

---

# Enhancing ICANN Accountability – Work Stream 2 (WS2)

## Recommendation 4.1.2 - Implementation Documentation

Enhancing ICANN Accountability – Work Stream 2 Final Report

<https://www.icann.org/en/system/files/files/ccwg-acct-ws2-final-24jun18-en.pdf>

See <https://www.icann.org/resources/work-stream-2-implementation-en> for more information on Work Stream 2 implementation.

### WS2 - Jurisdiction - Recommendation 4.1.2

#### Approval of gTLD Registries

In the 2012 round of the New gTLD program, it was difficult for residents from sanctioned countries to file and make their way through the application process. The Applicant Guidebook (AGB) states: "In the past, when ICANN has been requested to provide services to individuals or entities that are not SDNs (specially designated nationals) but are residents of sanctioned countries, ICANN has sought and been granted licenses as required. In any given case, however, OFAC could decide not to issue a requested license."

The sub-group recommends that ICANN should commit to applying for and using best efforts to secure an OFAC license for all such applicants if the applicant would otherwise be approved (and is not on the SDN list). ICANN should also be helpful and transparent with regard to the licensing process, including ongoing communication with the applicant.

#### Final Implementation Report

On 16 March 2023, the ICANN Board [approved](#) outputs of the new gTLD Subsequent Procedures Policy Development based on the [New gTLD Subsequent Procedures Operational Design Assessment \(ODA\)](#), which states as follows:

*ICANN org must comply with all relevant laws, rules, and regulations. One such set of regulations is the economic and trade sanctions program administered by the Office of Foreign Assets Control (OFAC) of the U.S. Department of the Treasury. These sanctions have been imposed on certain countries, as well as individuals and entities that appear on OFAC's List of Specially Designated Nationals and Blocked Persons (the SDN List). ICANN org is prohibited from providing most goods or services to residents of sanctioned countries or their governmental entities or to SDNs without an applicable U.S. government authorization or exemption. ICANN org generally will not seek a license to provide goods or services to an individual or entity on the SDN List. In the past, when ICANN org has been requested to provide services to individuals or entities that are not SDNs, but are residents of sanctioned countries, ICANN org has sought and been granted licenses as required. In any given case, however, OFAC could decide not to issue a requested license.*

---

ICANN org is working in consultation with the SubPro Implementation Review Team (IRT) on an applicant guidebook (AGB) for the Next Round of new gTLDs, based on the Board-approved outputs from the [Final Report](#). The AGB will provide all relevant information required to apply for a gTLD during the Next Round, including relevant financial and legal requirements to operate a gTLD and how these requirements will be assessed.

## Rationale

Work Stream 2 Recommendation 4.1.2 is considered superseded by the Subsequent Procedures output which is the result of a bottom-up, consensus based policy-making process, and the Board's extensive consultation with ICANN org and the community.

## Timeline

Expected implementation date: March 2023

Final implementation date: March 2023

## Milestones

- March 2023 - Board approval of Subsequent Procedures outputs.