

## Registries Stakeholder Group Statement

**Issue:** Release of Country and Territory Names within the .IKANO, .SAXO, .SCOR, .SANDVIK, .WALTER, .SANDVIKCOROMANT, .VISTA, .VISTAPRINT, .BARCLAYS, .BARCLAYCARD and .HERMES TLDs

**Reference URL:** <https://www.icann.org/public-comments/ctn-release-tlds-2017-01-12-en>

**Date statement submitted:** 22 February 2017

### RySG Comment:

The Registries Stakeholder Group (RySG) welcomes the opportunity to comment on the latest requests to release country and territory names within the listed new gTLDs.

It is not the practice of the RySG to comment on requests made by individual Registry Operators. As such, we have to date refrained from expressing our views on the numerous previous requests for community input which have been publicised since Neustar Inc first requested the release of country and territory names in its .NEUSTAR TLD in August 2014. These comment, therefore, do not relate to the individual Registry Operators. Instead we wish to make the following points of general applicability to all such requests.

### The Registry Services Evaluation Policy (RSEP) is not the appropriate mechanism

The removal altogether from the Base Registry Agreement of the provisions relating to the reservation of country and territory names<sup>1</sup> would require a contract amendment. Not all contract amendments require an RSEP, however.

The RSEP is intended to apply where a Registry operator or sponsoring organisation is wishful of changing the architecture or operation of an existing TLD registry service, or introducing a new TLD registry service. The release by a registry of domain names at the second level matching the names of countries and territories is no different to the release of any other domain names by that registry – there is no new registry service or change to the operation of an existing registry service.

This is effectively acknowledged by the ICANN advisory on the Governmental Advisory Committee (GAC) Notification Requirements List<sup>2</sup>: where Governments have stated that they do not require any notification, either for all TLDs or for the subset of Brand TLDs, ICANN authorises the release of the names in question by means of that advisory, without requiring Registry Operators to submit an RSEP. If the release of country and territory names were a new registry service, an RSEP would still be required, irrespective of government consent.

### A contract amendment is not required

The Registry Agreement does in fact allow for the release of these country and territory names “subject to review by ICANN’s Governmental Advisory Committee and approval by ICANN”. ICANN has the power, therefore, to approve the release of country and territory names without amending

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<sup>1</sup> ICANN New gTLD Base Registry Agreement; Specification 5 s4

<sup>2</sup> <https://www.icann.org/resources/country-territory-names>

the Registry Agreement, if it so chooses, provided that it duly takes into account the advice of the GAC, in accordance with its Bylaws.

Repeated requests for community input are not substantively progressing this issue

ICANN has now published for public comment numerous requests from Registry Operators for permission to release country and territory names within their Registries. ICANN states that, in order to inform its decision on whether to permit the release of these names, it seeks input from the community, which it states that it will consider together with the advice of the GAC.

The first of these requests for public comment was issued in September 2014, relating to the RSEP request submitted by Neustar Inc on 21 August 2014. Since then, a further 60 such requests have been published for public comment, including these current requests. It would appear that none of the Registries in question have been granted permission to release country and territory names. ICANN appears to have made no decision to approve their release, nor does it appear to have notified any of the Registries that approval is denied. Furthermore, in all this time, ICANN has taken no publicly-visible steps to facilitate a process by which Registries might obtain approval from governments.

The publication of these repeated requests for public comment, therefore, appears to serve no practical purpose, but instead wastes the time of both Staff and members of the community who feel obliged to comment.

We would like to urge ICANN to discontinue this practice, and instead expend its resources in developing a solution – whether that be to formally reject the GAC advice on this issue and grant approval for release; or to facilitate a practical process for obtaining governmental consent.