



To: Mr. Steve Crocker
Chair of ICANN Board
With copy to
Ms. Melissa King
VP, Board Operations

And

Mr. Göran Marby
President and CEO
ICANN
With copy to
Mr. Thomas Schneider
GAC Chair

***SUBJECT: ASEAN STATEMENT ON ICANN'S AUTHORISATION OF THE
RELEASE OF TWO-CHARACTER COUNTRY CODES AT THE SECOND LEVEL***

Dear Sirs/Madams,

We would like to convey the Statement of the ASEAN Telecommunications and Information Technology Senior Officials Meeting (TELSOM) on ICANN's Authorisation of the Release of Two-Character Country Codes at the Second Level in new generic Top Level Domains (gTLDs).

This is the common view of TELSOM on the issue, for your information and consideration.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Trieu Minh Long".

Trieu Minh Long
Chairman of ASEAN TELSOM

ASEAN STATEMENT ON ICANN'S AUTHORISATION OF THE RELEASE OF TWO-CHARACTER COUNTRY CODES AT THE SECOND LEVEL

ASEAN notes that ICANN has been announcing the authorisation of the release of two-character ASII labels that are country codes (“**two-character country codes**”), as specified in the ISO 3166-1 alpha-2 standard, at the second level in new generic Top Level Domains (gTLDs) since December 2014¹. There have since been increasing concerns from many countries about possible public confusion between two-character domain names and two-character country codes at the second level.

2. ASEAN further notes that ICANN had proposed three measures² in July 2016 to address these concerns, namely: (i) an exclusive pre-registration period of 30 days for country code Top Level Domain (ccTLD) managers; (ii) a registration policy requiring Registry Operators (ROs) to take steps to ensure against registrants misrepresenting governments or country-code managers; and (iii) a post-registration complaint investigation whereby ROs must take steps according to ICANN's requirements for handling reports pertaining to illegal conduct.

3. While ASEAN appreciates ICANN's efforts and contribution to keep the Internet secure, stable and interoperable, and that the authorisation of the release of two-character country codes at the second level aims to further promote competition and choice in the domain name market, ASEAN nevertheless has concerns with this development. ASEAN is further of the view that the proposed measures by ICANN are insufficient to address the concerns and public confusion with ASEAN Member States' own ccTLDs, as well as with other countries' ccTLDs.

4. It is therefore critical for ICANN to review the authorisation process so that the concerns of ASEAN and other countries, as well as civil society and other stakeholders, can be adequately addressed. ICANN needs to uphold the public interests of the Internet and the global community.

5. In this regard, ASEAN would like to urge ICANN to take into consideration the following recommendations in reviewing the authorisation and the three measures:

- a. The two-character country codes at the second level, including brand TLDs which should not be exempted, and should by default be reserved for public interest reasons, unless the government or ccTLD manager has

¹<https://www.icann.org/resources/two-character-labels>

²<https://www.icann.org/public-comments/proposed-measures-two-char-2016-07-08-en>

given consent for the release to the ROs. This is in view that public policy authority over ccTLD rests with the government or designated public authority.

- b. Two-character country codes at the second level should only be released through a formal process whereby ICANN or the RO submits a written request to the relevant government or ccTLD manager, and the government or ccTLD manager issues an approval letter.
 - c. ICANN must continue to notify governments, ccTLD managers and the Internet community of every request for the release of two-character country codes at the second level.
 - d. Governments or ccTLD managers should not have to spend resources to pre-register two-character country codes at the second level. There should not be any fees involved as the use of public funds in this regard would not be justified.
 - e. ROs should be required to work with governments or ccTLD manager to resolve issues about inappropriate content or manner of use of the two-character country codes at the second level.
 - f. ICANN must be empowered to step in to mediate differences between the government or ccTLD manager and the RO, and to take action against a RO that fails to work with or comply with a government or ccTLD manager's request.
6. ASEAN would like to express our appreciation to ICANN for its continued support for governments and ccTLD managers. ASEAN reaffirms its continued support for ICANN's work and is willing to work with ICANN and other stakeholders to achieve a mutually beneficial outcome. Thank you.

31 October 2016