

<b>Distribution</b>	Public
<b>Date</b>	25 September 2023

## Governmental Advisory Committee Comments Regarding GNSO Guidance Process (GGP) for Applicant Support Guidance Recommendation Initial Report

---

### Introduction

The ICANN Governmental Advisory Committee (GAC) welcomes this opportunity to provide comments regarding the GNSO Guidance Process (GGP) for Applicant Support Guidance Recommendation Initial Report (hereinafter Initial Report) (see <https://itp.cdn.icann.org/en/files/generic-names-supporting-organization-council-gnso-council/gnso-ggp-applicant-support-guidance-recommendation-initial-report-25-07-2023-en.pdf>).<sup>1</sup>

### General Comments

The GAC enthusiastically supports the development of a foundational applicant support program for the next round of new gTLDs that will increase the number and geographical distribution of applications from underrepresented or underserved regions in all potential future rounds. Such an outcome will be important for the continued global credibility of ICANN. The GAC supports proposals to substantially reduce or eliminate the application fees and ongoing ICANN registry fees that will sufficiently cover all such applications in the next round.

---

<sup>1</sup> This comment was prepared under the direction of the Committee's leadership and has been subjected to review of the GAC membership. It is intended to complement, but not replace, any input that may be provided on this topic by individual governments. The GAC expresses its appreciation to the Chair and support staff of the GGP effort for the gracious extension of time to the GAC to enable the committee to prepare and submit these separate comments by 25 September 2023.

# ICANN | GAC

Governmental Advisory Committee

Without a substantial reduction in, or provision of financial support for the expected application costs and ongoing operational fees, many potential applicants in underrepresented or underserved regions will simply be unable to apply - owing to the historically limited availability of capital for ICT/digital initiatives.

The GAC asserts that non-financial support such as awareness raising, capacity development services and training is also a critical element of an applicant support program. Assisting in the provision of back-end services may also be appropriate in some cases.

Consequently, the committee offers a number of specific suggestions for how certain recommendations set forth in the Initial Report can be improved to more effectively establish the foundation for a robust and resilient applicant support program.

## **Specific Comments Regarding Particular GGP Initial Report Recommendations**

### **Recommendation 1 - Communications and Outreach/Awareness**

The GAC supports the intent of this recommendation and welcomes the focus on underserved regions. The GAC agrees that an effective communication strategy is a stepping stone for increasing awareness in and implementing a successful Applicant Support Program.

GAC Members have highlighted the importance of embedding accountability in the communication strategy, building on the indicators for success and collecting the key data and metrics to measure it.

The GAC supports the implementation guidance referring to both “under-served” and “developing” countries and regions and underlines the importance of relying on the GAC definition of under-served regions as “regions that do not have a well-developed DNS or associated industry economy”.

The GAC also believes that targeting potential applicants from the not-for-profit sector, social enterprises and/or community organizations alone is insufficient. This is because private companies, for example, may be better placed to operate a generic top-level domain in the long-run, due to factors like financial sustainability and in-house expertise. But private companies in small or developing economies would be impacted by their limited market size and availability of investment capital. Thus, the GAC recommends expansion of the targeted applicant pool to include private sector entities, so as to read:

# ICANN | GAC

Governmental Advisory Committee

“Target potential applicants from private sector entities, the not-for-profit sector, social enterprises and/or community organizations from underrepresented and under-served regions and countries”.

## **Recommendation 2 – Applicant Understanding – Determining Need/Opportunity and Developing Applications**

The GAC suggests modifying the recommendation as follows:

“That the Applicant Support Program has cultivated **and recruited** pro bono services **and mentoring programs and shared information about them to potential applicants in a way which facilitates matchmaking** as well as ICANN-provided information and services to be available for supported applicants to inform their gTLD applications; that ICANN will communicate the availability of pro bono services and the parameters in which they are offered to potential supported applicants; and that supported applicants report that they found the information and services offered by pro bono providers to be useful”.

While the GAC agrees that ICANN should not “insert [itself] in the middle of the relationship” between pro bono services providers and applicants, it could further help facilitate the matchmaking for instance by (1) setting up a specific portal where offers (ICANN vetted pro bono services providers) and requests (potential applicants) for such services meet; and (2) supporting the development of a mentoring program through which successful ccTLDs could volunteer to coach potential candidates from underserved areas and share their experience. A combination of better matchmaking and mentoring would increase the establishment of connections between prospective applicants and potential mentors without posing risks for ICANN and would help address some of the shortcomings which emerged in relation to pro bono services with the previous applicant support program.

## **Recommendation 3 - ICANN ORG Set Up of Applicant Support Program for Success (in Operational Terms)**

The GAC agrees with the recommendation as it is but would suggest – as a small improvement – further clarification of the notion of resources and what it encompasses - especially with regard to the notion of operational readiness. The GAC would also like to stress the importance of viewing “necessary resources” as a broad term - not simply in terms of financial backing but to include, for example, human capital put towards the delivery of the program.

## **Recommendation 4 - Application Submission and Evaluation**

The GAC supports the recommendation as written but would like to emphasize the importance of the word “timely”. The committee strongly supports the idea for ICANN org to develop ICANN Learn modules that detail everything applicants need to know for submitting their applications. These modules should also be made available in a timely manner.

## **Recommendation 5 - Contracting/Delegation**

The target of 0.5% of successfully delegated gTLD applications is considered by many governments as not being sufficiently ambitious in keeping with the intention to increase in the next round of applications for new gTLDs the number and geographical distribution of applications from underrepresented or underserved regions. Deciding to set this target on the experience of the 2012 round is “conservative” as the purpose of the efforts made on the Applicant Support Program is to improve the outcomes compared to those of the last round. The GAC would be in support of setting a significantly higher target.

## **Recommendation 6 - Ongoing Operations of the gTLD**

No GAC Comments

## **Recommendation 7 - Allocating Financial Support Where There is Inadequate Funding**

While the GAC supports the recommendation as written and the committee understands the choice made to follow the principle of fairness and not carry out a prioritization exercise between applicants in case of inadequate funding, it is important to be aware of the risks that the fairness approach implies. Applying equal fee reduction across candidates can lead to crowding out the “least resourced” applicants, thus affecting more, those who are already the most disadvantaged. Governments understand the difficulties that setting up a prioritization exercise would entail, but wonder whether it is not worth the effort to discuss this further.

## **Recommendation 8 – Minimum Level of Support**

The GAC supports this recommendation as written and emphasizes the importance for ICANN to work on a plan to mitigate the risks of any support being diluted to the point of not being helpful at all. The GAC would also suggest a slight amendment to the final sentence of the recommendation to change “a plan if funding drops below that level” to “a transparent plan in consultation with the community if funding drops below that level”.

# ICANN | GAC

Governmental Advisory Committee

## **Recommendation 9 – Flexible, Predictable and Responsive Program**

The GAC supports the recommendation as written and wishes to highlight the importance of providing an early indication of support to applicants when this is feasible.

## **Closing**

The GAC is appreciative that it has had an opportunity to contribute to the GGP – Applicant Support effort. Committee members will continue to engage in this important effort as the program concept and proposals are refined and implemented.

# # #