



## AT-LARGE ADVISORY COMMITTEE

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### ALAC Statement

On Draft Applicant Guidebook v4 and Explanatory Memorandum

#### Introduction

By the Staff of ICANN

On August 24<sup>th</sup>, the Chair of the At-Large Advisory Committee, Cheryl Langdon-Orr, asked the Staff of At-Large to start a five-day online ALAC vote on the draft statement on Draft Applicant Guidebook v4 and Explanatory Memorandum.

The online vote ended on August 28<sup>th</sup> and resulted in the ALAC endorsing the statement with 12-0 votes. Sebastien Bachollet informed the ALAC that he would be on leave during the voting period and will be recorded as an abstention.

You may review the result independently under:

<https://www.bigpulse.com/pollresults?code=1277B7TXggRjQ4MzbLkXi96z>

On August 13<sup>th</sup>, the At-Large Staff transmitted the Draft Statement to Karen Lentz, the ICANN staff person responsible for the [public consultation process](#) on Draft Applicant Guidebook, Version 4 with a note saying that the document was currently undergoing ALAC ratification. The public comment period had already closed on July 21<sup>st</sup>.

(End of Introduction)

The original version of this document is the English text available at [www.atlarge.icann.org/correspondence](http://www.atlarge.icann.org/correspondence). Where a difference of interpretation exists or is perceived to exist between a non-English edition of this document and the original text, the original shall prevail

## **Statement from ALAC on Draft Applicant Guidebook v4 and Explanatory Memorandum**

The ALAC notes 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 maximizing the benefits and minimizing 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 recognize 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 finalized processes and procedures, ICANN must embrace the prospect of providing affirmative support for participation of hitherto marginalized communities, especially those entrusted to act on behalf of disadvantaged groups or those with agendas widely recognized 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. Members of the At-Large Community are already engaged in the Vertical Integration (VI) Working Group where some of these issues are being aired and debated and will continue to offer opinions that reflect the concerns of our Community. The ALAC strongly endorses the continuation of the existing VI Working Group and other such mechanisms in our belief that more time for Community reflection might be necessary for a workable consensus to emerge.

The ALAC echoes the At-Large Community in our disappointment with the retention in the Draft Application Guidebook V4 of the so-called Morality and Public Order (MAPO) language as part of the preparatory scope for new gTLDs. We reiterate our principled position: Even as we accept that there is no single definition of what is moral, determination of a moral string and a public order encroachment are not within ICANN's competence and its remit in the Internet governance space. The ALAC's disappointment is moderated with the knowledge that other support organizations are equally bothered and have proposed a cross-Community group to address and grapple further with this matter. In the same spirit, we are troubled by the midnight introduction of a "terrorism" construct within the new gTLD application framework. The ALAC believes this is outside the scope and competence of ICANN to adjudicate and strongly advise that this be reconsidered."