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ICANN71 | Virtual Policy Forum - GAC Discussions: Subsequent Rounds of New gTLDs (1 of 2)  
Tuesday, June 15, 2021 - 10:30 to 11:15 CEST

GULTEN TEPE: Good morning, good afternoon, good evening.

Welcome to this ICANN71 GAC session, Subsequent Rounds of New gTLDs, on Tuesday the 15th of June at 8:30 UTC.

Recognizing that these are public sessions and other members of the ICANN community may be in attendance, GAC leadership and support staff encourage all of you who are GAC representatives to type your name and affiliation in the participation chat pod to keep accurate attendance records.

If you would like to ask a question or make a comment, please type it in the chat. The feature is located on the bottom of your Zoom window, by starting and ending your sentence with a question or comment, as indicated in the chat.

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Finally this session like all ICANN activities is governed by the ICANN expected standards of behavior. In the case of disruption during the session our technical support team will mute all participants.

This session is being recorded and all materials will be available on the ICANN71 meetings page.

With that I would like to leave the floor to GAC Chair, Manal Ismail.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Gulden. Welcome to the GAC session on day two of our meeting. During this 90-minute spot we have scheduled two back-to-back discussions, 45 minutes each, one on subsequent rounds of new gTLDs, and, the first of two sessions on the topic and the other a discussion on future GAC meetings. So given the limited time and starting by the subsequent rounds

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of new gTLDs, allow me to hand over directly to our topic leads, Jorge Cancio and Luisa Paez.

LUISA PAEZ, GAC VICE-CHAIR:

Thank you, Manal. Good morning or good evening, everyone. This is Luisa Paez, I am one of the GAC topic leads, along with my colleague, Jorge Cancio. So we're happy here to have our first subsequent procedures discussion within the GAC. And so I will be going quickly through the agenda. So here are the items that we will be discussing with you. First, we will start, Jorge will provide an introduction and overview and give you all the general state of play, where we're at. The second item, we have the ICANN CEO, he will be speaking to us in regards to the next round of new gTLDs for about ten minutes. And then we will have a representative from the ICANN org that will be speaking to us in regards to the operational design phase, the ODP, to give us an informative session, an overview, and it will take about 15 minutes, and afterwards we will have a Q&A for this ODP part and of course any other business that any GAC member would like to raise with us is always welcome.

So again, this is the agenda for the day, and I will pass it on to Jorge if we can go to the next slide, please.

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JORGE CANCIO, GAC VICE-CHAIR: Thank you so much, Luisa. This is Jorge Cancio, GAC representative from Switzerland, and I also happen to be together with Luisa, one of your topic leads for this very long and intensive process. We have two sessions during ICANN71 on this subject, so today is our first session, it's 45 minutes and as you have seen, it's fully packed. We have the ICANN CEO here and also ICANN staff to explain how the operational design phase will look like here in this and the coming slides you have a very short overview of where we are in this long process.

I of course suggest and recommend to you to look into the briefing paper and if you are interested in the substance in the briefing paper, you also will find the GAC scorecard where you have a comparison between what have been long-standing GAC positions and the final results of this PDP, the subsequent procedures or, SubPro PDP Working Group, finalized its work earlier this year and then passed over its set of recommendations to the GNSO Council which delivered the report and the outputs which found consensus -- or for consensus to the ICANN Board for its consideration. This triggered from the side of the ICANN Board a public comment proceeding which you will remember started late April, and this in turn triggered a process here in the GAC where we build together on a consensus basis collective comment which we filed to this public comment for the Board to

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consider prior to ICANN71 or in any case, prior to taking any decision.

We have also raised the -- or drawn the attention of the Board to this public comment from the GAC through a letter from our Chair, Manal Ismail, to the Board. And during this meeting and ICANN71, our focus intends to do on the one side of course an opportunity for the GAC to get up to speed to review the materials and positions on subsequent rounds of new gTLDs and also focus on areas of potential next steps for the GAC to engage in this process.

So if we go to the next slide, thank you very much. This is a little bit the current state of play. Because now that the recommendations are before the Board, there are several steps which will follow.

The first one is that the ICANN Board is expected -- I think they haven't decided yet but expected to trigger an operational design phase, and we will hear more about this in a minute. Then of course the ICANN Board will consider the substance of the PDP recommendations as adopted by the GNSO Council. And while the Board has not decided yet on the recommendations and this might take some time because first, they will look into the results also of the operational design phase, there is an opportunity for

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the GAC to deliver GAC consensus advice to the ICANN Board. So that is still a possibility, something we will also discuss during our second session in the GAC on subsequent procedures. After that is done and the ICANN Board has considered the recommendations, they will of course take a vote or at least take a decision on the recommendations. And once they are adopted, and assuming they are adopted, ICANN org has directed by the Board would begin then the implementation of the policy recommendations which will likely include a new applicant guidebook, if I remember correctly, and this even set of recommendations in the recommendations from the SubPro Working Group which deals with the future applicant guidebook.

So upon completion of all these steps, ICANN org would be expected to start a new round of applications for new gTLDs, around 2022-2023, this is an educated guess so don't take it as newsworthy. So this is an overview, I will look in the chat in case there are questions. I see that Jeff Neuman, one of the co-chairs of this Working Group, is here with us as so many times before during these last five years to assist and inform us as appropriate.

So I will also look into the queue if there is any request for the floor. I don't see any. Staff, please advise me if there is anyone. Okay. I don't see any. So in such a case, I think we're ready to pass the floor to Göran. Göran, are you with us?

GÖRAN MARBY:

Yes, I am. Thank you very much, Jorge. Can you hear me? Thank you very much for the opportunity to talk about the SubPro or next round or new top level domains, whatever you want to call it, because I wanted to give you a little bit of a sense of why this is important. In a way this is history. What we are doing now, what you are participating in now is an opportunity for us to continue to evolve the [indistinct] itself and make it even better for the end users of the world.

Someone said to me we have been very successful in making the Internet technically interoperable for machines; now it's time to make it interoperable also for people. There are about 5 billion Internet users out there -- I guess, I don't think anyone really knows, but that's the numbers I'm getting. But interestingly, only about 1500 ways of identifying ourselves on the Internet, including the [indistinct] as well. Stable for fairly a long time. So we created a [indiscernible] and most of the top level domains are related to [indiscernible] scripts or even English, many of the discussions here in the GAC or other places very much about English words, and it's time for us to see there is an opportunity to ensure people around the world can make their own identifiers on the Internet based on their own language, script, context, to

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build their own communities on the Internet as it was thought about from the beginning.

The thought that we should be able to do that, not because you understand English or reading from left to right -- if we do this right, and we can and we will do this right -- will create really an Internet 2.0.

This importance of a program, it's actually not about adding the English name into a database, but also the connotation of having the opportunity for people in Africa, Asia, Middle East, Latin America to have their own ways of identifying on the Internet, but a lot of things we need to do to make that happen. When I talked about earlier today, that about 15 percent of emails actually can read Arabian scripts, less than 20 percent read Chinese script, so a very important part of this program. We have to recognize we have work to do, the org, Board, the community, when it comes to universal acceptance, IDNs and other things. I learned recently that 80 percent of all the web services around the world don't take into the concept of universal acceptance. ICANN not doing this because it's a commercial right. It is in our mission and bylaws that we should enhance the competition but also to make it for the Internet users of the world. I think we have an obligation to pay back almost what I think to be personal, the technical debt. It's time for us to ensure everyone around the world can use the



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DNS and to be sure everyone has an opportunity to look at this and have their own identifiers on the Internet.

And when we look into the process, to think about this, not only about the English words and competition but in your hearts. This is the opportunity you have and the obligations we have to continue to have a diverse Internet where people go online because they trust the system but also trust their ability to express themselves.

I hope it's going to be an interesting session this morning, or night or evening wherever you are, and looking forward to your comments and input about the operational design phase.

With that, thank you very much.

LUISA PAEZ, GAC VICE-CHAIR: Thank you very much, Göran. The GAC always appreciates having an opportunity to exchange views and to hear your views of course on this very important topic, so I think it's very well taken, your remarks. So again, thank you for taking the time. I just wanted to check in the chat if there are any questions for you in particular, but nothing at the moment. Yes, definitely, [indiscernible] I see a question from Kavouss. Kavouss, please, go ahead. Thank you.

IRAN:

Yes, good morning, good afternoon, and good evening to all of you. First of all, it has been [indiscernible] a collective huge work which were done, 2016, 2022 or 2023 when it comes into operation after 2012, so many years, a lot of effort has been done. One of the most, I would say, faithful persons who devoted his time is Jeff, Jeff Neuman. Never spared any minute to improve the situation, and [indiscernible] we thank them all.

Now, I think there is a lot of theory put into this element, yet to be tested and to be verified whether it's okay or not. So we need to be prepared that not everything from the very beginning going in the right direction. So we need to be prepared also to have some sort of trial and error process to see whether there's something that we need to be adjusted. There are also several areas still not very clear, ambiguous, but we could do better. When I put my comment on the report, I said that's to the best of understanding, knowledge, and time available. I don't believe that we could do it better. But it is not, I would say, even close to perfection. Still there are some things to be done, so we should be very careful how to implement that. There are some of these future, looking forward, which was just a theory, so we don't know whether it

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works or not, but that is that. So we have to deal with that, and we have to be very careful when implementing it and report if any major problem happens that needs to be corrected. Thank you.

LUISA PAEZ, GAC VICE-CHAIR: Thank you very much, Kavouss. I also see we have two other GAC members in the queue. I believe we first had Finn from Denmark and afterwards we will have Nigel from the UK. Thank you.

DENMARK:

Thank you. And thank you to Göran for participating early this morning. I know it's not your favorite so I appreciate it very much, and I appreciate very much the thing that you said that is important that we give the opportunity that there will be other possibilities for other languages than English in the next round. I know that much of the policy work done in the community and the Board are looking at it, but GAC has asked for many, many years for a cost/benefit analysis, and we have asked specifically the Board to do that, and the Board has accepted it and we have not seen that analysis yet. I asked on the public forum two times ago, and I understood from the answer from the Board that this report is underway. So one thing the Board can do in order to push the situation and get the road clear for the next round would be that the Board soon produce this cost/benefit analysis which the Board has accepted to do so we can look at it, and it will be

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very, very useful, at least for me also in our national discussions. So I will look forward to that. But Göran, thank you for doing the presentation, and the aims that are in the next round you highlighted is something which I fully adhere to. Thank you.

GÖRAN MARBY: May I make a comment?

LUISA PAEZ, GAC VICE-CHAIR: Please, go ahead.

GÖRAN MARBY: So the costing side is interesting. It's easier to do than the benefit side. And going outside a little bit of my script, and I think it's interesting to have that conversation with GAC, to calculate the value of a diverse Internet in a local language. From a Scandinavian perspective it's interesting to note, I sometimes use Finland as an example of a language where they have -- one of my favorite Finnish words is [indiscernible] means strong, independence, all of that, a very positive word -- it's a small language. How do we ensure Finns can use their language as well, and how do you calculate the benefit of that? And I think that is a vibrant and very important discussion.

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DENMARK:

But Göran, if I must reply to you, this is the cost/benefit of the first round which we have asked for, to do that analysis. Of course it would be interesting also to have an estimate of what the cost and the benefit of the next round will be, but this plea from the GAC was the cost/benefit for the first round. And as long as the DNS abuse hasn't been solved probably, then we can at least see that there is a cost to the society so we would like to have this highlighted. Of course there are people who can do a cost/benefit analysis, and we have specifically asked you and you have accepted to run an independent cost/benefit analysis, so we are still looking forward to that.

LUISA PAEZ, GAC VICE-CHAIR: Thank you very much. I see Nigel from the UK, thank you. And just to be mindful of time, we have the session until -- I guess we have 20 more minutes -- or 17 minutes. And we also would like the ICANN org to provide a brief overview of the ODP, but please, of course, this is very important to have the discussion so very much appreciate alternative participation from GAC members and as well looking forward to tomorrow's session to continue as well the conversations. But please go ahead, Nigel from the UK, thank you.

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UNITED KINGDOM:

Yes, good morning colleagues and good morning, good afternoon everyone. Nigel Hickson, UK GAC. Just to say, Göran, thank you very much for the presentation, indeed, very early for you. From the UK perspective, I just want to note our agreement on the importance of the delivery, if you like, of Internet services in a holistic manner to as many parts of the community as is possible. And certainly we see the extension of international domain names, new gTLDs as a way of doing this. And as you know, you probably heard -- on the ICANN staff, spoken about how new gTLDs, [indiscernible] international domain names can benefit communities that perhaps have not seen the benefits of having this sort of Internet access and Internet appreciation.

So very committed to working with the ICANN organization of course, as has been said by Jorge and others, in terms of the next gTLD round to further the spread of applications through applicant support program and other measures to ensure that all parts of the developing world benefit from the opportunity to perhaps have these names and so absolutely committed to that. Clearly there's a lot of work to do as we have identified in the various GAC advice on this issue but determined to work through with the Board and the community and the GNSO, and of course we have this excellent relationship with the GNSO through Jeff which we are very appreciative of as well. Thank you.

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LUISA PAEZ, GAC VICE-CHAIR: Thank you very much, Nigel. And I think we still have -- Kavouss, would you like to speak as well?

IRAN: Yes, a very short comment on what Finn said. This cost of benefit analysis was in Helsinki GAC advice, we have discussed that at the PPT, and it was a question that GAC could indicate how to do it. The cost of doing a cost/benefit analysis is more than what we get from that. So we should be careful when we ask to do something. Not just a cost/benefit analysis but how to do it, what to do it? What is the cost of doing that cost/benefit analysis and what is the purpose of that? So we should be careful in the future of anything. Unfortunately on two other occasions and lastly one or two other meetings, the question is raised again by Finn and then it was supported by some other countries, but I was not in favor of that because it is not an easy question.

Thank you.

LUISA PAEZ, GAC VICE-CHAIR: Thank you very much, Kavouss. I think no one else in the queue, and again, appreciate alternative participation from GAC members on this very important issue. And again, thank you to Göran for coming to speak to us today and sharing your views on, again, this very important topic. So I now would like to welcome

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Lars Hoffmann from the ICANN org to speak to us about the operational design phase. So if first we could have ICANN org provide the presentation and save comments and questions for the end. Thank you very much again, Lars, for being here today. Looking forward to your presentation.

LARS HOFFMANN:

Thank you. Lars Hoffmann, I work for the policy stakeholder research and stakeholder function and was invited to speak a little bit about the operational design process, the ODP, a quick overview of the objectives and a brief overview of the status quo for possible SubPro ODP.

So the objective of the ODP, the operational design phase, in the policy implementation life cycle, if you want, and if you will note, the PDP Working Group will issue recommendations, final report and then pass to the GNSO Council who then if they adopt it, they pass it on to the Board and the Board per the bylaws has been asked to accept those recommendations unless the Board finds they are not in the best interest of the ICANN community or ICANN. And to make that determination, the Board relies on several pieces of information, a public comment period, obviously the final report with the recommendations very important here as well, and usually ICANN org provides the Board also with some operational assessments to inform the Board's



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deliberation. And that is where the ODP comes in, in fact not anything that is new, it simply formalizes the process that has already taken place, namely operational assessment to the Board, transparency process and includes community -- so the ODP conducted by the ICANN org, provides the Board with assessments of recommendations, the output of ODP referred to as operational design assessment and ODA -- unfortunately acronyms so similar but this is ICANN so par for the course. So the Board will take the assessments, outcome of the ODP, public comment -- any other vital information together, and the Board will use that to deliberate and decide whether the recommendations are in the best interest of ICANN or the ICANN community as per the bylaws mentioned on this slide.

The conduct of the ODP, the natural trigger point is when the GNSO Council has submitted the recommendations report as per the bylaws to the Board, obviously at that point the recommendations, the substance and intent are finalized. The process paper of the ODP, and I will link to those later, also contains the possibility for an earlier launch during PDP but obviously in this case especially for SubPro that is no longer applicable. The Board will initiate an ODP not every time but only in instances where believed the complexity of the recommendations warrants an assessment essentially, the Board

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requires additional or more detailed information to make an assessment.

If and when the Board initiates an ODP, it will include scope and also anticipated timeline for its completion, those obviously will be public documents, and the ODP -- and I will talk about a possible scope later on -- focuses on the operational design of recommendations and other issues that may help the Board decide if a recommendation is indeed in the best interest of the ICANN community or ICANN. And the ICANN org will conduct the ODP with appropriate community consultation, and I will talk about that on the next slide.

Consultation is an important part of the ODP and will take place once milestones have been reached. In other words, when there is an actual output or initial assessment that can be shared with the community to seek input on. Input will be sought on different issues depending on what time in the work we're at, may include facts and figures and assumptions used in the assessment, ensuring as in the community to ensure no inconsistencies in ICANN org's assessment for example with existing policies or other relevant work. It will also include considering of relevant to the scope set by the Board from stakeholders affected by the recommendations because expected to execute them or

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otherwise possibly affected and added specific requests from the Board or ICANN org for input or feedback.

The consultation process is not a mechanism to examine the design, implementation of policies that already exist and are approved by the Board nor to examine or question the substance or intent of the GNSO Council recommendations, the subject of the ODP, and in addition to the community consultation on output, there also will be regular updates on the progress, blogs or webinars obviously come to mind, information like this presentation here could be had by the ODP team due to community groups doing ICANN meetings, and so I will at the end as well post a link to already ongoing ODP, and you will see how that is happening in practice.

Next slide, please.

Should there be any policy questions that arise or other issues during the ODP that pertain to the recommendations, they will be sent to the GNSO Council, and for the purpose of such consultation, the council is encouraged to appoint a liaison, preferably somebody who has worked on the PDP, but up to the GNSO Council for obvious reasons. Liaison will keep the council informed about ICANN Board and convey information from the council to the ODP team obviously, and then communication and

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consultation between the community and the GNSO Council or GNSO liaison is something that could be prescribed by the ODP but generally intercommunication is always encouraged.

Just to be clear, what the ODP will not do, it will not post restrictions on the work of the PDP, also not impact in any way the GNSO Council's role as the management of the PDP, policy development process, it will present an -- sorry, it will definitely not present an opportunity to re-open or revisit policy questions settled during a PDP and also [indiscernible] [reading] and also looking ahead to the implementation process, it will not alter or change the roles and responsibilities of ICANN org or the community appointed implementation review team formed during the implementation process.

There's also an aspect of continuous improvement when it comes to the ODP, obviously this is the formalization of this is new, the process document was developed over I believe nine or ten months with significant community input. If you go to the ODP home page, you will see background on that so what has also been proposed after a minimum of two ODPs have been completed, the org will consult with the Board and the relevant ODP teams, people who have worked on those completed ODPs, as well as the GNSO Council, the liaison and naturally the wider community to see whether any updates may be needed to

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improve on the ODP the effectiveness, efficiency or other aspects on this.

And the next slide, please.

I think only two more slides. I see hands up already. Göran spoke much more eloquently than I can on the next round. And the issue of domain name, as well as universal access, my [indiscernible] back of the envelope calculation for example on GAC members and members from territories, organizations don't just rely on the ASCII code, letters obviously different than the 26 standard Latin letters, I myself am German, so doesn't apply but obviously [indiscernible] begs to differ. So of the over 200 members, there are 130 or so that come from non-ASCII countries, territories, organizations.

A quick overview of the ODP scope. So this is not the ODP scope for the SubPro but generally can or may entail a formulation of cost estimates and fiscal impacts that may include design reviews by the Board for workflows, assessment of technical decisions and resourcing, might be questions or information regarding executions for request of information for potential service providers, obviously the identification of the dependencies on existing work of ICANN org including other recommendation, advice, or policies, and possibly resolution to those dependencies

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or opportunities to streamline effect and then obviously any other information Board deems relevant to inform its discussion.

And then the very final slide, I promise, so the preparation of a possible SubPro ODP, the Board received the recommendation report shortly after the council adopted the PDP Working Group final report on 18 February this year, since then the Board has asked ICANN org to develop a scoping document and -- at the moment a system for standard access and disclosure of non-public registration data and once the document is drafted, the draft scope, the Board will look at it, finalize it and also consider a draft resolution on whether to launch an ODP. And if the Board decides to do so, that resolution will also include a timeline for the ODP's completion. And with that, I hope I wasn't too slow or too fast for the translators, interpreters, but this is the end.

LUISA PAEZ, GAC VICE-CHAIR: Thank you very much, Lars, quite informative and especially for any GAC members, I think this session was very important. So again, thank you for coming in today and providing an overview, really appreciate it. And mindful of time, we have about two more minutes, but I would like to give the floor to Kavouss, please go ahead.

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IRAN: Yes, Luisa. Thank you very much and thank you for the presentation. Just one question, the main question that I believe there must be some criteria based on which particular recommendation or recommendations are identified on which the ODP should be initiated. Is there any preliminary idea on that, those criteria and how -- I don't believe you do the ODP for all recommendations as you mentioned, so is there criteria or will be consulted by the community? Thank you.

LARS HOFFMANN: Thank you, Kavouss. And others may chime in as well, other members of the team in the meeting as well. And the ODP initiated by the Board, so whether to initiate or not will depend on the Board, not ICANN org. So if the Board believes that the complexities of the recommendations warrant further assessment to really inform the Board's discussion, I think then the Board will go forward and ask to initiate an ODP. I think in the future there's probably -- and Jeff maybe will speak to that as well -- there may be discussions that could be imagined from the PDP Working Group leadership with the Board and may be an org representative as well if needed or required or wanted to discuss whether an ODP can be launched during a later stage of ODP but essentially this would be a Board decision based on the recommendations and complexities. Thank you.

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LUISA PAEZ, GAC VICE-CHAIR: Thank you very much. And again, mindful of time, Kavouss, is there a final comment? Please go ahead, and unfortunately, we will have to close the session soon but looking forward to further discussions in tomorrow's session as well. Please go ahead, Kavouss.

IRAN: Just a simple comment. I hope when the Board decides, based on the complexity of the recommendation, perhaps there might be a way to consult the community but not only 12 men decide this recommendation, it's complex, therefore a ODP will be started. Should be some sort of consultation within the Board and the community. Thank you.

LUISA PAEZ, GAC VICE-CHAIR: Thank you very much, Kavouss. And again, thank you, Lars, for coming in today. I think this was very informative. Someone taking the floor. Okay, I see Göran's hand up. So please go ahead, and then we will have to close the session as we have another session to talk about the future of the GAC ICANN meetings. Thank you.



GÖRAN MARBY:

Thank you. I just want to give a very short -- I mean, I see there is discussion about how swift we can do an ODP, and I think that the ODP will take down the total amount of time a program will take but to provide clarity for the decision is made by the Board, so you know in a more transparent way what the Board acts upon. Not an added time to the program because a lot of the work that we are going to do for an ODP before the Board makes a decision has to be done anyway. We have some really tough questions to ask ourselves. How many applicants do we think are going to be in the program? How big is the size of the system we then have to build? There are many questions still that we have to see, discussions and how to bring scoping about, so I think that the ODP would actually save a lot of time. Just wanted to mention that. Thank you.

LUISA PAEZ, GAC VICE-CHAIR: Thank you very much, always appreciate insights from the ICANN CEO. So we have had a very active chat, so we encourage everyone to read the comments in the chat. And again, thank you to both our guests today for taking the time to presenting to the GAC, very, very appreciative. And to all GAC members, thank you for all your questions, for the active engagement this morning, and Jorge and myself, we look forward to continuing the meaningful discussion into tomorrow's session. Thank you very

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much, and I think I will close the session or if any final words from Manal or Jorge, please go ahead. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Luisa. I see Jorge, no comments.

So just to thank everyone and to GAC colleagues, please remain in the Zoom room. We will start directly with our discussion on future GAC meetings. Please give us a minute to switch slides and get started.

Thank you.

**[ END OF TRANSCRIPT ]**