ICANN75 | AGM – GAC Capacity Building and Outreach Workshop 4: New gTLD Basics - Subsequent Rounds
Sunday, September 18, 2022 – 09:00 to 10:00 KUL

GULTEN TEPE: Good morning, good afternoon and good evening. Welcome to the ICANN75 GAC Capacity Building and Outreach Workshop 4: New gTLD Basics - Subsequent Rounds session, being hold on Sunday, 18 September at 1 UTC. Recognizing that these are public sessions and other members of the ICANN community may be in attendance, the GAC leadership and support staff encourage all of you who are GAC members to type your full name and GAC in full brackets in the participants list. This is to keep accurate attendance records.

To ensure transparency of participation in the ICANN multistake model, we ask that you sign in to Zoom sessions using your full name. If you would like to ask a question or make a comment, please type it in the chat by starting and ending your sentence with a question or comment as indicated in the chat. The feature is located at the bottom of your Zoom window.

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Zoom room. Once the session consultator calls upon you, please unmute yourself and take the floor. Remember to state your name and the language you will speak in case you will be speaking a language other than English. Speak clearly and at a reasonable pace to allow for accurate interpretation. Please make sure to mute all other devices when you're speaking.

Finally, this session, like all other activities, is governed by the ICANN Expected Standards of Behavior. In case of disruption during the session, our technical support team will mute all participants. This session is being recorded and all materials will be made available on the ICANN75 meetings page.

With that, I would like to leave the floor to Karel Douglas, Trinidad and Tobago GAC delegation member. Karel, over to you, please.

KAREL DOUGLAS: Thank you, good morning. Thank you, Gulten, and good morning, everybody. It's a real pleasure to have you all back here this morning for Day 2 of our exciting how to GAC, what the GAC is about, how to get involved, and you know, how to participate in this very interesting committee.

Today -- and I just had my notes and they just disappeared off my phone so I'm going to try and memorize it from what I recall -- we have an extremely interesting session. We're going to speak

about the subsequent gTLDs or the next round, as you may say, what this is about, and what happened in the first round, and some of the policy development procedures that are partaken in this process.

So today we have two excellent persons from ICANN.org, Karen Lentz and Lars Hoffmann; is that correct? So far so good. So I want to thank you guys for coming here. And maybe I will just hand it to you and let us know what the second round of gTLD process is all about. Over to you.

KAREN LENTZ: Thank you very much, this is Karen Lentz speaking. We appreciate the invitation to speak with the GAC today. We understand that there are a number of new members to the GAC, so I want to be sure to say welcome and look forward to the participation of these governments in the ICANN process.

What we will do today is share some information about the new gTLD program, what it is, why it exists, and how the GAC has been and continues to be involved in this area of ICANN's work. So if we can go to the agenda slide, we will cover through a historical lens up to the present day. We do have quite a bit of information today, so we hope that it is useful, and we will be around through the rest of the week here at the meeting. If you have other questions, we also have a session on Wednesday, a public session

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where we will be speaking more about this work.

Next slide, please. So new gTLDs. If you look at the ICANN bylaws, that spell out what is the mission and scope of ICANN's work, the first thing that it says within there is that ICANN coordinates the allocation and assignment of names in the root zone of the domain name system, and that is really what this new gTLD program is all about. We have the country code top level domains and then we have what we call the generic top-level domains that are not specifically tied to any jurisdiction, and the questions around how those get added, what should be the criteria, what should be the qualifications, how to deal with certain issues that may arise. This has been one of the questions that the ICANN community has been working on really since the beginning of ICANN.

So looking at this slide that talks about past rounds. When we talk about a round, that really means a set of generic top-level domains that is added as a group. And we look at that because over history, these names have been added in different iterations. So the first you see there is in 2000. This round was called proof of concept. And the idea was to publish a request for proposals and to select a small number of top level domains that would test out different types of models, different types of names, and

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determine, learn from that what would work or what experiences would show.

So just looking at a couple of those, you see dot aero, which was operated by the aviation community, you see dot biz, which was aimed at business undertakings. So, these top-level domains were added in around 2001 and this provided some experience as to launching and propagating a new generic level top level domain.

Then you see in 2003 there was some more interest in the sponsored TLD model, which has to do with a sponsoring organization that applies for the top-level domain and then involves that particular community in the policy making and operation for that TLD to serve a particular community. So there was another set of ten applications that were received then, resulting in some more new gTLDs that you see there.

And then both of those exercises were really relatively small. The interest then became in the community looking at what would be a longer term process for opening up the name space more broadly. So the GNSO, the Generic Names Supporting Organization, which is the organization within the ICANN structure that has responsibility for gTLD policy, began a policy development process to look at the question of whether new

additional top-level domains should be introduced and if so, what would be the criteria and processes by which that should happen.

The group did come to consensus that there should be such a process, and that became what you see on the bottom, what we refer to as the 2012 round. This is also when we, because of the expansive nature of these recommendations, when we kind of introduced the term new gTLD program, which refers to all of the activities around handling and processing such applications.

Next slide, please. So a few things here when we talk about the new gTLD program, first note is that as I mentioned, this is a community-driven effort. There was extensive discussion on the question of whether there was a desire for new top-level domains and if so, what should be the requirements around those. Some of the goals that were stated by the community during these discussions include: innovation, creating a space for different types of models, different types of names and other things. One of the key parts of this is the ability to support internationalized domain names. So that is domain names in local scripts and languages, and being able to provide the opportunities for navigation for local groups.

The second thing I will call out here is the term that you will

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probably here sometime this week, if you haven't already, which is SubPro. Once the 2012 round began to be at a more advanced stage, there was of course interest in what does the next round look like. So, the community discussions or the group that was looking at this was called Subsequent Procedures. So, for shorthand, this is referred to as SubPro, if you hear about that work.

Next slide, please. So this section will talk about the Applicant Guidebook. When we talk about that, that is the document that included all of the requirements for how to apply for a top-level domain, what information and documents needed to be provided, what different applications would go through, what would be the criteria used and other processes. This guidebook was drafted based on the community's policy recommendations that I referenced in the GNSO. So this section of the presentation calls out some of the key points that were included in the guidebook. It's not exhaustive, it's quite a long document but these are some of the things that are important to know about.

The first one is an Applicant Support Program. And this had to do with providing a discounted fee to applications that would meet certain criteria for financial need and other criteria. There were -- ended up only a very small number of applicants who did request that type of support during the 2012 round, and one was

ultimately found to be qualified to receive that. I think when you hear the conversations about the next round, there is an interest in increasing those numbers, increasing the awareness of the applicant support capacities, and also looking at how those requests are considered.

Next slide, please. So another important point in the guidebook was that all of the applications needed to undergo a technical and a financial evaluation in the interests of security and stability. So that's to make sure that the applicants' technical plans for how to run a registry, how to support a top-level domain were sound and also that they had financial plans to make it a sustainable effort.

Also, one of the areas that was discussed in the guidebook has to do with what we call contention. And this is the scenario where there's more than one qualified applicant for the same top-level domain. This is what we referred to as contention, and when that happened, there were a few processes that would come into play. First, the applicants that were in contention could reach some agreement among themselves to withdraw or make some sort of other agreement. There was also a process if one of the applications had identified itself as a community-based application, there was a set of criteria to determine if that application could receive priority over the others based on that

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status. And finally, if there was no other resolution of the contention, the last step would be an auction to declare a winner from the contention set.

Next slide. Another important component of the process is the objection process, and this allowed for a formal objection to be filed on an application on four different grounds, one being string confusion, if somebody thought that a top level domain that was applied for was too similar to something else that it would cause user confusion; legal rights had to do with specifically trademark and intellectual property rights, if somebody believed that an application was infringing their rights they could file that objection; limited public interest had to do with contention that an application violated principles of International Law; and also the last one is the community objection, and that would be in a case where somebody applied for a top level domain that seemed to represent a particular group, where that group did not support the application.

Turning to some details that especially relate to the GAC, one of the key provisions in the Bylaws talks about the responsibility of the GAC to provide public policy advice to the ICANN Board. So, when we were building the 2012 process, that included consideration for in the instance that the GAC would provide advice on one or more applications, how that would be

considered and treated in the process. And I will talk about that a little bit more in a moment

Next slide. So another component here is the early warning. And that was really a precursor to advice that could come from any government; it did not have to be from the whole GAC but if any government, one or more would have concerns about a particular application, the early warning process provided a notification to that applicant in case they wanted to withdraw or speak to the government about those concerns or take other actions.

As noted here, there was advice by the GAC on a number of applications that began in 2013 with the Beijing Communiqué, and I'll talk about that a little bit more in a moment also.

Next slide, please. So I talked about the kind of substance of the process, some of the components of the 2012 round. This next couple of slides is a timeline as far as some of the key milestones. So, January 2012 was when the application period opened. And I need to correct one thing on this first bullet. There is a typo which says that the first agreements were contracted in July, 2012. It was actually 2013. But following the receipt of 1930 applications, as a result of that process, the GAC did issue early warnings on a number of applications. Due to the number of applications received, we conducted a prioritization draw mechanism that

determined the order in which the applications would go through evaluation.

Next slide, please. So in 2013 as I mentioned, this is the first time that the GAC provided advice on the applications that were received. The way that the process was formulated in the Applicant Guidebook was that the GAC advice would take one of three forms in relation to specific applications. The GAC did provid by some specific applications but also on some broader categories of applications. And so, there was quite extensive work to be done in reviewing that advice and determining what mechanism could be used to accept and implement that advice.

Next slide, please. So in October 2013, this was the first time a new gTLD from that round was delegated, that was an IDN in the Arabic script. And as you see the second bullet there, as of current numbers or at least as of last month, the number of gTLDs that are in the root zone, and also particularly, I would call outline the number of IDN gTLDs that weren't possible before this application process. These numbers do change over time because sometimes a registry will terminate its registry agreement and be removed from the root zone, and we are also still delegating some of the applications from 2012.

Next slide, please. All right, this is sort of a retrospective of the

2012 round, especially looking at some of the GAC-related components. The first bullet talks about the GAC principles for new gTLDs; this is a very foundational document that the GAC provided, that was used by the GNSO, by the PDP in developing the policy recommendations. It was also used by the organization in developing the Applicant Guidebook and the procedures. The Applicant Guidebook, as I mentioned, did contemplate that the GAC could provide advice on specific applications and how that might be handled.

Next slide, please. I mentioned the early warning process. So, this was a mechanism that was used by GAC members to provide early warnings. This is an informal process. In other words, providing a warning to the applicant didn't trigger any specific process to happen next, it was just intended to serve as a warning. And so, speaking from the org, we don't have a lot of visibility into were their conversations that took place between those applicants and the governments, but that early warning mechanism seemed to be welcomed as a mechanism for something that we would want to keep for future rounds.

Next slide, please. So, the GAC advice specifically was described in section 3.1 of the guidebook. And in that formulation, it would take one of three forms. The first would be that the GAC would provide advice that a specific application should not proceed,

and that would create a strong presumption for the Board that that application would not be ultimately approved. The second form was that the GAC would advise that there were concerns about a certain application, and in that instance, that would trigger a dialogue between the Board and the GAC to understand the scope of the concerns. And then the third form would be the GAC would advise that a particular application shouldn't proceed unless some remediation steps were taken, and that would also create a presumption that the application would not be approved unless there was some sort of remediation applied.

Next slide, please. So looking at the first set of GAC advice from the Beijing Communiqué, the GAC did provide specific advice on some number of applications. And it also provided advice on categories, particularly what we called category 1, which had to do with a string that would have implications that would result in addition of some more safeguards into the registry agreement to help address some of the concerns that the GAC had about that particular top-level domain string.

One of the second components as a category was what was called exclusive generics. So, the GAC advised that any string that would seem to be a generic name, considering the model for registrations in that top level domain had some advice on those. That is an issue that is actually still being discussed in terms of a dialogue between the GAC and the GNSO as this continues to be

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something the community wrestles with.

Next slide, please. So with the category 1 and 2 advice, as I mentioned, there was a number of steps that the Board took to understand what was being advised by the GAC to allow the applicants to consider and respond to that advice, to develop and propose some ways that that advice could be implemented and to get feedback on those mechanisms. Primarily, this took the form of what we call public interest commitments being incorporated into the registry agreement. So, an applicant that would be successful in this process would sign a registry agreement with ICANN, and the GAC's advice provided a foundation for adding some provisions to that agreement and binding the applicant to certain commitments.

Can we go to the next slide, please. We're turning a little bit from the 2012 experience into more recent events. So, this is looking at the policy development process that the GNSO uses in general. That includes scoping an issue, chartering a Working Group, drafting some initial reports, getting feedback via public comment, and ultimately determining whether they can reach consensus on certain recommendations. That takes the form of a final report, which if the GNSO Council votes on that report, it can be forwarded to the Board for approval as policy to be implemented.

Next slide, please. This is a graphical representation of the process that I described, looking at how the GNSO develops policy using the multi-stakeholder process. Where we are in that process is the GNSO Council did vote to approve a final report on Subsequent Procedures, which I'll talk about in a moment, and then the Board asked for what we call an operational design phase that we are in currently, and Lars is going to talk about that in a few slides.

Next slide, please. So the SubPro policy development process began in 2015, and their charter called for the group to review the previous policy on this topic from 2007 and determine whether to keep or change or add new policy requirements to that. So that group worked quite a bit on that very large scope for a number of years, and in 2021 completed their final report. I will note that the GAC, as you can see there, did engage in that PDP and provide input on some occasions, so I think that's been very welcomed by the Working Group.

Next slide, please. Since the final report was completed in 2021, the council has forwarded that report with its recommendations to the ICANN Board. The Board, due to the complexity and scope and also the expected resource cost of these recommendations, asked for the organization to provide some data as to plans and

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resources, and this is the work that is ongoing now that we call the Operational Design Phase.

Next slide, please. So this last slide that I will talk about is kind of a reminder for context as to why the new gTLD program is part of ICANN's work, why it's so important for the community. These are some of the continuing goals of the program that you heard about from 2007 and before. But one of them has to do with continuing to build the multi-lingual Internet, providing opportunities and providing support and processes for applications in many scripts and in many types of business models originating from many regions of the world.

There is a desire to have a name space that is open for innovation, is open for people to propose and try new things, create new choices, which can create new opportunities for businesses, for governments, for communities of different types. So, it's important to keep this in mind when we talk about the kind of nuts and bolts of the procedures we're using, that these are the principles that we're working with. So I'm going to next turn it over to Lars who's going to take you through the more recent information on this.

Thank you.

LARS HOFFMANN: Thank you, Karen, hi everybody, thank you for having us. I'm going to talk a little bit about some GAC topics of interest or of importance, those were issues for you who are new members of the GAC, that were obviously raised by your colleagues throughout the time of the PDP Working Group and also during the public comment on the final report which is now about a year and a bit ago, I think it was in April last year that it was published for public comment. So you see on the slide an overlist of the topics; I won't read them all, I'm going to go and give a quick overview of each of these in the coming slides.

So if I can have the next slide, please. The first topic here is predictability. If you are particularly interested in this, we actually run a session on predictability during ICANN74; the recording should still be on the ICANN74 website. It's essentially a framework that the PDP Working Group put together to ensure that changes to the program and the way that they're detected and overcome issues, let's say, that arise are identified and met, that that process is predictable. So, it's not a system of predicting something, it is ensuring that the program itself and the way it is conducted is in itself predictable and transparent to both applicants, third parties, and obviously the Board and the organization as well.

One part of that, where the GAC I think had some doubts or

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concerns, is the Standing Predictability Implementation Review Team, the SPIRT, or I think we have been encouraged to pronounce it SPIRT, which is essentially a community group that advises or works with the GNSO Council to determine kind of what level of issue we are dealing with and what is the best way or mechanism to overcome it; is it a procedural issue that ICANN org can solve or should solve, or does it rise maybe to the level of policy whereby a policy process by the GNSO might need to be launched in order to find a solution to that particular problem. So, I think the GAC had two concerns here, A, what is the exact role the GAC plays in this, how does this interplay with GAC advice that Karen just spoke about, and then also is this really an added value, adding this layer to the process.

The next issue here that was raised by the GAC were the RVCs and the PICs we call them, Registry Voluntary Commitments and Public Interest Commitments; essentially these were introduced in the last round, especially in response to GAC advice, to GAC early warning. The government said, "Look, we have a concern about this proposed string, it may intend to do something or allow for registrations of certain companies or people or items or issues that we think are not in the public interest."

So, there was a possibility given to applicants to essentially make a commitment to say, "We will actually not do that, that you have

concerns about, and we promise so with a volunteer commitment that is then incorporated into the contracts with ICANN." The GAC noted that future voluntary or mandatory PICs would have to be however enforceable by ICANN through contractual obligations. And if you followed the debate around the new subsequent PDP Working Group, there were some concerns in the community that the enforceability of some of the RVCs may not be as straightforward due to some Bylaws languages; it's also an aspect that we're looking at in the subsequent round, the ODP, about which I will speak in just a minute.

Applicant support. Essentially, the GAC continues to be supportive of reduced or even definitely lowered fees to foster applications for new gTLDs from underrepresented and maybe also underresourced regions by reduced application fees; there's also support even to eliminate them in certain cases from the GAC.

The other item on this slide here, Closed Generics, I will talk about that in a bit more detail later on as well, but the GAC continues to be supportive I think to finding a constructive solution for Closed Generics and how these can be integrated or become part of the new gTLD program under certain circumstances.

For those of you who are a little bit more familiar with the topic, may recall that the GAC advised, I think it was in 2013 in Beijing,

that strings that are meant to be operated in a closed fashion, meaning that they're not opened to everybody to register within it, if those strings are being delegated, then they should be in the public interest.

And so, what happened in 2013, the Board put a memorandum on this, because it wasn't entirely clear what that means specifically to be in the public interest; if you asked three different people, you would probably get three different answers. So, the PDP working group that concluded last year was tasked with finding a way forward on this issue. Unfortunately, they didn't come to a consensus or solution, so the issue is still pending, but many of you may be aware of this that the GAC and GNSO Council are in the process of launching a dialogue, and I will come to that in a second in fact.

Two more slides on this section. The next slide, please. Thank you so much. One down, thank you. I've got Name Collision here, slide 33. Yes, thank you so much.

Name collision. The GAC continues to highlight the importance to ensuring an effective framework for measuring and tackling name collision, taking into account the work of the Name Collision Analysis Project, NCAP, another ICANN acronym there. The work is still ongoing, and the outcome of the studies will feed

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into future SubPro work and implementation work, if and when the Board adopts the final report.

The next item on here, GAC Consensus Advice and GAC Early Warnings that Karen spoke about how that took place during the past round, including the presumption that the Board would adopt or accept the GAC advice. The Working Group recommended to not continue with that implicit presumption and suggested that the Board should look closely at the rationale given by the GAC, and based on that, make its decision. And some GAC members obviously believed that this strong presumption, as it was detailed in the 2012 Applicant Guidebook, should be maintained.

The next slide, please. There two more of these Topics of Importance, I promise then we'll move on to the next section. The first one is Community Applications. So, during the last round, there was a possibility for applicants to self-identify as being or serving a community with their gTLD application. There were certain application criteria that they had to meet in order to be recognized as a community applicant, and what that meant is, if you passed that application, you were recognized as a community applicant. If you were then in a contentious set, Karen spoke about that, so if there was another applicant who's also qualified with the same string, you would automatically win

the contention set as the community application. And the GAC continues to be in favor of that system.

To give you a little bit of background, I was not involved in the last round, but we have been working or thinking about this issue as part of the ODP that's going on at the moment. One of the concerns from the last round was that the assessment of that is almost by definition something that is quite subjective. If you looked at the assessment criteria, I think the people who worked on that and put them together made a very good list of assessment to see whether someone should qualify as a community applicant or not.

Still, it is in many cases a judgment call, or so it seemed, which obviously led to a number of legal challenges from those that were not successful in their application. So, while the GAC continues to be supportive of that, we hope we can make some improvements to that program during the next round, to maximize predictability for the applicants and to make the assessment process as objective as possible.

And then the final item here, Auctions: Mechanisms of Last Resort and Private Resolution of Contention Sets. The PDP Working Group actually didn't come to consensus on either the method of auctions of last resort. So what happened last time around, if you had two candidates who applied for the same string, they were

both qualified, they both passed every evaluation, they were then given the opportunity to resolve their contention privately, whatever agreement they may come to, one or several withdraw, one applicant remains, and they are awarded the string.

If they couldn't do that, and there were two or more left over who were not able to agree privately on the winner, then you would move to an ICANN auction of last resort, a specific auction mechanism, I won't go into the details, that led to essentially a bidding on who would win the gTLD.

The Working Group wanted to change the mechanism a little bit but was unsuccessful in finding consensus on how to do that, and then there was another concern that came up during the last round from some members in the community which was the private auctions. When people agreed on withdrawing in favor of another candidate, anecdotally, at the very least, significant amounts of money were exchanged. So, there was a debate whether that was a good or a bad thing. Opinions were divided, it's not for us to make that call, but there were some in the community who wanted to reduce the possibility for that to occur. Others were in favor of maintaining that system.

So the Working Group also was not able to find a solution for that, and the GAC mentioned this as one of those issues of importance,

reaffirming its view here in the last bullet point that they should not be used in contention between commercial and non-commercial applications and private auctions should be strongly disincentivized.

With that, a little bit about the SubPro ODP. I'm conscious about time, so we will see how quickly I can go through this. If I can have two more slides, please.

So the SubPro Operational Design Phase, the ODP, the purpose is really to inform the Board about whether the recommendations contained in the final report are in the best interest of the ICANN community, so what the team is doing, we're looking essentially at the recommendations from the final report as well as the policies of 2012, and essentially decides or take it as a whole and look at what would the operationalization of a new round would look like based on the recommendation that we have in front of the Board now and the policies that were in existence during the last round, and therefor provide the Board with relative information that can inform the debate in the discussion whether to accept the final report.

At the same time, it allows us to think through some of the operational aspects of the next round based on the recommendations, which we believe is a big advantage when it comes to planning the actual implementational work. A lot of the

initial questions we have started to think through, they will be reflected in the final output of the ODP, the Operational Design Assessment, that's the name of the report that will be issued to the Board; I'll come to that later, but it's going to be in the middle of, and the goal is that that will be a good starting point when we start implementation with the community via an implementation review team.

Next slide, please. A couple of backgrounds here on the ODP, the budget the Board approved; the budget is worth between $7-$9 million to staff the operational design phase. For those of you in the know, the money did not come out of ICANN's running budget, but these new gTLD rounds are self-funded so the money from this was essentially application fees from the 2012 round that are spent now on starting up essentially work for Subsequent Rounds.

And as the last sentence here on bullet 2 states: The costs incurred during the ODP phase are considered part of the development of next Subsequent Rounds, the next and following rounds.

The timeline for the ODP, we will have an overview of that later as well, a visual, but I think the Board initiated the ODP more or less a year ago, in September of last year, I think, gave ICANN.org

about three months to ramp the workup, staffing, internal organization, and then the ODP work itself started in January, 2020. We were given a ten-month time period to complete it due to some overlapping and competing work on the WHOIS disclosure system, on the SSAD; the SubPro ODP was slightly extended, and so the timeline is now to submit the ODA, the final report, to the Board by 12 of December this year.

So it's going to be a busy autumn for some of us.

A couple of slides after this next slide on Community Engagement. So while the ODP is a document essentially that the Board requested from the org, and we're going to submit it to the Board, and it is essentially a very long and detailed briefing document on the Outputs of the community's PDP Working Group. The community has nevertheless been informed about updates; the GNSO Council who obviously sent the report in the first place to the Board, has appointed a liaison with whom we have worked closely, you will know him, Jeff Neuman is also the GNSO council liaison to the GAC.

And in cases where there's questions that arose on the intent or the wording specifically of recommendations, we were able to communicate that to Jeff, who would then check with his colleagues and the council and provide us with relevant answers. All that is captured publicly on mailing lists, and you see here

links, it is difficult to maybe click here within the deck, but there are links to these policy questions; they're all publicly archived and publicly available on the ICANN website and on the ODP Wiki page as well

The next couple of slides, I won't go through all of these, but you see that the webinar's being held, we had a session during ICANN73, ICANN74, I spoke about the session on predictability at the top of my segment here. There are regular community updates on the progress of the ODP that we've published. I think I just got pinged to provide input for the September or October update, so that's coming after this meeting, I believe. And all these, the next slide you see, continue through August, in fact, are all publicly available. They are on these slides, but also if you go to icann.org/SubPro-ODP, you will get all the information on the website.

The next slide again gives an overview of other SubPro activities. We meet regularly with the Board Caucus obviously to keep them informed; GNSO Council Liaison, I mentioned that; we have an internal project steering committee that we're meeting and updating, and we have a group of Work Track Leads, I'll get to that in a minute, the organization is essentially the team of ICANN staff that lead the various work tracks that make up the ODP.

The next two more slides. So speaking of Work Track Leads, this is how we have organized the work internally. I know they're probably not readable, but the purpose of the slide really is just to give an impression of the variety of topics that are contained in the final report and some additional topics that are relevant to kind of design how we would operationalize the next round.

You might be able to detect that some of the topics have a little bracket with a number after them. Those are the topic areas from the final report. And then the other areas, you see this maybe in the first slide, you might just be able to make out, Project Management, Reporting, the steering company support, Board Caucus support. These are other issues that we're thinking through how that needs to be organized as we build and operationalize the next round. So we've got these nine different work tracks; they allare differently staffed and led, but we work together as a team to produce the assessment and the final report, the ODA. You can tell there's a lot of work.

The next slide, please. There is some progress here, I'm not sure of the date; I suspect this may be end of August. So the policy analysis that's essentially looking at the recommendations of the final report and how they can be implemented, that was almost completed.   The process development and the operational

assessment is kind of developing how all these recommendations would come together to create a process flow for an application from submission to eventually delegation.

And the operational assessment looks essentially at how internally what kinds of processes and procedures and tools and mechanisms need to be in place to operationalize this whole process. And then finally, the actual drafting of the document is still lagging behind a little bit. But as you can imagine, you need to do the other three things first before you can do the write-up, so while this maybe looks a little bit behind, we are internally quite confident that we are on time to deliver the ODP as envisaged by the end of this calendar year.

The next slide. So High-Level Timeline. We're obviously at ICANN74 so that's still within that gray overlapping bar. The bar here essentially indicates the drafting and research aspects of the ODP. At the end of that, you see on the 9th of November at the very latest, we have a pen down drafting moment. We just had a status update before that in the middle of October, and then from the 9th of November until the 12th of December, about five weeks to finalize, review, polish the final document and then submit it to the Board.

We had questions before from other groups whether this is a public document. While it isn't requested by and meant for the

Board, we fully expect that the document will be available to the ICANN community publicly either on the same day or maybe there's some technical issues so it might be the next, but it will be, for all intents and purposes, available to the public at the same time it will be available to the Board.

We also expect to run a number of community facing webinars. I'm pretty sure that there will be one or two blogs around this as well to kind of make sure that we answer the communities' questions they may have on the document, how we got to certain conclusions or talking about our methodology or any other questions the community may have. So, we expect that to take place either after the submission this year or the very beginning of next year, subject to timing.

With five minutes left, if I can go to slide 48. We have here some issues of concern that came up during the ODP. The auctions, I talked about this before, the GAC voiced concerns about private auctions as well, and there are no recommendations on that, so that's an area where the ODP was spending some time on thinking about this, what can we do with the recommendations that we had last time and the concerns raised by the GAC and by others as well.

The Closed Generics process on slide 48; I alluded to that earlier

as well. The Board had reached out to the GAC and the council to maybe work together to develop a framework on Closed Generics which then in itself, if successful, would become subject to a policy development process on this issue. I believe we are at the starting point of that. I believe the GAC has or is close to finalizing their candidates or their members for the dialogue. And I think the GNSO is doing the same and I think once the membership is established, the work can get underway. We expect this work to go into or beyond the ODP, for obvious reasons. But since there is very little dependencies on this to other topics, kind of the work of that going into potential implementation of the final report, as far as we can tell or think at the moment, won't pose any concerns or problems.

The next slide on the PICs and RVCs under the CPE, I spoke about some of the concerns about the CPE as well, led to a considerable amount of legal challenges from those candidates who either didn't pass the CPE and thought they should have passed, or from those applicants who lost out to a successful CPE candidate. So essentially, almost every contention set that contained a CPE candidate led to legal challenges either by the CPE candidate or by those that lost to them. So, we are thinking of ways to minimizing -- not sure what happened. (Audio interference) Can you hear? Okay, I'm not going crazy. That's all good, it's fine.

So there's some thinking about how we can minimize that, while it's still maintaining the possibility for communities to get priorities over other candidates, which was an integral part of the program, and I'm sure many of you would like to see maintained.

Final slides, slide 51, What comes after the ODP. The ODP is just the beginning. So once the document is submitted to the Board later this year, we expect the Board to take into account when they're deliberating on accepting the final report of the Working Group, they will take into account other documents as well, public comments, other community input correspondents where applicable, and then the Board will make the decision whether the recommendations are in the best interest of the ICANN community or ICANN.

If they are approved by the Board, we expect that the Board will direct ICANN Org to begin implementation of the recommendations, which will likely result in a revised Applicant Guidebook. The implementation process will be done, led by ICANN Org according to the established procedures, however done so in close cooperation with an implementation review team, and from completion of these successful steps ICANN Org would then expect to start a new round of new applications for gTLDs.

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And if I can leave you with a final slide of one or two things that need to happen until then. So, you see right here, the start of the ODP has got the red arrow, delivery of the ODA to the Board is just below that, and then everything that comes to the right, there's still several steps that need to happen before the new round can start.

Two more slides, you get just an overview for some of the resources and more information you can find on various websites, and obviously -- I know we have no more questions left, we maxed it out to the top of the hour, but I'm sure that Karen or myself would be happy to answer any questions in the corridors or at a different time or session, we're always available.
Thank you very much.

KAREL DOUGLAS: Thank you very much, Lars, and thank you very much, Karen. I'll be honest with you, I did not know there was so much work involved in the new gTLD process. It's amazing and I think the importance of that is what it means for usas members of the GAC and those who wish to have a new gTLD submitted as an application. So, these are things, but I do know we're out of time, but I think we have just one question.

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BRAZIL: Yes, Lucien from Brazil. I think it does not make much sense to have a very long presentation for an hour and then no time left for any kind of questions or discussions. I think this should be perhaps reformatted somehow, because quite frankly, it's a very complex and very lengthy presentation. Thank you very much for all those details but I think perhaps we should reconsider these breaks and have some debate on this. I do have a few questions, if you don't mind.

First of all, the importance for us, it's really very complex, especially for anyone who has arrived in the middle of the process. As you know, the policy mechanisms are very long and they take many years, and it's very rare to have people that are still on the Board since the beginning of those processes. So something I think would be important to have a defined, clear list of what changed from the original system to this one, what really changed; especially when it comes to the role every actor has to play in the system. So, in our case, what changed for the GAC role in the next round of gTLDs in comparison to the previous one?

And I have a very specific question. We have a case that for us is very emblematic, the .Amazon one, as you well know, and that was a case that for us brings serious issues of legitimacy to the whole process for different actors in Brazil that are part of the

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multi-stakeholder system, that is seen as a case of failure where the organization didn't work well.

And what I wanted to ask is, if this request for this specific generic gTLD was presented now for this new system, would the result be the same? Considering the change in the rules and how the different actors consider the responsibilities of the different actors in the system, would the result be the same or would the GAC have more let's say stronger tools to perhaps make its specific views prevail; or if in the end, the result would probably be the same because the relevant rules on these specific issues didn't change. That is the main question I had.

The other one is regarding the geographic TLDs in general. What changed from the original system to the current one? And related to this also, if this community of TLDs, if you can present a request for a geographic TLD as a community request somehow, if that's possible, and how this would play out in the new system? Thank you very much.

KAREL DOUGLAS: Thank you very much for the question. We do have another session, by the way, just to let you know, after this so we will continue the discussion, but maybe I will give you an opportunity to respond. But thank you for the question.

KAREN LENTZ: Yes, thank you for the question, and I will see if I can just briefly touch on those points. This is a very good suggestion in terms of comparing what the recommendations were in 2007 and what were the key changes from the Subsequent Procedures PDP. A couple that come to mind, one is the SubPro recommended an appeal mechanism, so at different steps through the process there would be a specifically formulated appeal step to be able to appeal the results of a panel.

Another recommendation that is a change is to do the tactical evaluation early so that registry service providers could go through a tactical evaluation once, and if they were supporting multiple applications, there is some efficiency to be added by not going through the tactical evaluation for each individual application. That is just to give you an idea of a couple of changes, but it would be a good idea, and I think we have this somewhere, to do a more detailed point by point of the delta between those.

As far as what would happen in a future case with a particular application, I don't think we know the answer to that. Because first, the recommendations are just that, recommendations.

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They haven't been approved and we haven't built yet the processes around those. Lars mentioned the language that is recommended concerning the GAC, which the GAC has provided input in and that is obviously going to be a point of discussion.

And lastly, on the geographic names, there was a dedicated group that looked at this in relation to the Subsequent Procedures PDP. They really recommended very little to change as far as treatment of country names or names on the ISO 3166 lists. But, in terms of whether a geographic name could also apply as a community, yes, there is nothing that would prevent an application from being considered a geographic TLD and also applying as a community. So those are quick answers, and we will be available, as Lars said, if there are additional questions.
Thank you.

KAREL DOUGLAS: Thank you, Karen, and thank you for the question, it's an excellent question. I actually do have two more questions. Would you please oblige? We have two questions from the chat, so Julia or Gulten.

JULIA CHARVOLEN: Thank you. Velimira has her hand up in the Zoom, and then we have a question from Rosalind in the UK.

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VELIMIRA GRAU: Thank you, Julia.   So Velimira Grau from the European Commission.   First, I wanted to thank you for the very comprehensive presentation that you have given. I also want to thank you for being here on a Sunday morning so early, this being one of the main GAC representatives who had requested this session, I feel a little bit responsible for this, so thanks also to my colleagues and to Rob's team for having organized this.

I have been part of the GAC for now almost two years, and I have to admit that I was struggling for quite some time with the SubPro process. And I just wanted to say that this presentation that you have given, I find it a very useful tool for us, GAC representatives, or at least for me personally to have a full overview of the framework. And I think it was a rather comprehensive, both historical and prospective presentation of the SubPro and what are the different points for the GAC. And I think that might be very useful in our discussions so basically that we could support our topic leads on this matter.

So I just wanted to thank you and I also wanted to share with my Brazilian colleague that I think in the beginning when we were thinking of the SubPro, we were indeed foreseeing   several

sessions because indeed, as you tried to show in the very final slides, it is a very complex issue with many technical points inside, so indeed for the new GAC colleagues, it's not easy to go, and I fully subscribe also to what our Brazilian colleague said, because it was quite in line with the design that we have been thinking that indeed it might be very useful that we have further work capacity development on this issue. So thank you very much.

JULIA CHARVOLEN: Thank you.

KAREL DOUGLAS: Thank you, Velimira. And we have Rosalind from the UK.

Rosalind KennyBirch: Thank you. And thanks for making the time to answer a few of our questions, appreciate that. My question was, bearing in mind ongoing work on the global public interest framework, how was limited public interest defined and/or applied as an objection in the 2012 round? Thank you.

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KAREN LENTZ: Thank you. So, the global public interest framework that has been developed with the participation of many in the community including some of the Board, that framework came after the recommendations to have what we call the limited public interest objection.

The language from the policy recommendation that supported this objection ground was that TLDs shouldn't violate principles of morality in public or that are recognized under international principles of law, and so to implement that, we did some legal research looking at what were the sort of general or common principles that were found in virtually all legal systems.

So, some of the things that are included there were things like protection of children, prohibition against incitement to violence, and then there is also an open-ended provision so that if somebody thought that an application, a top level domain was violating some other principle that wasn't specified, they could still bring an objection, citing something along those lines.

So, the global public interest framework work came after that, and that is part of one of the things that is happening as part of the operational design phase, is the team has applied that framework to the SubPro recommendations, and that will be part of our assessment when we deliver that in December. Thank you.

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KAREL DOUGLAS: Thank you very much. Extremely interesting, I guess we could go on for a long time, but we do have another session concerning the same SubPro. So, if you do have questions, by all means, the session at 10:30, or next half hour, because we do have a half hour break at least, so it's not going to finish, we're into it already, so we will have to come back I believe at 10:30, and we will continue this conversation. Again, thank you very much, and enjoy your break. Thank you, Karen, and thank you, Lars, for a fantastic job. It was extremely interesting. Thank you.

[END OF TRANSCRIPTION]

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