**GNSO REVIEW OF THE** [**COPENHAGEN GAC COMMUNIQUE**](https://gacweb.icann.org/download/attachments/27132037/GAC%20ICANN%2058%20Communique.pdf?version=2&modificationDate=1489619243747&api=v2)**[[1]](#footnote-1)**

| **GAC Advice - Topic** | **GAC Advice Details** | **Does the advice concern an issue that can be considered within the remit[[2]](#footnote-2) of the GNSO (yes/no)** | ***If yes, is it subject to existing policy recommendations, implementation action or ongoing GNSO policy development work?*** | ***How has this issue been/is being/will be dealt with by the GNSO*** |
| --- | --- | --- | --- | --- |
| **1. Protection of the Red Cross and Red Crescent designations and identifiers** | Re-affirming previous GAC Advice for a permanent reservation of the Red Cross and Red Crescent designations and identifiers, the GAC acknowledges the conclusions of the facilitated dialogue held during ICANN 58 on resolving outstanding differences between the GAC’s previous advice and the GNSO's past recommendations to the Board on the protections of the names and identifiers of the respective Red Cross and Red Crescent organizations.  Consistent with the conclusions of the abovementioned dialogue,  a. The GAC advises the ICANN Board to:  I. request the GNSO without delay to re-examine its 2013 recommendations pertaining to the protections of Red Cross and Red Crescent names and  identifiers (defined as “Scope 2” names in the GNSO process) which were inconsistent with GAC Advice.  RATIONALE  The GAC acknowledges the outputs of the facilitated dialogue on this topic and requests the Board to proceed accordingly without delay |  |  |  |
| **2. IGO Protections** | The GAC notes that a dialogue facilitated by the Board on this topic has begun between the GAC and the GNSO (including its relevant Working Groups). The GAC expects that these discussions would resolve the long-outstanding issue of IGO acronym protections and understands that temporary protections will continue to remain in place until such time as a permanent agreed solution is found. Based upon the facilitated discussions up to this stage,  a. The GAC advises the ICANN Board to:  I. pursue implementation of (i) a permanent system of notification to IGOs regarding second-level registration of strings that match their acronyms in up to two languages and (ii) a parallel system of notification to registrants for a more limited time period, in line with both previous GAC advice and GNSO recommendations;  II. facilitate continued discussions in order to develop a resolution that will reflect (i) the fact that IGOs are in an objectively unique category of rights holders and (ii) a better understanding of relevant GAC Advice, particularly as it relates to IGO immunities recognized under international law as noted by IGO Legal Counsels; and  III. urge the Working Group for the ongoing PDP on IGO-INGO Access to Curative Rights Protection Mechanisms to take into account the GAC’s comments on the Initial Report.  RATIONALE  This Advice captures achievements made to date in the facilitated discussions, in the hope that this will be instrumental in resolving this long-standing issue at the earliest opportunity. |  | . |  |
| **3. Mitigation of Domain Name Abuse** | a. The GAC advises the ICANN Board to:  I. provide written responses to the questions listed in the Follow-up Scorecard attached to this Communique, no later than 5 May 2017 for appropriate  consideration by the GAC before the ICANN 59 meeting in Johannesburg, taking into account that the ICANN President and CEO will act as contact point for the GAC in this matter.  RATIONALE  The GAC is seeking to assess the effectiveness of its Advice to the ICANN Board.  Annex 1 of the GAC Hyderabad Communiqué listed a number of questions to conduct such assessment in relation to Advice implemented as part of the 2013 Registrar Accreditation  Agreement and the New gTLD Registry Agreement.  The GAC is also interested in assessing the contribution of the SSR and Contractual Compliance departments of ICANN to the prevention and mitigation of domain name abuse.  While ICANN responded to Annex 1 of the GAC Hyderabad Communiqué, the information provided was not sufficient to conduct the necessary assessments. |  |  |  |
| **4. 2-Character Country/Territory Codes at the Second Level** | In light of the discussions with the ICANN Board in Copenhagen on the Board Resolution of 8 November 2016 and its implementation of 13 December 2016 regarding two-letter country codes as second level domains,  a. The GAC advises the ICANN Board to:  I. Take into account the serious concerns expressed by some GAC Members as contained in previous GAC Advice  II. Engage with concerned governments by the next ICANN meeting to resolve those concerns.  III. Immediately explore measures to find a satisfactory solution of the matter to meet the concerns of these countries before being further aggravated.  IV. Provide clarification of the decision-making process and of the rationale for the November 2016 resolution, particularly in regard to consideration of the GAC advice, timing and level of support for this resolution.  RATIONALE  The GAC noted serious concerns expressed by some governments about the consequences introduced by the changes created by the 8 November 2016 Resolution. In particular, according to the new procedure it is no longer mandatory for the registries to notify governments of the plans for their use of 2-letter codes, nor are registries required to seek agreement of governments when releasing two-letter country codes at the second level, which, for example, allows registries to charge governments substantial fees. |  |  |  |

1. Only of “Section VI of the Communiqué: GAC Advice to the ICANN Board” [↑](#footnote-ref-1)
2. As per the ICANN Bylaws: ‘There shall be a policy-development body known as the Generic Names Supporting Organization (GNSO), which shall be responsible for developing and recommending to the ICANN Board substantive policies relating to generic top-level domains. [↑](#footnote-ref-2)