

New gTLD Subsequent Procedures PDP Working Group
Work Track 5 Geographic Names
15:15 - 16:45, Sat, Oct 20, 2018
Session 2 of 3

Topic: ICANN and community readiness for subsequent procedures

Notes:

Question 1: When can the GNSO Council initiate the Implementation Review Team (IRT) process? In other words, does the GNSO Council need to wait for ICANN Board approval of the Final Report in order to launch an Implementation Review Team on Subsequent Procedures?

-- Might be able to work on some things and not others that have dependencies.

-- RPMs PDP WG will be a dependency.

-- Question: To what extent do you think there will be open issues in the community that might need to be resolved at the Board level? Answer: The default in this group is if there are areas of contention and no pathway to resolution the policy will stay as it is. Need to be more clear what is dependent on what. For example, before you accept applications for new gTLDs you have to resolve these issues, but you don't have to resolve them before you establish an Implementation Review Team (IRT) to implement other aspects of the program. IRT could begin work on foundational aspects that are predictable and agreed.

-- Question: What are the budget implications of beginning an IRT on policies that haven't been approved? Answer: ICANN Org – the funding come from the annual budget process and depends on Board approval. The Consensus Policy Implementation Framework (CPIF) does permit ICANN Org to do some pre-planning. "Implementation matters deemed appropriate" but minimize rework; so balance what we can undertake while policy development is going on, particularly in areas where costs are involved.

-- Question: Seems like there is an urgency to move to a next round since we are talking about an IRT. Do we know that the currently new gTLDs are working? Answer: Look at the report from the CCT-RT and conclusion that they have enhanced competition, and in some cases trust, but need more data sources. At the earliest won't launch before 2020/2021.

-- If an IRT starts before the policy is approved we have to skip over the controversial questions. The membership of the IRT must be open and flexible since it may need to change. On the second point, look to the CPIF on the procedures for forming an IRT.

-- Assume that by the time we form an IRT we will have decided on the uniform access model and RDAP.

-- Questions: 1) Have you mapped out the various contingencies outside of our control (SSAC's NCAP for example)? 2) what is the role of the GNSO and the Board – can they approve parts and send other parts back? Sometimes Board's advice is vague. Might help to have discussions with the Board. Also need to factor in the role of the GAC. Answer: When the GNSO approves a final report they can approve it all, disapprove part and send part back, disapprove it all. If it approves it has to approve the full report. Hard to put things as dependencies now until they are approved – such as NCAP.

-- The experience from the last round particularly on geonames is being addressed by Work Track 5; but quite a lot of people in the communities don't understand the GNSO process. The recommendations in Work Track 5 might be changed and sent back.

-- NCAP is a dependency if there is a conflict between its recommendations and the “do not apply” list recommended by the PDP. But NCAP hasn't been approved and it doesn't have a budget.

-- Re: IRT recruitment – see Guidelines for IRT's <https://www.icann.org/en/system/files/files/irt-principles-guidelines-23aug16-en.pdf>: If you are putting out a call for the IRT before some of these dependencies are done we may need to redo the recruitment. Do you want to put into play a sub part of the WG that would create procedures that would be expedited when the IRT is constituted? That is a question for the Council.

-- Reconsider whether name collision policy is a dependency because of SAC090, which has been adopted by the Board.

-- Dependencies: NCAP, SAC090, auctions proceeds, Work Track 5, IGO/INGO, GAC advice from round one that is not fully resolved.

-- ICANN Org: It would be great if we could have that possible list of dependencies. Also consider the CCT-RT recommendations that are prerequisites.

-- Before we launch a call for applications we should have a plan for effective outreach.

-- Question: Who determines what is in scope for an IRT? Answer: It is the Council that decides when to kick off an IRT, but the scope would be dependent on the Board approval of the PDP Final Report. The issue is whether the GNSO Council could kick off an IRT before the Board approves the Final Report.

-- Are there other ways to expedite thinking about implementation.

-- Think of this in terms of efficiency and effectiveness and how to best use our time. Once the Council approves the Report you are probably on solid ground, except for GAC advice that the Board will have to consider.

Question 2: In order of priority, what information/details are needed by ICANN org to begin implementation [IRT] efforts for the opening up of the next round?

-- ICANN Org: Some of those are in the ICANN Org comments to the Initial Report. Also identified areas where more information would be needed – such as details for a new appeals mechanism.

Question 3: If there is going to be an RSP “Pre-approval process”, and that process is expected to launch prior to the opening of the next round of new gTLDs, what information will be needed by ICANN org to begin preparations for that process?

-- Implementation could incur costs – vendor evaluation, etc. There are certain things we could do such as thinking about the design of the program, but the actual implementation would incur costs.

Question 4: In anticipation of the opening up of the next round of new gTLDs, what steps can ICANN org take to prepare, even in the absence of having final details on the policy recommendations / implementation guidance of every element of the new gTLD Program.

-- ICANN Org: There isn't enough information to move forward on some planning, but there are some activities we are undertaking now. As new information is provided we may be able to begin planning in other areas.

-- Need to get the results from the previous round – which TLDs are successful and which have been put on hold. This is not only important for designing the system for the next round but also for the applicants.

Question 5: Preliminary recommendations - Are key elements either missing or not feasible for implementation as recommended? If there are any elements that ICANN org view as not feasible, what changes to the policy or implementation are recommended by ICANN org that address the potential concerns for which the policy was meant to address?

-- ICANN Org: See their comments to the Initial Report.

