. In this case, the Board elected not to trigger either of these processes when it only adopted those GNSO PDP recommendations that were consistent with GAC advice in April 2014 and requested additional time to consider the remaining, inconsistent recommendations.

The GNSO Council launched the PDP on the Protection of IGO-INGO Identifiers in All gTLDs in November 2012. The aim is to consider what the appropriate form and scope of protections would be at both the top-level and second-level of the Domain Name System (DNS), for the Red Cross, the International Olympic Committee (IOC), and other IGOs and INGOs. All these organizations perform important public interest or humanitarian work. Cybersquatting and related abuse of domain names identical or confusingly similar to their names and acronyms could significantly impact their missions and resources. The GNSO Council approved and the Board adopted part of the PDP outcomes, which included consensus recommendations that a limited list of Red Cross, IOC, IGO, and INGO identifiers be reserved. For the Red Cross, these are “Red Cross,” “Red Crescent,” “Red Crystal,” and “Red Lion and Sun” at the top-level and second-level. For IGOs, only their full organizational names are reserved at the second-level. The appropriate DNS protections for many of the other identifiers associated with the Red Cross and IGOs – i.e., Red Cross National Society names, the names and acronyms of the International Red Cross Movement, and IGO acronyms – have yet to be finalized. The facilitated dialogue that took place between representatives of the GAC and the GNSO at ICANN58 was an attempt to reconcile the remaining inconsistencies between GAC advice and the GNSO PDP recommendations.

The GNSO Council’s vote in May 2017 initiated the policy amendment process only for specific names associated with the Red Cross. Discussion over IGO acronyms is ongoing.

WHAT IS THE CURRENT STATUS OF THIS PROJECT?

After reviewing the legal basis for protection, the reconvened PDP WG has reached preliminary agreement to recommend that a specific, finite set of names be withheld from registration at the second-level of the DNS. The PDP WG is finalizing what specific, limited variants of those names will be included, as well as reviewing its draft Initial Report with proposed recommendations.

WHAT ARE THE EXPECTED NEXT STEPS?

It is important to note that the GNSO's policy amendment process must take place before the Board acts on the PDP recommendations. The GNSO Council's policy amendment process mandates that the proposed amendment be posted for Public Comment. The Public Comment period will begin just prior to ICANN62. After the Public Comment period closes, the WG will review submitted comments and consider changes to its proposed recommendations, if any. Consequently, the GNSO Council will consider whether to approve the amendment with a target for the Council's August 2018 session. The amendment will be considered approved only if a supermajority of the GNSO Council votes to approve. The Board will then be expected to act in accordance with the ICANN Bylaws on the final results of this reconciliation process.

HOW CAN I GET INVOLVED?

You may follow the progress of the discussions by reviewing the background information on this project, observing the discussions, and looking out for any Public Comment forum to be launched in June 2018 as part of the final reconciliation process.

MORE INFORMATION

- Protection of IGO-INGO Identifiers in All gTLDs PDP Webpage: gnso.icann.org/en/group-activities/active/igo-ingo
- Protection of IGO-INGO Identifiers in All gTLDs PDP WG Workspace: community.icann.org/x/2YJEAg
- ICANN Board resolution of April 2014 adopting the PDP recommendations consistent with GAC advice and requesting more time for the remaining recommendations: icann.org/en/groups/board/resolutions-30apr14
- GAC webpage listing GAC Communiqué advice relating to IGO protections: gacweb.icann.org/display/GACADV/IGO
- Documents, meetings, and mailing list for GAC-GNSO facilitated dialogue: community.icann.org/x/eoPRAw
- ICANN Board resolution at ICANN58 requesting that the GNSO Council consider amending the adopted PDP recommendations pertaining to Red Cross names: www.icann.org/resources/board/resolutions-2017-03-16
- GNSO PDP Manual: gnso.icann.org/en/council/manual-01sep16
- GNSO Council resolution initiating the policy amendment process: gnso.icann.org/en/council/resolutions-20170503-071

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