
ICANN78 | AGM – GAC Discussion on New gTLD Program Next Round (2/2)
Wednesday, October 25, 2023 – 9:00 to 10:00 HAM

GULTEN TEPE OKSUZOGLU: Hello, and welcome to the ICANN78 GAC discussion on New gTLD Program Next Round session being held on Wednesday, October 25th at 07:00 UTC. My name is Gulden Tepe Oksuzoglu and I'm the remote participation manager for this session. Please note that this session is being recorded and is governed by the ICANN expected standards of behavior. During this session, questions or comments submitted in the chat will only be read aloud if put in the proper form. Interpretation for this session will include 6 UN languages and Portuguese.

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full name. With that, I will hand the floor over to GAC Chair, Nicolas Caballero.

NICOLAS CABALLERO:

Thank you, Gulden. Good morning, everyone, and good afternoon and good evening for those online. I hope you had the time to enjoy Hamburg and its wonderful food, needless to say, wonderful beer and so on. So welcome again to the second session on the new gTLD program next round. Just a couple of housekeeping details. This session will run for one hour, so hopefully we'll have enough time to discuss all the interesting and, by the way, sensitive issues we have to discuss. Then we'll have a 30-minute break and then we'll go on to discuss the DNS abuse issues for 90 minutes. So again, we have Lars here, Jason, I'm in Canada and Switzerland, and obviously Nigel and Rose from the UK. So welcome, everyone, and with that, let me give the floor to Jason Merritt from Canada. Jason, the floor is yours.

JASON MERRITT:

Thank you so much, Nico. Good morning, everyone. I think what we plan on doing today is giving an overview of some of the building on the discussions that we had yesterday on the SubPro work and getting into a little bit more detail on some of the ongoing policy work. So what we intend to do today is getting into a little bit what the implementation review team is working on, which is essentially the team set up to ultimately draft the new applicant guidebook, but also the intention is to go through the SubPro recommendations. One by one and provide the implementation advice for that.

And then we can pause there and have a bit of discussion if there's any questions or things like that from the GAC. And then we'll get into applicant support and the GGP process, excuse me. And then we will get to closed generics, a bit of a status update there where things stand and again, a bit of Q&A or discussion at that point. So what we'll do is we'll start with the IRT and I'll have a good colleague here, Lars, who's joined us to give a really good top level overview of where things stand and how things are moving in terms of the implementation review team and what we've been working on there.

LARS HOFFMANN:

Thanks so much Jason. Good morning, everyone. I'm slightly out of breath still, I think, due to what I think is a conspiracy by the GNSO liaison to the GAC who helped me up at breakfast. Usually Jeff accuses me of things today. It's a pleasure that I could accuse him for being almost late to this session. So that's very good. With that, I'll give you a quick overview of the IRT, what we've been up to, the composition and some of the topics that we expect the board to deal with during this meeting. I think the board meeting is tomorrow. It is Wednesday today, I hope. I'm not sure who's running the slides, but if I could see the next one, please. And one more. Thank you.

That the overview of the IRT, it's an open group. So if anybody from the GAC or any other observers in the room would like to join, they can do so. You can tap me after the session at any time or send me an email or any of my colleagues. You see here, it's a rainbow of representation. We have, I think, eight GAC members, Nigel from the UK and Jason

obviously from Canada, very active members. And then we have a good regional representation as well.

If I can see the next slide, please. That's kind of a little bit the work overview that we've done. We call it our little dashboard. We started in May this year. You saw on the previous slide, we've held 19 meetings today. Just before the meeting, I think, as of September, we ramped it up in some weeks. We held two meetings. Otherwise, they've been weekly meetings. We have a kind of work methodology to make sure we stay on track.

So you see here, 19.8, it seems maybe overly precise, but it's very difficult to quantify some of these things. But we think we're about a fifth way through to having a completed applicant guidebook that can then go out for public comment. You may or may not recall. You see this year, the completion date is May 2025. And we assigned it still a green dot for project health. And I think we are on track to meeting the May deadline for now.

The bottom left here, there is kind of a half circle of the recommendations and the outputs from the final report. 104 to date have been adopted. There's 13 that remain pending and 12 have been adopted with clarifying statements. And seven have not been adopted by the board. I think that action was taken during the Istanbul workshop in September. And you'll see that in a couple of slides, the board is planning to take action on the remaining 13 recommendations here in Hamburg, which then means that all of the outputs that the board has been asked to resolve on have been dealt with.

If I can see the next slide, please. Thank you. This is actually now one meeting old. You see the four columns here. There's 41 topics overall in the final report. There's a couple of them that contain either no or very short recommendations. Essentially, those will not have to, due to their substance, will not affect the applicant guidebook. That's the first column. The second column is what we have discussed with the IRT. Some of them, before we kind of moved aside, they will be put out for public comment at some point at this point, either later this year or early next. I'm going to go back to the public comment in just a moment.

Then the third column are the topics that we are planning and the pipeline to share with the IRT no later than the end of the first quarter of the calendar year 2024. In fact, topic three and topic, I think there's one other here on potentially the application sets and rounds we discussed on Saturday with the with the IRT already, so that could have moved over to the second column already.

And then the fourth column are then the topics that remain for the last second half of the IRT. And you see a couple of them maybe not that well visible on the slide that have a little asterisks to them. And those are really very short topics as well. So overall, we think you see that from the slide maybe as well. We should be on course to complete in May 24th, everything remains at the same pace that we've been moving to date.

The next slide, please. This the meetings here, we had a meeting on Saturday, we spoke about applicant comment and I think application in rounds as well on Saturday. Today there's a session at 1600 local

time, and my colleague Francisco Arias will talk about the registry system testing. And then tomorrow, bright and early at nine o'clock, we have a session led by my colleague Christy Buckley on applicant support.

Applicant support, as you know is a program that is intended to be launched 18 months before the opening of the round. So work on that has been going on for a while, monitoring and working with the ongoing GGP as well. And there's a subgroup within the IRT that will focus on this topic specifically that's going to start up in top of my head, I want to say mid late November. It's open to anyone. Again, if you want to join, please let us know.

And I'm just going to look forward if I can see three more slides, please. Thank you. I'm going to end with this, you have a lot of topics to cover, I think, and obviously any questions I'm happy to answer. This is what we expect the board to resolve on Thursday, they're giving that indication to the small team from the GNSO as well. So the recommendations around the PICS and RVCs.

The board has talked about a community consultation, we expect that will place, but nevertheless they will, I assume, adopt the recommendation with clarifying statements from the council. The council has approved that statement, I believe, on list and the board has indicated it may not adopt three recommendations on limited challenge and appeals. The reasons for that, I think, if you go back to the scorecard from the board resolution in Cancun, you can see some of the concerns there that were raised by the board around that recommendation.

Before I pass it back, just one quick thing on the public comment that may be of interest to some. With the IRT we discussed the applicant guidebook last time, I don't know, it was three, 400 pages. So we don't think it's, considering the time pressure as well, it's useful to send out wait until the very end and set a whole document out for the first time for people to comment on. Instead, we will kind of put out individual, let's say chunks of topics as they have been dealt with by IRT for public comment and do that at the same time as the IRT works. So everything should have been out for public comment at least once before the IRT draft is completed. And then obviously once the whole document is finished, that will go out for comment as a whole as well. And with that, I'm going to stop here, I pass it back to Nico.

NICOLAS CABALLERO: Thank you so much for that Lars. Before I give the floor to Canada, do we have any question, comment, any thoughts regarding Lars' presentation? Is everything clear? Any problem identified so far? And I have Brazil.

GULTEN TEPE OKSUZOGLU: And China, please.

NICOLAS CABALLERO: And then China. Thank you so much for that. Gulden, Brazil.

LUCIANO MAZZA:

Hi. Thank you. Luciano for the records. Thank you Lars. Just a question in terms of procedures looking forward. For the application guidebook, you explained a little bit the schedule and how long do you expect it to take. Procedurally, how that works? it's expected at a certain point, a final draft of the guidebook comes for consideration of other parts of the community. What's the applicable rules for consideration, approval of the guidebook in total, let's say? Thank you.

LARS HOFFMANN:

Thank you so much. So the timetable foresees that the guidebook is going to be completed as a draft in April May 2025, year and a half from now. And then that whole document will go out for public comment. We will then assess what the comments are and finalize the guidebook. I think in the 2012 round, there were multiple rounds of public comment on the entire document. We're trying to kind of think ahead and maybe have fewer rounds than we had back then.

That's why what I said, we're trying to put out chunks beforehand individually, so different topics have been discussed already. And once the guidebook is kind of final, once the public comments have been taken into account, that will be re-discussed with the IRT, obviously, as well, at that point, it's not going to be dissolved, then it will be for the board to adopt the applicant guidebook, essentially. That's the procedural process around that. In mirror is what happened in 2012 as well. Thank you.

NICOLAS CABALLERO: Thank you so much for that, Lars, Brazil, are you okay with the answer? OK, I have China and then India, China, go ahead, please.

GUO FENG: Thank you very much. Guo feng from China for the transcript. Thank you, Lars, for your presentation. I find it useful and informative. And I kindly request that this slide can be shared with the GAC members after perhaps after this session. And first question from me, perhaps a naive question about this IRT. I want to ask whether this mechanism is a working group under GSO or just a cross community mechanism, the first one. The second one, in your presentation, the slides, the previous one slide, there is a slide shows that the composition of this IRT, how many Cs are allocated to each of the community. There is one slide, as I can remember. So my second question is, who decides how many Cs are allocated to each community? So thank you.

LARS HOFFMANN: Thank you so much for the question. It's very good that I'm able to clarify this. So I'm going to start with the second question. Thank you for pulling the slide back up. The group is an open group. So this is not a representative. It looks like parliamentary seats being assigned. I appreciate that. After an election, sometimes you see diagrams like this, how the parties are dispersed in a parliament, maybe. These are self-selected. And so it's open to anyone. Every single GAC member could be part of the IRT. There's no upper membership limit. The same is true for the registries, registrars. Anybody could sign up. You also do not need an ICANN affiliation to sign up. We do ask members who sign

up to provide a statement of interest. And we had some members who had signed up.

We followed up numerous times asking for an SOI. And eventually we removed them from the member list. That the mailing list of the group still remains a publicly archived list, so anybody can look that up, whether they have submitted an SOI or not. But there is no seat allocation at all. In terms of the role of the IRT, it is not a GNSO working group. It is an implementation review team. That's what it stands for. And the purpose of the group is to collaborate with ICANN org to be consulted. And the key role really is to ensure that ICANN org implements the recommendation with the intent that was meant by the PDP and by the council to approve these recommendations when they issued or approved those recommendations, in fact. Meaning that if a recommendation, some people will be tired of this, I use a car analogy sometimes.

If a recommendation says the car should be painted and we propose an implementation that the color will be red, then that is aligned with the recommendation. There shouldn't be a problem. But if the recommendation says the car should be red and ICANN proposes, well, we're going to use a hue of orange, then it is the role of the IRT essentially to say, hey, this is not the intent or the wording of the recommendation. We're going to take it back to the council and make sure the council aligns with us and that ICANN implements in the way that the recommendation was intended.

So they play, if you want, kind of a control role that ICANN implements according to the wording or the intent of the recommendations, but

they're not there to rediscuss or reopen policy issues or kind of question or adjust the wording of the recommendations. The recommendations we have been approved by council and then by the GNSO council and then by the ICANN board. And so we are there to implement them accordingly. I hope that is helpful.

NICOLAS CABALLERO: Thank you, Lars. China, any further questions?

GUO FENG: No, thank you. Very helpful, useful. Thank you.

NICOLAS CABALLERO: Thank you, China. I have India.

SUSHIL PAL: Thank you, Chair. This is Sushil Pal from India. I think the presentation showed that we have seven recommendations of IRT which have not been accepted by the board. Can we go to the next slide?

LARS HOFFMANN: I think it's 13, but yes.

SUSHIL PAL: If you can. Seven, sorry.

LARS HOFFMANN: Two back. Back. Oh, there. Yes, thank you.

SUSHIL PAL: Seven recommendations which have not been adopted.

LARS HOFFMANN: Not been adopted, yes. Actively not adopted.

SUSHIL PAL: Which is as good as not accepted by the board or?

LARS HOFFMANN: So it's a technical issue. So per the bylaws, the board votes to not adopt.

SUSHIL PAL: So not adopted. It's as good as rejected.

LARS HOFFMANN: You could call it rejected.

SUSHIL PAL: Can you expand something more on this as to and also enlighten us as to how substantial the work?

LARS HOFFMANN:

Thank you. There's a number of topics there. I have to say, top of my hat, I could name a few. They are there's one application, I think, on applicant report. There was a couple of recommendations on the terms and conditions. I think there was a recommendation on string similarity. And I will ask my colleagues in the back to possibly share in the chat the scorecard from the September board resolution.

And my colleague, Alisa, is already nodding. It should be in the in the zoom chat for this for the session where you find the rationale of the of the board around those recommendations. Essentially, the board is asked to decide whether or not the recommendations are in the best interest of ICANN or the ICANN community. And if they find that they are not in the best interest of ICANN or the ICANN community, that's the bylaws language. Then they would not adopt them.

And that has been the case for those seven recommendations. The board has provided a rationale around all of those and resubmitted that to the GNSO per procedures as well. The GNSO has now the possibility to issue supplementary recommendations, essentially say, okay the board had some concerns around these recommendations. Do we want to address those concerns and amend the recommendations and resubmit them to the board for consideration again? That's the prerogative of the GNSO. Whether they do that, I do not I do not know. And then the board would have to reconsider those recommendations. They come back. I hope that's helpful.

SUSHIL PAL:

Can we have a chance to come in? It is available to us. I think. Can we have a chance to go through those? Or I'm not sure.

LARS HOFFMANN: This is a board decision. It's not my decision.

SUSHIL PAL: No, the recommendations which are not adopted along with the rationale as to why they were not adopted. Can the GAC community or other community as well? Is it available to them in public domain? That's the point.

LARS HOFFMANN: Yes, absolutely. It's in the Zoom. It should be. Alisa is in the chat. So if you go to the Zoom of the session, you'll see the scorecard. It's all documented there. Absolutely.

NICOLAS CABALLERO: Thank you, Lars. Thank you, India. I have Indonesia. Ashwin, go ahead, please.

ASHWIN SASTROSUBROTO: Just to confirm, I believe it has been discussed several times before, but I just don't have that in my mind. Is there any protection for the use of three characters from the ISO 3166 for the gTLD? Next round. Thank you.

LARS HOFFMANN: Yes, we have policy recommendations that three letter characters are not allocable, so they cannot be applied for.

ASHWIN SASTROSUBROTO: Just a minute. Not allowed.

LARS HOFFMANN: I didn't hear that. You followed up there.

ASHWIN SASTROSUBROTO: You said it is not allowed to use the three characters in the ISO standard.

LARS HOFFMANN: They are blocked from applications. Nobody can apply or they cannot be allocated. If you applied for that, if you applied for .deu, which is a three character name for Germany, your application will not be able to proceed.

ASHWIN SASTROSUBROTO: Thank you.

NICOLAS CABALLERO: Thank you again, Lars. Thank you, Indonesia. Any further questions before we move on? And I don't see. Is that an all hand, Indonesia? So Switzerland, go ahead.

JORGE CANCIO:

Thank you, Jorge Cancio, Switzerland, topically together with Jason on this, just to clarify that the information on these scorecards, including this very recent scorecard of September 10th on the recommendations and the latest status of the recommendations approved or rejected and not adopted by the board is in the briefing that was prepared for this meeting. So just for your reference, you can consult it there. The briefings are available in the GAC homepage, let's say. Thank you.

NICOLAS CABALLERO:

Thank you, Switzerland. Any other question or comment? If not, I'll give the floor to Canada. Jason, go ahead. Floor is yours.

JASON MERRITT:

Thanks very much, Nico. Thank you, Lars, for that. It was a really good overview. Given the time, I'm just going to breeze through a few things and maybe pick up on a couple of comments just to reiterate for the GAC here. First of all, my role in following this and tracking this is really to be a liaison, so to speak, for the GAC. And so one thing that I've done for the last couple of meetings is send out just before an ICANN an update to the GAC list from a factual sort of stocktaking exercise of what has happened. So you should all get something from me prior to an ICANN meeting, an update on this, topics that have been discussed, links to some of the key documents like the scorecards and things like that. It's all contained there. So it's something that I've tried to do for our group. I wanted to reiterate that it is an open group.

If you have an interest, you can track the topics that are being discussed. If you have an interest in a specific topic or the whole thing,

you can join and listen and participate there, which I think is a fantastic opportunity. A little bit logistically, how this sort of works, it might be helpful to understand. Essentially, what happens is the what we have is you have text presented at these meetings that is draft text for the applicant guidebook.

Discussions happen with the community that's involved there about edits or how it might change or things like that. It's taken back and integrated. It's this sort of back and forth process of trying to get to some polished language for the applicant guidebook. And then eventually, like Lars had mentioned, it will go out in chunks for public comment and then overall public comment. So it might just help to understand a little bit of how the process is working in practice.

I think I'll pause there because we're short on time, but if anybody wants to have any questions or you can reach out to me directly or stop me here to chat about it, I'm happy to kind of go over my experience and what we've been doing there to fill in some blanks and things like that. So thanks for that.

NICOLAS CABALLERO: Thank you very much, Canada. Being short in time I was going to Indonesia, go ahead.

ASHWIN SASTROSUBROTO: Just a short question. I forget to ask this question before. Can the government use the three characters for their own for the government use?

NICOLAS CABALLERO: Would you like to take that one, Lars, Jason? Go ahead, Switzerland.

JORGE CANCIO: Thank you, Ashwin. Jorge Cancio for the record. I don't know the rules in the policy recommendations on geographic names by heart, but if I'm not mistaken, they are blocked for everyone, for anyone, also for for the corresponding country. And basically, when we negotiated or we discussed, let's say, and we reach consensus on the rules for geographic names on for top level domains, we reasserted or we reaffirmed the rules that were in the applicant guidebook of 2012. And that was one of those rules. So but you can look it up in the in the recommendations in the GNSO recommendations of the final report.

NICOLAS CABALLERO: Thank you, Switzerland. Thank you, Indonesia. Any other question? If not, let's move on with the agenda. And for that, let me give the floor to Rosalind KennyBirch from the UK and Tracy Hackshaw from the UPU. Rose.

ROSALIND KENNYBIRCH: Thanks very much, Nico. And just to say, our colleague Gabriella from Argentina is also involved in this effort. Unfortunately, she wasn't able to be here in person for this, ICANN. But just to acknowledge her excellent work on. So I'll give a quick overview in the hopes of leaving time for more questions and comments, and also Tracy will fill in from the audience as well. So just to give a little bit of background on the

GNSO guidance process on applicant support. The initial GGP initiation request was approved back in August 2022, and the working group was formed and began its work in November 2022. So this has been work that's been ongoing for a while, and our tasks have included reviewing historical information about applicant support.

And this one is particularly important to note, I think, is one of the things we've been trying to do as a group, but also Tracy, Gabriella and I have been working on outside of the group is how we can make sure we take learnings from the last program to help ensure it is a success when it launches this time. Our tasks also included identifying subject matter experts, developing data metrics and measures of success, and creating a methodology for allocating financial support where there is an adequate funding for all qualified applicants. So those are the tasks we were set.

Next slide please. Thanks. And as I mentioned, I already mentioned our colleague, Gabriella representing the group from Argentina, as well as myself from the UK and Tracy from the UPU. So the GGP took forward initial work on these various tasks. But what I really want to call your attention to is after the GGP published its initial report in July, the GAC had the opportunity to feed in on the initial recommendations through a public comment period.

So as many of you attended, and it was great to see so many in attendance, we held a webinar to help prepare for the public comment and to discuss some of the ways we could help further improve the recommendations. And we got a lot of people feeding in and helping with that public comment. So just to say a big thank you to all those

that participated in that, and to say that beyond the GGP itself, it's excellent to see the high level of interest and participation.

So hopefully that's something we can continue into the SubPro IRT work on the ASP and beyond. So just another call out there to say if you're interested in getting involved, that is a great opportunity and there will be a meeting at 9am tomorrow here. But going back to the GGP itself, I'll just give a quick overview. And again, in the interest of time and leaving sufficient time for discussion, I'll give a couple of highlights. The key themes from the GAC's recommendations. And one was the real importance. This was on recommendation two of the ASP going beyond sort of financial support and looking to make sure that pro bono services are a success and that people have the proper training they need in order to make a successful application and are supported throughout the process.

So to my bigger picture comment, the other day, applicant support program isn't and shouldn't just be about a simple fee reduction. It should be about supporting these applications through the process from start to finish and operation. So that gets to some of the GAC suggestions, which included mentoring programs and sharing information and facilitating matchmaking. So that is one core theme of the GAC's comments.

Secondly, I'd call your attention to the GAC's comment on recommendation five. And this was about a target of and the GGP's initial recommendation was a target of 0.5% of successfully delegated gTLD applications. The GAC would be in support of setting a significantly higher target here. Again, as we've spoken throughout this

week, we really want to see an ambitious program. The 0.5% translated into about 10 successful applications. And we want to see significantly more than that as per the spirit of the program. So I think this is somewhere again that through our GGP work, we've taken on board from the GAC. I know Argentina and myself have been really pushing this within the working group discussions to really see if we can be more ambitious.

And I think I'll pause there, actually, now that I've highlighted a couple of key points and hand over to my colleague Tracy to add some further detailing color. But again, I would just conclude on, again, a theme you've heard me repeat throughout the week is just the importance of making this program fully holistic. So with that, I'll turn over to Tracy. Thanks.

TRACY HACKSHAW:

Thanks, Rose. Tracy Hackshaw for here at UPU. So I just wanted to say, at the interest of time, that everything Rose says you need to take a careful look at. Some of those recommendations that the GAC would have made may not make it into the final recommendation. So keep that in mind. So there's an opportunity for the GAC to continue providing advice on this, which I think will be very important. And also, it's very critical to take note that sometimes you document things, but you don't look at the actions that happen thereafter. So in the previous round, there was a lot of work documented on how to do applicant support, how to do outreach and so on. But let's just say it wasn't as effective as it could have been.

So I think there's an opportunity here for the GAC to really hold the community and the board to account and org for the work they're doing on this, especially in communications and outreach and the methods that they will be using and to provide comprehensive advice from our regions as to how this should be done. Each region that considers themselves underserved. And by this, you know who you are. I would want to encourage you to get involved and make recommendations about how to reach out to your particular underserved communities within your countries, within your region, and not just limit yourself to having road shows by people coming from ICANN and so on. Maybe get really involved in this process.

And as Rose says, we want to get above the 0.5%. As a matter of fact, this round at the start was supposed to be a remedial round to fix the problems of the previous round. It was actually called that at the start and somehow got lost in translation. So I think we need to make very clear statements to what we're trying to achieve in this round and to broaden and deepen the diversity of applicants in this process, as well as the overall DNS industry in the world today. Thanks.

NICOLAS CABALLERO: Thank you so much for that, UPU, Tracy. Back to Rose. Go ahead.

ROSALIND KENNYBIRCH: Thanks, Tracy. And just to echo what Tracy said, again, the GGP is one process. There is an opportunity for the GAC to continue to comment on this issue, issue advice on this issue throughout. So we'd really very much welcome your collaboration in that. And finally, as a note to sort

of conclude on, I think reflecting on this week, it seems that the GAC's position is very well aligned with the GNSO, the ALAC as well. So this is something we can look to work together as a community on more broadly, too. Thank you.

NICOLAS CABALLERO: Thank you, UK. Thank you, UPU. Happy to take questions before we move on to close generics. Any question in the room online for UPU and the UK? Seeing none, then, I'm sorry, Nigel, go ahead, UK.

NIGEL HICKSON: Yes, good morning, Nigel Hickson, UK GAC. I didn't want to get in before anyone else, if anyone else had a question. But I just wanted to sort of, well, A, thank this, the work that's been taking place here because I think it's just so enormously important. We've been reflecting on applicant support in a number of meetings, obviously, with the board yesterday. You heard the discussion. We had a European stakeholder group meeting yesterday and this was one of the key issues in that as well. The importance and the credibility for this application round will be partly based on how diverse the applications, where the applications are coming from, who they're coming from in different countries and having this regional balance. And so it's really excellent to see this, this work taking place.

But the question I have, which, and it's an unfair question, because this particular group are focusing on a number of key questions. As you know in a policy development process like this you have a number of questions set and then you seek to answer them. But the question I had

is where do we see the possibilities lying for an increase in the envelope for the financial support for this program from ICANN? And the reason I ask that is that because at the moment the policy of ICANN or the constraints, as I understand it, that this particular working group are working under, that the overall applicant, sorry, the overall program, SubPro has to be cost neutral. So it means that if you have fee reductions or fee waivers for applications from developing countries or underserved regions, then it means that the fee level elsewhere goes up.

So there's a balancing equation here. But at some point, I think the question has to be asked is, can we be more ambitious as ICANN? Can the organization commit to using some of the auction proceeds or some of the other monies that have been accumulated since the last round to support applicant support outside of the fee structure? So and I'm sorry, but I was trying to explain. Thanks.

NICOLAS CABALLERO: Thank you, UK. Thank you, Nigel. I'm just not entirely sure who that question was for. Rose. Sorry.

ROSALIND KENNYBIRCH: I think it's a bigger question. I think it's a question for ICANN as well. But just to say, I would I think that's a really excellent point and I think something that should definitely be considered. The message we've heard across the community this week is this needs to be an ambitious program. So I think it's an excellent point and one. And again, the GDP

itself is tightly scoped, but this is somewhere we can look at things like GAC advice. Thank you.

NICOLAS CABALLERO: Thank you for that, Rose. Thank you, Nigel. So with that, I'll give the floor to Switzerland in order to be able to have enough time to discuss closed generics. Jorge.

JORGE CANCIO: Thank you, Nico. Jorge Cancio. Swiss government also topic lead for new gTLD, together with Jason and of course Jason you can correct me, compliment me if I get anything wrong. If we go to the next slide. So basically, we have already touched on the question of closed generics in the bilateral with the GNSO Council, and also in the bilateral with the board. We may say that this was an open issue for many years after the last round. In the last round, the GAC issued a GAC advice regarding closed generics, asking the board in 2013 at the Beijing meeting to only allow closed generics if they were to serve a public interest goal. It was very difficult at the time, and today also to find out what that means exactly in practice. So the board decided to, let's say, forbid closed generics in the last general round.

So, this was an open issue for many years because also the SubPro working group of the GNSO wasn't able to reach a consensus solution on this matter during their five years of work. So the board really took a very welcome initiative to get the community together, the GNSO and the GAC, and the GAC made sure that the ALAC was also part of that dialogue that became a triologue to see whether there was any possible

solution to this question of closed generics and how that can fit with the interest, the public interest.

So there was this facilitated dialogue that was started in October, November 2022. It had six members from the GAC, six members from the GNSO community, and two representatives from ALAC. I was together with Manal, with Jason, Ronke, Nigel, and Ian, Sheldon, part of that effort. We met for many weeks, various calls, some of those weeks, trying to find out whether we could develop a common solution.

We had this draft framework that was submitted to community consultation before the ICANN77 meeting, and after that we had different inputs to that draft framework that revealed that there were really fundamental issues, both coming from GAC members, but also from parts of the GNSO community and the ALAC community. So really the facilitated group saw this is a hard issue. We are very hard pressed with other priorities. We are preparing the next round. We have many other PDPs going on, and WHOIS work on DNS abuse, et cetera, et cetera. So we, and in this case I'm speaking as a participant of the facilitated group, saw fit that we put the question to our chairs, to Nico, to Jonathan, and to Sébastien, to see whether this was really the right moment to continue the work on closed generics in view of those fundamental reservations coming from the community.

And the chairs of our three constituencies or sub-organizations came up with a message to the facilitated group that basically said what you have on the slide, on the next slide I think. I'm sorry that the closed generics should not be viewed as a dependency for the next round. This was very important, especially also for the GNSO, that until there was

not a community developed policy, the understanding was that closed generics would not be allowed. And the third point that should the community decide in the future to resume policy work on the matter, they would take into account the work done in the facilitated group. So that was the understanding.

And if we go to the next slide, basically what has happened in the last months is that there was bona fide efforts, I think, but of course Nico can explain this even better between the three chairs of the GNSO, ALAC and GAC, finding a common text, how to communicate this situation and that the work had been halted to the board.

Unfortunately, it was not possible to find the common text for all three organizations. So in the end we had a letter from the GAC and the ALAC communicate our positions to the board. And this letter is basically the same content as the original message from the three chairs to the facilitated group. And on the other hand, we have had very recently the GNSO letter to the board where basically out of procedural questions, as they mentioned, they have skipped the second point, i.e. the understanding that no closed generic applications would be acceptable in the next round until there is a consensus from the community At-Large. So that's really the status of this issue.

The question is therefore, before the board, yesterday we had the opportunity of already drawing the board's attention to this. And really the question now is what the GAC wants to do about this in its communicate during ICANN78. And there is already work on a text for communicate language. So I'll stop there. And if there are any questions, happy to answer.

NICOLAS CABALLERO: Thank you so much for that very detailed update, Switzerland. Before I open the floor for questions, let me turn it over to you, Lars, for some very quick clarifications. Go ahead.

LARS HOFFMANN: Thank you, Nico. I'm sorry. I know I'm not really here for this, but I know it's a very sensitive topic. So I just wanted to remind people what the board did, I think, with closed generics. Last time you said they essentially they essentially forbid it. And while that is a short form, maybe for what happened is they obviously didn't take the action to forbid it. They gave the applicants that self-identified as closed generics to either keep the application on hold until policy was developed. They gave them the opportunity to withdraw the application or to change the application. So the board didn't take the action to forbid closed generics, I think, last time around. Just as a clarifying point, I think.

JORGE CANCIO: Sure, Lars. And that's the precise ICANN language. But in practice, what was done by the board decision was to not allow closed generics as such in the last round. So this is perhaps more the policy government language.

NICOLAS CABALLERO: So thank you again, Lars. Thank you, Switzerland. And we have eight minutes for questions, comments, or anything you would like to

mention in this regard. And I had India before, and I'm sorry for not, I didn't see your hand. Would you like to go ahead now? Please, go ahead.

T. SANTHOSH:

Good morning, good afternoon, and good evening, colleagues. This is Santhosh for the record. So this is basically on the slide before, the slide before the closed generics. So I would like to know about what is the significantly higher target, actually mentioned in the earlier slide. Since there is no number disclosed yet for the upcoming self-funded round, what is the ballpark amount the underserved regions as per to? And this will boost the domestic participation. So this question is basically to figure out what can be the reduced application support program number. Thank you.

NICOLAS CABALLERO:

Thank you, India. Rose, would you take that one?

ROSALIND KENNYBIRCH:

Thanks for your question. I think it's a really great question. It's one that the GGP will be discussing specifically. And I believe it's actually next up on our list of recommendations that we're revisiting based on the feedback from the public comments to discuss. And so I would note too that we meet every Monday at 3 p.m UTC and I think 8 p.m UTC rotating weeks. So I would encourage GAC members to come and observe as well. But I think the intent of the word significant, I think this is something we discussed at the GAC webinar, was just that the

proposal for 0.5% just wasn't going to meet the GAC's ambition. As we've stated out of a successful, ambitious applicant support program. So while the specific number is again up next for discussion, this will be decided based on consensus within the GGP.

Again, I would reiterate that that isn't the final word. When that recommendation is finalized, the GAC can also come to its own conclusions and issue its own GAC advice if we think it's still not ambitious enough. I don't know, my colleague from the UPU I think was missed before too and the QM wanted to come back on something, but up to him whether he wants to come in now. But I hope that helps shed some light on that. Thanks.

TRACY HACKSHAW:

Thanks Rose for the time in the chat. This is Tracy. Thanks.

NICOLAS CABALLERO:

So thank you, India. Thank you, Rose and UPU. I have China, I have the European Commission, I have Brazil and I have Papua New Guinea. And for the sake of time, please try to keep it short, sweet and to the point. China, go ahead, please.

GUO FENG:

Thank you, Chair. Guofeng from China for the transcript. My perhaps quick comment refers to the closed generics. I would like to thank Jorge for the presentation, for the updates, and also for other GAC representatives who participated in this important and perhaps very hard topic, hard consultation. So, from the latest development, we see

that there is a joint decision by the leaders of the facilitated dialogue. My suggestion perhaps is in our communique, this meeting, we perhaps we can at least take note of this joint decision, reflect in some way in our communique, this message. I stop here. Thank you.

NICOLAS CABALLERO: Thank you very much, China. I have the European Commission.

MARTINA BARBERO: Thank you very much, Chair. Martina Barbero, European Commission for the records. And I agree with my colleague. We would like to see some text in the communique. We have a suggestion for some language in terms of GAC advice and we will submit it for all GAC members to review.

NICOLAS CABALLERO: Thank you, European Commission. I have Brazil.

LUCIANO MAZZA: Thank you, Nico. It's Luciano. That along the lines of what our European colleague mentioned, we think that's a low-hanging fruit for consensus advice. I think the previous advice has been a long time ago, we were always referring to the Beijing advice on this issue. I think it would be timely to have this crystallized in a more formal recommendation to the board, just to make sure they don't take a very quick decision in a different direction. So I think the time is now to have this on paper. Thank you.

NICOLAS CABALLERO: Thank you, Brazil. I have Papua New Guinea. Go ahead, please.

RUSSELL WORUBA: Thank you, Chair. My question is to Jorge. Papua New Guinea is a mouthful and .pg is a more relevant TLD for us. Would it be part of the limit or restriction or the three character letters that is imposed covering governments as well? It is an underserved area.

JORGE CANCIO: Thank you so much. Jorge Cancio for the record. So if I understand correctly, this would be a two letter code.

RUSSELL WORUBA: Currently, our ccTLD is .pg, but PNG is the correct abbreviation, official abbreviation for the country. Yes, Papua New Guinea, PNG.

JORGE CANCIO: Thank you.

RUSSELL WORUBA: So is the Federated State of Micronesia, FSM. And we've got other Pacific Island nations who have that. Thank you.

JORGE CANCIO: Thank you so much, Jorge Cancio again for the record. And again, as I said before, I don't know the rules by heart, but as I was involved in that work on geographic names, at least my recollection is as far as those three letter strings are within the ISO list, they are blocked from applications. So that's really the current situation.

NICOLAS CABALLERO: Thank you for that, Switzerland. Thank you, Papua New Guinea. That's my understanding as well. But that's a very sensitive issue. We'll make sure to give you the right answer. We don't have enough time right now, but we'll make sure to get back to you on that on that topic. I have India and my apologies again.

SUSHIL PAL: Thank you, Jay. This is Sushil Pal for Record. We appreciate the work done by this Facility Dialogue Group. Given that the next application round is fast approaching, I agree that the pausing these deliberations at this stage and taking it up through community consensus policy is a sensible approach, and it's a challenging topic. Therefore, due considerations must be given to remove all inoperancies for the benefit of greater DNS community, and as such, they should not be rushed or made contingent on the state deadlines for the next round. Thank you.

NICOLAS CABALLERO: Thank you very much, India. Well noted, and we ran out of time. So as a housekeeping detail, we're having a coffee break now. Please be back at 10:30. Thank you so much.

[END OF TRANSCRIPTION]