

GNSO Guidance Recommendation Initial Report

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

During its meeting on 25 August 2022, the GNSO Council [approved](#) the GNSO Guidance Process (GGP) Initiation Request to provide additional guidance to support the eventual implementation efforts relating to the Applicant Support Program, as recommended in the SubPro Final Report.

The working group was subsequently formed and began its work in November 2022, following its [work plan and timeline](#). Its tasks include reviewing historical information about Applicant Support, identifying subject matter experts, developing data / metrics and measures of success, and creating methodology for allocating financial support where there is inadequate funding for all qualified applicants. See below.

The working group has completed the following tasks and is now posting its preliminary Recommendation Guidance Report for Public Comment, which provides recommendations relating to the identification and prioritization of metrics, including indicators of success and those relating to financing the program when qualified applicants exceed allocated funds.

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

The following are the working group's preliminary Guidance Recommendations. See Section 3 for details.

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.

Guidance Recommendation 2: That the Applicant Support Program has cultivated pro bono services 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.

Guidance Recommendation 3: That the Applicant Support Program has the necessary resources to achieve its goals based on the GGP Recommendations Guidance Report.

Guidance Recommendation 4: Make application materials and the application process timely and accessible 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.

Guidance Recommendation 5: Of all successfully delegated gTLD applications, the goal is that a certain percentage of them should be from supported applicants.

Guidance Recommendation 6: ICANN org to investigate the extent to which supported applicants that were awarded a gTLD are still in business as a registry operator after three years.

Guidance Recommendation 7: In the scenario that there is inadequate funding for all qualified applicants 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.

Guidance Recommendation 8: 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 a minimum level of support each qualified applicant must receive, and develop a plan if funding drops below that level.

Guidance Recommendation 9: ICANN Org should develop a flexible, predictable, and responsive Applicant Support 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.

1.3 Conclusions and 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.

2 Working Group Approach

This section provides an overview of the working methodology and approach of the working group. The points outlined below are meant to provide the reader with relevant background information on the working group's deliberations and processes and should not be read as representing the entirety of the efforts and deliberations of the working group.

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.

All of the working group's work is documented on its [wiki workspace](#) including its meetings, mailing list, meeting notes, deliberation summaries, draft documents, background materials, and input received from ICANN's Supporting Organizations and

Advisory Committees, including the GNSO's Stakeholder Groups and Constituencies.

To develop the content included in the Initial Report, the working group progressed through the Tasks as assigned in the [Initiation Request](#), following the sequence established in the work plan.

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 Working Group Preliminary Guidance Recommendations

3.1 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.’

Methodology:

Tasks 3 and 4 – Analyzing and prioritizing 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.

One suggestion that was provided by the RrSG representative was to group the metrics by Applicant Support Program life-cycle element as follows, because of the interdependence of Tasks 3 and 4:

1. Communications & Outreach/Awareness;
2. "Business Case" Also Known As Applicant Understanding And Determining Need/Opportunity & Developing Application
3. ICANN Org Set Up Of Applicant Support Program For Success (Operationally Speaking)
4. Application Submission and Evaluation
5. Contracting/Delegation
6. Ongoing Operations of the gTLD

This grouping of the metrics enabled the working group to determine how they could best be used to support the program. This structure also naturally allowed the working group to order/prioritize the metrics by their respective life-cycle elements. In addition, it enabled the working group to begin to identify indicators of success by life-cycle element.

Task 5:

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 on-going 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".

The Chair pointed out that as the working group had already agreed to the language prior to the publication of the Communique' it was not possible to change it now, but that the suggestion would be included in the deliberations as well as a footnote to the Communique'. The GAC representative and working group members agreed with that approach.

This proposal helped the working group identify indicators of success and related metrics, but they needed to develop more high-level, less operational, goals – particularly to address Task 5. In order to assist in the process, support staff developed a Task 3-5 Working Document that initially incorporated elements of the above-mentioned proposal. Beginning at the ICANN76 meeting in March, the working group held intensive discussions over several meetings to distill high-level goals for each program element and the related indicators of success and metrics.

One challenge the working group faced in addressing Tasks 3-5, was the tendency to engage in the discussion of operational details (as noted above) relating to the design of the Applicant Support Program. Although these operational details are not in scope of the working group's tasks, several program design elements are directly related to the goals and indicators of success. Furthermore, at least one working group member noted that because of the limited scope it was difficult to be fully ambitious with recommendations. Given also the working group's desire to ensure that the program is successful, it was logical for the working group to take these design elements into consideration. Ultimately, the working group's initial consideration of the details around the design of the program, while not in scope, helped the working group to determine that it needed to focus on high-level goals and leave the program design details and operations to ICANN Org and implementation. Nonetheless, one working group member noted that allowing potential supported applicants to access pro bono services might overwhelm those providers, and ICANN Org noted that concern. However, due to operational briefings and feedback from ICANN staff to the working group, the group lowered some of the initially proposed high-level targets (for example, 5 percent of applicants to be successful) based on information staff provided about operational constraints. After further discussion, working group members agreed that it was not necessary to capture the details of the operational constraints provided by staff as operational aspects of the Applicant Support Program are out of scope of this working group.

Once the working group excluded from the Task 3-5 Working Document many of its program design and operational details, it could focus on developing recommendation guidance in the form of high-level goals to address this aspect of Task 5, namely to *"...suggest an approach to outreach, education, business case development, and application evaluation assistance."* To facilitate discussion and development of these high-level goals, ICANN Org GDS staff suggested example goals along with the following key questions to consider:

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?

With these questions in mind, the working group gradually distilled the goals into one goal/recommendation guidance per life-cycle element as seen below. This consolidation of the goals made it simpler to identify the related indicators of success and metrics.

LIFE CYCLE ELEMENTS:

1. COMMUNICATIONS & OUTREACH/AWARENESS

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.

Working Group Rationale and Deliberations:

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.

ICANN Org proposed a clarification that the targets are particular audience segments (e.g., nonprofit, social enterprises, community) with emphasis on under-served regions but not limited to those regions. ICANN Org also noted that the reference to the GAC definition of under-served is geographically based and the SubPro Final Report explicitly said they did not want to limit to geographic regions or national level economic classifications. ICANN Org suggested that the Applicant Support Program should not limit communications and outreach to particular regions for applicant support, instead the intent is to seek potential applicants that would qualify from all regions, while emphasizing that more attention should be paid to under-served regions.

The GAC representative for clarification for how the working group can reconcile the implementation guidance for Guidance Recommendation 1 with SubPro Final Report Implementation Guidance 17.9: awareness and education: "diversity and distribution of the applicant pool: geographic diversity, languages, scripts". The working group Chair suggested that the language in the recommendation and that of Implementation Guidance 17.9 were not contradictory but complementary. In particular, they are not mutually exclusive to applicant support and there is a possibility that people will require support, and they may come from those different groupings. But at the same time you could find people who are incredibly well resourced in terms of different geographies, languages and scripts. Simply because somebody is not a Latin script user does not mean that they actually need or will receive applicant support. Instead, the Chair suggested that the deliberations could reflect that in developing the recommendation the working group gave consideration to the context of 17.9 of the Implementation Guidance. Working group members agreed with that approach.

At least one working group member expressed a concern about the reference to under-served regions because that is somewhat broad and confusing, particularly because the GAC definition of under-served also refers to governments. The working group agreed with the suggestion to extract the specific definition in that document, which is an "under-served region, is one that does not have a well-developed DNS and or associated industry or economy." In the text of the recommendation the working group also agreed with the suggestion of one member to use "developing regions and countries" and that the term "under-served" could encompass indigenous communities and groups.

With respect to indicators of success, the working group found it useful to frame these in terms of conversion rates, as one might do in a marketing campaign – because that is essentially what an awareness and communications program is. One working group member asked whether industry standards be defined in this context, and that it would be helpful to know what is the specific metric that will be measured against. ICANN Org suggested that they could seek guidance from the ICANN's Global Communications Team to get input on how to frame this metric appropriately for the context. The working group cautioned against putting too much detail into the recommendation to avoid restricting the development of the program.

2. "BUSINESS CASE" ALSO KNOWN AS APPLICANT UNDERSTANDING AND DETERMINING NEED/OPPORTUNITY & DEVELOPING APPLICATION

Guidance Recommendation 2: That the Applicant Support Program has cultivated pro bono services 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.

Indicators of Success:

Quantitative: A majority of Applicant Support Program applicants that access pro bono services indicate moderate to high satisfaction with those pro bono services and information.

Qualitative: A majority of Applicant Support Program applicants that are surveyed about quality and usefulness of services, such as pro bono services, indicate how and why those services were useful to their application.

Data/Metrics to Measure Success: A majority of respondents that are surveyed about pro bono services indicated that the services and information that they received was useful to informing their gTLD application and/or assisting them through the application process.

Working Group Rationale and Deliberations:

Rationale: The working group agreed that both pro bono services as well as ICANN-provided information and services must be made available as key elements of the Applicant Support Program for supported applicants to inform their gTLD applications. The working group also agreed that it was essential for ICANN to communicate the availability of pro bono services and to seek feedback as to whether they are useful.

Deliberations: In discussing Guidance Recommendation 2, one working group member suggested adding the following text: "and other resources as deemed required." to capture the initial intent of the sentence, suggesting that helpful resources might go beyond pro-bono services. ICANN Org noted that the issue is the broader fostering of understanding among applicants about what the opportunity is, and making sure that they're making an informed decision about whether and how to apply, of which a part of that in terms of the resources available would be pro bono services. But the other piece of that may be other resources that ICANN Org provides. In framing the guidance recommendations, the working group talked about a variety of possible resources, such

as access via a portal, and training (such as via ICANN Learn). Surveys are a measure of how well those resources landed, how understandable and accessible those resources were. To make this intent clearer, the working group agreed to revise the language in the guidance recommendation to include information and services provided by ICANN.

In discussing metrics, one working group member suggested that there should be a metric on conversion rates, per the language: "Conversion rates of applicants who applied or determined that an application was not appropriate for them". However, after some discussion working group members agreed that a degree of satisfaction doesn't necessarily translate into specific conversion rates of applicants who applied. For example, success is also taking something through the journey, and potential applicants may decide not to apply for a variety of reasons.

One working group member asked how we can ensure that the pro bono services are on a capacity level that will actually meet the business needs of potential applicants who are trying to apply and just need additional information; more specifically, how does ICANN Org assess the quality of the information provided? In its deliberations the working group agreed that if ICANN Org gets involved in assessing the quality of services being offered, then ICANN Org also gets involved in accepting responsibility for that quality. In that case, ICANN Org could be criticized for influencing what services are given to which applicants, specifically favoring supported applicants over non-supported applicants in certain circumstances. The working group agreed that the information that ICANN makes available can be held to a specific standard, i.e., that they must provide useful, usable information. But in terms of the pro bono services, if those services are not of adequate quality, then the working group agreed that ICANN Org should, in this situation, gather feedback that the program was not entirely useful to applicants and potential applicants and prioritize improving the pro bono program for the future.

ICANN Org also noted, and the working group agreed, that ICANN cannot get involved in advising applicants concerning pro bono services. In general, that would pose risks to ICANN inserting itself between the pro bono service provider and those that are seeking the services. The intent is for ICANN Org to cultivate and recruit pro bono service providers, which will probably entail background screening and due diligence to ensure that those are legitimate products of pro bono service providers. But then it would be up to those service providers and supported applicants to match up and determine whether or how they are going to work together. If ICANN were to provide that connection, or actively facilitate those relationships, it would insert itself in the middle of those relationships rather than creating space for those relationships to happen on their own. The working group members agreed to clarify the language in the guidance recommendation that ICANN will communicate the availability of pro bono services and the parameters in which they are offered to potential supported applicants.

3. ICANN ORG SET UP OF APPLICANT SUPPORT PROGRAM FOR SUCCESS (IN OPERATIONAL TERMS)

Guidance Recommendation 3: That the Applicant Support Program has the necessary resources to achieve its goals based on the GGP Guidance Recommendation Report.

Indicators of Success:

Qualitative: Survey results from event attendees, potential Applicant Support Program applicants, and actual Applicant Support Program applicants indicate a high degree of understanding about the Applicant Support Program and the gTLD Program application requirements.

Data/Metrics to Measure Success: “mentions”, the quality of the coverage (e.g., reach, correct messaging, positive tone, appropriate outlet), and the geographic distribution of the coverage. Additional communications metrics that can be considered include social media statistics, website traffic, and event attendance (physical and online), inquiries, event registrations indicate awareness and have cultivated interest among potential applicants to get more information about the Applicant Support Program.

Qualitative Measurements: Results of the ongoing surveys about the quality, accessibility, and usefulness of the information and events provided about the Applicant Support Program.

Working Group Rationale and Deliberations:

Rationale: The working group agreed that it was important to include an operational recommendation that the Applicant Support Program has the necessary resources to achieve its goals and the related metrics and measures of success. In particular, as noted in the above guidance recommendation, operational readiness is so important because without it, the communications, pro bono resources, funding allocations — that is the elements that form the heart of the program — are not achievable.

Deliberations: With respect to the surveys to gather qualitative measurements, one working group member asked whether the guidance recommendation should specify the timing of the surveys. Working group members agreed that the guidance recommendation does not need to specify when surveys would happen because there would be inflection points throughout the process including when an applicant submits an application. But if someone decides not to submit at some stage after a period of inactivity that should be noticed, and they should be sent the survey link and actively encouraged to respond. The working group further noted that there could be ongoing assessments made as to how applicants are progressing in the

process, and to provide ongoing feedback. The working group further agreed to make a minor adjustment to the language to clarify that there needs to be surveying taking place throughout the process, because every applicant is going to be able to make a decision about progressing at different stages.

4. APPLICATION SUBMISSION AND EVALUATION

Guidance Recommendation 4: Make application materials and the application process timely and accessible 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.

Indicators of Success:

ICANN Learn module/survey results show that a majority of applicants had a strong understanding of the application requirements and evaluation process.

Data/Metrics to Measure Success: Percentage of applicants that applied that indicated via survey or ICANN Learn module that they had a strong understanding of the ASP application requirements and evaluation process.

Qualitative Measurements: Results of surveys about whether the applicant was successful or made an informed decision not to submit an application (noting that survey response rates from entities that ultimately chose not to submit an application may be quite low and difficult to measure).

Working Group Rationale and Deliberations:

Rationale: The working group agreed that the aim of the Applicant Support Program should be to facilitate successful applications among those applicants who may need and could qualify for support. To that end, the working group further agreed that it was important that the Applicant Support Program should provide timely and accessible application materials and the application process to diverse potential applicants.

Deliberations: With respect to Guidance Recommendation 4, and specifically, “Make application materials and the application process timely and accessible to diverse potential applicants”, working group members agreed that it was important to emphasize the timeliness of access to application materials and the process, while also agreeing that it would constrain the Implementation Review Team (IRT) if they were to prescribe what was meant by “timely”. Instead, they noted they were emphasizing the need for the IRT to address timeliness by calling it out specifically in the recommendation.

Previous iterations of Guidance Recommendation 4, relating to application submission and evaluation, included the language, “Facilitate successful applications in the Applicant Support Program among those who may need and could qualify for support.” This language was amended to avoid suggesting that the Applicant Support Program could somehow ensure success of an application. Upon further discussion, at least one working group member suggested that it is important to keep this language, because the goal of the Applicant Support Program is to facilitate successful applications among those who may need/could qualify for support. ICANN Org cautioned that ICANN must be careful that they are maintaining the fidelity of the evaluation process for applications for support. Consequently, ICANN Org noted that it will do everything possible to help support applicants, to give them the resources and tools that they need so that they have every chance of success, and then making that information as accessible as possible to diverse applicants. However, once applicants submit their applications and they go to the Applicant Support Review panel, which is an independent evaluator, ICANN cannot influence whether that application is successful – applicants either meet the criteria or they do not. ICANN Org emphasized that it cannot intervene to make sure that applicants are successful. The working group agreed to add language at the end of the sentence: “with the aim of facilitating successful applications among those who may need and qualify for support.” This language clarifies that the objective of making the application materials and the process accessible is with the aim to facilitate more successful applications from those who need support through the process. Despite the revised wording one working group member nonetheless continued to disagree that successful applications could not be a goal of the Applicant Support Program.

One working group member asked whether ICANN has an ICANN Learn module that details everything that an applicant would need to know in order to make a successful application, and further noted that several modules may be required to cover the different areas of knowledge that an applicant may need, in order to be successful. ICANN Org noted that it does not have an ICANN Learn module on the Applicant Support Program, but there have been discussions on whether or how to do that. One member asked whether the working group could make a guidance recommendation for ICANN Org to create an ICANN Learn module on the Applicant Support Program but working group members generally agreed that this was out of scope of the working group’s tasks.

5. CONTRACTING/DELEGATION

Guidance Recommendation 5: Of all successfully delegated gTLD applications, the goal is that a certain percentage of them should be from supported applicants.

Indicators of Success:

No fewer than 10, or 0.5 percent (.005), of all successfully delegated gTLD applications were from supported applicants.

Data/Metrics to Measure Success: 0.5 percent (.005) of successfully delegated gTLD applications are from supported applicants. Note that this percentage is not in relation to the number of strings applied for, rather the number of applications.

Working Group Rationale and Deliberations:

Rationale: The working group agreed that it was important to have a goal that a percentage of successfully delegated gTLD applications should be from supported applicants. However, the working group also agreed that it needed to establish achievable goals, taking into account experiences from the 2012 round. The working group also recognized that a potential applicant may have all of the information and pro bono services needed, but may make an educated choice to not apply for a gTLD. Given those factors, the working group agreed that a modest number of applications can be seen as success, or percentage based if there are far more applications submitted than 2000.

Deliberations: There was extensive discussion among working group members concerning the appropriate percentage goal of supported applicants out of all successfully delegated applicants. ICANN Org suggested 0.5 percent, because if there are around 2000 applications, then 0.5 percent would yield 10 supported applicants under the Applicant Support Program. A goal of around 10 supported applicants also is consistent with previous discussions. The working group agreed with 0.5 percent and that this should be an indicator of success. Working group members noted that in determining 0.5 percent as a goal, it is important to consider how many applicants the Applicant Support Program could support in the form of fee reductions, because such deductions could become very costly. Although the working group agreed to 0.5 percent, they did discuss the possibility of suggesting a range of 10-15 supported applicants regardless of the number of total applications. Working group members agreed that either a percentage or a range were somewhat arbitrary and agreed to cover both options.

At ICANN77 the CSG representative on the working group raised the issue of whether to reference “successfully delegated gTLD applicants” or “successfully delegated gTLD applications” in Guidance Recommendation 5. (“applicants” was the original text agreed to by the working group.) The working group gave considerable attention to the question and also to the related question as to whether for supported applicants, and in the case of determining a methodology for allocating limited funding (Task 6), one application equals one string. They noted that supported applicants are likely to limit themselves to a single string per application. They also noted that (non-supported) portfolio applicants might apply for tens of strings. They agreed as noted by ICANN Org that the metrics are likely to be significantly different if one considered applications versus applicants, but that applications made more sense. They also agreed that when

considering the methodology for allocating scarce funding it would be fairer to assume that one string equaled one application, and so one application per supported applicant.

6. ONGOING OPERATIONS OF THE GTLD

Guidance Recommendation 6: ICANN Org to investigate the extent to which supported applicants that were awarded a gTLD are still in business as a registry operator after three years.

Implementation Guidance:

1. If supported applicants that were awarded a gTLD are *not* still in business as a registry operator after three years, ICANN org to investigate barriers/challenges that failed registry operators experienced to help inform future aspects of Applicant Support Program and/or other capacity development new registry program.
2. Following completion of a new gTLD round, ICANN org should collect data on the number of supported applications that resulted in a delegated TLD by region, and those that did not; track operations of those delegated TLDs for three years; and conduct of survey of the successful and unsuccessful supported applicants to determine which elements of the program they found useful or not.”

Indicators of Success:

Number of supported applications that result in a delegated TLD and track operations over a designated time period, for example three years.

Data/Metrics to Measure Success:

- The number of registrants of domain names registered in “regional” TLDs (e.g., TLDs focusing mainly on a local, limited market), keeping in mind that there are other barriers for registrants in developing countries to access domain names, such as inability to access online payment services and a lack of local registrars.
- The number of domain names registered in “regional” new gTLDs compared to the number of Internet users in such regions. These numbers could be compared with the same numbers for Internet users and “regional” new gTLDs in developed regions such as Europe and North America.

Working Group Rationale and Deliberations:

Rationale: The working group agreed that in order to demonstrate the success of the Applicant Support Program it would be important to not only delegate supported applicants, but to see that after a certain period of time, a supported applicant that was awarded a gTLD was still in business as a registry operator.

Deliberations: In developing Guidance Recommendation 6, working group members discussed the optimal period of time – two or three years – after a gTLD is awarded for ICANN to investigate the extent to which a supported applicant was still in business as a registry operator. One working group member suggested that three years was preferable to two as the second year is considered the “Junk Dump” for new TLDs when undeveloped/speculated domain names are dropped. By year three, the patterns of a new TLD start to emerge. Working group members noted that it could take longer to get results, but the data might be better based on three years versus two. Working group members agreed to use three years as the period of time specified in the recommendation guidance.

Working group members discussed the need to track/collect data over time. The specific language suggested was, “Following completion of a new gTLD round, ICANN org should collect data on the number of supported applications that resulted in a delegated TLD by region, and those that did not; track operations of those delegated TLDs for two years; and conduct of survey of the successful and unsuccessful supported applicants to determine which elements of the program they found useful or not.” The intent is to track different aspects to see if, for example, the successful applicant still felt supported, or to record any challenges they were having, in order to have robust data.

ICANN Org noted that, in general, there is value in looking at the data long-term of supported applicants, and whether and how they were successful, and if they weren't successful, why not. In looking at that data is that an indication of whether the applicant support program was successful? And if so, should that also entail looking at some of the other elements of support, because as it stands right now, the Applicant Support Program is focused on a fee reduction for the application process and cultivating some pro bono services. It is possible additional data collected over time might show that the Applicant Support Program should provide ongoing support for three to four years after the initial decision or evaluation process. Support staff noted that the language does not fit in the structure of the indicators and metrics of success. But if the working group separates the elements that indicate success from this bonus data that should be collected in serving applicants that may not have been successful after three years, that might nonetheless be an important data point that is not directly correlated to the goal.

3.2 Task 6

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

Implementation Guidance 17.10: The dedicated Implementation Review Team should consider how to allocate financial support in the case that available funding cannot provide fee reductions to all applicants that meet the scoring requirement threshold.

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.”

For reference: ICANN Operational Design Assessment (ODA): “The ICANN Board would need to consider allocating dedicated funds to support the ASP. Should demand overwhelm available funds, ICANN org will explore the possibility of additional budget allocation and/or opportunities for ASP sponsorship with the goal of providing meaningful levels of support for all eligible ASP applicants. ICANN org intends to offer the following assistance to qualified applicants:

- Reduction of the base application fee.
- A curated list of pro bono and/or reduced cost providers to assist with the development of applications and related content, such as registry policies.
- Reduction or elimination of certain other fees such as Community Priority Evaluation.
- A bid credit or multiplier if the application undergoes an ICANN Auction of Last Resort.”

See: <https://www.icann.org/en/system/files/files/subpro-oda-12dec22-en.pdf>, page 202.

Note that the ODA does not address Task 6 per se, in that it envisions the availability of additional funding (not that there is inadequate funding) should such funding be needed (i.e., via an additional budget allocation and/or sponsorship). In addressing Task 6, the WG might want to account for a scenario where additional funding is not available.

Guidance Recommendation 7: In the scenario that there is inadequate funding for all qualified applicants 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.

Working Group Rationale and Deliberations:

Rationale: In the fortuitous case of limited funding in the presence of an overwhelming number of qualified applicants, the working group agreed to apply the principle of fairness to the methodology to allocate support. It further agreed that the principle of fairness can be best deployed by allocating reductions in funding equally across all qualified applicants.

Deliberations: The working group agreed that in considering Task 6, an assumption would be for the Applicant Support Program to provide funding for as many qualified applicants as possible as a priority. Another assumption is that the allocation would be in the form of fee reductions and that the Applicant Support Program is supposed to be run as close as possible to a cost basis, per the ICANN Org ODA. With respect to a methodology for allocating funding under Task 6, the working group discussed the following options:

1. ICANN Org seeks additional funding in a request to the ICANN Board of Directors (as in the ODA);
2. Allocation based on fairness/equality while not hindering the efficiency of the process;
3. Prioritization.

The working group agreed that while the first option was highly preferable, it was not in scope of Task 6, since the assumption implicit in that scenario is that there would not be adequate funding – so it would follow that requesting additional funding was not an option. Nonetheless, the working group was supportive of this option as a form of defense. The working group then also agreed that the source and amount of any additional funding would be out of scope accordingly. That left options 2 and 3.

With respect to option 2, one possible methodology the working group discussed was to spread a lower fee reduction (70 percent rather than 75-85 percent in the ODA for example) equally across qualified applicants. The working group noted that unlike option 3 (prioritization), option 2 (the equitable solution) avoids concerns about how to determine who gets what funds, and it achieves the goals of efficiency and simplicity. There was rough consensus among working group members to include this option as recommendation guidance.

The working group also considered option 3 of ICANN Org employing a prioritization process to determine allocation of funding for qualified applicants in the scenario of inadequate funding. In its deliberations the working group identified a number of disadvantages. Specifically, the working group noted that prioritization would put ICANN Org in the unfortunate position of having to select some qualified applicants over others for more or less funding based on criteria that would likely be questioned as subjective. Furthermore, in order to be able to recommend this option the working

group would have to reach agreement on which factors should result in prioritization; consider criteria to evaluate applications; and ICANN Org would have to set up an evaluation structure to carry out prioritization. The working group did not address these steps.

Guidance Recommendation 8: 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 a minimum level of support each qualified applicant must receive, and develop a plan if funding drops below that level.

Working Group Rationale and Deliberations:

Rationale: The working group agreed that in the case of limited funding there was the possibility that there could be too little reduction in funding to be useful to qualified supported applicants. The working group did not think it was necessary or in scope for it to provide details concerning how ICANN could mitigate the risk of that occurring, but did agree to recommend that ICANN should both designate a minimum level of funding as well as develop a plan to mitigate the risk.

Deliberations: The working group discussed two additional issues relating to the allocation of support for qualified applicants. The first is what happens if equality leads to such a dilution that support would be useless? Concerning this issue the working group agreed that recommendation guidance should note that this is a risk that ICANN Org should mitigate. In particular, the working group agreed that ICANN org could determine the minimum level (or floor) of funding each qualified applicant should be allocated. The working groups notes, however, that ICANN Org also should develop a plan to address the scenario of the funding dropping below the minimum. One working group member asked whether the recommendation provided sufficient guidance with respect to setting a minimum level of funding. ICANN Org GDS staff agreed that the recommendation guidance as currently written was helpful guidance because it establishes that there is a purpose and a goal behind the allocation of support.

Guidance Recommendation 9: ICANN Org should develop a flexible, predictable, and responsive Applicant Support 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.

Working Group Rationale and Deliberations:

Rationale: The second issue the working group discussed is how to deal with the timing of notifications of funding for qualified candidates and the concern that it could be detrimental for applicants to have to wait until the end of the application window before being notified of funding. In this regard, working group members suggested that

the GGP could provide recommendation guidance in the form of principles that the Applicant Support Program should allow for flexibility in the timing of notifications.

Deliberations: In particular, after some discussion the working group agreed that the specific timing of the evaluation process was best addressed by the IRT, but that some general guidance could be provided that the process should be open and transparent. The working group agreed that it would be helpful for ICANN Org to provide an early indication of support for all qualified applicants. The working group also agreed that the evaluation time frame should be clearly communicated. Also with respect to the application evaluation process and allocation of funding, working group members agreed that ICANN Org should strive to provide as much information as possible such that the results of evaluations should be published and transparent. There was some support among working group members for ICANN Org to wait until all applications have been evaluated before providing funding allocation information. Finally, with respect to Recommendation Guidance 3a, some WG members agreed that it was optimal for the recommendation to not be overly prescriptive, and in that regard the word “flexible” is sufficiently clear. However, at least one WG member emphasized that the recommendation was too vague with respect to the term “flexible.”

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.

Annex A - Background

The New gTLD Subsequent Procedures (SubPro) Final Report envisioned some levels of substantive work taking place during the Implementation Review Team (IRT) phase of the work, after ICANN Board adoption of the recommendations. For instance, in Topic 17: Applicant Support , Implementation Guidance 17.5, the report suggests the creation of a dedicated IRT and it be charged “with developing implementation elements of the Applicant Support Program. In conducting its work, the Implementation Review Team should revisit the 2011 Final Report of the Joint Applicant Support working group as well as the 2012 implementation of the Applicant Support program.” This dedicated IRT was to be charged with making substantive decisions on outreach activities and allocation of scarce resources (e.g., when there are more qualified applicants than available funds), among other activities.

Sometime after the submission of the Final Report, some community members made informal requests to the ICANN staff and Board that formation of this “dedicated IRT” be pulled forward in time (i.e., before Board approval of the Final Report) with the rationale that: (1) it would ensure there was sufficient time to competently complete this complex task to design an effective Applicant Support Program; (2) since this was to be a dedicated team, the effort would not unnecessarily extend the effort of the traditional IRT; and (3) regardless of the timing of the Board approval, having developed an effective Applicant Support Program would be of benefit to ICANN.

On 12 September 2021, the ICANN Board resolved to initiate an Operational Design Phase (ODP). The ODP was officially launched at the beginning of 2022. The ODP Team, in reviewing the recommendations related to Topic 17, was concerned that the work recommended by SubPro was potentially out of scope of the role envisaged by an IRT, per the PDP Manual and Consensus Policy Implementation Framework (CPIF). The Council responded, without opining on whether the work presented a scope issue, but rather, committed to providing guidance on select topics where additional substantive work was envisaged by the recommendations and implementation guidance contained in the Final Report.

The Council has determined that the provision of guidance is best accomplished via the GNSO Guidance Process (GGP). This would accomplish the twin goals of pulling the work forward to avoid becoming the “tall pole” in the next round launch and providing sufficient time and the correct resources to devise an Applicant Support program that would expand the regional and language diversity of the new gTLD Program.

During its meeting on 25 August 2022, the GNSO Council [approved](#) the GGP Initiation Request to provide additional guidance to support the eventual implementation efforts relating to the Applicant Support Program, as recommended in the SubPro Final Report.

The working group was subsequently formed and began its work in November 2022, following its [work plan and timeline](#). Its tasks include reviewing historical information about applicant support, identifying subject matter experts, developing data/metrics and measures of success, and creating methodology for allocating financial support where there is inadequate funding for all qualified applicants.

Once the working group completes all of its tasks, it is expected to produce a GNSO Guidance Recommendation Report (this Report), which will be subject to Public Comment. Following the review of Public Comment submissions and, if required, additional deliberations, the working group will produce a Final Report for the consideration of the GNSO Council and subsequently for consideration by the ICANN Board.

Annex B - Working Group Membership

Per the Initiation Request, the working group’s structure is as follows:

The working group will employ a “Representative + Observers” model, consisting of Members and Observers. This model is chosen to enable the working group to conduct and conclude its work in an efficient/effective manner while allowing for inclusive community participation. As this GGP builds on the existing SubPro work and is intended to conclude in an expeditious manner, Members must either possess a level of expertise in previous deliberations and/or knowledge that may have been lacking during those initial deliberations.

The table below indicates the maximum number of Members and Alternates that groups may appoint.

Group	Members	Alternates
RySG	1	1
RrSG	1	1
CSG	1	1
NCSG	1	1
ASO	1	1
ccNSO	1	1
ALAC	1	1
GAC	1	1
SSAC	1	1
RSSAC	1	1

The working group members can be found at:

<https://community.icann.org/display/GGPGIRFAS/Members+and+Mailing+List> and the email archives can be found at: <https://mm.icann.org/pipermail/gnso-ggp-wg/>.

The working group held its first meeting on 21 November 2022. Recordings and transcripts of the group’s discussions can be found on its [wiki space](#). It has conducted its work primarily through conference calls held every other week, in addition to email exchanges on its mailing list.

Plenary Meetings:

- 18 Plenary calls (with 0 cancelled) for 18 call hours

Leadership Meetings:

- 10 Leadership calls (with 1 cancelled) for 5 call hours

Annex C - Community Input

4.1 Request for Input

According to the GNSO's GGP Manual, a GGP working group should formally solicit statements from each GNSO Stakeholder Group and Constituency at an early stage of its deliberations. A GGP working group is also encouraged to seek the opinion of other ICANN Supporting Organizations and Advisory Committees who may have expertise, experience or an interest in the issue. This GGP working group was specifically tasked with seeking subject matter experts from its representative groups as follows:

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

As a result, the working group reached out to all ICANN Supporting Organizations and Advisory Committees as well as GNSO Stakeholder Groups and Constituencies with a request for input on identifying subject matter experts. Except for At-Large, which designated a subject matter expert in addition to its two representatives, the other responses confirmed that their appointed representatives were also their subject matter experts.

4.2 Review of Input Received

The suggested subject matter experts were added to membership of the working group and included in the deliberations on Tasks 3, 4, 5, and 6.

Annex D – New gTLD Subsequent Procedures Final Report Implementation Guidance 17.9 -- Metrics

Implementation Guidance 17.9: The dedicated Implementation Review Team should seek advice from experts in the field to develop an appropriate framework for analysis of metrics to evaluate the success of the Applicant Support Program. The working group identified a non-exhaustive list of potential data points to support further discussion in the implementation phase. The working group anticipates that the dedicated IRT will consider how these and other potential metrics may be prioritized:

- Awareness and Education:
 - number of outreach events and follow up communications with potential applicants
 - level of awareness about the New gTLD Program/Applicant Support Program
 - number of enquiries about the program/level of interest expressed/number that considered applying
 - number of applicants
 - first-time applicants versus repeat applicants
 - applicants submitting a single application versus portfolio applicants
 - applications based on pre-existing trademarks
 - diversity and distribution of the applicant pool: geographic diversity, languages, scripts
- Other Elements of Program Implementation:
 - number of ICANN staff members and contractors supporting the Applicant Support Program
 - number of service providers offering pro-bono assistance and value of assistance offered/provided
 - number of applicants accessing/using pro-bono assistance
 - number of approved applicants for financial assistance
 - number of applicants who received bid credits, multiplier, other and were successful in auction
 - the value of the bid credits, multiplier, other
 - number of applicants who withdrew from auction
 - number of applicants who entered in to a business combination or other forms of joint ventures
 - length of time before any change of ownership occurred
- Success of Launched gTLD:
 - The number of registrants of domain names registered in “regional” TLDs (e.g., TLDs focusing mainly on a local, limited market), keeping in mind that there are other barriers for registrants in developing countries to

access domain names, such as inability to access online payment services and a lack of local registrars.

- The number of domain names registered in “regional” new gTLDs compared to the number of Internet users in such regions. These numbers could be compared with the same numbers for Internet users and “regional” new gTLDs in developed regions such as Europe and North America.