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## If you want your COMMENTS/QUESTIONS to be read out:

- **Start your sentence with <QUESTION> and end it with <QUESTION>**
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# GAC Discussion on Subsequent Rounds

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ICANN69 GAC Discussion on Subsequent Rounds

19 October 2020

1. Review Recent Developments on Subsequent Procedures for new gTLDs, including:
  - GAC Consensus Comment to GNSO Subsequent Procedures for New gTLDs PDP WG Final Report
2. Discussion with GNSO Subsequent Procedures for New gTLDs PDP WG Co-Chairs on GAC input and next steps for final recommendations
3. Possible next steps on Subsequent Rounds

- GAC collective comment on Subpro PDP WG Final Report submitted on 29 September 2020
- ICANN Board submitted a comments to the PDP WG via a letter on 30 September 2020.
- ICANN Org submitted comments to the PDP WG via a [letter](#) on 30 September 2020.

## ICANN Board Letter Highlights:

- **Predictability:** *“the Board encourages the PDP WG to provide as much detail as possible to ensure clarity around the roles of the GNSO Council, ICANN org, applicants, objectors other SO/ACs as well as the Board vis-a-vis the predictability framework... [with regard to the SPIRT] the Board encourages the PDP WG to consider whether there are established processes within the GNSO (or within ICANN’s multistakeholder model) that might serve the intended role(s) of the SPIRT rather than creating new ones”*
- **PICs:** *“The language of the Bylaws specifically limits ICANN’s negotiating and contracting power to PICs that are in service of its mission. The Board is concerned ... that the current Bylaws language would create issues for ICANN to enter and enforce any content-related issue regarding PICs or RVCs”. Additionally, “in its comment on the Initial Report, the Board asked the PDP WG to give more clarity on how to frame ‘public interest’ in the context of PIC and the PICDRP. [The Board notes} that this has no yet been developed ... and encourage the PDP WG to work to that end.”*

## ICANN Board Letter Highlights:

- **Closed Generics** *“As previously noted by the Board, [the Board] believe[s] that ‘[closed generics] require input from the GNSO through the bottom-up policy development process’ and ... continue to appreciate the PDP WG’s work on this topic. As noted in [the] 2018 letter, the questions on how to evaluate the public interest and public interest goals of an application have been pending for several years, and [the Board] continue[s] to encourage the PDP WG to reach consensus on one or more recommendations concerning closed generics, taking into account relevant public comment and advice from ICANN’s Advisory Committees”*
- **GAC Consensus Advice and GAC Early Warning:** *“The Board is committed to working closely with the GAC to encourage the issuing of advice prior to the finalization of the Applicant Guidebook (AGB), with the goal of reducing, if not eliminating, the need for wide-ranging GAC advice.”*

## ICANN Board Letter Highlights:

- **Community Applications** *“The Board notes that the PDP WG recommended very few substantive changes related to the community application process, and more specifically to the Community Priority Evaluation (CPE) process. The Board is concerned that these are not sufficiently detailed recommendations to address the issues that arose during the 2012 round... [and] asks the PDP WG to raise specific concerns that the PDP WG sees with the CPE process, considering the fact that many of the CPE determinations were challenged in the 2012 round. The Board believes these clarifications are required in order for the Board to assess whether it is in the best interests of ICANN and the ICANN community to proceed with CPEs in the next round.”*
- **Auctions:** *“The Board notes that if “private” resolutions will be allowed or encouraged in subsequent procedures, the PDP WG is requested to provide a rationale for why these private processes should only partially be brought into the program rather than be kept outside of the program or be brought into the program. The Board also encourages the PDP WG to provide guidance on the kinds of transparency requirements that it would like to see applied in practice around private resolutions of contention sets. ” “The Board notes that a statement of “bona fide” intentions would be expected for all applications... The Board believes it would be helpful for the PDP WG to ... provide guidance on making objectively enforceable rules to establish what constitutes a bona fide intention to run a gTLD.”*



- PDP WG Updated Work plan:
  - **14 October 2020** - Subsequent Rounds for New gTLDs PDP WG meeting at ICANN69
  - **19 October 2020** - regular PDP WG meeting (not part of ICANN69)
  - **14 December** - WG aimed date for finalization of final report
  - **17 December** - Consensus Call
  - **23 December** - WG Submission to the GNSO Council

- Update from PDP WG Meeting (14 October)
  - Predictability
  - Closed Generics
  - Applicant Support
  - Auctions
  - Community Applications
- PDP WG Reactions on GAC collective comment
- Next steps for PDP WG recommendations

- Elements for ICANN69 GAC Communique Text (GAC Advice) if applicable
- GAC Discussion on Next Steps and opportunity for GAC Input/Advice:
  - Subpro PDP WG Final Report Delivery to GNSO Council
    - Council Deliberations: opportunity for GAC input if GAC has remaining concerns following review of Final Report
  - ICANN Board Review of Final Report
    - Board vote: GAC input opportunity
  - Policy Implementation
    - GAC may participate in Implementation Review Team (IRT)

