Status of This Document

This is the Generic Names Supporting Organization (GNSO) Guidance Recommendation Initial Report of the GNSO Guidance Process working group that has been posted for public comment.

Preamble

The objective of this Initial Report is to document the working group's deliberations on preliminary guidance recommendations, and issues to consider before the working group issues its Final Report. After the working group reviews public comments received in response to this report, the working group will submit its GNSO Guidance Recommendation Final Report to the GNSO Council for its consideration.

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1. Executive Summary

1.1 Introduction.

- **Task 1 – Review the 2011 Final Report** of the Joint Applicant Support Working Group and the 2012 implementation of the Applicant Support program in detail, to serve as resources for other Applicant Support related questions/tasks.

- **Task 2** – Working with ICANN org staff as appropriate, **identify experts** with expertise to aid in tasks 3, 4, and 5.

- **Task 3 – Analyze the set of suggested metrics** in Implementation Guidance 17.9 and propose which ones should be prioritized. The set of prioritized metrics is NOT limited to what is identified in 17.9

- **Task 4 – Identify any other appropriate metrics and measures of success** to help in identifying the necessary program elements and measuring program success after the fact. In identifying the suggested set of metrics, propose how data can be collected, how metrics can be measured, who can collect the data, as well as what represents success.

- **Task 5** – Consider, and to the extent feasible, suggest how the "outreach, education, business case development, and application evaluation" **elements of the Applicant Support Program may be impacted by the identified metrics and measures of success.** For example, based on the success metrics for Awareness and Education, this may impact the approach for performing outreach and education. To the extent feasible, suggest an approach to outreach, education, business case development, and application evaluation assistance.'

- **Task 6** -- Recommend **a methodology for allocating financial support** where there is inadequate funding for all qualified applicants.

1.2 Preliminary Guidance Recommendations

- GR1: <u>Increase awareness</u> of the Applicant Support Program of the next round of gTLD applications among those who may need and could qualify for support.

- GR2: That the Applicant Support Program has cultivated <u>pro bono services</u> as well as ICANN-provided information and services to be available for supported applicants to inform their gTLD applications; that ICANN will communicate the availability of pro bono services and the parameters in which they are offered to potential supported applicants; and that supported applicants report that they found the information and services offered by pro bono providers to be useful.

- GR3: That the Applicant Support Program has the necessary <u>resources</u> to achieve its goals based on the GGP Recommendations Guidance Report.

- GR4: Make application materials and the <u>application process timely and accessible</u> to diverse potential applicants, with the aim of facilitating successful applications in the Applicant Support Program among those who may need and could qualify for support.

- GR5: Of all successfully delegated gTLD applications, the goal is that a certain <u>percentage</u> of them should be from <u>supported applicants.</u>

- GR6: ICANN org to investigate the <u>extent</u> to which supported applicants that were awarded a gTLD are <u>still in business</u> as a registry operator <u>after three years</u>.

- GR7: In the scenario that there <u>is inadequate funding for all qualified applicants</u> in the Applicant Support Program, the recommended methodology for allocating financial support should be for ICANN Org to allocate limited funding by way of fee reduction equally across all qualified applicants, while not hindering the efficiency of the process. In this context the working group agreed to assume, for the sake of equity, that one application equaled one string. This recommendation is made in the context of no additional funding being made available, however the group recommends that ICANN Org, as a high priority, makes every effort to provide additional funding so that all successful applicants are supported.

- GR8: To mitigate the risk that the allocation of support under the Applicant Support Program could be diluted to the point of being unhelpful, ICANN Org should designate <u>a minimum level of support</u> each qualified applicant must receive, and develop a plan if funding drops below that level.

- GR9: ICANN Org should develop <u>a flexible, predictable, and responsive Applicant Support</u> Program in order to communicate the results of evaluation process and allow applicants to know about their range of support allocations as early as possible in a transparent manner.

2. Working group approach

2.1 Project Plan

The working group's first deliverable was to provide the GNSO Council with a project plan. To develop the project plan, the leadership team sought input from members about the sequence in which to address topics and the amount of time each topic would take to discuss. This input was used to develop its work plan and timeline, which was approved by the GNSO Council for its consideration during the 15 December 2022 GNSO Council meeting.

2.2 Early Community Input

In accordance with GNSO Guidance Process Manual, the working group sought written input on the appropriate subject matter experts from each Supporting Organization, Advisory Committee and GNSO Stakeholder Group / Constituency. The resulting suggestions for subject matter experts were incorporated as members of the GGP working group and these joined the working group's deliberations on Tasks 3, 4, 5 and 6 relating to metrics and funding.

2.3 Methodology for Deliberations

The working group began its deliberations in November 2022. The working group agreed to continue its work primarily through conference calls scheduled every other week, in addition to email exchanges on its mailing list. The working group held a working session during ICANN76. This session provided an opportunity for the broader community to contribute to the working group's deliberations and provide input on the topics being discussed. The working group also held a working session during ICANN77 during which it provided an overview of its preliminary guidance recommendations and summary of deliberations on Tasks 3, 4, and 5 relating to metrics.

2.4 Use of Working Documents

The working group used a series of working documents to support its deliberations. Archives of the working documents are maintained on the working group wiki. As the working group progressed through discussions, staff captured a summary of deliberations and eventually populated the document with draft preliminary guidance recommendations to support further discussion and refinement of the text.

Working documents were updated on an ongoing basis and working group members were encouraged to provide comments and input in the working documents between calls.

2.5 ICANN Org Interaction

To help support a smooth transition from policy development to eventual implementation of GNSO Council adopted and ICANN Board approved recommendations, the working group has been supported by early and ongoing engagement with ICANN org subject matter experts. A liaison from ICANN org's Global Domains and Strategy (GDS) regularly attended working group calls, providing input and responding to questions where it was possible to do so in real time. The liaison acted as a conduit for working group questions to ICANN org that required additional research or input. The liaison also facilitated early review of working group draft outputs by ICANN org subject matter experts.

2.6 Accountability to the GNSO Council

As is now the case with all GNSO working groups, the working group delivered monthly "project packages" to the GNSO Council to update the Council on the status of its work. The GNSO Council Liaison, Paul McGrady, served as an additional point of connection between Council and the working group.

3. WG Preliminary Guidance Recommendations

- **Tasks 3 & 4 – analysing and prioritising metrics.**

In early 2023, the working group — after completing Tasks 1 and 2 – turned its attention to the analysis of the suggested metrics in Implementation Guidance 17.9 in the New generic Top-Level Domain (TLD) Subsequent Procedures (SubPro) Final Report. (See Annex D.) The working group spent several meetings considering the relative importance of the metrics, how they could be gathered and by whom, and to what extent they could benefit the elements of the Applicant Support Program. To facilitate this discussion, staff created a matrix listing all of the metrics as extracted from the SubPro Final Report with elements for working group consideration, such as level of priority, how the data would be collected, who would collect it, etc.

Several working group members were very engaged in providing comments in the matrix including those from At-Large, Governmental Advisory Committee (GAC), Non-Commercial Stakeholder Group (NCSG), and Registrar Stakeholder Group (RrSG).

One challenge with the matrix however, is that it tended to encourage discussion on operational details such as numbers and types of outreach events, targets of outreach, and number of pro bono service providers and services offered.
etc

- **Task 5 – impact of metrics**

The working group found it difficult to isolate key indicators of success without first identifying goals. To facilitate the development and discussion of goals, the working group Chair, in his individual capacity, provided a straw-man proposal of goals and indicators of success by life-cycle element. While the proposal provided a helpful framework for discussion, with several groups providing extensive comments (including At-Large, Commercial Stakeholder Group (CSG), GAC, NCSG), it did tend to focus the working group's discussion on operational details, as opposed to high-level goals. For example, a recurring topic for the working group in discussing the proposal, was whether private sector entities should be included as targets of outreach. At least two working group members (At-Large and CSG representatives) noted that commercial interests of the global south may come from applicants who have more need for knowledge and expertise (but perhaps not financial need) that will support their ongoing commercial/technical needs for post-round success. After additional discussion most working group members agreed not to include commercial/for-profit entities as a target of outreach while also agreeing that this did not exclude them from participating in the program if qualified. The member from the CSG further pressed this point in a later meeting, but working group members again agreed that even if not listed specifically in the guidance recommendation, commercial entities would not be excluded from communications/outreach efforts. With respect to the reference to "commercial entities", the working group representative from the GAC suggested that adding "any entities" would be more aligned with section V.3 of the recent GAC Communique' specifically, "ensuring increased engagement with a diverse array of people and organizations in underrepresented or underserved markets and regions". etc

Change of Focus – Life Cycle Elements

- The group changed its focus to a specific aspect of Task 5 to:

- "…suggest an approach to outreach, education, business case development, and application evaluation assistance."
and key questions:

1. **Goal:** What is the aim? What is the desired outcome?

2. **Indicators of Success**: What would indicate the goal has been achieved? How will you know when it is achieved?

3. **Metrics:** What data/information should be collected and analyzed to determine if the goal was met?

Therefore Task 5 concentrated on:

1. Communication and Awareness Raising

2. "Business Case" also known as applicant understanding and determining need/opportunity and developing application.

3. ICANN Org set up of applicant support programme for success (In operational terms)

4. Application, Submission and Evaluation

5. Contracting and Delegation

6. Ongoing operations of the gTLD

And each topic was discussed at length using the 3 key questions as the basis.

e.g. 1. Communication and Awareness Raising

Guidance Recommendation 1: Increase awareness of the Applicant Support Program of the next round of gTLD applications among those who may need and could qualify for support.

Implementation Guidance: Target potential applicants from the not-for-profit sector, social enterprises and/or community organizations from under-served and developing regions and countries.

Indicators of Success:
Quantitative: Conversion rates proportionate with industry standards for online campaigns and in-person events, with specific metrics and pre-agreed to be determined in consultation with ICANN org Communications and applicable contractor(s).

Qualitative: Survey results about quality and clarity of information that are proportionate with industry standards, with specific metrics to be determined and pre-agreed in consultation with ICANN org Communications and applicable contractor(s).

Data/Metrics to Measure Success: Click-throughs, inquiries, registrations to get more information, etc.

Qualitative Measurements: Results of the surveys about the quality of the information provided – whether the recipient understood the information, made an informed decision to consider pursuing further or walk away.

Rationale: The working group agreed that a communications program was essential to increase awareness of the Applicant Support Program of the next round of gTLD applications among those who may need and could qualify for support. While the goal discusses prioritizing communications towards certain demographics, this should not be read as completely forgoing communications towards other demographics. The guidance for communications/outreach should also have no bearing on the evaluation process.

Deliberations: The working group discussed whether the Implementation Guidance should include the public sector in the targeting of potential applicants. working group members noted that this inclusion could mean that an applicant could be a government organization and thus could potentially receive support if qualified, which some noted was not the intent of the program and seemed too broad. Others noted that it depends on the definition of "under-developed". The working group emphasized that indicating target applicants in the Implementation Guidance isn't intended to exclude any entities. The working group noted that the guidance recommendation was relating to outreach and awareness, not criteria for support. ICANN Org added that another way to think about the guidance recommendation is to phrase it as the question: "what would the GGP consider success for outreach and awareness raising for ASP?", recognizing that outreach and awareness will need some focus on audiences, in addition to general global awareness raising. There was further discussion regarding the potential targeting of for-profit enterprises, which one working group member argued should be included in this list of targeted groups – while noting that for-profit enterprises would not be excluded from the program, but rather would not be specifically targeted for communications, and outreach and awareness. One working group member noted that the working group should bear in mind that the intention is to get as many qualifying applicants as possible.

The working group extensively discussed the appropriate terminology, specifically whether to include "under-represented", "under-developed", or "under-served". One working group member noted that the concept of "under-represented" can be confusing as it is primarily used to describe a lack of political representation in multilateral contexts. However, when considering the concept of "under-served," that term is more comprehensive, encompassing both physical and non-physical infrastructure in some regions. This broader understanding, in line with the perspective of the International Telecommunication Union (ITU), extends beyond solely addressing the needs of the least developed countries. The "under-served" terminology encompasses a wider range of potential applicants while also focusing on expanding internet infrastructure (including non-physical infrastructure). The working group consequently agreed that "under-served" was a more useful term.

3.2 Task 6 – How to allocate financial support

Rationale for Implementation Guidance 17.10: "The working group considered that in subsequent rounds it may be the case that there are not sufficient funds available to provide fee reductions to all applicants that meet threshold scoring requirements. The working group reviewed the 2012 approach to this issue as well as public comments received on the working group's Initial Report, but did not come to an agreement on any specific recommendations in this regard. The working group believes that this topic should be considered further by the dedicated Implementation Review Team."
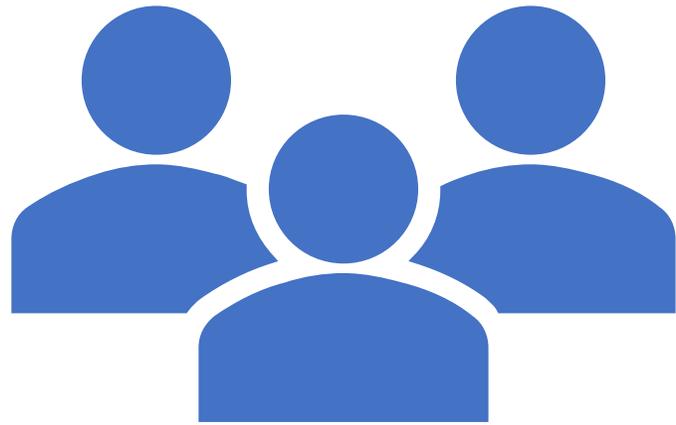
4. Next steps

This Initial Report will be posted for public comment for 40 days.

The working group will review the public comments received on this Initial Report and consider whether any changes need to be made to its guidance recommendations.

After the working group reviews public comments received in response to this report, the working group will submit its GNSO Guidance Recommendations Final Report to the GNSO Council for its consideration.

Points to note

- There will be no further GGP calls until after the public comment period (mid Sept)

- Staff will create a working doc of the comments as they come in for the group to read and analyse them at the end of the comment period

- The inputs form will help us to analyse the comments and make a decision on each comment

- Because communication has been highlighted as a priority by this WG, feedback will be given to acknowledge all inputs

- While there will not be a formal meeting of the GGP at ICANN78, it will be suggested that an update/summary of the GGP working group process and an overview of the public comments be given during the general GNSO meeting – perhaps on Sunday?

5. Next Steps for CPWG

1. Form a subgroup to draft public comment on the ASP – volunteers can send their names in to staff to create a mailing list.

2. 40-day public comment period

3. Subgroup should not consist of me or Satish or Justine. We can be advisors.

4. Suggest a focus on the life cycle elements of interest to end-users

5. Justine has a request out for feedback on the funding aspect of the ASP.. Which was Task 6 if you want to add that to this public comment as well as separately