

GAC Advice – Hamburg Communiqué: Board Action (21 January 2024)

GAC Advice Item	Advice Text	Board Understanding Following Board-GAC Call	Board Response
<p>§1.a.i Closed Generic gTLDs</p>	<p>a. The GAC advises the Board to:</p> <p style="padding-left: 40px;">i. <i>Prior to the next round of New gTLDs, to ensure that the forthcoming Applicant Guidebook clearly states that Closed Generic gTLD applications will not be considered.</i></p> <p><u>RATIONALE:</u></p> <p>The GAC offers this advice in recognition of the support of the message from the Chairs of the ALAC, GAC, and GNSO to the participants of the facilitated dialogue that “unless and until there is a community-developed consensus policy in place, any applications [for closed generic gTLDs] [...] should not proceed.”</p> <p>A clear statement in the Applicant Guidebook will help potential applicants to avoid confusion and possibly the waste of resources.</p> <p>Additionally, the GAC recalled in its Comment on the Draft Framework for Closed Generics (15 July 2023) its concerns on “competition issues, the overall assessment of the value of Closed Generic 10 TLD for the Internet, their potential negative economic and social impacts, and the evaluation panel”. The good faith deliberations that took place in the Facilitated Dialogue addressed directly the question of whether Closed Generics could serve a “public interest goal” (as advised in the 2013 Beijing Communiqué) without reaching a solution garnering consensus within the community. The GAC further underlines the importance to promote an open digital space and is of the view that under these circumstances determining and arbitrating whether a proposed closed gTLD would meet a public interest goal would likely create significant costs without providing any corresponding benefit.</p>	<p>The Board understands that, while the full GAC has not had the opportunity to discuss a collective response to the Board’s clarifying questions, a number of GAC members are of the view that Board acceptance of this item of GAC Consensus Advice will not amount to unilateral policy making. The Board also understands that the GAC believes its advice is not inconsistent with the previous advice it had provided on this topic in the 2013 Beijing Communiqué, as this advice reflects the community work that has been done since that time.</p>	<p>The Board has considered the GAC Advice and has determined that closed generic gTLD applications will not be permitted until such time as there is an approved methodology and criteria to evaluate whether or not a proposed closed domain is in the public interest.</p>

GAC Follow Up to Previous Advice Item	Advice Text	Board Understanding Following Board-GAC Call	Board Response
<p>1. Enabling Inclusive, Informed and Meaningful Participation in ICANN</p>	<p>The GAC would welcome a written status update from the Board on the activities adopted and implemented by ICANN org pursuant to the ICANN60 GAC Abu Dhabi Communiqué Advice regarding the development of a simple and efficient document management system and the production of easily understandable executive summaries for all relevant issues, processes and activities.</p>	<p>The Board understands the GAC would like a written status update on the activities adopted and implemented by ICANN org regarding the development of a simple and efficient document management system and the production of easily understandable executive summaries for all relevant issues, processes and activities.</p>	<p>The Board appreciates the GAC’s follow up to its Abu Dhabi advice on “Enabling Inclusive, Informed and Meaningful Participation in ICANN.” The Board is committed to accountability and transparency and pursuing easily understandable and relevant information on matters of concern to all stakeholders.</p> <p>The Board notes that a key objective of the Information Transparency Initiative included an audit of all content on icann.org. This allows improved search, content governance, and the transformation of unstructured content into structured content, improving content retrieval. The Board notes that the enhanced searchability on icann.org gives users the ability to search by name, date, and subject, which satisfies the intent of the advice regarding the development of a simple and efficient document management system.</p> <p>Regarding the advice to produce easily understandable executive summaries for all key issues, the Board notes that ICANN org currently produces monthly one-pager PDP updates, regular pre- and post-ICANN Meeting reports, and newsletters that highlight specific milestones and updates. The Board also notes that ICANN org staff have discussed the need for additional executive summaries with At-Large leadership, including the purpose and expected outcome. Together they have agreed to develop 10 executive summaries on topics at the At Large leadership’s direction. These executive summaries will be available in the six ICANN languages.</p>

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<p>2. Future gTLDs Policies and Procedures</p>	<p>The GAC recalls its advice to the Board in the ICANN56 GAC Helsinki Communiqué (30 June 2016) that "<i>An objective and independent analysis of costs and benefits should be conducted beforehand, drawing on experience with and outcomes from the recent round.</i>" So far the GAC is not certain of the availability of such analysis called for by the GAC. The GAC is looking forward to receiving such analysis at the earliest opportunity and ahead of ICANN79.</p>	<p>The Board understands that the GAC is requesting a succinct statement about what analysis has been conducted regarding the cost and benefits for future rounds of the New gTLD Program.</p>	<p>The Board appreciates the GAC's follow up to its Helsinki advice regarding an "analysis of cost and benefits" for future rounds of the New gTLD Program. The Board notes that the CCT Review Team Final Report, the Subsequent Procedures PDP Working Group Final Report and ICANN's Operational Design Assessment (ODA) of the GNSO Policy Recommendations regarding New gTLDs contain substantial information on costs and benefits of New gTLD. At the Board's request, ICANN org has prepared a succinct report summarizing the key points of these reports for the GAC's review, which can be found here.</p>