

## GAC Discussion on New gTLD Program Next Round

### Session 2

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#### Session Objective

GAC Members to discuss matters pertaining to the new gTLD Program Next Round, and assess whether GAC advice should be issued at ICANN80 on GAC priority topics.

The session will focus on a GAC discussion on Applicant Support, with a specific focus on the Applicant Support Program Handbook including a briefing by ICANN org. This will be followed by briefing to the GAC on the Implementation Review Team (IRT) including recent developments and next steps. GAC members will also discuss potential GAC advice and GAC communiqué language on priority issues pertaining to new gTLDs.

#### Leadership Proposal for GAC Action

1. GAC Members to discuss the Applicant Support Program (ASP) with a focus on the ASP Handbook and next steps in preparation for the next round of new gTLDs to determine if further action by the committee is needed at this stage.
2. GAC Members to consider any action in response to recent Board decisions/actions on GAC priority topics as outlined in the following documentation:
  - a. [Board Action on ICANN79 GAC Advice](#) (5 May 2024), in response to the ICANN79 San Juan Communiqué, which includes responses to GAC advice and follow-up to previous GAC advice on:
    - Applicant Support Program (ASP)
    - Urgent Requests for Disclosure of Registration Data
  - b. [October 2023 Board Scorecard: Subsequent Procedures \(SubPro PDP\)](#) (26 October 2023), intended to facilitate the Board's consideration of the recommendations, affirmations, affirmations with modification, and implementation guidance (collectively Outputs)

contained in the [“Final Report on the New gTLD Subsequent Procedures Policy Development Process”](#) (Final Report) that were listed as in Section D “Pending” in the September 2023 Scorecard: Subsequent Procedures (September 2023 Scorecard).

- c. [September 2023 Board Scorecard: Subsequent Procedures \(SubPro PDP\)](#) (10 September 2023), (September Scorecard) which includes Board decisions on pending SubPro PDP WG Recommendations, issued in September. Please note this scorecard does not replace the March 2023 scorecard, but needs to be reviewed in parallel to the March 2023 Scorecard for a full picture on Board actions.
- d. [March 2023 Board Scorecard: Subsequent Procedures \(SubPro PDP\)](#) (16 March 2023) (March Scorecard), intended to facilitate the Board's consideration of the recommendations, affirmations, affirmations with modification, and implementation guidance (collectively “Outputs”) contained in the [Final Report on the New gTLD Subsequent Procedures Policy Development Process](#) (Final Report). The scorecard includes Board decisions on:
  - Outputs that the Board adopts;
  - Outputs that the Board adopts;
  - Outputs that the Board adopts with GNSO Council-Approved clarifications; and
  - Recommendations that the Board does not adopt at this time.

## Current Status and Recent Developments

On 16 March 2023, the Board [resolved](#) to instruct ICANN org to begin the implementation of all Final Report Outputs detailed in Section A of the [“Scorecard on Subsequent Procedures PDP”](#) (March Scorecard) and to make available resources required for the successful and timely opening of the next round of new gTLDs. The ICANN Board approved ninety-eight (98) recommendations contained in the Final Report on the New gTLD Subsequent Procedures Policy Development Process, and marked the remaining thirty-eight (38) recommendations as “pending”.

The Board further directed ICANN org to deliver a comprehensive implementation plan to the Board no later than 1 August 2023, containing a work plan, relevant information for the Infrastructure Development stream, timelines and anticipated resource requirements to announce the opening of the next round of new gTLDs. ICANN org delivered the [implementation plan](#) for opening the next round of applications for new generic top-level domains (gTLDs), and on its [resolution](#) approved on 27 July 2023, the Board acknowledged receipt of the plan and directed ICANN org to provide the Board with periodic updates on its progress on program implementation, as well as to continue to prepare information for the Board Finance Committee on periodic requests for implementation funding as implementation work progresses through identified milestones. A [status update](#) on the New gTLD Program: Next Round was published by ICANN org on 24 May 2024. At the time of this briefing, ICANN org is in the process of finalizing an updated Implementation Plan to be released to the ICANN community in June 2024.

The Board engaged with the GNSO Council on items marked as “pending”, and following this interaction the GNSO Council transmitted to the Board the [New gTLD Subsequent Procedures Pending Recommendations - GNSO Council Clarifying Statement](#) (Clarifying Statement) on 5 September 2023, developed by the GNSO Council SubPro Small Team to address the Board's concerns on the pending Outputs. The GNSO Council noted the Clarifying Statement should be read as complementary to recommendations as stated in the Final Report and should be considered jointly with the Outputs for the purpose of implementation and operation of the New gTLD Program Next Round.

Following the ICANN77 GAC Communiqué and GAC concerns shared pertaining to Topic 30 of the Final Report of the New gTLD Subsequent Procedures Policy Development Process (SubPro PDP Final Report), GAC Advice and GAC Early Warnings, the GAC and Board engaged in a [discussion](#) on 28 July 2023. The GAC and Board further engaged on this matter at the Board GAC Interaction Group (BGIG) [meeting](#) on 20 September 2023.

In September 2023, the ICANN Board published several documents of interest to the GAC pertaining to new gTLDs. Relevant sections of these documents are summarized below for GAC membership ease of reference.

On 10 September 2023, the ICANN Board published the [September 2023 Scorecard: Subsequent Procedures PDP](#), i.e. an updated Board Scorecard on the SubPro PDP WG recommendations marked as “pending” in the Board Resolution on 16 March 2023.

The Board also published on 10 September 2023 the [Board Scorecard on ICANN77 GAC Advice](#), outlining Board decisions following the issuance of GAC advice at ICANN77.

On 21 September 2023, the Board published the [Board Scorecard on ICANN77 GAC Issues of Importance](#), outlining its comments and decisions on the GAC ICANN77 Issues of Importance following the Board-GAC Interaction on this topic.

The Board published on 26 October 2023 the [October 2023 Board Scorecard: Subsequent Procedures \(SubPro PDP\)](#), outlining Board decisions on pending recommendations from the SubPro PDP WG Final Report.

## **1. Policy Issues of Interest to the GAC Pertaining to the Next Round of New gTLDs**

GAC members may wish to review in detail the [October 2023 Board Scorecard: Subsequent Procedures \(SubPro PDP\)](#), and the [Board Action on ICANN79 GAC Advice](#) (5 May 2024), in response to the ICANN79 San Juan Communiqué to determine whether GAC action should be taken at ICANN80, either through a dialogue with the ICANN Board at the GAC/Board bilateral meeting and/or via the issuance of GAC advice to the Board.

Prior to ICANN79 the Board directed the ICANN Interim President and CEO, or her designee(s), to initiate and facilitate a Board-level community consultation before starting the implementation process of Registry Voluntary Commitments/Public Interest Commitments, to conclude no later than ICANN79. The purpose of this consultation is to ensure that the [framework](#) for implementing these recommendations remains consistent with the ICANN Bylaws. This community consultation is expected to inform and aid the work of ICANN org with the SubPro Implementation Review Team

on developing the Applicant Guidebook. GAC members participated in the Community Plenary session on PICs/RVCs at ICANN79, and subsequently provided [input](#) to the Board on the consultation on 2 April 2024.

In its feedback to the Board, GAC members recalled the ICANN79 Communiqué where the GAC noted that *“Fundamental Bylaws Amendments should be considered carefully, and that an amendment should only occur if the ICANN community believes it is required.”* Based on input submitted during the consultation process, GAC members noted there doesn’t appear to be consensus support within the ICANN community for a Bylaws amendment. In the GAC’s view, at this stage there are not sufficient elements to justify commencing a fundamental bylaws amendment to explicitly enable the enforcement of content-related restrictions. At the same time, the GAC’s concerns about the enforceability of PICs/RVCs remain, and so the GAC will continue to explore options to address this important question.

## 2. Implementation Review Team (IRT)

The Subsequent Procedures **Implementation Review Team (IRT)** commenced its work in May 2023 and is expected to draft the next applicant guidebook in preparation for the next round of new gTLDs. The GAC appointed a representative and an alternate to participate in the process, provide input to the IRT and report back to the broader committee on areas of importance to the GAC. GAC members appointed to the IRT are: Canada (Representative) and UK (Alternate). ICANN org presented an updated [Implementation Plan](#) in October 2023 for the Implementation Review Team’s input, including the ninety-eight recommendations from the SubPro PDP WG Final Report and incorporates a phased approach taking into account multiple factors, including internal resource and SME availability and interdependencies on the various streams. The implementation plan currently assumes a 15-24 month timeline for drafting the Applicant Guidebook (AGB), with the support of the IRT. It is expected that the AGB will be published no later than December 2025.

On 1 February 2024, the IRT posted a [first public comment proceeding](#) in a series of proceedings that will seek input from the ICANN community on proposed language for the Applicant Guidebook (AGB) for the New gTLD Program: Next Round. The GAC did not submit collective input to this proceeding.

In this first proceeding, ICANN org published the following draft sections of the AGB:

- Predictability Framework (based on the outputs from Topic 2 of the Final Report);
- Code of Conduct and Conflict of Interest Guidelines (based on the outputs from Topic 8 of the Final Report);
- Conflicts of Interest Process for Vendors and Subcontractors (based on the outputs from Topic 8 of the Final Report);
- Applicant Freedom of Expression (based on the outputs from Topic 10 of the Final Report);
- Universal Acceptance (based on the outputs from Topic 11 of the Final Report);
- Reserved and Blocked Names (based on outputs from Topic 21 of the Final Report);

- Geographic Names

Since ICANN79, four new topics were discussed by the IRT:

- Communications (Topic 13 of the Final Report)
- Closed Generics (Topic 23 of the Final Report)
- IDNs (Topic 25 of the Final Report)
- Dispute Resolution Procedures After Delegation (Topic 33 of the Final Report)

In total, ten Public Comments were submitted by stakeholders from across the community on the proposed language for draft sections of the Next Round Applicant Guidebook (AGB). Submissions tended to find that the proposed language was consistent with the [Final Report on the new gTLD Subsequent Procedures \(SubPro\) Policy Development Process](#) (Final Report) outputs. There were also suggestions for amendments and/or clarification of the language on certain topics. All the Public Comments received will be carefully considered by ICANN org. Any changes required to the proposed language will be reviewed with the SubPro Implementation Review Team (IRT).

The Public Comment Summary Report (April 2024) is available for review [here](#).

The next tranche of topics is expected to be released for Public Comment Proceeding #2 in September, 2024.

More information from the IRT, as well as meeting recordings, and other material is available [here](#).

### 3. Applicant Support Program

The Applicant Support Program (ASP) was developed as part of ICANN's New gTLD Program. The ASP is intended to make applying for a new gTLD or operating a registry more accessible to applicants who would be otherwise unable due to financial and resource constraints. The ASP is for gTLD applicants seeking both financial and non-financial support (non-financial support could include help with preparing an application). This is a topic of high interest to governments, and GAC members issued advice to the Board on the ASP at ICANN79 and ICANN77.

A sub-track of the IRT is responsible for developing the **Applicant Support Program Handbook**, and GAC members are following and providing input to this process very actively. This sub-track released a [draft ASP Handbook](#) for public comment and the GAC submitted a [collective response](#) to this proceeding in April 2024. The ASP Handbook offers a step-by-step guide to applying for support and includes information on application deadlines, criteria, processes, and evaluation. The handbook is part of ICANN's effort to implement the policy recommendations on Topic 17: Applicant Support of the [Final Report on the New gTLD Subsequent Procedures Policy Development Process](#) while taking into account the Board's pending consideration of guidance provided by the [GNSO Guidance Process \(GGP\) for Applicant Support](#). The GAC also requested a communications and outreach strategy and a financial plan for the ASP through its ICANN79 advice. The financial plan has not yet been published and the GAC is currently scrutinizing the

outreach and engagement plan. The GAC has also collaborated across the ICANN community to scrutinize the development of the ASP, including by recently submitting a [joint letter](#) with the ALAC to the ICANN Board.

#### 4. Next Round Website

The [website](#) for the New gTLD Program was launched following ICANN79, and it is expected to be a central source of information for the ICANN community as well as current and future new gTLD applicants. The website includes information about the program, tools and resources for applicants, updates on program status, and information regarding a specific round (e.g. 2012 versus the upcoming round). The initial rollout of the site provides details and information about the [Registry Service Provider \(RSP\) Evaluation Program](#) and the [Applicant Support Program](#).

#### Key Reference Documents

- [Board Scorecard on ICANN78 GAC Issues of Importance \(9 May 2024\)](#)
- [Board Action on ICANN79 GAC Advice \(5 May 2024\)](#)
- [Draft New gTLD Program: Next Round Applicant Support Handbook](#) (12 February 2024)
- [Board Action on ICANN78 GAC Advice](#) (21 January 2024)
- [Overview of Analyses of Costs and Benefits of a Next Round of the New gTLD Program](#) (22 January 2024)
- [GNSO Guidance Process \(GGP\) for Applicant Support Guidance Recommendation Final Report](#) (8 December 2023)
- [Implementation Framework for Content-Related Registry Commitments in the New gTLD Program: Next Round](#) (5 December 2023)
- [ICANN78 GAC Hamburg Communiqué](#) (30 October 2023)
- [October 2023 Board Scorecard: Subsequent Procedures \(SubPro PDP\)](#) (26 October 2023)
- [September 2023 Board Scorecard: Subsequent Procedures](#) - 10 September 2023
- [Board Scorecard on ICANN77 GAC Advice](#) (10 September 2023)
- [Board Scorecard on ICANN77 GAC Issues of Importance](#) (21 September 2023)
- [Scorecard: Subsequent Procedures \(SubPro PDP\)](#) - 16 March 2023
- [ICANN77 GAC Communiqué](#) - 20 June 2023
- [New gTLD Subsequent Procedures Operational Design Assessment](#) - 12 December 2022

- [GAC Consensus Collective Comment](#) (1 June 2021) on GNSO New gTLD Subsequent Procedures Final Outputs for ICANN Board Consideration.
- [Final Report on the new gTLD Subsequent Procedures PDP WG](#) - 1 February 2021

### Further Information

- GAC Policy Background Document on Subsequent Rounds of New gTLDs:  
<https://gac.icann.org/briefing-materials/public/gac-policy-background-new-gtlds-subsequent-rounds.pdf>

### Document Administration

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