# Geographical Names – Draft Applicant Guidebook, V.2
# Input from ccNSO

We have read with interest the changes that have been made in Module 2, Evaluation Procedures, with regard to geographical names (pages 2-10 – 2-12).

We recognize the enormous amount of work that ICANN staff has accomplished. There has been made significant progress since Version 1, but we still do not see our main concerns reflected in the changes of this second draft.

We would therefore like to use this opportunity to reiterate our main comments and reflect on the underlying principles.

We greatly appreciate that the comment by the ccNSO WG on Geographical names has been taken into consideration, and that instead of the official language of the country and the 6 UN languages, all languages are now included. This is a significant improvement that removes the element of discrimination of other languages than the UN languages.

We still don't see that the principle set forward by ccNSO council in Los Angeles, 31st October 2007 and repeated in our proposal of 15th December 2008 to the Version 1 has been taken into account. This principle states that **all country names and territory names are ccTLDs – not gTLDs.**

We take the opportunity to restate the underlying principles:

Principle on meaningful representation of the name of a territory listed on the ISO 3166-1 in a non ASCII script
  - No name of a territory listed on the ISO 3166-1 or a meaningful abbreviation of it, whether represented in a non ASCII script or in any recognised language represented in that script, shall be available as a gTLD. This principle should be revisited once the IDN ccPDP recommendation, if any, is adopted by the Board.

Principle on meaningful representation of the name of a territory listed on the ISO 3166-1 in ASCII script
  - No name of a territory listed on the ISO 3166-1 or a meaningful abbreviation of it, whether represented in ASCII script or in any recognised language, shall be available as a gTLD. This principle should be revisited once the IDN ccPDP recommendation, if any, is adopted by the Board.

The dividing line between gTLDs and ccTLDs will be blurred and sooner or later disappear if ICANN allows any string that is a meaningful representation of a country or territory name listed in the ISO 3166-1 standard, in any language and any script as a gTLD.

It is of utmost importance to keep the distinction between gTLDs and ccTLDs. As stated in the comment by ccNSO WG on Geographic Names endorsed by ccNSO Council, this

distinction has traditionally been a matter of <u>which community</u> the TLD serves and <u>where</u> it derives its policies and authority from, not <u>what kind</u> of policy the TLD has.

The ccTLDs serve the <u>local</u> internet communities (including the local government) in the different countries or territories, as defined in ISO 3166-1. They therefore derive their policies from the local community and the GAC ccTLD delegation principles, especially the principle of subsidiarity, apply to them.  There might be similar considerations for local or regional names, but these are not addressed in this paper.

The gTLDs are generic, or serve a specific category of users non-identical to the community of a 3166-1 country or territory. They currently derive their policies from that community through ICANN processes, including the accreditation of registrars etc. The principle of subsidiarity does not apply to them.

Under the subsidiarity principle it is fully possible to make a ccTLD a commercial ccTLD. The difference is that it is the national community that decides this, not ICANN. It will still derive its policies and authority from the local community.

We believe that it is important to keep the distinction between where the TLD derives its policy. If we don't do that, the distinction will be gradually blurred and disappear after a while.

Therefore, we suggest the following formulation for 2.1.1.4:

| Draft Applicant Guidebook, Version 2 | Suggested Amendments<br>Highlight Indicates proposed changes |
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| 2.1.1.4 Geographical Names<br><br>ICANN will review all applied-for gTLD strings to ensure that appropriate consideration is given to the interests of governments or public authorities in country or territory names, as well as certain other types of place names. The requirements and procedure ICANN will follow is described in the following paragraphs. | 2.1.1.4 Geographical Names<br><br>ICANN will review all applied for gTLD strings to ensure that appropriate consideration is given to the interests of governments or public authorities in country or territory names, as well as certain other types of place names. The requirements and procedure ICANN will follow is described in the following paragraphs. |
| 2.1.1.4.1 Categories of Strings Considered Geographical Names<br><br>The following types of applications are considered geographical names and must be accompanied by documentation of support or non-objection from the relevant government(s) or public authority(ies): | 2.1.1.4.1 Categories of Strings Considered Geographical Names<br><br>There are two different types of Geographical names: 1. strings that are meaningful representations of country or territory names and 2, those that represent a sub-national entity, capital city, city, or region. |

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**Left column:**

• An application for any string that is a meaningful representation of a country or territory name listed in the ISO 3166-1 standard (see http://www.iso.org/iso/country_codes/iso_3166_databases.htm), as updated from time to time. A meaningful representation includes a representation of the country or territory name in any language.

A string is deemed a meaningful representation of a country or territory name if it is:

o The name of the country or territory; or
o A part of the name of the country or territory denoting the country or territory; or
o A short-form designation for the name of the country or territory that is recognizable and denotes the country or territory.

• An application for any string that is an exact match of a sub-national place name, such as a county, province, or state, listed in the ISO 3166-2 standard5, as updated from time to time.

• An application for any string that is a representation, in any language, of the capital city name of any country or territory listed in the ISO 3166-1 standard.

**Right column:**

1. Any string that is a meaningful representation of a country or territory name listed in the ISO 3166-1, see http://www.iso.org/iso/country codes/iso 3166 databases.htm), as updated from time to time, in any language and any script is considered a ccTLD and will be referred to the relevant ccTLD process.

A string is deemed a meaningful representation of a country or territory name if it is:

o The name of the country or territory; or
o A part of the name of the country or territory denoting the country or territory; or
o A short-form designation for the name of the country or territory that is recognizable and denotes the country or territory or
o A common abbreviation or commonly used name with the intention of using the string as a representation of the country.

2. The strings listed below are considered geographical names that may be applied for as a gTLD.
Applications for these strings should be accompanied by documentation of support or non-objection from the relevant government(s) or public authority(ies):

• An application for any string that is an exact match of a sub-national name, such as a county, province or state, listed in the ISO 3166-2 standard, as updated from time to time.

• An application for any string that is a representation, in any language or any script, of the name of the capital city of any country or territory listed in the ISO 3166-1 standard, where the applicant intends to use the gTLD for purposes associated with the capital city name.

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| • An application for a city name, where the applicant declares that it intends to use the gTLD for purposes associated with the city name. | • ==An application for a city name, where the applicant intends to use the gTLD for purposes associated with the city name.== |
| • An application for a string which represents a continent or UN region appearing on the "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list at http://unstats.un.org/unsd/methods/m49/m49regin.htm.<br>In the case of an application for a string which represents a continent or UN region, documentation of support, or non-objection, will be required from a substantial number of the relevant governments and/or public authorities associated with the continent or the UN region. | o An application for any string which represents a continent or UN region appearing on the "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list at http://unstats.un.org/unsd/methods/m49/m49regin,htm<br>In the case of an application for a string which represents a continent or UN region, documentation of support, or non-objection, will be required from a substantial number of the relevant governments and/or public authorities associated with the continent of the UN region. |
| An applied-for gTLD string that falls into any the above categories is considered to represent a geographical name. In the event of any doubt, it is in the applicant's interest to consult with relevant governments and public authorities and enlist their support or non-objection prior to submission of the application, in order to preclude possible objections and pre-address any ambiguities concerning the string and applicable requirements.<br>It is the applicant's responsibility to:<br>• identify whether its applied-for gTLD string falls into any of the above categories; and<br>• determine the relevant government(s) or public authority(ies); and<br>• identify which level of government support is required.<br>The requirement to include documentation of support for certain applications does not preclude or exempt applications from being the subject of objections on community grounds (refer to subsection 3.1.1 of Module 3), under which applications may be rejected based on objections showing substantial opposition from the targeted community. | An applied for gTLD string that falls into any of the above categories is considered to represent a geographical name. In the event of any doubt, it is in the applicant's interest to consult with relevant governments and public authorities and enlist their support or non-objection prior to submission of the application, in order to preclude possible objections and pre-address any ambiguities concerning the string and applicable requirements.<br>It is the applicant's responsibility to:<br>• identify whether its applied-for gTLD string falls into any of the above categories; and<br>• determine the relevant government(s) or public authority(ies); and<br>• identify which level of government support is required.<br>The requirement to include documentation of support for certain applications does not preclude or exempt applications from being the subject of objections on community grounds (refer to subsection 3.1.1 of Module 3), under which applications may be rejected based on objections showing substantial opposition from the targeted community. |