

18 July 2018

## **GNSO Council Response to the ICANN Board Resolution on the SSAC Advisory on the Use of Emoji in Domain Names (SAC095)**

From:

Heather Forrest, GNSO Chair  
Donna Austin, GNSO Council Vice-Chair  
Rafik Dammak, GNSO Council Vice-Chair

To:

Cherine Chalaby, Chair  
ICANN Board

Dear Members of the ICANN Board,

On behalf of the GNSO Council, we are hereby transmitting to you the GNSO Council's response to the ICANN Board's 2 November 2017 [resolution](#) on the Security and Stability Advisory Committee's (SSAC) [SAC095](#), which focuses on the Use of Emoji in Domain Names.

In the resolved clauses of the Board resolution, the GNSO was asked to:

1. "...engage with the SSAC to more fully understand the risks and consequences of using a domain name that includes emoji in any of its labels, and inform their respective communities about these risks."
2. "...integrate conformance with IDNA2008 and its successor into their relevant policies so as to safeguard security, stability, resiliency and interoperability of domain names."

In relation to item one above, on 27 June 2018, Patrik Fältström from the SSAC briefed the GNSO Council on the subject of emoji in domain names. Patrik provided an informative presentation, explaining the findings of the SSAC that emoji in domain names are problematic and the resulting SSAC recommendations, which seek to mitigate those potential risks.

In relation to item two above, during the same presentation, Patrik explained the SSAC's understanding of the landscape for emoji in gTLDs. For gTLDs delegated prior to the 2012 round of New gTLDs:

- There are no emoji at the top-level
- With the exception of .ASIA, new registrations at the second-level must be protocol valid, meaning emoji are disallowed.
- There does seem to be some existing second-level emoji already in the domain name system. If these names were to expire, they would not be allowed to be re-registered.

For gTLDs delegated in the 2012 round of New gTLDs:

- Top-Level: Per sections 1.3.1 and 2.2.1.3.2 of the Applicant Guidebook, IDN TLDs must be compliant with the IDNA protocol and relevant RFCs.
- Second-Level (for registries): In the base Registry Agreement (RA), Specification 6, section 1.4, it notes that Registry Operators must comply with RFCs 5890-5893 and their successors, as well as the ICANN IDN Guidelines.
- Second-Level (for registrars): In the Registrar Accreditation Agreement (RAA), in the Additional Registrar Operation Specification, section 3, it notes that Registrars must comply with RFCs 5890-5893 and their successors, as well as the ICANN IDN Guidelines.

The GNSO Council is in agreement with the SSAC assessment for any gTLDs delegated prior to the 2012 round of the New gTLD Program. In the rare instance where emoji are still allowed at the second-level, the Council believes that it is a matter for the registry and ICANN organization to ensure that future registry agreements between the two parties contain adequate measures to prevent emoji in that particular domain name space. The Council does not believe it has a role to play in these instances.

The GNSO Council is also in agreement with the SSAC assessment for gTLDs introduced in the 2012 round of the New gTLD Program. Specifically, the Council feels that the combination of the IDN related requirements contained in the Applicant Guidebook, RA, and RAA effectively prevent the introduction of emoji at the top or any level.

In the New gTLD Subsequent Procedures Policy Development Process (PDP), while still an ongoing effort, the Working Group has preliminarily agreed to maintain requirements to comply with RFCs 5890-5893 and their successors, as well as the ICANN IDN Guidelines.

It is the GNSO Council's understanding that no further actions are necessary to prevent the delegation of emoji at any level for gTLDs delegated prior to or during the 2012 round of the New gTLD Program. The Council will monitor the progress of the New gTLD Subsequent Procedures PDP to determine if there are any substantive changes to preliminary agreements on relevant IDN requirements.

The GNSO Council hopes that the information provided in this response adequately addresses the requests posed in the ICANN Board's resolution. If there are any remaining questions or concerns, do not hesitate to let the Council know.

Best regards,

Heather Forrest, GNSO Chair  
Donna Austin, GNSO Council Vice-Chair  
Rafik Dammak, GNSO Council Vice-Chair