APAC Space Web Conference
16 February 2017

New gTLD Subsequent Procedures Policy Development Process (PDP)

Agenda

1. **Welcome Remarks (10 mins)**
   - Jia-Rong Low, VP and Managing Director of ICANN Asia Pacific
   - APAC Space community lead Edmon Chung, CEO DotAsia

2. **Recap of New gTLD Subsequent Procedures Policy Development Process (PDP) by Mary Wong, Senior Policy Director, ICANN (20 mins)**
   - How we got here, and what the PDP covers
   - What's going on in the PDP – timeline, key milestones, major issues
   - How you can participate in and contribute to the PDP

3. **Community Q&A / Discussion moderated by Edmon Chung, CEO DotAsia (20 mins)**

4. **APAC Space Survey 2017 (5 mins)**

5. **AOB (5 mins)**
   - Global Amendment to the Base New gTLD Registry Agreement by Pam Little
   - Next APAC Space at ICANN58, Copenhagen

Welcome Remarks

Jia-Rong Low,
VP and Managing Director,
Asia Pacific, ICANN

Edmon Chung,
CEO, DotAsia

What is APAC Space?

"Space" for APAC Community Members
- Bi-monthly, web-conference or face-to-face at ICANN meetings
- Raise issues, share views, coordinate activities
- "Practice Ground" to facilitate community to contribute to ICANN work

How is it conducted?
- Discussions are community-led, community-moderated
- Agenda determined based on consultation

What do I need to do?
- Speak up!

Recap: New gTLD Subsequent Procedures Policy Development Process (PDP)

Mary Wong,
Senior Policy Director,
ICANN

ICANN

The New gTLD Subsequent Procedures – ICANN GNSO Policy Development Process

APAC Webinar
16 February 2017

Agenda for the session today

1 The Generic Names Supporting Organization (GNSO) & ICANN Policy Development

2 What a GNSO Policy Development Process (PDP) looks like

3 History of the 2012 New Generic Top Level Domain (gTLD) Program

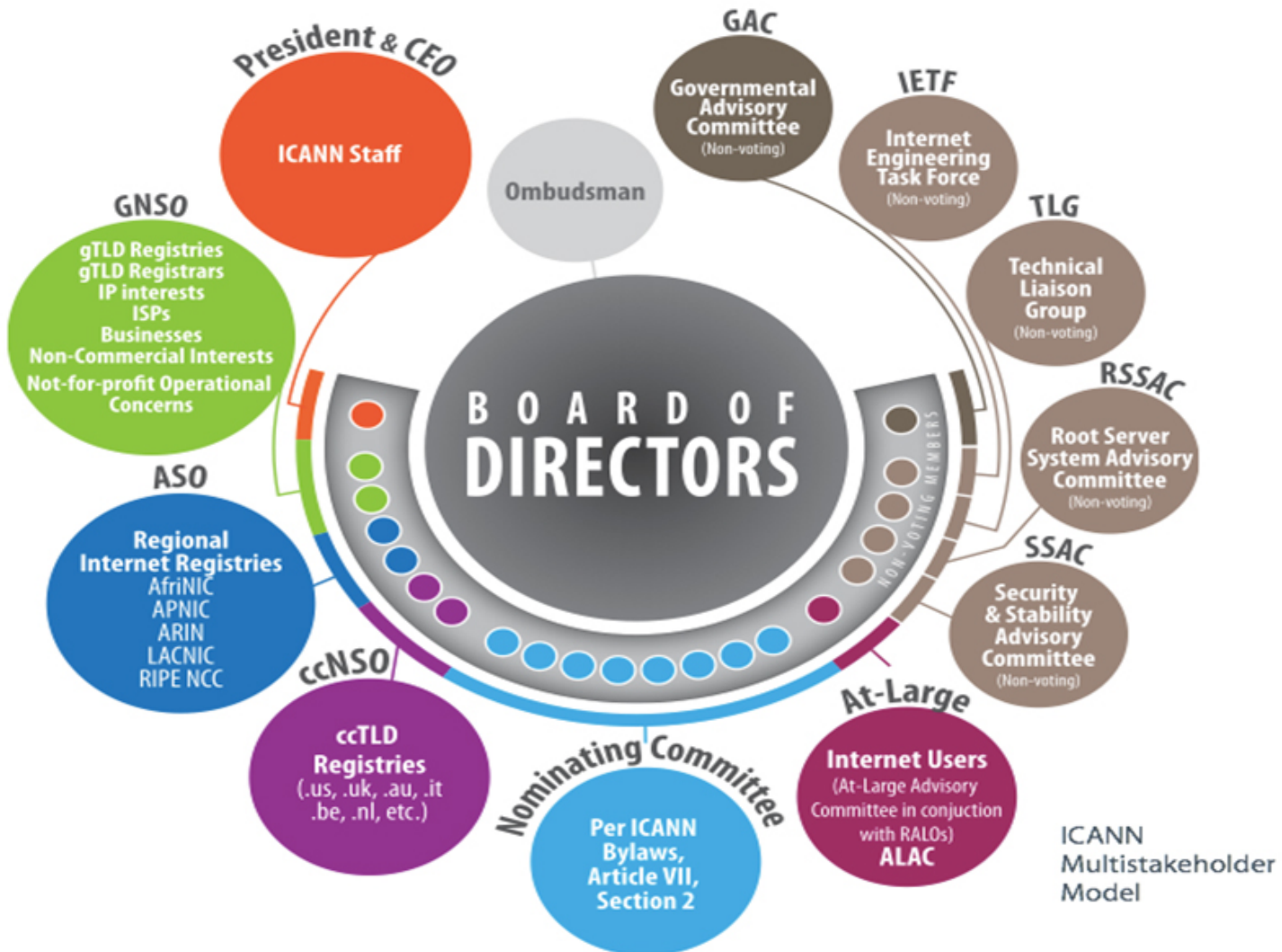**4** Overview of the GNSO New gTLD Subsequent Procedures PDP

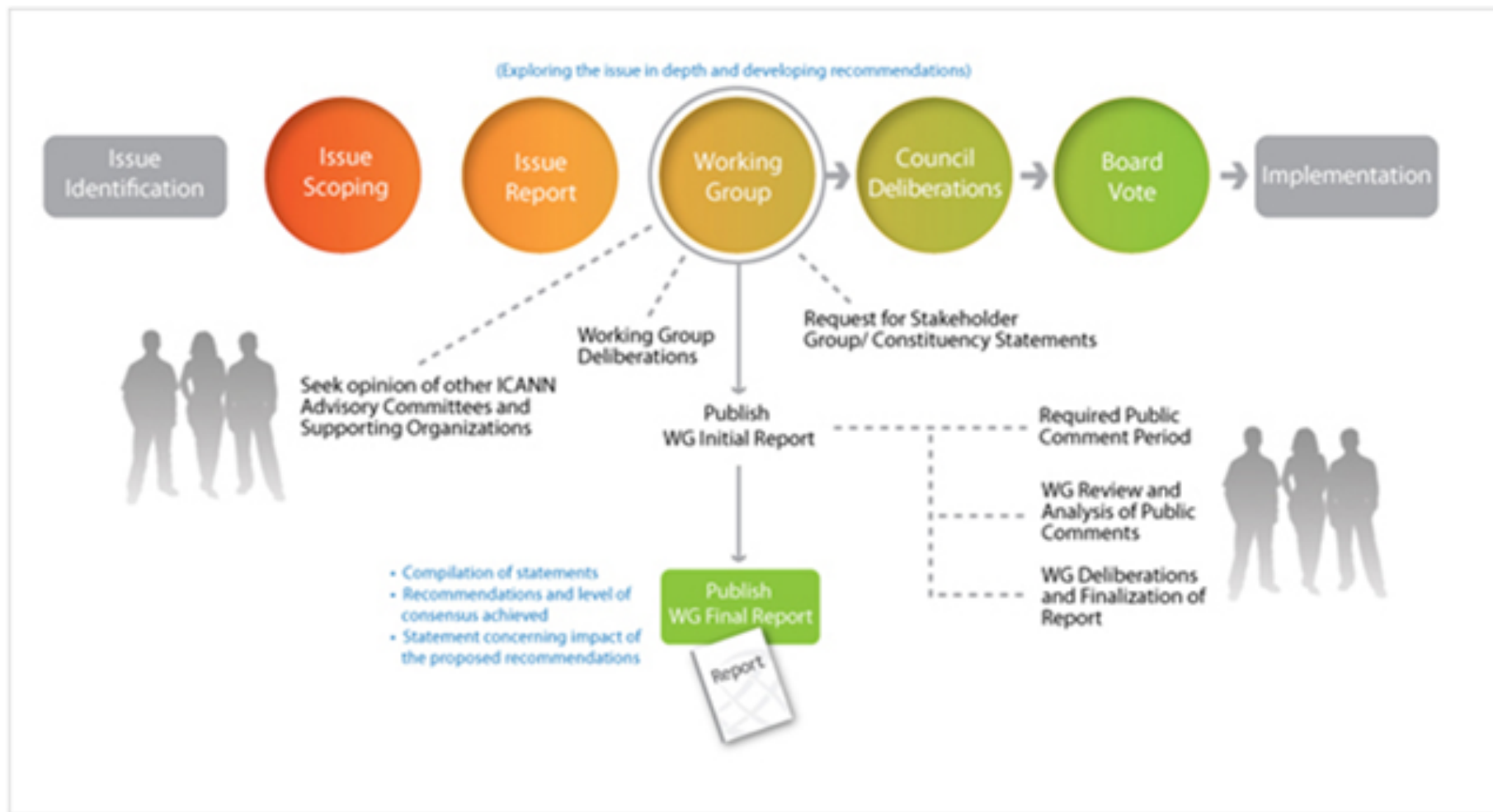**5** PDP work status and next steps

6 Q&A / Discussion

The GNSO and its role in gTLD Policy Development at ICANN

ICANN

The ICANN community structure: Supporting Organizations and Advisory Committees

ICANN Multistakeholder Model

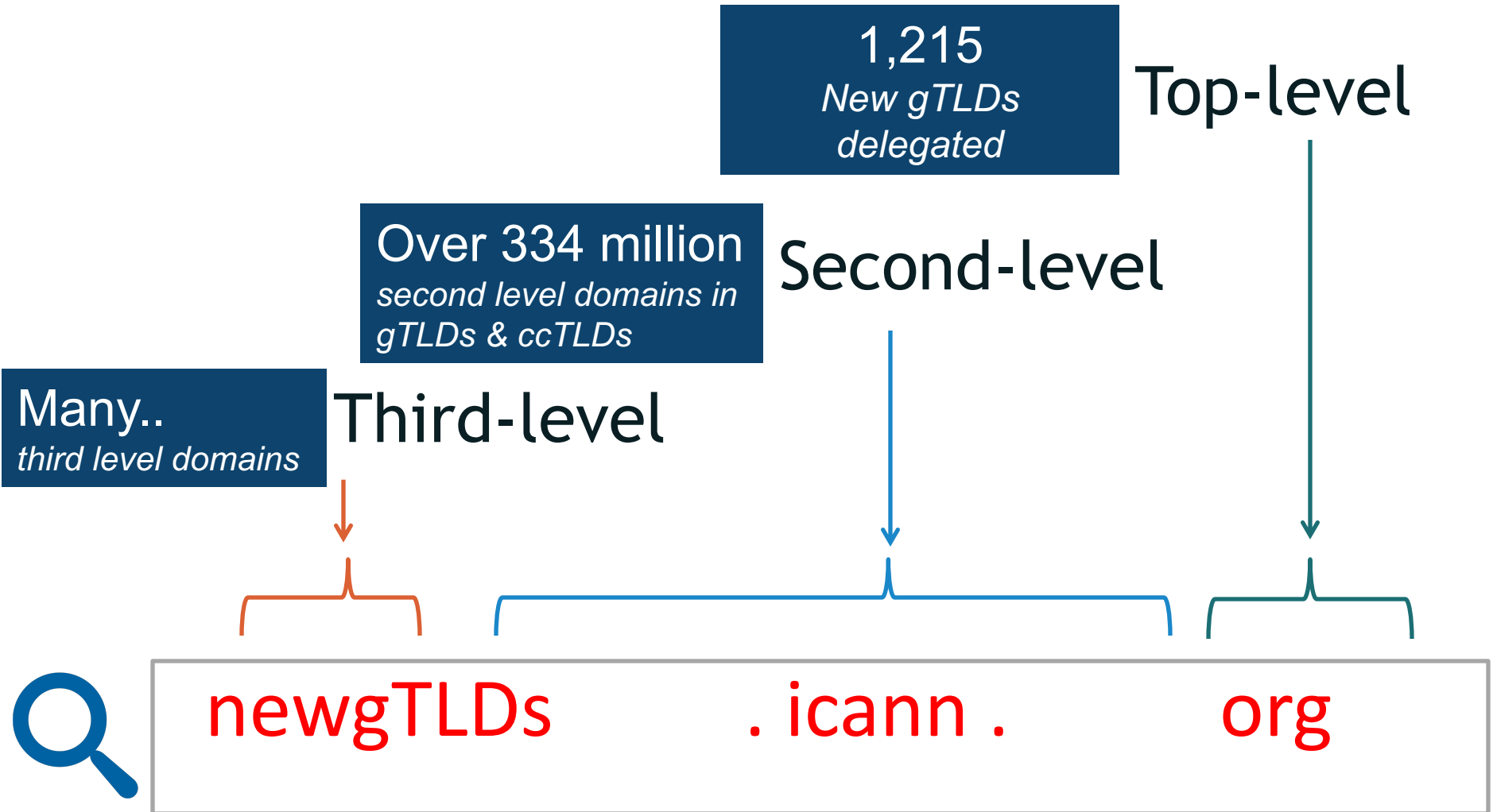**Working Group:**

The GNSO's New gTLD Subsequent Procedures PDP: The History & How We Got Here

Snapshot: of Domain Names (Jan. 2017)

1,215 *New gTLDs delegated* — Top-level

Over 334 million *second level domains in gTLDs & ccTLDs* — Second-level

Many.. *third level domains* — Third-level

newgTLDs . icann . org

A bit of gTLD history (1)

1998: At ICANN's inception there were only country-code top level domains (ccTLDs) and a few generic top level domains (gTLDs):

.arpa	.edu
.com	.gov
.net	.int
.org	.mil

2000: ICANN Board approved introduction of additional new gTLDs in "measured and responsible manner":

.aero	.museum
.biz	.name
.coop	.pro
.info	

A bit of gTLD history (2)

2004: Introduction of Sponsored TLDs meant to address the needs and interests of a clearly defined community:

.asia	.post
.cat	.tel
.jobs	.travel
.mobi	.xxx

2005: The GNSO commences policy work on introducing additional new gTLDs, culminating in a Final Report issued in 2007
- Part A:
  - Principles, Recommendations, Implementation Guidance, Background
- Part B:
  - Process, Sub Group reports on Internationalized Domain Names (IDNs) and Reserved Names, GAC Public Policy Recommendations

The 2012 gTLD Expansion Round

An **unprecedented expansion** of the Domain Name System

From **22** to more than **1,200**

The first **Internationalized Domain Names as gTLDs**

A truly **Global** Internet

gTLD policies developed by ICANN's global community

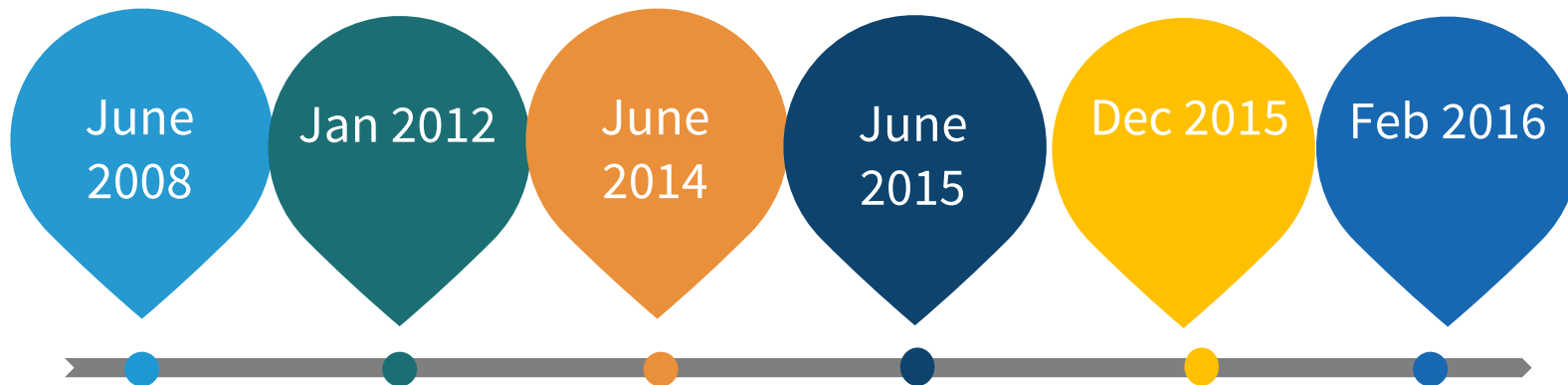To enhance **Security, Stability, Consumer Choice & Competition**

The Current PDP Timeline – How We Got Here

June 2008

ICANN Board adopts 2007 GNSO Final Report for Introduction of New gTLDs

Implementation discussions with community; Applicant Guidebook v1 created

Jan 2012

Application window opens

Board approved Program launch in Jun 2011

Final version of AGB published in Jun 2012

June 2014

GNSO Council creates Discussion Group to discuss community experiences and identify future issues

June 2015

GNSO Council requests Issue Report for PDP, following delivery of Discussion Group Final Report

Dec 2015

GNSO initiates PDP; in Jan 2016, GNSO Council approves the PDP Working Group Charter

Feb 2016

PDP WG holds its first meeting

PDP WG plans to complete Initial Report by end-2017

NOTE:
Final Report may not be published until mid-2018

Scope of the PDP, Where We Started, and Where We Are Now

ICANN

Scope of the PDP (1)

❖ PDP Working Group chartered by GNSO Council to consider what changes (if any) should be made to the GNSO's 2007 Principles, Recommendations & Implementation Guidance

❖ Possible changes can include:

- *Clarifying, amending, or overriding existing policy principles, recommendations, and implementation guidance;*

- *Developing new policy recommendations;*

- *Supplementing or developing new implementation guidance*

IMPORTANT NOTE:

❖ The 2007 recommendations were designed for *"a systemized and ongoing mechanisms for applicants to propose new top-level domains"*, so **the recommendations will remain in place for future expansion of gTLDs unless the PDP WG determines that changes are needed**

Where We Started (1)

2015 Discussion Group identified about 38 topics for review

2016 Issue Report & PDP Charter identified other topics, and categorized all topics into 5 distinct groups

- Each group was matched to the relevant Principles, Recommendations and Implementation Guidance from the GNSO's 2007 Report
- The groupings formed the basis for the 4 Work Tracks now going on in the Working Group:
    - Group 1: Overall Process / Support / Outreach
    - Group 2: Legal / Regulatory
    - Group 3: String Contention / Objections & Disputes
    - Group 4: Internationalized Domain Names (IDNs)
    - Group 5: Technical / Operational

SELECTED EXAMPLES of the Issues in each Group:

Group 1:

- Should there in fact be new gTLD subsequent procedures?

- Is the Applicant Guidebook (AGB) the right implementation of the GNSO recommendations?

- Does the one-size-fits-all application and review process hamper innovation?

- Applicant systems, fees, submission and support issues – e.g. robust and user friendly systems, support for developing country applicants

Group 2:

- Reserved Names List

- Geographic names

- The base Registry Agreement – is a single agreement for all appropriate?

- Global public interest – definition and issues

Where We Started (3)

Group 3:

- Whether GAC Advice, community processes, and reserved names impacted the goal of freedom of expression

- Were string contention evaluation results consistent and effective in preventing user confusion? Were the string contention resolution mechanisms fair and efficient?

- Review rules for the various objection procedures – e.g. fees, consistency of proceedings and outcome, role of Independent Objector

Group 4 & 5:

- IDNs and Universal Acceptance issues

- Were the proper questions asked to minimize security and stability risk to the DNS?

- Name collisions

- Technical, financial and operational criteria for applicant evaluation

Where We Are Now

1 Community Comment 1: Input on 6 overarching issues

2 Drafting Teams being formed to prepare outcomes of Community Comments

3 Community Comment 2: All 4 Work Tracks developing questions

4 Each Work Track meets every 2 weeks

5 Full Working Group meets in plenary session every 2 weeks for updates & discussion

6 ICANN58:
11 March – WG meeting
15 March – community session

How can I participate?

Anyone can participate in a GNSO Working Group

- ✓ *No need to be a member of am ICANN structure, Stakeholder Group or Constituency to join a Working Group*
- ✓ *Requirements: a Statement of Interest and compliance with the GNSO Working Group Guidelines (norms of participation)*

You can join a Working Group as a **Member or Observer**

- ✓ *Observer status was created to facilitate newcomers into the GNSO process*

Participation remains **open throughout the Working Group lifecycle**

Work occurs throughout the year – **meetings are conducted virtually and recorded**

Public comments are critical to the policy process

- ✓ All proposed policies and Working Group reports are published

Follow and engage with the GNSO!

ICANN Website: http://www.icann.org
Policy Staff Email: policy@icann.org
GNSO Policy Website: https://gnso.icann.org/en/
Follow the GNSO and gTLD policy developments on Twitter: @ICANN_GNSO

twitter.com/icann

gplus.to/icann

facebook.com/icannorg

weibo.com/ICANNorg

linkedin.com/company/icann

flickr.com/photos/icann

youtube.com/user/icannnews

slideshare.net/icannpresentations

Q&A / Community Discussion

ICANN

APAC Space Survey 2017

APAC Space
Survey 2017

http://tinyurl.com/apac-space-survey-2017

Let us know what YOU are interested to discuss in APAC Space!

Survey Period: 16 February 2017 – 8 March 2017

APAC Space
Survey 2017

Survey Objective: To gauge APAC community interests and priorities regarding current ICANN-related policy issues that can be discussed at APAC Space.

Focus Areas: Community's interest areas, and participation in ICANN and Internet Governance-related activities.

AOB

Global Amendment to the Base New gTLD Registry Agreement

APAC Space

Wednesday, 15 March 2017
08:30AM – 10:30AM (local time)

Key Highlights:

- Meet Registries Stakeholder Group (RySG) during the provided breakfast

- Continuation of discussion on New gTLD Subsequent Procedures PDP

- Any other topics for general discussion

ICANN **58**
COMMUNITY FORUM

COPENHAGEN
11–16 March 2017

https://meetings.icann.org/en/copenhagen58

Thank You

Survey 2017

http://tinyurl.com/apac-space-survey-2017

Let us know what YOU are interested to discuss in APAC Space!

Survey Period: 16 February 2017 – 8 March 2017

ANNEX 1 - Additional Information

Links and Resources

❖ GNSO project page (background information, Issue Report, Charter and GNSO Council action): https://gnso.icann.org/en/group-activities/active/new-gtld-subsequent-procedures

❖ PDP Working Group online wiki space (meeting transcripts, call recordings, draft documents): https://community.icann.org/x/RgV1Aw

❖ ICANN's New gTLD Program microsite (program statistics, list of New gTLD applications, AGB and other program materials): https://newgtlds.icann.org/en/

❖ GAC advice on new gTLDs: https://gacweb.icann.org/display/GACADV/New+gTLDs

❖ GAC Principles on New gTLDs: https://gacweb.icann.org/display/GACADV/New+gTLD+Principles

Subject Areas for Community Comment 1

1. Additional new gTLDs in the future.

2. Categorization or differentiation of gTLDs (for example brand, geographical, or supported/community) in ongoing new gTLD mechanisms.

3. Future new gTLDs assessed in "rounds."

4. Predictability should be maintained or enhanced without sacrificing flexibility. In the event changes must be introduced into the new gTLD Application process, the disruptive effect to all parties should be minimized.

5. Community engagement in new gTLD application processes.

6. Limiting applications in total and/or per entity during an application window.

ANNEX 2 - The 2007 GNSO Final Report on the Introduction of New gTLDs

7 Principles

PRINCIPLES	MISSION & CORE VALUES
A	New generic top-level domains (gTLDs) must be introduced in an orderly, timely and predictable way.
B	Some new generic top-level domains should be internationalised domain names (IDNs) subject to the approval of IDNs being available in the root.
C	The reasons for introducing new top-level domains include that there is demand from potential applicants for new top-level domains in both ASCII and IDN formats. In addition the introduction of new top-level domain application process has the potential to promote competition in the provision of registry services, to add to consumer choice, market differentiation and geographical and service-provider diversity.
D	A set of technical criteria must be used for assessing a new gTLD registry applicant to minimise the risk of harming the operational stability, security and global interoperability of the Internet.
E	A set of capability criteria for a new gTLD registry applicant must be used to provide an assurance that an applicant has the capability to meets its obligations under the terms of ICANN's registry agreement.
F	A set of operational criteria must be set out in contractual conditions in the registry agreement to ensure compliance with ICANN policies.
G	The string evaluation process must not infringe the applicant's freedom of expression rights that are protected under internationally recognized principles of law.

1	ICANN must implement a process that allows the introduction of new top-level domains. The evaluation and selection procedure for new gTLD registries should respect the principles of fairness, transparency and non-discrimination. All applicants for a new gTLD registry should therefore be evaluated against transparent and predictable criteria, fully available to the applicants prior to the initiation of the process. Normally, therefore, no subsequent additional selection criteria should be used in the selection process.
2	Strings must not be confusingly similar to an existing top-level domain or a Reserved Name.
3	Strings must not infringe the existing legal rights of others that are recognized or enforceable under generally accepted and internationally recognized principles of law. Examples of these legal rights that are internationally recognized include, but are not limited to, rights defined in the Paris Convention for the Protection of Industry Property (in particular trademark rights), the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) (in particular freedom of expression rights).
4	Strings must not cause any technical instability.
5	Strings must not be a Reserved Word.

6	Strings must not be contrary to generally accepted legal norms relating to morality and public order that are recognized under international principles of law. Examples of such principles of law include, but are not limited to, the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Convention on the Elimination of All Forms of Racial Discrimination, intellectual property treaties administered by the World Intellectual Property Organisation (WIPO) and the WTO Agreement on Trade-Related Aspects of Intellectual Property (TRIPS).
7	Applicants must be able to demonstrate their technical capability to run a registry operation for the purpose that the applicant sets out.
8	Applicants must be able to demonstrate their financial and organisational operational capability.
9	There must be a clear and pre-published application process using objective and measurable criteria.
10	There must be a base contract provided to applicants at the beginning of the application process.
11	[Replaced with Recommendation 20 and Implementation Guideline P and inserted into Term of Reference 3 Allocation Methods section]

12	Dispute resolution and challenge processes must be established prior to the start of the process.
13	Applications must initially be assessed in rounds until the scale of demand is clear.
14	The initial registry agreement term must be of a commercially reasonable length.
15	There must be renewal expectancy.
16	Registries must apply existing Consensus Policies and adopt new Consensus Policies as they are approved.
17	A clear compliance and sanctions process must be set out in the base contract which could lead to contract termination.
18	If an applicant offers an IDN service, then ICANN's IDN guidelines must be followed.
19	Registries must use only ICANN accredited registrars in registering domain names and may not discriminate among such accredited registrars.
20	An application will be rejected if an expert panel determines that there is substantial opposition to it from a significant portion of the community to which the string may be explicitly or implicitly targeted.

	MISSION & CORE VALUES
IG A	The application process will provide a pre-defined roadmap for applicants that encourages the submission of applications for new top-level domains.
IG B	Application fees will be designed to ensure that adequate resources exist to cover the total cost to administer the new gTLD process. Application fees may differ for applicants.
IG C	ICANN will provide frequent communications with applicants and the public including comment forums.
IG D	A first come first served processing schedule within the application round will be implemented and will continue for an ongoing process, if necessary. Applications will be time and date stamped on receipt.
IG E	The application submission date will be at least four months after the issue of the Request for Proposal and ICANN will promote the opening of the application round.

IG F	If there is contention for strings, applicants may:
	    i) resolve contention between them within a pre-established timeframe
	    ii) if there is no mutual agreement, a claim to support a community by one party will be a reason to award priority to that application. If there is no such claim, and no mutual agreement a process will be put in place to enable efficient resolution of contention and;
	    iii) the ICANN Board may be used to make a final decision, using advice from staff and expert panels.

IG G	Where an applicant lays any claim that the TLD is intended to support a particular community such as a sponsored TLD, or any other TLD intended for a specified community, that claim will be taken on trust with the following exceptions: (i) the claim relates to a string that is also subject to another application and the claim to support a community is being used to gain priority for the application; and (ii) a formal objection process is initiated. Under these exceptions, Staff Evaluators will devise criteria and procedures to investigate the claim. Under exception (ii), an expert panel will apply the process, guidelines, and definitions set forth in IG P.
IG H	External dispute providers will give decisions on objections.
IG I	An applicant granted a TLD string must use it within a fixed timeframe which will be specified in the application process.
IG J	The base contract should balance market certainty and flexibility for ICANN to accommodate a rapidly changing market place.

IG K	ICANN should take a consistent approach to the establishment of registry fees.
IG L	The use of personal data must be limited to the purpose for which it is collected.
IG M	ICANN may establish a capacity building and support mechanism aiming at facilitating effective communication on important and technical Internet governance functions in a way that no longer requires all participants in the conversation to be able to read and write English.
IG N	ICANN may put in place a fee reduction scheme for gTLD applicants from economies classified by the UN as least developed.
IG O	ICANN may put in place systems that could provide information about the gTLD process in major languages other than English, for example, in the six working languages of the United Nations.

IG P	The following process, definitions and guidelines refer to Recommendation 20.

Process
Opposition must be objection based.
Determination will be made by a dispute resolution panel constituted for the purpose.
The objector must provide verifiable evidence that it is an established institution of the community (perhaps like the RSTEP pool of panelists from which a small panel would be constituted for each objection).

Guidelines
The task of the panel is the determination of substantial opposition.

a) substantial
b) significant portion
c) community
d) explicitly targeting
e) implicitly targeting
  f) established institution
  The following ICANN organizations are defined as established institutions: GAC, ALAC, GNSO, ccNSO, ASO.
g) formal existence
h) detriment

IG Q	ICANN staff will provide an automatic reply to all those who submit public comments that will explain the objection procedure.	
IG R	Once formal objections or disputes are accepted for review there will be a cooling off period to allow parties to resolve the dispute or objection before review by the panel is initiated.	