

GAC Early Warning – Submittal Halal-AE-60793

Application ID:	1-2131-60793
Entity/Applicant Name:	Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.
String:	HALAL
Early Warning Issue Date:	20 November 2012

Early Warning Description – This will be posted publicly:

The government of UAE would like to express its serious concerns toward “.halal” new gTLD application made by Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. specifically in the areas highlighted below:

- (1) private entity control over sensitive name**
- (2) Insufficient community support.**
- (3) Sensitivity of the name and domain name use policy**

Reason/Rationale for the Warning – This will be posted publicly:

(1) private entity control over sensitive name

“Halal (Arabic: حلال halāl, "permissible") is a term designating any object or an action which is permissible to use or engage in, according to Islamic law. The term is used to designate food seen as permissible according to Islamic law.

Religious terms and subjects are very sensitive areas. The applicant is a commercial entity. Strict boundaries, measures and policies must be set to ensure that applicant business activities do not conflict with the religion objectives, principles, beliefs and laws. Therefore any religious terms must be only applied as a gTLD by a government or not-for-profit organization acting on behalf of that community as oppose to a private entity. It is unacceptable for a private entity to have control over religious terms such as Halal without significant support and affiliation with the community its targeting.

(2) Insufficient community support.

The application targets a specific community of those interested in Halal products and producers supporting Halal products. This covers wide range of community covering over 50 countries where significant Halal products are produced and consumed (over 1.6 Billion populations). The applicant has presented couple of letter of supports from organizations mostly associated with one country. The support letters presented by the applicant constitute a minority (less than 5% of the community) hence it clearly does not constitute as a sufficient community support.

If there is lack of support from the community to this application then it will most probably be

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dominated by subgroup from the religion and will ignore the interests of the remaining majority. This will adversely affect the interest of the community to register in the TLD and therefore limit its growth.

Furthermore there is lack of information regarding background and affiliation of the applicant and its leader. In all cases they will not represent the entire Muslim community and hence the support of community is an essential prerequisite and must be in a form of letter from known NGOs and inter-governmental organizations that do represent majority of the community such as the IOC.

(3) Sensitivity of the name and domain name use policy

Religious topics such as Halal are extremely sensitive subject. Within religions there are different sub groups and sects who may have many differences and diversities. It is very difficult task to unite all of these differences under one TLD unless it is run and supported by an organization that represents the community or its majority. There are many organizations that do represent significant parts of the community and it is vital that those organizations endorse and support this application.

As with all religious terms, Halal is closely associated with Islamic law. Anything that would conflict with Islamic law would be unacceptable for the followers and believers of Islam (hence the community) in general which naturally brings issue of registration and use policies. A very important question must be raised as to how the applicant will ensure that the use of the domain name is in line with Islamic Law and Halal principles? These issues will be eliminated if this TLD is supported and supervised by an IGO which represents majority of the community. Furthermore, the application lacks any sort of protection to ensure that the use of the domain names registered under the applied for new gTLD are in line with Islam laws and Halal principles. There are no clear mechanisms to prevent any abuses related to the above.

For the above reasons, the TRA on behalf of the government of UAE would like to **raise its disapproval and non-endorsement** to this application and request the ICANN and the new gTLD program evaluators to not approve this application.

Possible Remediation steps for Applicant – This will be posted publicly:

The applicant should withdraw their application based on the information provided above

Further Notes from GAC Member(s) (Optional) – This will be posted publicly:

INFORMATION FOR APPLICANTS

About GAC Early Warning

The GAC Early Warning is a notice only. It is not a formal objection, nor does it directly lead to a process that can result in rejection of the application. However, a GAC Early Warning should be taken seriously as it raises the likelihood that the application could be the subject of GAC Advice on New gTLDs or of a formal objection at a later stage in the process. Refer to section 1.1.2.4 of the Applicant Guidebook (<http://newgtlds.icann.org/en/applicants/agb>) for more information on GAC Early Warning.

Instructions if you receive the Early Warning

ICANN strongly encourages you work with relevant parties as soon as possible to address the concerns voiced in the GAC Early Warning.

Asking questions about your GAC Early Warning

If you have questions or need clarification about your GAC Early Warning, please contact gacearlywarning@gac.icann.org. As highlighted above, ICANN strongly encourages you to contact gacearlywarning@gac.icann.org as soon as practicable regarding the issues identified in the Early Warning.

Continuing with your application

If you choose to continue with the application, then the “Applicant’s Response” section below should be completed. In this section, you should notify the GAC of intended actions, including the expected completion date. This completed form should then be sent to gacearlywarning@gac.icann.org. If your remediation steps involve submitting requests for changes to your application, see the change request process at <http://newgtlds.icann.org/en/applicants/customer-service/change-requests>.

In the absence of a response, ICANN will continue to process the application as submitted.

Withdrawing your application

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

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For questions please contact: gacearlywarning@gac.icann.org

Applicant Response: