

History ALAC's gTLD rollout concerns

A 'potted history' of ALAC correspondence, statements, etc., on new gTLD's for the information and 'use' of ALAC's 2011 new gTLD-WG (reference AI from Dec 5th Meeting of the WG)

Earliest comments of the [Interim] ALAC -

6th May 2003 <http://www.atlarge.icann.org/gtld/comments-06may03.htm> focused on two issues:-

1. Criteria for introduction of a limited number of sponsored gTLDs as part of the Board's "proof of concept" initial round of TLD additions
2. Whether to structure the evolution of the generic top level namespace in if so, how to do so.

States (in part) that "... Consistent with openness to a variety of names and business models, ALAC supports expansion that allows both sponsored and unsponsored names. (Draft para 15) Along with Milton Mueller and Lee McKnight, "We do not oppose and may often favor the creation of new TLDs that are sponsored and restricted. But many users have no interest in or need for authenticated and restricted domains. That is why there are thousands of times more registrations in open domains than in restricted domains." Mueller & Mc Knight, "The post-.COM Internet,"
<<http://dcc.syr.edu/miscarticles/NewTLDs-MM-LM.pdf>>

IDNs: Any evaluation of IDNgTLDs (internationalized domain name generic TLDs) should ensure participation in the linguistic review for confusion by the language community that would primarily use and be affected by the IDN policy. The ALAC plans to discuss IDNs in more detail in a separate document. "

9th Oct 2003 <http://www.atlarge.icann.org/correspondence/response-stld-process-09oct03.htm> focusses on sTLD's and states (in part)that "... As we have previously indicated, ALAC supports an expansion of the gTLD namespace that allows both sponsored and unsponsored names. We understand that the current proposed RFP limited to sponsored TLDs, is suggested as a continuation of the "Proof of Concept" testbed. First, therefore, we offer suggestions for making this limited expansion more equitable. We further urge ICANN to move quickly beyond "testing" to more open addition of a full range of new gTLDs in the near future, and offer some general principles to guide that expansion. "

<< Responses to various PC's on versions of the DAG also need to be inserted here from 2007 on where they are not "Statements of the ALAC" now NOT Interim>>

27th June 2008 <http://www.atlarge.icann.org/announcements/announcement-27jun08-en.htm> focusses on the [then] proposed new gTLD Policy/s Objections Provisions and it states (in substantial part) "... the ALAC wants to express discomfort with two of the four objection criteria: Morality and Public Order, and Community Objection.

With regard to the Morality and Public Order criterion for objection, the ALAC states, with reference to Annex A, 13(b) of the ICANN Bylaws, that such policy is not in the best interests of the ICANN community or ICANN.

The ALAC and the RALO and ALS representatives assembled in Paris for ICANN's 32nd International Meeting resolved:

- Any ICANN process in which "Morality and Public Order", however defined, is a criterion, even if only in an objection or arbitration pathway, debases the ICANN process.
- An international organisation cannot be principled on a particular notion of "morality."
- Human Rights instruments should not be linked to notions of "morality"; human rights are intrinsic, whereas no intrinsic rights to domain name purity exist.
- Local community standards may not be determined or adjudicated by any international tribunal.
- Well-established local systems are already in place to adjudicate questions of morality and public order.
- Domain names ought to be treated as symbols devoid of meaning; they do not intrinsically possess trademark status.
- This ICANN process favors Dispute Resolution companies at the expense of users.
- ICANN risks straying into areas that are clearly treaty obligations.

If the Board decides not to reject the policy, the ALAC recommends the working group on the implementation process keeps these points in mind, and work to mitigate its negative impact. ALAC stands ready to work with the Staff on implementation as requested. "

5th March 2009 (within [Mexico At-Large Summit Declaration](#)) - New gTLDs and IDNs – Working Group 3 product pages 13 - 15) that states (in part) "... We agree with and support the expedient introduction of new gTLDs, especially those offering support for IDNs. In fact, we believe that a number of components of the proposed policy present unnecessary barriers to entry for the broadest possible variety of gTLD applicants. ... " **For the FULL text of the WG's Statement and other references from ATLAS-1 (Mexico) re new gTLDs** [click here...](#)

19th April 2009 <http://www.atlarge.icann.org/announcements/announcement-19apr09-en.htm> ALAC Statement on the new gTLDs Applicant Guidebook v2 and Related Materials that states (in part) "... Amongst the various activities of the Summit were five working groups on issues of concern to the At-Large community. One of the five was devoted to New gTLDs including IDN gTLDs.

The final statements of all five working groups was compiled into the Declaration of the At-Large Summit, presented to the Board of ICANN at the Public Board Meeting in Mexico City. The text that follows is the compilation of all statements presented to the Board of ICANN at its public session in Mexico City.

In order to ensure that the entire At-Large community had the opportunity to review the five statements, and for their perspectives to be taken into account, the ALAC resolved upon a process of consultation and amendment for the statements by resolution at its 24th March 2009 teleconference. As a result, the Summit Working Group statement was opened for public comments by the At-Large community on 1st April, closing on 11th April. The New GTLD Working Group then amended the statement to incorporate comments received.... .. " from the introduction... see Statement on <http://www.atlarge.icann.org/announcements/announcement-19apr09-en.htm>

9th September 2009 <https://community.icann.org/display/ALACworkinggroups/At-Large+gTLD+working+group+statement+on+Applicant+Guidebook+V2> At-Large gTLD working group statement on Applicant Guidebook V2 States that (in part) "We agree with and support the expedient introduction of new gTLDs, especially those offering support for IDNs. In fact, we believe that a number of components of the proposed policy present unnecessary barriers to entry for the broadest possible variety of gTLD applicants."

<<<Need to find any material from around the Nairobi Meeting>>><<<Reference here to Resolution 20 and the formation of the JAS-WG also need to be added>>>

24th June 2010 <http://www.atlarge.icann.org/announcements/announcement-24jun10-en.htm> the African ICANN Community Publishes African ICANN Community Publishes Statement on Support for New gTLD Applicants => The [attached Statement on Support for new gTLD applicants](#) [PDF, 88 KB], which is the first joint Statement of the African ICANN community was presented by AFRALO and AfrICANN at their [joint meeting in Brussels on June 22nd 2010](#) and will be submitted to the ICANN Board of Directors. This Statement received 'in principal support from the ALAC and At-Large Community at the Brussels Meeting and was included in the formal ALAC Chair Report to the ICANN Community at this meeting.

29th August 2010 <http://www.atlarge.icann.org/correspondence/correspondence-29aug10-en.htm> ALAC Statement on Draft Applicant Guidebook v4 [attached document](#) [PDF, 398 KB] in part states "... the publication of the Draft Applicant Guidebook V4 and Explanatory Memorandum has intensified debate in the new gTLD cross-community working group and in the At-Large Community as a whole. From the At-Large perspective, the core issues remain maximising the benefits and minimising the confusion from the introduction of new gTLDs to the average Internet user and the ICANN and other processes and procedures that would enable this vision. The ALAC fully recognise that not all controversial matters pertaining to new gTLDs require technical solutions. In context, we revert to and reiterate our advice surrounding introduction of IDNs provided the Board in an earlier communique: we strongly recommend global thinking while enabling local action.

The consensus in the At-Large Community is that whatever the finalised processes and procedures, ICANN must embrace the prospect of providing affirmative support for participation of hitherto marginalised communities, especially those entrusted to act on behalf of disadvantaged groups or those with agendas widely recognised as active in the general public interest in the new gTLD economy. The ALAC strongly endorses continuation of these efforts.

The At-Large Community favours transparent processes that produce binding decisions enforceable on all actors to protect ordinary Internet users from harms or potential harms that could develop in the Internet ecosystem and, quite possibly, be worsened with the introduction of new gTLDs. While the details of implementable protective mechanisms remain a matter for fierce debate in the Community, they centre on matters surrounding control and beneficial ownership of registries and registrars, a compliance framework and ICANN's role in compliance enforcement. ..."

10th September 2010 <http://www.atlarge.icann.org/correspondence/correspondence-10sep10-en.htm> ALAC Statement on the Initial Report on Vertical Integration see full text in the [attached document](#) [PDF, 483 KB] which says (in part): "... there is a general consensus on a number of points.

1. Regardless of the general registry/registrar regime, it is essential that there be mechanisms in place to ensure that cultural and IDN TLDs are not disadvantaged by the rules. Specifically, there is a fear that under some regimes, the requirement to use ICANN accredited registrars and to not self-distribute could jeopardise TLDs that will have a specific regional focus or those using less common scripts or languages. The lack of registrar interest or registrar capability could potentially impact the viability of just those new TLDs that we most want to succeed.
2. Regardless of the general registry/registrar regime, there should be viable ways for single registrant TLDs to operate effectively. In such a single registrant TLD, all 2nd level domains are used by the registry itself (or its corporate parent) and are not made available to outsiders. The registry controls, and is legally responsible for, all 2nd level domains. The largest projected use is for corporations where the TLD relates to a trademark, but it could also be used for not-for-profits, charities and NGOs. The specific issue is that if there is no demonstrable added value to registrar involvement (since there is no consumer and no competitive issues), such intermediaries should not be required. The benefit to the gTLD eco-system of such gTLDs is that they will serve to acclimatize users to the concept of new gTLDs and will facilitate their acceptance in the general case.
3. Regardless of the general registry/registrar regime, compliance will be a critical part of gTLD deployment. It is essential that the rules surrounding the new gTLDs be sufficiently clear and reasonably enforceable; and that ICANN put in place mechanisms to ensure reasonable compliance. The enforcement mechanisms must be sufficiently public that third-party scrutiny and whistle-blowers can augment compliance. "

1st November 2010 <http://www.atlarge.icann.org/correspondence/correspondence-01nov10-en.htm> ALAC Statement on the Community Working Group Report on Implementation of GNSO New gTLD Recommendation Number 6 See [attached document](#) [PDF, 495 KB] for full text, which in part states "... At-Large has always been generally against the very principle of gTLD string objections based on "morality and public order". However, we see the Rec6 CWG recommendations as an effective way to attend to the most pressing needs while addressing our concerns about the existing implementation. We wholeheartedly concur with the recommendations in the report that achieved *Full Consensus* or *Consensus*. Specifically, we wish to emphasize, as strongly as possible, our support for the CWG's consensus calls to:

- Completely eliminate the term "morality and public order";
- Replace the existing resolution dispute mechanism with processes defined by recommendations 3 and 4 from the CWG Report;
- Limit objection criteria to specific principles of international law and treaty;
- Deny national law as a sole criteria for objections based on these criteria;
- Resolve disputes of this nature early in the application process;
- Require individual government objections to be made either through the Community Objections Process or through one of the ALAC and the GAC;
- Enable the GAC and ALAC to submit objections through the Independent Objector;
- Uphold a gTLD creation process that encourages "the true diversity of ideas, cultures and views on the Internet".

7th December 2010 <http://www.atlarge.icann.org/announcements/announcement-2-07dec10-en.htm> African ICANN Community Statement on New gTLDs and Volunteer Participation in ICANN AFRALO and AfrICANN endorsed two Statements from the African ICANN community during their [joint meeting](#) in Cartagena on 7 December 2010: The [Statement in Support for New gTLD Applicants – Cartagena](#) [PDF, 56 KB] and the [Statement on African Participation](#) [PDF, 50 KB] were submitted to the ICANN Board by Tijani Ben Jemaa on behalf of the African ICANN community. They were also endorsed by the ALAC and added to the ALAC Chair's report to the Board of ICANN. In addition to that, the Statement on new gTLDs was also submitted to the [public consultation](#) on the Draft Final Guidebook for new gTLD applicants and the Joint SO/AC Working Group on new gTLDs.

8th December 2010 <http://www.atlarge.icann.org/correspondence/correspondence-08dec10-en.htm> ALAC Statement on Draft Final Guidebook See attached ALAC statement [PDF, 497 KB] which in part states "The At-Large Advisory Committee (ALAC) is very disappointed by the latest release of the Proposed Final Applicant Guidebook of November 12, 2010 (PAG). In significant ways its changes reflect a deliberate step backwards **in some areas**, away from transparency and accountability and towards secrecy and arbitrary action. Even more importantly, the new guidebook fails at any more than cosmetic accommodation of critical, Board-mandated policy work undertaken by ICANN's grass-roots community.

The PAG contains many elements that cause concern. However the At-Large Community, in this response, has chosen to focus on the three most substantive and regressive issues which require our greatest attention;

- Dispute Resolution
- Applicant Support
- The Independent Objector

After the PAG was released, based on Board and community response, stakeholders collaborated to provide necessary input on two important issues:

- assistance to applicants for generic Top-Level Domains (gTLDs) in developing economies, and
- changing the process of dealing with TLD strings that might be considered obscene or objectionable (the so-called "Morality and Public Order" category of objection).

... .. It is disappointing that the PAG has regressed rather than progressed since its previous version. Rather than incorporating important and clear cross-community direction, Board and Staff have dismissed this critical input as inconvenient, and as too much of a change from the PAG's current dangerous inertia. According to the "explanatory memo" providing ICANN response to its community initiative, "risk mitigation" now appears to be a primary policy goal of ICANN -- and, conveniently, a primary obstacle to change.

Regrettably, we feel the need to remind the community of the "Plan for Organization of ICANN Staff" (May 22, 2003) which states clearly that the role of Staff is to "execute the settled policy" -- not to agree or disagree with it, or indeed affect it at all. Given that the PAG ignores or repudiates almost all of the significant cross-community consensus presented since the last revision, the At-Large Community has serious concerns about the sincerity of ICANN assertions of being a truly bottom-up process. In ICANN's being judged by actions rather than words, the PAG discredits ICANN claims of increasing accountability and transparency -- a very dangerous path indeed.

The At-Large Community remains committed to maximising benefit and minimising confusion in the creation of new gTLDs. We believe that significant gTLD growth is necessary to enhance end-user choice and healthy competition in the Internet namespace. Because of this, we must regrettably but categorically state that we consider the current PAG to be **unacceptable** as presented, and against the best interest of Internet end-users. We ask that these issues of concern to Internet end-users be addressed quickly so to minimize delays in the availability of new domains. Most of all, we request that the Board and staff implement ICANN's community process rather than be an obstacle to it. "

28th March 2011 <http://www.atlarge.icann.org/correspondence/correspondence-28mar11-en.htm> Response to 2011 GAC gTLD Scorecard Which states (in part) "... ALAC has always had significant challenges regarding both the processes taken to produce the current gTLD Applicant Guidebook (AG) as well as its result. We share the GAC's frustration in dealing with this process and appreciate its direct approach to asserting its views in the Scorecard.

Preliminary analysis of the Scorecard, based on the ALAC work within the Rec6 Working Group and previous work, resulted in a collection of policy available at ALAC - February 2011 - GAC-Board Meeting ..."

See also <https://community.icann.org/display/alacpolicydev/ALAC+February+2011+GAC-Board+Meeting>