
ICANN84 | AGM – GAC: Discussion on New gTLD Program Next Round (1 of 2)
Saturday, October 25, 2025 – 16:30 to 17:30 IST

UNIDENTIFIED FEMALE Hello, everyone, if you can start taking your seats, please. The session will begin shortly.

GULTEN TEPE OKSUZOGLU Welcome to the GAC discussion on New gTLD Program Next Round on Saturday, 25th of October, at 16:30 local time. Please note that this session is being recorded and is governed by the ICANN Expect Standards of Behavior, ICANN Community Participant Code of Conduct, and the ICANN Community Anti-Harassment Policy.

During this session, questions or comments will be only read aloud if submitted in the proper form in the Zoom chat. Interpretation for this session will include all six UN languages and Portuguese. If you'd like to speak during this session, please raise your hand in the Zoom Room. Please state your name for the record and the language you will be speaking in case speaking a language other than English. Please speak clearly at a reasonable pace to allow for accurate interpretation. With that, I'll leave the floor to GAC chair, Nicolas Caballero. Over to you, Nico.

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NICOLAS CABALLERO

Thank you very much, Gulten. Welcome back, everyone. I hope you enjoyed that very quick coffee break. And my apologies again because I got confused about the last session. Just some little housekeeping details. This is the first of two discussions, two sessions we will have regarding the New gTLDs Next Round discussions we will be having in the GAC.

So let me welcome Kristy here, Nacho, Ronald, of course, and I have Tracy. Are you going to go first, Tracy? Because I'm a little bit... My coffee, it's not working well today. I don't know what's wrong. So we'll go with you first, and then I'll pass it on to Kristy. Would that be okay? Over to you. Thank you so much.

TRACY HACKSHAW

All right, thank you very much. I think there are a couple of slides. Next slide, please. Next slide. Thank you.

I'm just going to give a brief introduction and hand over to Kristy. As you would recall from the last ICANN meeting in Prague, we have, as the GAC, continued to follow the ASP closely. You've engaged with the Board, as you know, on the communiqué text of issues of importance that talks about doing an immediate review of the program. There was a GAC and At-Large work together to draft a joint letter that was published on the 15th of August that asked for that expedited review as well, given sort of a scope of that review. And in that letter, we share concerns about the program's

current trajectory, especially given the limited time being in the window.

Since then, one piece of good news that has come out of that is that ICANN has announced that they've extended the submission. Is that the deadline for the ASP? Yes, that's correct. Yes, the deadline for the ASP, but I think the correct way to phrase that is not extending the Applicant Support timeline. If you're in the system by the 19th of November, I believe, then you have additional time to enter or finish the application. So it's not extending the application period itself. You see what I'm trying to say? So that was the piece of news that came out of post ICANN83. So entities that enter information by 19 November will have until the 19th of December to submit a complete application. Next slide.

Having said that, just to let you know that we have been taking a look at the stats that have been published by Org, and I think Kristy and I had a chat before so she'll give some updates on that. We do want to ensure that the program is successful, as I had indicated previously. I do know that the GGP number of 10 is being floated around now as a success metric, but I want to remind everybody that the number of 10 was always seen as a floor, not a ceiling. So when we hit the 10, that is not to pat ourselves at the back. That's the absolute minimum number that should have been applied for absolute minimum. That's not success. That's where we should have been, and we're not there yet. So I want to make sure that we don't get very happy about 10. We should be way more than 10.

So, it's all our job as the GAC to work together, again, using the same logic from the previous session, to talk to in our home countries and get the applicants who are either in the system, who applied already, reach out to your GSE reps, your GE reps, find out information about this, and reach out to them, ask what's happening. Can they help in any way? Can you, as a GAC, help? And also continue doing the outreach and engagement along with Org to ensure that you get additional applications in by 19 November, which is in just a few weeks, and let them know that they have until 19 December to submit their data. So with that, I'll hand over either back to Nico or over to Kristy. Thanks.

NICOLAS CABALLERO

Thank you so much, Tracy. Yes, indeed. Kristy, the floor is all yours.

KRISTY BUCKLEY

Thanks very much, Nico. Thank you, Tracy. Hello, everyone. My name is Kristy Buckley, and I serve as a lead for the Next Round's Applicant Support Program, affectionately known as ASP, as we like our acronyms here.

Just a quick refresher. The purpose of the program is to make the Next Round accessible for applicants who want to apply for a gTLD, but may be otherwise unable to do so due to financial or resource constraints. We note that applying for gTLD is quite complex. They are applying to operate an Internet registry business that supports the Domain Name System.

ASP applicants can expect to undergo a rigorous evaluation process assessing eligible entity status, financial viability, financial need, business and public responsibility due diligence, and support applicants would benefit if they qualify from financial support with reduced gTLD evaluation fees, along with nonfinancial supports, training, and resources to help them through the process. Next slide, please.

One of the things that we've done, I think, since we last spoke to the GAC, is a bit more audience segmentation. So just trying to better understand the different audiences around the Applicant Support Program. So we've segmented these into three distinct audiences. One is prospective applicants. The second is applicants that are in the pipeline. Those are folks that are in some step of the application process for ASP. And lastly is those that have qualified for support or supported applicants.

So we have sort of tailored communications and activities for each of these audiences, as noted here on the slide. For prospective applicants, we are reaching out to them through targeted outreach and engagement, such as events, webinars, information sessions, awareness campaigns through social media and other outlets. We also partner with the ICANN community to create broad awareness, and we're very thankful for many of the partners, some of you in this room, that have been instrumental in helping create awareness in your regions and your countries. We're also doing

follow-up communications and touch points with event attendees to gauge their understanding and interest in applying.

The second is applicants in the pipeline. In the last couple of months in particular, we have a much more increased focus here. So we've rolled out new reporting that can help us better gauge intent to apply. So if they're in some stage of the application process, we have an aging report that shows us which applications are active and which are considered inactive, and I'll talk about that more in a minute.

We've also rolled out standardized communications cadence every two weeks to better support movement through the application process, as well as feedback surveys. And more recently, we're now holding weekly office hours for applicants in the pipeline to come and ask any questions or raise any issues or comments that they have. They can do so anonymously, and only the ASP team can see who they are. So rolling that out for those in the pipeline.

Lastly, with the supported applicants, the first few have qualified, and we published an ASP Applicant Toolkit to help them navigate and access available resources. I will post that in the chat when the Zoom reconnects. Next slide, please. Or do we lose...? I think we lost the Zoom, yeah?

UNIDENTIFIED FEMALE

Yes, we're having a little technical issue.

KRISTY BUCKLEY

I wasn't sure if it was just me, but yeah, I see.

UNIDENTIFIED FEMALE

Okay. We're going to put the slides back on.

KRISTY BUCKLEY

Okay. Thank you. Sure. For those that are online, I think we just had a quick glitch so you didn't miss anything. The Zoom went down for everyone, and it looks like it's back up now, so hopefully you can hear us online.

On this slide, this is zooming in a little bit on that second audience that I just spoke about, applicants in the pipeline. Our objectives and activities are aligned with the GNSO Guidance process for Applicant Support Recommendation #2, which is related to applicant understanding of the program and the gTLD program, as well as Recommendation #4, facilitating successful applications in the ASP.

So, the first objective here in the slide is to actively support movement through the pipeline with consistent engagement. For example, the biweekly correspondence that I mentioned and the weekly office hours. The aim is that this results in a better sense of applicant activity and how we can customize our efforts to better engage them.

The second objective is to address perceived challenges with existing and additional resources and support mechanisms. So, for example, we sent a pipeline survey to applicants and pro bono

service providers. We're holding webinars to highlight availability of those pro bono service providers and mentors. And holding the weekly office hours also contributes to addressing potential challenges that applicants may be facing. These activities are aimed at helping applicants move through that application pipeline. Next slide, please.

This is our pipeline, so to speak, and it shows the total number of applicants that have started the application process, as well as where they are in the process of submitting a complete application. These numbers reflect the application status as of the 19th of October. As you can see in the plus indicator under that purple circle there, this shows the number of changes. So plus 12 that we've seen since we last published the data on the 7th of October. We have a total of 115 applications, which is 12 more, when we remove what we consider inactive and withdrawn applicants. And what we mean by that is any application that has not been active in the system or hasn't shown any changes in the last 90 days, we're now considering that an inactive application. So when we remove those at the bottom gray line, we have 33 that are inactive, 1 application that's been withdrawn, for a total of 81 active applications in the pipeline. So all of those other colored circles show active applications in the process. So we have 27 in that first stage. This is 6 more than we saw when we last reported on the 7th of October. We have 43 that have submitted their organization. This is 4 more that have moved into that phase. And then on the application submitted phase, it shows 8, but this is actually 16,

according to my checks. So we'll update the slides once I can confirm that with the team. Thank you, Tracy, for highlighting that.

In the next couple of weeks, we're going to be doing some more analysis and targeted outreach to applicants in the process to better project their intent to apply. I get most frequently asked question is, how many of these in the pipeline do you actually think are going to submit a full application? And it's anyone's guess, but the biweekly communications that we're seeing, and to the extent that we can see activity in the system, it gives us a better gauge on who will apply.

Similarly, as Tracy mentioned, we did just put an announcement out, I put the link in the chat over the extension. So what that extension means is that the original close date for Applicant Support Program in terms of submitting applications was the 19th of November, which means that it will have been open for 12 months since November 19 of 2024. In order to give applicants a little bit of extra time, but not to sacrifice the fact that they may still be waiting for their evaluation results by the time the gTLD application window opens, we did extend that slightly with the caveat that by the 19th of November, they need to have their organization submitted, and if they have that submitted by the 19th of November, they'll have an additional 30 days until the 19th of December to submit their full application. So we're giving them a little bit of motivation to get their organization submitted. And actually, since we made that announcement, that organization submitted number has gone up significantly. So I think it was good

motivation, and we give people a little bit of extra time to submit their full applications. Next slide, please.

When you add up all of those colored circles of the active applications on the previous slide, we have a total of 81 that are active as the 19th of October. These active applications are across all 5 regions and across 28 countries or territories. Since our last website update on these statistics on the 7th of October, as applicants progress in the application process and submit their organizational information, their region or territory becomes visible. Africa has 12 active applicants in the pipeline. There have been no new applications since we last published on the 7th of October. APAC has 20 active applicants. This is 4 more since the 7th of October. Europe has 8 active. This is 2 more since we last reported. LAC has 4 applicants. No new applicants in the last two weeks. North America has 21, this is 5 more since the 7th of October.

So with that, I believe I can conclude the update, but I'm looking forward to any questions or comments that you may have. Many thanks for having me here today.

NICOLAS CABALLERO

Thank you so very much, Kristy. Thank you for that very detailed presentation. So the floor is open for questions, and I already have a hand up from Colombia. Please go ahead, Thiago.

THIAGO DAL-TOÉ

Thank you so much, Nico. Thiago Dal-Toé, Colombia, for the record. Kristy, coming back on a few slides behind when you had the different circles on how they're progressing. I wanted to ask you, what is the difference between the phase one and phase two evaluations? If there's big differences between—and apologies if you have already mentioned them—and just to confirm that two applications already have been paid and are conditionally approved—or fully approved, not conditionally approved. Thank you.

KRISTY BUCKLEY

That's right. Thank you for the question, Thiago. This slide doesn't show phase one and phase two, but essentially they need to get their organizations. Oh, sorry, can you go to the previous slide? That's what he is talking about, the pipeline slide. Yeah.

Once we have the organization information submitted, this is their entity, all of the stakeholders involved, their address, all of that information, we can run the first phase of the evaluation, right? And then, assuming they pass phase one, they're allowed to proceed to phase two, which is looking at financial need, whether it's an eligible entity, NGO, small business, indigenous peoples group, etc., financial viability. And the financial viability piece includes a deposit of \$2500. So, for example, you see that there's one applicant here that's still conditionally approved, so they've passed all the other criteria, they're just waiting to submit their

deposit. The two fully approved have passed all the criteria and submitted the deposit. So I hope that helps answer your question.

NICOLAS CABALLERO

Thank you very much, Colombia. I have Bangladesh, and then Netherlands. Bangladesh, please go ahead.

DR. SHAMSUZZOHA

Thank you, Chair. This is Shamsuzzoha from Bangladesh. Just to briefly share the experience that we recently had about the ASP, and then some questions, actually, from the ICANN team, that with our initiative from our team, we actually encouraged and selected some of the local nongovernment organizations about the opportunity of ASP, and some of them, they are very interested. One of them, they have already submitted the application. So I think they have passed the organization, submitted phase one, and they are actively, I think, within the eight probably there. That's my last update that they have.

By the time the communication, they had some query, because they are not very familiar with ICANN processes. They are making all the query to myself, and I tried to communicate ICANN team through the APAC team. I raised two questions, and it's almost two months, but I have not heard back anything. So that was a bitter experience from my side. I have not received any anything from the APAC team or any from the Global Support Team, some of the

queries. But anyway, they've pushed through with the application. So that is one of the experiences.

It's a good update that already ICANN have sent an e-mail to have the contact number of the GAC, but at the same time, because in some of the time we need some [inaudible] from GAC secretariat if we need additional information maybe from new gTLD related things, if there is a specific contact point that we can get the information quickly. Because when somebody is in the application process, they need the information very quickly for some economic and other decisions. So that is very helpful. So that is one of the requests.

The second thing is that already some of my colleagues mentioned in the last session about the financial involvement. We are very much clear about the fee of the evaluation process. That is very clear in the Application Guidebook. But even what are the annual fee and what are the additional fees that a new registry is supposed to pay, for example, based on the number of registrars. So it is referring to the RA or other documents. And for the new applicants, sometimes it's very difficult to follow all those different documents. In addition to that, what will be the, for example, operational or capex type of things, for example, developing own infrastructure, or if somebody is looking for a registry service. So if that is like a data sheet or fact sheet, just as a reference for the new applicants, especially for under sub region, that really helps us to carry the information to the industry to encourage people. Even when people are asking us that, "Okay, what would be the further?"

it is quite clear about the application fee, but what would be the further implication and financial involvement? So I even, I cannot give them a very good reference point. So that is a very special request from my country, and I think from many of the GAC colleagues, if ICANN can make it available. Thank you.

KRISTY BUCKLEY

Thank you so much for your very thoughtful questions and comments. I will do my best to remember all of this. On the first one about the specific applicant, I will check. But my suggestion is—well, there's two ways to contact. The most secure way is through the ASP application system itself. They can send an inquiry, it will go to the application processors, if they're looking for a status update, for example. If that's challenging, they can also e-mail globalsupport@icann.org, and the applicant councilor, Aisha Harrell, can also provide a status update.

My guess, without looking at a specific application, is the evaluation period for ASP is estimated between 12 and 16 weeks. This is after they submit a full application, and this is assuming that they don't have any clarifying questions, that they have all the documentation needed, if they need translation of any of those documents, that may take additional time. If they haven't heard anything in eight weeks, my guess is it's just still in process. But they can certainly write an inquiry or an e-mail to Global Support to just get a bit of a status update on that.

On your second question about the fee schedule—maybe that was your third question. We actually just got a similar question in the recent office hours that we held, and it's something that I have as a to-do for the team, is to work with Marika and the team to see if we can come up with a fact sheet to just list out here all of the potential fees that would be associated. Some of those fees are going to be conditional, right? Depending if they're a geographic gTLD or if they're community priority. So, they may not apply depending on what type of applicant they are. But I know that there was interest in not just seeing what those fees are, but when they might hit in the application evaluation process, because it's really important for planning from a financial standpoint when those fees might be due.

In terms of the Base Registry Agreement fees, my understanding is that the base fees are about US \$25,000 per year, and they increase—well, it's more than 5000 domain names under management, I believe. Marika check me if I'm wrong. Assuming that a supported applicant in the first few years has less than 5000 domains under management, they would just pay the base gTLD evaluation fee. However, that is also discounted. There's a schedule in the AGB, I'll try and find the page number there, that shows the reductions in the base gTLD evaluation fee. It's phased out over four years, so the first year is the most amount of reduction, the second year is a little bit less, the third year is a little bit less, and so on. That was part of the implementation of Policy Recommendation 17.2 from the community that asked us to

expand the types of financial support that we provide over the lifecycle of the applicant through to the registry operator. I feel like you had a third question and I'm not remembering right now. Did I miss something?

DR. SHAMSUZZOHA

I think I mentioned about the contact point that you have already covered. Just as a supplementary question, shortly, the fee, I think, that is quite clear and all the 25,000 and so on, the discounting that we could find from different documents, but what I requested that if there is a single sheet or document where all the possible costs, or for example, the possible capex and the office infrastructure required for five years, if that is available, especially it will be very much helpful for other sub-regions, especially for the countries where we do not have inherent capacity or industry to convince them, especially to communicate to the possible interested parties, that will be very helpful for us. Thank you.

KRISTY BUCKLEY

Thank you for the reminder. A couple of things. We'll take back that having a timetable and a list of the fees, because we noted that on our recent office hours that that would be helpful. In terms of capital or funding needed beyond, fees as part of the gTLD evaluation process or fees to ICANN as a registry operator, I would recommend looking at the pro bono service provider and mentor list, which I'll post now in the chat. A number of the people that have signed up to volunteer their services have experience with

marketing plans, business plans, etc., working in the domain name industry and would probably be the best resource in terms of providing expertise of what this really takes to do. There was also a couple of recent webinars where existing registry operators talked a little bit about what it's like to set this up and get going. I'll see if I can dig up those links and post them in the chat as well. Does that answer your question? Okay. Thanks.

NICOLAS CABALLERO

Thank you, Bangladesh. Thank you, Kristy, for the answer. I have two more requests for the floor. One from Netherlands and the other one from India. For the sake of time, please try to keep it short and sweet and straight to the point. Over to you, Netherlands.

MAAIKE VEENSTRA

Thank you, Nico. I will be very brief. Maaïke Veenstra for the record. I just have two short comments. Actually, good to hear that there's extra support available to applicants that are still in the pipeline. We also appreciate that the deadlines are being stretched to accommodate these candidates. However, we do fear that any further extension of the deadline might not exactly improve the quality of the candidates and interfere with the starting points of the actual application window. Secondly, we look forward to a future review or evaluation report of this ASP program. Thank you.

KRISTY BUCKLEY

Thanks very much for those comments. Indeed, as you might note in the announcement about the extension, we're trying to balance a number of different things here. On the one hand, we heard requests from the GAC and ALAC that they thought maybe people would need a bit more time. And at the same time, we really don't want the two programs to overlap because we're may be in a situation where applicants are still waiting to see if they've qualified for support when the new gTLD application window opens. And then that leaves them potentially scrambling to put together an application, which is not setting them up for success, right? So yeah, definitely.

And in terms of the review, we have a researcher that is looking at the data. There was GNSO guidance process recommendations to make sure that we do surveys and sort of look at the program overall. We've got that in place running in parallel. One of the things that we are struggling with, which is everyone that does research these days that's dependent on surveys, is that very few people fill them out. If you know any applicants or you know people that have gone to engagement events, if you can encourage them to fill out those surveys, it's really helpful in terms of the evaluation of the program and what we can continue to improve for future rounds. Thanks.

NICOLAS CABALLERO

Thank you very much, Kristy. India?

SUSHIL PAL

Thank you, Nico. Sushil Pal from India. In the last gTLD round, we had requested for providing the details of the number of applicants under the ASP program and within a country as well as the details subject to the condition that that information is shared with the consent of the applicant. I think this was also agreed by you, Kristy. You mentioned that we can contact the regional ICANN coordinator, and that information will be provided by the regional ICANN coordinator.

Subsequently, during the BGIG call and what we see from the ICANN scorecard that these are not being allowed on the text that this is violating the privacy. I think we fail to understand as to how does this violate the privacy once we agreed that it is to be done with the consent of the applicant. Because if you don't do that, I think we really find limited use of this information. I don't know how do we consume this information. I mean, these are just the numbers for us. And you are completely making GAC—I mean, there's a blackout in the GAC as to which applicants actually need support, how can the government carry out its outreach if it has to do. In the request of the data transparency, which I understand ICANN champions the cause for, we request you to provide this or at least you give us a show that ICANN has informed those applicants and it is for them to reach out now.

KRISTY BUCKLEY

Thanks for that comment. Just to distinguish between the two aspects that you mentioned. The first is whether ICANN can share through the Global Stakeholder Engagement regional vice president's country level data, like the number of applications from India, for example. Certainly, yes. If they're having trouble getting that data or if they have questions, they can come to me. We do try to provide those updates to our GSE vice presidents on a regular basis in terms of giving them a sense of the country numbers. That's something we can definitely do.

My understanding also is from the Board call with the GAC regarding the Prague Communiqué, that there were data governance, as well as privacy and personal data protection concerns with asking for applicant's consent to provide their contact information to their governments. What the staff has proposed is an alternative—I think GAC policy staff may just sent an e-mail about this earlier—is that we can certainly collect points of contact from governments and share that along with the list of pro bono service providers and mentors so there are additional resources if an applicant would like to reach out to someone in their government to say, "Hey, I have applied to this," or "I'm interested to apply to this. Could you help me?" That's something that we can do and we've also offered that to the GAC.

NICOLAS CABALLERO

Thank you. In that regard, India, this is something that was shared beforehand, but let me read it here just in case. Following the BGIG

meeting on the Prague Communiqué issue of importance related to the Applicant Support Program, ASP, ICANN staff would like to offer GAC members the opportunity to provide a government point of contact for ASP applicants from your country. Should that members wish to provide a government point of contact, please share the following information to globalsupport@icann.org with the subject line ASP Point of Contact. And there you have the point of contact name, the department or agency, and an e-mail address, and so on and so forth. That was shared, I guess a while ago.

SUSHIL PAL

Nico, just one thing. Why can't the GAC nominee itself not be the point of contact? I mean, we are losing time in this process, right? I think GAC nominee here can be considered the point of contact. I mean, we need to catch up the time. Initially, I think it was agreed this can be shared with consent. Still, it's beyond our thought as a [inaudible] data governance, it's a very broad term. I mean, just to say in the single line that this is against the Data Governance Policy, it is incomprehensible for us.

With regard to privacy, let ICANN assure that they can shoot out an e-mail to all the applicants that they can reach out to the GAC nominee in case they're interested in any help from the government. That is enough. Let them confirm that. Even that is enough. And a request for information on the country level to be provided when requested, I think we haven't been getting any support from the regional coordinator. Thank you.

KRISTY BUCKLEY

Sure. Thank you for letting me know. I mean, I don't know if we need GAC consensus on this, but if all GAC members were amenable to having their contacts shared with supported applicants, we could certainly include that in our biweekly communications to all ASP applicants in the pipeline. I don't see any concern with that. And I'm actually meeting with the GSE regional vice presidents tomorrow so I'll check in with them on the country status reporting and make sure that they have an updated report of the number of applications from each country in case you have questions about that.

NICOLAS CABALLERO

Thank you so much. Thank you, India, for your comment. Thank you, Kristy. For the sake of time, we need to move on at this point, unless—again, I don't see any hand online or in the room so let's move on. And for that, I will give the floor at this point to Nacho who is going to walk us through the GeoTLD presentation and discussion. Over to you, Nacho.

NACHO AMADOZ

Thank you very much, Nico. Thank you for the opportunity for the GeoTLD group to provide you an update. We are very conscious of the time that we have left and that we are at the end of the day so we are going to be very, very quick and to the point. If you go to the next slide, you will see that we have this agenda with mainly two

topics that we think we need to get your attention to, because I think that we are affected by that as a group, but that they also affect some way what is the role of the GAC and what is the activity of the GAC within ICANN. Go to the next one, please.

We first need to make you a very, very quick introduction to who we are. We are a non-profit association based in Belgium. We are representatives of the executive community of this association, and our members are GeoTLDs. A GeoTLD, as we have by definition, is any top-level domain that is based on a geographic name, identifier, or origin with the purpose of serving a region, a language, or a culture. As you will see and as many of you probably already know, this is different from the definition that ICANN uses for a GeoTLD and we will come back to that. But we are a category that somehow connects us more with the public good or that is at least what we believe. We all have formal or very strong and informal relationships with the governments. City TLDs need to have the endorsement from the city council, and in many cases, they operate the TLD in agreement with them. So, our connection with the public administrations and the public good, I think, is strong.

You go to the next slide, please, which is the members of our group. That is okay. You can see the city councils, nonprofit associations, profit endeavors with the endorsement of the relevant administrations, and so on. Go to the next slide and the next so we can go to the main topic. Next one, please. That is the one.

The first topic we need to update you on is the Geographic Name Panel and Geographic Names Review. We have a long presentation that we are going to shorten so that we give some time—thank you very much—for questions and for you to understand why we are raising this issue with you. In order to apply for a geographic name according to the ICANN definition, what we are seeing now is that this is going to be subject to a Geographic Name Panel, something that already happened in the round previous to this one, 2012. But now we have an estimated fee of 18,000 USD to 25,000 USD for these Geographic Names Review.

To put it very, very shortly and not far from reality, ICANN is asking the geographic name applicants that have already secured the endorsement from the public relevant administration to pay ICANN 25,000 USD so that ICANN can verify that that city official or regional government is who they say they are. We think this is bizarre. We think this is absurd. And we don't think we are depicting the situation very far from the reality. This is something that we think is disproportionate. We are seeing similar fees for the brands in the vicinity of 800 USD. And we have talked about it that it is much cheaper for us as applicants if that is the case, or members of the group, to pay for a round-trip business flight for any ICANN official to go to the city council to meet the city official or the mayor to certify that that is the person that is signing the endorsement and send them back. Trying to joke about it because the fee is no joke. As you know, the fees are higher than in 2012 because of inflation.

But this is something that is even higher and more complicated to understand.

Let us go through the rest of the slides quickly. Go to the next one. Next one. And the next one. We go to the places that really matter. Sorry, one more. There we are. For any application where the Geographic Name Panels determines that the applied for GeoTLD string is a geographic name requiring government support and objection, which is something we are happy that it is there because we understand that the governments—in plural—the relevant governments have to support or at least not object to the application. The GNP will confirm that the applicant has provided a required documentation from the relevant governments. This is from the Applicant Guidebook. And that the communication from the government is legitimate and contains the required content. ICANN may confirm the authenticity of the communication by consulting with the relevant diplomatic authorities or members of the GAC. And this is where we come to you. This is something that we have engaged the GAC before. We had very, I think, productive calls with some members of the GAC that also helped us understand how was the proper way to frame our public comment to the AGB. And we tried to raise this in a manner that was constructive but also very firm in saying this is completely unreasonable. Go to the next slide and the one after that, please.

This is our public comment and we basically urge ICANN to review the sections and to confirm the best scenario for the Geographic Names Review covered by the general application fee, as was the

case in 2012. As was the case in 2012. Then we should further detail and elaborate on possible verification methods for assessing the relevance and validity of submitted documentations that are simple, straightforward, and that should not go into the vicinity of 20,000 to 25,000 USD per applicant.

And then clearly identify exceptional cases because we understand that it may happen. But we shouldn't be all suffering this disproportionate economic burden because there were exceptional cases in the past or because there may be some exceptional case now. We understand that the exceptional cases that affect names that are important to the countries and the regional governments are something that we need to very, very clearly tackle. We don't understand that all GeoTLD applicants that have done their homework, that are facing this increasing cost and that have worked with the relevant administration to do things right, then they need to pay this extra fee so that ICANN can confirm that the city council mayor of Barcelona is the mayor of Barcelona. With that, we are going to the next topic that we think we need to work together on. And that is—

NICOLAS CABALLERO

Before we move on, there's a hand from Switzerland.

JORGE CANCIO

Thank you. Jorge Cancio of Switzerland for the record. Just wanted to share here that as far as I understand, how you are explaining

this question about the review fee, it appears that it will be applied in all cases. Is that correct? And you are nodding. I think that is not very proportionate. Maybe just to note it here, it would make sense to have some language on the matter in our communiqué. I don't know on what section, but maybe under issues of importance. Because after all, the geo names with the non-objection procedure we have with public authorities is something that affects us also as public authorities quite directly. And it doesn't, at least to my mind, make too much sense to have such a fee in general if there is no doubt on the legitimacy, the authenticity of the documents that are provided by the applicants. Thank you.

NICOLAS CABALLERO

Thank you very much, Switzerland. Is there anything you would like to reply at this point? Because I have two more hands.

NACHO AMADOZ

Just very quick. Thank you for the comment. We are completely in line. We think that this is a generic fee that shouldn't have to be when there wasn't in the past and when it is demonstrated that geo applicants have very, very clearly worked with the public administrations to do things the way that it is put forward. Thank you for that.

NICOLAS CABALLERO

Thank you, Nacho. I have the European Commission and then Netherlands.

GEMMA CAROLILLO

Thank you very much, Chair. Gemma Carolillo from European Commission. As a GAC, we have included public comment more or less to the same effect as to what your group has issued. We have asked specifically to justify the reasons behind the fee to indicate what costs such fee would cover and also to explain why additional costs were foreseen in comparison to the 2012 round. Alongside as, of course, identifying exceptional cases or differentiated cases, the regular straightforward situations from exceptions. Now, I understand that the public comments have been processed so we were waiting for the final Applicant Guidebook. In the meantime, we could get some reaction from ICANN Org in case they have some or we would support the idea from Switzerland to have languages repeating a bit like insisting on what we had as public comment. Thank you.

NICOLAS CABALLERO

Thank you very much, European Commission. I have Netherlands next.

MARCO HOGEWONING

Thank you, Mr. Chairman. Marco for the record. The Netherlands align with what the European Commission just said. It's a bit looking at this and we also have those comments go into the public comment period, I'm kind of wondering if there is anybody from ICANN in the room who can address where we are in application.

Because as much as my Swiss colleague alluded to, we can issue advice, but we have to remind ourselves that if we issue advice and this Application Guidebook will be published in December, there's not a lot of room.

However, reading and hearing what probably will be, there is a maximum, there is a ceiling. I see, probably... personally, I see no point in further implement a differential fee between the easy and the complex cases that would align with the cap that we set on the fee. But I'm also wondering whether ICANN would read that the same way. Does the Applicant Guidebook setting a max cap on the fee still allow for future decisions on differentiation between different cases?

NICOLAS CABALLERO

Thank you, Netherlands. I'm sorry to keep you waiting, Ronald, but we do have somebody from ICANN Org in the room. Please try to keep it short and sweet because we only have seven more minutes. Please, go ahead.

MARIKA KONINGS

Yes. Thank you very much. This is Marika. I just want to kind of reassure everyone, what was put in the Applicant Guidebook is a very conservative estimate. We wanted to put a number in there to give some estimation basically based on experience from 2012 on the actual cost incurred. We're actually going through an RFI process through which we hope to get a better insight into what

vendors expect the cost would be. Because regardless of documentation that is submitted, authenticity has to be verified. This is also to protect geographic names. Because, again, anyone can kind of show up and say, “I have a letter and it comes from an authority,” and they look really real. But if it’s not, again, we cannot go through that process. That’s a requirement no matter how many seals it may have.

We’re also aware that indeed—and that’s a conversation we’ll need to have with vendors here. Maybe there are certain circumstances in which it’s a simplified process and others are not. But at least from our perspective, we’ve kind of discussed that may not be easy to set it out at the outset. It may look simple, it may turn out not to be simple. Is it the right authority that has provided the letter or is there a competition between authorities that claim that they have the right to sign those letters?

But having said that, we’re working through that process. We’re planning to include a will not exceed amount by the time of the final Applicant Guidebook in December. It said that should reflect what we’ve learned from vendors on what this takes. We’re hoping that that bit won’t scare people too much what we’ve learned. But I said we’re going through that process, we had to put in something in there and we do need to go through the process of verifying the information that is provided. And we do hope that we can discuss with vendors as well are there are circumstances in which they can differentiate that pricing. But again, we don’t know that at this

point until we have a vendor identified and are able to have those conversations.

NICOLAS CABALLERO

Thank you so much for that. That was, for the record, Marika from ICANN Org. Is there anything you would like to reply?

NACHO AMADOZ

We have a response to that. And that is that the extra costs needed to verify or authenticate certain situations, we understand that, but we think that the fees are completely unreasonable. And that is something that we—

MARIKA KONINGS

I understand. As said, this is not the fee yet. We've just put in there an estimate. I just want to reassure everyone this is not yet any confirmed fee.

NACHO AMADOZ

I understand that we have to work on the basis of the estimation that has been made public. If you have told us privately that this is going to be 1000, then we wouldn't be complaining. But we have to work on what's been published. And we are happy to know that this is not going beyond the cap. But we still believe that we are considering unreasonable amounts of money to authenticate the City Council of Barcelona through some of the potential avenues, through the appropriate GAC member that can confirm that that

administration exists, that that city exists and that this official exists. I know I'm simplifying. I know that there are cases that can be complicated. We understand that. We don't think the exception should be the rule. That is principle in law and I think that it could be applied here too.

NICOLAS CABALLERO

Thank you. I suggest we park this conversation here for the sake of time on the one hand. On the other hand, from a procedural point of view, we don't need to give consensus advice or advice. We can simply include that under issues of importance or any other way the GAC would like to proceed. I'm just suggesting possible avenues. As I always say, I'm in your hands. I'm just the GAC chair. I will do whatever you tell me we should be doing. Again, I'm sorry to keep you waiting, Ronald. But at this point, you will only have three minutes. And then I'll give the floor to China. Would you like to go ahead? Is it short, sweet and straight to the point?

UNIDENTIFIED MALE

It's a question. Thank you. We are talking about a Geographic Name Panel and Review. My question is in the panel, how the panelist can be selected? I assume that this review will be outsourced to an outside vendor, whether is my understanding is correct. Thank you.

NACHO AMADOZ

I don't know. I think that question is basically addressed at ICANN that have put this panel with these potential estimated costs with the vendors that they may have in mind. I'm not sure.

NICOLAS CABALLERO

Thank you, China, for the question. Ronald, all yours.

RONALD SCHWÄRZLER

Thank you. This is Ronald Schwärzler, treasurer of the GeoTLD Group and CEO of .wien, which is the German translation or the original name of the City of Vienna. Next slide, please.

This is, let me call it, a success story to tell the GAC members that there are not only complaints but also achievements when dealing with legal things. And the GeoTLD group decided to get an agreement with the registrars and that it was my organization that tried to get an agreement with the registrars to reach NIS2, let me say, compatibility.

Just for two things, what is NIS2 trying to achieve or what does it regulate? It says that all TLD name registries and entities providing domain name registrations with other registrars have to collect and maintain accurate and complete domain name registration data. And because the registries and the registrars have to maintain this data, it shall not duplicate of collecting domain name registration data. On the one side, we have to have the data and we must not bother the registrants twice, three or four times.

What seems as a contradiction, next slide, please, in our Registry-Registrar Agreement, which somehow defines the interoperability or the cooperation between registries and registrars, we agreed that the data collection obligation set forth in Article 28 shall be performed by registrars. And we have disagreed on so the registrars, because they sell the domain name to the registrant, will check the data, will verify the data, whether the e-mail and the telephone or the telephone number is accurate, is valid, etc. For sure, this provision does not relieve registry of any data collection obligations that may apply independently to the registry. But we set it out very clearly, the registrar is taking care of the domain name registrant's data, so we do avoid duplication of these data collection activities. Next slide, please.

And there is another thing. The member states and all the TLD name registries and entities providing domain registration have to give upon lawful and purely sustained request by legitimate access seekers. We have to relieve data to the legitimate access seekers within 72 hours, at the latest. Next slide, please.

How did we solve that? In the first try, we wanted to say the registrar then should send us the data, as to the registries, we will send it to the regulator. And finally, we came all to the conclusion that whoever gets a request has to answer the request. If a Spanish law enforcement body contacts a Spanish registrar, this registrar having registered a domain name with the austrian.wien cannot say, "Please direct it to the .wien registry." The Spanish government is asking the Spanish registrar to send him the data

and he has to send the data. If they ask us, we have to answer that. So, there is no way of negotiating who should answer the question. You have to answer as a registry. You have to answer as a registrar. This is why we both have to keep the data.

I don't want to risk to try to get the data from a foreign registrar over Christmas, over Easter or whatever, over the weekend within 48 hours, that I have 24 hours left to answer my request. That is why we, the geos or many of the geos, are so-called thick registries holding the data for such purposes of being able to answer to legitimate access seekers. Next slide, please. I think it's the last one.

The scope of this RRA amendment that we as the GeoTLD group registries signed or agreed with the registrar is for GeoTLDs. Because it's very clear, if we are based in Europe, any transaction is due to NIS2 obligations. We are in Europe so every registrar selling a domain name is also covered by NIS2 obligations, regardless whether he's based... As GoDaddy is in the US, if he sells a .wien domain name, he is under NIS2 obligations. We are EU-based and we are a thick registry. We have the data to be able to answer these kinds of requests.

It is not an agreement that any registry in the world can use for, let's say, solving NIS2 problems, but at least EU-based GeoTLD registries can use this registry that we achieved with .wien with the registrars as a blueprint and can request the registrars to sign the same Registry-Registrar Agreement. This was a hard process over the last 12 months. It was based on Thomas Rickert's, let me say, blueprint.

Very much helped with plenty of lawyers, but finally, we came to this agreement and I think, or I hope, that this will solve or help us in case there's something under NIS2 obligations come up that we will have the correct processes and the correct regulations for us in place. Thank you to the registrars for being able to agree to such an RRA amendment.

NICOLAS CABALLERO

Thank you so much. That's all we have time for. Apologies for going six minutes over time. If you have questions, please feel free to approach Ronald or Nacho. Do that offline, so to say. Thank you so much again, Nacho, Ronald, you're always welcome. It was a fantastic session. We did have an interesting Q&A session right before Ronald's presentation, so I'm very happy in that regard. Thank you so much for your time. For my distinguished GAC colleagues, we'll reconvene tomorrow at 9:00 in the morning. Enjoy the beautiful city of Dublin. Enjoy your dinner. Thank you so much. The session is adjourned.

[END OF TRANSCRIPTION]