

We, as representatives of the GNSO, appreciate the role governments play in the Community multi-stakeholder model, particularly matters where there may be an interaction between ICANN's policies and various laws and international agreements or where they may affect public policy issues. Having said that, we have grave concerns at the recent drive by the GAC to put forth advice that appears to override the very nature of a multi-stakeholder model. From 2007 to 2011 the GAC, ICANN Board, and the Community debated numerous aspects, rules, and policies around the Applicant Guidebook. None of us got everything we wanted, and all of us at times felt we were not being heard. In the end, however, we came to an agreement on the rules for this round of the new gTLDs.

Now the GAC has put forth retroactive changes to the Applicant Guidebook around the issue of sovereign rights and geographic sensitivities, changes that in essence not only override the rules set forth by this Community, but also exceed what those same governments could do under their own national laws. GAC advice needs to be consistent with existing law and not create new rights, or take away existing rights, through ICANN. If they can do it on this issue – they can do it on any other issue in the future, to any other applicants or members of this Community and, in the long run, to users of the Internet as a whole. We ask that this Board act to protect the stakeholders before you today, and the people and companies who they represent, and to reject the GAC advice on geographic names that were not specifically precluded by the guidelines set forth [by all of us in the](#) multi-stakeholder created Guidebook, and upon which applicants relied.

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