

02 September 2022

Manal Ismail
Chair, Governmental Advisory Committee (GAC)

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

Dear Manal,

In follow-up to the 31 August 2022 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). The Board issued the last advice report on [04 August 2021](#). Below is additional information regarding the status of GAC advice items in the ARR and the full inventory of detailed status of GAC advice items in the ARR can be found in the [Appendix](#) of this letter, including notations for any changes in an item's phase or actions taken on the advice (highlighted in yellow).

The Board has also received the ICANN74 The Hague Communiqué and acknowledged the Communiqué in a letter dated [1 July 2022](#).

Per the recent BGIG conversation, the GAC will see that:

- 17 consensus advice items are still being considered by the Board. Advice regarding the EPDP Phase 2 Final Report is pending the Org's completion of the WHOIS Disclosure System Design Paper. Advice regarding Protection of IGO Acronyms is related to the GNSO's completion of its most recent policy work on specific curative rights protections for IGOs. As each of these activities conclude, the Board will take further action, as appropriate (see [Table 2](#));
- Five consensus advice items regarding WHOIS/GDPR advice related to SSAD ODP and SSAD Light (now WHOIS Disclosure System), the Board Scorecard on SSR2 Review Final Report, and on Updates to the IGO List for IGO Protections are in implementation (see [Table 3](#));
- One consensus advice item on Domain Name Registration Directory Service and Data Protection has been moved from implementation and will enter the closing process, pending any feedback from the GAC (see [Table 4](#));
- One consensus advice item on CCT Review and Subsequent Rounds of New gTLDs has been closed based on our discussion at the 24 May 2022 BGIG call (see [Table 5](#)); and
- Seven follow-up on previous advice items related to the Protection of the Red Cross and Red Crescent Designations and Identifiers, IGO Protections, Domain Name Registration Directory Service and Data Protection, CCT Review and Subsequent Rounds of New gTLDs, and EPDP Phase 1 Policy Implementation have been closed. Follow-up on previous advice is considered closed once the item has been addressed in the items corresponding scorecard (see [Table 5](#)).

Thank you again for your attention to these updates and for the valuable advice that the GAC provides. In the spirit of continued cooperation, the Board appreciates any feedback provided by the GAC on the substance, frequency, and format of open GAC advice tracking and updates. Perhaps feedback, on those matters specifically, would be a useful agenda item for the next BGIG meeting.

I would like to restate the Board's satisfaction with the BGIG calls, which continue to serve as a conduit for collaborative discussion and ongoing Board-GAC interactions. The Board is grateful for the efforts of the BGIG co-chairs, Manal Ismail and Becky Burr, in leading this group. As always, the Board thanks the GAC for their advice and looks forward to its next meeting with the GAC.

Sincerely,



Maarten Botterman
Chair, ICANN Board of Directors

APPENDIX: INVENTORY AND STATUS OF GAC ADVICE ITEMS

As a reminder for longstanding members of the GAC and overview for newer members of the GAC, ICANN org implemented the ARR in 2015 at the request of former Board Chair Dr. Steve Crocker. The ARR is a five-phase framework used to consistently process formal requests to the Board and was developed to provide clarity and consistency to the ICANN community about the status and lifecycles of different inputs to the Board. Initially, the ARR only tracked formal advice from the At-Large Advisory Committee (ALAC), the Root Server System Advisory Committee (RSSAC), and the Security and Stability Advisory Committee (SSAC). In 2017, ICANN org expanded the ARR to include advice from the GAC.

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. 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.

Additional Information on Items in Phase 3 | Evaluate & Consider (16 Items)

The 17 items in Phase 3 | Evaluate & Consider have all been previously considered by the Board. However, the Board has not yet taken a resolution to either accept and/or implement the advice, or to not accept the advice, which would trigger the process described in the ICANN Bylaws Section 12.2(a)(x), and has deferred a formal decision pending ongoing work related to the advice. 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. The Board will consider revisiting these items at a future date following this work.

TABLE 2. INVENTORY OF GAC ADVICE ITEMS IN PHASE 3 | EVALUATE & CONSIDER

Advice Item	Advice Text	Actions Taken
ICANN48 Buenos Aires Communique §4.a.i. Protection of Inter-Governmental Organisations (IGOs) (20 November 2013)	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	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place. The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. In addition to reviewing the EPDP recommendations, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.

	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.	
ICANN49 Singapore Communique §8 Protection of Inter-Governmental Organisation (IGO) Names and Acronyms (27 March 2014)	The GAC recalls its previous public policy advice from the Toronto, Beijing, Durban and Buenos Aires Communiques 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.	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place. The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. In addition to the EPDP recommendations, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.
ICANN50 London Communique §5	The GAC reaffirms its advice from the Toronto, Beijing, Durban, Buenos Aires and Singapore Communiques regarding protection for IGO names and acronyms at the top and second	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy

Protection of Inter-Governmental Organisation (IGO) Names and Acronyms (25 June 2014)	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 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.	processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place. The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. In addition to the EPDP recommendations, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.
ICANN51 Los Angeles Communique §5.a.I-II - 5.b.I. Protection of Inter-Governmental Organisation (IGO) Names and Acronyms (15 October 2014)	"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;	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place. The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. In addition to the EPDP recommendations, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the

	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.	four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.
ICANN52 Singapore Communique §2 Protection of Names and Acronyms for Inter- Governmental Organisations (IGOs)	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.	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.

(11 February 2015)		The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. In addition to the EPDP recommendations, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.
ICANN58 Copenhagen Communique §2.a.I IGO Protections (15 March 20217)	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;	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place. The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. In addition to the EPDP recommendations, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.
ICANN58 Copenhagen Communique §2.a.II IGO Protections (15 March 20217)	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	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.

		The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. In addition to the EPDP recommendations, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.
ICANN58 Copenhagen Communique §2.a.III IGO Protections (15 March 20217)	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.	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place. The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. In addition to the EPDP recommendations, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.
ICANN59 Johannesburg Communique §1.a.I-III. Intergovernmental Organization (IGO) Protections (29 June 2017)	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	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO

	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.	acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place. The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. In addition to the EPDP recommendations, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.
ICANN60 Abu Dhabi Communique §1.a.I Intergovernmental Organization (IGO) Protections (1 November 2017)	Review closely the decisions on this issue in order to ensure that they are compatible with these values and reflect the full factual record.	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place. The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. In addition to the EPDP recommendations, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.
ICANN61 San Juan Communique	Ensure that the list of IGOs eligible for preventative protection is as accurate and complete as possible.	The GAC is continuing to discuss a proposed mechanism and process for updating the IGO List that the GAC submitted to ICANN in 2013, to ensure that it is as complete as possible, and is maintained in the future, consistent with Advice in the GAC San Juan

§2.a.I IGO Reserved Acronyms (15 March 2018)		Communiqué. The Board had directed that ICANN org conduct a feasibility study in response to the San Juan Communiqué.
ICANN61 San Juan Communiqué §1.a.IV GDPR and WHOIS (15 March 2018)	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;	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. The Board most recently considered this item on 15 May 2019 and stated in the scorecard: 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.
ICANN61 San Juan Communiqué §1.a.VI GDPR and WHOIS (15 March 2018)	Ensure that limitations in terms of query volume envisaged under an accreditation program balance realistic investigatory cross-referencing needs	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." The Board most recently considered this item on 15 May 2019 and stated in the scorecard: 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? This advice item remains open for further Board consideration.
ICANN61 San Juan Communiqué §1.a.VII GDPR and WHOIS (15 March 2018)	Ensure confidentiality of WHOIS queries by law enforcement agencies.	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." The Board most recently considered this item on 15 May 2019 and stated in the scorecard: 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? This advice item remains open for further Board consideration.
ICANN62 Panama Communique §2.a.II Protection of IGO Identifiers (28 June 2018)	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	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place. The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. Should the GNSO Council approve the recommendations at its meeting in June 2022, they will be forwarded to the Board for consideration as well as posted for Public Comment and the GAC notified, prior to any Board action and in accordance with the Bylaws. As required under the Bylaws, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.
ICANN70 Virtual Community Forum GAC Communique §1.a.i EPDP Phase 2 Final Report (25 March 2021)	The GAC advises the Board to consider the GAC Minority Statement and available options to address the public policy concerns expressed therein, and take necessary action, as appropriate.	As per the Board's 12 May 2021 resolution, the Board has considered the GAC's consensus advice to consider the GAC's Minority Statement. As the 12 May 2021 scorecard states, "the Board will consider all relevant public policy concerns, including those raised by the GAC, along with available legal guidance." The Board has considered the GAC's Minority Statement and continues to confer with the GNSO council and Community to determine next steps regarding SSAD related policy issues. The Board continues to consult with the GNSO council on the next steps of the SSAD-related recommendations. The Board sent a letter to the Council on 14 July 2022, informing the Council of the Board's instructions to the Org to proceed with the SSAD Light Design Paper (now known as the WHOIS Disclosure System). The letter is posted at https://www.icann.org/en/system/files/correspondence/botterman-to-fouquart-14jul22-en.pdf. The Board is currently awaiting the Org's deliverance of the WHOIS Disclosure System Design Paper before proceeding with any additional actions regarding this recommendation.

ICANN71 Virtual Policy Forum GAC Communiqué §1.a.i IGO Protections (21 June 2021)	While continuing to welcome work being undertaken by the GNSO in terms of a curative rights protection mechanism for IGOs, the GAC wishes to clarify that the current moratorium on the registration of IGO acronyms should remain in place pending a conclusion to this curative work track. a. The GAC advises the Board: i. to maintain the current moratorium on the registration of IGO acronyms pending the conclusion of the IGO curative work track currently underway (noting that it is expected to conclude within the calendar year).	As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communiqué, the Board "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place. The EPDP team that the Board mentioned in the scorecard completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. Should the GNSO Council approve the recommendations at its meeting in June 2022, they will be forwarded to the Board for consideration as well as posted for Public Comment and the GAC notified, prior to any Board action and in accordance with the Bylaws. As required under the Bylaws, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.
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Additional Information on Items in Phase 4 | Implement (3 Items)

The 5 items in Phase 4 | Implement have all been previously considered by the Board, and the Board directed the ICANN President and CEO to implement the advice. The Board has provided implementation updates as of the inventory accompanying this letter.

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

Advice Item	Advice Text	Actions Taken
ICANN62 Panama Communiqué §1.a.i.	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	The Board notes that the SSAD Operational Design Assessment was delivered to the Board on 25 January 2022 . The Board continues to deliberate on the inputs from the ODA and the SSAD recommendations. The Board continues to engage with the GNSO Council on SSAD-related recommendations in order to determine actions on next steps for these recommendations.

GDPR and WHOIS (28 June 2018)	contracted parties, as quickly as possible; and	The Board continues to consult with the GNSO Council on the next steps to the SSAD related recommendations. The Council sent a letter to the Board on 27 April 2022, requesting that the Board pause the consideration of the SSAD related recommendations and direct the Org to proceed with the SSAD Light Design Paper. The letter is posted at https://www.icann.org/en/system/files/correspondence/fouquart-to-botterman-27apr22-en.pdf . The Board is currently in discussion on the next steps given the Council's request.
ICANN62 Panama Communique §2.a.III Protection of IGO Identifiers (28 June 2018)	Continue working with the GAC in order to ensure accuracy and completeness of IGO contacts on the current list of IGO identifiers.	The GAC has begun to review a proposed mechanism and process for updating the IGO List that the GAC submitted to ICANN in 2013, to ensure that it is as complete as possible, and is maintained in the future, consistent with Advice in the GAC San Juan Communiqué, in response to which the Board had directed a feasibility study.
ICANN64 Kobe Communique 1.a.V. WHOIS and Data Protection Legislation (14 March 2019)	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;	The Board notes that the SSAD Operational Design Assessment was delivered to the Board on 25 January 2022. The inputs from the ODA and the SSAD recommendations continue to be deliberated by the Board. The Board continues to engage with the GNSO Council on SSAD-related recommendations in order to determine actions on next steps for these recommendations. The Board continues to consult with the GNSO Council on the next steps to the SSAD related recommendations. The Council sent a letter to the Board on 27 April 2022, requesting that the Board pause the consideration of the SSAD related recommendations and direct the Org to proceed with the SSAD Light Design Paper. The letter is posted at https://www.icann.org/en/system/files/correspondence/fouquart-to-botterman-27apr22-en.pdf. The Board is currently in discussion on the next steps given the Council's request.
ICANN72 Virtual Annual General Meeting Communique §1.a.1 Board Scorecard on SSR2 Review Final Report	The GAC advises the Board to: Undertake as a matter of priority the follow-up actions needed to support the swift implementation of the Board's scorecard on the Final SSR2 Review Team Report, and to inform the GAC accordingly, including about the corresponding timeline.	On 16 January 2022, the ICANN Board considered the ICANN72 Virtual Annual General Meeting GAC Communique and provided the following response: The Board agrees that addressing the 34 pending recommendations, noted in the scorecard accompanying the Board resolution 2021.07.22.13, in a timely manner is important. As noted in the Board resolution 2021.07.22.13, the Board expects an update within six months of its action (by 22 January 2022) on the status of this effort. For these pending recommendations, ICANN Org is tasked to resolve the actions identified by the Board in the Scorecard and has initiated the process to document the questions that need addressing for the Board to be able to make a final decision. These questions will be provided to the SSR2 Implementation Shepherds in advance of scheduled meetings, held to facilitate the production of answers by the Shepherds. During the call between the Board and the SSR2 Implementation Shepherds on 29 September 2021 (see public record), this process was discussed and the pending recommendations will be organized in groups for convenience: pending/likely to be approved, pending/likely to

(1 November 2021)		be rejected and pending/ additional clarification and information is needed. The outcome of this engagement and of the responses provided by the Shepherds will be taken into account by ICANN org in its analysis to prepare the Board to take further action on the pending recommendations. In total the Board approved 13 Recommendations, subject to prioritization, risk assessment and mitigation, costing, and implementation considerations; Of these 13 recommendations 2 are considered fully implemented. For the fully implemented recommendations, ICANN org will prepare reports of how these recommendations were implemented, to be assessed by the next review team. The remaining approved recommendations are awaiting prioritization and implementation design. Updated information on the status of the SSR2 Approved recommendations is available on the SSR2 webpage. This advice item has been reviewed and considered by the Board and has moved to implementation. Implementation of approved SSR2 recommendations are subject to Org planning.
ICANN72 Virtual Annual General Meeting Communique §1.b.1 Board Scorecard on SSR2 Review Final Report (1 November 2021)	The GAC advises the Board to provide further information on the diverging interpretation by the Board and SSR2 Review Team of the level of implementation of certain recommendations.	On 16 January 2022, the ICANN Board considered the ICANN72 Virtual Annual General Meeting GAC Communique and provided the following response: The Board approved Recommendations 4.1 and 9.1, which were considered already fully implemented based on the measures of success defined by the SSR2 Review Team in its Final Report, and including rationale for its decision as detailed in the Scorecard accompanying the Board action. With regard to Recommendation 4.1, the Board noted that ICANN org already has policies, plans and programs in place through which Recommendation 4.1 has already been implemented. The Board continues its oversight role over ICANN org's risk management efforts and is supportive of ICANN org in continuing the risk management activities and strategy that it is already carrying out. For Recommendation 9.1, the Board noted that the Contractual Compliance operations that ICANN org has in place already meet the SSR2 Review Team's defined measures of success for this recommendation as audits are in place, have been completed and been the subject of public reports. For these recommendations that are deemed to have already been implemented, as well as for all implemented recommendations, ICANN org will prepare and publish reports to detail out how the implementation was accomplished. The Board notes that as a formal matter the Bylaws (Section 4.6(b)(iii)) reserve to SSR3 (or other future SSRs) the role of final assessment of the completion of recommendations from prior SSR reviews. This advice item has been reviewed and considered by the Board and has moved to implementation. Updates regarding the implementation status of SSR2 recommendations may be found at https://www.icann.org/resources/reviews/specific-reviews/ssr.

Additional Information on Items in Phase 5 | Close Request (1 Item)

There is currently 1 GAC advice item 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. The ICANN Board will review items in Phase 5 before moving them to “Closed.”

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

Advice Item	Advice Text	Actions Taken
ICANN66 Montreal Communique 2.b.i Domain Name Registration Directory Service and Data Protection - Phase 2 of the EPDP	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.	The RrSG, RySG and ICANN staff agreed to publish guidelines around the Minimum Required Information for Whois Data Requests. These guidelines offer the minimally required information that should be submitted when requesting data disclosure and also offers where to find the hosting registry/registrar to submit this information. This set of guidelines is available on the RrSG webpage as well as on ICANN's DNS abuse page - www.ICANN.org/dnsabuse . Since the publication and promotion of the guidelines, the ICANN org team has shifted its resources to focusing on the Operational Design Assessment of the GNSO's recommended SSAD. It should be noted, the data from both Contractual Compliance and Global Support do not indicate this lack of centralized intake system to be a significant issue for Internet users. It should be further noted that the standard request form or the SSAD will not circumvent the GDPR or any other applicable legal restriction on registration data access and disclosure. Therefore, since these guidelines provide information on how to request non-public data, we are moving the item to Phase 5 and it will be closed.

Additional Information on Recently Closed Items (8 Item)

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 noted on open items of consensus advice related to the same topic and will be closed out after the Board adopts a scorecard with a response to the follow-up comments. Follow-up to previous advice will not be tracked in phases four or five.

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

Advice Item	Advice Text	Actions Taken
ICANN66 Montreal Communique §1.a.I CCT Review and Subsequent Rounds of New gTLDs (6 November 2019)	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" .	On 12 September 2021, the Board provided a follow-up on previous advice regarding CCT Review and Subsequent Rounds of New gTLDs. The Board stated in their 12 September 2021 scorecard: “Per its resolution of 01 March 2019, regarding the Competition, Consumer Trust and Consumer Choice (CCT) Final Report and Recommendations, the Board noted fourteen recommendations (9, 10, 12, 16, 19, 20, 25, 27, 28, 29, 32, 33, 34, 35) that were neither accepted nor rejected, but communicated, in whole or in part, to the community groups identified in the CCT Final Report for their consideration. Below is an overview to summarize the developments in these recommendations. In its actions on these recommendations, the Board neither accepted, nor rejected the recommendations, as such recommendations related to matters that can only be addressed through community action, notably as the Board does not direct policy work. In practice, this means that the Board, through its decision, stated that consideration of these recommendations is to be made by the community and any potential action initiated by community organizations. For each of these recommendations, while the Board or ICANN org was among the identified groups to which the CCT Review Team directed the recommendation, the Board was careful to respect the remit and roles of the different part of the ICANN community and did not direct ICANN org action that would usurp another group's remit. Therefore, once the Board has taken action of offering the recommendations for community consideration, no further action is to be taken on these recommendations which are considered completed and closed. The Board noted in its rationale accompanying its action on the CCT Final Report: “Passing recommendations through to community groups is not a directive that the groups identified should formally address any of the issues within those recommendations. It is within the purview of each group to identify whether work will be taken on and the topics that the group will address. For transparency, however, it would be helpful to have records or reporting made available to the ICANN community on how the community group considered the items coming out of the CCT-RT. The Board encourages any level of reporting that the groups are able to provide as the ICANN org and Board track action on the CCT-RT's recommendations.” The Board thanks the GAC for its follow up on previous GAC advice concerning the CCT Review and subsequent rounds of New gTLDs. As the GAC noted in its 22 January 2020 response letter to the ICANN Board on issues of clarification of GAC Advice, the portions of GAC Advice that were related to the “passed through” CCT Recommendations have neither been accepted nor rejected. As we have previously committed, the fact that these CCT Recommendations were passed through to the community does not alter the Board's obligations to consider any advice from the GAC

		that impacts the Board’s consideration of the policy recommendations on Subsequent Procedures. The Board’s commitment on this issue was made most recently in May 2021 in a Scorecard responding to the ICANN70 GAC Communique. If the GAC has any remaining questions about topics addressed by recommendations in the CCT Final Report that were not included in the list of recommendations that the Board approved, the GAC may consider posing its own questions to the Board on these subjects (without reference to the CCT recommendations), and the Board stands ready to discuss further with the GAC. While the Board always welcomes and encourages any level of reporting that the groups are able to provide with regard to these recommendations, the Board would also encourage the GAC to continue to take advantage of the GNSO liaison to the GAC, who is primarily responsible for providing timely updates to the GAC on GNSO policy development activities in order to complement the existing notification processes as well answering questions in relation to these (GNSO) activities that GAC members may have. With regards to tracking and implementation of recommendations, as noted in its webinar on 2 June 2021, during the prep week session of ICANN71, ICANN org provided an update on the status of all reviews, including CCT, and noted that it is working to develop a robust and comprehensive reporting mechanism on the recommendations accepted by the Board. In addition, there is also a dedicated webpage on ICANN.org that provides latest information on the status of the CCT Recommendations accepted by the Board: https://www.icann.org/resources/reviews/specific-reviews/cct As the Board noted in its resolution of May 2021 in a Scorecard, responding to the ICANN71 GAC Communique: • The Board understands that ICANN org is continuing with preparatory implementation planning for #5 along with other data collection recommendations. • For #14 & #15, the Board had directed ICANN org to facilitate community efforts to develop a definition of “abuse” to inform further action on this recommendation. The Board has continued to follow the community’s discussions on this and other aspects of DNS abuse mitigation, including the recommendations from the SSR2 Review Team and the recently issued advice from the SSAC. • The Board understands that ICANN org has since completed implementation of #17 and that implementation is in progress for the other accepted recommendations as feasible with existing resources and budget. For those which require additional resourcing to implement, these will be subject to the prioritization and planning process under development for the community to consider the numerous recommendations from review teams and other efforts such as Work Stream 2, and how to organize and resource the work.
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		#9 and #12 were communicated to the GNSO as they concern gTLD policy development within the GNSO's remit. The Board has received the GNSO Council's Recommendations Report on RPMs and SubPro and will consider the final report and recommendations." Based on this, this item is considered completed and will be moved to Phase 5 and closed.
ICANN66 Montreal Communique Follow-up 1 Protection of the Red Cross and Red Crescent Designations and Identifiers (6 November 2019)	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.	On 26 January 2020, the Board considered the Montreal Communique and provided this response in its scorecard: "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/en/public-comment/proceeding/implementation-plan-for-the-gnso-consensus-policy-relating-to-the-protection-of-certain-red-cross-names-23-10-2019. 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. 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. 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." This item is considered complete as of the Board's consideration of 26 January 2020.

ICANN66 Montreal Communique Follow-up 2 IGO Protections (6 November 2019)	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.	On 26 January 2020, the Board considered the Montreal Communique and provided this response in its scorecard: “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.” This item is considered complete as of the Board’s consideration of 26 January 2020.
ICANN66 Montreal Communique Follow-up 3 Domain Name Registration Directory Service and Data Protection (6 November 2019)	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.	On 26 January 2020, the Board considered the Montreal Communique and provided this response in its scorecard: “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.” This item is considered complete as of the Board’s consideration of 26 January 2020.
ICANN70 Virtual Community Forum Follow-up 1 CCT Review and Subsequent Rounds of New gTLDs (25 March 2021)	The GAC is seeking a coordinated approach on the implementation of the specified Recommendations from the CCT Review ahead of the potential launch of a new round of gTLDs. Pursuant to GAC advice issued in Montréal (ICANN66), related correspondence with the ICANN Board and subsequent discussions, the latest on 23rd March during ICANN70, the GAC looks forward to be periodically updated on the ongoing consideration of the above mentioned advice, and, in particular, the Recommendations marked as "prerequisite" or "high priority", namely: 1, 5, 7, 9, 11, 12, 14, 15,	On 12 May 2021, the Board took action on this advice. In the scorecard, the Board stated: "The Board thanks the GAC for its follow up on previous GAC advice concerning the CCT Review and subsequent rounds of New gTLDs. The Board agrees with the utility of adopting a coordinated approach on implementing the CCT recommendations highlighted by the GAC as well as periodic updates to the GAC. In this regard, the Board notes that its consideration of these follow-up items from previous GAC advice is being done in conjunction with its review of other relevant community work. In particular, the Board refers the GAC to the correspondence exchanged following the ICANN66 Montreal Communique, including: (1) the GAC’s January 2020 acknowledgment that certain recommendations can only be implemented when a new round of gTLDs is launched; and (2) the Board’s February 2020 letter that noted its inability to act on the GAC advice until it has completed its consideration of all the CCT recommendations as well as those from the GNSO’s New gTLD Subsequent Procedures (“SubPro”) and Review of All Rights Protection Mechanisms (“RPM”) PDPs. Since that letter, the GNSO Council has approved both the RPM and SubPro PDP Final Reports, and these are currently pending before the Board.

	16, 17, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35; for example through a tracking tool that identifies the status of each Recommendation in terms of who is taking it forward, how it will be implemented and when it is expected to be completed, particularly in regard to Recommendations attributed to the Organisation and the ICANN Community (in addition to the Board). The GAC also recalls its advice to the Board in the Helsinki Communiqué that "An objective and independent analysis of costs and benefits should be conducted beforehand, drawing on experience with and outcomes from the recent round." Such analysis has yet to take place. In this regard, the GAC notes that the Operational Design Phase may provide the opportunity for this analysis to assist the Board as it considers whether a second round of New gTLDs is in the interest of the community as a whole.	Regarding a status update, the Board updated the GAC at ICANN70 on the status of the CCT Recommendations highlighted by the GAC as follows: March 2019: The Board accepted six of the CCT Review Team's recommendations, including #1 (promote ongoing data collection), #17 (collect data about the chain of parties responsible for domain registrations), #21 (enhance Compliance reporting), #22 (engage stakeholders on best practices regarding security of health and financial information), #30 (expand outreach into the global south) & #31 (pro bono assistance program for new gTLDs). • The Board understands that ICANN org has since completed implementation of #17 and that implementation is in progress for the other accepted recommendations as feasible with existing resources and budget. • For those which require additional resourcing to implement, these will be subject to the prioritization and planning process under development for the community to consider the numerous recommendations from review teams and other efforts such as Work Stream 2, and how to organize and resource the work. October 2020: The Board further accepted an additional 11 recommendations, including #7 (collect information on parking practices), #11 (conduct periodic end-user surveys), #23 (collect data on highly-regulated sectors) and #26 (study cost of trademark protections in expanded gTLD space). • The Board understands that ICANN org has begun implementation planning for these accepted recommendations, including considerations of the resources that will be required to implement them. #9, #12, #16, #25, #27, #28, #29, and #32-35 were passed through to the GNSO as they concern gTLD policy development within the GNSO's remit. • The Board has just received the GNSO Council's Recommendations Report on RPMs and SubPro. As part of its consideration of the final recommendations from these PDPs, the Board will review the extent to which they address the relevant CCT recommendations. The final three recommendations highlighted by the GAC remain in pending status: #5 (collecting secondary market data), #14 & #15 (recommendations relating to negotiating and amending ICANN's contracts with registries and registrars relating to anti-abuse measures and to prevent systemic use of Contracted Parties for DNS security abuse). • The Board understands that ICANN org is continuing with preparatory implementation planning for #5 along with other data collection recommendations. • For #14 & #15, the Board had directed ICANN org to facilitate community efforts to develop a definition of "abuse" to inform further action on this recommendation. The Board has continued to follow the community's
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		discussions on this and other aspects of DNS abuse mitigation, including the recommendations from the SSR2 Review Team and the recently issued advice from the SSAC. Regarding a cost-benefit analysis, the Board expects that, in delivering recommendations to the Board, the community will have reached consensus utilizing the multistakeholder policy development process. The Board carefully follows the community's policy-making processes and, where appropriate, engages with PDPs via liaisons. With the new Operational Design Phase (ODP), the community will have additional visibility into the Board's assessment of policy recommendations before it takes action on those recommendations. The Bylaws obligate the Board to consider the best interests of ICANN and the ICANN community when taking action on PDP recommendations. The Board accepted the GAC's advice from the Helsinki Communique, noting that the Board is not in a position to manage the content and timeline of ongoing community reviews. The Board recognized at the time that the CCT Review Team was concluding its work and understood that the Review Team was looking at the issues noted in the GAC's advice, and anticipated that such recommendations from the Review Team could be incorporated into the policy development work on subsequent rounds of the New gTLD Program. Many of these recommendations from the CCT review were passed through to community groups and have now been considered by the Subsequent Procedures PDP Working Group, as detailed in the Final Report." The Board considered these items on 12 May 2021 and adopted a scorecard. Based on this, this item is considered complete and will be moved to closed.
ICANN70 Virtual Community Forum Follow-up 2 IGO Identifiers (25 March 2021)	While the GAC welcomes the new GNSO Work Track on Curative Rights, the GAC recalls prior GAC Advice (e.g., from Johannesburg and Panama) and ICANN agreement on a moratorium for new registrations of IGO acronyms ahead of a final resolution of this issue.	On 12 May 2021, the Board took action on this advice. In the scorecard, the Board stated: "The Board thanks the GAC for its follow up on previous GAC advice concerning IGO curative rights protections. The Board also thanks the GAC and IGO representatives for their participation in the ongoing IGO Work Track and looks forward to receiving and considering any policy outcomes that may be developed through Work Track consensus and approved by the GNSO Council. As noted in the Board's 23 February 2021 letter to the GAC that followed the Board-GAC Consultation Process call held on 1 February, the Board will maintain the interim reservations currently in place for IGO acronyms until the permanent post-registration notification system that the Board intends to direct ICANN org to develop for IGOs is in place. This proposed mechanism will form part of the totality of IGO protections when combined with the existing Consensus Policy that protects IGO full names and the final outcomes of the GNSO's IGO Work Track.

		The Board notes, additionally, that ICANN org is currently doing further analysis on the potential implications for trademark law should specific protections be developed and approved that are based on a defined list of IGO names and acronyms." The Board considered these items on 12 May 2021 and adopted a scorecard. Based on this, this item is considered complete and will be moved to closed.
ICANN72 Virtual Annual General Meeting Follow-up 1 Domain Name Registration Directory Service and Data Protection (1 November 2021)	In response to the GAC Montreal Communiqué, the Board accepted the GAC's advice 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." The GAC would welcome the Board providing an update on these three efforts. In particular, the GAC observes that information on how to make a request for non-public data does not appear to be prominently located or easy to find on ICANN's website. The GAC also recognizes that the contracted parties have developed guidance on the Minimum Required Information for	Following acceptance by the Board, ICANN org collaborated with the gTLD Registries Stakeholder Group (RySG) and the Registrars Stakeholder Group (RrSG) regarding a standard form as requested by the GAC. The contracted parties recommended against such a form, due to the variety of request intake mechanisms, e.g. emails, webforms. Instead the Registrars agreed to produce and publish a standard set of suggested information -- the Minimum Required Information for Whois Data Requests -- that third parties should provide to contracted parties when requesting non-public registration data. This set of guidelines is available on the RrSG webpage as well as on ICANN's DNS abuse page - www.ICANN.org/dnsabuse. The pursuit of a standardized form for requests touches on the desire for a centralized intake system for requests. The SSAD recommended by the GNSO would include such a system. Since the publication and promotion of the document by the RrSG, the ICANN org team has shifted its resources to focusing on the Operational Design Assessment of the GNSO's recommended SSAD. It should be noted, the data from both Contractual Compliance and Global Support do not indicate this lack of centralized intake system to be a significant issue for Internet users. In a survey of Contracted Parties' for the SSAD ODP, a majority of respondents (101 Contracted Parties representing more than 160 million domains under management) reported receiving less than 10 requests for non-public registration data a month. In 2020, 11 reported receiving 10-50 requests per month, and 8 reported receiving 40-149 requests per month. For additional information regarding the SSAD ODP survey, please see our September 2021 presentation. It should be further noted that the standard request form or the SSAD will not circumvent the GDPR or any other applicable legal restriction on registration data access and disclosure. Also, legislative developments, such as the possible extension of the "know your business customer" obligation to registries and registrars through the EU Digital Services Act (currently under negotiation), could affect 3rd Party requests for access to nonpublic registration data (RDDS/Whois) pursuant to ICANN policy and contractual

	Whois Data Requests and notes that relevant stakeholders would also benefit from the prominent display of this information in the relevant section of ICANN's website.	requirements. This is because similar information would be collected and access would be provided pursuant to this legislation. The SSAD ODP team recently briefed the GNSO council on the estimated costs and fees associated with an SSAD design. The briefing marks the end of the org's design work and the beginning of a consultation process the GNSO Council requested with the Board on the costs and benefits of an SSAD. A December blog summarized the meeting. The SSAD ODP team provided a similar presentation during a 11 January GAC briefing. As noted in the December blog, the Board will discuss the next steps during the upcoming January Board workshop, and engage with the Council on the planned formal consultation following a community webinar on 18 January, that will expand upon the findings presented to the GNSO Council. The ODP was completed in February 2022 with the submission of ODA to the Board on 25 January 2022. Based on this, this item is considered complete and will be closed.
ICANN72 Virtual Annual General Meeting Follow-up 2 EPDP Phase 1 Policy Implementation (1 November 2021)	The GAC notes its previous advice within the ICANN66 Montréal Communiqué and the follow-up on previous advice in the ICANN70 and 71 Communiqués with regard to Phase 1 of the EPDP on gTLD Registration Data and the request for "a detailed work plan identifying an updated realistic schedule to complete its work." The GAC highlights with "continued concern that the Phase 1 Implementation Review Team (IRT) lacks a current published implementation timeline."	The Board appreciates the interest of the GAC in this work, and has shared updates on multiple areas of the EPDP Phase 1 policy implementation, noted below. Outstanding work on implementation of the Phase 1 recommendations includes completing the draft of the gTLD Registration Data Policy and a proposed implementation timeline to be shared for public comment, including the anticipated implementation time for contracted parties. ICANN org and a CPH discussion group are also developing a draft Data Processing Specification, pursuant to EPDP Phase 1, Recommendation 19. EPDP Phase 1, Recommendation 19 recommended that ICANN and the contracted parties negotiate and enter into required data protection agreements, as appropriate. The current thinking is that this Specification will be published for public comment along with the Registration Data Policy. To be clear, these data processing specifications will not change the current paradigm where the Contracted Party must make the decision to disclose the data to a requestor, as this is a function of complying with GDPR (and other relevant data privacy regulations). In regard to the timeline, the org has continued to work with the community and Board on clarifying and documenting the implementation requirements for some key recommendations, including Recommendation 7 on transfer of data, and Recommendation 12 on the organization field. The progress on these

		recommendations will help clear the way for several other implementation tasks, and puts the team in a better position to develop and share a meaningful timeline. The progress of the org with the contracted parties on data protection agreements continues to be a priority item for both sides to drive to completion. Recently the representatives from the contracted parties and ICANN org met for several hours over the course of multiple days to further this work. Milestones remaining for implementation of the policy include: -Completion of the draft data protection specification -Completion of the draft Registration Data Policy -Completion of draft updates to existing policies and procedures impacted by the Phase 1 recommendations. -Completion of a public comment period on the implementation plan consisting of the above elements. -Updates as needed to incorporate input received in public comments. -Announcement of effective date. The Board understands that the org is also in the process of developing additional status tracking resources to be available for this project. The Board also notes that the Interim Registration Data Policy is in place while the Phase 1 implementation is in progress, which means a number of substantially similar provisions are already in place, including in some cases, requirements that are greater than what will be required by Phase 1. More generally in regards to discussions across the community at ICANN72 and specifically with the GAC the Board notes concerns regarding timelines for implementation or completion of certain work items. The Board and Org share these concerns as the extended timelines require more resources from ICANN as well as the community volunteers. When reviewing some of the on-going projects, some key themes do emerge, including the challenges that arise with community recommendations that are ambiguous, or where the community is not aligned on the path of implementation. These scenarios add significant time and complexity to implementation work. The Board urges the GAC, as a participant in the processes that yield community recommendations, to work with the respective community groups to achieve clarity and alignment across the community of what recommendations will institute regarding requirements or obligations. Based on this, this item is considered complete and will be closed.
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