

Two-Character ASCII Labels Historical Overview

Historical Overview of Events Regarding Two-Character Labels at the Second Level in the New gTLD Namespace

Global Domains Division
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Executive Summary

On 8 November 2016, the ICANN Board approved a resolution directing the ICANN organization to authorize the release of reserved two-character labels at the second level subject to implementation by Registry Operators of certain measures to avoid confusion with corresponding country codes. In considering the resolution, the Board took into account previous community consultation, the language of the [New gTLD Registry Agreement](#), which was based on recommendations from the Generic Names Supporting Organization (GNSO) Reserved Names Working Group as well as [Module 5](#) of the New gTLD Applicant Guidebook, and consensus advice issued by the Governmental Advisory Committee (GAC).

At the direction of the Board, the ICANN org introduced the [first general authorization process](#) in December 2014. After receiving feedback from the GAC and Registry Operators, the Board directed the ICANN org to improve the process in February 2015. Over the course of the following year, the ICANN org consulted with the community on proposed measures for avoiding confusion with corresponding country codes. In July 2016, the ICANN org placed for public comment a draft framework of standard measures that could be implemented across any gTLD registry. Following the public comment, the ICANN org updated the procedures based on the feedback received. In November 2016, the Board adopted the framework, and subsequently, the ICANN org implemented the framework in December 2016.

Background: GNSO Recommendations and the New gTLD Registry Agreement

In May 2007, the GNSO Reserved Names Working Group issued recommendations regarding the reservation of two-character ASCII labels as part of the Policy Development Process (PDP) on the Introduction of New gTLDs. The report included the following recommendations:

- Registries may propose the release of two-character labels at the second level, provided they implement measures to avoid confusion with corresponding country codes.
- Evaluation of registry requests may involve technical analysis and opportunities for public input. Technical issues related to the release of two-character labels have been addressed by the [2006 RSTEP Report](#).

The Reserved Names Working Group's recommendations were incorporated into the GNSO's final [Report on the Introduction of New gTLDs](#), which recommended that any combination of two-letter/digit labels at the second level may be proposed for release provided that measures to avoid confusion with country codes were implemented.¹ This report was adopted by the GNSO Council in September 2007 and the recommendations later [adopted](#) by the Board in June 2008.

Following the Board's adoption of the GNSO recommendations, the community and the ICANN org considered and addressed numerous implementation issues with respect to the introduction of new gTLDs. The GAC engaged in the discussions through various communications including correspondence, communiqués and scorecards. The ICANN org drafted and published the [New gTLD Applicant Guidebook](#) to provide guidance regarding gTLD applicant requirements and evaluation processes. The guidebook was updated multiple times with extensive consultation with the community, including the GAC.

[Module 5](#) of the Guidebook contains a draft registry agreement for new gTLD Registry Operators. Specification 5 Section 2 of the Guidebook's draft agreement requires the initial reservation of two-character labels at the second level based on language from legacy gTLD agreements, providing two paths to release the labels:

1. **Government and ccTLD approval:** "The reservation of a two-character label string may be released to the extent that Registry Operator reaches agreement with the government and country-code manager." Or,
2. **ICANN approval:** "The Registry Operator may also propose release of these reservations based on its implementation of measures to avoid confusion with the corresponding country codes."

¹The final report notes that "The existing gTLD registry agreements provide for a method of potential release of two-character LDH names at the second level. In addition, two character LDH strings at the second level may be released through the process for new registry services, which process involves analysis of any technical or security concerns and provides opportunity for public input. Technical issues related to the release of two-letter and/or number strings have been addressed by the RSTEP Report on GNR's proposed registry service. The GAC has previously noted the WIPO II Report statement that 'If ISO 3166 alpha-2 country code elements are to be registered as domain names in the gTLDs, it is recommended that this be done in a manner that minimises the potential for confusion with the ccTLDs.'"

In June 2011, the Board [directed](#) the ICANN org to implement the Guidebook. Over the next two years, the ICANN org updated the Guidebook's draft agreement to address questions and new concerns; the agreement was published for public comment multiple times. Throughout the iterative process, updates were made to Specification 5 Section 2 to provide additional clarity, but the two options by which Registries may release reserved two-character labels remained as detailed above.

In July 2013, the Board New gTLD Program Committee [approved](#) the [New gTLD Registry Agreement](#). Specification 5, Section 2 of the approved New gTLD Registry Agreement states:

All two-character ASCII labels shall be withheld from registration or allocated to Registry Operator at the second level within the TLD. Such labels may not be activated in the DNS, and may not be released for registration to any person or entity other than Registry Operator, provided that such two-character label strings may be released to the extent that Registry Operator reaches agreement with the related government and country-code manager of the string as specified in the ISO 3166-1 alpha-2 standard. The Registry Operator may also propose the release of these reservations based on its implementation of measures to avoid confusion with the corresponding country codes, subject to approval by ICANN. Upon conclusion of Registry Operator's designation as operator of the registry for the TLD, all such labels that remain withheld from registration or allocated to Registry Operator shall be transferred as specified by ICANN. Registry Operator may self-allocate and renew such names without use of an ICANN accredited registrar, which will not be considered Transactions for purposes of Section 6.1 of the Agreement.

In response to GAC advice from the Lisbon Communiqué, Specification 5, Section 4 of the New gTLD Registry Agreement states:

The country and territory names (including their IDN variants, where applicable) contained in the following internationally recognized lists shall be withheld from registration or allocated to Registry Operator at All Levels:

4.1. the short form (in English) of all country and territory names contained on the ISO 3166-1 list, as updated from time to time, including the European Union, which is exceptionally reserved on the ISO 3166-1 list, and its scope extended in August 1999 to any application needing to represent the name European Union http://www.iso.org/iso/support/country_codes/iso_3166_code_lists/iso-3166-1_decoding_table.htm;

4.2. the United Nations Group of Experts on Geographical Names, Technical Reference Manual for the Standardization of Geographical Names, Part III Names of Countries of the World; and

4.3. the list of United Nations member states in 6 official United Nations languages prepared by the Working Group on Country Names of the United Nations Conference on the Standardization of Geographical Names;

provided, that the reservation of specific country and territory names (including their IDN variants according to the registry operator IDN registration policy, where applicable) may

be released to the extent that Registry Operator reaches agreement with the applicable government(s). Registry Operator must not activate such names in the DNS; provided, that Registry Operator may propose the release of these reservations, subject to review by ICANN's Governmental Advisory Committee and approval by ICANN. Upon conclusion of Registry Operator's designation as operator of the registry for the TLD, all such names that remain withheld from registration or allocated to Registry Operator shall be transferred as specified by ICANN. Registry Operator may self-allocate and renew such names without use of an ICANN accredited registrar, which will not be considered Transactions for purposes of Section 6.1 of the Agreement.

A Phased Approach to Implementation of the Process for Release of Two-Character ASCII Labels

In August 2015, Akram Atallah sent a [letter](#) to Thomas Schneider in response to his [letter](#) regarding the process for the release of two-letter codes as second-level domains for new gTLDs. The response detailed a phased approach to implementation of the process for release. Phase 1 below describes the initial attempt at finalizing a process; Phase 2 describes the effort in improving the process based on feedback from GAC members and Registries; Phase 3 describes the finalization of the framework adopted by the Board in November 2016.

Phase 1: Registry Requests, GAC Consultation

Beginning in 2014, new gTLD Registry Operators submitted RSEP requests for ICANN approval to release two-character ASCII labels from reservation. At this time, there was no standard set of measures by which Registry Operators could demonstrate to ICANN they would avoid confusion for users between ccTLDs and corresponding country codes at the second level. Therefore, ICANN held five public comment opportunities² from 12 June 2014 to 24 October 2014 to obtain feedback from the community about user confusion related to the 28 RSEP amendment requests to release two-character labels on behalf of 207 gTLDs. The proposed amendments were published for comment. ICANN received 28 comments from stakeholders including the Business Constituency (BC), the At-Large Advisory Committee (ALAC) and an individual registrar; many comments showed support for the release of two-character labels.

The GAC issued advice to the Board in various communiqués, starting with the [Los Angeles Communiqué](#) in October 2014, in which the GAC stated:

The GAC recognized that two-character second level domain names are in wide use across existing TLDs, and have not been the cause of any security, stability, technical or competition concerns. The GAC is not in a position to offer consensus advice on the use of two-character second level domains names in new gTLD registry operations, including those combinations of letters that are also on the ISO 3166-1 alpha 2 list.

In considering these RSEP requests, and consistent with the Applicant Guidebook, the GAC considers that the public comment period is an important transparency mechanism, and in addition asks that relevant governments be alerted by ICANN about these requests as they arise.

The Board, ICANN org, and the GAC exchanged various communications from 2014 through 2016 regarding the GAC's advice on two-character labels, which are detailed in Annex 1.

In response to the RSEP amendment requests, the Board [directed](#) the ICANN org in October 2014 to create and implement an efficient procedure for the release of two-character labels in accordance with the authority provided in Specification 5 of the 2013 New gTLD Registry Agreement and which focused on measures for avoiding confusion with corresponding country codes. In this resolution, the Board considered the security and stability risks associated with

² See the public comments here: [12 June 2014](#); [8 July 2014](#); [23 July 2014](#); [19 August 2014](#) and [12 September 2014](#).

releasing two-character labels, the GAC's indication that some of its members raised concerns about the release of two-character domain names, the GAC's stated position in its Los Angeles Communiqué that it could not offer consensus advice on the use of two-character SLDs, and the public comment reports.

On 1 December 2014, the ICANN org announced a [new procedure](#) for the consideration and authorization for release of non-letter/letter two-character ASCII labels and letter/letter two-character ASCII labels that had not received comments from governments.

The [Authorization Process for Release of Two-Character ASCII Labels](#) required the following actions:

- Registry Operator submits a request to release some or all two-character labels.
- ICANN org reviews and posts the Registry Operator's request for comment for 30 days.
- ICANN notifies the GAC and its members of the request and the comment period.
- ICANN authorizes the release for two-character labels that received no comments related to confusion with the corresponding country code.

Following the introduction of this process, the ICANN org received feedback from both the GAC, via the Singapore Communiqué, and Registry Operators. As described below, Phase 2 of this process was ICANN org's effort to improve the process based on this feedback.

Phase 2: Two-Character Process Improvements

In February 2015, the GAC stated in its [Singapore Communiqué](#) (11 February 2015) that it:

- a. The GAC advises [sic] the Board to: i. amend the current process for requests to release two-letter codes to establish an effective notification mechanism, so that relevant governments can be alerted as requests are initiated. Comments from relevant governments should be fully considered.*
- b. The GAC further advises the Board to: i. extend the comment period to 60 days. These changes should be implemented before proceeding with pending and future requests. A list of GAC Members who intend to agree to all requests and do not require notification will be published on the GAC website*

In response to the Singapore Communiqué, the Board [directed](#) the ICANN org to make process and system improvements, fully consider the comments from governments, and to extend or re-open comment periods so that each request would undergo 60 days of comment period in total. Following Board direction, the ICANN org instituted a mailing list for governments solely for new two-character requests and providing tutorials to governments on subscribing to automatic notifications for new two-character requests. The ICANN org also extended the comment period for Registry Operator requests to 60 days. Additionally, the ICANN org introduced updates to the Authorization Process information page in [February](#) and [March 2015](#) which included:

- the ability to sort release requests by reference number, TLD, registry name and date posted;
- a download link for the list of all requests for letter/letter two-character ASCII labels; an identification column for TLDs granted a .BRAND specification;

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- the "View Comments" page was updated to show all comments made in a calendar year, rather than showing comments on a month-by-month basis;
 - a Authorization status indication for TLDs that requested two-character labels to be released;
 - clarification language that ICANN will only consider comments submitted during the public comment period; and,
 - a column for Public Comment Period Close Date for each request.

In July 2015, the ICANN org [shared next steps](#) with the GAC at the joint meeting of the GAC and the Board at ICANN52 in Buenos Aires. In August 2015, the ICANN org [published](#) a blog describing the procedure for the authorization for release of two-character labels, and also issued a [letter](#) to the GAC regarding the phases of the development process. In both the blog and the letter, the ICANN org stated that it would reach out to relevant governments to further clarify the concerns from previous comments in order to make improvements.

ICANN org asked Registry Operators to respond to government comments with measures to avoid confusion with the corresponding country codes. ICANN org also consulted with the community, which included presenting to the GAC and Registry Operators, to develop standardized measures Registry Operators can adopt to avoid confusion between two-character domains and the corresponding country codes. ICANN org [launched](#) the comment consideration process on 6 October 2015.

Subsequently, in October 2015, the GAC advised the Board in its [Dublin Communiqué](#):

- a. The GAC advises the Board that: i. comments submitted by the relevant Governments be fully considered regardless of the grounds for objection.*
- b. The GAC further advises the Board to: i. be mindful of governments' capacity limitations and asks the Board to facilitate simplification of the process for providing comments to address their concerns.*
- c. With respect to new requests for release, the GAC advises the Board to: i. task ICANN to work with the GAC Secretariat to address the technical issues with comment forms and in the interim ii. offer alternative means for comments.*

The ICANN org [considered comments](#) received from governments in relation to any gTLD for which the comment was submitted. The Board noted in its [February 2016 response to the Dublin Communiqué](#) that "as part of ICANN's consideration of submitted comments, staff has performed outreach to governments to seek clarification of comments previously submitted. This further demonstrates ICANN's ongoing consideration of comments received, regardless of the grounds for the comment." In addition, ICANN org updated the comment form [in October 2015](#) by providing new web forms and a new interface to submit and view comments and conducted two webinars with GAC members in November 2015 to demonstrate the updated comment system.³

GAC members who continued to experience technical issues with the form were able to submit comments using alternative means, which included an ICANN GAC Support member

³ The GAC and ICANN org discussed the webinars during ICANN55 in Marrakech at GAC Meeting on Two Character Codes Implementation on 9 March 2016. See the transcript here: <https://meetings.icann.org/en/marrakech55/schedule/wed-gac-two-character-codes/transcript-gac-two-character-codes-09mar16-en>

submitting comments in the system on the governments' behalf, if requested. The Board also noted the GAC's concerns regarding capacity limitations and its request for simplification of the process and considered these comments as development of the framework continued as noted in the [rationale for Board Resolution 2016.11.08.15](#).

In February 2016, ICANN org corresponded with Registry Operators requesting they provide proposed measures to avoid confusion with corresponding country codes in order to respond to governments' confusion concerns within 60 days.

In March 2016, ICANN org met with the GAC during ICANN55 in Marrakech to discuss Two Character Codes Implementation.⁴ At that meeting a representative from ICANN org's Global Domains Division provided background on the development of the release process, the public comments taken on the subject, and the development of standard measures. In regards to the comments submitted by governments during phase 2, the representative stated:

after processing and analyzing all the comments that we received, as was mentioned earlier by Gema, a substantial number of those met that lower bar of criteria for confusability against the corresponding country code. And I underline "corresponding" because, again, that's driven by the language from the Registry Agreement, specification five. And eight of which did not meet that criteria.

Now, I want to highlight that by not having met the confusability criteria, that does not mean this we did not take them into consideration. We actually pointed those eight two-character labels to appropriate courses of action, namely being perhaps if there was issues and concerns with spamming and things like that to the registries' point of -- use point of contact and so on.

After the consideration of the government comments, registry operators had 60 days to propose measures to mitigate confusion. In addition to the comment from governments, the ICANN org considered the proposed user confusion mitigation measures from Registry Operators prior to moving to the finalization of a proposed framework, which was published for public comment, as described below.

Phase 3: Creation of Framework of Standard Measures

In July 2016, ICANN [published](#) for public comment a draft framework of standard measures to avoid user confusion with corresponding ccTLDs that a registry must implement in order to release letter/letter two-character domains at the second level from reservation. The Proposed Measures also included a direct reference to the GAC Helsinki Advice urging "the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered.

The public comment for the draft framework requested community feedback, including that of GAC members, on the proposed measures as they related to confusion with relevant country

⁴ See the transcript here: <https://meetings.icann.org/en/marrakech55/schedule/wed-gac-two-character-codes/transcript-gac-two-character-codes-09mar16-en>

codes. When the public comment period closed on 17 August 2016, ICANN received over 40 comments regarding the proposed measures to avoid confusion; commenters included the Intellectual Property Constituency (IPC), the Non-Commercial Stakeholder Group (NCSG), the Registries Stakeholder Group (RySG), individual governments⁵ and individual ccTLD operators. The comments reflected broad support for release of two-character labels and moderate support for the Proposed Measures to the extent the Proposed Measures allowed for the release of two-character labels. Some commenters took the position that governments did not have special rights to two-character labels that correspond with country codes beyond ccTLDs, and that the labels should be released as soon as possible. Comments from some individual governments and ccTLD operators objected to the release of two-character labels that correspond with country codes under the proposed framework based on concerns regarding potential user confusability and took the position that government and/or ccTLD manager approval is required for any release.

In September 2016, the ICANN org published a [Summary and Analysis Report](#) on the comments received, noting that based on the feedback received, ICANN org would establish a list of measures Registries must implement to release letter/letter two-character ASCII labels from reservation. Based on the feedback received, in November 2016, the ICANN org updated the proposed measures for Registry Operators to implement to avoid confusion between two-character domains and corresponding country codes. To address concerns throughout the lifecycle of a domain name, both pre- and post-registration measures were included in the framework of required measures.

On 8 November 2016, the Board [approved](#) the ICANN org to authorize⁶ the release of reserved two-character labels subject to the [updated measures](#), which comprised the following:

1. **Exclusive Availability Pre-Registration Period (voluntary):** Registry Operators may implement an exclusive availability pre-registration for governments or ccTLD operators to register domain names corresponding to their country codes, before the names are generally available;
2. **Registration Policy:** Registry Operators must include a provision in the registry's registration policy requiring registrants to avoid misrepresenting affiliation with a government or ccTLD; and
3. **Post-Registration Complaint Investigation:** Registry Operators must investigate and respond to reports of confusion from government or ccTLD operators.

Registry operators who want to release two-character SLDs may incorporate these measures into their Registry Agreement and would then be subject to enforcement by ICANN

⁵GAC representatives from Cambodia, China, Côte d'Ivoire (Former), Egypt, Italy, Hong Kong (Alternate), New Zealand, Swaziland, Spain, Singapore submitted public comments. Government representatives from Dominica, Mexico, Saudi Arabia, and Vietnam also submitted public comments.

⁶ It should be noted that although the Board authorized ICANN org to authorize the release of two-character labels across all new gTLD Registry Operators in November 2016, two-character domains have existed in many legacy gTLDs and ccTLDs for years without apparent confusion, security or stability issues to the DNS. Examples of existing two-character domains include ME.CN and AW.ORG. ME.CN is a website for a mobile game and entertainment company whose domain name was originally registered in January 2014—'ME' corresponds with the country code for Montenegro and .CN is the ccTLD for China. AW.ORG is a website for an educational institution whose domain name was originally registered in January 1997—'AW' corresponds with the country code for Aruba. Additional examples can be found in Annex 3.

Contractual Compliance. The measures would also exist in addition to other safeguards already built into the Registry Agreement as well as other measures that Registries may implement at their discretion.

On 13 December 2016, in accordance with the Board resolution, the ICANN org [authorized](#) new gTLD Registry Operators to release⁷ reserved two-character labels, subject to the Registry Operator implementing the required measures to avoid confusion and subject to all other terms of the Registry Agreement. Should the ICANN org become aware that a Registry Operator was not complying with the required measures, the issue would be referred to ICANN Contractual Compliance for investigation and follow up.

⁷ Following the Board resolution in November 2016 all gTLD Registries, with the exception of .TEL and .XXX, were authorized to release all two-character labels at the second level subject to the implementation of required measures to avoid confusion. ICANN org authorized the release of two-character labels at the second level for .XXX in May 2018, subject to the implementation of the same measures, and plans to follow through with .TEL later this year.

Addressing Subsequent GAC Advice

Helsinki Communiqué

In June 2016, the GAC advised the Board in its [Helsinki Communiqué](#):

The GAC advises the ICANN Board to: i. urge the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered.

The Board accepted the advice in the Helsinki Communiqué in [December 2016](#). In its response, the Board noted that “in adopting its resolution in Hyderabad regarding two-letter codes at the second level, the Board explicitly accepted the GAC advice contained in its Singapore Communiqué dated 11 February 2015.” In the Board’s [8 November 2016 resolution](#) the Board quotes the advice from the Helsinki Communiqué in a Whereas statement and notes “the advice was incorporated in the proposed measures to avoid confusion.” The [Measures](#) state:

In addition to the measures identified below, in accordance with advice issued in the GAC Helsinki Communiqué, ICANN “urge[s] the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered.

Hyderabad Communiqué

In November 2016, the GAC advised the Board in its [Hyderabad Communiqué](#):

The GAC advises the Board to i. Clearly indicated whether the actions taken by the Board as referred to in the resolution adopted on 8 November 2016 are fully consistent with the GAC advice given in the Helsinki Communiqué. ii. Always communicate in future the position of the Board regarding GAC advice on any matter in due time before directly adopting any measure directly related to that advice.

The Board [responded](#) to the Hyderabad Communiqué in February 2017 noting the topic of two-character domain names corresponding to country codes had been thoroughly examined over the two prior years. The Board noted “at least five public comment periods⁸ on the topic as well as discussions with the GAC.” The Board stated that it “examined the issue with respect to ICANN’s mission, commitments and core values, and commented that the Board shared the GAC’s concern that use of two-character strings corresponding to country codes should not be done in a way to deceive or confuse consumers. The Board’s position is that the 8 November 2016 resolution is consistent with the GAC’s advice on the topic.” The Board also noted it was implementing a new process for consideration of GAC advice, starting with the ICANN 58 Copenhagen Communiqué.

⁸ See the public comments here: [12 June 2014](#); [8 July 2014](#); [23 July 2014](#); [19 August 2014](#); [12 September 2014](#); and [8 July 2016](#).

Copenhagen Communiqué

In March 2017, the GAC advised the Board in its [Copenhagen Communiqué](#):

The GAC advises the 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.

The Board [responded](#) to the Copenhagen Communiqué in June 2017 noting

The GAC, in its Helsinki Communiqué, reiterated the need to minimize the risk of confusion between country codes and 2-letter registrations at the second level in new gTLDs, but also conveyed the absence of consensus within the GAC on specific measures needed to address the potential for confusion...ICANN affirmatively required Registries/Registry Operators to take specific mandatory steps to avoid confusion with respect to the 2-character labels, and also identified several voluntary measures that Registry/Registry Operators could consider. Finally, in keeping with the GAC Advice, ICANN urged Registries/Registry Operators to the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name in question was already registered. Although ICANN has fully implemented the GAC's Advice on this matter, the Board understood that some GAC members continue to feel that their concerns have not been addressed. Accordingly, the Board directed the CEO to engage with concerned governments to listen to their views and concerns and further explain the Board's decision-making process.

The ICANN org conducted telephonic conversation with concerned governments in May 2017 explaining the rationale and development of the framework adopted by the 8 November 2016 Board resolution. Additionally, the ICANN org engaged in discussions with the GAC at the Board-GAC Recommendation Implementation (BGRI) meetings at ICANN61, ICANN62 and ICANN63.

In responding to the Copenhagen Communiqué, the Board also considered the [GNSO's response](#) to the Copenhagen Communiqué in which the GNSO reaffirmed the community consultation and input that went into the Board's 8 November 2016 resolution and stated "there should be no opportunity for this Advice to cause the Board to reopen their decision on two letter codes at the second level as contained in the Board's resolution of 8 November 2016."

San Juan Communiqué

In November 2016, the GAC mentioned as follow-up to previous advice to the Board in its [San Juan Communiqué](#):

Some GAC members note that important concerns regarding the release of 2-Character Country/Territory codes at the 2nd Level, as expressed in previous GAC advice, still remain. The GAC also notes the availability of certain measures to mitigate governments concerns with regard to the release of 2 letter codes at the second level. Some GAC members noted that the current measures have not been used. Some GAC members considered that these measures are insufficient. The GAC intends to follow up on implementation of the proposed initiative at ICANN62, bearing in mind that all previous GAC advice on the matter stands

The Board [responded](#) to the San Juan Communiqué in May 2018 noting the GAC's concerns on this topic. The Board also noted it stands ready to engage with the concerned governments on this issue and looks forward to further updates on this topic. As mentioned above, the ICANN org engaged in discussions with concerned GAC members at the Board-GAC Recommendation Implementation (BGRI) meetings at ICANN61, ICANN62 and ICANN63.

Panama Communiqué

In June 2018, the GAC advised the Board in its [Panama City Communiqué](#):

The GAC advises the Board to i. Work, as soon as possible, with those GAC members who have expressed serious concerns with respect to the release of their 2-character country/territory codes at the second level in order to establish an effective mechanism to resolve their concerns in a satisfactory manner, bearing in mind that previous GAC advice on this matter stands. ii. Immediately take necessary steps to prevent further negative consequences for the concerned GAC members arising from the November 2016 Board Resolution.

The Board [responded](#) to the Panama City Communiqué in September 2018 deferring a formal response to the GAC pending further discussions with the GAC. At the direction of the Board, the ICANN org has implemented several measures to help address the concerns of governments related to the release of the two-character labels that correspond to their country code. ICANN org provided two documents to the GAC on 26 June 2018:

- A briefing on the process of enforcing compliance with contractual provisions related to the release of 2-character label SLDs
- A timeline of all communications by ICANN org on the subject throughout this process.

Barcelona Communiqué

In October 2018, the GAC advised the Board in its [Barcelona Communiqué](#):

The GAC advises the Board to i. Explain in writing how and why it considers it is implementing GAC advice on the release of country codes at the second level and ii. Explain in writing whether its Resolution of 8 November 2016 and its change from the preexisting release process (indicated in specification 5. 2 of the Registry Agreement, sentence 1) to a new curative process (under sentence 2) are compatible with GAC advice on this topic, or whether it constitutes a rejection of GAC advice. The GAC

advises the Board to set out its explanation in writing by 31 December 2018. Previous GAC advice on this matter stands. iii. Ensure that its direction to the ICANN CEO to “engage with concerned governments to listen to their views and concerns and further explain the Board’s decision making process” (Board Resolution 2017.06.12.01) is fully implemented including direct engagement with those governments in order to fully address their concerns.

The Board and ICANN org are preparing separate responses to this advice; both of which will be made available on ICANN’s [Two-Character ASCII Labels](#) webpage.

In response to advice item “iii,” to further address concerns regarding the release of two-letter domain names that correspond with country codes, the ICANN org provided additional dedicated services to GAC members, including the monitoring of their corresponding two-letter country code domain registrations at the second level in new gTLDs and explanations of possible recourse mechanisms in the event of a reported misuse. This service first became available following ICANN58 and continues to be available to all GAC members by request. To date, there are have been 24 requests from 20 countries; there have been no reports of non-compliance of two-letter domain names.

Additionally, following discussions with the GAC at ICANN61 in San Juan, the ICANN org is in the process of developing a dedicated webpage for the GAC members to easily track the registration of two-character domain names that correspond with a specific country code and request ICANN compliance action in the event of a perceived misuse. This online tool will have a members-only page on the GAC website that will filter two-letter domain name registrations on any TLD that correspond with their country codes. This service will aggregate two-character second level domains automatically to a table on the GAC site, which can also be downloaded for offline analysis by GAC members. The service will run daily after all root zone files are updated, aggregating all new two-character second-level domain registrations and displaying to GAC Members.

Annex 1: Summary of Two-Character Communications with the GAC, Governments, and ccTLD Managers

DATE	TYPE	TO	FROM	SUMMARY
15 Oct 2014	Communiqué	ICANN Board	GAC	Communicated GAC did not have consensus regarding the use of two-character labels, and noted public comment was an important community mechanism.
16 Oct 2014	Publication: ICANN Board Resolution	--	ICANN Board	Board resolution authorizing ICANN org to develop and implement an efficient procedure for the release of two-character domains.
PHASE ONE: AUTHORIZATION PROCESS				
1 Dec 2014	Announcement	--	ICANN org	Announced launch of Authorization Process for Release of Two-Character ASCII Labels. Included blanket authorization of all non-letter/letter two-character labels.
11 Feb 2015	Communiqué	ICANN Board	GAC	Advised the Board to make improvements to the Authorization Process. Comments should be fully considered.
12 Feb 2015	Publication: ICANN Board Resolution	--	ICANN Board	Accepted GAC advice and directed ICANN org to make process improvements. Comments should be fully considered.
PHASE TWO: GOVERNMENT COMMENTS AND REGISTRY-PROPOSED MEASURES				
Jun 2015	Discussion	Specific GAC members	ICANN org	Discussed informally a process to address two-character requests that have received comments from relevant governments to specific GAC members.
11 Aug 2015	Blog	--	ICANN org	Communicated future process to address two-character requests that have received comments from relevant governments. The process would allow ICANN to more fully consider comments received from relevant governments. Labels that received comments not pertaining to confusion with the corresponding country code were authorized for release from reservation.
6 Oct 2015	Email	Governments who submitted comments	ICANN org	Requested clarification for comments submitted and communicated confusion standard for evaluating comments.

DATE	TYPE	TO	FROM	SUMMARY
6 Oct 2015	Announcement	--	ICANN org	Announced launch of Two-Character Letter/Letter Comments Consideration Process whereby ICANN will 1) request clarification from governments regarding comments 2) request mitigation measures from Registries to address government confusion concerns and 3) develop criteria for approval of registry confusion mitigation measures for two-character labels.
6 Oct 2015	Email	GAC ⁹ , Governments, ccTLDs	ICANN org	Announced launch of the Two-Character Letter/Letter Comments Consideration Process.
18 Oct 2015	Presentation – ICANN54 Public Session	GAC	GAC Secretariat	Presented Two-Character Letter/Letter Comments Consideration Process: ICANN will 1) request clarification from governments regarding comments 2) request mitigation measures from Registries to address government confusion concerns and 3) develop criteria for approval of registry confusion mitigation measures for two-character labels.
21 Oct 2015	Communiqué	ICANN Board	GAC	Advised the Board that ICANN should work with GAC Secretariat to resolve technical issues with comment forms and, in the interim, offer alternative methods for submitting comments. Comments should be fully considered regardless of grounds.
18, 19 Nov 2015	Webinar	GAC	ICANN org	2 webinars demonstrating comments form system and answering questions. ICANN GDD staff noted that although comments submitted prior to 6 September would be considered by ICANN even if they are not clarified by 5 December, the Registry Agreement only considers confusion with corresponding country codes.
20 Nov 2015	Email	GAC	ICANN org	Shared link to webinar recording with GAC Secretariat to be shared with the GAC. GAC Secretariat included summary of webinars in email. “Although comments submitted prior to 6 September would be considered by ICANN even if they are not clarified by 5 December, the Registry Agreement only considers ‘confusion with ccTLDs.’”

⁹ Emails to the GAC were communicated via the GAC Support team.

DATE	TYPE	TO	FROM	SUMMARY
17 Feb 2016	Email	GAC, Governments, ccTLDs	ICANN org	Announced upcoming window for Registries to submit proposed measures to avoid confusion. Summarized Comments Consideration Process steps that have been completed and communicated next steps.
26 Feb 2016	Email	GAC, Governments, ccTLDs	ICANN org	Announced opening of window for Registries to submit proposed measures to avoid confusion. Summarized Comments Consideration Process steps that have been completed and communicated next steps.
14 Jun 2016	Teleconference	GAC Leadership	ICANN org	Presented summary of government confusion concerns and registry confusion avoidance measures, explained next steps and answered questions.
14 Jun 2016	Email	GAC	ICANN org	E-mailed presentation from teleconference with GAC.
27 Jun 2016	Presentation – ICANN56 Public Session	GAC	GAC Vice-Chair	GAC Vice-Chair explained community consultation process of soliciting inputs from governments and Registries, presented registry-proposed measures to avoid confusion to other GAC members, and communicated next step of ICANN establishing a framework to evaluate mitigation plans and confusion concerns from governments.
28 Jun 2016	Communiqué	ICANN Board	GAC	Advised Board to “urge the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered.”
PHASE THREE: CREATION AND PUBLICATION OF FRAMEWORK				
8 Jul 2016	Announcement	--	ICANN org	Published for public comments the Proposed Measures for Letter/Letter Two-Character ASCII Labels to Avoid Confusion with Corresponding Country Codes , which listed measures Registry Operators could adopt to avoid confusion with corresponding country codes and which incorporated the GAC’s advice as issued in the Helsinki Communiqué. As part of the proposal, Registry Operators who adopted the measures would be authorized to release all letter/letter two-character ASCII labels not otherwise

DATE	TYPE	TO	FROM	SUMMARY
				reserved in other sections of the Registry Agreement.
20 Jul 2016	Teleconference	GAC	ICANN Board	Discussion of GAC advice issued in Helsinki Communiqué.
23 Sep 2016	Publication	--	ICANN org	Published Summary and Analysis Report of comments received, which included next steps. "Taking into consideration the feedback provided by the community during the public comment period, ICANN will establish a list of measures Registries must implement in order to release from reservation letter/letter two-character ASCII labels not otherwise reserved pursuant to other sections of the Registry Agreement."
23 Sep 2016	E-mail	GAC	ICANN org	Communicated publication of Summary and Analysis Report.
FINALIZATION OF FRAMEWORK				
26 Oct 2016	Publication: ICANN Board Agenda	--	ICANN Board	Published Board agenda with item of two-character labels.
5 Nov 2016	Public Session: Public Forum	--	ICANN Board	Responded to questions pertaining to two-character label item on Board agenda.
7 Nov 2016	Public Session: GAC with Board	GAC	ICANN Board	Discussed two-character labels.
8 Nov 2016	Public Session: ICANN Board Meeting	--	ICANN Board	Approved a resolution approving the revised Measures to Avoid Confusion , which states, "If adopted, all gTLD Registry Operators who implement these measures would be authorized to release all reserved two-letter second-level domains (except those otherwise reserved pursuant to Specification 5 Section 6)."
12 Dec 2016	Announcement	--	ICANN org	Authorized the release of remaining reserved two-character labels, subject to the Registry Operator implementing approved Measures to Avoid Confusion.
CONTINUED DISCUSSIONS				
15 Mar 2017	Communiqué	ICANN Board	GAC	Advised Board to: <ol style="list-style-type: none"> 1. Take into account the serious concerns expressed by some GAC Members as contained in previous GAC Advice

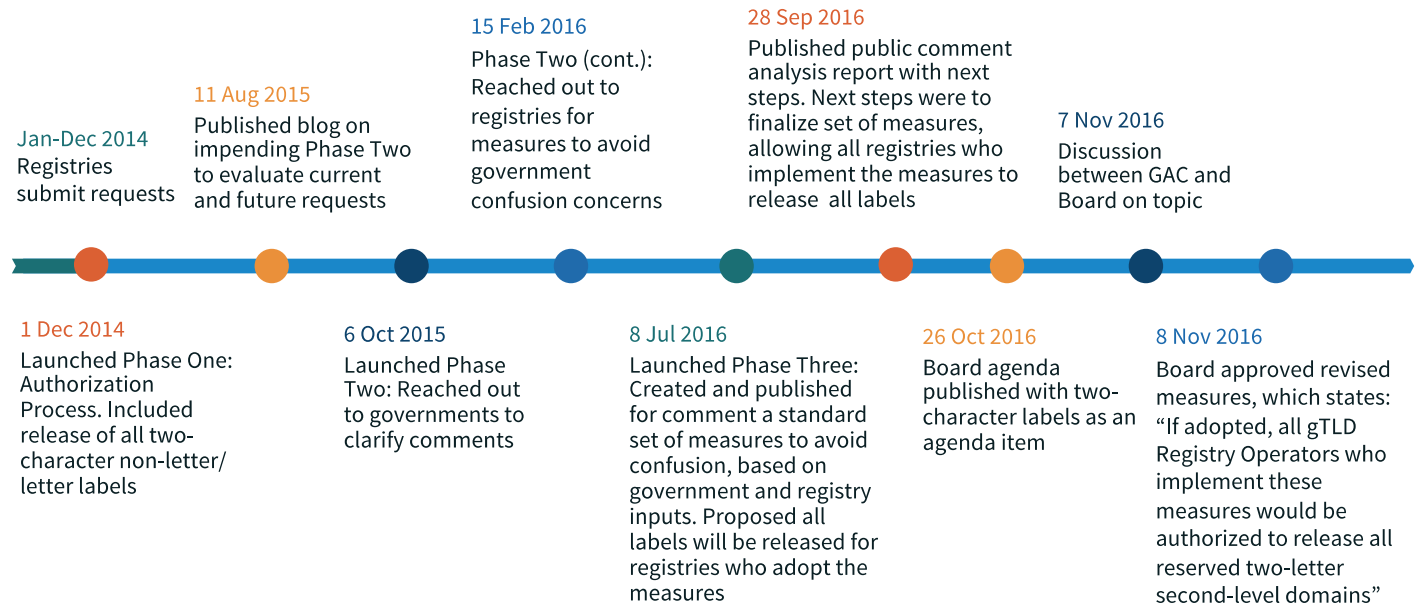
DATE	TYPE	TO	FROM	SUMMARY
				<ol style="list-style-type: none"> 2. Engage with concerned governments by the next ICANN meeting to resolve those concerns. 3. Immediately explore measures to find a satisfactory solution of the matter to meet the concerns of these countries before being further aggravated. 4. 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.
17 May 2017	Telephonic	Governments	ICANN org	Explanation of process and rationale leading up to the authorization of release of two-character labels.
26 June 2017	In-person	GAC	ICANN org	Discussion of authorization of two-character labels and compliance process related to instances of misuse of such labels.
29 June 2017	Communiqué	ICANN Board	GAC	<p>“With respect to the 2-Character Country Codes at the Second Level GAC Copenhagen Communiqué Advice (para VI.4), the GAC; a) welcomes and appreciates the decision made by ICANN Board directing the President and CEO of ICANN or his designee(s) to take necessary actions for satisfactory resolution of the concerns raised in that Advice; and b) welcomes the announcement made by the President and CEO of ICANN of his intention to create a task force to resolve the concerns mentioned in the above communiqué. In this regard the GAC proposes that the mandate and working methods of the above mentioned Task Force be determined in consultation with GAC leadership and GAC members, and other interested parties.”</p>
1 Nov 2017	Communiqué	ICANN Board	GAC	<p>“Several GAC members expressed their strong concern that the ICANN CEO’s response to previous GAC statements on this issue have not addressed the specific matters raised in Section 5 of the</p>

DATE	TYPE	TO	FROM	SUMMARY
				Johannesburg Communiqué. This concern was discussed at the GAC's meeting with the ICANN Board in August 2017. The GAC expects further efforts by ICANN Org to address, by appropriate mechanisms and with priority, concerns relating to this issue, as well as initiatives to improve communications between GAC members and ICANN Org.”
10 Mar 2018	In-person	ICANN org	GAC	Discussion of concerns and way to improve communications between GAC members and ICANN org. ICANN org committed to developing webpage that allows GAC members to track registration of two-character domains that correspond with country codes.
15 Mar 2018	Communiqué	ICANN Board	GAC	“Some GAC members note that important concerns regarding the release of 2-Character Country/Territory codes at the 2nd Level, as expressed in previous GAC advice, still remain. The GAC also notes the availability of certain measures to mitigate governments concerns with regard to the release of 2 letter codes at the second level. Some GAC members noted that the current measures have not been used. Some GAC members considered that these measures are insufficient. The GAC intends to follow up on implementation of the proposed initiative at ICANN62, bearing in mind that all previous GAC advice on the matter stands.”
26 June 2018	Email/reports	GAC	ICANN org	ICANN org provided two documents to the GAC: <ul style="list-style-type: none"> 1. A briefing on the process of enforcing compliance with contractual provisions related to the release of 2-character label SLDs 2. A timeline of all communications by ICANN org on the subject throughout this process.

DATE	TYPE	TO	FROM	SUMMARY
28 June 2018	Communiqué	ICANN Board	GAC	<p>“i. Work, as soon as possible, with those GAC members who have expressed serious concerns with respect to the release of their 2-character country/territory codes at the second level in order to establish an effective mechanism to resolve their concerns in a satisfactory manner, bearing in mind that previous GAC advice on the matter stands.</p> <p>ii. Immediately take necessary steps to prevent further negative consequences for the concerned GAC members arising from the November 2016 Board Resolution.”</p>
31 July 2018	Telephonic	GAC	ICANN Board	As part of the GAC Advice consideration process, the Board held its Clarification Question call with the GAC to discuss the Panama Communiqué.
16 Sept ember 2018	Resolution	GAC	ICANN Board	The ICANN Board resolved on the Panama Communiqué. With regard to the two-character items, the Board deferred consideration pending further discussion with the GAC.
21 Octob er 2018	Public Presentation: ICANN63	GAC	ICANN Board	The ICANN Board and GAC discussed in a dedicated session the issue of two-character domains at the second level.

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25 October 2018	Communiqué	ICANN Board	GAC	<p>The GAC released its Barcelona Communiqué, in which it advised the Board to:</p> <ul style="list-style-type: none"> i. Explain in writing how and why it considers it is implementing GAC advice on the release of country codes at the second level and ii. Explain in writing whether its Resolution of 8 November 2016 and its change from the preexisting release process (indicated in specification 5.2 of the Registry Agreement, sentence 1) to a new curative process (under sentence 2) are compatible with GAC advice on this topic, or whether it constitutes a rejection of GAC advice. The GAC advises the Board to set out its explanation in writing by 31 December 2018. Previous GAC advice on this matter stands. iii. Ensure that its direction to the ICANN CEO to “engage with concerned governments to listen to their views and concerns and further explain the Board’s decision making process” (Board Resolution 2017.06.12.01) is fully implemented including direct engagement with those governments in order to fully address their concerns.

Annex 2: Timeline of authorization for Two-Character ASCII Labels



Annex 3: Examples of Existing Two-Character Second Level Domains

- <http://aw.org/>
 - Anne Wright Schools is an educational institution.
 - AW corresponds with the country code for Aruba.
 - Domain Creation Date: 24 January 1997
- <http://me.cn>
 - Ai Te Mi Technology is a mobile game and entertainment company.
 - ME corresponds with the country code for Montenegro.
 - Domain Creation Date: 14 January 2014
- <http://es.com>
 - Evans & Sutherland is a computer graphics technology company focusing on digital planetariums and digital cinemas.
 - ES corresponds with the country code for Spain.
 - Domain Creation Date: 25 June 1990
- <http://ma.com>
 - Morris Adjmi Architects is a New York City-based architecture firm.
 - MA corresponds with the country code for Morocco.
 - Domain Creation Date: 4 January 1996
- <http://it.na>
 - Host Information Technology is a company providing business tools and business services in the areas of consumer engagement and social marketing among others.
 - IT corresponds with the country code for Italy.
 - Domain Creation Date: 8 August 2014
- <http://br.de>
 - Bayerischer Rundfunk is a public-service radio and broadcaster.
 - BR corresponds with the country code for Brazil.
 - Domain Updated Date: 13 May 2015
- <http://it.de>
 - Netzwelt is an online technology news provider.
 - IT corresponds with the country code for Italy.
 - Domain Updated Date: 13 June 2014
- <http://it.fr>
 - The IT Crew is an information systems consultancy.
 - IT corresponds with the country code for Italy.
 - Domain Creation Date: 26 December 2014

