

15 June 2023

ICANN77 Deliverable Workplan & Timeline SubPro Related Activities

TO: ICANN Board

Dear Tripti,

The ICANN Board [resolution](#) at ICANN76 on the Final Report on the new gTLD Subsequent Procedures Policy Development identified three deliverables to be passed on to the Board by the last day of the ICANN77 Public Meeting (15 June). On behalf of the GNSO Council, I am pleased to share the high-level, milestone driven assessment of the work plan and timeline for the three deliverables (IDNs EPDP, 38 pending SubPro recommendations, and Closed Generics).

In doing so, I would like to stress language that is captured in the Introduction of the report: “Where the work plan and timeline should be considered provisional, it will be noted as such. Any caveats or explanatory information will follow the high-level work plan and timeline. Please note that as further information becomes available, efficiencies are identified, and dependencies are addressed, updates may be made to these timelines as deemed appropriate.” The Council does expect that more clarity will come shortly, especially for the IDNs EPDP, and therefore seeks to provide the ICANN Board and ICANN Org with the most accurate information as possible.

Kindly,
Sebastien Ducos, GNSO Chair

ICANN77 Deliverable Workplan & Timeline SubPro Related Activities

Status of This Document

This is the high-level, milestone driven assessment of the work plan and timeline for the three deliverables (IDNs EPDP, 38 pending SubPro recommendations and Closed Generics) identified in the ICANN Board's [resolution](#) at ICANN76 regarding New gTLD Subsequent Procedures

Table of Contents

1 INTRODUCTION	3
2 INTERNATIONALIZED DOMAIN NAMES (IDNS) EXPEDITED POLICY DEVELOPMENT PROCESS (EPDP)	4
3 SUBPRO PENDING 38 RECOMMENDATIONS	7
4 CLOSED GENERICS	12

1 Introduction

This document is intended to capture a high-level, milestone driven assessment of the work plan and timeline for the three deliverables identified in the ICANN Board's [resolution](#) at ICANN76 regarding New gTLD Subsequent Procedures. Generally speaking, a more fulsome and detailed project plan is always in place for GNSO projects (e.g., PDPs, EPDPs, GGP), but here, the Council must create a work plan and timeline where uncertainty remains.

Where the work plan and timeline should be considered provisional, it will be noted as such. Any caveats or explanatory information will follow the high-level work plan and timeline. Please note that as further information becomes available, efficiencies are identified, and dependencies are addressed, updates may be made to these timelines as deemed appropriate.

2 Internationalized Domain Names (IDNs) Expedited Policy Development Process (EPDP)

2.1 Phase 2 Work Plan and Timeline

The Work Plan and Timeline below reflects the remaining work of the IDNs EPDP. Note, that the EPDP has recently published its Initial Report for its Phase 1 Charter Questions and in parallel has already started work on its Phase 2 Charter Questions.

	Step/Milestone	Responsible Party	Timing
1	EPDP Initiation and Charter Approval	EPDP Team	May 2021
2	Phase 1 (top-level charter questions) Initial Report published for public comment	EPDP Team	Apr 2023
3	Phase 1 Final Report delivery to GNSO Council	EPDP Team	Nov 2023
4	Phase 1 Final Report: Council consideration. Note that the Bylaws mandated public comment period and Board adoption are NOT included in this timeline.	Various	Duration: 1-2 months
5	Initiate Phase 2 (second-level charter questions) deliberations	EPDP Team	Nov 2023 *
6	Phase 2 Initial Report published for public comment	EPDP Team	May 2025
7	Phase 2 Final Report delivery to GNSO Council	EPDP Team	Nov 2025 **
8	Phase 2 Final Report: Council consideration. Note that the Bylaws mandated public comment period and Board adoption are NOT included in this timeline.	Various	Duration: 1-2 months (e.g., March 2026)

2.2 Additional Explanatory Information

Generally speaking, the GNSO Council expects that PDPs/EPDPs will provide and be accountable to achievable work plans and timelines. Accordingly, they tend to be conservative, which holds true for this specific project. The EPDP Team recognizes that its anticipated completion date for its Phase 2 Final Report may impact the implementation and launch of the Next Round. While the EPDP Team does not believe it advisable to revise its official timeline, there is reason to believe that the EPDP Team can in fact beat its targeted delivery date

* Phase 2 deliberations are scheduled to initiate in November of 2023, but the EPDP Team will have taken advantage of 1) the lull in Phase 1 while the Initial Report is out for public comment and 2) 4 sessions at ICANN77, all dedicated to Phase 2 deliberations; Phase 2 deliberations started in May 2023 and significant progress has been made, though further Phase 2 deliberations will have to be paused at some point to review public comments and finalize the Phase 1 Final Report.

** The EPDP Team has requested at least one dedicated face-to-face workshop in Nov-Dec of 2023, which may reduce the timeline significantly (e.g., 40%). The EPDP Team, depending on progress made, could request a second face-to-face workshop in 2024. Face-to-face workshops are of course dependent upon available funding and approval/support from ICANN org.

Although the EPDP Team does not feel it is in a position to adjust its Phase 2 Final Report delivery date at this point in time, the Council notes that there are several important elements that may allow the EPDP Team to reconsider its delivery date prior to the ICANN org's delivery of the Implementation Plan to the Board. Those factors include:

- The closure of the Phase 1 Initial Report public comment period and gaining a better understanding of the breadth and quantity of comment received;
- A better sense of progress made on Phase 2 charter questions in advance of the schedule (e.g., during the Team's 4 sessions at ICANN77); and,
- More certainty of approval for the EPDP Team's request for its dedicated face-to-face workshop.

Therefore, the EPDP Team and GNSO Council would like to reserve the right to provide a revised schedule to the ICANN Board and ICANN org before 1 August, which would reflect a shortened timeline.

In addition to the work plan and timeline, the Board resolution also requests, "considerations to ensure a consistent solution on IDN Variant TLDs with the ccPDP4 on IDN ccTLDs (in accordance with prior Board [Resolution 2019.03.14.09](#))."

Team’s Phase 1 Initial Report contains detailed analysis (see [section 5](#) of the Initial Report) of the differences between its preliminary recommendations and those of the ccPDP4. As the resolution specifically references IDN Variant TLDs, the expectation is that the Board’s concern is primarily related to the Phase 1 work (i.e., top-level charter questions). In addition, the ccNSO’s policy-making remit is generally limited to the top-level, so the likelihood of inconsistencies with Phase 2 (i.e., second-level charter questions) is expected to be minimal.

3 SubPro Pending 38 recommendations

3.1 Work Plan and Timeline

The work plan and timeline below address the 38 SubPro recommendations that the ICANN Board put in a pending state. The work plan and timeline below should not be read to be sequential. Steps a, b, and c can all likely be pursued in parallel.

Landing Spot: Solve in Implementation		Responsible Party	Projected Timing
1	a) Issue can be addressed during implementation (Recs 6.8, 16.1 (application submission), 18.4 (terms & conditions), 19.3 (application queuing))	N/A	Not dependent upon number of recs in this group
2	Board adoption and directing of ICANN org to implement	ICANN Board	Subject to Board scheduling

Landing Spot: GNSO Council Clarifying Statement		Responsible Party	Projected Timing
1	b) Issue can be addressed via a GNSO Council Clarifying Statement (Recs 3.1, 3.2, 3.5, 3.6, 3.7 (applications assessed in rounds), 6.8 (Registry pre-evaluation), 9.1, 9.4, 9.8, 9.9, 9.10, 9.12, 9.13, 9.15 (PICs/RVCs), 26.9 (security & stability), 29.1 (name collisions), 31.16, 31.17 (objections), 34.12 (community applications), 35.3, 35.5 (auctions))	N/A	Minimal impact from number of recs in this group
2	Development of Clarifying Statement	GNSO Council (i.e., Small Team) in consultation with the Board SubPro Caucus co-leads.	4-6 weeks

3	Council Confirmation of Clarifying Statement	GNSO Council	Delivered by doc & motions deadline (10 days) and adopted at GNSO Council meeting Subject to Council meeting dates
4	Board adoption and directing of ICANN org to implement	ICANN Board	Subject to Board scheduling

Landing Spot: Board Has Signaled Non-Adoption		Responsible Party	Projected Timing
1	c) Recommendation cannot be adopted as drafted (Recs 9.2 (PICs/RVCs - Spec 11), 17.2 (applicant support), 18.1, 18.3 (terms & conditions), 22.7 (registrant protections), 24.3, 24.5 (string similarity), 32.1, 32.2, 32.10 (limited challenge/appeal))***	N/A	Highly dependent upon number of recs in this group AND level of complexity
Option: Council invoking Section 16 Prior to Final Board Action			
2	c1) GNSO Council modifies Recommendation(s) via Section 16	N/A	Highly dependent upon number of recs in this group AND level of complexity
3	Development of proposed modifications	GNSO Council (i.e., Small Team)	Estimated 8 weeks, if necessary
4	Consult with SubPro PDP on proposed modifications	GNSO Council (i.e., Small Team) / SubPro PDP	Estimated 6 weeks, if necessary
5	Publish proposed modifications for public comment	N/A	Estimated 6 weeks, if necessary

6	Review public comment and revise modifications as applicable	GNSO Council (i.e., Small Team)	Estimated, 6 weeks, if necessary
7	GNSO Council vote to adopt modified recommendations	GNSO Council	Delivered by doc & motions deadline (10 days) and adopted at GNSO Council meeting Subject to Council meeting dates
8	Board adoption and directing of ICANN org to implement	ICANN Board	Subject to Board scheduling
Option: Board Takes Final Action to Not Adopt			
9	c2) GNSO Council considers development of Supplemental Recommendation	N/A	Highly dependent upon number of recs in this group AND level of complexity
10	Submit Board Statement with reasons for why policy is not in the best interests of the ICANN community or ICANN	ICANN Board	Subject to Board scheduling ****
11	Council reviews Board Statement	GNSO Council (i.e., Small Team)	Subject to Council meeting dates
12	Discussion between Council/Board re: Board Statement	ICANN Board / GNSO Council	Subject to Board/Council scheduling
13	Council decides whether to develop Supplemental Recommendation	GNSO Council	Subject to Council meeting dates
14	Council develops Supplemental Recommendation (Recs 9.2 (PICs/RVCs - Spec 11), 17.2 (applicant support), 22.7 (registrant protections), 24.3, 24.5 (string similarity))	GNSO Council (i.e., Small Team) in consultation with the Board SubPro Caucus co-leads.	12-16 weeks

15	Council adoption of Supplemental Recommendation	GNSO Council	Delivered by doc & motions deadline (10 days) and adopted at GNSO Council meeting Subject to Council meeting dates
16	Board adoption and directing of ICANN org to implement	ICANN Board	Subject to Board scheduling

3.2 Additional Explanatory Information

There is a set of recommendations that from the GNSO Council's perspective, remain in a state where further dialogue is needed.

For the following recommendations, the ICANN Board has signaled that it is likely unable to adopt the recommendations in their current state: 9.2 (PICs/RVCs - Spec 11), 17.2 (applicant support), 18.1, 18.3 (terms & conditions), 22.7 (registrant protections), 24.3, 24.5 (string similarity), 32.1, 32.2, 32.10 (limited challenge/appeal). The GNSO Council has the option to either modify the recommendation(s) through Section 16 of the PDP Manual or to await non-adoption by the ICANN Board and then consider whether to develop a Supplemental Recommendation. At this point in time, the GNSO Council is leaning towards developing a Supplemental Recommendation, but further review is needed to determine the appropriate path.

The following recommendations are dependent upon discussions between the ICANN Board and GAC, where the GNSO Council remains available to participate as deemed helpful. Further Council actions depend upon the conclusion of those discussions and will therefore not be included in the work plan/timeline: 30.4, 30.5, 30.6, 30.7 (GAC Advice & Early Warning)

*** There are recommendations that the Council believes would benefit from further discussion with the ICANN Board, which include: 32.1, 32.2, 32.10 (limited challenge/appeal) and tangentially, 18.1, 18.3 (terms & conditions). These recommendations remain a critically important component in the SubPro Final Report. The Council is unclear what concerns rise to the level of not being in the best interest of the ICANN community and ICANN org and would therefore welcome a clearer articulation and subsequently, an opportunity to discuss a path to mutual alignment.

**** During ICANN77, the Council and select members of the Board had the opportunity to engage in dialogue about the pending recommendations and in

particular, recommendations that were trending towards non-adoption. The Council believes it has enough direction and rationale from the Board where it may be possible to develop preliminary Supplemental Recommendation language, even in the absence of official Board non-adoption and subsequent steps (i.e., Board Statement and dialogue).

Finally, the Council notes that while the pending recommendation under Topic 9: PICs/RVCs can be adopted with a Clarifying Statement from the Council, there may be subsequent steps that arise from further community dialogue; those possible steps are not fully accounted for in this work plan/timeline.

4 Closed Generics

4.1 Work plan and Timeline

The GNSO Council is awaiting the delivery of the final framework for Closed Generics gTLDs by the GAC-GNSO-ALAC Facilitated Dialogue. At this point, most Council members are of the view that following the delivery of the final framework an EPDP would need to be initiated to confirm policy recommendations for Closed Generics.

	Step/Milestone	Responsible Party	Projected Timing
1	Preparation of Initiation Request & Charter	Drafting Team/Council	12 weeks *****
2	Call for volunteers / confirmation of members, selection of chair, preparation for first meeting	GNSO Secretariat / GNSO Council / Support Staff	12 weeks *****
3	Team deliberations & publication of Initial Report	EPDP Team	36 weeks *****
4	Public comment on Initial Report	N/A	6 weeks
5	Review of public comments	EPDP Team	8 weeks
6	Finalize report for submission to GNSO Council	EPDP Team	6 weeks
7	Council consideration of Final Report	GNSO Council	4 weeks
8	Total (<i>note that the Bylaws mandated public comment period, Board adoption, and implementation are not included in this timeline</i>)		<i>84 weeks *****</i>

4.2 Additional Explanatory Information

There are a number of unknowns that make the development of a work plan and timeline challenging at this juncture and as such, it is being shared in a provisional nature (with future updates anticipated). The above timeline specifies estimated duration only based on past experience and **does not attempt to predict the start date for the activities or the actual effort expected to be required to complete this work.**

However, with the delivery of the draft framework for input on 8 June 2023, the Council will pursue initial steps to preliminarily determine the narrow focus of the potential EPDP on Closed Generics; in doing so, the Council remains clear that no EPDP can be initiated in the absence of an agreed upon final framework.

***** These steps are expected to be completed (partly) in parallel

***** Line 3 in the work plan and timeline encapsulates the entirety of the anticipated deliberations. This duration should be considered very much a rough estimate because it is being made in the absence of 1) an agreed upon framework for closed generics and 2) a charter, identified in line 1, which will establish the scope of work.

For the steps outside of line 3, estimates are provided based on past experience and in some cases (e.g., public comment) cannot be shortened.

***** In addition to not including the Bylaws mandated public comment period, Board adoption, and implementation, the total duration also does not factor in holidays and/or ICANN meetings.

As is now customary for GNSO PDPs/EPDPs, a full suite of project management tools will be developed, **including a robust project plan that will fully replace this provisional work plan and timeline**, after a charter has been adopted by the GNSO Council.