

GAC Early Warning – Submittal Zulu-ZA-74713

Application ID:	Ref# 1-994-74713
Entity/Applicant Name:	Top Level Domain Holdings Limited (TLDH Ltd)
String:	.zulu
Early Warning Issue Date:	20 November 2012

Early Warning Description – This will be posted publicly:

GAC Member(s) to indicate a description of the Early Warning being filed

The Government of South Africa wishes to express objection to the application submitted by Top Level Domain Holdings Limited for the .zulu geographic Top Level Domain.

The application does not have support from the South African government. The name Zulu has cultural and historical significance to South Africa in particular the Kwa Zulu Natal region which is sometimes referred to as the Kingdom of the Zulu.

TLDH says .ZULU has the support of the King Goodwill Zwelithini kaBhekuzulu and his government. This is a glaring lack of understanding of the South African Government. His Majesty the King has no Government. Instead, he and the Zulu tribe are represented by the KwaZulu-Natal Province. This provincial government represents and covers not only amaZulu, but also other tribes and races. Therefore, this application does not have the "government" support it claims to have.

There was no consultation whatsoever with relevant stakeholders in the Republic, including the Zulu speaking people. The South African government maintains that the name Zulu should only be administered by legitimate representatives of the South African people and for the benefit of the Zulu people and the Kwa Zulu Natal region and that this name should not be owned by any other entity.

TLDH asserts *"The .ZULU top-level domain will serve the Zulu nation, its diaspora, and speakers of isiZulu, as well as those who wish to identify with the Zulu name and nation"*

For starters, AmaZulu are not a nation on their own. Rather, AmaZulu are one of the at least 12 tribes of South Africa. There is no region in SA that is called "Zulu"; instead there is KwaZulu-Natal province & this province consists of AmaZulu, White English speakers, White and Coloured, Afrikaans speakers, Indians, AmaXhosa (in the extreme south) and BaSotho. Therefore, the claim that .zulu *"will serve the Zulu nation..."* is not true.

The Top Level Domain Holdings Limited application,

- Does not meet the requirements concerning geographic names as described in the new gTLD Applicant Guidebook, since it does not satisfy the required minimum support of concerned governments;

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

GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.

The Government of South Africa hereby records its objection to the Top Level Domain Holdings Limited application.

1. Top Level Domain Name Holdings Limited Application lacks the requisite Government Support

- Paragraph 2.2.1.4.2 of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities.
- The .zulu application has no support by the South African government or even a suitably empowered agency of the South African government. It, therefore, does not meet ICANN's requirements for geographic names.

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

GAC Member(s) to identify possible remediation steps to be taken by the applicant

- The applicant should withdraw the 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.

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

Applicant Response: