



Governmental Advisory Committee

Dakar, 28 October 2011

Dr. Stephen Crocker
Chairman of the Board of Directors
ICANN

Dear Dr. Crocker,

I am pleased to forward the text (attached) agreed by the GAC during the Dakar meeting on the formulation of consensus GAC advice related to new gTLDs for inclusion in Module 3 of the Applicant Guidebook.

Please note that Section 1.1.2.7 in Module 1 of the Guidebook will need to be amended for consistency with the attached GAC text (the phrase "and that includes a thorough explanation of the public policy basis for such advice" should be deleted).

In addition, the GAC believes that those elements of an application that can be "remediated" should be explicitly outlined in Module 3 of the Guidebook, to ensure that GAC members and applicants alike fully understand the scope of what can and what cannot be "remediated".

Thank you for your consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Heather Dryden", is written over a light blue horizontal line.

Heather Dryden
Chair, Governmental Advisory Committee
Senior Advisor to the Government of Canada

Attachment: GAC Consensus Advice (Applicant Guidebook - Module 3.1)

Applicant Guidebook Module 3.1: GAC Advice on New gTLDs

ICANN's Governmental Advisory Committee was formed to consider and provide advice on the activities of ICANN as they relate to concerns of governments, particularly matters where there may be an interaction between ICANN's policies and various laws and international agreements or where they may affect public policy issues.

The process for GAC Advice on new gTLDs is intended to address applications that are identified by governments to be problematic, e.g., that potentially violate national law or raise sensitivities.

GAC members can raise concerns about any application to the GAC. The GAC as a whole will consider concerns raised by GAC members, and agree on GAC advice to forward to the ICANN Board of Directors.

The GAC can provide advice on any application. For the Board to be able to consider the GAC advice during the evaluation process, the GAC advice would have to be submitted by the close of the Objection Filing Period (see Module 1).

GAC Advice may take one of the following forms:

I. The GAC advises ICANN that it is the consensus of the GAC that a particular application should not proceed. This will create a strong presumption for the ICANN Board that the application should not be approved.

II. The GAC advises ICANN that there are concerns about a particular application "dot-example". The ICANN Board is expected to enter into dialogue with the GAC to understand the scope of concerns. The ICANN Board is also expected to provide a rationale for its decision.

III. The GAC advises ICANN that a particular application should not proceed unless remediated. This will raise a strong presumption for the Board that the application should not proceed unless there is a remediation method available in the Guidebook (such as securing one or more government's approval) that is implemented by the applicant.