



Governmental Advisory Committee

17 June 2012

Dr. Stephen Crocker
Chairman of the Board of Directors
ICANN

Re: Processing of applications for new generic Top-Level Domains (gTLDs)

Dear Dr. Crocker,

I am writing to relay the GAC's concerns about ICANN's approach to processing new gTLD applications.

The GAC shares many of the concerns that have already been expressed by members of the ICANN community with regard to ICANN's digital archery and batching processes. These processes appear to significantly impact the timeframes for assessing and delegating new gTLDs.

The substantive competition and fairness concerns being raised within the community suggest that ICANN may not have fully considered the implications of these processes, and highlights the need to fully consult with the community before taking decisions of this magnitude. In short, the GAC is concerned that the potential risks associated with the digital archery and batching mechanisms may outweigh the benefits.

In light of ICANN's decision to initiate digital archery on 8 June 2012, **the GAC advises the Board** to consult with the community as a matter of urgency to consider ways to improve its assessment and delegation processes in order to minimise the downside risks and uncertainty for applicants. In line with the concerns raised by the community, this should include a focus on competition and fairness with delegation timing. The GAC intends to address the issue of the digital archery and batching system at the Prague meeting with the Board.

The GAC understands that the delegation of new TLDs to the root needs to be well managed for stability reasons. This is one of the reasons why the GAC has been seeking

information about root zone scaling from the ICANN Board. The GAC also seeks information about how ICANN intends to evaluate the effect of delegating the first batch in relation to root zone stability issues and, moreover, how this evaluation will influence the timetable for the following batches.

In terms of the GAC's role in assessing applications, I can inform the Board that the GAC has identified several benefits from having a single Early Warning period in relation to all applications (these relate to efficiency, consistency, and timeliness). On this basis, **the GAC advises the Board** that it is planning to issue any Early Warnings shortly after the Toronto ICANN meeting, in October 2012.

In relation to GAC advice on any contentious new gTLD applications, the GAC is still considering its options, and is awaiting further discussion with the Board before making a decision. Given the delays to the gTLD application process, the timing of upcoming ICANN meetings, and the amount of work involved, **the GAC advises the Board** that it will not be in a position to offer any advice on new gTLD applications in 2012. For this reason, the GAC is considering the implications of providing any GAC advice on gTLD applications. These considerations are not expected to be finalised before the Asia-Pacific meeting in April 2013.

I look forward to the Board's response to these issues, and to further discussion as the gTLD process continues.

Regards,

A handwritten signature in black ink, appearing to read 'Heather Dryden', with a stylized flourish at the end.

Heather Dryden
Chair, Governmental Advisory Committee
Senior Advisor to the Government of Canada