ICANN|GAC

Governmental Advisory Committee

ICANN
69
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Subsequent Rounds of New gTLDs

Session # 2- GAC Discussion on Subsequent Procedures

Contents

Background

Since its incorporation, ICANN has delivered several expansions of the Top-Level Domain (TLD) names space. The latest and most significant expansion started in 2012, and has seen more than 1000 New gTLDs added to the DNS.

This latest expansion, known as the New gTLD Program or the 2012 round of New gTLDs, was the product of a multi-year process of policy development, in which the GAC participated, with contributions in the form of policy principles, safeguards advice and objections to applications that could cause public policy concerns.

Several processes[1] that have been supporting deliberations on these findings and wider policy issues related to further expansion of gTLDs have been of interest to the GAC, in particular:

- The Consumer Trust, Consumer Choice and Competition Review whose Final Recommendations (8 September 2018) are in the process of being implemented, amid intense debates, per the ICANN Board's decision (1 March 2018)
- The GNSO's Review of All Rights Protection Mechanisms in All gTLDs PDP tasked to assess the effectiveness of instruments such as the UDRP, URS and TMCH and suggest new policy recommendations in these areas
- The GNSO's New gTLD Subsequent Procedures PDP (Sub Pro PDP), and within it, the specific Work Track 5 on Geographic Names at the Top Level

Since 2016, the New gTLDs Subsequent Procedures (Sub Pro) PDP WG has been deliberating by reviewing and discussing the 2012 program, and soliciting community input on policy recommendations to improve the next round of new gTLDs. Ultimately, the outcome of this PDP WG will be the basis for the policy and rules governing the next gTLD expansion.

Issues

At the moment of this briefing the Sub Pro PDP WG finalized draft recommendations and published the Subsequent Rounds for New gTLDs Draft Final Report, which triggered a public comment period which ended on September 30, 2020. The GAC submitted a collective comment. The final recommendations are expected to be submitted to the GNSO Council by the Sub Pro PDP WG during Q4 2020.

ICANN69 is an opportunity for the GAC to review and discuss public comments submitted by the GAC and other SO/ACs, and potentially hear and consider initial reactions from the PDP WG.

Several steps with varying time-lines will follow per the Policy Development Process after the PDP Sub Pro submits final recommendations to the GNSO Council during Q4 2020:

i. GNSO Council consideration and adoption of the PDP recommendations in the Final Report;

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[1] See timeline at https://newgtlds.icann.org/en/reviews for an overview of relevant processes and some of their interactions

ii.   ICANN Board consideration of the PDP recommendations as adopted by GNSO Council. Once the report is adopted by the GNSO the GAC would have an opportunity to offer GAC Consensus Advice to the Board.

iii. ICANN org (as directed by the Board) to begin implementation of the policy recommendations (which will likely include a revised Applicant Guidebook).

Upon completion of these successive steps ICANN org would be expected to start receiving new applications for gTLDs sometime tentatively around 2022, but still to be confirmed.

The GAC has advised that it should be done in a "*logical, sequential and coordinated way*" that takes into account the results of "*all relevant reviews*", requirements of "*interoperability, security, stability and resiliency*", "*independent analysis of costs and benefits*", and while proposing "*an agreed policy and administrative framework that is supported by all stakeholders*" in the GAC Helsinki Communiqué (30 June 2016) as reiterated in the GAC Kobe Communique (14 March 2019).

More recently, in the GAC Montreal Communique (6 November 2019), the GAC advised the ICANN Board "*not to proceed with a new round of gTLDs until after the complete implementation of the recommendations in the Competition, Consumer Trust and Consumer Choice Review that were identified as 'prerequisites' or as 'high priority'.*"

Leadership Proposal for GAC Action during ICANN69

1. Brief GAC Members and Observers on recent developments on Subsequent Procedures for new gTLDs, including:

    a. GAC Consensus Comment to GNSO Subsequent Procedures for New gTLDs PDP WG Final Report

2. Liaise with GNSO Subsequent Procedures for New gTLDs PDP WG Co-Chairs on GAC input and next steps for final recommendations.

3. Continue to have meaningful discussions and update GAC policy positions, as appropriate, regarding processes more broadly related to Subsequent Rounds of new gTLDs (e.g. start considering GAC advice to the ICANN Board or anything else stemming from the roll out and preparation for the next round of new gTLDs)

Relevant Developments

The GNSO's New gTLD Subsequent Procedures PDP was initiated on 17 December 2015 to determine "*whether changes or adjustments to the existing policy recommendations [...] are needed*" in relation to original policies that the Working Group charter recognizes as "*designed to produce a systemized and ongoing mechanisms for applicants to propose new top-level domains*".

PDP Working Group Milestones so far have included:

● a first round of community consultations on overarching issues (Summer 2016)

- a second round of community consultations on a wide range of more specific topics (March-May 2017). It received 25 submissions.

- an Initial Report (3 July 2018) documenting the Working Group's deliberations, preliminary recommendations, potential options, as well as specific questions to the ICANN Community. It received 72 submissions in a period of 3 months.

- a Supplemental Initial Report (30 October 2018) addressed a more limited set of additional issues including Auctions, Application Comments, Changes to Applications and proposal to improve Registrar support of New gTLDs. It received 14 submissions.

- a Supplemental Initial Report of its Work Track 5 (5 December 2018) dedicated to address the use of Geographic Names at the Top Level[2].

- A Working Document - Subpro PDP WG Draft Final Recommendations (ongoing - expected to be submitted for public comment in early July 2020)

- The full Working Group has reviewed the public comments on its Initial Report and Supplemental Initial Report through to ICANN66.

- The Subsequent Rounds of New gTLDs Draft Final Report was published for public comment on 20 August 2020.

The final report is expected to be submitted to the GNSO Council during Q4 2020.

Current Positions

Please refer to the three key documents for the GAC as part of the GAC ICANN69 Briefing package:

1. GAC Collective Comment on Subsequent Rounds of New gTLDs Final Report
2. GAC Scorecard (annex to this briefing) for a comprehensive reference of previous GAC input/advice provided to date and updated status of PDP WG recommendations that has only been reviewed by the GAC leadership;
3. The GAC Compilation of Individual Input which references the GAC written consultation undertaken in April 2020 on 5 priority topics related to Subsequent Procedures PDP WG for New gTLDs Draft Final Recommendations.

Key Reference Documents

- GAC Scorecard: Status of Substantive Areas of Interest to the GAC for Subsequent New gTLD Rounds

- Subsequent Rounds for New gTLDs PDP WG Draft Final Report

- GAC Compilation of Individual Input

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[2] Policy development in the area of geographic names is handled separately in the GAC, who formed an internal Working Group for this purpose. Please refer to appropriate resources on the GAC Website for the GAC's Geographic Names Working Group and its activities related to Work Track 5 of the GNSO Subsequent Procedures PDP.

Further Information

- [ICANN68 GAC Communique](#)

- [ICANN67 GAC Communique](#)

- [GAC Response](#) to ICANN Board Clarification Questions on the GAC Montréal Communiqué Advice (20 Jan 2020)

- GAC Scorecard of Board Action on CCT Review Final Recommendations (6 June 2019) annexed to the Briefing on the CCT Review for [Session 11.1 on ICANN Reviews Update](#)

- ICANN Board [resolution](#) and [scorecard](#) of Board Action on the CCT Review Final Recommendations (1 March 2019)

- [CCT Review Final Recommendations](#) (8 September 2018)

- GAC [Helsinki Communiqué](#) Advice on [Future gTLDs Policies and Procedures](#) (30 June 2016)

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