

Section 2.2 communications

If a communication period is designed to generate awareness among groups who are not always engaged at this level, it must be long enough to support newcomers in the communities category. Data should be gathered from community applicants to determine what that time line should be.

Section 9

1. definition

The definition of community in section 1.2.3.1 of the AGB is actually a definition of a community application -- which can be submitted by any group calling itself a community which has support letters demonstrating community support.

There could be some benefit in further describing community in terms similar to the definition of association used by the European Court of Human Rights and the United Nations: "An association is any group of individuals or any legal entities brought together in order to collectively act, express, promote, pursue or defend a field of common interests."

Both of these definitions are sufficiently broad to enable applications from highly diverse communities. But rather than perfecting the definition, work needs to be done to ensure that members of the CPE have a full understanding of the types of communities bringing applications forward and are able to deal with them in a flexible way. Arbitrarily restricted interpretations and limited definitions applied on an ad hoc basis discriminate against valid community applications which do not fit into prevailing assumptions.

For example the word community is also described in section 4.2.3 which outlines community priority evaluation criteria: *"Community" - Usage of the expression "community" has evolved considerably from its Latin origin – "communitas" meaning "fellowship" – while still implying more of cohesion than a mere commonality of interest. Notably, as "community" is used throughout the application, there should be: (a) an awareness and recognition of a community among its members; (b) some understanding of the community's existence prior to September 2007 (when the new gTLD policy recommendations were completed); and (c) extended tenure or longevity—non-transience—into the future*

These attributes (a,b,and c) are subject to interpretations that can hinder or facilitate valid community applications. Does the awareness and recognition have to apply to all of the community or just most of it? Is there a policy written that precisely explains how this works during evaluation? Is a 10 year history enough evidence of longevity or does it have to be 15? Living communities change over time. Who, outside of the community itself, is able to look into the future and attest to the longevity of that community? These are not questions that should be left in abeyance -- to be determined by a non-transparent process conducted by persons unknown. The community deserves to know the conditions that will be applied at the outset of the process and not be blindsided by evolving conditions in the midst of the process.

2. alternative benefits

3. scoring

There should be some points awarded for the benefits a community offers or proposes to offer to members through the successful operation of its gTLD. Creativity and innovative solutions to challenges in the community should be included in the scoring system.

The term membership must be flexible enough to take into account the fact that geographically distributed communities often do not have traditional membership lists.

4. preferential treatment

Yes, communities should continue to be given special consideration. ICANN, as a not for profit corporation, needs to show that it is serving the public interest and one way it can do this is by creating an accessible enabling process for communities who wish to gain access to gTLDs.

4. council of europe

If the process is not completely transparent, there is a constant danger of effectively limiting the ability of communities to express themselves in the on-line world

5 transparent and predictable

It is important that the CPE evaluation team includes representatives from grassroots community organizations. A community application evaluation team whose main frame of reference is rooted in bottom-up community building would be more attuned to the particulars of this sector and more able to interpret the information available in the best light.

The CPE process in the last round, by all accounts, was severely lacking in transparency and predictability. In order to correct this in the next round, details about all the the procedures used in decision making must be available to applicants well in advance of the deadline for submissions; background information about CPE participants, including support teams must be fully available to enable conflict of interest oversight; and data/documentation/research materials consulted in decision making must be referenced and released as part of the decision. Applicants should also be updated periodically about the status of their application.

The following correspondence from the ALAC executive team "in response to community expertise in community priority evaluation" (Oct. 31, 2013) also speaks to the issue of transparency and the need for community members on these panels:

"Since transparency is the key to these panels, the ALAC requests clarification from the EIU regarding the community component of the evaluation panels so that it can bear the test of community scrutiny on robustness or strength of relevant expertise. Upon review, should our community deem that the level or scope of expertise to be insufficiently robust, we request that the EIU consider including community volunteers from ICANN At-large as either advisors or members of their panels."

https://atlarge.icann.org/advice_statements/7041%20%20%3C---%20strong%20correspondence%20from%20the%20ALT%20to%20the%20Board

The [ALAC Statement on Community Expertise in Community Priority Evaluation](#) (Aug 9, 2013) also raises the same concerns: "The ALAC has concerns about the sufficiency of community expertise in panels that evaluate new gTLD community applications." and "The ALAC stands ready to offer appropriate ICANN community volunteers to serve as panel members or advisors."

Transparency and predictability was a major concern which was not addressed in the last round and community applications which end up in a community priority evaluation process should be able to trust that the process will be open and flexible enough to accommodate them.