
New gTLDs Policy - Subsequent Rounds

Annex: Preliminary GAC Scorecard: Status of Substantive Areas of Interest to the GAC

(as of 23 May 2019)

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Key to color-coding:

General Alignment / Low Priority

Less Alignment / Medium Priority

Possibility of No Alignment / High Priority

Color-coding of General Status/Alignment for Each Policy Area of previous GAC input vis-à-vis the PDP Working Group Deliberations to Prioritize GAC Work:

<p>Status Still To be determined Lack of information on status of PDP WG deliberations prevent accurate evaluation at this stage.</p>	<p>General Alignment / Low Priority GAC positions are generally aligned or are adequate enough to be incorporated by the PDP at this stage. Proactive participation and input may still be appropriate to ensure ultimate alignment of GNSO policy recommendations with GAC objectives</p>	<p>Less Alignment / Medium Priority GAC members may need to monitor deliberations and plan to provide further input to PDP WG as there is a possibility that the group may not address some GAC concerns or may diverge on some policy objectives</p>	<p>Possibility of No Alignment / High Priority GAC action is needed on this item. There is a possibility that the group may not address some GAC input. Action to either engage with the Sub Pro PDP WG (to clarify GAC positions, collaborate, review implementation, etc.) or revise GAC positions (to reflect the latest developments and proposals being considered in the PDP)</p>
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1. Subsequent Rounds of New gTLDs: Reviews, Policy Development and Prerequisites

Policy Area	Summary of Previous GAC Input to relevant processes and consultations (please refer to full text when in need of precise language)	Status & Potential Next Steps for GAC Review/Consideration
Policy Development Process	<p>Response to Sub Pro PDP CC1 (29 July 2016)</p> <ul style="list-style-type: none"> ○ GAC Notes range of ongoing interconnected reviews and policy development processes relevant to new gTLDs ○ Take a comprehensive and measured approach to new gTLD policy in a sequential and coordinated way rather than through too many parallel and overlapping efforts ○ Cross-community working environment essential to the development of workable policies that maximise benefits to all relevant stakeholders ○ GNSO process to be complemented by the input from other SOs/ACs, and ICANN Board when not appropriately reflected in the outcome ○ Experience suggests conclusion of a PDP on such a wide-ranging set of issues unlikely to be end-point agreed by all stakeholders. GAC will make every effort to participate in agreed post-PDP policy processes. ○ Consider metrics to support both policy development and ongoing implementation as a specific stream of work <p>Comment on CCT Review Team Final Report (11 December 2018)</p> <ul style="list-style-type: none"> ○ Increased data collection on consumer trust, DNS abuse, domain wholesale and retail pricing, reseller information, WHOIS accuracy [...] will allow for more informed decision and policy [...] particularly with regard to future standard registry and registrar contract provisions and any subsequent rounds of gTLDs (Final Rec. 1, 8, 11, 13, 17, 18) 	<p>Status:</p> <ul style="list-style-type: none"> ● According to the GNSO Review of the GAC Kobe Communiqué (18 April 2019), all CCT Review recommendations directed at the PDP either by the Review Team (in the course of its work) or by the ICANN Board resolution (1 March 2019) are being considered in the course of the PDP WG's deliberations ● The PDP WG's working document on the matter indicates that most of these have not been addressed specifically or addressed only partially by the PDP, and are still being considered as part of deliberations on public comment received ● Of the CCT Review recommendations identified in previous GAC Input as allowing for more informed policy making (Rec. 1, 8, 11, 13, 17, 18) only recommendation 17 (collection and publication of the chain of parties responsible for gTLD domain name registrations) is part of recommendations under consideration <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> ● Update, clarify or set specific expectations in terms of policy outcomes stemming from relevant interconnected reviews and PDPs ● Seek clarifications on amount of data and metrics leveraged in by Sub Pro PDP WG deliberations. ● Follow GAC deliberations on the consideration of the CCT Review Recommendations which are not addressed in the Sub Pro PDP WG

Policy Area	Summary of Previous GAC Input to relevant processes and consultations (please refer to full text when in need of precise language)	Status & Potential Next Steps for GAC Review/Consideration
Future Releases of New gTLDs (Timing and Prerequisites)	<p>Response to Sub Pro PDP CC1 (29 July 2016)</p> <ul style="list-style-type: none"> ○ Reiterated GAC Helsinki Communiqué Advice on this matter ○ Lack of clarity on realization of the expected benefits of new gTLDs (per pre-2012 economic analysis) ○ Development and collection of metrics far from complete ○ ICANN, registries and registrars should commit to gathering appropriate data on security and consumer safety issues in a transparent manner ○ Preventing or restricting further release of new gTLDs could be seen as a windfall gain for existing gTLD owners. However, competition is only one factor in terms of assessment of costs and benefits. <p>Comment on CCT Review Team Draft Report (19 May 2017)</p> <ul style="list-style-type: none"> ○ CCT-RT's contribution is critical in evaluating the overall impact of the new gTLD Program and identifying corrective measures and enhancements <p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> ○ Reiterates GAC Helsinki & Hyderabad Communiqué and previous input that costs and benefits of new gTLDs should be reviewed before any further rounds, noting it does not seem addressed directly by PDP ○ Further expansion should take into account the CCT Review recommendations identified as prerequisites <p>Comment on CCT Review Team Final Report (11 December 2018)</p> <ul style="list-style-type: none"> ○ the GAC endorses recommendations in the final report that encourage the collection of data to better inform policy making before increasing the number of new gTLDs (Need for data) 	<p>Status:</p> <ul style="list-style-type: none"> ● The Sub Pro PDP WG has not conducted cost/benefit analysis of further releases of new gTLDs. This is based on the fact that <i>"It is the policy of ICANN that there be subsequent application rounds, and that a systemized manner of applying for gTLDs be developed in the long term"</i> (New gTLD Applicant Guidebook, section 1.1.6). The PDP WG Co-Chair (J. Neuman) signaled during an ICANN64 GAC plenary session that Policy recommendation on this matter may be at odds with GAC Advice. ● Of the CCT Review recommendations which have been identified by the PDP WG as directed to it and prerequisites to New Rounds of New gTLDs, most have not yet been addressed, or only partially, in PDP deliberations (see PDP WG schedule of deliberations). ● In terms of data collection, the Sub Pro PDP WG deliberations point to the need for assessing gaps in the Global Consumer Survey (29 May 2015) and Assessment of Competitive Effects (11 Oct. 2016) that were conducted in connection with the CCT Review. ● In its response (15 May 2019) to the GAC Kobe Communiqué Follow-up (14 March 2019) on the Helsinki Advice (30 June 2016), the ICANN Board responded: <i>"As noted in the Helsinki Scorecard, the Board accepted the advice and monitored the work of the community [...]. All of the Bylaws- and Board-committed reviews related to the 2012 round of new gTLDs have been completed. [...] The Board will consider the policy recommendations when the community completes its work [...]"</i>. <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> ● Determine whether the current status of work in the Sub Pro PDP is consistent with or requires revisiting the GAC's expectations, in particular as formulated in the GAC Helsinki Communiqué Advice that <i>"An objective and independent analysis of costs and benefits should be conducted"</i> or whether such Advice needs to be revisited. ● Evaluate data and conclusions of the Global Consumer Survey and Assessment of Competitive Effects to assess their relevance and consideration in policy outcomes ● Seek clarification as to how expected prerequisites are being incorporated into PDP policy recommendations, and whether some of these may require follow-up at later stages of the process.

2. New gTLD Applications Process

Area of GAC interest	Summary of Previous GAC Input to relevant processes and consultations (please refer to full text when in need of precise language)	Status & Potential Next Steps for GAC Review/Consideration
<p>Clarity and Predictability of Application Process</p>	<p>Response to Sub Pro PDP CC1 (29 July 2016)</p> <ul style="list-style-type: none"> ○ “Continuous delegation” could provide long-term certainty, reduce opportunities for gaming the system and enable more efficient allocation of resources by ICANN, the community and applicants. ○ Need for process flexibility to respond to emerging issues ○ Need mechanism to alert, allow application by and giving a say to parties interested in name applied for ○ GAC Appreciates importance of predictability at the pre-application, application and ongoing post-application stages, However, this should not be the prime or only consideration ○ The GAC needs a degree of flexibility to respond to emerging issues at the global level, as dealt with in ICANN processes, since national laws may not be sufficient to address them. The need for such flexibility continues after the conclusion of a GNSO PDP <p>Response to Sub Pro PDP CC2 (22 May 2017)</p> <ul style="list-style-type: none"> ○ The GAC supports any reasonable measures that streamline application procedures (thereby reducing compliance costs) but that also enable due consideration of public policy issues raised by GAC ○ Reiterates response to Sub Pro PDP CC1 regarding flexibility to respond to emerging issues, including after conclusion of PDP <p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> ○ Reiterates response to Sub Pro PDP CC1 on need for flexibility to respond to emerging issues 	<p>Status:</p> <ul style="list-style-type: none"> ● Given the Sub Pro PDP WG preliminary recommendation (2.2.2.c.1) for subjecting the future New gTLD Program, once launched, to a new Predictability Framework, to address new issues that may arise, and in light of comments received on this matter, there seems to be an understanding in the WG that such a Framework will be part of Final policy recommendations. ● Further details of this Predictability Framework (p.16) are being developed through the work of a new dedicated Sub Team of the PDP WG. <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> ● In the short term, consider taking part actively in the definition of the Predictability Framework to ensure that it provides for and does not restrict the ability of the GAC to respond to emerging issues of global public policy importance ● In the longer term, consider how the GAC would approach and prepare for both the policy implementation phase (once policy development is complete and before the new round of application is launched) and for the operational phase of a next round (administration of the Program) with the envisioned Predictability Framework.

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Application Procedures	<p>Response to Sub Pro PDP CC2 (22 May 2017)</p> <ul style="list-style-type: none"> ○ Critical assessment should be made on whether Applicant Guidebook or single place on ICANN's website should be preferred in future ○ If Applicant Guidebook is retained, partitioning in different audience-driven sections or by type of application has merit <p>Comment on Sub Pro PDP Supplemental Initial Report (19 Dec. 2018)</p> <ul style="list-style-type: none"> ○ Concur that better guidance provided by ICANN would be helpful regarding possible changes in applications once submitted and their consequences in terms of publication and evaluation.. ○ Care is required so as not to allow changes that could undermine the role of Application comments ○ A change to the likely operator of the new gTLD would constitute a material change and require notification (AGB 1.2.7) and possibly re-evaluation as well as public comments for competition and other concerns. 	<p>Status:</p> <ul style="list-style-type: none"> ● The Applicant Guidebook is expected to be retained ● The PDP WG Recommendation for ICANN org to provide better guidance to Applicant is not expected to evolve at this point. <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> ● Consider providing specific guidance to ICANN once policy development is complete and ICANN begin implementation work, including editing the New gTLD Applicant Guidebook ● Pursue the definition of categories (see other section in this scorecard)

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Freedom of Expression	<p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> ○ No clear evidence of infringement of an applicant's freedom of expression rights in the recent gTLD round ○ Freedom of expression, especially from commercial players, is important but not absolute. ○ As in any fundamental rights analysis all affected rights have to be considered, including, inter alia, intellectual property rights, applicable national laws on protection of certain terms etc. ○ Procedures have to be inclusive of all parties whose interests and rights are affected by a specific string application, and all need to be given a fair say in the process 	<p>Status:</p> <ul style="list-style-type: none"> ● Deliberations on public comments received on this topic are still pending. They are currently planned in early June (per PDP WG schedule of deliberations, subject to change) ● Public comments indicate there appears to be support for the respect of freedom of expression in balance with that of other rights. If there is additional guidance to be developed for evaluators in this area, it is expected to be developed prior to launch. <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> ● Monitor WG deliberations and potential policy recommendation outcomes

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TLD Categories (or Types)	<p>Response to Sub Pro PDP CC1 (29 July 2016)</p> <ul style="list-style-type: none"> Reiterates GAC Nairobi Communiqué Advice calling for further exploration of categories Limited geographic and category diversity of 2012 application should inform discussions GAC 2007 Principles and Durban Communiqué suggest certain types of TLDs which may deserve a differential treatment, including sensitive strings and highly regulated sectors Differential treatment may require different tracks for application and different procedures, rules and criteria. To be confirmed with data gathering. <p>Response to Sub Pro PDP CC2 (22 May 2017)</p> <ul style="list-style-type: none"> Reiterates GAC Nairobi Communiqué Advice in relation to possible variable fee structure per type of application <p>Comment on the Statistical Analysis of DNS Abuse in New gTLDs (19 September 2017)</p> <ul style="list-style-type: none"> There is still significant scope for the development and enhancement of current mitigation measures and safeguards, taking into account the specific risk levels associated with different categories of New gTLD (Standard or generic gTLD, Community gTLD, Geographic gTLD and Brand gTLD) Risk levels also varies depending on the strictness of the registration policy (bad actors prefer to register domains in standard new gTLDs, which are generally open for public registration, rather than in community new gTLDs, where registries may impose restrictions on who can register domain names) <p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> Reiterates GAC Nairobi Communiqué Advice calling for further exploration of categories and addressing fees 	<p>Status:</p> <ul style="list-style-type: none"> Deliberations based on public comments received are still pending. It is unclear whether the fee component of GAC Advice is addressed in current deliberations, which are scheduled to resume in early June (per PDP WG schedule of deliberations, subject to change) The summary of Public Comments indicates support from most commenters for maintaining the existing de facto categories of the 2012 round: standard; community-based; governmental entity operated; geographic; and brand TLD; and not creating additional categories A number of new ideas remain to be discussed. <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> The GAC may wish to assess whether new categories should be considered, and if so, highlight specifically what those categories are and why they should be given a different treatment. Allowing for a variable fee structure may need to be pursued specifically

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Community Based Applications	<p>Comment on CCT Review Team Draft Report (19 May 2017):</p> <ul style="list-style-type: none"> o Conduct a thorough review of procedures and objectives for Community-based applications (Draft Rec. 48, Final Rec. 34) <p>Response to Sub Pro PDP CC2 (22 May 2017)</p> <ul style="list-style-type: none"> o Where a community which is impacted by a new gTLD application has expressed a collective and clear opinion, that opinion should be duly taken into account as part of the application. (Beijing Communiqué) o Take better account of community views, regardless of whether those communities have utilised the ICANN formal community process or not (Durban Communiqué 2013) o The GAC proposes the establishment of an appeal mechanism for community applications o The GAC has recently referred to the PDP Working Group for consideration the recommendations of a report on community applications commissioned by the Council of Europe. <p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> o Supports proposal in the Initial Report o The study of this matter by the Council of Europe should be considered <p>Comment on CCT Review Team Final Report (11 December 2018)</p> <ul style="list-style-type: none"> o a thorough review of procedures and objectives related Community-Based Applications be conducted prior to the launch of any future round of New gTLD Application (Final Rec. 34) 	<p>Status:</p> <ul style="list-style-type: none"> • The deliberations of Sub Pro PDP WG on public comments received, (which include CCT Review Final Rec. 34) are still pending. It should be completed by August 2019 (per PDP WG schedule, subject to change) • The PDP WG Co-Chair (J. Neuman) indicated during an ICANN64 GAC plenary session that there are divergent views on these matters and commended the findings of the Council of Europe study. • ICANN Board and Sub Pro PDP consideration of CCT Review Final Recommendation 34 for a thorough review of this mechanism, identified as a prerequisite to future rounds (and directed at the Sub Pro PDP WG) are still pending. • Public Comments indicate there appears to be support to try and make Community Priority Evaluation (CPE) more transparent and predictable, including developing and sharing guidance earlier in the process. • Open questions remain on the definition of “community” and whether any additional considerations for communities should be introduced beyond CPE. • Regarding the CPE, there remains a lack of clarity on which of the criteria are most problematic. <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> • Monitor outcomes on the consideration of CCT Review Recommendation 34, both by ICANN Board and the Sub Pro PDP WG • Consider providing specific input on expectations in connection with the “thorough review” the GAC has called for, as well as on specific problems to be addressed such as the definition of Communities (as agreed during the ICANN64 GAC plenary session). The GAC may wish to leverage prior documentation of the issues by the UK GAC Representative (16 October 2017) and the report by the Council of Europe (May 2016)

Area of GAC interest	Summary of Previous GAC Input to relevant processes and consultations (please refer to full text when in need of precise language)	Status & Potential Next Steps for GAC Review/Consideration
Community Engagement	<p>Response to Sub Pro PDP CC1 (29 July 2016)</p> <ul style="list-style-type: none"> o Ensure/empower participation from all relevant stakeholders from affected communities (as applicants or to have a fair say when legitimate interests affected by TLD applications) 	<p>Status:</p> <ul style="list-style-type: none"> • Deliberations of Sub Pro PDP WG based on public comments received in relation to the New gTLD Communications Strategy (2.4.2) are still pending. • For context, the questions included in the first Community Consultation (CC1) focused mostly on the resolution of issues that might arise after the program launch. The preliminary outcome at that time was envisioned to be a “change control framework”, which later became the ‘Predictability Framework’ in the Initial Report (p.16), that is still being developed through the work of a dedicated Sub Team of the PDP WG (see this other section of this scorecard) <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> • Consider monitoring and contributing specific input on the New gTLD Communication Strategy as well as other areas of WG deliberations such Comments and Objections on Applications.

Area of GAC interest	Summary of Previous GAC Input to relevant processes and consultations (please refer to full text when in need of precise language)	Status & Potential Next Steps for GAC Review/Consideration
<p>Applicant Support and Participation of Underserved Regions</p>	<p>Comment on CCT Review Team Draft Report (19 May 2017):</p> <ul style="list-style-type: none"> ○ Establish clear measurable goals and indicators for applications from the Global South, linked to ICANN strategic objectives. Increase in number of delegated strings from underserved regions should be critical (Draft Rec. 43, Final Rec. 29) ○ Expand and update work on outreach to Global South, starting with response to challenges identified to date (Draft Rec. 44, Final Rec. 30) ○ ICANN to coordinate pro bono assistance (Draft Rec. 45, Final Rec. 30) ○ Revisit Application Support Program: reduction of fees, additional support, access to simple information in relevant language (Draft Rec. 46, Final Rec. 32) ○ Not only should the application fee be reduced for all applicants but members from underserved regions should be offered additional support due to external issues [...] which should not prevent entities in those regions from applying <p>Response to Sub Pro PDP CC2 (22 May 2017)</p> <ul style="list-style-type: none"> ○ Please see submission on CCT-RT Draft Report <p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> ○ PDP Should consider the CCT Review recommendations in this area <p>Comment on CCT Review Team Final Report (11 December 2018)</p> <ul style="list-style-type: none"> ○ Reiterated comments on Draft Report ○ Establishment of “clear, measurable goals for the Global South, including whether or when applications and even number of delegated strings should be objectives” of any New gTLD Application Round (Final Rec. 29) 	<p>Status:</p> <ul style="list-style-type: none"> ● Deliberations on public comments received (not a ‘high volume of input’) are still pending. It is expected to discuss this in mid-June (per current WG Schedule). ● ICANN Board, ICANN org and Sub Pro PDP consideration of the CCT Review Final Rec. 29, 30 and 32 - all identified as prerequisites to launching new rounds - is still pending. ● Public Comments indicate that: <ul style="list-style-type: none"> – There appear to support for targeting not just the Global South, but the so-called “middle applicant,” or regions that are further along in their development but where struggles to participate remain – There also appears to be support for a number of more operationally related elements, like improving outreach and awareness building, extending support beyond just financial contributions. ● There are still open questions on what success looks like and the appropriate metrics to measure. ● Applicant support and the “middle applicant” was discussed on August 8th, 2019 by PDP WG, see “high-level agreement: not only target the Global South, but also consider the “middle applicant” which are struggling regions that are further along in their development compared to underserved or underdeveloped regions” (page 17). <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> ● The GAC Underserved Regions WG may wish to follow and contribute to deliberations in this area as to ensure outcomes compatible with GAC expectations and actual needs of prospective applicants in these regions.

3. New gTLD Applications Requirements

Area of GAC interest	Summary of Previous GAC Input to relevant processes and consultations (please refer to full text when in need of precise language)	Status & Potential Next Steps for GAC Review/Consideration
Applicant Evaluation and Accreditation Programs	<p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> Applicant evaluation and Registry Service Provider pre-approval process should include consideration of potential security threats Such consideration should include using tools such as ICANN's DAAR to identify any potential security risks (and affiliated data) associated with an application 	<p>Status:</p> <ul style="list-style-type: none"> As of 16 May 2019, the Sub Pro PDP WG has not addressed this area yet. It is expected to discuss this by end of May 2019 (per the current WG Schedule). Public Comments to date indicate there appears to be support for an optional RSP pre-approval mechanism, understood as following the same technical and operational requirements as the general application process. <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> The GAC and PSWG particularly may wish to follow and contribute to deliberations of Sub Pro PDP WG in this area as to ensure outcomes compatible with GAC expectations and threat landscape, consistent with previous GAC Advice¹
Closed Generic TLDs	<p>Response to Sub Pro PDP CC2 (22 May 2017)</p> <ul style="list-style-type: none"> Based on principles of promoting competition and consumer protection, exclusive registry access should serve public interest goal (per Beijing GAC Communiqué Cat. 2 Safeguards Advice) <p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> Re-affirms previous advice (Beijing Communiqué, Cat. 2 Safeguards): for strings representing generic terms, exclusive registry access should serve a public interest goal 	<p>Status:</p> <ul style="list-style-type: none"> Further deliberations of the Sub Pro PDP WG, in the context of wide-ranging opinions on a topic recognized as one of the most controversial in the PDP WG are still pending. It is expected the WG would discuss this matter by end of May 2019 (per current WG Schedule) Public Comments to date indicate there appears to be a fair amount of support to allow closed generics in some capacity, perhaps requiring that the closed generic serve the public interest, require commitment to a code of conduct, and/or introduce an objection process. However, there are some strongly held views against closed generics altogether. <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> The GAC may consider clarifying criteria for what would constitute serving the public interest (per PDP WG Co-chair request during ICANN64 GAC plenary session) The GAC may also be interested to review and refine safeguards applicable to closed generic, and assess proposed mechanisms such as Application Criteria, Code of Conduct or a new Objection mechanism.

¹ In particular Annex 1 of [GAC Hyderabad Communiqué](#), and follow-up exchange with ICANN Board and ICANN Org. For more information: <https://gac.icann.org/activity/dns-abuse-mitigation> (section Ongoing Work > Effectiveness of DNS Abuse Safeguards in Registries and Registrars Contracts)

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Reserved Names	<p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> ○ Existing reservations of names at the top level substantially reflect the GAC Principles Regarding New gTLDs. ○ The GAC would expect that any changes should be consistent with these Principles ○ The GAC wishes to draw the attention of the PDP to its most recent advice on certain 2-character codes at the second level (GAC Panama Communiqué) 	<p>Status:</p> <ul style="list-style-type: none"> ● Further deliberations of Sub Pro PDP WG are still pending based on public comments received, amid intense debate around letter-digit and digit-letter two-character domains, including potential DNS Stability, Security and Resiliency concerns. The WG is expected to discuss this by mid July 2019 (per current WG Schedule). ● Public Comments to date indicate there appears to be support to maintain the existing reservations at top-level in the AGB, but adding names for the Public Technical Identifiers and Special-Use names agreed upon through IETF RFC 6761. ● The WG is contemplating allowing two character letter-number combinations, which would require the lifting of the ban on numerals, though is a fair amount of opposition. ● Public Comments to date indicate there also appears to be support for the existing second-level reservations as well, but including the measures for Letter/Letter Two-Character ASCII Labels to Avoid Confusion with Corresponding Country Codes adopted by the ICANN Board on 8 Nov 2016

4. New gTLD Applications Requirements - Safeguards and Public Interest Commitments

Area of GAC interest	Summary of Previous GAC Input to relevant processes and consultations (please refer to full text when in need of precise language)	Status & Potential Next Steps for GAC Review/Consideration
<p>Safeguards (Highly regulated sectors, Registration Restrictions, DNS Abuse)</p>	<p>Comment on CCT Review Team Draft Report (19 May 2017): the GAC supports:</p> <ul style="list-style-type: none"> ○ Incentives for registries to meet user expectations regarding content, registrants in TLD, safety of personal data (Draft Rec. 14, Final Rec. 12) ○ Further gathering of data related to WHOIS Accuracy and related complaints (Draft Rec. 17-18, Final Rec. 18) ○ Regular gathering, analysis by ICANN of data pertaining to abuse rates in new gTLDs (Draft Rec. 19, Final Rec. 16) ○ Review of Registry Security Framework (Draft Rec. 20, Final Rec. 19) ○ Assessing whether mechanisms to report and handle complaints have led to more focused efforts to combat abuse and improving awareness of Registries points of contact to report abuse (Draft Rec. 21-22, Final Rec. 20) ○ Collection of additional information in complaints to assess effectiveness of highly regulated strings Cat. 1 safeguards (Draft Rec. 23-24, Final Rec. 21) ○ More data and information required for an objective assessment of the effectiveness of safeguards for highly regulated strings (Draft Rec. 25-30, Final Rec. 23) ○ Survey registrant and ICANN compliance on enforcement of Safeguards related to New gTLDs with Inherent Governmental Functions and Cyberbullying (Draft. Rec 31-32, Final Rec. 24) ○ Additional collection of data to assess effects of restricted registration policies on TLD trustworthiness, DNS Abuse, competition, and costs of compliance (Draft Rec. 33-36, Final Rec. 13) <p>Comment on the Statistical Analysis of DNS Abuse in New gTLDs (19 September 2017)</p> <ul style="list-style-type: none"> ○ There is still significant scope for the development and enhancement of current mitigation measures and safeguards, taking into account the specific risk levels associated with different categories of New gTLD (Standard or generic gTLD, Community gTLD, Geographic gTLD and Brand gTLD) ○ Risk levels also varies depending on the strictness of the registration policy (bad actors prefer to register domains in standard new gTLDs, which are generally open for public registration, rather than in 	<p>Status:</p> <ul style="list-style-type: none"> ● The Sub Pro PDP WG does not track these under a dedicated topic or area of work. This subject has been considered to some extent in the context of TLD Types/Categories or as part of its Global Public Interest discussions. ● There appears to be some support for the concept of a Verified TLD (TLDs implying trust and related to regulated or professional sectors that have implications for consumer safety and well-being) ● As indicated in the Policy Development Process section of this scorecard, the PDP WG considers that all CCT Review recommendations directed at the PDP are being considered in the course of the PDP WG's deliberations ● Per the PDP WG's working document, only 4 of the CCT Review recommendations identified as important by the GAC in the area of safeguards (see Left) are being considered, that is Rec. 12, 14, 16, 23. All of these are identified as requiring more consideration in PDP WG deliberations ● It should be noted that CCT Review Final Recommendations have been considered by the ICANN Board (1 March 2019). The Board's actions are currently subject to further community discussion, as tracked by the GAC in another dedicated scorecard. <p>Possible Next Steps for the GAC:</p> <p>Given the importance of this policy area for the GAC, and given the reduced scope of consideration of CCT Review Recommendations in the PDP WG (compared to GAC expectations), the GAC May wish to::</p> <ul style="list-style-type: none"> ● proactively engage or contribute position papers for consideration in PDP WG deliberations related to TLD Types/Categories or Global Public Interest. These are currently planned for end of May/early June (per WG Schedule, subject to change) ● actively track developments in relation to the Board consideration of the CCT Review recommendations, and possibly engage via other channels in complement to the PDP WG where appropriate.

community new gTLDs, where registries may impose restrictions on who can register domain names)

[Comment](#) on [Sub Pro PDP Initial Report](#) (8 October 2018)

- o **Verified [TLD]** Consortium and the National Association of Boards of Pharmacy recommendations on applications for strings linked to highly regulated sectors should be supported.

[Comment](#) on [CCT Review Team Final Report](#) (11 December 2018)

- o Considering the conclusion that “The new gTLD safeguards alone do not prevent DNS Security abuse in the DNS”, consider more **proactive measures to identify and combat DNS abuse**, including incentives (contractually and/or financially) by ICANN to encourage contracted parties to adopt proactive anti-abuse measures (Final Rec. 14)
- o Incentivize registries to meet **expectations about who can register domains in sensitive or regulated industries** and gathering data about complaints and rates of abuse in these gTLDs that often convey an implied level of trust (Final Rec. 12, 23)
- o Endorses recommendation for an **audit of highly regulated gTLDs** to assess whether restrictions regarding possessing necessary credentials are being enforced (Final Rec. 23)
- o ICANN Contractual Compliance to publish **more details as to the nature of the complaints** they are receiving and what safeguards they are aligned with, to enhance future policy making and contractual safeguards (Final Rec. 20, 21)

Area of GAC interest	Summary of Previous GAC Input to relevant processes and consultations (please refer to full text when in need of precise language)	Status & Potential Next Steps for GAC Review/Consideration
Public Interest Commitments (PICs)	<p>Comment on CCT Review Team Draft Report (19 May 2017): the GAC supports</p> <ul style="list-style-type: none"> o Improvement of definition, accessibility and evaluation of applicant's Public Interest Commitments (Draft Rec. 37-39, Final Rec. 25) <p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> o Actual adoption and implementation of the PICs differed in many respects from GAC advice (Toronto and Beijing Communiqués), most notably on the issue of safeguards applicable to highly regulated gTLDs (Cat. 1). o Before making any final recommendations, the PDP should consider the GAC's prior safeguard advice and any recommendations in the CCT final report on these issues should be fully considered in the next stage of the PDP's work o PICs should be effectively monitored by ICANN for compliance, with appropriate sanctions when breached 	<p>Status:</p> <ul style="list-style-type: none"> • As of 16 May 2019, the Sub Pro PDP WG has not addressed this area yet (see WG public comments analysis spreadsheet on Global Public Interest). It is expected to discuss this by June 2019 (per current WG Schedule, subject to change). • Sub Pro PDP WG consideration of CCT Review Final Recommendation 25, identified as prerequisite to subsequent rounds, is still pending. • Public Comments to date indicate there appears to be support to codify the concept of mandatory Public Interest Commitments (PICs) as policy. There also appears to be support for voluntary PICs, with the ability for applicants to agree to additional PICs in response to public comments, GAC Early Warnings, and GAC Advice. <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> • The GAC may wish to monitor closely and possibly engage in these deliberations on "Global Public Interest" matters as they have gathered significant interest and their outcomes are likely to affect the GAC's ability to handle public policy concerns in future rounds (see also discussion of predictability of application process above). • GAC and PSWG may want to start considering whether and to what extent, as suggested in the PDP WG Initial Report (section 2.3.2.c.1, p.54): "<i>mandatory PICs should be revisited to reflect the ongoing discussions between the GAC Public Safety Working Group and Registries as appropriate</i>", which would likely be policy implementation work.

Area of GAC interest	Summary of Previous GAC Input to relevant processes and consultations (please refer to full text when in need of precise language)	Status & Potential Next Steps for GAC Review/Consideration
Global Public Interest	<p>Response to Sub Pro PDP CC2 (22 May 2017)</p> <p>Regarding mechanisms to be employed to serve the public interest, in addition to Public Interest Commitments, the GAC referred GAC Advice it believed were still current:</p> <ul style="list-style-type: none"> o Beijing Communiqué on Cat. 1 Safeguards Advice (Closed Generics) o Los Angeles Communiqué Advice on PICDRP to ensure that non compliance with Public Interest Commitments is effectively and promptly addressed, and for Cat. 2 TLDs (restricted registration) to provide registrants an avenue to seek redress for discriminatory policies o Singapore Communiqué (2015) Advice to reconsider the PICDRP and develop a 'fast track' process for regulatory authorities, government agencies and law enforcement to work with ICANN contract compliance to effectively respond to issues involving serious risks of harm to the public o Singapore Communiqué (2015) Advice to recognise voluntary adoption of GAC advice on verification and validation of credentials as best practice. 	See discussion of Safeguards and Public Interest Commitments above.

5. New gTLD Applications Evaluation, Objections and String Contention

Area of GAC interest	Summary of Previous GAC Input to relevant processes and consultations (please refer to full text when in need of precise language)	Status & Potential Next Steps for GAC Review/Consideration
GAC Early Warnings	<p>Response to Sub Pro PDP CC2 (22 May 2017)</p> <ul style="list-style-type: none"> o GAC Early Warning provided earliest possible notice of potential public policy concern and served the interests of both applicants and the GAC o GAC Advised for commitments in response to Early Warning to be made contractually binding (Toronto) o The GAC is interested in participating in any discussions to improve the Early Warning arrangements so that the legitimate concerns of governments, applicants and the wider community are met. <p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> o GAC Early Warning and GAC Advice were useful instruments to identify applications that raise public policy concerns and should be an integral part of any future rounds. o GAC is Open to increasing transparency and fairness of these, including giving applicants an opportunity for direct dialogue with the GAC. o However, the GAC does not consider that the PDP should make recommendations on GAC activities which are carried out in accordance with the ICANN Bylaws and the GAC's internal procedures 	<p>Status:</p> <ul style="list-style-type: none"> • The Sub Pro WG addressed this area's consideration in the Initial Report (see section 2.3.2 p.53). It is expected to discuss public comments received on the Global Public Interest by early June (per current WG Schedule, subject to change) • Public Comments indicate there appears to be support to continue the practice of GAC Early Warnings (EW), but introducing a requirement that rationale/basis and specific action requested of applicant must be included. There should be an opportunity for dialogue to respond to GAC EW by the applicant either amending the application or including a Public Interest Commitment (PIC). <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> • The GAC may wish to engage in these deliberations as there is significant interest in the role of the GAC and support to impose requirements on GAC actions in future rounds,
String Similarity	<p>Response to Sub Pro PDP CC2 (22 May 2017)</p> <ul style="list-style-type: none"> o Reference to the GAC Hyderabad Communiqué Advice regarding the proposed guidelines on the second IDN ccTLD string similarity review process o Reference to GAC Prague Communiqué advice "to create a mechanism of appeal that will allow challenging the decisions on confusability" in relations to applied-for IDN ccTLDs <p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> o Reaffirms previous advice (GAC Beijing and Singapore Communiqué) that singular and plural versions of the same string as a TLD could lead to consumer harm 	<p>Status:</p> <ul style="list-style-type: none"> • The Sub Pro PDP WG has not addressed this area yet beyond its consideration in the Initial Report (see section 2.7.4, p. 127). It is expected to discuss public comments received in late July (per current WG Schedule) • Public Comments indicate there appears to be support to prohibit plurals and singulars of the same word within the same language/script (utilizing a dictionary), in order to reduce the risk of consumer confusion. These singular/plural combinations would be put in contention sets. <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> • While convergence seems likely on the issue of singular and plural versions of the same string, the GAC may be interested in monitoring possible discussion of review and appeals mechanisms

Area of GAC interest	Summary of Previous GAC Input to relevant processes and consultations (please refer to full text when in need of precise language)	Status & Possible Next Steps
Auctions Procedures	<p>Comment on Sub Pro PDP Initial Report (8 October 2018)</p> <ul style="list-style-type: none"> ○ Auctions of last resort should not be used in contentions between commercial and non-commercial applications ○ Private auctions should be strongly disincentivised <p>Comment on Sub Pro PDP Supplemental Initial Report (19 Dec. 2018)</p> <ul style="list-style-type: none"> ○ Reiterates comments made on the Initial Report 	<p>Status:</p> <ul style="list-style-type: none"> ● The Sub Pro PDP WG has not addressed this area yet beyond its consideration in the Initial Report (see section 2.7.4, p. 127) and the Supplemental Initial Report. It is expected to discuss public comments received on the Initial Report and comments received on the Supplemental Report in late August (per current WG Schedule) ● Public Comments indicate there appears to be support to continue the practice of last resort auctions, but with mechanisms to reduce their necessity (e.g., allow joint ventures, string change in limited instances). ● For private resolutions, it is unclear which direction the WG may go. The WG has not agreed to a practical mechanism that would deter or prevent the activity and in fact some believe that private resolution is a valid way to resolve contention should be allowed. <p>Possible Next Steps for the GAC:</p> <ul style="list-style-type: none"> ● Prepare to engage the WG to press on and bolster existing support by some members of the WG (section 2.1.d.2.1) for specific consideration of non-commercial applications in auctions, or alternatives thereof. ● Consider refining expectations and making proposals in terms of incentives for the avoidance of private auctions.