

## NEW gTLD PROGRAM: NEXT ROUND

# GAC Member Early Warnings and GAC Consensus Advice

## What is an Early Warning?

A GAC Member Early Warning is a notice provided by one or more ICANN Governmental Advisory Committee (GAC) members to a new gTLD applicant. The Early Warning process enables GAC members to caution that a New gTLD Program application is regarded as potentially sensitive or problematic by one or more governments. While an Early Warning is only a notice mechanism, and has no direct impact on an applicant's ability to proceed in the process, applicants are encouraged to take Early Warnings seriously. An Early Warning could foreshadow GAC Consensus Advice to the Board or an objection at a later stage, which could impact an applicant's ability to proceed in the New gTLD Program.

### RESOURCES

[DRAFT AGB Module 3.2 on Early Warnings and Module 3.3 on Consensus Advice](#)

Frequently Asked Questions (coming soon)

[New gTLD Program: Next Round Resources](#)

## When can an Early Warning be issued?

GAC members have 90 days following String Confirmation Day to issue an Early Warning. ICANN will notify applicants as soon as practicable thereafter. GAC consensus is not required for Early Warnings to be issued.

## Why is an Early Warning issued?

A GAC member could issue an Early Warning to a gTLD applicant for any reason. Applicants should note that the following areas have raised sensitivities in the past:

- Applications that purport to **represent or embody a particular group of people or interests** based on historical, cultural, or social components of identity.
- Applications referring to a **particular social origin or group, political opinion, or membership** of a national minority.
- Applications referring to **particular sectors** such as those subject to national regulation.
- Applications that **describe or target a population or industry that is vulnerable** to online fraud or abuse.

## How is an Early Warning issued?

ICANN will serve as a pass-through when an Early Warning is issued that concerns an application. The GAC Early Warning notification will include a written explanation describing why the Early Warning was submitted and how the applicant may address the concerns of the GAC member(s), if applicable.

Upon receipt of an Early Warning, applicants may take any of the following actions:

- Meet with representatives from the concerned party on their own accord.
- Submit an Application Change Request.
- Elect not to take any action and continue with their application as-is.

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## What is GAC Consensus Advice?

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The GAC was formed to consider and provide advice on the activities of ICANN as they relate to the concerns of governments. GAC Consensus Advice on new gTLD applications is intended to address applications that are identified to be problematic, for example, that potentially violate national law or raise sensitivities.

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## When can GAC Consensus Advice be issued?

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The GAC can provide advice to the ICANN Board on any application, as outlined in the ICANN Bylaws. While the GAC is encouraged to submit advice during the 90 days following String Confirmation Day to allow for the Board to consider the GAC's Advice during the evaluation process, the GAC may submit advice on a particular application or aspect of the New gTLD Program at any time.

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## How is GAC Consensus Advice processed?

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Where GAC Consensus Advice on applications is received by the ICANN Board concerning an application:

- ICANN will publish the advice and notify the relevant applicant(s) promptly.
- The Board will consider the GAC Consensus Advice on applications in accordance with the ICANN Bylaws.
- The applicant will have a period of 21 days from being notified that their application is subject to GAC Advice in which they may submit a statement to ICANN in response, so that it can be taken into account during any exchanges between the Board and the GAC about the advice. In their statement, the applicant may suggest amendments to the application intended to address the concerns.
- The Board will make a decision on the advice, and based on that, the application may or may not be able to proceed.
- An applicant that wishes to withdraw an application as a response to GAC Consensus Advice will receive a refund associated with the withdrawal. More information on the withdrawal process and schedule of refunds can be found in the Applicant Guidebook.