

8 June 2020

Manal Ismail
 Chair, Governmental Advisory Committee (GAC)

RE: Status of GAC Advice in the Action Request Register (ARR)

Dear Ms. Manal Ismail,

In support of the 8 June 2020 Board-GAC Interactions Group (BGIG) meeting, the Board is issuing the latest report of the status of advice issued by the GAC as it appears in the Action Request Register (ARR).

As you are aware, as of [10 September 2019](#) the ICANN organization currently reports on the status of the GAC advice inventory following the adoption of the latest GAC scorecard by the Board. On 26 January 2020, the Board [considered](#) the ICANN66 GAC Communiqué and adopted the [scorecard](#) titled "GAC Advice – Montréal Communiqué: Actions and Updates (26 January 2020)" in response to items of GAC advice in the Montréal Communiqué.

Below is a table reflecting the status of GAC advice in the ARR. Detailed status on the items can be found in the [appendix](#) of this letter, including notations for any changes in an item's phase. Please also find information on the status of GAC advice on the ARR webpage here: <https://features.icann.org/board-advice/gac>. The webpage contains a report with details on all GAC advice items: <https://www.icann.org/board-gac-advice-status-current.xlsx>.

Table 1. Breakdown of GAC Advice in ARR Phases

Phase	Consensus Advice Items	Follow-up Items
Phase 1 Receive & Publish	—	—
Phase 2 Understand	—	—
Phase 3 Evaluate & Consider	19	—
Phase 4 Implement	6	—
Phase 5 Close Request	6	—
Closed since Last Scorecard	29	4
<i>Previously Closed¹</i>	136	21
<i>Total GAC Advice Items²</i>	196	25

¹ These were the items noted as closed in the [10 September 2019](#) GAC Advice status letter.

² The ARR tracks all GAC advice items since ICANN46 | Beijing.

Finally, the Board would also like to thank the GAC for its work in producing the [ICANN67 Virtual Community Forum Communiqué](#), the first ever GAC communiqué produced virtually. The Board notes that the ICANN67 Communiqué did not contain any Consensus GAC Advice.

Thank you again for your attention to this information. We look forward to our next meeting.

Sincerely,



Maarten Botterman
Chair, ICANN Board of Directors

Appendix: Inventory and Status of GAC Advice Items

The ARR Phases

The ARR is a five-phase framework used to consistently process formal requests to the Board. Please see below explanations of each phase as it relates to GAC advice:

- **Phase 1 | Acknowledge:** The GAC issued a Communiqué containing advice to the ICANN Board and the ICANN organization has not yet published the advice.
- **Phase 2 | Understand:** The ICANN Board and organization are reviewing the advice to identify any questions needing clarification. The Board and the GAC typically conduct an exchange to discuss any clarifications required before formal Board consideration.
- **Phase 3 | Evaluate & Consider:** The ICANN Board is in the process of formally considering the advice via a scorecard and/or resolution, or items may appear in this phase because further Board consideration may be required. Additionally, items may appear in this phase pending input from the ICANN org or other constituencies; if so, this will be made clear to the GAC.
- **Phase 4 | Implement:** The Board has considered the advice and directed the CEO and ICANN organization to proceed with action or implementation. This action or implementation is currently underway.
- **Phase 5 | Close Request:** The ICANN organization has reviewed the advice and has determined the advice has been considered, and all directed action or implementation has been completed. The ICANN Board will review items in Phase 5 before moving them to “Closed.”
- **Closed:** The advice has been processed as much as is relevant and is considered complete; no work is outstanding from the perspective of the ICANN Board or org. Related implementation work may have been integrated into ICANN’s ongoing operations or other initiatives.

Appendix: Inventory and Status of GAC Advice Items³

Additional Information on Items in Phase 3 | Evaluate & Consider (19 Items)

The 19 items in Phase 3 | Evaluate & Consider have all been previously considered by the Board. However, the Board has not yet taken action on the advice and has deferred a formal decision pending ongoing work related to the advice or has noted that the advice remains open for further consideration.

Table 2. Inventory of GAC Advice Items in Phase 3 | Evaluate & Consider

Advice Item	Change in Phase since Last Update	Advice Text	Actions Taken
ICANN48 Buenos Aires Communique §4.a.i. Protection of Inter-Governmental Organisations (IGOs) (20 Nov 2013)	n/a – see updated text in yellow	The GAC Advises the ICANN Board that the GAC, together with IGOs, remains committed to continuing the dialogue with NGPC on finalising the modalities for permanent protection of IGO acronyms at the second level, by putting in place a mechanism which would: 1. provide for a permanent system of notifications to both the potential registrant and the relevant IGO as to a possible conflict if a potential registrant seeks to register a domain name matching the acronym of that IGO; 2. allow the IGO a timely opportunity to effectively prevent potential misuse and confusion; 3. allow for a final and binding determination by an independent third party in order to resolve any disagreement between an IGO and a potential registrant; and 4. be at no cost or of a nominal cost only to the IGO. The GAC looks forward to receiving the alternative NGPC proposal adequately addressing this advice. The initial protections for IGO acronyms should remain in place until the dialogue between the NGPC, the IGOs and the GAC ensuring the implementation of this protection is completed.	The NGPC published a comprehensive report of NGPC responses and updates to GAC Advice regarding the New gTLD Program on 7 October 2015 and provided this response in its scorecard: The GNSO Council approved recommendations from the expedited PDP on 20 November 2013 regarding protections for IGOs and INGOs. The GNSO forwarded its policy recommendations to the ICANN Board for further consideration. On 7 February 2014, the Board (i) adopted the policy recommendations GNSO Council's unanimous recommendations that are not inconsistent with the GAC's advice, (ii) requested additional time to consider the remaining recommendations, and (iii) decided to facilitate discussions among the relevant parties to reconcile any remaining differences between the policy recommendations and the GAC advice on the topic. These policy recommendations and the GAC advice are still under consideration. On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as

³ As there are no items currently in Phases 1 or 2, the appendix includes only items in Phases 3-5, Closed.

			<p>to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN49 Singapore Communique</p> <p>§8 Protection of Inter- Governmental Organisation (IGO) Names and Acronyms</p> <p>(27 Mar 2014)</p>	<p>n/a – see updated text in yellow</p>	<p>The GAC recalls its previous public policy advice from the Toronto, Beijing, Durban and Buenos Aires Communiqués regarding protection for IGO names and acronyms at the top and second levels and awaits the Board's response regarding implementation of the GAC advice.</p>	<p>The NGPC published a comprehensive report of NGPC responses and updates to GAC Advice regarding the New gTLD Program on 7 October 2015 and provided this response in its scorecard:</p> <p>On 14 May 2014, the NGPC adopted (https://www.icann.org/resources/board-material/resolutions-new-gtld-2014-05-14-en#2.a) another iteration of the Scorecard (https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-1-14may14-en.pdf) and provided the following response: On 7 February 2014, the Board directed the NGPC to: (1) consider the policy recommendations from the GNSO as the NGPC continues to actively develop an approach to respond to the GAC advice on protections for IGOs, and (2) develop a comprehensive proposal to address the GAC advice and the GNSO policy recommendations for consideration by the Board at a subsequent meeting. On 13 March 2014, the NGPC forwarded to the GAC for information a draft proposal for implementing the GAC advice on IGO acronym protections at the second level. On 30 April 2014, the Board took action to adopt the GNSO policy recommendations that are not inconsistent with GAC Advice received by the Board on the topic of IGO protections. With respect to the GNSO policy recommendations that differ from the GAC Advice (including this item of GAC Advice) the Board requested additional time to consider them, and will facilitate discussions among the relevant parties to reconcile any remaining differences between the policy recommendations and the GAC advice on the topic. These policy recommendations and the GAC advice are still under consideration.</p>

			<p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN49 Singapore Communique</p> <p>§9.I. Protection of Red Cross/Red Crescent Names</p> <p>(27 Mar 2014)</p>	<p>n/a – see updated text in yellow</p>	<p>Referring to the previous advice that the GAC gave to the board to permanently protect from unauthorised use the terms associated with the International Red Cross and Red Crescent Movement – terms that are protected in international legal instruments and, to a large extent, in legislation in countries throughout the world. I. The GAC advises that, for clarity, this should also include: a. the 189 National Red Cross and Red Crescent Societies, in English and the official languages of their respective states of origin. b. The full names of the International Committee of the Red Cross and International Federation of the Red Cross and Red Crescent Societies in the six (6) United Nations Language</p>	<p>The NGPC published a comprehensive report of NGPC responses and updates to GAC Advice regarding the New gTLD Program on 7 October 2015 and provided this response in its scorecard:</p> <p>The GNSO Council approved (https://gnsso.icann.org/en/council/resolutions#20131120-2) recommendations from the expedited PDP on 20 November 2013 regarding protections for IGOs and INGOs, which included protections for certain identifiers associated with the Red Cross/Red Crescent. The GNSO forwarded its policy recommendations to the ICANN Board for further consideration. On 30 April 2014, the Board took action (https://www.icann.org/resources/board-material/resolutions-2014-04-30-en#/2.a) to adopt the GNSO policy recommendations that are not inconsistent with GAC Advice received by the Board on the topic of protections for certain identifiers of the Red Cross/Red Crescent. With respect to the GNSO policy recommendations that differ from the GAC Advice (https://gac.icann.org/board-resolutions/public/board-resolution-annex-b-20140430.pdf?version=1&modificationDate=1401266393000&api=v2)</p>

			<p>(including this item of GAC Advice) the Board requested additional time to consider them, and continues to facilitate discussions among the relevant parties to reconcile any remaining differences between the policy recommendations and the GAC advice on the topic. (To note, the GNSO policy recommends that instead of reserving the RCRC national society names as advised by the GAC, the names should be bulk added to the Trademark Clearinghouse.)</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN50 London Communique</p> <p>§5 Protection of Inter-Governmental Organisation (IGO) Names and Acronyms</p> <p>(25 Jun 2014)</p>	<p>n/a – see updated text in yellow</p>	<p>The GAC reaffirms its advice from the Toronto, Beijing, Durban, Buenos Aires and Singapore Communiqués regarding protection for IGO names and acronyms at the top and second levels, as implementation of such protection is in the public interest given that IGOs, as created by governments under international law are objectively different rights holders; notes the NGPC's letter of 16 June 2014 to the GNSO concerning further steps under the GNSO Policy Development Process while expressing concerns that the process of</p>	<p>The NGPC published a comprehensive report of NGPC responses and updates to GAC Advice regarding the New gTLD Program on 7 October 2015 and provided this response in its scorecard:</p> <p>On 8 September 2014, the NGPC adopted another iteration of the Scorecard (https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-1-08sep14-en.pdf) to address this advice. At that time, the NGPC reported that it was considering available options to reconcile the differences between the GAC advice and the GNSO policy recommendations concerning protections for IGO acronyms. On 16 June 2014, the NGPC sent a letter to the GNSO Council highlighting the previously noted concerns and providing an</p>

		<p>implementing GAC advice has been so protracted; welcomes the NGPC's assurance that interim protections remain in place pending any such process; and confirms its willingness to work with the GNSO on outcomes that meet the GAC's concerns.</p>	<p>opportunity for the GNSO to consider modifying its policy recommendations at issue in accordance with Section 16 of the GNSO's PDP Manual. (Section 16 of the GNSO's PDP Manual permits modification to approved GNSO Council policies at any time prior to final approval by the Board.) At that time, NGPC was awaiting a response from the GNSO. The NGPC agreed to continue to provide updates to the GAC, the GNSO, and the broader ICANN community about its progress to address this matter, and noted that the temporary protections afforded to IGOs remain in place while the parties continue discussions. This matter remains under consideration.</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN50 London Communique</p> <p>§6.a.I-III Protection of Red Cross / Red Crescent Names</p>	<p>n/a – see updated text in yellow</p>	<p>The GAC refers to its previous advice to the Board to protect permanently the terms and names associated with the Red Cross and Red Crescent, including those relating to the 189 national Red Cross and Red Crescent societies, and recalls that the protections afforded to the Red Cross and Red Cross designations and names stem from universally</p>	<p>The NGPC published a comprehensive report of NGPC responses and updates to GAC Advice regarding the New gTLD Program on 7 October 2015 and provided this response in its scorecard:</p> <p>On 3 November 2014, the Board notified the GAC that it had some concerns about the advice in the London Communiqué because it appeared to be inconsistent with the framework established in the Bylaws granting the GNSO authority to recommend consensus</p>

<p>(25 Jun 2014)</p>		<p>agreed norms of international law and from the national legislation in force in multiple jurisdictions. Accordingly. The GAC now advises, that: I. the Red Cross and Red Crescent terms and names should not be equated with trademarks or trade names and that their protection could not therefore be adequately treated or addressed under ICANN's curative mechanisms for trademark protection; II. the protections due to the Red Cross and Red Crescent terms and names should not be subjected to, or conditioned upon, a policy development process; III. the permanent protection of these terms and names should be confirmed and implemented as a matter of priority, including in particular the names of the international and national Red Cross and Red Crescent organisations.</p>	<p>policies to the Board, and the Board to appropriately act upon policies developed through the bottom-up consensus policy developed by the GNSO. On 25 November 2014, the GAC responded to the Board's letter. The GAC noted that it had carefully considered the Board's letter as well as the relevant section in the London Communiqué. The GAC noted that its intention was to emphasize the urgency of providing protection for Red Cross/Red Crescent names and to state the GAC's view that a solution should not be further delayed pending the outcome of a GNSO PDP. The GAC further recognized that the urgency aspect had since been addressed, as stated in the GAC Los Angeles Communiqué: "The GAC welcomes the decision of the New gTLD Program Committee (Resolution 2014.10.12.NG05) to provide temporary protections for the names of the International Committee of the Red Cross and International Federation of Red Cross and Red Crescent Societies, and the 189 National Red Cross and Red Crescent Societies. The GAC requests the ICANN Board and all relevant parties to work quickly to resolve the longer term issues still outstanding."</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
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<p>ICANN51 Los Angeles Communique</p> <p>§5.a.I-II - 5.b.I. Protection of Inter-Governmental Organisation (IGO) Names and Acronyms</p> <p>(15 Oct 2014)</p>	<p>n/a – see updated text in yellow</p>	<p>a. The GAC reaffirms its advice from the Toronto, Beijing, Durban, Buenos Aires, Singapore and London Communiqués regarding protection of IGO names and acronyms at the top and second levels, as implementation of such protection is in the public interest given that IGOs, as created by governments under international law, are objectively different right holders; namely, i. Concerning preventative protection at the second level, the GAC reminds the ICANN Board that notice of a match to an IGO name or acronym to prospective registrants, as well as to the concerned IGO, should apply in perpetuity for the concerned name and acronym in two languages, and at no cost to IGOs; ii. Concerning curative protection at the second level, and noting the ongoing GNSO PDP on access to curative Rights Protection Mechanisms, the GAC reminds the ICANN Board that any such mechanism should be at no or nominal cost to IGOs; and further, in implementing any such curative mechanism, b. The GAC advises the ICANN Board: i. That the UDRP should not be amended; welcomes the NGPC's continued assurance that interim protections remain in place pending the resolution of discussions concerning preventative protection of IGO names and acronyms; and supports continued dialogue between the GAC (including IGOs), the ICANN Board (NGPC) and the GNSO to develop concrete solutions to implement long-standing GAC advice.</p>	<p>The NGPC published a comprehensive report of NGPC responses and updates to GAC Advice regarding the New gTLD Program on 7 October 2015 and provided this response in its scorecard:</p> <p>The GNSO Council approved recommendations from the expedited PDP on 20 November 2013 regarding protections for IGOs and INGOs (https://gns0.icann.org/en/council/resolutions#20131120-2). The GNSO forwarded its policy recommendations to the ICANN Board for further consideration. On 7 February 2014, the Board (i) adopted the policy recommendations GNSO Council's unanimous recommendations that are not inconsistent with the GAC's advice, (ii) requested additional time to consider the remaining recommendations, and (iii) decided to facilitate discussions among the relevant parties to reconcile any remaining differences between the policy recommendations and the GAC advice on the topic (https://www.icann.org/resources/board-material/resolutions-2014-02-07-en#2.a). These policy recommendations and the GAC advice are still under consideration.</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
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<p>ICANN52 Singapore Communique</p> <p>§2 Protection of Names and Acronyms for Inter- Governmental Organisations (IGOs)</p> <p>(11 Feb 2015)</p>	<p>n/a – see updated text in yellow</p>	<p>The GAC will continue to work with interested parties to reach agreement on appropriate permanent protections for names and acronyms for Inter-Governmental Organisations. This will include working with the GNSO PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms; and with IGOs and the NGPC.</p>	<p>The NGPC published a comprehensive report of NGPC responses and updates to GAC Advice regarding the New gTLD Program on 7 October 2015 and provided this response in its scorecard:</p> <p>The GNSO Council approved recommendations from the expedited PDP on 20 November 2013 regarding protections for IGOs and INGOs (https://gns0.icann.org/en/council/resolutions#20131120-2). The GNSO forwarded its policy recommendations to the ICANN Board for further consideration. On 7 February 2014, the Board (i) adopted the policy recommendations GNSO Council's unanimous recommendations that are not inconsistent with the GAC's advice, (ii) requested additional time to consider the remaining recommendations, and (iii) decided to facilitate discussions among the relevant parties to reconcile any remaining differences between the policy recommendations and the GAC advice on the topic (https://www.icann.org/resources/board-material/resolutions-2014-02-07-en#2.a). These policy recommendations and the GAC advice are still under consideration.</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
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<p>ICANN57 Hyderabad Communique</p> <p>§5.a.I. Protection of Red Cross/ Red Crescent/ Red Crystal Identifiers and names of national committees</p> <p>(8 Nov 2016)</p>	<p>n/a – see updated text in yellow</p>	<p>Request the GNSO Council, as a matter of urgency, to re-examine and revise its PDP recommendations pertaining to the protection of the names and identifiers of the respective international and national Red Cross and Red Crescent organizations which are not consistent with GAC advice; and in due course</p>	<p>On 3 February 2017 the Board considered the Hyderabad Communique and provided this response in its scorecard:</p> <p>The Board notes that in June 2014 the Board’s New gTLD Program Committee had provided the GNSO with an update on the Board’s work on this topic, which highlighted the possibility of the GNSO’s amending its adopted policy recommendations regarding these Red Cross names and identifiers. The Board will continue to engage with the GAC and the GNSO on this topic, and provide any guidance that it believes appropriate while respecting the community’s processes and the parties’ good faith attempts to reach a resolution of the issue.</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO’s PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN58 Copenhagen Communique</p> <p>§2.a.I IGO Protections</p> <p>(15 Mar 2017)</p>	<p>n/a – see updated text in yellow</p>	<p>Pursue implementation of (i) a permanent system of notification to IGOs regarding second-level registration of strings that match their acronyms in up to two languages and (ii) a parallel system of notification to registrants for a more limited time period, in line with both previous GAC advice and GNSO recommendations;</p>	<p>On 12 June 2017 the Board considered the Copenhagen Communique and provided this response in its scorecard:</p> <p>The Board takes note of this advice and has directed the ICANN organization to investigate the feasibility of implementing a system of notification to IGOs regarding second-level registration of strings that match their acronyms. The Board also notes that the IGO-INGO Access to Curative Rights Protection Mechanisms Policy</p>

			<p>Development Process (PDP) is ongoing. The Board awaits the results of the PDP, and will consider the PDP results and the findings of the ICANN organization regarding feasibility of IGO notifications as it considers whether implementation of such a mechanism will be appropriate in all circumstances.</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN58 Copenhagen Communique</p> <p>§2.a.II IGO Protections</p> <p>(15 Mar 2017)</p>	<p>n/a – see updated text in yellow</p>	<p>Facilitate continued discussions in order to develop a resolution that will reflect (i) the fact that IGOs are in an objectively unique category of rights holders and (ii) a better understanding of relevant GAC Advice, particularly as it relates to IGO immunities recognized under international law as noted by IGO Legal Counsels; and</p>	<p>On 12 June 2017 the Board considered the Copenhagen Communique and provided this response in its scorecard:</p> <p>The Board accepts this advice and will continue to facilitate discussions between the GAC and GNSO on the subject of appropriate protections for IGO acronyms.</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be</p>

			<p>created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN58 Copenhagen Communique</p> <p>§2.a.III IGO Protections</p> <p>(15 Mar 2017)</p>	<p>n/a – see updated text in yellow</p>	<p>Urge the Working Group for the ongoing PDP on IGO-INGO Access to Curative Rights Protection Mechanisms to take into account the GAC's comments on the Initial Report.</p>	<p>On 12 June 2017 the Board considered the Copenhagen Communique and provided this response in its scorecard:</p> <p>The Board notes that the GNSO PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms is considering the comments on its Initial Report which were submitted by the GAC and a number of IGOs on this subject.</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for IGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p>

			This advice item remains open for further Board consideration.
<p>ICANN59 Johannesburg Communique</p> <p>§1.a.I-III. Intergovernmental Organization (IGO) Protections</p> <p>(29 Jun 2017)</p>	n/a – see updated text in yellow	<p>The GAC reiterates its Advice that IGO access to curative dispute resolution mechanism should: I. be modeled on, but separate from, the existing Uniform Dispute Resolution Policy (UDRP) II. provide standing based on IGOs' status as public intergovernmental institutions, and III. respect IGOs' jurisdictional status by facilitating appeals exclusively through arbitration. The GAC expresses concern that a GNSO working group has indicated that it may deliver recommendations which substantially differ from GAC Advice, and calls on the ICANN Board to ensure that such recommendations adequately reflect input and expertise provided by IGOs.</p>	<p>On 23 September 2017 the Board considered the Johannesburg Communique and provided this response in its scorecard:</p> <p>The Board acknowledges the GAC's Advice and its concerns. The Board reiterates that as part of a PDP, the Working Group has an obligation to duly consider all inputs received*. The Board notes that the GNSO Council has informed the Board that all public comments and input received by the PDP Working Group, including from the GAC and IGOs, have been extensively discussed by the Working Group. The Board notes, further, that the GNSO Council considers the upcoming ICANN60 meeting to be an opportunity for further discussions among the community. The Board will continue to facilitate these discussions and encourages participation in them by all affected parties.</p> <p>* From the GNSO Operating Procedures: "Public comments received as a result of a public comment forum held in relation to the activities of the WG should be carefully considered and analyzed. In addition, the WG is encouraged to explain their rationale for agreeing or disagreeing with the different comments received and, if appropriate, how these will be addressed in the report of the WG".</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOS; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy</p>

			<p>Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN60 Abu Dhabi Communique</p> <p>§1.a.I Intergovernmental Organization (IGO) Protections</p> <p>(1 Nov 2017)</p>	<p>n/a – see updated text in yellow</p>	<p>Review closely the decisions on this issue in order to ensure that they are compatible with these values and reflect the full factual record.</p>	<p>On 4 February 2018 the Board considered the Abu Dhabi Communique and provided this response in its scorecard:</p> <p>The Board accepts the GAC advice to review closely the policy recommendations, including those that may differ from GAC advice and the associated public comments before taking action. The Board acknowledges the GAC’s longstanding advice on the need to protect IGO acronyms in the domain name system, and appreciates the GAC’s interest in the outcome of the GNSO PDP on IGO-INGO Access to Curative Rights Mechanisms. While the direct management of a GNSO PDP is a role for the GNSO Council, the Board does maintain strong interest in the progress of this PDP. The Board looks forward to receiving the final policy recommendations from the GNSO as well as any further GAC advice on this topic. The Board remains committed to facilitating discussions between all affected parties that may resolve any conflicts that may arise, and acknowledges its role under the ICANN Bylaws to act in the best interests of ICANN and the community, in furtherance of ICANN’s Mission, consistent with the organization’s Commitments and Core Values, and in accordance with the specific requirements of the Bylaws for receiving, considering, and acting on GNSO policy recommendations and GAC Advice.</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO’s PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p>

			<p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN61 San Juan Communique</p> <p>§1.a.IV. GDPR and WHOIS</p> <p>(15 Mar 2018)</p>	n/a	<p>Distinguish between legal and natural persons, allowing for public access to WHOIS data of legal entities, which are not in the remit of the GDPR;</p>	<p>The ICANN Board initially considered this advice on 30 May 2018. However at the time, the Board responded, "as requested by the GAC in its 17 May 2018 letter to the ICANN Board Chair, the Board defers consideration of this advice pending further discussion with the GAC.</p> <p>The Board most recently considered this item on 15 May 2019 and stated in the scorecard:</p> <p>As noted in the Barcelona scorecard, the Board monitored the progress of the EPDP, which has now concluded its Phase 1 work. The public comment on the EPDP Team Final Report closed on 17 April 2019, and ICANN org has published a report of public comments. Because the GAC stated that it "would welcome the ICANN Board's adoption the EPDP Phase 1 policy recommendations as soon as possible" and the EPDP Team has said that it "will determine and resolve the Legal vs. Natural issue in Phase 2", the Board continues to defer action on this advice.</p>
<p>ICANN61 San Juan Communique</p> <p>§1.a.VI. GDPR and WHOIS</p> <p>(15 Mar 2018)</p>	n/a	<p>Ensure that limitations in terms of query volume envisaged under an accreditation program balance realistic investigatory cross-referencing needs</p>	<p>The ICANN Board initially considered this advice on 30 May 2018. However at the time, the Board responded, "as requested by the GAC in its 17 May 2018 letter to the ICANN Board Chair, the Board defers consideration of this advice pending further discussion with the GAC."</p> <p>The Board most recently considered this item on 15 May 2019 and stated in the scorecard:</p> <p>The Board continues to defer action on this advice. Recommendation 3 of the EPDP Final Report states that the EPDP Team undertakes to make a recommendation pertaining to a standardised model for lawful disclosure of non-public Registration Data now that the gating questions in the charter have been answered. This will include addressing questions such as: Whether such a system should be adopted; What are the legitimate purposes for third parties to access registration data; What are the eligibility criteria for access to non-public Registration data; Do those parties/groups consist of different</p>

			<p>types of third-party requestors; What data elements should each user/party have access to?</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN61 San Juan Communique</p> <p>§1.a.VII. GDPR and WHOIS</p> <p>(15 Mar 2018)</p>	n/a	<p>Ensure confidentiality of WHOIS queries by law enforcement agencies.</p>	<p>The ICANN Board initially considered this advice on 30 May 2018. However at the time, the Board responded, "as requested by the GAC in its 17 May 2018 letter to the ICANN Board Chair, the Board defers consideration of this advice pending further discussion with the GAC."</p> <p>The Board most recently considered this item on 15 May 2019 and stated in the scorecard:</p> <p>The Board continues to defer action on this advice. Recommendation 3 of the EPDP Final Report states that the EPDP Team undertakes to make a recommendation pertaining to a standardised model for lawful disclosure of non-public Registration Data now that the gating questions in the charter have been answered. This will include addressing questions such as: Whether such a system should be adopted; What are the legitimate purposes for third parties to access registration data; What are the eligibility criteria for access to non-public Registration data; Do those parties/groups consist of different types of third-party requestors; What data elements should each user/party have access to?</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN61 San Juan Communique</p> <p>§2.a.I. IGO Reserved Acronyms</p> <p>(15 Mar 2018)</p>	n/a – see updated text in yellow	<p>Ensure that the list of IGOs eligible for preventative protection is as accurate and complete as possible.</p>	<p>The ICANN Board initially considered this advice on 30 May 2018. However at the time, the Board responded, "The Board thanks the GAC for the clarifications provided on 15 May 2018. The Board has asked the ICANN Organization to review the advice in light of these responses and to assess the feasibility of the request. The Board will defer action on this item at this time, and in due course will engage with the GAC should further clarifications be necessary before taking action on this advice."</p> <p>The Board most recently considered this item on 15 May 2019 and stated in the scorecard:</p> <p>Following from the Board's response to the GAC's Panama Communique, the Board is aware that a feasibility study has been initiated by ICANN Org with the support of the GAC, WIPO, and OECD to ensure that the list of IGOs is as accurate and complete as</p>

			<p>possible. The Board intends to monitor the progress of this study and will engage with the GAC as necessary concerning ICANN Org's implementation of this advice.</p> <p>On 11 July 2019 the ICANN Board Chair sent a letter notifying the GAC Chair that the GNSO Council has approved four policy recommendations that were developed by the GNSO's PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms which include the following points: no substantive changes to existing rights protection mechanisms are needed for INGOs; no specific new dispute resolution procedures should be created for IGOs; and clarifying policy guidance is to be developed as to the filing of complaints by IGOs under the existing procedures.</p> <p>The four recommendations were posted for public comment on 11 July 2019 and will close on 20 August 2019. After the public comment period closes, the Board will meet to consider whether to adopt the four recommendations.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN62 Panama Communique</p> <p>§2.a.II. Protection of IGO Identifiers</p> <p>(28 Jun 2018)</p>	<p>This item was moved from Phase 4 to Phase 3, as it requires further Board consideration. See updated text in yellow.</p>	<p>Work with the GNSO and the GAC following the completion of the ongoing PDP on IGO-INGO access to curative rights protection mechanisms to ensure that GAC advice on protection of IGO acronyms, which includes the available "small group" proposal, is adequately taken into account also in any related Board decision; and</p>	<p>On 16 September 2018 the Board considered this advice and stated in its scorecard:</p> <p>The Board notes that on 9 July 2018 the Final Report from the IGO-INGO access to curative rights protection mechanisms PDP was submitted to the GNSO Council, and it is currently under review by the GNSO Council. The Board will consider any PDP recommendations that are approved by the GNSO Council and ensure that GAC advice is adequately taken into account in any Board decisions. The Board also welcomes the GAC's desire to work with it and the GNSO and the Board is open to suggestions from the GAC as to how it believes such collaboration can constructively take place.</p> <p>The GAC sent a letter to the Board on 20 August 2019 regarding the GNSO PDP on IGO-INGO Access to Curative RPMs Policy</p>

			<p>Recommendations. The Board provided a response on 14 October 2019 (item also noted below in the Closed phase).</p> <p>This advice item remains open for further Board consideration.</p>
<p>ICANN66 Montreal Communique</p> <p>§1.a.i. CCT Review and Subsequent Rounds of New gTLDs</p> <p>(6 Nov 2019)</p>	<p>This item is new to the report and was moved to Phase 2 to Phase 3 as it requires further Board consideration.</p>	<p>The GAC advises the Board not to proceed with a new round of gTLDs until after the complete implementation of the recommendations in the Competition, Consumer Trust and Consumer Choice Review that were identified as "prerequisites" or as "high priority" .</p>	<p>On 26 January 2020, the Board considered the Montreal Communique and provided this response in its scorecard:</p> <p>“The Board is unable to accept or reject this advice at this time and proposes to defer action until such time as the Board has concluded its consideration of the CCT recommendations and the Subsequent Procedures PDP Working Group and the All Rights Protection Mechanisms PDP Working Group have delivered their policy recommendations to the GNSO Council.</p> <p>On 16 December 2019, ICANN org sent a letter to the GAC Chair providing some additional background and considerations relating to implementation of the Competition, Consumer Trust, and Consumer Choice Review Team (CCTRT) recommendations. The CEO noted that the Board had referred policy-dependent recommendations contained in the CCT report to the community policy development process. The CEO also noted that the Board has put several such recommendations in pending status due to significant dependencies as well as various stated implementation and public interest concerns.</p> <p>On 17 December 2019, the Board discussed its questions on this advice on a call with the GAC regarding the Montreal communique. As discussed on this call, accepting the GAC’s advice at this time appears to be in tension with the delegation of policy development authority under the ICANN Bylaws to the community through the bottom-up multistakeholder policy development process. In addition, until community-developed policy recommendations applicable to a subsequent round are developed, the Board has no basis to determine whether the GAC’s concerns have been adequately addressed and, if not, no basis for entering into discussion with the GAC in an effort to identify a mutually acceptable solution as required by the Bylaws.</p> <p>The Board understands that the GAC provided additional clarifications to this advice in a letter on 22 January 2020. The Board will consider when and if further action is needed on this item after</p>

			<p>review of the GAC clarifications and after continued discussion with the GAC.”</p> <p>Accordingly, this item will remain in Phase 3 pending further Board consideration.</p>
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Additional Information on Items in Phase 4 | Implement (6 Items)

The 6 items in Phase 4 | Implement have all been previously considered by the Board, and the Board directed the ICANN President & CEO to implement the advice.

Table 3. Inventory of GAC Advice Items in Phase 4 | Implement

Advice Item	Changes in Phase	Advice Text	Actions Taken
ICANN61 San Juan Communique §1.b.III. GDPR and WHOIS (15 Mar 2018)	n/a	Assist in informing other national governments not represented in the GAC of the opportunity for individual governments, if they wish to do so, to provide information to ICANN on governmental users to ensure continued access to WHOIS.	On 30 May 2018 the Board considered the San Juan Communique and provided this response in its scorecard: The Board accepts this advice. ICANN org’s Government Stakeholder and IGO Engagement teams continue to facilitate regular engagement and capacity building activities with governments around the world. As part of their engagement activities, these team members continue to raise awareness about the changes to the WHOIS system related to compliance with the GDPR, and opportunities for inputs from governments. This item is currently in implementation.
ICANN62 Panama Communique §1.a.I. GDPR and WHOIS (28 Jun 2018)	n/a	Take all steps necessary to ensure the development and implementation of a unified access model that addresses accreditation, authentication, access and accountability, and applies to all contracted parties, as quickly as possible; and	On 16 September 2018 the Board considered this advice and stated in its scorecard: The Board appreciates the GAC’s communication on the sense of urgency as it relates to developing a unified access model. The Board notes that the ICANN org continues to seek input on the critical components of a unified access model for continued access to WHOIS data. The Board welcomes and encourages the GAC’s input to this process. This item is currently in implementation.
ICANN62 Panama Communique §2.a.III. Protection of IGO Identifiers (28 Jun 2018)	n/a	Continue working with the GAC in order to ensure accuracy and completeness of IGO contacts on the current list of IGO identifiers.	On 16 September 2018 the Board considered this advice and stated in its scorecard: The Board directs the ICANN org to provide adequate resources to assist the GAC in its endeavor to ensure accuracy and completeness of IGO contacts on the list of identifiers.

			<p>This item is currently in implementation.</p>
<p>ICANN64 Kobe Communique</p> <p>§1.a.V. WHOIS and Data Protection Legislation</p> <p>(14 Mar 2019)</p>	n/a	<p>Facilitate swift implementation of the new Registration Directory Services policies as they are developed and agreed, including by sending distinct parts to implementation as and when they are agreed, such as the questions deferred from Phase 1;</p>	<p>On 15 May 2019 the Board adopted the scorecard titled “GAC Advice – Kobe Communique: Actions and Updates (15 May 2019)” in response to items of GAC advice in the Kobe Communique and the San Juan Communique. The Board accepts this advice and will do what it can, within its authority and remit, and in light of other relevant considerations, to facilitate swift implementation of new registration data directory services policies, and if possible, send distinct parts to implementation as and when they are agreed.</p> <p>This item is currently in implementation.</p>
<p>ICANN66 Montreal Communique</p> <p>§2.b.i. Domain Name Registration Directory Service and Data Protection – Phase 2 of the EPDP</p> <p>(6 Nov 2019)</p>	<p>This item is new to the report and was moved from Phase 2 to Phase 4 following Board consideration.</p>	<p>The GAC advises the Board to instruct the ICANN organization to ensure that the current system that requires “reasonable access” to non-public domain name registration is operating effectively. This should include: – educating key stakeholder groups, including governments, that there is a process to request non-public data; – actively making available a standard request form that can be used by stakeholders to request access based upon the current consensus policy; and – actively making available links to registrar and registry information and points of contact on this topic.</p>	<p>On 26 January 2020, the Board considered the Montreal Communique and provided this response in its scorecard:</p> <p>“The Board notes that the GAC advice refers to a “current system” that requires “reasonable access” to non-public domain name registration. The Interim Registration Data Policy for gTLDs/Temporary Specification meets the “reasonable access” standard by requiring contracted parties to provide reasonable access to a requester who has a legitimate interest to data that is not outweighed by the fundamental rights and freedoms of the data subject. The rules do not, however prescribe how the contracted providers comply with this requirement. The Interim Policy does not prescribe a “system” that the contracted parties must utilize in order to fulfill their access obligations, nor does it contain a contractually-mandated standard form for requests for third-party access.</p> <p>Accordingly, the Board accepts the GAC’s advise to ensure that the requirements to provide reasonable access are operating effectively consistent with existing Consensus Policy by instructing the ICANN org to:</p> <ul style="list-style-type: none"> – educate key stakeholder groups, including governments, that contracted parties are obligated to address requests for non-public data; and -actively make available links to registrar and registry information and points of contact on this topic.

			<p>Although Org does not have authority to unilaterally obligate Contracted Parties to use a standard form, the Board directs ICANN org to collaborate with the Registry and Registrar Stakeholder Groups to develop a voluntary standard request form that can be used by stakeholders to request access based upon the current Consensus Policy and actively making that request form available.”</p> <p>This item is currently in implementation.</p>
<p>ICANN66 Montreal Communique</p> <p>§2.b.ii Domain Name Registration Directory Service and Data Protection – Phase 2 of the EPDP</p> <p>(6 Nov 2019)</p>	<p>This item is new to the report and was moved from Phase 2 to Phase 4 following Board consideration.</p>	<p>The GAC advises the Board to instruct ICANN Compliance to create a specific process to address complaints regarding failure to respond to, and unreasonable denial of requests for non-public domain name registration data, and monitor and publish reports on compliance with the current policy as part of their regular monthly reporting.</p>	<p>On 26 January 2020, the Board considered the Montreal Communique and provided this response in its scorecard:</p> <p>“The Board notes that, currently, ICANN Contractual Compliance does not offer specific complaint forms for complaints related to obligations created under the Temporary Specification. ICANN Contractual Compliance is in the process of migrating to a new ticketing system (“NSp Compliance”) that will allow it to easily create “smart forms” tailored to individual complaint types and to track and report granular data associated with each complaint type. NSp Compliance will include smart forms for Temp Spec-related complaints, including those concerning third-party access requests. Migration to NSp is expected to occur in 3Q2020.</p> <p>Accordingly, and in light of the above, the Board accepts the GAC’s advice and instructs ICANN org as part of the roll out of NSp Compliance to publish clear instructions on the ICANN Compliance web page describing how to submit a complaint concerning a third-party access request. Additionally, the Board instructs ICANN org to compile and publish monthly metrics data related to third-party access complaints once such forms are available in the new ticketing system.</p> <p>The Board understands that the GAC provided additional clarifications to this advice in a letter on 22 January 2020. The Board will consider when and if further action is needed on this item after review of the GAC clarifications and after continued discussion with the GAC.”</p> <p>This item is currently in implementation.</p>

Additional Information on Items in Phase 5 | Close Request (6 Items)

There are currently 6 GAC advice items in Phase 5. Items enter Phase 5 | Close Request when the ICANN org has reviewed the advice and has determined the advice has been considered, and all directed action or implementation has been completed.

Table 4. Inventory of Phase 5 | Close Request GAC Advice Items⁴

Advice Item	Changes in Phase	Advice Text	Actions Taken
<p>ICANN49 Singapore Communique</p> <p>§4.c. Specific Strings - .ram and .indians</p> <p>(27 Mar 2014)</p>	<p>This item moved from Phase 3 to Phase 5 as noted in yellow.</p>	<p>Further to its Durban Communiqué, the GAC advises the ICANN Board that: a. The GAC recognizes that religious terms are sensitive issues. The application for .ram is a matter of extreme sensitivity for the Government of India on political and religious considerations. The GAC notes that the Government of India has requested that the application not be proceeded with; and b. as noted in the Durban communiqué, the Government of India has requested that the application for .indians not proceed</p>	<p>The NGPC published a comprehensive report of NGPC responses and updates to GAC Advice regarding the New gTLD Program on 7 October 2015 and provided this response in its scorecard:</p> <p>In response to the GAC’s advice in the Durban Communiqué concerning .RAM and .INDIANS, on 10 September 2013, the NGPC adopted an iteration of the Scorecard (https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-1-10sep13-en.pdf) taking note of the concerns expressed in the GAC’s advice. a) With respect to .RAM, in the 14 May 2014 iteration of the Scorecard (https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-1-14may14-en.pdf), the NGPC took note of the concerns expressed in the GAC’s Singapore advice that “the application for .ram is a matter of extreme sensitivity for the Government of India on political and religious considerations.” The NGPC also noted the applicant response to the Board from Chrysler Group LLC (“Chrysler”) concerning this advice, in which Chrysler indicated that it “remains hopeful that an accommodation can be reached that addresses the Government’s concerns, yet allows Chrysler to register and operate .RAM as a restricted, exclusively-controlled gTLD. Chrysler representatives are willing to meet with the Government of India to discuss the resolution of this matter at any time that is convenient for the Government.” At this time, the NGPC continues to deliberate on this item of GAC advice and encourages the impacted parties to continue the noted discussions. b) With respect to .INDIANS, the NGPC notes that on 26 August 2014, the applicant for .INDIANS notified ICANN that it was withdrawing its application from the New gTLD Program.</p> <p>The applicant for .RAM withdrew its application in October 2019. Accordingly, this advice has been moved to Phase 5 and will be closed.</p>

⁴ Please note that all of the items currently in Phase 5 are newly in Phase 5.

Advice Item	Changes in Phase	Advice Text	Actions Taken
<p>ICANN62 Panama Communique</p> <p>§2.a.I. Protection of IGO Identifiers</p> <p>(28 Jun 2018)</p>	<p>This item moved from Phase 4 to Phase 5 as noted in yellow.</p>	<p>Maintain current temporary protections of IGO acronyms until a permanent means of protecting these identifiers is put into place;</p>	<p>On 16 September 2018 the Board considered this advice and stated in its scorecard:</p> <p>The Board will continue to maintain current temporary protections of IGO acronyms pending resolution of this issue.</p> <p>The acronyms of the IGO identified on the "IGO List" have been protected by reservation in New gTLDs based on the direction of the Board from July 2013. This was implemented through the update to the reserved names list: https://www.icann.org/sites/default/files/packages/reserved-names/ReservedNames.xml#IGOs-2</p> <p>Based on the above, this item has been moved to Phase 5 and will be closed.</p>
<p>ICANN63 Barcelona Communique</p> <p>§1.a.III. Two-Character Country Codes at the Second Level</p> <p>(25 Oct 2018)</p>	<p>This item moved from Phase 4 to Phase 5 as noted in yellow.</p>	<p>Ensure that its direction to the ICANN CEO to “engage with concerned governments to listen to their views and concerns and further explain the Board’s decision making process” (Board Resolution 2017.06.12.01) is fully implemented including direct engagement with those governments in order to fully address their concerns.</p>	<p>On 27 January 2019 the Board considered the Barcelona Communique and provided this response in its scorecard:</p> <p>The Board acknowledges that some GAC members have expressed concerns regarding the process for release of two-character labels at the second-level and that the GAC has issued advice directing the ICANN org to engage with concerned governments. The Board notes that the ICANN org conducted telephonic conversations with concerned governments in May 2017 explaining the rationale and development of the framework adopted by the 8 November 2016 Board resolution. Additionally, the ICANN Board and org engaged in discussions with the GAC at the Board-GAC Recommendation Implementation (BGR1) meetings at ICANN61, ICANN62 and ICANN63. The adopted Measures also urged registry operators to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name in question was already registered, advice which the GAC provided in its Helsinki Communiqué. The Board notes that the ICANN org is developing a dedicated webpage for the GAC members to easily track the registration of two-character domain names that correspond with a specific country code and which enables GAC members to submit a request for ICANN compliance action in the event of a perceived misuse. This service will aggregate two-character second level domains automatically to a table on the GAC site, which can also be downloaded</p>

Advice Item	Changes in Phase	Advice Text	Actions Taken
			<p>for offline analysis by GAC members. The service will run daily after all root zone files are updated, aggregating all new two-character second-level domain registrations and displaying to GAC Members. The ICANN org also describes this engagement and these tools in its memo and Historical Overview. Although the Board believes that the advice to engage with concerned governments to explain the process and rationale has been fully implemented, the Board directs the ICANN President and CEO to continue to develop the tools as noted above to allow concerned GAC members to track two-character registrations.</p> <p>The Board and the GAC discussed the development of the tool during the BGIG meeting at ICANN65 in Marrakech. The tool was subject to further discussion during ICANN66 in Montreal. The ICANN organization will be available to answer questions regarding the tool on an ongoing basis.</p> <p>Based on the above, this item has been moved to Phase 5 and will be closed.</p>
<p>ICANN64 Kobe Communique</p> <p>§1.a.I. WHOIS and Data Protection Legislation</p> <p>(14 Mar 2019)</p>	<p>This item moved from Phase 4 to Phase 5 as noted in yellow.</p>	<p>Take necessary steps to ensure that the GNSO EPDP on the Temporary Specification for gTLD Registration Data institutes concrete milestones, progress reports and an expeditious timeline, similar to Phase 1, for concluding Phase 2 activities;</p>	<p>On 15 May 2019 the Board adopted the scorecard titled “GAC Advice – Kobe Communique: Actions and Updates (15 May 2019)” in response to items of GAC advice in the Kobe Communique and the San Juan Communique. The Board acknowledges this advice and while it cannot guarantee the end result, because the EPDP is a community procedure that determines its own processes, the Board does support the request that the second phase of this policy development institute concrete milestones and progress reports. The Board shall convey the request via its Liaisons to the EPDP and via its communications with the GNSO Council. The Board notes that ICANN org is also providing support to the EPDP Phase 2 to support its work.</p> <p>The EPDP Team has reported on its project milestones regularly, including regular updates to the GNSO Council (the body overseeing the policy development) as well as community updates via pre-ICANN webinars and cross-community sessions at ICANN meetings. For more information on the EPDP Team's workplan, please refer to the following page: https://community.icann.org/pages/viewpage.action?pageId=105388008.</p>

Advice Item	Changes in Phase	Advice Text	Actions Taken
			Based on the above, this item has been moved to Phase 5 and will be closed.
<p>ICANN64 Kobe Communique</p> <p>§1.a.II. WHOIS and Data Protection Legislation</p> <p>(14 Mar 2019)</p>	<p>This item moved from Phase 4 to Phase 5 as noted in yellow.</p>	<p>Take necessary steps to ensure that the scope of phase 2 activities is clearly defined with a view to expeditious conclusion and implementation;</p>	<p>On 15 May 2019 the Board adopted the scorecard titled “GAC Advice – Kobe Communique: Actions and Updates (15 May 2019)” in response to items of GAC advice in the Kobe Communique and the San Juan Communique. The Board acknowledges this advice and while it cannot guarantee the end result, because the EPDP is a community procedure that determines its own processes, the Board does support the request that the second phase of this policy development institute concrete milestones and progress reports. The Board shall convey the request via its Liaisons to the EPDP and via its communications with the GNSO Council. The Board notes that ICANN org is also providing support to the EPDP Phase 2 to support its work.</p> <p>The EPDP Team constructed a work plan, where it clearly defined all issues to be handled in Phase 2, and the Team classified all in-scope topics as Priority 1 and Priority 2. Since the GNSO Council's approval of its work plan, the EPDP Team has been making progress and is currently on-target to meet its first milestone of publishing its Initial Report. For more information on the EPDP Team's workplan, please refer to the following page: https://community.icann.org/pages/viewpage.action?pageId=105388008.</p> <p>Based on the above, this item has been moved to Phase 5 and will be closed.</p>
<p>ICANN66 Montreal Communique</p> <p>§2.a.i. Domain Name Registration Directory Service and Data Protection – Phase 1 of the EPDP</p> <p>(6 Nov 2019)</p>	<p>This item is new to the report and moved from Phase 2 to Phase 5 based on Board consideration.</p>	<p>The GAC advises the Board to take all possible steps to ensure that the ICANN org and the EPDP Phase 1 Implementation Review team generate a detailed work plan identifying an updated realistic schedule to complete its work and provide and inform the GAC on the status of its progress by January 3, 2020</p>	<p>On 26 January 2020, the Board considered the Montreal Communique and provided this response in its scorecard:</p> <p>“The Board accepts this advice. The Board agrees that a realistic schedule for the implementation of the EPDP Phase 1 work plan is a prudent component of the implementation plan. The Board notes the ICANN org sent a letter to the GAC chair on 6 January 2020 with a status update as requested by the GAC. In that letter the Org cites they are applying the Consensus Policy Implementation Framework (CPIF) and summarizes both this process and progress to date. Additionally the letter notes that the implementation plan that will be published for public comment will include an implementation timeline. The Board will continue to closely monitor the implementation of the EPDP Phase 1 work.”</p>

Advice Item	Changes in Phase	Advice Text	Actions Taken
			As the Board provided the update in a letter on 6 January 2020, this item has been moved to Phase 5 and will be closed.

Additional Information on Recently Closed Items (33 Items: 29 Consensus + 4 Follow-up)

Advice is considered closed once the Board has reviewed the advice, and the advice has been processed as much as is relevant and is considered complete. For advice that is considered closed, no work is outstanding from the perspective of the ICANN Board or org. Related implementation work may have been integrated into ICANN’s ongoing operations or other initiatives. Follow-up to previous advice items will be closed out after the Board adopts a scorecard with a response to the follow-up comments and will also appear here.

Please note: Items appear in this section of the report once they have moved from Phase 5.5 Each of the consensus advice items below were noted as in Phase 5 in the [previous status letter](#).

Table 5. Inventory of GAC Advice Items Closed since Last Scorecard

Advice Item	Advice Text	Actions Taken
ICANN57 Hyderabad Communique §7.a.I. String similarity Review (8 Nov 2016)	The Board should apply the views expressed by the GAC in the letter from the GAC Chair of 28 September 2016 to the ccNSO Chair concerning the Extended Process Similarity Review Panel Working Group proposed guidelines on the second string similarity review process.	On 3 February 2017 the Board considered the Hyderabad Communique and provided this response in its scorecard: The Board understands that the GAC has provided comments to the ccNSO’s Extended Process Similarly Review Panel Working Group, and looks forward to reviewing the final report after it has been submitted. This item is considered complete as of the Board’s consideration of 3 February 2017.
ICANN58 Copenhagen Communique §4.a.I 2-Character Country/Territory Codes at the Second Level (15 Mar 2017)	Take into account the serious concerns expressed by some GAC Members as contained in previous GAC Advice	On 12 June 2017 the Board considered the Copenhagen Communique and provided this response in its scorecard: The GAC, in its Helsinki Communiqué, reiterated the need to minimize the risk of confusion between country codes and 2-letter registrations at the second level in new gTLDs, but also conveyed the absence of consensus within the GAC on specific measures needed to address the potential for confusion. The GAC advised the Board to “urge the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered.” In response, ICANN affirmatively required Registries/Registry Operators to take specific mandatory steps to avoid confusion with respect to the 2-character labels, and also identified several voluntary measures that Registry/Registry Operators could

⁵ Only items newly moved from Phase 5 to “Close” will appear here. The full inventory of closed items can be found on the ARR web page here: <https://features.icann.org/board-advice/gac>.

Advice Item	Advice Text	Actions Taken
		<p>consider. Finally, in keeping with the GAC Advice, ICANN urged Registries/Registry Operators to the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered. Although ICANN has fully implemented the GAC's Advice on this matter, the Board understands that some GAC members continue to feel that their concerns have not been addressed. Accordingly, the Board has directed the CEO to engage with concerned governments to listen to their views and concerns and further explain the Board's decision-making process.</p> <p>Since then, the Board has received and responded to additional GAC advice related to 2-character domains at the second level. Most recently, the Board responded to consensus advice contained in the Barcelona Communiqué on 27 January 2019. In its response, the Board pointed to the ICANN org's memo and Historical Overview for additional details regarding this topic. This item is considered complete as of the Board's written response to the Barcelona communiqué of 27 January 2019.</p>
<p>ICANN58 Copenhagen Communiqué</p> <p>§4.a.II 2-Character Country/Territory Codes at the Second Level</p> <p>(15 Mar 2017)</p>	<p>Engage with concerned governments by the next ICANN meeting to resolve those concerns.</p>	<p>On 12 June 2017 the Board considered the Copenhagen Communiqué and provided this response in its scorecard:</p> <p>The GAC, in its Helsinki Communiqué, reiterated the need to minimize the risk of confusion between country codes and 2-letter registrations at the second level in new gTLDs, but also conveyed the absence of consensus within the GAC on specific measures needed to address the potential for confusion. The GAC advised the Board to "urge the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered." In response, ICANN affirmatively required Registries/Registry Operators to take specific mandatory steps to avoid confusion with respect to the 2-character labels, and also identified several voluntary measures that Registry/Registry Operators could consider. Finally, in keeping with the GAC Advice, ICANN urged Registries/Registry Operators to the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered. Although ICANN has fully implemented the GAC's Advice on this matter, the Board understands that some GAC members continue to feel that their concerns have not been addressed. Accordingly, the Board has directed the CEO to engage with concerned governments to listen to their views and concerns and further explain the Board's decision-making process.</p> <p>Since then, the Board has received and responded to additional GAC advice related to</p>

Advice Item	Advice Text	Actions Taken
		<p>2-character domains at the second level. Most recently, the Board responded to consensus advice contained in the Barcelona Communiue on 27 January 2019. In its response, the Board pointed to the ICANN org's memo and Historical Overview for additional details regarding this topic. This item is considered complete as of the Board's written response to the Barcelona communique of 27 January 2019.</p>
<p>ICANN58 Copenhagen Communique</p> <p>§4.a.III 2-Character Country/Territory Codes at the Second Level</p> <p>(15 Mar 2017)</p>	<p>Immediately explore measures to find a satisfactory solution of the matter to meet the concerns of these countries before being further aggravated.</p>	<p>On 12 June 2017 the Board considered the Copenhagen Communique and provided this response in its scorecard:</p> <p>The GAC, in its Helsinki Communiqué, reiterated the need to minimize the risk of confusion between country codes and 2-letter registrations at the second level in new gTLDs, but also conveyed the absence of consensus within the GAC on specific measures needed to address the potential for confusion. The GAC advised the Board to “urge the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered.” In response, ICANN affirmatively required Registries/Registry Operators to take specific mandatory steps to avoid confusion with respect to the 2-character labels, and also identified several voluntary measures that Registry/Registry Operators could consider. Finally, in keeping with the GAC Advice, ICANN urged Registries/Registry Operators to the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered. Although ICANN has fully implemented the GAC’s Advice on this matter, the Board understands that some GAC members continue to feel that their concerns have not been addressed. Accordingly, the Board has directed the CEO to engage with concerned governments to listen to their views and concerns and further explain the Board’s decision-making process.</p> <p>Following discussions with the GAC at ICANN60 in Abu Dhabi, the ICANN org committed to the development of a dedicated webpage for the GAC members to easily track the registration of two-character domain names that correspond with a specific country code and which enables GAC members to submit a request for ICANN compliance action in the event of a perceived misuse. During the BGIG meeting at ICANN65 in Marrakech it was discussed that the BGIG meeting at ICANN66 in Montreal could be used to discuss the two-character tool. The Board is happy to then engage with GAC members on their concerns regarding the tool in Montreal. The Board will ensure that support staff from the ICANN org is available to provide any additional assistance as needed.</p>

Advice Item	Advice Text	Actions Taken
<p>ICANN58 Copenhagen Communique</p> <p>§4.a.IV 2-Character Country/Territory Codes at the Second Level</p> <p>(15 Mar 2017)</p>	<p>Provide clarification of the decision-making process and of the rationale for the November 2016 resolution, particularly in regard to consideration of the GAC advice, timing and level of support for this resolution.</p>	<p>This item is considered complete as of the Board's discussion with the GAC during the BGIG meeting at ICANN65 in Marrakech.</p> <p>On 12 June 2017 the Board considered the Abu Dhabi Communique and provided this response in its scorecard:</p> <p>The GAC, in its Helsinki Communiqué, reiterated the need to minimize the risk of confusion between country codes and 2-letter registrations at the second level in new gTLDs, but also conveyed the absence of consensus within the GAC on specific measures needed to address the potential for confusion. The GAC advised the Board to “urge the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered.” In response, ICANN affirmatively required Registries/Registry Operators to take specific mandatory steps to avoid confusion with respect to the 2-character labels, and also identified several voluntary measures that Registry/Registry Operators could consider. Finally, in keeping with the GAC Advice, ICANN urged Registries/Registry Operators to the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered. Although ICANN has fully implemented the GAC’s Advice on this matter, the Board understands that some GAC members continue to feel that their concerns have not been addressed. Accordingly, the Board has directed the CEO to engage with concerned governments to listen to their views and concerns and further explain the Board’s decision-making process.</p> <p>Since then, the Board has received and responded to additional GAC advice related to 2-character domains at the second level. Most recently, the Board responded to consensus advice contained in the Barcelona Communique on 27 January 2019. In its response, the Board pointed to the ICANN org's memo and Historical Overview for additional details regarding this topic. This item is considered complete as of the Board's written response to the Barcelona communique of 27 January 2019.</p>
<p>ICANN60 Abu Dhabi Communique</p> <p>§2.a.I Enabling inclusive, informed and meaningful participation in</p>	<p>a. The GAC advises the ICANN Board to instruct ICANN Org to: I. Develop a simple and efficient document management system that allows non-experts to easily and quickly access and identify documents, starting with defining minimal requirements that ensure that every document has a title and a date or reference number, identifies the author and</p>	<p>On 4 February 2018 the Board considered the Abu Dhabi Communique and provided this response in its scorecard:</p> <p>The Board accepts this advice and is committed to accountability and transparency and pursuing easily understandable and relevant information on matters of concern to all stakeholders. The Board’s commitment to these values aligns with the recently started Information Transparency Initiative (https://www.icann.org/news/blog/creating-content-governance-and-rebuilding-the-infrastructure-of-icann-s-public-sites). The</p>

Advice Item	Advice Text	Actions Taken
<p>ICANN (1 Nov 2017)</p>	<p>indicates intended recipients, makes reference to the process it belongs to and explains the acronyms used in the document; and</p>	<p>Board acknowledges and agrees with the need to ensure effective and equal participation in the policy process by all stakeholders, which is in line with the Mission, Commitments, and Core Values, as expressed in the Bylaws. The Board also understands that the ICANN org currently produces monthly one-pager PDP updates, regular pre-and post-ICANN Meeting Reports and newsletters highlighting specific public comment dates, policy development milestones and participation opportunities, which are all produced in plain English and with a view toward conciseness. In addition, brief video interviews with community leaders are produced at each ICANN meeting to showcase key achievements. New courses on the ICANN Learn Online platform have been developed on various policy processes, and updated slide decks and infographics depicting the community's work processes are available on ICANN's website. Executive summaries of all PDP reports and other major documents are routinely translated for publication in the six official United Nations languages, and live captioning and other translation services are being used for an increasing number of community group calls. The Board will continue to encourage the ICANN organization to produce materials for community use that will facilitate broad and meaningful participation from all stakeholders globally and is open to suggestions on further improvement, and will balance this against the availability of resources.</p> <p>This item is considered complete as of the Board's consideration of 4 February 2018.</p>
<p>ICANN60 Abu Dhabi Communique §2.a.II Enabling inclusive, informed and meaningful participation in ICANN (1 Nov 2017)</p>	<p>Produce easily understandable executive summaries, key points and synopses (using e.g. infographs, videos and other innovative ways of presenting information) for all relevant issues, processes and activities, so that also non-expert stakeholders will be able to (a) quickly determine if a particular issue is of concern to them and (b) if yes, to participate in the policy process easily and effectively, on equal footing with other stakeholders. This should be done at least, but not only, before putting issues up for public comment. Attention should be paid to using plain English (and if possible translations into other languages) in order to allow non-English native speakers to understand the issues;</p>	<p>On 4 February 2018 the Board considered the Abu Dhabi Communique and provided this response in its scorecard:</p> <p>The Board accepts this advice and is committed to accountability and transparency and pursuing easily understandable and relevant information on matters of concern to all stakeholders. The Board's commitment to these values aligns with the recently started Information Transparency Initiative (https://www.icann.org/news/blog/creating-content-governance-and-rebuilding-the-infrastructure-of-icann-s-public-sites). The Board acknowledges and agrees with the need to ensure effective and equal participation in the policy process by all stakeholders, which is in line with the Mission, Commitments, and Core Values, as expressed in the Bylaws. The Board also understands that the ICANN org currently produces monthly one-pager PDP updates, regular pre-and post-ICANN Meeting Reports and newsletters highlighting specific public comment dates, policy development milestones and participation opportunities, which are all produced in plain English and with a view toward conciseness. In addition, brief video interviews with community leaders are produced at each ICANN meeting to showcase key achievements. New courses on the ICANN Learn Online platform have been developed on various policy processes, and updated slide decks and infographics depicting the community's work processes are available on ICANN's website. Executive summaries of all PDP reports and other major documents are</p>

Advice Item	Advice Text	Actions Taken
		<p>routinely translated for publication in the six official United Nations languages, and live captioning and other translation services are being used for an increasing number of community group calls. The Board will continue to encourage the ICANN organization to produce materials for community use that will facilitate broad and meaningful participation from all stakeholders globally and is open to suggestions on further improvement, and will balance this against the availability of resources.</p> <p>This item is considered complete as of the Board's consideration of 4 February 2018.</p>
<p>ICANN60 Abu Dhabi Communique</p> <p>§3.a.I.1-4 GDPR/WHOIS</p> <p>(1 Nov 2017)</p>	<p>The GAC advises the ICANN Board that: i. the 2007 GAC WHOIS Principles (attached) continue to reflect the important public policy issues associated with WHOIS services. Accordingly, ICANN should take these issues into account as it moves forward with its planning to comply with the European Union's General Data Protection Regulation (GDPR). In these principles, the GAC has notably recognized that WHOIS data (also known as Registration Directory Services) is used for a number of legitimate activities, including: 1. Assisting law enforcement authorities in investigations and in enforcing national and international laws, assisting in combatting against abusive use of internet communication technologies; 2. Assisting businesses, other organizations, and users in combatting fraud, complying with relevant laws, and safeguarding the interests of the public; 3. Combatting infringement and misuse of intellectual property; and 4. Contributing to user confidence in the Internet as a reliable and efficient means of information and communication by helping users identify persons or entities responsible for content and services online.</p>	<p>On 4 February 2018 the Board considered the Abu Dhabi Communique and provided this response in its scorecard:</p> <p>The Board accepts this advice and directs the ICANN org to continue to seek to maintain the existing WHOIS services to the maximum extent consistent with GDPR compliance. The Board also acknowledges that the WHOIS/RDS data is used for many legitimate activities, such as those described by the community in the user stories posted on the Data Protection and Privacy webpage. The Board welcomes the GAC's full engagement with the community on the GDPR-related discussions and is committed to continuing to facilitate this discussion in a transparent way. The Board appreciates the GAC's articulation of the important public policy interests served by legitimate and proportionate use of WHOIS/RDS data, including this Advice and the GAC's contribution to ICANN's ongoing public consultation. The Board is aware of the independence of data protection authorities in the European Union, and the Board particularly seeks and appreciates GAC and individual GAC member assistance to secure the full participation of European data protection agencies in ICANN efforts to identify and agree on a GDPR compliance model that facilitates continued access to registrant information by those with a legitimate and proportionate interest in processing WHOIS/RDS data. This kind of participation is critical in maintaining a common approach to access to WHOIS/RDS data across the gTLD ecosystem that strikes the right balance among important public interests, including fundamental individual liberties.</p> <p>This item is considered complete as of the Board's consideration of 4 February 2018.</p>
<p>ICANN60 Abu Dhabi Communique</p> <p>§3.b.I.1-2</p>	<p>The GAC advises the ICANN Board that: i. as it considers how to comply with the GDPR with regard to WHOIS, it should use its best efforts to create a system that continues to</p>	<p>On 4 February 2018 the Board considered the Abu Dhabi Communique and provided this response in its scorecard:</p> <p>The Board accepts this advice and welcomes the GAC's full engagement with the</p>

Advice Item	Advice Text	Actions Taken
GDPR/WHOIS (1 Nov 2017)	facilitate the legitimate activities recognized in the 2007 Principles, including by: 1. Keeping WHOIS quickly accessible for security and stability purposes, for consumer protection and law enforcement investigations, and for crime prevention efforts, through user-friendly and easy access to comprehensive information to facilitate timely action. 2. Keeping WHOIS quickly accessible to the public (including businesses and other organizations) for legitimate purposes, including to combat fraud and deceptive conduct, to combat infringement and misuse of intellectual property, and to engage in due diligence for online transactions and communications.	<p>community on the GDPR-related discussions and is committed to continuing to facilitate this discussion in a transparent way. In a 21 December 2017 blog from the ICANN org President and CEO, as well as in other fora, Göran Marby has emphasized that the organization has made it a high priority to find, to the greatest extent possible, a path forward to ensure compliance with the GDPR while maintaining proportionate access to WHOIS/RDS data for legitimate purposes. This remains a critical point on the path to find workable solutions to ensure both compliance with the law and ICANN's contracts.</p> <p>This item is considered complete as of the Board's consideration of 4 February 2018.</p>
ICANN60 Abu Dhabi Communique §3.c.I.1-2 GDPR/WHOIS (1 Nov 2017)	<p>The GAC also advises the ICANN Board to: i. seek information from its outside counsel tasked with providing guidance on GDPR issues that addresses the following issues: 1. What are the options under the GDPR to ensure the lawful availability of WHOIS/RDS data for consumer protection and law enforcement activities? In particular, are there changes to policy or the legal framework that should be considered with a view to preserving the functionality of the WHOIS to the greatest extent possible for these purposes and others also recognized as legitimate? This question includes tasks carried out in the public interest and tasks carried out for a legitimate purpose, including preventing fraud and deceptive activities, investigating and combatting crime, promoting and safeguarding public safety, consumer protection, cyber-security etc. 2. What are the options under the GDPR to ensure the lawful availability of WHOIS/RDS data for the public, including businesses and other organizations? This question includes tasks carried out in the</p>	<p>On 4 February 2018 the Board considered the Abu Dhabi Communique and provided this response in its scorecard:</p> <p>The Board accepts the advice and notes that the ICANN Org has submitted these questions to the Hamilton firm and received a response. The GAC's questions regarding GDPR were shared with the Hamilton firm to consider as part of its next legal analysis. See: https://www.icann.org/en/system/files/files/gdpr-legal-analysis-part2-draft-questions-15nov17-en.pdf. Hamilton replied to the questions in its second analysis, available here: https://www.icann.org/en/system/files/files/gdpr-memorandum-part2-18dec17-en.pdf. The Board also acknowledges that the community has had access to legal input from a variety of qualified experts in EU data protection law. Because GDPR is principles-based rather than prescriptive, the Board also notes that differences of opinion and approach are reflected in these various inputs. These differences underscore the importance of direct participation by the GAC as well as relevant data protection authorities in ICANN's dialogue with the community regarding GDPR compliance in the context of WHOIS/RDS data.</p> <p>This item is considered complete as of the Board's consideration of 4 February 2018.</p>

Advice Item	Advice Text	Actions Taken
	public interest and tasks carried out for a legitimate purpose, including preventing fraud and deceptive activities, investigating and combatting crime as well as infringement and misuse of 13 intellectual property, promoting and safeguarding public safety, consumer protection, cyber-security etc.	
<p>ICANN60 Abu Dhabi Communique</p> <p>§3.d.I.1 GDPR/WHOIS</p> <p>(1 Nov 2017)</p>	<p>The GAC also advises the ICANN Board that: i. it is urgent to address these issues and that the GAC should be fully involved in the design and implementation of any (including interim) solution and requests that ICANN practice transparency vis-à-vis the multistakeholder community in its GDPR activities.</p>	<p>On 4 February 2018 the Board considered the Abu Dhabi Communique and provided this response in its scorecard:</p> <p>The Board accepts this advice and welcomes the GAC's full engagement with the community on the GDPR-related discussions and is committed to continuing to facilitate this discussion in a transparent way. The Board is aware and receiving updates from the organization on the ongoing facilitation, under the guidance of Göran and GAC leadership, on a variety of topics that are of interest to the GAC. The organization is grateful for the opportunity to hold these ongoing dialogues. One example of this is the regular calls between the ICANN org and the GAC about GDPR. These calls provide the opportunity to discuss the context of different issues.</p> <p>This item is considered complete as of the Board's consideration of 4 February 2018.</p>
<p>ICANN60 Abu Dhabi Communique</p> <p>§4.a.I Applications for .amazon and related strings</p> <p>(1 Nov 2017)</p>	<p>Continue facilitating negotiations between the Amazon Cooperation Treaty Organization's (ACTO) member states and the Amazon corporation with a view to reaching a mutually acceptable solution to allow for the use of .amazon as a top level domain name.</p>	<p>On 4 February 2018 the Board considered the Abu Dhabi Communique and provided this response in its scorecard:</p> <p>The ICANN Board accepts the GAC advice and has asked the ICANN org President and CEO to facilitate negotiations between the Amazon Cooperation Treaty Organization's (ACTO) member states and the Amazon corporation.</p> <p>On 10 March 2019 the ICANN Board considered the New gTLD applications for .AMAZON and included in the text of resolutions 2019.03.10.01 – 2019.03.10.07 "Whereas, the President and CEO facilitated discussions with various ACTO member states over the period of a year. The President and CEO has also made repeated attempts since October 2018 to engage in further facilitation discussions with ACTO member states. Despite repeated attempts, additional facilitation discussions were scheduled, but did not take place. The ICANN Board now therefore considers that it has complied with the operative GAC advice on this matter in the November 2017 Abu Dhabi Communiqué to '[c]ontinue facilitating negotiations between the Amazon Cooperation Treaty Organization's (ACTO) member states and the Amazon corporation with a view to reaching a mutually acceptable solution to allow for the use of .amazon as a top level domain name.'"</p>

Advice Item	Advice Text	Actions Taken
		This item is complete as of the Board's resolution of 10 March 2019
<p>ICANN61 San Juan Communique</p> <p>§1.a.I. GDPR and WHOIS</p> <p>(15 Mar 2018)</p>	<p>Ensure that the proposed interim model maintains current WHOIS requirements to the fullest extent possible</p>	<p>On 30 May 2018 the Board considered the San Juan Communique and provided this response in its scorecard:</p> <p>The Board accepts this advice. As outlined in section 1.12 of the Advisory Statement accompanying the Temporary Specification for gTLD Registration Data (Temporary Specification), adopted by the Board on 17 May 2018: "To allow ICANN, Registry Operators, and Registrars to comply with the law while ensuring continued availability of Registration Data to the greatest extent possible and avoid fragmentation of the WHOIS system, the Temporary specification will provide a single, uniform framework for ICANN, Registry Operators, and Registrar regarding Registration Data directory services. The Temporary Specification also takes into account ICANN's Bylaws, which requires that, "Subject to applicable laws, ICANN shall use commercially reasonable efforts to enforce its policies relating to registration directory services and shall work with Supporting Organizations and Advisory Committees to explore structural changes to improve accuracy and access to generic top-level domain registration data, as well as consider safeguards for protecting such data." Also, this balancing acknowledges that it is either expressed or implied in all of ICANN org's agreements that the contracted party must comply with all applicable laws. Additionally, section 4 of the Advisory Statement also outlines additional steps ICANN has taken and modifications made to the Temporary Specification to ensure the changes are as narrowly tailored as possible to meet the requirements of the GDPR, while maintaining the WHOIS services to the greatest extent possible.</p> <p>This item is considered complete as of the Board's consideration of 30 May 2018.</p>
<p>ICANN61 San Juan Communique</p> <p>§1.a.II. GDPR and WHOIS</p> <p>(15 Mar 2018)</p>	<p>Provide a detailed rationale for the choices made in the interim model, explaining their necessity and proportionality in relation to the legitimate purposes identified;</p>	<p>On 30 May 2018 the Board considered the San Juan Communique and provided this response in its scorecard:</p> <p>The Board accepts this advice. The Advisory Statement and the rationale to the Board's resolution adopting the Temporary Specification provides a detailed rationale for the choices made in the Temporary Specification should elicit the support of the Internet community.</p> <p>This item is considered complete as of the Board's consideration of 30 May 2018.</p>
<p>ICANN61 San Juan Communique</p> <p>§1.a.III.</p>	<p>In particular, reconsider the proposal to hide the registrant email address as this may not be proportionate in view of the significant</p>	<p>On 30 May 2018 the Board considered the San Juan Communique and provided this response in its scorecard:</p> <p>The Board accepts this advice. ICANN org has considered the many competing</p>

Advice Item	Advice Text	Actions Taken
GDPR and WHOIS (15 Mar 2018)	negative impact on law enforcement, cybersecurity and rights protection;	<p>viewpoints on this matter, as expressed in paragraphs 5.5.10 – 5.5.11 of the Cookbook. ICANN org also requested additional guidance from the Article 29 Working Party on this issue. The guidance received from the Article 29 Working Party on 11 April 2018 makes clear that masking email addresses is a step toward compliance with the GDPR (https://www.icann.org/en/system/files/correspondence/jelinek-to-marby-11apr18-en.pdf). In her letter to CEO Göran Marby, WP29 Chairperson Andrea Jelinek notes that WP29, “welcomes the proposal to introduce alternative methods to contact registrants or administrative and technical contacts, without public disclosure of registrants’ personal email addresses (referred to as “anonymized email, web form, or other technical means”).” The approach in the Temporary Specification is designed to minimize the intrusiveness of data processing, while still providing a means to contact, but not identify, the registrant, administrative, or technical contacts.</p> <p>This item is considered complete as of the Board's consideration of 30 May 2018.</p>
ICANN61 San Juan Communique §1.a.V. GDPR and WHOIS (15 Mar 2018)	Ensure continued access to the WHOIS, including non-public data, for users with a legitimate purpose, until the time when the interim WHOIS model is fully operational, on a mandatory basis for all contracted parties;	<p>The ICANN Board initially considered this advice on 30 May 2018. However at the time, the Board responded, "as requested by the GAC in its 17 May 2018 letter to the ICANN Board Chair, the Board defers consideration of this advice pending further discussion with the GAC."</p> <p>The Board most recently considered this item on 15 May 2019 and stated in the scorecard:</p> <p>The Board accepts this advice. The Board notes that EPDP Recommendation 18 provides a mechanism for third-parties with legitimate interests to access to non-public gTLD registration data, and obligates the contracted parties to disclose the requested non-public data if the request passes the balancing test. The Board anticipates that this recommended model for requests for lawful disclosure of non-public registration data will be expanded upon in Phase 2, in light of Recommendation 3, which states that the EPDP Team undertakes to make a recommendation pertaining to a standardised model for lawful disclosure of non-public Registration Data now that the gating questions in the charter have been answered. This will include addressing questions such as: Whether such a system should be adopted; What are the legitimate purposes for third parties to access registration data; What are the eligibility criteria for access to non-public Registration data?; Do those parties/groups consist of different types of third-party requestors?; What data elements should each user/party have access to?</p> <p>This item is considered complete as of the Board's consideration of 15 May 2019.</p>
ICANN61 San Juan Communique	Complete the interim model as swiftly as possible, taking into account the advice	<p>On 30 May 2018 the Board considered the San Juan Communique and provided this response in its scorecard:</p>

Advice Item	Advice Text	Actions Taken
§1.b.I. GDPR and WHOIS (15 Mar 2018)	above. Once the model is finalized, the GAC will complement ICANN's outreach to the Article 29 Working Party, inviting them to provide their views;	<p>The Board accepts this advice. ICANN org considered input from the community, the GAC, and European Data Protection Authorities to refine the Temporary Specification that was ultimately adopted by the Board on 17 May 2018. The Board welcomes the GAC's continued outreach efforts to the Article 29 Working Party as the Board is required to reaffirm the Temporary Specification every 90 days following adoption.</p> <p>This item is considered complete as of the Board's consideration of 30 May 2018.</p>
ICANN61 San Juan Communique §1.b.II. GDPR and WHOIS (15 Mar 2018)	Consider the use of Temporary Policies and/or Special Amendments to ICANN's standard Registry and Registrar contracts to mandate implementation of an interim model and a temporary access mechanism; and	<p>On 30 May 2018 the Board considered the San Juan Communique and provided this response in its scorecard:</p> <p>The Board accepts this advice. As noted elsewhere, the Board adopted the Temporary Specification for gTLD Registration Data on 17 May 2018 utilizing the process established in the Registrar Accreditation Agreement and Registry Agreement for adopting temporary policies or specifications.</p> <p>This item is considered complete as of the Board's consideration of 30 May 2018.</p>
ICANN62 Panama Communique §1.a.II. GDPR and WHOIS (28 Jun 2018)	Publish a status report, four weeks prior to ICANN 63.	<p>On 16 September 2018 the Board considered this advice and stated in its scorecard:</p> <p>The Board directs the ICANN org to continue to provide the GAC with regular updates on progress related to the development of a unified access model, in addition to providing a status report four weeks prior to ICANN63.</p> <p>On 20 August 2018 the ICANN President & CEO published a blog announcing the publication of the Draft Framework for a Possible Unified Access Model for Continued Access to Full WHOIS Data. This item is considered complete as of the CEO's blog of 20 August 2018.</p>
ICANN62 Panama Communique §3.a.I. Two-character Country Codes at the Second Level (28 Jun 2018)	Work, as soon as possible, with those GAC members who have expressed serious concerns with respect to the release of their 2-character country/territory codes at the second level in order to establish an effective mechanism to resolve their concerns in a satisfactory manner, bearing in mind that previous GAC advice on the matter stands.	<p>The Board initially considered this advice on 30 May 2018. However at the time, the Board responded, "The Board will defer a formal response to the GAC on this advice pending further discussions with the GAC."</p> <p>The Board most recently considered this item on 27 January 2019 and stated in its scorecard: The Board acknowledges this advice and refers the GAC to the Board's responses on items §1.a.I, II, and III above in the Barcelona consensus advice section. The Board also directs the GAC to the ICANN org memo (https://www.icann.org/en/system/files/files/implementation-memo-two-character-ascii-labels-22jan19-en.pdf) and Historical Overview (https://www.icann.org/en/system/files/files/historical-overview-two-character-ascii-labels-22jan19-en.pdf) for additional details regarding this topic.</p>

Advice Item	Advice Text	Actions Taken
<p>ICANN62 Panama Communique</p> <p>§3.a.II. Two-character Country Codes at the Second Level</p> <p>(28 Jun 2018)</p>	<p>Immediately take necessary steps to prevent further negative consequences for the concerned GAC members arising from the November 2016 Board Resolution.</p>	<p>This item is considered complete as of the Board's consideration of 27 January 2019.</p> <p>The Board initially considered this advice on 30 May 2018. However at the time, the Board responded, "The Board will defer a formal response to the GAC on this advice pending further discussions with the GAC."</p> <p>The Board most recently considered this item on 27 January 2019 and stated in its scorecard: See response on item §3.a.I above [The Board acknowledges this advice and refers the GAC to the Board's responses on items §1.a.I, II, and III above in the Barcelona consensus advice section. The Board also directs the GAC to the ICANN org memo (https://www.icann.org/en/system/files/files/implementation-memo-two-character-ascii-labels-22jan19-en.pdf) and Historical Overview (https://www.icann.org/en/system/files/files/historical-overview-two-character-ascii-labels-22jan19-en.pdf) for additional details regarding this topic.]</p> <p>This item is considered complete as of the Board's consideration of 27 January 2019.</p>
<p>ICANN63 Barcelona Communique</p> <p>§1.a.I. Two-Character Country Codes at the Second Level</p> <p>(25 Oct 2018)</p>	<p>Explain in writing how and why it considers it is implementing GAC advice on the release of country codes at the second level.</p>	<p>On 27 January 2019 the Board considered the Barcelona Communique and provided this response in its scorecard:</p> <p>The Board resolution taken in November 2016 adopting the Measures for Letter/Letter Two-Character ASCII Labels to Avoid Confusion with Corresponding Country Codes followed a multi-year effort of community consultation, including consideration of requests from registry operators, relevant GAC advice and individual government input. The Board took its initial action directing the ICANN org to develop an efficient procedure for the release of two-character labels following the receipt of Registry Service Evaluation Process (RSEP) requests in 2014. Over the subsequent two years, the ICANN org implemented the Measures in phases, as described in a letter from Akram Atallah in August 2015. In each phase of development, the Board directed the ICANN org to make changes to the process based on GAC advice, including advice from the Los Angeles, Singapore, and Dublin Communiqués. The Board is aware that there is some concern among GAC members that the Board did not consider the advice regarding two-characters in the Helsinki Communiqué until after the November 2016 resolution. While the Board did not formally resolve on the advice prior to the resolution of November 2016 (the Board formally resolved on the advice in December 2016), the Board would like to note that this advice was discussed within the Board prior to the resolution and was incorporated into the Measures. The November 2016 resolution states: "Whereas, in the GAC's Helsinki Communiqué (30 June 2016), the GAC advised the Board to 'urge the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement</p>

Advice Item	Advice Text	Actions Taken
		<p>on how to manage it or to have a third-party assessment of the situation if the name is already registered.' The advice was incorporated in the proposed measures to avoid confusion." Since the Helsinki Communiqué, and starting with the Copenhagen Communiqué, the ICANN Board and GAC have agreed upon a new procedure for addressing GAC advice to ensure that advice is formally addressed at least four weeks prior to the subsequent ICANN meeting. This procedure is implemented by ICANN Org and has now been in place for over a year, to mutual satisfaction. The ICANN org has provided detailed explanations of this development process in their memo to the GAC dated 22 January 2019 as well as in a Historical Overview of the process. Based on the above, the Board believes it has both fully considered and implemented the GAC advice on two-character labels at the second level.</p> <p>This item is considered complete as of the Board's consideration and written response provided on 27 January 2019.</p>
<p>ICANN63 Barcelona Communiqué</p> <p>§1.a.II. Two-Character Country Codes at the Second Level</p> <p>(25 Oct 2018)</p>	<p>Explain in writing whether its Resolution of 8 November 2016 and its change from the preexisting release process (indicated in specification 5. 2 of the Registry Agreement, sentence 1) to a new curative process (under sentence 2) are compatible with GAC advice on this topic, or whether it constitutes a rejection of GAC advice. The GAC advises the Board to set out its explanation in writing by 31 December 2018. Previous GAC advice on this matter stands.</p>	<p>On 27 January 2019 the Board considered the Barcelona Communiqué and provided this response in its scorecard:</p> <p>The Board sees the November 2016 resolution as compatible with and taking into account GAC advice. As stated in the November 2016 resolution: "...[T]he Board considered the public comments, the staff summary and analysis report of public comments, and GAC advice. The proposed measures were updated to take into account the public comments and GAC advice relating to the proposed measures and two-character labels." As explained in detail in the ICANN org memo and Historical Overview, Specification 5, Section 2 of the Registry Agreement provides two alternate paths for release of two-character labels at the second-level, the second of which is based on ICANN approval. Accordingly, it is within the ICANN org's remit to pursue a process by which registry operators seek approval for release of two-character labels from ICANN. The November 2016 resolution did not constitute a switch from a "release process" to a "curative process", but rather was the culmination of a multi-year process of development, which allowed for input from registry operators, GAC members and individual governments, and other community members. As expressed to the GAC throughout the development process, it was intended that a set of standard measures would be developed that could be implemented by any registry operator. The Board examined the issue with respect to ICANN's mission, commitments and core values, and believes that it adopted a resolution that is consistent with GAC advice. The Board shares the GAC's concern that use of two-character strings corresponding to country codes should not be done in a way to deceive or confuse consumers, and, based on the process described in the ICANN org memo (https://www.icann.org/en/system/files/files/implementation-memo-two-character-ascii-labels-22jan19-en.pdf) and Historical Overview</p>

Advice Item	Advice Text	Actions Taken
		<p>(https://www.icann.org/en/system/files/files/historical-overview-two-character-ascii-labels-22jan19-en.pdf), believes it has implemented a solution that resolves any issues related to user confusability. The Board is not aware of any further negative consequences from the 8 November 2016 resolution regarding security, stability, or user confusability.</p> <p>This item is considered complete as of the Board's consideration and written response provided on 27 January 2019.</p>
<p>ICANN63 Barcelona Communique</p> <p>§2.a.I. IGO Protections</p> <p>(25 Oct 2018)</p>	<p>Facilitate a substantive, solutions-oriented dialogue between the GNSO and the GAC in an effort to resolve the longstanding issue of IGO protections, on which it reaffirms its previous advice, notably with respect to the creation of a curative mechanism and maintenance of temporary protections.</p>	<p>On 27 January 2019 the Board considered the Barcelona Communique and provided this response in its scorecard:</p> <p>The Board stands ready to facilitate a substantive, solutions-oriented discussion should it be invited to do so by the GNSO and the GAC and is aware that a dialogue has been initiated between the GNSO and the GAC on this topic. The Board intends to consider GAC advice in accordance with the process documented in the ICANN Bylaws. The Board confirms that the interim protections afforded to IGO acronyms at the second level of the domain name system will remain in place pending the GNSO's final recommendations and the Board's consideration of those recommendations. The Board provided this response in the Barcelona scorecard adopted on 27 January 2019.</p> <p>This item is considered complete as of the Board's consideration of 27 January 2019.</p>
<p>ICANN64 Kobe Communique</p> <p>§1.a.III. WHOIS and Data Protection Legislation</p> <p>(14 Mar 2019)</p>	<p>Make available the necessary resources for Phase 2 to expeditiously advance on the complex legal issues deferred from Phase 1;</p>	<p>On 15 May 2019 the Board adopted a scorecard titled "GAC Advice – Kobe Communiqué: Actions and Updates (15 May 2019)" in response to items of GAC advice in the Kobe Communiqué and the San Juan Communiqué. The Board acknowledges this advice and appreciates the need to ensure that necessary resources are available for the EPDP Phase 2, including expert legal resources. While it is ultimately up to the EPDP to "expeditiously advance on the complex legal issues deferred from Phase 1", the Board will ensure, subject to normal budgetary prudence, that there is support for the work of the EPDP in sorting through these legal issues. This item is considered complete as of the Board's consideration of 15 May 2019.</p>
<p>ICANN64 Kobe Communique</p> <p>§1.a.IV. WHOIS and Data Protection Legislation</p> <p>(14 Mar 2019)</p>	<p>Consider instituting additional parallel work efforts on technical implementations, such as that carried out by the Technical Study Group, for purposes of informing and complementing the EPDP's Phase 2 activities;</p>	<p>On 15 May 2019 the Board adopted the scorecard titled "GAC Advice – Kobe Communiqué: Actions and Updates (15 May 2019)" in response to items of GAC advice in the Kobe Communiqué and the San Juan Communiqué. The Board acknowledges this advice and understands that the GAC is requesting the ICANN Board to do all that it can, within its authority and remit and subject to budgetary constraints, to facilitate the work of the EPDP, including through "parallel efforts" such as the Technical Study Group (TSG). The Board notes that the TSG presented a Draft Technical Model at ICANN64 and received community feedback. The TSG has since completed its work and published TSG01, Technical Model for Access to Non-Public</p>

Advice Item	Advice Text	Actions Taken
		<p>Registration Data. ICANN will share the model with the European Data Protection Board (EDPB) and solicit the EDPB's feedback on specific questions related to the model. ICANN will also present the model to the European Commission before that. In regard to any other "parallel efforts", the Board will consider those as necessary but reiterates that it will take actions only within its authority and subject to budgetary considerations; the Board will not take any action that would undermine or replace the work of the EPDP. This item is considered complete as of the Board's consideration of 15 May 2019.</p>
<p>ICANN64 Kobe Communiqué</p> <p>§1.a.VI. WHOIS and Data Protection Legislation</p> <p>(14 Mar 2019)</p>	<p>Consider re-starting implementation processes for relevant existing policies, such as the Privacy Proxy Services Accreditation Issues Policy.</p>	<p>On 15 May 2019 the Board adopted the scorecard titled "GAC Advice – Kobe Communiqué: Actions and Updates (15 May 2019)" in response to items of GAC advice in the Kobe Communiqué and the San Juan Communiqué. The Board accepts this advice. The Board believes that waiting to proceed with implementation of Privacy Proxy Services Accreditation Issues (PPSAI) Policy until the completion of the RDS EPDP is a prudent course of action. This is because the same issues that need to be resolved to finalize PPSAI implementation are under active discussion, such as controller/joint controller/independent controller issues and providing access to non-public personal contact details consistent with GDPR. This course of action will allow ICANN org and the broader community to focus resources on ensuring that GDPR-compliant requirements are finalized for existing contracted parties before proceeding to implement similar requirements for a new category of contracted parties. During the implementation phase of the EPDP ICANN org will be reviewing all ICANN policies and services which may be impacted by the new Consensus Policy and will work with the GNSO and the community to identify the appropriate course of action.</p> <p>This item is considered complete as of the Board's consideration of 15 May 2019.</p>
<p>ICANN64 Kobe Communiqué</p> <p>§2.a.I. ICANN Board Consideration of the CCT Review Recommendations</p> <p>(14 Mar 2019)</p>	<p>Promptly meet with the CCT Review Team leadership to discuss the Board's resolution and</p>	<p>On 15 May 2019 the Board adopted the scorecard titled "GAC Advice – Kobe Communiqué: Actions and Updates (15 May 2019)" in response to items of GAC advice in the Kobe Communiqué and the San Juan Communiqué. The Board acknowledges the GAC's concerns regarding the recent Board resolution in response to the Final Recommendations of the Competition, Consumer Trust and Consumer Choice Review Team and accepts the advice. The Board has initiated communications with the CCT Review Team implementation shepherds (designated by the CCT Review Team) to address the areas related to CCT recommendations, having held a call on 23 April. The Board also understands the importance of working with the community to develop a process to prioritize and establish a sustainable cadence of implementations, with a defined protocol for handling specific review recommendations differently as compared to the past reviews. The Board has publicly committed to meet with the leaders of other specific review teams and to hold a public session at ICANN65 with the ICANN community, to address the broader issues around reviews</p>

Advice Item	Advice Text	Actions Taken
		<p>and recommendations. The Board stands by its decisions with respect to the CCT recommendations, for the reasons set forth in the letter issued in Kobe; however, the Board is reviewing the timing and communication of its responses to specific review teams to avoid surprises in the future. The Board would also like to provide further clarification of its action. As noted in the communication to the CCT review team, the “intention was and remains to fully consider and thoughtfully act on each of the recommendations in the Final Report. To be clear, the Board has not rejected any of the recommendations in the Final Report. After careful consideration of the 35 recommendations, the Board determined to address each, in one of three ways: • The Board accepted six recommendations and directed the ICANN org to develop a costing and implementation plan, to be shared with the community within six months from the Board action. We acknowledge that some members of the community believe that this timeline is unnecessarily extended; and we will review these recommendations with ICANN org to determine whether this timeline can be accelerated. • Fourteen of the recommendations directed to the Board were actions that were not directly within the Board’s remit at this stage in the bottom up multistakeholder process. The Board felt that some of these recommendations were excellent. We also had questions about others. We ultimately concluded that expressing an opinion on policy recommendations outside the Board’s remit at this stage may be interpreted as the Board’s interfering with policy development authority allocated to the community under the ICANN Bylaws. The Board is also mindful of the relative role of the Board and ICANN org. Accordingly, we referred recommendations in this category to either the appropriate policy development body or to ICANN org to handle. Please keep in mind that the community is obligated to fully consider all input into PDPs and CCWGs, and that the Board is ultimately responsible for ensuring that such input is duly considered and appropriately addressed. • Seventeen of the remaining recommendations were categorized as pending. The Board felt that recommendations in this category raised substantive questions or required more information. The Board directed ICANN org to take specific actions to resolve the pending status as soon as possible. We acknowledge that some members of the community believe that this amounts to rejecting the recommendations. This is not the case, and we will review these recommendations with ICANN org to determine whether a specific timeline can be established.</p> <p>This item is considered complete as of the Board’s consideration of 15 May 2019.</p>
<p>ICANN64 Kobe Communique §2.a.II. ICANN Board Consideration of the</p>	<p>Possibly reconsider certain decisions on recommendations if appropriate.</p>	<p>On 15 May 2019 the Board adopted the scorecard titled “GAC Advice – Kobe Communiqué: Actions and Updates (15 May 2019)” in response to items of GAC advice in the Kobe Communiqué and the San Juan Communiqué. The Board acknowledges the GAC’s concerns regarding the recent Board resolution in response to the Final Recommendations of the Competition, Consumer Trust and Consumer Choice Review Team and accepts the advice. The Board has initiated communications</p>

Advice Item	Advice Text	Actions Taken
<p>CCT Review Recommendations (14 Mar 2019)</p>		<p>with the CCT Review Team implementation shepherds (designated by the CCT Review Team) to address the areas related to CCT recommendations, having held a call on 23 April. The Board also understands the importance of working with the community to develop a process to prioritize and establish a sustainable cadence of implementations, with a defined protocol for handling specific review recommendations differently as compared to the past reviews. The Board has publicly committed to meet with the leaders of other specific review teams and to hold a public session at ICANN65 with the ICANN community, to address the broader issues around reviews and recommendations. The Board stands by its decisions with respect to the CCT recommendations, for the reasons set forth in the letter issued in Kobe; however, the Board is reviewing the timing and communication of its responses to specific review teams to avoid surprises in the future. The Board would also like to provide further clarification of its action. As noted in the communication to the CCT review team, the “intention was and remains to fully consider and thoughtfully act on each of the recommendations in the Final Report. To be clear, the Board has not rejected any of the recommendations in the Final Report. After careful consideration of the 35 recommendations, the Board determined to address each, in one of three ways: • The Board accepted six recommendations and directed the ICANN org to develop a costing and implementation plan, to be shared with the community within six months from the Board action. We acknowledge that some members of the community believe that this timeline is unnecessarily extended; and we will review these recommendations with ICANN org to determine whether this timeline can be accelerated. • Fourteen of the recommendations directed to the Board were actions that were not directly within the Board's remit at this stage in the bottom up multistakeholder process. The Board felt that some of these recommendations were excellent. We also had questions about others. We ultimately concluded that expressing an opinion on policy recommendations outside the Board's remit at this stage may be interpreted as the Board's interfering with policy development authority allocated to the community under the ICANN Bylaws. The Board is also mindful of the relative role of the Board and ICANN org. Accordingly, we referred recommendations in this category to either the appropriate policy development body or to ICANN org to handle. Please keep in mind that the community is obligated to fully consider all input into PDPs and CCWGs, and that the Board is ultimately responsible for ensuring that such input is duly considered and appropriately addressed. • Seventeen of the remaining recommendations were categorized as pending. The Board felt that recommendations in this category raised substantive questions or required more information. The Board directed ICANN org to take specific actions to resolve the pending status as soon as possible. We acknowledge that some members of the community believe that this amounts to rejecting the recommendations. This is not the case, and we will review these recommendations with ICANN org to determine whether a specific timeline can be established.</p>

Advice Item	Advice Text	Actions Taken
<p>Follow-Up Letter: GNSO PDP on IGO-INGO Access to Curative RPMs Policy Recommendations for ICANN Board Consideration (20 August 2019)</p>	<p>Recommendations 1, 2, 3, and 4 of the PDP on IGO-INGO Access to Curative Rights Protection Mechanisms are in contravention of standing GAC Advice. (See also the March 12, 2017 submission by the ICANN Governmental Advisory Committee on the GNSO's Initial Report on the IGO-INGO Access to Curative Rights Protection Mechanisms Policy Development Process.) 2 Notably, this includes GAC Advice (see, e.g., the Los Angeles and Hyderabad Communiqués) indicating that the UDRP should not be amended – but that a separate dispute resolution mechanism modeled on the UDRP be considered – for purposes of accommodating the concerns of IGOs. The GAC also notes that the changes to Recommendation 2 (standing) in the Final Report do not overcome its original objections to amending the UDRP. Also, IGOs could not agree to the change to Recommendation 3 in the Final Report, i.e., the suggestion that IGOs should use an agent to file a complaint. The GAC therefore advises the ICANN Board to abstain from taking a decision on these Recommendations inter alia to allow the parties sufficient time to explore possible ways forward. (The GAC also understands that in Marrakech the parties discussed their desire to use an expedited policy development process (EPDP) in this outstanding matter and to seek to produce a report within 6-8 months.) As to abstaining, it is noted here that expected future policy work on Recommendation 5 would be likely in practice to overtake Recommendations 1-4. Recommendation 5 was not part of the GNSO Council's Report to the Board, but is expected</p>	<p>This item is considered complete as of the Board's consideration of 15 May 2019.</p> <p>On 14 October 2019, the ICANN Board issued a response to the GAC in regard to the 20 August 2019 letter. In the response, the Board noted:</p> <p><u>“Recommendations 1,2,3, and 4</u> In the letter of 20 August 2019, the GAC “advises the ICANN Board to abstain from taking a decision on these Recommendations inter alia to allow the parties sufficient time to explore possible ways forward.” Under the ICANN Bylaws, the Board is obliged to take duly into account any advice timely presented by the Governmental Advisory Committee, prior to taking action. The Board notes that the question about what constitutes appropriate protections for International Governmental Organizations (IGOs) in the domain name system has been a topic of longstanding discussion within the ICANN community and has been the subject of various instances of GAC advice. At its workshop at ICANN65 in Marrakech in June 2019, the Board decided to form a Board Caucus Group to review the community's work on this matter. As such, the Board does not presently intend to act on the GNSO's PDP recommendations 1, 2, 3, and 4 until the newly formed Board Caucus Group has completed its review of the matter and formulated suggestions for possible paths forward.</p> <p><u>Recommendation 5</u> The Board notes the GAC's stated willingness to participate in the chartering effort within the GNSO relating to further policy work on recommendation 5 of the PDP.”</p> <p>This item is considered complete as of the Board's response of 14 October 2019.</p>

Advice Item	Advice Text	Actions Taken
	to be the subject of future policy work once appropriately re-chartered . 1 The GAC affirms its willingness to participate in such chartering effort.	
<p>ICANN66 Montreal Communique</p> <p>Follow Up: Protection of the Red Cross and Red Crescent Designations and Identifiers</p> <p>(6 Nov 2019)</p>	<p>The GAC welcomes the progress made towards the permanent protection and reservation of the Red Cross and Red Crescent designations, names and identifiers from registration at the second level. It takes note with appreciation of ICANN Board’s Resolution of 27 January 2019 acknowledging the public policy considerations associated with the protection of the Red Cross and Red Crescent names in the domain name system, adopting the consensus recommendations of the reconvened GNSO Policy Development Process, and instructing ICANN staff to execute the protections to be afforded to the names of the 191 National Red Cross and Red Crescent Societies, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies. The GAC welcomes the outputs of the Implementation Review Team and encourages ICANN, upon completion of the current public comment forum, and pursuant to comments made, to publish and to notify ICANN’s Contracted parties of the new policy and of applicable implementation/compliance deadlines. The GAC also reaffirms its past advice that the acronyms of the two international organizations within the International Red Cross and Red Crescent Movement (the ICRC and the IFRC) be addressed under the same protection regime to be agreed and implemented for the acronyms of IGOs. The GAC lastly encourages the Board to consider complementing the list of Red Cross and Red</p>	<p>On 26 January 2020, the Board considered the Montreal Communique and provided this response in its scorecard:</p> <p>“The Board acknowledges this follow-up advice item. The Board notes that the Public Comment period for the Implementation Plan for the GNSO Consensus Policy relating to the Protection of Certain Red Cross Names closed recently on 12 December 2019, and the public comment summary and analysis report has now been published: https://www.icann.org/public-comments/red-cross-names-implementation-2019-10-23-en</p> <p>The Board understands that ICANN Org anticipates publishing the Policy prior to ICANN67, with an effective date to be no later than 1 August 2020.</p> <p>Regarding the topic of protection for certain acronyms of the two international organizations within the International Red Cross and Red Crescent Movement, the Board had previously indicated its wish to resolve the question of second level protection for IGO acronyms in a holistic fashion, so as to allow for a comprehensive policy solution. In this regard, the Board is reviewing four approved policy recommendations from the GNSO concerning curative rights protections for IGOs. The Board is aware that a fifth recommendation has been referred to the GNSO’s Review of All Rights Protection Mechanisms Policy Development Process and a separate Work Track in which IGOs and the GAC have been encouraged to participate will be established.</p> <p>Regarding the GAC’s guidance on protections at the first level for certain Red Cross and Red Crescent names and identifiers, the Board notes that any changes to the scope of protections that were provided under the 2012 New gTLD Program round should be the result of community-developed policy that is submitted to the Board for consideration.”</p> <p>This item is considered complete as of the Board’s consideration of 26 January 2020.</p>

Advice Item	Advice Text	Actions Taken
	Crescent designations protected at the first level and included in the Applicant Guidebook, with the full and agreed list of names and identifiers of the different Red Cross and Red Crescent organizations.	
<p>ICANN66 Montreal Communique</p> <p>Follow Up: IGO Protections</p> <p>(6 Nov 2019)</p>	The GAC notes that the topic of re-chartering a specific PDP work track concerning a curative mechanism to address the issue of protection of IGO identifiers remains under discussion with the GNSO.	<p>On 26 January 2020, the Board considered the Montreal Communique and provided this response in its scorecard:</p> <p>“The Board acknowledges discussions between the GAC and the GNSO about a specific work track concerning a curative mechanism to address the issue of protection of IGO identifiers. The Board understands, further, that the GNSO Council is voting on a charter for this work track in January 2020 and awaits the community’s decision on this matter.”</p> <p>This item is considered complete as of the Board’s consideration of 26 January 2020.</p>
<p>ICANN66 Montreal Communique</p> <p>Follow Up: Domain Name Registration Directory Service and Data Protection</p> <p>(6 Nov 2019)</p>	The GAC emphasizes again that the Privacy Proxy Services Accreditation Issues (PPSAI) policy recommendations remain highly relevant and implementation efforts should continue as appropriate, in parallel with the ongoing policy development work in the EPDP on gTLD Registration Data. The implementation of the PPSAI should not be deferred until the completion of the EPDP.	<p>On 26 January 2020, the Board considered the Montreal Communique and provided this response in its scorecard:</p> <p>“The Board acknowledges the GAC’s attention to this matter and interest in continuing the implementation work of the Privacy Proxy Services Accreditation Issues (PPSAI) policy recommendations.”</p> <p>This item is considered complete as of the Board’s consideration of 26 January 2020.</p>