

**Statement of the Non-Commercial Stakeholders Group on the
Initial Report on the Protections for Certain Red Cross Names
in all gTLDs – Policy Amendment Process¹**

The Non-Commercial Stakeholders Group (NCSG) welcomes the opportunity to provide input on the proposed recommendations for amending the GNSO Council prior consensus recommendations with respect to the reservation protection of the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, and Red Cross National Societies.

Back in 2013, the NCSG's position was that:

“special protections should only be provided to those groups that are legitimately entitled to have a preference over other users of a domain name and are not able to protect their interest through existing measures because they lack legal protections. At the time the NCSG submitted its response, it believed that no specific harm has been demonstrated to a group that is unique to that group and therefore, no special protections should be provided.”²

Our position remains the same in 2018. Special protections should be given under exceptional circumstances. Reserving names can be detrimental to freedom of speech and the freedom to register names legally. Having said that, we acknowledge that this issue was reopened because of GAC advice which the ICANN Board gave weight to. Please see below our comments on the recommendations:

Recommendation #1: Finite list of names to be reserved

The NCSG does not agree with this recommendation. We do not believe IGO names need special protection. 191 names are being reserved for IGOs that might not even register these names. This takes these names away from the legitimate applicants that may wish to register these domains in good faith and for legitimate purposes.

Recommendation #2: Overreach at the second level

It is the position of the NCSG that second level domain name should not ever have been reserved for IGOs. It is appreciated that there is a process for allowing third-party registrants to register domain names that are being “protected” for Red Cross organizations. But these second-level domains should be released and available for registration.

¹ <https://www.icann.org/public-comments/red-cross-protection-initial-2018-06-21-en>

² <https://community.icann.org/pages/viewpage.action?pageId=40175441>

Recommendation #3: The Reconvened WG recommends that future error corrections, additions to and deletions of any entries in the definitive list of reserved names and their agreed variants be made only in accordance with the criteria developed by the WG and listed in Recommendations #4-6 below.

The NCSG does not agree with Recommendation #3 and subsequently with the criteria developed in #4-6.

We do not agree with having a reserved set of names for IGOs in the first place. To prevent further damage, the GNSO Council specifically said that the GAC list of IGOs that get this special treatment should be “finite” and base its resolution on a finite list, by starting in its preamble with:

“(3) The list of names of the Red Cross and Red Crescent National Societies is a finite, limited list of specific names recognized within the Movement (http://www.ifrc.org/Docs/ExcelExport/NS_Directory.pdf);”³

And in its resolution that:

“4. In considering the proposed amendment, account is to be duly taken of the matters noted during the GAC-GNSO facilitated discussion at ICANN58 as well as the GAC’s public policy advice to reserve the finite list of names of the Red Cross and Red Crescent National Societies, as recognized within the International Red Cross and Red Crescent Movement, in all gTLDs.”

The Working Group recommendation, however, has deviated from this resolution and recommends, how this list can be added to or changed (or some names deleted). The GNSO Council specifically resolved the matter based on a finite list. Thus, a finite list should remain as such: the issue should not be reopened, and no one should be able to change the list in order to add to it.

Thank you again for the opportunity to comment.

³ <https://community.icann.org/display/gnsocouncilmeetings/Motions+20+April+2017>