# Introduction to ALAC Objection Process

This proposal outlines the process how the At-Large Advisory Committee (ALAC) will consider an objection to a gTLD application and and obtain funding from ICANN for the objection filing fees.

Under Section 3.3.2 Objection Filing Fees" on page 160 of the The gTLD Applicant Guidebook (AGB) at  http://www.icann.org/en/topics/new-gtlds/rfp-clean-19sep11-en.pdf says this about ALAC's objection filing process:

"*Funding from ICANN for objection filing fees, as well as for advance payment of costs...is available to the At-Large Advisory Committee (ALAC).*

*Funding for ALAC objection filing and dispute resolution fees is contingent on publication by ALAC of its approved process for considering and making objections. At a minimum, the process for objecting to a gTLD application will require:*

- *bottom-up development of potential objections,*
- *discussion and approval of objections at the Regional At-Large Organization (RALO) level, and*
- *a process for consideration and approval of the objection by the At-Large Advisory Committee.*"

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# Grounds for Objection

(Source : Section 3.2.1, Page 3-4, Page 151 of 352 of AGB)

A formal objection may be filed on any one of the following four grounds:
- String Confusion Objection – The applied-for gTLD string is confusingly similar to an existing TLD or to another applied for gTLD string in the same round of applications.
- Legal Rights Objection – The applied-for gTLD string infringes the existing legal rights of the objector.
- Limited Public Interest Objection – The applied-for gTLD string is contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law.
- Community Objection – There is substantial opposition to the gTLD application from a significant portion of the community to which the gTLD string may be explicitly or implicitly targeted.

# Who can file an objection to a gTLD application?

As summarised in the Objection Dispute Resolution Face Sheet at http://www.icann.org/en/topics/new-gtlds/objection-dispute-resolution-fact-sheet-14dec11-en.pdf

- For String Confusion Objections, the objector must be an existing TLD operator or a gTLD applicant in the current same application round.
- For Legal Rights Objections, the objector must be a rightsholder whose rights are being infringed.
- For Limited Public Interest Objections, anyone can file an objection; however the objection is subject to a "quick look" review designed to filter out frivolous and/or abusive objections.
- For Community Objections, the objector must be an established institution associated with a clearly defined community."

Thus, the ALAC only has standing to object to a gTLD application on "Limited Public Interest Objection" grounds or on "community" grounds if ALAC/At-Large is the community that is explicitly or implicitly targeted by the gTLD.

However, http://newgtlds.icann.org/en/program-status/application-comments points out that comments may be submitted on an application for an evaluation panel's consideration (String Similarity, DNS Stability, Geographic Names, Technical & Operational Capability, Financial Capability, Registry Services, Community Priority) within 60 days from the date application comments open so ALAC could submit comments for consideration by the evaluation panel on a gTLD application.

# Limited Public Interest Objections
(Excerpted from Section 3.5.3, Page 3-20, Page 167 of 352 of AGB)

An expert panel hearing a Limited Public Interest objection will consider whether the applied-for gTLD string is contrary to general principles of international law for morality and public order.

Examples of instruments containing such general principles include:
- 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)
- The International Convention on the Elimination of All Forms of Racial Discrimination Declaration on the Elimination of Violence against Women
- The International Covenant on Economic, Social, and Cultural Rights
- The Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment
- The International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families

- [Slavery Convention](#)
- [Convention on the Prevention and Punishment of the Crime of Genocide](#)
- [Convention on the Rights of the Child](#)

Note that these are included to serve as examples, rather than an exhaustive list. It should be noted that these instruments vary in their ratification status. Additionally, states may limit the scope of certain provisions through reservations and declarations indicating how they will interpret and apply certain provisions. National laws not based on principles of international law are not a valid ground for a Limited Public Interest objection.

Under these principles, everyone has the right to freedom of expression, but the exercise of this right carries with it special duties and responsibilities. Accordingly, certain limited restrictions may apply.

The grounds upon which an applied-for gTLD string may be considered contrary to generally accepted legal norms relating to morality and public order that are recognized under principles of international law are:

- Incitement to or promotion of violent lawless action;
- Incitement to or promotion of discrimination based upon race, colour, gender, ethnicity, religion or national origin, or other similar types of discrimination that violate generally accepted legal norms recognized under principles of international law;
- Incitement to or promotion of child pornography or other sexual abuse of children; or
- A determination that an applied-for gTLD string would be contrary to specific principles of international law as reflected in relevant international instruments of law.

The panel will conduct its analysis on the basis of the applied-for gTLD string itself. The panel may, if needed, use as additional context the intended purpose of the TLD as stated in the application.

## Objection Filing Procedures

See Page 173 of the AGB for a flowchart of the Objection Filing Process