



**COUNCIL OF EUROPEAN MUNICIPALITIES AND REGIONS
CONSEIL DES COMMUNES ET REGIONS D'EUROPE**

CEMR Comments

**on ICANN's draft version 3 of the New gTLD
Applicant Guidebook**

Brussels, October 2009

ICANN's draft version 3 of the "New gTLD Applicant Guidebook" (<http://www.icann.org/en/topics/new-gtlds/comments-3-en.htm>)

Comments by the Council of European Municipalities and Regions (CEMR)

1. CEMR welcomes the possibility to comment on ICANN's draft of the New gTLD Applicant Guidebook.
2. CEMR is the European umbrella organisation of national associations of local and regional authorities. Our members are over 50 associations from 37 countries. CEMR is the European branch of the global organisation United Cities and Local Governments (UCLG).
3. CEMR would like to comment on section 2.1.1.4, the requirements for geographic names. The following text is especially of concern to us:

"The following types of applications are considered geographical names and must be accompanied by documentation of support or non-objection from the relevant governments or public authorities:

[...]

2. An application for any string that is an exact match of a sub-national place name, such as a county, province, or state, listed in the ISO 3166-2 standard

3. An application for any string that is a representation, in any language, of the capital city name of any country or territory listed in the ISO 3166-1 standard.

4. An application for a city name, where the applicant declares that it intends to use the gTLD for purposes associated with the city name."

4. This means that city names (with the exception of capital cities) can be used without consent as long as they are not used in association with the city. For local and regional authorities this is not acceptable.
5. CEMR demands that
 - cities and municipalities must be consulted before using their names (even if the intended use is not associated with the city)
 - the applicant must contact the administration of the city or municipality in question, not (only) governmental bodies
 - consent by the city or municipality in question must be explicitly expressed and documented in writing, before the registration can take place
 - the request for support or non-objection must be written in the official language of the city or municipality in question and include a standard explanation of the scope and implications of what is being requested

- the gTLD's registered with the consent from a city or municipality must not be transferable to third parties without the written consent of the city or municipality in question
6. The rationale behind these demands is that, even though cities, municipalities and regions may not have a conceivable reason for owning TLD's, they should have the right to have control over TLD's that can be linked to them. Furthermore, the need for owning the TLD's may rise later. Before the large scale proliferation of the Internet there was no conceivable reason for cities to own second level domain names, and some city names are even today registered to for example universities, as is the case with Helsinki.fi. The same could very well happen with new gTLD's.