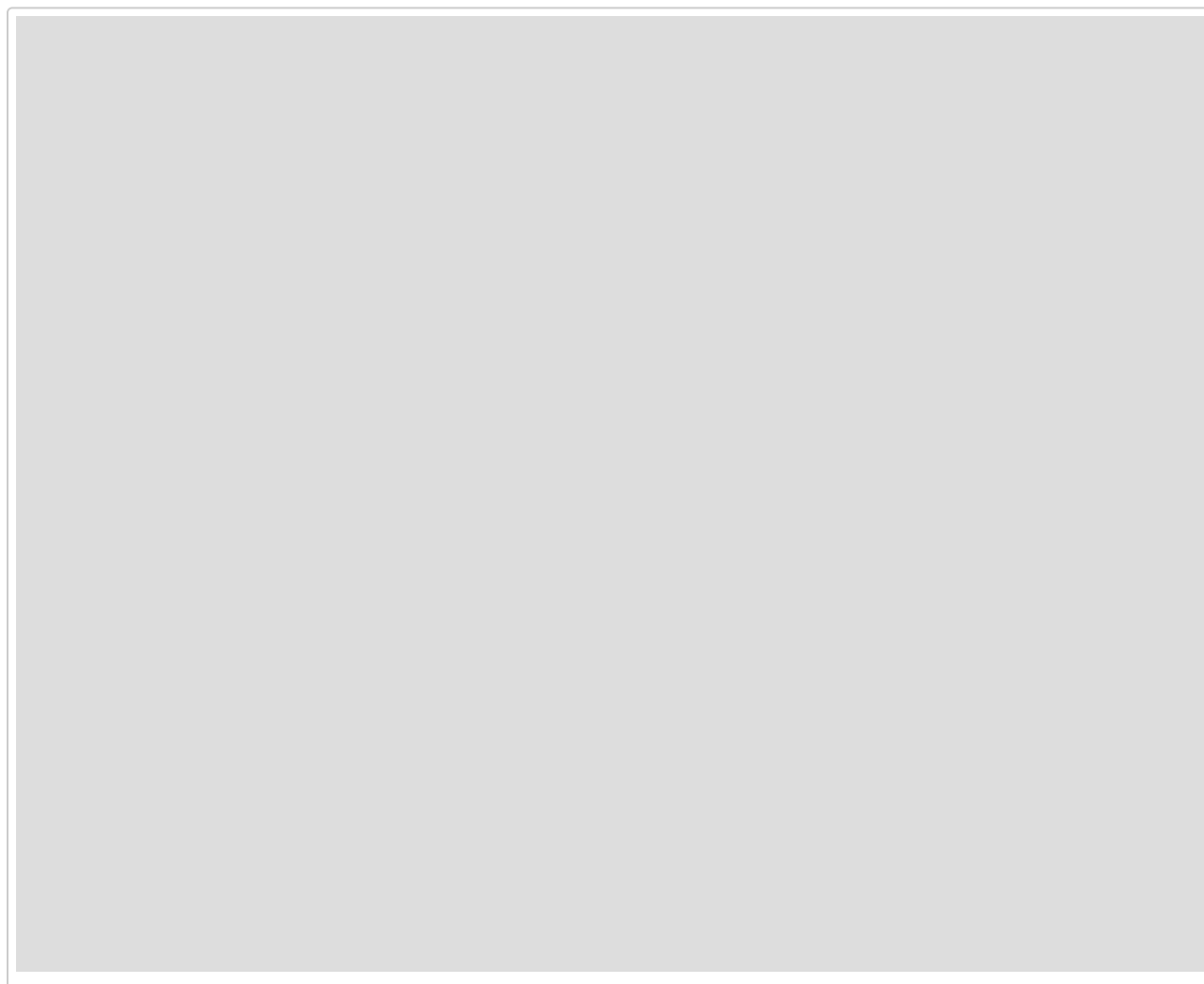


At-Large Report of the GNSO WG on Consumer Trust, Consumer Choice, and Competition Workspace

| Comment Close Date | Statement Name | Status | Assignee (s) and RALO(s) | Call for Comments | Call for Comments Close | Vote Announcement | Vote Open | Vote Reminder | Vote Close | Date of Submission | Staff Contact and Email | Statement Number |
|--------------------|---|---------------------|--|-------------------|-------------------------|-------------------|------------|---------------|------------|--------------------|-------------------------|-------------------|
| n/a | Report of the GNSO WG on Consumer Trust, Consumer Choice, and Competition | Adopted 14Y, 0N, 1A | Evan Leibovitch (NARALO) | 07.02.2013 | 11.02.2013 | 21.02.2013 | 21.02.2013 | 27.02.2013 | 28.02.2013 | 01.03.2013 | n/a | AL/ALAC/CO/0213/1 |

FINAL VERSION TO BE SUBMITTED IF RATIFIED

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FINAL DRAFT VERSION TO BE VOTED UPON BY THE ALAC

*If ratified by the ALAC, the text below will be sent as a **Correspondence** to Cherine Chalaby, Chair of the ICANN Board's New gTLD Program Committee, with a copy to Steve Crocker, Chair of the ICANN Board. This is not a statement of the ALAC to the Board.*

"The ALAC welcomes the Board's efforts to consult its community on metrics for evaluating the benefits of the current gTLD expansion program.

As the entity chartered within ICANN to represent the viewpoint of Internet end-users, the ALAC has an acute interest in this issue. It is important to us that the metrics address the evaluation needs of the global Internet end users and not be biased towards those of the domain industry.

Towards that end, a number of At-Large members participated in the [GNSO Consumer Trust, Consumer Choice, and Competition Working Group](#) and made valuable contributions to the process. During the course of the work a number of metrics-related issues that were important to the At-Large were deemed by other members of the Working Group to be out of scope, too difficult to scope, or potentially embarrassing to new gTLD operators. Despite the objections of the At-Large members, a last minute change demanded by domain industry representatives was asserted as consensus.

While we acknowledge that the final report of the Working Group provides metrics that are useful to a number of ICANN constituencies, we believe it to be significantly incomplete. Implemented alone, we foresee that such efforts would not serve the needs of global Internet end users and could easily be dismissed as a mere public relations stunt on the part of ICANN.

As a response to address this imbalance in the proposed metrics, the ALAC is assembling a team to define a number of evaluation metrics that address matters of public trust in the new gTLD program as well as its effect on the broader domain namespace. Amongst the issues that the team will consider in its proposed metrics are:

- End-user confusion
- Growth in use of both domain-based and non-domain-based alternatives for Internet resource access
- Complaints to, and action taken by, police, regulatory agencies and advocacy groups
- Transparency of contact information and domain-allocation policies for all gTLDs
- Accuracy of new gTLD promotion to end users
- Technical issues encountered (including application support)

The team will present the end-user-centric metrics for ALAC approval at the ICANN46 Meeting in Beijing, which will then be forwarded to the Board as ALAC Advice."

FIRST DRAFT SUBMITTED

The first draft submitted will be placed here before the call for comments begins.

The ALAC welcomes the Board's efforts to ask the community to create useful metrics to evaluate the public benefit in the expansion of gTLDs. Our members have been active participants in the [GNSO Council Consumer Trust Working Group](#). This working group had created some useful measurements in its [Consumer Trust, Consumer Choice, and Competition Working Group Final Advice Letter](#). However, we are concerned about both its development process, and the metrics reported, especially some of public benefit that were either missing or removed at the demand of contracted parties.

Metrics, by their nature, are neither policy nor implementation but evaluation. The primary intended beneficiaries of the Consumer Trust, Choice and Competition (CTCC)'s work are end users, who are represented within ICANN by At-large. Yet the task of creating the metrics was left to the GNSO, and as a result the WG report appears biased in the interests of ICANN'S own internal communities rather than the public interest. This bias is reflected not by what the WG requests, but what it leaves out:

- Early in the WG's tenure, metrics that were important to At-large were deemed out of scope. We believe then and now that If the public is not well served by TLD expansion, it may choose to bypass new gTLDs completely. We therefore are interested not only in the choice between different TLDs, but between domain names and other methods of accessing Internet resources (search engines, QR codes, etc). Yet the instance of this serious end-user threat was judged by the WG - over the objections of At-Large members - to be hard for the WG to scope. The reference to alternate access methods in the Advice Letter's item 2.12 is less specific than other recommendations, isolates such metrics outside the gTLD expansion, and inexplicably recommends using subjective surveys even though objective access data may be available.
- A last-minute intervention by domain industry representatives demanding removal of significant metrics related to "closed" gTLDs disturbed the consensus for the "final" report. The general public is largely unaware of the distinction between closed and open TLDs. We cannot see a distinction in objective. Moreover, we do not believe end users should be expected to learn it. As such, metrics must apply equally to all TLDs that are accessible to any group of end users. We note that the objections of At-Large members of the WG to this change were left out of a report that presents itself as a consensus. Indeed, we believe that with some extra discussion, a mutually-agreed result may have been achievable; however this was denied and the issue was closed over At-Large member objections. The ALAC is troubled by this development, both in the substance of the changes demanded and the abandonment of consensus. In the absence of consensus over changes, no change should have been made and the contracted parties view should have been presented as a minority statement.

We advise that the metrics ICANN undertakes must not be perceived as deliberately incomplete, lest they be seen as a publicity stunt intended to justify the gTLD expansion after the fact. To this end, they must include measurements that are of value to all Internet end users. As such, the omissions we see are, at best, missed opportunities and at worst, an expensive effort that shall eventually be dismissed as self serving. We specifically request that items 2.12 and 2.13 be considered, but modified from subjective surveys to objective measurements of consumer alternatives.

We recommend that ICANN accept the CTCC report as useful, but of limited public value in its current form. Its recommendations should be expanded. The informational concerns of global end-users must be better incorporated into any ICANN metrics initiative for it to serve its intended purposes.