

NEW gTLD PROGRAM: NEXT ROUND

gTLD

Board-GAC Consultation

16 September 2024 16:00-17:00 UTC



Agenda

01 Welcome & Introduction
✓ Tripti Sinha, ICANN Board Chair

02 Opening Remarks
✓ Nicolas Caballero, GAC Chair

03 Background & Briefing Paper Highlights
✓ Becky Burr, ICANN Board

04 Discussion

05 Next Steps

Background: Board-GAC Consultation

- On 29 July 2024, ICANN Board [resolved](#) to initiate rejection of two items from the ICANN80 GAC Communique regarding ASP
 - Item §1.a.i (first come, first served basis)
 - Item §1.a.ii (community involvement in evaluation process)
- This initiates the Board-GAC Consultation Process:
 - The **purpose** of that consultation is, per Bylaws 12.2(a)(x), for the GAC and Board to “**try, in good faith and in a timely and efficient manner, to find a mutually acceptable solution**”

Advice Item §1.a.i - Discussion Points for Consultation

Advice	Concerns	Discussion / Solution(s)
<p>To take final decisions on successful Applicant Support Program (ASP) applicants, who applied within the twelve month time period, at the conclusion of that period as opposed to on a first come, first served basis. This would mean that no preference is given to applicants who applied earlier in the twelve month period, and will help ensure underserved regions are not at a disadvantage through the ASP.</p>	<p>The Board is concerned that making changes to the processing and evaluation of ASP applications may affirmatively harm ASP and supported applicants by significantly reducing the time they have to access resources and prepare a strong gTLD application. The Board is also concerned that waiting until the end of the ASP application submission period does not solve the challenge of how to decide which applicants receive support over others, if it is not based on first-come, first-serve. Additionally, the GNSO Guidance Process for ASP explored how to allocate resources if demand exceeds the budget and decided against prioritizing some applicants over others and the Board has accepted these recommendations and directed ICANN org to implement. Additionally, the Board would like to ensure that implementation work continues as per the timelines communicated in the implementation plan.</p>	<p>Approach:</p> <ul style="list-style-type: none"> • Monthly reporting on geographic distribution of qualified applicants to inform quarterly adjustments in ASP Communications & Outreach. • Review geographic distribution after 20 qualified applicants to determine adjustments to Comms & Outreach or additional funding.

Advice Item §1.a.ii - Discussion Points for Consultation

Advice	Concerns	Discussion / Solution(s)
<p>To invite members of the community with relevant expertise to monitor and participate in the ASP Application Evaluation process that will result in final decisions on ASP application outcomes. The GAC signals its willingness to fully participate in this process.</p>	<p>The Board believes that implementing this advice would significantly increase the risks of conflicts of interest and legal challenges over the evaluation and related decision-making. The Board believes that an independent third-party panel will be best placed to conduct the evaluation. Additionally, ICANN org is planning to contract with an independent, highly skilled third party to act as the Standing Application Review Panel (SARP) and is currently conducting a Request-for-Proposal (RFP) process in this regard. A change to this approach would be a significant departure from established plans and cause significant delays to the launch of the ASP.</p>	<p>ASP Comms & Outreach efforts, per the GGP recommendation, are critical for addressing the GAC's rationale for this advice—to facilitate global diversification of the New gTLD Program. This aim is also addressed via objective ASP criteria. Involving community members in the manner described in the Advice seems to indicate subjective, relative judgements will be made about which applicants are more deserving of support—for which we have no policy basis.</p>

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