

GAC Advice Response Form for Applicants



The Governmental Advisory Committee (GAC) has issued advice to the ICANN Board of Directors regarding New gTLD applications. Please see Section IV, Annex I, and Annex II of the [GAC Beijing Communiqué](#) for the full list of advice on individual strings, categories of strings, and strings that may warrant further GAC consideration.

Respondents should use this form to ensure their responses are appropriately tracked and routed to the ICANN Board for their consideration. Complete this form and submit it as an attachment to the ICANN Customer Service Center via your [CSC Portal](#) with the Subject, "[Application ID] Response to GAC Advice" (for example "1-111-11111 Response to GAC Advice"). All GAC Advice Responses must be received no later than 23:59:59 UTC on 10-May-2013.

Respondent:

Applicant Name	European Broadcasting Union (EBU)
Application ID	1-1083-39123
Applied for TLD (string)	RADIO

Response:

The European Broadcasting Union (EBU) as applicant for the .radio TLDs application with the support of the whole world Radio Community welcomes the GAC Advice, and wants to make the following statements with regard to the principles contained in the GAC Communiqué:

A) Community Applications

As exclusive and only applicant of .radio TLD on behalf of the Radio Community EBU would like expressing its support to GAC's position, stated in its Beijing Communiqué, Point IV.e with regard to:

that in those cases where a community, which is clearly impacted by a set of new gTLD applications in contention, has expressed a collective and clear opinion on those applications, such opinion should be duly taken into account, together with all other relevant information.

The "collective and clear opinion" for the necessity of a community based TLD .radio has been expressed through the letters of support attached to Q20(f)

All member Unions of the World Broadcasting Unions have written letters of endorsement for the EBU application as follows:

ABU (Asia-Pacific Broadcasting Union), representing national broadcasters of Asia and Oceania reaching audiences of 3 billion users, (60 countries).

AUB-UAR (African Union of Broadcasters), representing national broadcasters of Africa, (50 countries).

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NABA (North American Broadcasting Association), representing the national broadcasters of United States, Mexico and Canada.

OTI (Organización de Televisión IberoAmericana), representing national broadcasters of Latin America and the Iberian peninsula, (60 countries).

CBU (Caribbean Broadcasting Union) representing national broadcasters of the Caribbean, (29 countries)..

AIR-IAB, (Asociación Internacional de Radiodifusión) representing commercial broadcasters from 16 South American countries plus a number of other radio associations on other continents.

ASBU (Arab States Broadcasting Union) representing broadcasters of the 23 Arab League member countries.

The EBU has also garnered support from other broadcasters' associations covering continental regions or specialized channels:

AIB - Association for International Broadcasting, grouping international broadcasters world-wide.

AER - Association of European Radios: commercial radio broadcasters of Western Europe.

AMARC - Association Mondiale des Radiodiffuseurs Communautaires: all community radios in 115 countries around the world.

EGTA - European Association of Television and Radio Sales Houses, the regional association that gathers all vendors of Radio and TV advertising around Europe.

URTI - Union Radiophonique et Télévisuelle Internationale, a UNESCO non-profit recognized association that promotes and organizes the exchange of radio and TV programmes free-of-charge between broadcasters from the North and the South of the world.

IMDA - Internet Media Device Alliance, bringing together a number of world radio stakeholders specialized in interactive services and related equipment.

Finally, and to bear witness to the special character of this application for a community based TLD, the EBU has asked one very important partner in the radio world - the Metropolitan Opera of New York - to endorse the request. The Met endorsement demonstrates that a community-based .radio TLD is not only of interest for broadcasters, but also for all those who cooperate with this community to promote cultural diversity and excellence.

In addition to formal endorsement letters, our application has the backing from IARU (International Amateur Radio Union) which expressed its support on the public forum (Comment ID:o7ocwnxe). IARU represents more than three million licensees in more than 160 countries.

B) Safeguards for the .radio TLD

EBU concurs with the GAC when it states that:

- Strings that are linked to regulated or professional sectors should operate in a way that is consistent with applicable laws. These strings are likely to invoke a level of implied trust from consumers, and carry higher levels of risk associated with consumer harm. The following safeguards should apply to strings that are related to these sectors: [...]

In fact all radios of the real world are entitled to make their activity on the basis of licences or authorizations released by national, international and /or local authorities. This regime of authorization is in place to guarantee the exclusivity of each licence for radio and to protect listeners, through a series of national or international obligations for radio broadcasters or radio-amateurs.

This is precisely why our application contains all the necessary safeguards to guarantee that registrants in the .radio TLD not only comply with applicable laws, but that the namespace enables the highest level of consumer trust and to preserve the special and exclusive relation that links each radio licence to its listeners, its territory, to its applicable regulations.

These concerns, and these safeguards will be carried to .radio TLD Policies, Agreements and Dispute Resolution Procedures.

B.1 Registration policies

Registration in radio will be available only to:

- a) community membership defined as bona fide membership in the any of the eligible categories, as defined in 20 (b) above, and
- (b) the additional requirements that the registrant's actions in the Radio community, as well as the registrant's use of the registered domain name, must be:
 - (i) generally accepted as legitimate; and
 - (ii) beneficial to the cause and the values of the radio industry; and
 - (iii) commensurate with the role and importance of the registered domain name; and
 - (iv) in good faith at the time of registration and thereafter.

B.2 Enforcement Mechanisms

We would like to raise the attention more specifically to the enforcement mechanisms devised by EBU to maintain the quality of the .radio TLD namesake and its compliance with the rules, and mitigate possible abuses.

In this regard, we should list:

1. Rapid Takedown Policy for cases of general malicious conduct (Q28.1)
2. Rapid Takedown Policy for cases of phishing, with significantly shortened response times (Q28.2)
3. Single Point of Contact for Abusive behaviour on the Registry's side (Q28.3)
4. AdminContact as Single Point of Contact for Registrants' on abusive or non-compliant behaviour (Q20.e.1)
5. Ex Officio Random Checks of the usage of registered Domain Names (Q29.2.1)
6. Complaints System (Q29.2.2)

All these mechanisms are in addition of the validation procedures established at registration time. We firmly believe that in conjunction with our registration policies and ICANN-mandated policies EBU adequately addresses all the safeguards outlined by GAC both for those applicable to all new gTLDs as well as the additional safeguards advised for certain categories of new gTLDs.