
GAC Opening Plenary Session

Session # 1 - Opening Plenary

Session Objective

The GAC Opening Plenary Session is the first formal opportunity for GAC participants to gather, introduce themselves and prepare for the ICANN Public Meeting week. During this session the GAC Chair also typically (1) provides a “state of the committee” review, (2) summarizes the GAC meeting agenda for the week and (3) identifies topic highlights and priority matters that merit GAC Member focus and attention.

Session Agenda

During this ICANN81 opening session, the GAC Chair will welcome in-person and remote attendees, highlight particular aspects of the meeting week agenda and share logistical information to help all attendees participate effectively during the meeting week. It is traditional for a representative of the government of the country hosting the ICANN public meeting to offer brief welcoming remarks during the opening plenary session.

The Chair will also highlight a number of substantive and operational matters that the committee is currently addressing and identify a number of work efforts that will attract committee attention in the coming months.

In this hybrid meeting format the committee will also engage in the traditional “tour de table” ceremony during which all GAC delegates will be invited to introduce themselves. First, in-person delegates will identify themselves, followed by remote participants who raise their hands remotely to indicate their desire to speak. Delegates will be invited to share comments on their meeting goals and expectations.

Time permitting, GAC members will review the Communiqué drafting process for ICANN81. The process has progressively evolved in the past several years and attendees will be familiarized with how some of those recent innovations will be encompassed for this public meeting.

Recent Developments

GAC Chair Reporting

Time permitting, the GAC Chair will likely report on recent discussions among ICANN Community leaders from other ICANN Supporting Organizations and Advisory Committees and recent communications among the Board-GAC Interaction Group (BGIG).

Since ICANN81, the GAC has provided written public comment to the ICANN community regarding proposed fundamental bylaw amendments related to the ICANN Grant Program, the draft ICANN Strategic Plan and Operating Plan for FY26 - FY30, and the second proceeding for proposed language for draft sections of the Next Round Applicant Guidebook. Copies of those filed comments are archived on the GAC Public Comments activity page at this link - <https://gac.icann.org/activity/gac-public-comment-opportunities>.

Since ICANN81, the GAC has also sent and received written correspondence regarding various matters of importance to GAC members including the GAC ICANN80 Communique (ICANN Board and GNSO), New gTLD Next Round Applicant Support Program (ICANN Board and ALAC), mechanisms of last resort and private resolution of contention sets in New gTLDs (e.g., auctions)(ICANN Board), and urgent requests for domain name registration data (ICANN Board). Incoming and outgoing correspondence documents related to those matters and others since ICANN81 are posted and tracked on a special web page of the GAC website which can be accessed here - <https://gac.icann.org/advice/correspondence/>.

Key Reference Documents

- GAC Public Comment Opportunities Web Page - <https://gac.icann.org/activity/gac-public-comment-opportunities>
- GAC Correspondence Web Page - <https://gac.icann.org/advice/correspondence/>

Document Administration

Title	ICANN81 - Session #1 - GAC Opening Plenary Session
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GAC Strategic Planning and Operational Matters

Session 2

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Session Objective

The GAC Leadership will report on committee progress regarding the GAC four-year strategic plan and the Committee's 2024-25 Annual Plan endorsed by the GAC in the GAC ICANN80 Kigali Communiqué.

Leadership Proposal for GAC Action

1. Consider the progress made in achieving the Expected Outcomes per the GAC Annual Plan 2024/2025 and as being reported in the [GAC Annual Plan Progress Tracker](#)

Progress Status Summary

Role of Gov. in ICANN	Effectiveness of the GAC		Future Rounds of New gTLDs	DNS Abuse	Domain Registr. Data	Universal Accept.	New Technology	Internet Gov.	Number Resources
1	2		3	4	5	6	7	8	9
1.1	2.1	2.5.1	3.1	4.1	5.1.1	6.1	7.1	8.1.1	9.1
1.2	2.2	2.5.2	3.2	4.2	5.1.2	6.2	7.2	8.1.2	9.2
1.3	2.2.1	2.5.3	3.3	4.3	5.1.3	6.3	7.3	8.1.3	9.3
1.4	2.3.1	2.5.4	3.4	4.4	5.2	6.4	7.4	8.2.1	
1.5	2.3.2	2.6.1	3.5	4.5	5.3	6.5	7.5	8.2.2	
	2.4.1	2.6.2		4.6	5.4	6.6.1		8.2.3	
	2.4.2	2.6.3				6.6.2		8.2.4	
						6.6.3			

Legend	 On Track	 Complete
	 Not Started	 Challenged

Background

The role of the GAC, as provided in the ICANN Bylaws¹, has traditionally led to the GAC adopting a generally reactive posture, conducting its work and providing advice or policy input in reaction to developments in various ICANN processes.

In some instances, such a posture has led to unsatisfactory outcomes for governments, for participants in the ICANN community or for the ICANN Board. This was particularly the case during the preparation and launch of the 2012 round of New gTLDs. Based on this experience, and in connection with governments' concerns regarding priority ICANN issues such as New gTLDs, Registration Data and DNS Abuse Mitigation, GAC leaders and volunteers have adopted a more proactive stance, aiming to drive and align ICANN policy outcomes with the public policy interests of governments.

Building on this evolution, the GAC Leadership is seeking to cement a level of proactivity in GAC activities, in a more systematic fashion, with a view to increasing the Committee's readiness to provide timely and effective advice and policy input. To this end, in early 2024, the GAC Chair has invited GAC Topic Leads, GAC Working Group leaders and representatives of the GAC in various ICANN processes, to consider, in their respective areas of expertise, what should be the strategic priorities and objectives of the Committee for the foreseeable future.

The GAC Chair and Vice-Chairs proposed a set of 8 strategic priority areas, drawing from deliberations of the GAC over the recent past, as reflected in GAC Communiqués and the [GAC Action/Decision Radar](#). Based on subsequent GAC discussions, the following strategic priority areas were agreed upon:

- Role for Governments in ICANN
- Effectiveness of the GAC
- Future Round of New gTLDs
- DNS Abuse
- Domain Registration Data
- Universal Acceptance
- New Technology
- Internet Governance
- Internet Number Resources

For each of these areas, the GAC considered a set of Strategic Objectives to support a more proactive stance of the Governmental Advisory Committee in ICANN deliberations. These objectives were also expected to provide an opportunity for governments to discuss and align their interests within the GAC, and serve as a vehicle for communicating the GAC's priorities with higher

¹ See [ICANN Bylaws](#), section 12.2(a)

levels of governments and ICANN stakeholders. They are laid out in the [GAC 4-year Strategic Plan 2024-2028](#) which was endorsed by the GAC in its [Kigali Communiqué](#) (17 June 2024).

Further to these strategic objectives, the GAC considered and developed Expected Outcomes in a corresponding [2024/2015 GAC Annual Plan](#).

Recent Developments

As part of coordinating and tracking the implementation of the [2024/2015 GAC Annual Plan](#), in collaboration with relevant GAC Topic Leads, the GAC Leadership decided to assign each strategic priority areas to one of the GAC Chair and Vice-Chairs to act as “caretaker”, who are either directly involved in the delivery of the GAC’s Expected Outcomes or engaged with the relevant GAC Topic Leads.

The GAC Chair and Vice-Chairs, with the assistance of relevant GAC Topic Leads and the GAC Support Team, are keeping track of progress toward achievement of the Expected Outcomes in the [GAC Annual Plan Progress Tracker](#).

This new tool aims to provide a summary view of progress across all Expected Outcomes identified in the [2024/2015 GAC Annual Plan](#), including progress status:

- **On Track:** Work ongoing and expected to lead to achievement of the Expected Outcomes
- **Complete:** Expected Outcome in the Annual Plan achieved
- **Challenged:** External factors are impeding progress toward Expected Outcomes
- **Not Started**

The GAC Annual Plan Progress Tracker also provides, for each Expected Outcomes, detailed information regarding:

- Notable developments and deliverables,
- Work ongoing or envisioned, and
- Relevant reference documentation

GAC Members are invited to use, review and, where appropriate, comment on the GAC Annual Plan progress Tracker at any time. During this ICANN81 plenary session, the GAC Chair and Vice-Chairs will provide highlights on progress achieved to date.

Document Administration

Title	ICANN81 GAC Session Briefing - GAC Strategic Planning
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GAC Capacity Development Sessions (CDS)

Sessions 3,4&5

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Session Objective

As per each ICANN public meeting, the GAC will devote time on its schedule to capacity development matters related to issues of interest expressed by the committee.

Background

Since its inception, the Under-Served Regions Working Group (USRWG) organized and conducted eight workshops from January 2017 to June 2018, at ICANN Meetings or intersessionally. As a result, the WG developed process-related tools, including workshop planning and reporting templates, and pre- and post-workshop evaluation survey frameworks to ensure effectiveness and efficiency.

Subsequently, as the GAC emerged from more than two years of virtual meetings due to the COVID 19 pandemic, many GAC participants expressed the need for in-person capacity building and information sharing.

The WG resumed organizing capacity development workshops in the margin of ICANN Meetings, for one or two days depending upon the meeting format (community forum/annual general meeting (6 days), policy forum (4 days)), and producing [workshop reports](#).

The current capacity development sessions are built to provide an opportunity for GAC participants to learn the basics or increase their knowledge on aspects of the ICANN multistakeholder model, its structure, and operations. It is also an opportunity for GAC attendees to become acquainted with different ICANN community groups in order to facilitate future dialogue, and to share experiences and best practices to enhance GAC internal collaboration on various ICANN matters.

Recently, capacity development sessions have been embedded in the GAC schedule for ICANN public meetings as a regular activity of the GAC, and are no longer scheduled to take place on the margins of ICANN meetings.

Once capacity development sessions take place, a survey is circulated to the GAC for feedback, suggestions and topic proposals in order to plan for the next iteration of capacity development activities. The survey results are often appended to the post-ICANN meeting capacity development activities report, developed by the USRWG co-chairs, Karel Douglas (Trinidad and Tobago) and Tracy Hackshaw (UPU), and support staff.

Following the ICANN meeting, USRWG co-chairs submit a call for volunteers to join the CDS planning team which will assess the results from the post-capacity development activities survey and develop the agenda for the next GAC capacity development sessions. Past capacity development session reports can be found on the [GAC USRWG webpage](#).

Current Status and Recent Developments

Capacity development activities play an important part in the work of GAC Under-Served Regions Working Group for the committee.

In light of the high engagement demonstrated by members, the USRWG should continue exploring new modalities to enhance capacity development initiatives through webinars and workshops, intersessionally and during ICANN meetings.

As a preliminary step, the USRWG should be updating its 2025/2026 work plan, for potential endorsement at ICANN81, in order to reflect such an approach and to implement and leverage some of the [strategic objectives](#) (SO2) of the GAC.

- **ICANN81 GAC Capacity Development Sessions**

In Istanbul, two capacity development sessions of the GAC will focus on regional discussions from the Middle East and African regions, regarding topics of interest such as the Next Round of New gTLDs, the Applicant Support Program (ASP), Universal Acceptance and the Internet Coordination Policy 2 (ICP-2) Version 2 Principles Review.

The third session will be dedicated to a language breakout session, where GAC participants will have the opportunity to discuss the strategic objectives of the GAC from a regional standpoint, identifying potential concerns or challenges, and how they can leverage and make progress collaboratively.

Key Reference Documents

- [GAC Under-Served Regions Working Group](#)
- [ICANN81 GAC Strategic Planning Briefing](#)

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GAC Meeting with the Root Server System Advisory Committee (RSSAC)

Session 6

Session Objective

The GAC will be meeting with the Root Server System Advisory Committee (RSSAC) in order to facilitate future dialogue. It is intended to introduce the operations of the root server system.

Background

The RSSAC advises the ICANN community and the Board on matters relating to the operation, administration, security, and integrity of the Root Server System (RSS).

The RSSAC consists of representatives from the root server operator organizations and liaisons from the partner organizations involved in the technical and operational management of the root zone.

The [RSSAC Caucus](#) is composed of Domain Name System experts who have an interest in the RSS and who broaden the base of diverse technical expertise available for RSSAC work.

The primary role of the RSSAC Caucus is to perform research and produce publications on topics relevant to the mission of the RSSAC.

Key Reference Documents

- [RSSAC webpage](#)
- [Slide deck - Understanding the DNS Root Server System](#)

Document Administration

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GAC Discussion on New gTLD Program Next Round

Sessions 7 & 8

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Session Objective

GAC Members to discuss matters pertaining to the New gTLD Program: Next Round, to identify issues of concern and thus assess whether language in the Communiqué and/or GAC advice should be issued at ICANN81 on GAC priority topics.

The **first** session will focus on two briefings by GAC representatives and ICANN org to the GAC, the first one on the Implementation Review Team (IRT) state of play, including recent developments, next steps and Board actions, followed by a briefing on the Applicant Support Program (ASP). This latter session will also include an update on the ICANN Engagement Programme with respect to the ASO.

The **second** session will focus on policy matters including next steps following the Board/GAC Consultation Processes on ICANN77 and ICANN80 Advice on Auctions. GAC members will also discuss potential GAC advice and GAC communiqué language on priority issues pertaining to new gTLDs.

The second session will also allow an opportunity for discussion of other new gTLD issues such as fees and Community Applications.

Leadership Proposal for GAC Action

1. GAC Members to discuss the Applicant Support Program and next steps in preparation for the next round of new gTLDs.
2. GAC Members receive an update on the Implementation Review Team (IRT) in preparation for the next round of new gTLDs, including the timeline.

3. GAC Members to consider any action in response to recent Board decisions/actions on GAC priority topics as outlined in the following documentation:
- a. Board follow-up on Board-GAC Bylaws Mandated Consultation Processes on GAC Advice:
 - [Follow-up](#) on 3 September 2024 Board-GAC Consultation regarding ICANN77 GAC Advice Item 4.a.i (Auctions) (3 October 2024)
 - [Update](#) following Board-GAC Bylaws Consultation on ICANN80 GAC Advice on the New gTLD Applicant Support Program (ASP) (3 October 2024)
 - b. Board-GAC Bylaws Mandated Consultation Processes on GAC Advice:
 - Auctions: Mechanisms of Last Resort/Private Resolutions of Contention Sets in new gTLDs (3 September 2024): [materials](#) including call notes, briefing, recording and slides.
 - Applicant Support Program (ASP) (16 September 2024): [materials](#) including call notes, briefing, recording and slides.
 - c. [Board Action on ICANN80 GAC Advice](#) (29 July 2024), in response to the ICANN80 Kigali Communiqué, which includes responses to GAC advice:
 - on Applicant Support Program, and the decision to kick-off a [Board-GAC Consultation process](#) on said advice item.
 - Auctions of Last Resort: including the decision to kick off a Community Dialogue on Auctions. To help inform the community, the Board directed ICANN org to manage, moderate, and facilitate the community dialogue and to provide the community with a [framework paper](#) that provides all relevant considerations around the resolution of contention sets. This dialogue took place in August 2024, and the [readout](#) can be found here.
 - [Board Action on ICANN79 GAC Advice](#) (5 May 2024), in response to the ICANN79 San Juan Communiqué, which includes responses to GAC advice and follow-up to previous GAC advice on:
 - Applicant Support Program (ASP)
 - Urgent Requests for Disclosure of Registration Data
 - d. [ICANN Board Proposed Path Forward for the GAC Consensus Advice in the ICANN80 Kigali GAC Communiqué](#) (23 July 2024)
 - e. [October 2023 Board Scorecard: Subsequent Procedures \(SubPro PDP\)](#) (26 October 2023), intended to facilitate the Board's consideration of the recommendations, affirmations, affirmations with modification, and implementation guidance (collectively Outputs) contained in the [“Final Report on the New gTLD Subsequent Procedures Policy](#)

[Development Process](#)” (Final Report) that were listed as in Section D “Pending” in the September 2023 Scorecard: Subsequent Procedures (September 2023 Scorecard).

- f. [September 2023 Board Scorecard: Subsequent Procedures \(SubPro PDP\)](#) (10 September 2023), (September Scorecard) which includes Board decisions on pending SubPro PDP WG Recommendations, issued in September. Please note this scorecard does not replace the March 2023 scorecard, but needs to be reviewed in parallel to the March 2023 Scorecard for a full picture on Board actions.
- g. [March 2023 Board Scorecard: Subsequent Procedures \(SubPro PDP\)](#) (16 March 2023) (March Scorecard), intended to facilitate the Board's consideration of the recommendations, affirmations, affirmations with modification, and implementation guidance (collectively “Outputs”) contained in the [Final Report on the New gTLD Subsequent Procedures Policy Development Process](#) (Final Report). The scorecard includes Board decisions on:
 - Outputs that the Board adopts;
 - Outputs that the Board adopts;
 - Outputs that the Board adopts with GNSO Council-Approved clarifications; and
 - Recommendations that the Board does not adopt at this time.

Current Status and Recent Developments

On 16 March 2023, the Board [resolved](#) to instruct ICANN org to begin the implementation of all Final Report Outputs detailed in Section A of the "[Scorecard on Subsequent Procedures PDP](#)" (March Scorecard) and to make available resources required for the successful and timely opening of the next round of new gTLDs. The ICANN Board approved ninety-eight (98) recommendations contained in the Final Report on the New gTLD Subsequent Procedures Policy Development Process, and marked the remaining thirty-eight (38) recommendations as “pending”.

The Board further directed ICANN org to deliver a comprehensive implementation plan to the Board no later than 1 August 2023, containing a work plan, relevant information for the Infrastructure Development stream, timelines and anticipated resource requirements to announce the opening of the next round of new gTLDs. ICANN org delivered the [implementation plan](#) for opening the next round of applications for new generic top-level domains (gTLDs), and on its [resolution](#) approved on 27 July 2023, the Board acknowledged receipt of the plan and directed ICANN org to provide the Board with periodic updates on its progress on program implementation, as well as to continue to prepare information for the Board Finance Committee on periodic requests for implementation funding as implementation work progresses through identified milestones. A [status update](#) on the New gTLD Program: Next Round was published by ICANN org on 30 September 2024.

The Board engaged with the GNSO Council on items marked as “pending”, and following this interaction the GNSO Council transmitted to the Board the [New gTLD Subsequent Procedures Pending Recommendations - GNSO Council Clarifying Statement](#) (Clarifying Statement) on 5

September 2023, developed by the GNSO Council SubPro Small Team to address the Board's concerns on the pending Outputs. The GNSO Council noted the Clarifying Statement should be read as complementary to recommendations as stated in the Final Report and should be considered jointly with the Outputs for the purpose of implementation and operation of the New gTLD Program Next Round.

In September 2023, the ICANN Board published several documents of interest to the GAC pertaining to new gTLDs. Relevant sections of these documents are summarized below for GAC membership ease of reference.

On 10 September 2023, the ICANN Board published the [September 2023 Scorecard: Subsequent Procedures PDP](#), i.e. an updated Board Scorecard on the SubPro PDP WG recommendations marked as “pending” in the Board Resolution on 16 March 2023.

The Board also published on 10 September 2023 the [Board Scorecard on ICANN77 GAC Advice](#), outlining Board decisions following the issuance of GAC advice at ICANN77.

On 21 September 2023, the Board published the [Board Scorecard on ICANN77 GAC Issues of Importance](#), outlining its comments and decisions on the GAC ICANN77 Issues of Importance following the Board-GAC Interaction on this topic.

The Board published on 26 October 2023 the [October 2023 Board Scorecard: Subsequent Procedures \(SubPro PDP\)](#), outlining Board decisions on pending recommendations from the SubPro PDP WG Final Report.

On 11 June 2024 the ICANN Board published the [June 2024 Scorecard: Subsequent Procedures Supplemental Recommendations](#). This June 2024 Scorecard: Subsequent Procedures Supplemental Recommendations (Supplemental Recommendations Scorecard) is intended to facilitate the Board's consideration of the [GNSO Council-approved Supplemental Recommendations](#).

GAC members may wish to review in detail the [Board Action on ICANN80 GAC Advice](#) (29 July 2024), in response to the ICANN80 Kigali Communiqué, which includes responses to GAC advice: , to determine whether GAC action should be taken at ICANN81, either through a dialogue with the ICANN Board at the GAC/Board bilateral meeting and/or via the issuance of GAC advice to the Board.

1. Board Follow-up on GAC-Board Consultation Process on ICANN77 Advice (Auctions)

A Board-GAC Consultation Call was held on [3 September 2024](#).

The Board, in its resolution of [6 June 2024](#), had initiated the Bylaws-mandated Board-GAC Consultation process to find a mutually acceptable solution regarding GAC Advice Item 4.a.i from the [GAC ICANN77 Washington, D.C. Communiqué](#), which advised the Board to:

“To take steps to avoid the use of auctions of last resort in contentions between commercial and non-commercial applications; alternative means for the resolution of such contention sets, such as drawing lots, may be explored.”

This advice is directly related to GAC Advice Item 2.a.ii from the [ICANN80 Kigali Communiqué](#), in which the GAC advised the Board to:

“To urgently initiate a focused community-wide discussion (including with the GAC and ALAC) on the resolution of contention sets, with a view to finding alternatives to private auctions and ICANN auctions of last resort, before the ICANN Board takes any action in a manner that may be inconsistent with the ICANN77 Washington D.C. Communiqué GAC Consensus Advice.”

This [community-wide discussion](#) was held on 13 and 14 August 2024, and the Board considered the results of that discussion as well as the results of the 3 September 2024 Consultation Call at its workshop in Los Angeles on 6-8 September 2024. As communicated in the [13 September 2024](#) letter to the GNSO Council and the [16 September 2024 blog](#), during the Los Angeles workshop, the Board focused its discussion on how to move forward on three items:

- (1) the extent to which applicants should be able to organize private agreements to resolve contention;
- (2) whether, and if so, how to provide less well-resourced applicants a chance to obtain a desired string if they are in a contention set; and
- (3) whether to rely on ICANN auctions using the ascending-clock second-price methodology to resolve contention or to adopt an alternate methodology such as Vickrey auction, or even a raffle.

Considering the GAC’s advice and other diverse input received from across the ICANN Community as well as ICANN's responsibility to act in the global public interest, the Board decided to take a holistic approach to contention resolution in the Next Round. As a result, the Board aligned on a path forward as follows:

1. No private resolution: Private resolution of contention sets will not be permitted during the Next Round. As pointed out in the NERA report, joint ventures constitute a form of private resolution for which “it would be necessary to allow side payments to promote good faith joint ventures”. Therefore, to achieve the goal of prohibiting private resolution, the Board will have to reverse its adoption of the SubPro recommendation 20.6.

2. Ability to submit alternate strings: The Board views the ability to submit an alternate string at the time of application as a path to reduce the number of contention sets, providing more applicants with the ability to operate a gTLD. This may be particularly of interest to less-well-resourced applicants who, if in contention, are less likely to prevail in an auction. The Board is aware that the SubPro PDP WG considered string changes after the application window closes but did not include a recommendation to permit this as this would “necessitate a repeat of the string similarity evaluation of all applications, causing delays and disruptions to all applications,

including those that are not in contention. This would impact program timelines and costs.” However, allowing applicants to submit alternate strings at the time of application, when it is unknown what strings others are applying for, would address these concerns. The approach of alternate strings provides all applicants, including less well-resourced ones, with an easy and efficient way to help avoid contention. No applicant would be obliged to submit alternate strings or to switch to their alternate as they may choose to remain in contention for their initial string. Also, a switch to an alternate string must not create a new contention set and applicants would not be allowed to join an existing contention set. The Board notes that an alternate string could not be used to escape contention sets that are formed after string similarity review or string confusion objection period, for the above reasons noted by the SubPro PDP WG.

3. Continue to use the 2012 ascending-clock second price auction method: The Board agrees that auctions are a tested and effective method to allocate scarce resources and that introducing a raffle system is not preferable over the auction approach. In this context, the Board refers back to the 2008 Report ‘Economic Case for Auctions in New gTLDs’. NERA also noted that “Lotteries, like private auctions could, increased the number of speculators, [and] increased the number of monetary transfers between applicants [...]”.

2. Board Follow-up on Board-GAC Consultation Process on ICANN80 GAC Advice (Applicant Support Program)

The GAC and ICANN Board held a Bylaws Mandated Consultation Call on ICANN80 GAC Advice on [16 September 2024](#). This Bylaws-mandated consultation was to discuss the Board’s concerns with implementing GAC Advice on the Applicant Support Program (ASP) in its 17 June 2024 [ICANN80 Kigali Communiqué](#).

As denoted in ICANN Bylaws section 12.2(a)(x), the purpose of the consultation call was for the GAC and Board to “try, in good faith and in a timely and efficient manner, to find a mutually acceptable solution.”

In preparation for the GAC and Board Clarification Call on [15 July 2024](#), the Board shared [clarifying questions](#) with the GAC to ensure collective understanding of the GAC’s Advice in the Kigali Communiqué as well as the Board’s concerns. Following the Clarification Call, the Board sent [correspondence](#) to the GAC outlining the proposed path forward and the Board’s preliminary decision to take an action that is not consistent with GAC Consensus Advice items 1.a.i and 1.a.ii.

On 29 July 2024, the Board shared its [ICANN80 Kigali Communiqué Scorecard](#) on Board Action noting the need for a Board-GAC Bylaws Consultation on GAC Advice item 1.a.i pertaining to the ASP evaluation process, and item 1.a.ii pertaining to the ASP evaluation panel.

On 16 September 2024, the GAC and ICANN Board held a [Consultation Call on ICANN80 GAC Advice](#). During this meeting, the Board presented approaches to address the GAC’s concerns with a first-come, first-served ASP evaluation process. The proposed compromise for 1.a.i is:

The Board will direct ICANN org to share monthly reporting with the ICANN community on the geographic distribution of ASP applications received and qualified. The Board expects that monthly reporting will be available via the Program Statistics on the ASP website and

via updates to the SubPro Implementation Review Team (IRT). The monthly reporting on geographic distribution can inform quarterly adjustments to the ASP Communications, Outreach & Engagement efforts.

In addition, the Board will direct ICANN org to share results of geographic distribution with the IRT after 20 qualified ASP applicants to determine adjustments to Communications, Outreach & Engagement or if additional funding may be needed.

With regard to advice item 1.a.ii, the Board informed the GAC that the Request for Proposal (RFP) process to select an independent third-party evaluator is underway and thus changes would directly impact the launch of the ASP program. More generally, the Board noted that introducing community members to the evaluation panel increases the risk of conflicts of interest and the potential for legal challenges - and therefore the Board is not supportive of such a step. The Board expects that ICANN will continue with its plans to select a vendor with appropriate evaluation skills and diverse experience to conduct a fair and objective assessment of globally diverse ASP applicants.

Based upon the Board's concerns and the subsequent exchanges between the Board and the GAC, the Board plans to indicate its rejection of Advice items 1.a.i and 1.a.ii in favor of the compromise on 1.a.i and the GAC's understanding of how ICANN will approach 1.a.ii.

Following the Consultation Call, the GAC confirmed its support for the proposed path forward as discussed during the Board-GAC Consultation call, and shared a [letter](#) with the ICANN Board on 16 October 2024 outlining its understanding.

3. Implementation Review Team (IRT)

The Subsequent Procedures **Implementation Review Team (IRT)** commenced its work in May 2023 and is expected to draft the next applicant guidebook in preparation for the next round of new gTLDs. The GAC appointed a representative and an alternate to participate in the process, provide input to the IRT and report back to the broader committee on areas of importance to the GAC. **GAC members appointed to the IRT are: Canada (Representative) and UK (Alternate).** ICANN org presented an updated [Implementation Plan](#) in September 2024 for the Implementation Review Team's input, including 291 outputs (comprising recommendations, affirmations, affirmations with modification, and implementation guidance) contained in the [Final Report on the New gTLD Subsequent Procedure Policy Development Process](#) that were adopted, adopted with GNSO Council-approved clarifications, or acknowledged by the ICANN Board in [March](#), [September](#) and [October](#) 2023. This version of the Plan also includes the four Supplemental Recommendations that were [adopted](#) by the Board in June 2024. It is expected that the AGB will be published no later than December 2025.

ICANN org conducted the [first Public Comment proceeding](#) from 1 February - 19 March 2024 and produced a [summary report](#) on 2 April 2024. ICANN org also [reviewed the comments](#) with the IRT. The GAC did not submit collective input to this proceeding.

At the time of this briefing, the second Public Comment Proceeding was released, closing on 21 October 2024. This is the second in a series of Public Comment proceedings that will seek input from the ICANN community on proposed language for the Applicant Guidebook (AGB) for the New gTLD Program: Next Round. Specifically, ICANN org is looking for input from the community on whether the proposed language is consistent with the relevant outputs from the Final Report on the New gTLD Subsequent Procedures Policy Development Process. It should be noted that the proposed language has been developed in collaboration with the [Subsequent Procedures Implementation Review Team](#).

Specifically, ICANN org has published the following draft sections for input:

- Subsequent Application Rounds (Topic 3: Applications Assessed in Rounds)
- Background Screening (Topic 22: Registrant Protections)
- String Similarity Review (Topic 24: String Similarity Evaluations)
- Internationalized Domain Names (Topic 25: IDNs)
- Dispute Resolution Procedures After Delegation (Topic 33: Dispute Resolution Procedures After Delegation)
- Registrar-Non-Discrimination / Registry/Registrar Standardization (Topic 37: Registrar Non-Discrimination / Registry/Registrar Standardization)
- Registrar Support for New gTLDs (Topic 38: Registrar Support for New gTLDs)
- Root Zone Label Generation Rules (Topic 25: IDNs)
- Closed Generics (Topic 23: Closed Generics)

More information from the IRT, as well as meeting recordings, and other material is available [here](#).

4. Next Round Website

The [website](#) for the New gTLD Program was launched following ICANN79, and it is expected to be a central source of information for the ICANN community as well as current and future new gTLD applicants. The website includes information about the program, tools and resources for applicants, updates on program status, and information regarding a specific round (e.g. 2012 versus the upcoming round). The initial rollout of the site provides details and information about the [Registry Service Provider \(RSP\) Evaluation Program](#) and the [Applicant Support Program](#).

Key Reference Documents

- Board follow-up on Board-GAC Bylaws Mandated Consultation Processes on GAC Advice:
 - [Follow-up](#) on 3 September 2024 Board-GAC Consultation regarding ICANN77 GAC Advice Item 4.a.i (Auctions) (3 October 2024)
 - [Update](#) following Board-GAC Bylaws Consultation on ICANN80 GAC Advice on the New gTLD Applicant Support Program (ASP) (3 October 2024)

- [Board Action on ICANN80 GAC Advice](#) (29 July 2024)
- [ICANN Board Proposed Path Forward for the GAC Consensus Advice in the ICANN80 Kigali GAC Communiqué](#) (23 July 2024)
- [Board Scorecard on ICANN78 GAC Issues of Importance](#) (9 May 2024)
- [Board Action on ICANN79 GAC Advice](#) (5 May 2024)
- [Draft New gTLD Program: Next Round Applicant Support Handbook](#) (12 February 2024)
- [Board Action on ICANN78 GAC Advice](#) (21 January 2024)
- [Overview of Analyses of Costs and Benefits of a Next Round of the New gTLD Program](#) (22 January 2024)
- [GNSO Guidance Process \(GGP\) for Applicant Support Guidance Recommendation Final Report](#) (8 December 2023)
- [Implementation Framework for Content-Related Registry Commitments in the New gTLD Program: Next Round](#) (5 December 2023)
- [ICANN78 GAC Hamburg Communiqué](#) (30 October 2023)
- [October 2023 Board Scorecard: Subsequent Procedures \(SubPro PDP\)](#) (26 October 2023)
- [September 2023 Board Scorecard: Subsequent Procedures](#) - 10 September 2023
- [Board Scorecard on ICANN77 GAC Advice](#) (10 September 2023)
- [Board Scorecard on ICANN77 GAC Issues of Importance](#) (21 September 2023)
- [Scorecard: Subsequent Procedures \(SubPro PDP\)](#) - 16 March 2023
- [ICANN77 GAC Communiqué](#) - 20 June 2023
- [New gTLD Subsequent Procedures Operational Design Assessment](#) - 12 December 2022
- [GAC Consensus Collective Comment](#) (1 June 2021) on GNSO New gTLD Subsequent Procedures Final Outputs for ICANN Board Consideration.
- [Final Report on the new gTLD Subsequent Procedures PDP WG](#) - 1 February 2021

Further Information

- GAC Policy Background Document on Subsequent Rounds of New gTLDs:
<https://gac.icann.org/briefing-materials/public/gac-policy-background-new-gtlds-subsequent-rounds.pdf>

Document Administration

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GAC Meeting with the GNSO Council

Session 9

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Session Objective

The GAC and Generic Names Supporting Organization (GNSO) meet at ICANN Meetings to discuss policy matters of interest to both parties.

The agenda for the session is scheduled to focus on an exchange on the following topics:

1. Introduction

- a. Incoming GNSO Liaison to the GAC.

2. State of cooperation between the GAC and GNSO Council

- a. How the GAC and GNSO Council work together
- b. Definition of potential improvements

3. WHOIS - Data Accuracy

- a. Questions from GNSO Council: Following the [ICANN80 GNSO Council Wrap-Up \[icann80.sched.com\]](#) session, the GNSO Council Chair asked Councilors to consider the following questions:
 - i. ***Evaluation of Proposed Alternatives:*** *In its [write-up \[gnso.icann.org\]](#), ICANN noted limitations in processing data for the purpose of assessing accuracy and proposed two alternatives (analyzing historical audit data and engagement with Contracted Parties on ccTLD practices – see detail below). Is pursuing these alternatives worthwhile? If not, are there other alternatives for obtaining data Council should consider?*

- ii. **Consideration of Scoping Team Restart:** *Given the limitations with respect to access to data, would there be value in restarting the Scoping Team at this time?*
- iii. **Advancing the Topic:** *If restarting the Scoping Team at this time is not deemed advisable, what other ideas do you have to advance this topic given its importance to the ICANN community?*

During the Council's July meeting, the Council agreed that restarting the Scoping Team at this time is not recommended. However, during the August meeting, some Councilors suggested potentially convening a small team to discuss how to make progress on this topic. Council Leadership has worked on a proposal [[gnso.icann.org](https://www.gnso.icann.org)] of how to solicit additional feedback from GNSO groups with directed questions, in order to receive information from which an eventual small team (if that is the Council's chosen vehicle) can decide how to handle the important topic of accuracy."

4. ICANN Community Participant Code of Conduct on SOIs and General Ethics Policy

- a. GNSO Council and GAC exchange.

5. New gTLD Program Next Round

- a. Auctions
- b. Applicant Support Program

6. Diacritics

- a. GNSO Council update on potential Diacritics PDP.

7. Privacy/Proxy Work

- a. GNSO Council update.

Talking Points & Questions

TBC

Background

With the pace of GAC participation in ICANN policy development activities changing in recent years, it has been observed that information sharing with various parts of the ICANN community is more valuable than ever to help GAC members understand the context of various DNS issues. At recent public meetings, the GAC has interacted with various community groups from the gTLD space including business, intellectual property and non-commercial interests. This meeting with the GNSO Council will continue that strategic communications approach.

The Generic Names Supporting Organization (GNSO) is a body within the ICANN community responsible for developing and recommending to the ICANN Board substantive policies relating to generic top-level domains. The GNSO is the largest Supporting Organization within the ICANN framework.

The GAC normally meets with the Chair and other members of the GNSO Council at each ICANN public meeting to discuss issues of common concern and identify methods for better cooperation. The current Chair of the GNSO Council is Greg DiBiase. Vice Chairs are Nacho Amadoz and Tomslin Samme-Nlar. The GNSO Liaison to the GAC is Jeff Neuman. The GAC’s point-of-contact to the GNSO is Jorge Cancio (Switzerland).

The GNSO is a “federation” of different stakeholder groups. It is made up of two “Houses” - one “house” for parties contracted to ICANN (Registries and Registrars) and a second “house” for other non-contracted parties – commercial and non-commercial interests.

The GNSO Council and the GNSO stakeholder groups have different roles within the GNSO. The Council undertakes the role of manager of the policy development process. The Council is populated by representative members of the various GNSO stakeholder groups and constituencies. Comparatively, the stakeholder groups themselves (including the Registry Stakeholder Group (RySG) and the Registrar Stakeholder Group (RrSG) are focused on operational considerations, sharing information and helping their members understand the overall GNSO activities and responsibilities. Various stakeholder groups participate directly in policy development working groups.

Prior to ICANN Public Meetings, the leadership teams of both the GNSO Council and the GAC meet via teleconference to identify the most pressing issues that merit further face-to-face discussions at the upcoming meeting.

Further Information

Further information about the GNSO and its policy development process is available at <http://gns0.icann.org/en/about>. GNSO web site – <https://gns0.icann.org/en>

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GAC Meeting with the Security and Stability Advisory Committee (SSAC)

Session # 10

Session Agenda

Members of the SSAC will share information with GAC representatives on the latest developments in areas where they have common or overlapping interests with GAC member governments. Attendees will explore opportunities for future information sharing and collaboration with the GAC on key topics.

The topics identified for bilateral discussion between the GAC and SSAC during this session include:

- Artificial Intelligence (AI) and DNS Threats
- AI and Trust
- Quantum Technologies
- Blockchain and DNS

These technology topics were proposed by SSAC in consideration of GAC Strategic Objective #7 “Impact of New Technology on Unique Identifiers Systems” in the [GAC Strategic Plan 2024-2028](#) and the Expected Outcome for which include consideration of these technologies (see relevant section in the [GAC Annual Plan 2024/2025](#)).

Background on SSAC

The SSAC advises the ICANN community and the ICANN Board on matters relating to the security and integrity of the naming and address allocation systems of the Internet. These include operational matters such as those pertaining to the correct and reliable operation of the Root Server System; administrative matters such as those pertaining to address allocation and Internet number assignment; and registration matters such as those pertaining to registry and registrar services like WHOIS. The SSAC also engages in ongoing threat assessment and risk analysis of the Internet naming and address allocation services to assess where the principal threats to stability and security lie, and advises the ICANN community accordingly.

[SSAC members](#) are technical security professionals who volunteer their time and expertise to improve the security and integrity of the Internet’s addressing system. The SSAC produces [reports, correspondence, and comments](#) on a range of topics for the ICANN Board, the ICANN community, and the broader Internet community. The SSAC documents how the SSAC carries out its own work and the accumulated rationale in the [SSAC Operational Procedures](#).

Recent SSAC/GAC Developments

The GAC and SSAC have ongoing contacts and discussions, most recently during a [Pre-ICANN81 GAC Webinar on DNS Abuse mitigation](#) (4 October 2024) which provided status on the implementation of SSAC's proposed Interoperable Approach to DNS Abuse as laid out in [SAC115](#) (19 March 2021). For more information on this matter, please refer to the [ICANN81 GAC Briefing on DNS Abuse and associated GAC plenary session during ICANN81](#).

The GAC PSWG and SSAC also hold regular bilateral meetings before or during ICANN meetings, as was the case for ICANN81 (on Thursday 24 October 2024) and generally discuss issues pertaining to both groups mandates (see [PSWG Work Plan 2023/2024](#)) including WHOIS Registration Data issues and DNS Abuse mitigation.

The SSAC recently [reported](#) (9 October 2024) addressing the topics planned for discussion with the GAC during its annual workshop and shared the recording of its sessions.

Key Reference Documents

- General information about SSAC: <https://www.icann.org/en/ssac>
- SSAC Membership: <https://www.icann.org/en/ssac/members>
- SSAC Publications: <https://www.icann.org/en/ssac/publications>
- [Security and Stability Advisory Committee: A Year of Progress and Openness](#) (9 October 2024)

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WHOIS and Registration Data Issues

Session 11

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Session Objective

This session aims to discuss status and consider possible next steps for the GAC in relation to deliberations and implementation efforts seeking to establish a new WHOIS/Registration Data policy framework taking into account relevant Data Protection law.

The GAC will be briefed on latest developments and related policy concerns, in connection with:

- The new Registration Data Consensus Policy (EPDP Phase 1) and ongoing discussion regarding the handling of specific Urgent Request for disclosure of registration data;
- The ongoing operation of a Registration Data Request Service (RDRS), as a proof of concept of a permanent System for Standardized Access/Disclosure (SSAD) per EPDP Phase 2 Policy Recommendations;
- Ongoing discussions related to the accreditation of privacy/proxy services;
- And considerations for advancing future policy work regarding accuracy of registration data.

Leadership Proposal for GAC Action

1. **Continue engaging with the ICANN Board and the GNSO to rapidly identify a path for the development of policy provisions pertaining to the appropriate handling of Urgent Requests for disclosure of registration data in circumstances that pose an imminent threat to life, serious bodily injury, critical infrastructure, or child exploitation.**

Following GAC Advice in the [San Juan Communiqué](#) (11 March 2024) and Follow-up in the [Kigali Communiqué](#)¹ (17 June 2024), the ICANN Board [determined](#) (5 May 2024) and [continued](#) (7 September 2024) to defer action on this advice, noting its correspondence with the GNSO Council² and an expected future meeting on this matter, at a date still to be determined, between the GAC, PSWG, the ICANN Board and the GNSO.

The GAC [proposed to the ICANN Board](#) (15 October 2024) that two tracks of work be conducted in parallel to both explore possible mechanisms to authenticate emergency law enforcement requestors and determine an appropriate response time for authenticated Urgent Requests.

2. **Consider-lessons learned from the Registration Data Request Service (RDRS) pilot program at the 1-year anniversary of its launch in November 2023, including:**
 - a. **A slow pace of improvement** that will not allow the incorporation of all feedback received from stakeholders, including law enforcement, before the end of the 2 year pilot program;
 - b. **Minimal awareness** of the service by its intended users despite significant promotional efforts by ICANN org and the requestor community, **which prevents the program from achieving its goal of measuring demand for the service**, which remains high for traditional WHOIS services as evidenced by one large national law enforcement agency which continues to generate more than 10K monthly queries to 3 leading WHOIS websites, when the RDRS, to date, has received a little over 300 total requests from worldwide law enforcement requestors since launch;
 - c. **Limited utility** given the substantial impact of increasing prevalence of affiliated proxy services (Registrar operated), the data of which is often provided as responses to RDRS requests, without meeting the expectation of requesters to access underlying contact information of the beneficial user of a domain name.

¹ San Juan Communiqué Advice: “The GAC advises the ICANN Board: i. To act expeditiously to establish a clear process and a timeline for the delivery of a policy on Urgent Requests for domain name registration data, to respond to the vital public safety interests related to such requests. Such a process must ensure appropriate participation of the community, including the GAC.”

GAC Kigali Communiqué Follow-Up: “[...] The GAC urges the GNSO Council and the Board to take any necessary steps in an expeditious manner to “establish a clear process and a timeline for the delivery of a policy on Urgent Requests for domain name registration data”, given the vital public safety interests related to such requests, as per the ICANN79 San Juan GAC Advice. [...]”

² See [ICANN Board letter to the GNSO Council](#) (3 June 2024) and the [GNSO Council’s response](#) (29 August 2024)

- 3. Recognizing that broad awareness and use of the RDRS (or successor SSAD), in particular by public safety stakeholders, is unlikely to be achievable without directly linking to it from legacy WHOIS data systems,** that is by referencing RDRS in the RDS/WHOIS output of Registries and Registrars (with which many Internet stakeholders are familiar, contrary to the new ICANN Lookup tool), **consider engaging GNSO Stakeholders to identify the best options to incentivize Registries and Registrars to voluntarily include such direct links in their legacy WHOIS and more modern RDAP systems.**

This is consistent with previous GAC suggestions, including most recently as part of Issues of Importance to the GAC in the [ICANN79 San Juan Communiqué](#) and [ICANN80 Kigali Communiqué](#)³. In response, the ICANN Board [commented](#) (9 May 2024) and [reiterated](#) (7 September 2024) that “*Information and links to the RDRS can be added in the RDAP output of registries and registrars via the GNSO policy development process*” and encouraged the GAC “*to discuss this option with the GNSO Council.*”

- 4. Continue assessing the public interest impacts, including on responses to disclosure requests provided via the RDRS, of delayed implementation of the privacy/proxy services accreditation policy (PSSAI) recommendations,** and potential challenges in assessing which of the original policy recommendations remain fit for purpose as part of the resumption of the PSSAI Implementation Review Team (IRT) since ICANN80⁴.

In the Cancún and Washington D.C. Communiqués, the GAC advised, and recalled its advice, for the ICANN Board to provide regular updates on this matter⁵. The ICANN Board responded it “*will continue to provide updates on the ongoing work in this area*”.⁶

As recalled in the GAC Hamburg Communiqué⁷, ICANN org’s [Operational Design Assessment](#) of the EPDP Phase 2 Recommendations (25 January 2022) noted that “*Requestors may feel confused or frustrated with the system if they don’t receive the registrant data they seek due to proxy or privacy service use*” and that this risks “*significant user confusion and/or dissatisfaction.*”. While policy is likely needed to ensure that the increasingly prevalent privacy and proxy services providers are included in any framework to enable lawful disclosure of domain registration data, it is unlikely to be achieved before the end of the RDRS 2-year pilot program.

³ The GAC invited ICANN to consider including a link to the RDRS in WHOIS output, in its [Comments on the RDAP Contractual Amendments](#) (16 Nov. 2022) given that it is a channel “*certain to reach 100% of the potential [RDRS] use-base*”, and more recently in Issues of Importance in the [ICANN79 San Juan Communiqué](#) (11 March 2024) where the GAC strongly encouraged “*to include information about the RDRS and a link to it within the WHOIS lookup/Registration Data Access Protocol (RDAP) with a view to increase its visibility*” and in the [ICANN80 Kigali Communiqué](#) (17 June 2024) where the GAC expressed its belief that “*providing a link to the RDRS via the ICANN registration data lookup tool could help in reaching potential RDRS users who may not be aware of the pilot*”

⁴ As part of informal discussion preceding the resuming of the PSSAI IRT, ICANN org shared its [assessment of the level of difficulty associated with implementing each aspect of the original policy recommendations](#) (2 March 2024) given the new legal and policy regime applicable to registration data.

⁵ See section V.3 p.11 of the [GAC Cancún Communiqué](#) (20 March 2023) and section VI.1 of the [Washington D.C. Communiqué](#) (20 June 2023)

⁶ See p.6 in the [Scorecard of Board Action on GAC Advice](#) (10 September 2023)

⁷ See section IV.3 p.8 of the [GAC Hamburg Communiqué](#) (30 October 2023)

5. **Examine opportunities for advancing accuracy of registration data** in gTLDs, in light of the suspended work of the GNSO Accuracy Scoping Team since November 2022⁸, and [ICANN org’s analysis](#) (13 October 2023) of limited avenues available to assess accuracy of registration data. In a discussion with the GAC⁹, the ICANN Board recognized that the Data Processing Specification (DPS)¹⁰ *“will not grant ICANN access to nonpublic registration data outside of that permitted under the governing contracts and applicable law, such that it will enable wide-scale accuracy studies previously proposed”*. More recently, the Board stated in its [response to Issues of Importance in the ICANN80 Kigali Communiqué](#) (15 October 2024) that *“Even when the DPS is in place, ICANN’s access to registration data held by the contracted parties is limited by applicable laws and the applicable ICANN agreements and policies. For example, under the applicable contract provisions, ICANN’s access to registration data held by a registrar must be based on limited transactions or circumstances that are the subject of a compliance-related inquiry”*. Given this development, **consider alternative approaches to shed light on the role of registration data accuracy at ICANN and examine potential practices stemming from pending regulation** (e.g. EU NIS2 Directive), while continuing engagement with the GNSO Council to re-start the work of the Accuracy Scoping Team who has circulated to its constituents a set of [threshold questions](#) for this purpose.
6. Following publication of the [Registration Data Policy](#) (21 February 2024) stemming from the EPDP Phase 1 Implementation, **examine avenues for further discussion of the public policy concerns** outlined in the [GAC Public Comments](#) (21 Nov. 2022) and highlighted as an Issue of Importance in the [GAC Washington D.C. Communiqué](#) (20 June 2023), including:
- a. **Measures to make data of legal persons publicly available, where applicable** (the ICANN Board [responded](#) that EPDP Phase 2A recommendations on this matter, subject of a [GAC Minority Statement](#) (10 Sep. 2021), are in the queue for implementation¹¹).
 - b. **Ensuring reseller information is included in responses to requests for Registration Data**, given the nature of resellers as *“corporate entities inherent to the registrar’s distribution channel”*, the relevance of their roles and responsibilities to domain name registrations, and the *“benefit in highlighting the best point of contact to deal with notifications of abuse or compromise to the party with the ability to act the quickest or most appropriately”*.¹²

⁸ See GNSO Council [Resolution 20221117-4](#) (17 November 2022), [Resolution 20230720-1](#) (20 July 2023), and [Resolution 202402150-3](#) (15 February 2024) and Resolution [20240919-4](#) (19 September 2024)

⁹ See [Board Comments on the Issues of Importance in the ICANN79 GAC San Juan Communiqué](#) (9 May 2024)

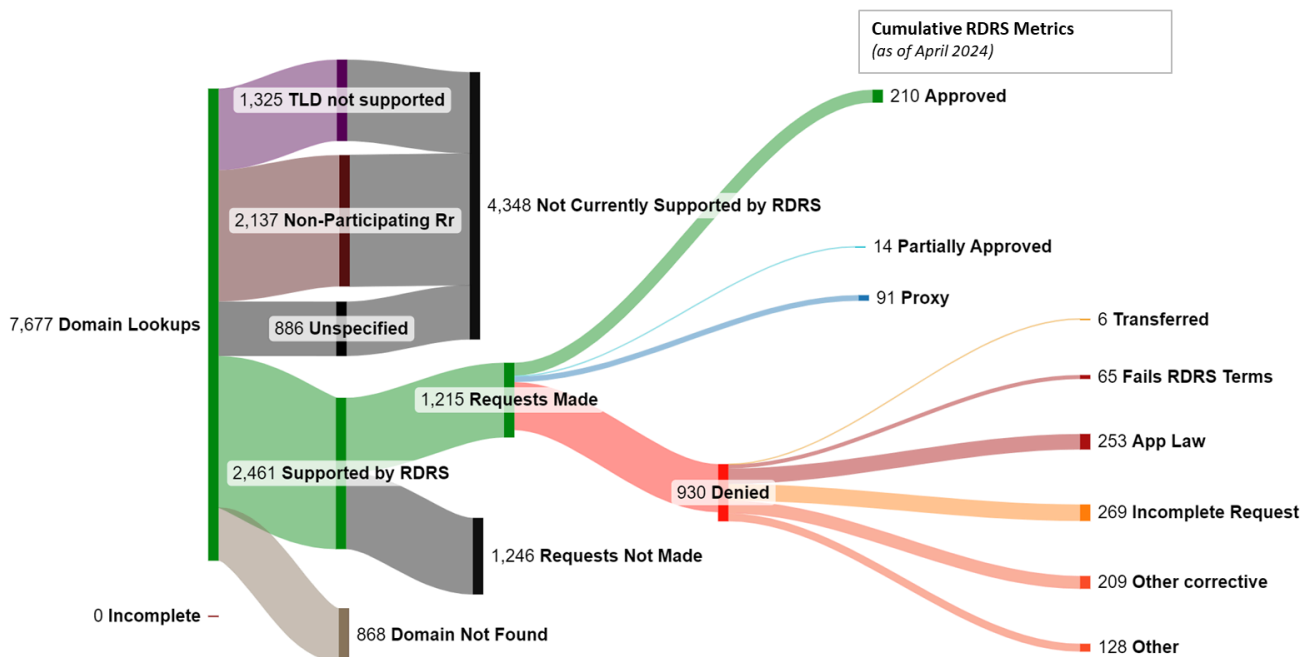
¹⁰ The Data Processing Specification, output of negotiations which started in 2019 consistent with EPDP Phase 1 Recommendation 26 for ICANN org to enter into *“required data protection agreements such as a Data Processing Agreement (GDPR Art. 28) or Joint Controller Agreement (Art. 26), as appropriate”* was [published for public comment](#) between 29 July and 9 September 2024.

¹¹ See section 7 in the [ICANN Board Comments on Issues of Importance](#) (18 September 2023)

¹² See further discussion of developments and GAC input related to reseller information in this briefing on p.16

Current Status and Recent Developments

- The Registration Data Request Service (RDRS)**, which launched on 28 November 2023 as a proof of concept or pilot program aimed to “simplify the process for submitting and receiving requests for nonpublic gTLD registration data for both the requestors and contracted parties” and to inform further consultations on the feasibility of a permanent System for Standardized Access/Disclosure of Registration Data (SSAD). The RDRS **has enabled the collection and reporting on 10 months of usage data**¹³, part of which was summarized below ahead of ICANN80:



- 88 registrars are participating in RDRS, representing 57% of total gTLD domains, up from 72 registrars and 53% market share at launch on 28 November 2023.
- There are now 4,018 requestors registered in RDRS (steadily growing since launch)
- There is strong user demand for domains in TLDs not included in RDRS such as ccTLDs, as well as for gTLD domains associated with non-participating registrars¹⁴ (respectively 17% and 28% of domain lookups in RDRS)
- Following their domain lookups (the required first step in RDRS), requestors were allowed to proceed to submit a disclosure request in 32% of cases (2461 domains supported by the RDRS out of a total of 7677 domain lookups)

¹³ See monthly Registration Data Request Service Usage Metrics since the launch of the service, available at <https://www.icann.org/rdrs-en> and consider further material expected from ICANN org during an [ICANN81 Prep Week update session](#) to be held on Thursday 31 October at 2200 UTC.

¹⁴ In the [GAC Hamburg Communiqué](#) (30 October 2023), the GAC recalled that the ICANN Board “urged the GNSO Council to consider a Policy Development Process or other means to require registrars to use the RDRS”

- When RDRS is able to handle a disclosure request (domain in a supported gTLD and managed by a participating registrar), no disclosure request is made in 50% of cases.
- Of the domains belonging to a supported gTLD, managed by a registrar participating in RDRS, and for which the requestor did submit a disclosure request, 17% led to disclosure of registration data (210 of 1215 requests approved), representing 3% of all initial domain lookups.
- Average response time has increased since the month of April to 14 days for approvals or disclosure of data (from 4 to 7 days previously), and to 11 days for denials (from 2-6 days previously)
- Law enforcement and IP Rights holders are responsible for more than 48% of disclosure requests.

The table below displays the monthly counts and totals, expressed as both numbers and percentage, of disclosure requests by request type. Note that totals include canceled requests that are not reflected in the summary table totals.

Request Type	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Total	%
IP Holder	20	49	112	117	71	43	37	50	66	24	35	624	30.4%
Other	8	23	14	58	112	83	31	38	65	83	72	587	28.6%
Law Enforcement	1	17	38	30	25	46	46	49	20	7	32	311	15.1%
Consumer Protection	4	13	51	6	19	10	12	11	5	15	12	158	7.7%
Security Researcher	2	31	15	15	8	3	3	2	1	3	4	87	4.2%
Research (non-security)	8	14	16	5	8	8	1	3	1	7	12	83	4.0%
Litigation/Dispute Resolution (non-IP)	1	5	26	3	1	1	19	11	0	6	9	82	4.0%
Domain Investor	1	9	8	3	5	4	2	4	1	6	10	53	2.6%
Computer Security Incident Response Team (CSIRT)	0	8	6	3	2	1	2	1	4	1	0	28	1.4%
Dispute Resolution Service Provider	0	2	3	5	1	6	2	0	0	3	3	25	1.2%
Cybersecurity Incident Response Team (non-CSIRT)	0	3	2	1	3	4	1	1	1	0	0	16	0.8%
Grand Total	45	174	291	246	255	209	156	170	164	155	189	2054	100%

Source: [Registration Data Request Service Usage Metrics](#) (October 2024)

- **Feasibility of a permanent System for Standardized Access/Disclosure of Registration Data (SSAD) is currently focusing on assessing the operations of the Registration Data Request Service (RDRS), following the [GNSO’s request for an SSAD proof of concept](#) (27 April 2022) on the basis of an ICANN org [Design Paper](#) (13 Sep. 2022) and consistent with [updates](#) (7 Nov. 2022) [suggested](#) by the GNSO Council to the ICANN Board (17 Nov. 2022).**
 - The GNSO [resolution](#) on the EPDP Phase 2 Final Report (24 September 2020) **adopted the 18 recommendations that seek to establish an SSAD, requesting a consultation with the ICANN Board prior to its consideration of the policy recommendations to discuss “questions surrounding the financial sustainability of SSAD and some of the concerns expressed within the different minority statements”** including in the [GAC Minority Statement](#) (24 August 2020).
 - Prior to considering the GNSO’s SSAD Policy Recommendations, **the ICANN Board launched** (25 March 2021) an **Operational Design Phase (ODP) to perform an assessment** of possible implementation parameters. A GNSO Small Team reviewed ICANN org’s resulting [Operational Design Assessment](#) (25 Jan. 2022) in support of the GNSO Council’s consultation with the ICANN Board and consideration of questions and concerns expressed in a [Board letter](#) (24 Jan. 2022).
 - In a [letter to the ICANN Board](#) (27 April 2022), **the GNSO shared concerns with ICANN’s Operational Design Assessment** and called for a pause of the Board’s consideration of the SSAD recommendations to allow for work to continue on a “proof of concept”, in collaboration with ICANN org, who suggested it could propose a simplified “SSAD Light Design” in a [Concept Paper](#) (6 April 2022)¹⁵. The **ICANN Board confirmed** (9 June 2022) its **agreement and decision to pause the consideration of the policy recommendations.**
 - In the [The Hague Communiqué](#) (20 June 2022), while looking forward to the “*timely completion of the ‘proof of concept’*”, the GAC emphasized “*the importance of providing specific timelines and goals*” for this work and clarifying “*what will happen after the ‘proof of concept’ phase concludes*”.
 - Shortly before ICANN75, ICANN org introduced a [WHOIS Disclosure System Design Paper](#) (13 Sep. 2022) the key features of which were considered in [GAC plenary](#) (20 Sep. 2022).
 - In the [Kuala Lumpur Communiqué](#) (26 September 2022), the GAC noted the proposed WHOIS Disclosure System is a **useful first step which would facilitate the collection of useful data**, to possibly shed light on usage rates, timelines for response, and percentages of requests granted or denied. The GAC also deemed **important to properly log Information about approvals or denials of requests**, timing of the response, and reasons for denial; **and to include a mechanism to allow for confidential law enforcement requests.**

¹⁵ The approach proposed by ICANN org in the SSAD Light Concept Paper was presented to the GAC during the [Pre-ICANN74 ICANN org’s briefing to the GAC](#) on 31 May 2022 (*GAC website login required*)

- The **GNSO Council** adopted the [addendum](#) (7 Nov. 2022) to the SSAD ODA Small Team [Preliminary Report](#) (4 April 2022) and expressed being **“supportive of the request that the ICANN Board proceeds with the implementation of the Whois Disclosure System”** in the [GNSO Chair letter to ICANN Board Chair](#) (17 Nov. 2022) consistent with ICANN org’s [WHOIS Disclosure System Design Paper](#) (13 Sep. 2022)
- On 27 February 2023, the ICANN Board [resolved](#) to **launch the implementation of the WHOIS Disclosure System**, or “Registration Data Request Service” per the associated [announcement](#) (2 March 2023).
- In the [Cancún Communiqué](#) (20 March 2023) the **GAC advised the ICANN Board to “direct ICANN org to promptly engage with the PSWG to identify and advance solutions for confidentiality of law enforcement requests so as not to preclude participation by law enforcement requesters when measuring usage of the WHOIS Disclosure System”**. This advice was eventually accepted by the ICANN Board per its [Scorecard of Board Action](#) (15 May 2023)
- Following discussion during the [Board/GAC Clarification call](#) (11 April 2023), the GNSO Small Team on EPDP Phase 2 hosted a [subteam meeting](#) (10 May 2023) dedicated to the **discussion of confidentiality of law enforcement requests between representatives of the GAC PSWG, ICANN org** and observers from the GNSO Small Team. A [follow-up discussion](#) (5 June 2023) followed shortly before ICANN77.
- In the [Washington D.C. Communiqué](#) (20 June 2023), the **GAC noted “the importance of maximizing voluntary participation in the system, including through effective outreach and potential incentive structures”** and stressed **“the importance of providing users of the RDRS with easy to access step-by-step training, and guidance”**.
- In the [ICANN Board Comments on the Issues of Importance in the Washington D.C. Communiqué](#) (18 September 2023), the **ICANN Board shared “the same sentiment as the GAC on the importance of maximizing the participation of the users, both from ICANN-accredited registrars and requestors”**. It noted **“that ICANN org has been conducting its various engagement and outreach efforts and will continue to do so up until and beyond the launch of the service”**. It also indicated that **“ICANN org has been, and will provide a number of webinars to walk through how to use the system”** and that **“ICANN org is preparing various informational materials, such as FAQs, user guides, and howto videos, to ensure participating users can utilize the service with ease.”** This information available at: <https://www.icann.org/rdrs-en>
- In the [GAC Hamburg Communiqué](#) (30 October 2023), the **GAC recalled that the ICANN Board “urged the GNSO Council to consider a Policy Development Process or other means to require registrars to use the RDRS”¹⁶** and reaffirmed that the GAC **“remains supportive of this idea”**. Observing that **“the RDRS’s success depends in part on how satisfied users are with the system”**, the **GAC stressed that a success factor will be “whether users submitting legitimate requests receive data relating to the underlying**

¹⁶ see [ICANN Board Resolution on WHOIS Disclosure System Implementation](#) (27 February 2023)

registrant as opposed to information related to a privacy or proxy service”, a risk noted by ICANN in its Operational Design Assessment of the SSAD¹⁷.

- In the [GAC San Juan Communiqué](#) (11 March 2024), the GAC reiterated that “**widespread use of the pilot by both registrars and requesters will help the RDRS meet its intended purpose**” and stated “[t]he GAC believes **all contracted registrars should participate.**”, encouraging “ICANN org to **conduct a survey of registrars who are not currently participating in the RDRS** to gain insights into the concerns of these parties and potential challenges that could be addressed”. Stressing “**the importance of continued outreach efforts throughout the lifespan of the RDRS** to ensure both requesters and registrars are aware of the uses and limits of this pilot program as well as its intended purpose”, the GAC highlighted “potential improvements that could help the pilot meet its intended purpose and create an improved user experience” such as “unnecessary and confusing elements of the current requester interface, particularly with respect to requests from law enforcement and the applicability of various data protection frameworks”.
- In the [ICANN Board comments on Issues of Importance in the GAC San Juan Communiqué](#) (9 May 2024), the Board noted that “ICANN’s engagement and communications teams are both conducting outreach to various communities to increase usage of the system”, and encouraged “**the community to engage with potential requestor communities to present materials ICANN org has available on RDRS or to participate in discussions where the benefits and importance of utilizing the system can be shared with broader audiences.**”. It also recalled that “ICANN org has downloadable user guides, flyers and FAQs (available in the 6 UN languages and Portuguese) published on the RDRS website.”, that “RDRS content is also regularly promoted via ICANN’s social media channels” and that “ICANN org also provides a generic information presentation deck to share with constituencies.”
- In the [GAC Kigali Communiqué](#) (15 October 2024) the GAC found that “the usage of the tool could be further increased, and that the metrics have already shed light on potential improvements that could help the service meet its intended purpose”, recalled that “several suggestions for improvement were already formulated in the San Juan Communiqué and stands ready to continue its work on the RDRS Standing Committee to address challenges and maximize the utility of the system for both requestors and registrars”. The GAC reiterated “the importance of the continued promotion of and education about RDRS to **ensure the community, including both requestors and registrars, are aware of the uses and limits of this pilot program**, as well as its intended purpose, to inform work toward an eventual Standardized System for Access and Disclosure (SSAD)” including by “**providing a link to the RDRS via the ICANN registration data lookup tool could help in reaching potential RDRS users who may not be aware of the pilot**”. The GAC also encouraged “**registrars to consider making disclosure decisions in response to RDRS requests on behalf of their affiliated proxy service provider**” where a registrar uses an affiliated proxy service provider.

¹⁷ SSAD Operational Design Assessment (25 January 2022) at pp.19-20

- In the [ICANN Board Comments on Issues of Importance in the GAC Kigali Communiqué](#) (15 October 2024), the ICANN Board noted that *“information on the RDRS has been linked on ICANN’s Registration Data Look Up Tool in the section on non-public registration data to increase visibility. A link to RDRS is also included on the results page for the look up tool as well”*. Additionally the ICANN Board stated that *“Information and links to the RDRS can be added in the RDAP output of registries and registrars via the GNSO policy development process. The Board encourages the GAC to discuss this option with the GNSO Council”*
- **The policy foundation of a new Registration Data Policy regime**, the [Registration Data Policy](#) (21 February 2024) is now published and will become effective on 20 August 2025, **with the exception of provisions related to the timeline for response to Urgent Requests**
 - This Consensus Policy **will become part of ICANN’s contractual requirements for Registries and Registrars within 18 months of its adoption** and replace the current [Interim Registration Data Policy for gTLD](#) (20 May 2019) which currently requires Contracted Parties to continue to implement measures that are consistent with the [Temporary Specification](#) (20 May 2018). **It introduces changes to existing ICANN Policies** which rely on, or relate to Registration Data, including the superseding of the Thick WHOIS transition Policy and revisions of the implementation of the Registration Data Access Protocol (RDAP).
 - **The GAC provided input** at several stages leading to the adoption of this policy:
 - [Input to the ICANN Board](#) (24 April 2019) before its consideration of the GNSO Policy Recommendations from EPDP Phase 1, in which the GAC deemed the *“recommendations to be a sufficient basis for the ICANN Community and organization to proceed - with all due urgency - to the completion of a comprehensive WHOIS model covering the entirety of the data processing cycle, from collection to disclosure, including accreditation and authentication, which would restore consistent and timely access to non-public registration data for legitimate third party interests, in compliance with the GDPR and other data protection and privacy laws”*. The GAC also highlighted and referenced in this correspondence prior policy concerns it has expressed.
 - Advice to the ICANN Board in the [Montréal Communiqué](#) (6 November 2019), to *“ensure that the current system that requires ‘reasonable access’ to non-public domain name registration is operating effectively”* ([accepted](#) by the ICANN Board on 26 January 2020) and *“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”*, which were the subject of follow up in the GAC Communiqués of [ICANN70](#) , [ICANN71](#), [ICANN72](#) , and [ICANN73](#) and related interactions with the ICANN Board¹⁸.

¹⁸ See Board GAC Advice Scorecards related to each Communiqué at: <https://gac.icann.org/activity/icann-action-request-registry-of-gac-advice>

- In the latest [GAC Comments](#) (21 November 2022), **the GAC expressed public policy concerns with the proposed Draft Registration Data Consensus Policy for gTLD** including: definition and proposed timelines to respond to urgent requests; collection and publication of reseller data; collection/publication of registration information related to legal entities; need for clear standards around implementation and enforcement; and implementation of a partial system resulting in a policy gap. **The GAC recalled these concerns** in the [Cancún Communiqué](#) (20 March 2023)¹⁹
- Based on consideration of input received from 14 community groups, **ICANN org updated the Draft Consensus Policy Language to reflect its analysis of Public Comments** (see [redline version](#) circulated to the IRT on 4 May 2023). ICANN org also provided [responses to public comments](#) (28 April 2023), which discussed some of the GAC input:
 - Regarding the timeline for response to Urgent Requests ICANN’s Implementation Project Team (IPT) *“believes that the 24-hour response time accurately reflects the intent of the EPDP policy recommendations”* (see p.44 of Addendum and section 10.6 of updated consensus policy), but did not extend the definition of urgent requests to include “imminent or ongoing cybersecurity incidents”
 - Regarding the collection and publication of reseller data, *“the IPT believes that making any recommended changes is beyond the scope of the policy as it would create additional changes that are not required by the EPDP Phase 1 recommendations.”*
 - Regarding the policy’s impact on Thick WHOIS,: *“The IPT, in consultation with the Implementation Review Team, concluded that ICANN org could enforce a transfer requirement only if the relevant contracted parties agree that a legal basis exists for the transfer and a data protection agreement is in place”*
 - Regarding the Phase 1/Phase 2A policy gap, ICANN org reached out to the GAC Small Group on WHOIS/EPDP with a [memo](#) (5 May 2023) which clarified that:
 - *The functionality of distinguishing between legal and natural persons is beyond the scope of the EPDP Phase 1 IRT*
 - *During the EPDP Phase 2A deliberations, the EPDP Phase 2A Working Group made a policy decision not to mandate the contracted parties to change their practices with regard to data of legal and natural persons*
- In the [GAC Hamburg Communiqué](#) (30 October 2023), the GAC expressed support for the *“Board to separate the topic of Urgent Requests from the publication of the overarching Registration Data Consensus Policy for gTLDs”*
- On 21 February 2024, ICANN published the [Registration Data Policy](#), an ICANN Consensus Policy that describes requirements for Processing Registration Data for each ICANN-accredited Registrar and gTLD Registry Operator. Its effective date is 21 August 2025. In the meantime, the [Interim Registration Data Policy for gTLD](#) (20 May 2019) will remain in effect until 20 August 2025. During the period of 21 August 2024 through 20

¹⁹ See Issues of Importance to the GAC, Section IV.3 pp.7-8 in the [Cancún Communiqué](#) (20 March 2023)

August 2025, Registries and Registrars may continue to implement measures consistent with the [Temporary Specification for gTLD Registration Data](#) (20 May 2018) or the new Registration Data Policy in its entirety, or elements of both.

- **Agreeing on a timeline for response to Urgent Requests for disclosure of registration data** in “circumstances that pose an imminent threat to life, serious bodily injury, critical infrastructure, or child exploitation” **proved unattainable** in the policy implementation process. **This matter may now be subject to reconsideration of the original GNSO policy recommendation**, in an expected dialogue to take place between the ICANN Board and the GNSO Council.
 - At the conclusion of the policy implementation process (August 2023), **ICANN org was planning to publish the proposed [Final Registration Data Consensus Policy](#)** with a time frame for response to Urgent request “*without undue delay, generally within 24 hours*” allowing 2 extensions for a total response time of up to 3 business days.
 - In the [GAC Washington D.C. Communiqué](#) (20 June 2023) the GAC took “*note of ICANN’s summary of public comments on Phase 1 implementation and supports the Implementation Project Team’s suggestion, in line with the GAC’s public comment, to reduce the timeline for urgent requests to twenty-four hours.*”
 - In a [GAC Chair letter to the ICANN Board](#) (23 August 2023), the **GAC expressed its public policy concern with the proposal, and requested the ICANN Board “carefully review the proposed implementation of this particular issue and consider next steps that would achieve an outcome that better meets the public safety considerations posed by urgent requests”**. The GAC also:
 - Observed “*the **tension between the proposed implementation and the concerns conveyed by the GAC during the public comment process.** In this regard, we note ICANN’s commitment to ‘seeking input from the public, for whose benefit ICANN in all events shall act’.*” ([ICANN Bylaws](#), Section 1.2(a)(iv) Commitments)
 - Stressed its belief that **the proposal “is not ready for publication and should be considered further”** while “*the balance of the implementation of the Consensus Policy should move forward*”
 - Highlighted its concerns that “*[t]his outcome calls the effectiveness of the public comment process into question and raises further questions about the interplay between the IRT and the IPT and whether all views, including those put forth by the GAC, have been adequately addressed*”
 - During the [GAC/Board BGIG call](#) (20 September 2023) [GAC website login required] the ICANN Board indicated that it questioned whether the proposal is fit for purpose and consistent with the [ICANN Board Comments on the Issues of Importance in the Washington D.C. Communiqué](#) (18 September):
 - *[...] The Board understands that for most cases of an urgent nature, law enforcement or other parties seeking registration data rely on existing channels including direct contacts with the relevant registry operator and/or registrar. The*

Board further understands that this may not be possible in all cases, and the policy requirement on responses to urgent requests is to provide a “ceiling” so that when this process is relied upon, these responses have maximum time constraints..

- ***The Board would be interested in any data the GAC can provide as to experiences of its members in working with contracted parties on requests of an urgent nature, including the channels used and timing for responses provided. [...]***
- **The SSAC, also concerned by these developments, published SAC122, a [Report on Urgent Requests in the gTLD Registration Data Policy](#) (12 Dec. 2023) in which the Security and Stability Advisory Committee noted being “struck by the incompatibility between the definition of Urgent Requests [imminent threat to life] and the required response times [without undue delay, generally within 24 hours of receipt]” when “the expected response time [in such situations] is measured in minutes”. SSAC **recommends that the policy be substantially reconsidered to become fit for purpose and that, in the meantime, ICANN gathers and shares data about Urgent Requests**, including their frequency of Urgent Requests and registry/registrar practices in responding to them.**
- The [ICANN Board responded to the GAC Chair letter of 23 August 2023](#) (11 Feb. 2024), as well as [to the Registrar Stakeholder Group Chair](#) who [had commented on the GAC letter to the ICANN Board](#) (8 Sep. 2023) noting that “the Board concluded that it is necessary to revisit Policy Recommendation 18 concerning urgent requests [...] and the manner in which such emergencies are currently handled” and indicating that “[f]or this, we believe that consultation with the GNSO Council is required”.
- In the [GAC Hamburg Communiqué](#) (30 October 2023), “[b]ecause of the vital public safety interest implicated by Urgent Requests”, the GAC emphasized “the need to commence and conclude this implementation work as soon as possible”, noting further that “this work should include accreditation issues, among others”.
- In the [GAC ICANN79 San Juan Communiqué](#) (11 March 2024), **the GAC advised the ICANN Board “to act expeditiously to establish a clear process and a timeline for the delivery of a policy on Urgent Requests for domain name registration data, to respond to the vital public safety interests related to such requests. Such a process must ensure appropriate participation of the community, including the GAC.”** In its [response](#) (5 May 2024) **the ICANN Board determined to “defer[s] action on this advice, noting that it plans to discuss the way forward on this issue with the GNSO Council.”**
- In the [GAC ICANN80 Kigali Communiqué](#) (17 June 2024), **the GAC Followed-up on this Advice and urged “the GNSO Council and the Board to take any necessary steps in an expeditious manner to ‘establish a clear process and a timeline for the delivery of a policy on Urgent Requests for domain name registration data’, given the vital public safety interests related to such requests.”** In response, the ICANN Board determined to continue deferring action on this Advice noting its [correspondence with the GNSO Council](#) and an expected future meeting on this matter between the GAC, PSWG, the ICANN Board and the GNSO.

- In a [follow-up letter to the ICANN Board](#) (15 October 2024), the GAC Chair proposed to the ICANN Board that two tracks of work be conducted in parallel to both explore possible mechanisms to authenticate emergency law enforcement requestors and determine an appropriate response time for authenticated Urgent Requests.
- **Privacy/Proxy Services Accreditation (PPSAI) Policy Implementation** is returning to the fore in light of emerging challenges with these services, now being provided by default to registrants by many leading registrars²⁰ and reconvening of an Implementation Review Team
 - Since the entry into force of GDPR and ICANN’s Temporary Specification in May 2018, the PPSAI Implementation remained on hold with ICANN org planning to *“allocate resources and finalize a timeline to continue the implementation of PPSAI once the implementation of EPDP Phase 1 is finalized and the design criteria of the EPDP Phase 2 SSAD and Whois Disclosure System are sufficiently stable so that org and the community can identify what synergies can be leveraged with these projects and the PPSAI implementation.”*.
 - As part of EPDP Phase 1 Implementation, in the so called [Recommendation 27 Registration Data Policy Impacts Wave 1.5 Report](#) (23 February 2021), ICANN org conducted **in-depth analysis of the substantial impact of the Registration Data Policy requirements on the PPSAI recommendations**, and invited the GNSO to consider whether updates of the latter are needed.
 - In the [GAC Comments](#) (16 November 2022) on the [proposed RDAP and Bulk Registration Data Access \(BRDA\) Contractual Amendments](#) the GAC argued that **“commercial proxy services” may need “their own data element or entity role” in RDAP responses**, *“in recognition of the purposes of the RDDS system and the evolving domain name industry”* and the need to include *“all entities inherent to the registrar’s domain name registration data distribution channel”*, when they exist, in RDAP query responses.
 - In the [Report of Public Comments](#) (16 December 2022), ICANN org acknowledged the GAC’s input, noting that:
 - *The proposed RDAP Profile enables the publication of data elements of which the reseller is included.*
 - *ICANN org will continue to work with the ICANN community to identify how roles and entities are represented in RDDS as part of the policy development process and will work with the contracted parties to update the respective agreements as policies require*
 - *Issues specific to privacy and proxy services will be managed via the implementation of privacy proxy policy recommendations*
 - In the [Cancún Communiqué](#) (20 March 2023) **the GAC advised the ICANN Board:**
 - i. *To prioritize the assessment related to the pending RDS-WHOIS2 Review Recommendation R10.1 which called for the Board to monitor the implementation*

²⁰ As recognized by the GAC in the Hamburg Communiqué (30 October 2023)

of the PPSAI policy recommendations, and all necessary steps to resume this implementation, consistent with the intent of the GAC's previous advice.

ii. To regularly update the GAC on the status of activities related to privacy and proxy services.

- This advice was discussed during the [Board/GAC Clarification call](#) (11 April 2023) and eventually accepted by the ICANN Board as reported in the [Scorecard of Board Action](#) regarding the Cancún Communiqué (15 May 2023) which noted, at it relates to (i), that *“the assessment is in progress within the org”*.
- In the meantime, the [ICANN Specific Reviews Q1 2023 Quarterly Report](#) (31 March 2023) clarified that *“Recommendation 10.1 aims to provide better data quality and contactability of the underlying contact owner for registrations using affiliated Privacy or Proxy services by requiring registrars to verify and validate the underlying registration data of domain name registrations.”* and stated:
 - *Following further review, the 2013 Registrar Accreditation Agreement (RAA) already includes requirements for registrars to validate and verify registrant contact data of privacy services.*
 - ***ICANN org plans to resume the implementation of Privacy and Proxy Services Accreditation Implementation (PPSAI), which will provide additional explicit requirements to verify and validate registrant contact data of both Privacy and Proxy Services, once the EPDP Phase 1 implementation is completed.***
- In preparation for ICANN78, ICANN org [reported](#) (6 October 2023) considering when and how the implementation work could resume, and invited interested stakeholders for an informal conversation on open questions and options for proceeding. ICANN org further indicated planning to allocate resources to this project once the EPDP Phase 1 implementation is complete.²¹
- During **informal meetings of interested stakeholders during ICANN78 and ICANN79**, stakeholders discussed the possible need to reconsider the [original GNSO Policy Recommendations](#) (7 December 2015) and the ensuring implementation approach (suspended in 2018) in light of the substantial evolution of data protection law, industry practices and tools. To this end ICANN org presented further analysis [assessing the PPSAI policy recommendations according to an estimated difficulty or level of effort](#) (2 March 2024).
- Following a [call for volunteer](#) (20 May 2024) to reconvene an Implementation Review Team to assisting ICANN is assessing the path forward, several meetings have occurred which have focused on reviewing, clarifying and commenting on an editable version the [Final Report of the PPSAI PDP Working Group](#) (7 December 2015). Recording and documentation of the IRT is accessible on a dedicated [community page](#).

²¹ See p.20 in slides of the GDS update to the GNSO Council (22 October 2023)

- **The work of the GNSO Scoping Team on Accuracy of Registration Data** remains paused, while ICANN org reports recent progress in its assessment of whether or not it has a legitimate purpose to request access to registration data records for purposes of accuracy verification, as well as consideration of a comprehensive assessment of activities it may undertake to study accuracy.
 - The GNSO Council adopted substantive and procedural [instructions](#) for the Scoping Team (22 July 2021). In the [ICANN72 GAC Communiqué](#) (1 Nov. 2021) the GAC welcomed “*the effective start of the accuracy scoping exercise launched by the GNSO*” and expressed support for “*all four assignments*” of the team. The GAC nominated representatives from the European Commission and United States to participate in these [weekly deliberations](#) which started on 5 October 2021.
 - The work of the scoping team was informed by an [ICANN org briefing](#) (26 February 2021), an [ICANN org Memo on the WHOIS Accuracy Reporting System](#) (January 2022) and [ICANN org responses](#) to questions by the Scoping Team.
 - In the [ICANN72 GAC Communiqué](#) (1 November 2021) the GAC reiterated “*that maintaining accurate domain name registration data is an important element in the prevention and mitigation of DNS abuse*”. The GAC also noted that it is “*looking forward to exchanging with other constituencies not only on the definition and measurement of accuracy but also on solutions on how to enhance accuracy. The GAC gives particular importance to the verification, validation and correction of all registration data by registrars, and certain registries, in line with their contractual obligations, and supports rigorous monitoring and enforcement of such contractual obligations by ICANN.*”
 - In the [ICANN73 Communiqué](#) (14 March 2022), the GAC highlighted that as part of the work of the scoping team to date, it “*has emphasized the importance of holding contracted parties accountable for their compliance with the existing accuracy requirements, as well as the importance of increasing transparency about compliance, in order to inform an evidence-based analysis of these issues*”
 - In May 2022, the ICANN org shared with the Scoping Team a [set of scenarios](#) for which it planned to consult the European Data Protection Board on whether or not ICANN org has a legitimate purpose that is proportionate (i.e. not outweighed by the privacy rights of the individual data subjects) to request that Contracted Parties provide access to registration data records for purposes of accuracy verification.
 - In its [preliminary recommendations](#) for the GNSO Council (2 September 2022) the scoping team recommended:
 - **A registrar Survey** be conducted on the status of accuracy of their domains under management (Recommendation 1). In the [ICANN74 Communiqué](#) (20 June 2022), the GAC noted that “*the voluntary nature of the survey [...] could limit the volume of feedback received*” and therefore encouraged “*the team to explore additional and complementary work items, such as testing accuracy controls in a manner that is not dependent upon access to personally identifiable data*”. However, the preliminary report notes that “[a]t this stage, the Scoping Team has not identified sufficient

benefits of moving forward with any of the other proposals that do not require access to registration data [...]”.

- **A Registrar Audit** be considered regarding Registrars procedures for determining the accuracy of registration data (Recommendation 2)
- **A pause of scoping team work in relation to proposals that require access to registration data** until feasibility is clearer (Recommendation 3) including through: ICANN org’s outreach to the European Data Protection Board (EDPB), a possible Data Protection Impact Assessment to be conducted by ICANN, and the finalization of Data Processing Agreements between ICANN and Contracted Parties.
- **GNSO Council adopted a [motion](#)** (17 Nov. 2022) **pausing the work of the scoping team and deferring consideration of the recommendations to conduct a survey and an audit** *“until such time the DPA negotiations between ICANN org and Contracted Parties have completed and there is feedback from ICANN org on if/how it anticipates the requesting and processing of registration data will be undertaken in the context of measuring accuracy, or for six months, whichever is the shorter”.*
- In a [GNSO Council letter to ICANN org](#) (1 December 2022), **ICANN org was requested to “Proceed with both (i) your outreach to the European Data Protection Board and (ii) your work on a Data Protection Impact Assessment in connection with the scenario(s) in which the request and processing of registration data takes place as a matter of urgency; Finalize negotiations on the Data Processing Agreement (DPA) as soon as practicable, as the absence of a completed DPA may act as a roadblock for the policy work before the GNSO Council.”**
- In a [correspondence to the GNSO Council](#) (14 March 2023) ICANN org reported it has determined that **“a sufficient legal basis exist to proceed” to conduct proactive contractual compliance audit(s) of registrar compliance with registration data validation and verification requirements** (Scenario 2), while further, more targeted outreach with European data protection authorities may be required²² regarding analysis by ICANN of a sample of full registration data for validation and verification of contact data (Scenario 3)
- In the [Washington D.C. Comummuniq  ](#) (20 June 2023), the GAC welcomed *“ICANN org’s completion of a Data Protection Impact Assessment (DPIA) on a contractual compliance audit that could shed light on the current state of accuracy”* and sought *“an update on plans to resume the Scoping Team’s work”* given that *“over six months have passed since the GNSO adopted a motion to pause the work of the Scoping Team”*. It further proposed that *“further consideration [be given] to activities that may be resumed by the Accuracy Scoping Team”*.
- In a [GNSO Council letter](#) (3 August 2023) sent to ICANN org and Contracted Parties, the GNSO Council indicated it is *“awaiting on the one hand the outcome of the work by ICANN*

²² Consistent with ICANN’s previously stated intention to engage with the European Data Protection Board (see [ICANN letter](#) of 2 June 2022 to the European Commission).

org on the scenario(s) in which the request and processing of registration data takes place and on the other hand the finalization of the Data Processing Agreement (DPA) [...].”

- Regarding the completion of DPAs, in the [Washington D.C. Communiqué](#) (20 June 2023), the GAC flagged “*it would be helpful to receive quarterly updates on the status of the DPAs*”. The ICANN Board responded in its [Comments on the Issues of Importance in the D.C. Communiqué](#) (18 September): “**ICANN org and the Contracted Parties have just a few issues remaining to negotiate. ICANN org will conduct a public comment period on the DPS once negotiations are completed, so the community can review the terms. Both ICANN org and the Contracted Parties say they remain optimistic the DPS will be in place in time for the implementation of the Registration Data Policy.**”
- Before ICANN78, ICANN org shared with the GNSO Council its [analysis](#) (13 October 2023) of [4 scenarios that were previously identified](#) (9 May 2022) as it relates to ICANN’s possibilities for reviewing the accuracy of registration data²³. In its analysis, **ICANN org concludes that there are several deficiencies and challenges in pursuing the scenarios** and in particular that “*ICANN org does not have a legitimate purpose that is proportionate, i.e., not outweighed by the privacy rights of the individual data subject(s) to request Contracted Parties to provide access to individual records as well as bulk access to registration data in order to review the accuracy of registration data*”. **Alternatively, ICANN org suggests that the ICANN community considers leveraging historical data of ICANN’s compliance audit program for assessing current validation and verification requirements under the RAA, and for contracted parties to analyze existing accuracy and verification practices in Europe “as they weigh how to engage in accuracy policy-related discussions at ICANN”**. ICANN further indicates that “*it is compiling these practices and intends to share them with ICANN’s contracted parties to demonstrate the potential for more complex requirements that may come outside ICANN’s multistakeholder model, should the ICANN consensus policy making process be considered ineffective in addressing the issue.*”
- In the meantime, the **GNSO Council resolved** (15 February 2024) to **extend “the deferral of consideration of recommendations #1 and #2 of the Registration Data Accuracy Scoping Team [...] for an additional six months”** while committing to “*considering the Scoping Team recommendations at an earlier date if DPA negotiations have been completed before six months have passed or another significant event, such as the implementation of the NIS2 directive or the publication Inferential Analysis of Maliciously Registered Domains (INFERMAL) Study, occurs before six months have passed*”.
- Following the publication by ICANN of a [draft Data Processing Specifications \(DPS\)](#) applicable to the Registrar Accreditation Agreement and Registry Agreement (29 July

²³ The four scenarios are as follows: Scenario 1, Analyze publicly available registration data for syntactical and operational accuracy (as was done previously in the WHOIS ARS program); Scenario 2, Proactive Contractual Compliance audit of registrar compliance with registration data validation and verification requirements; Scenario 3, Analyze a (representative) sample of full registration data provided by registrars to ICANN; and Scenario 4, Registrar registration data accuracy survey (voluntary)

2024), the GNSO Council [resolved](#) (19 September 2024) to continue “*defer[ing] consideration of the Registration Data Accuracy Scoping Team’s Recommendations #1 and #2 for an additional six months while it determines how to make meaningful progress on the topic*” while “*recogniz[ing] the importance of Registration Data Accuracy to the ICANN community and commits to continue its discussion of how best to move forward on this topic.*”

- For reference, status of the **Review Team recommendations regarding Registration Data Accuracy**, as reported in the ICANN Specific Reviews Q2 2023 Quarterly Report (31 March 2024) and per ICANN Board resolutions on [10 September 2023](#) and [21 December 2023](#) on certain RDS-WHOIS2 Review and SSR2 Review Recommendations, is as follows:
 - **Recommendations 4.1, 4.2 and 5.1 of the RDS-WHOIS2 Review Team [Final Report](#) (3 September 2019) relating to data accuracy monitoring and enforcement** (all identified as “High” priority) **were rejected** in light of:
 - ICANN Compliance already enforcing existing requirements within the Registry Agreement and RAA provisions,
 - Further community discussions are required to define accuracy and what constitutes a “systemic issue” in registration data accuracy
 - ICANN’s assessment of legalities of the associated data processing in its [Assessment of Registration Data Accuracy Scenarios](#) (13 October 2023)
 - **Recommendation 9.2 of the SSR2 Review Team [Final Report](#) (25 January 2021), for ICANN org to proactively monitor and enforce contractual obligation to improve accuracy of registration data was rejected** (10 September 2023) in light of:
 - ICANN org’s ability to pursue “*accuracy of registration data according to the provisions included in the RA and RAA, and that at present extensive checks are conducted to verify the accuracy of registration data.*”
 - The Recommendation seeking “*the enforcement of specific compliance requirements (i.e., address fields) regarding data accuracy that are not part of the current registry and registrar contractual framework.*”
 - The Recommendation calling for “*work or outcomes that would require the Board to unilaterally modify ICANN’s agreements with registries and registrars, or that would be contingent on community work. Changes to contracted party agreements would be a matter of policy or a result of voluntary negotiations between ICANN org and contracted parties.*”
 - “*ongoing community discussions on registration accuracy*”.

Reminder on the status of other policy issues, policy development and policy implementation processes pending further consideration

- **Policy Development in Phase 2 of the EPDP concluded** with the publication of a [Final Report](#) (31 July 2020), which recommended a System for Standardized Access/Disclosure (SSAD) to gTLD Registration Data with a significant level of divergence among stakeholders as documented in the Consensus Designations (Annex D) and Minority Statements (Annex E), including the [GAC Minority Statement](#) (24 August 2020).
 - **Consensus was achieved on** aspects of the SSAD relating to **accreditation of requestors and centralization of requests** (recommendations 1-4, 11, 13 and 15-17). Once implemented these recommendations should improve the current fragmented systems by providing a central entry point to request access to registration data, according to clearly defined standards, and providing guarantees of appropriate processing.
 - **Stakeholders could not agree on** the policy recommendations necessary to provide for a **System for Standardized disclosure** that meets the needs of all stakeholders involved, including public authorities (recommendations 5-10 and 12). Neither could stakeholders agree on the possibility to evolve the SSAD towards more centralization and more automation of disclosure decisions in the future. (recommendation 18)
 - In the [ICANN70 GAC Communiqué](#) (25 March 2021), the GAC Advised the ICANN Board *“to consider the [GAC Minority Statement](#) and available options to address the public policy concerns expressed therein, and take necessary action, as appropriate.”* The Board [accepted](#) the advice (12 May 2021) noting that *“standing on its own, the GAC’s Minority Statement does not constitute consensus advice”*, and included a detailed discussion of issues raised in the GAC Minority Statement on EPDP Phase 2.
 - The GAC issued a [response](#) (6 October 2021) to the Board’s [clarifying questions](#) on the ICANN70 advice that were reiterated before and discussed during the [GAC/Board ICANN71 Communiqué clarification call](#) (29 July 2021)
 - In light of the expected roll out of a pilot Registration Data Request Service (RDRS), the **ICANN Board [confirmed](#)** (9 June 2022) its agreement with the GNSO and **decision to pause the consideration of the EPDP Phase 2 policy recommendations.**

- **Policy Development in Phase 2A of the EPDP** to address the issues of **legal vs. natural persons** and the **feasibility of unique contacts** to have a uniform anonymized email address, **concluded** with the publication of a [Final Report](#) (3 September 2021), a subsequent ICANN [Board resolution](#) (10 March 2023) directing their implementation and recent clarification by ICANN org that *“it will ultimately be up to the technical community to determine [whether] a field will be created to distinguish between legal and natural persons.”*
 - The EPDP Team Chair presented the report as *“a **compromise that is the maximum that could be achieved** by the group at this time under our currently allocated time and scope, and it **should not be read as delivering results that were fully satisfactory to everyone**”* underscoring *“the importance of the minority statements in understanding the full context of the Final Report recommendations”*
 - In its [Minority Statement](#) (10 September 2021), the GAC acknowledged *“the usefulness of many components of the Final Recommendations”* including:
 - *the creation of data fields to flag/identify legal registrants and personal data;*
 - *specific guidance on what safeguards should be applied to protect personal information when differentiating between the domain name registrations of legal and natural persons;*
 - *encouragement for the creation of a Code of Conduct that would include the treatment of domain name registration data from legal entities;*
 - *encouragement for the GNSO to follow legislative developments that may require revisions to the current policy recommendations, and*
 - *useful context and guidance for those who wish to publish pseudonymized emails.*
 - **The GAC** noted however that it *“remains concerned that almost none of the Final Recommendations create enforceable obligations”* which *“fall short of the GAC’s expectations for policies that would require the publication of domain name registration data that is not protected [...] and create an appropriate framework to encourage the publication of pseudonymized email contacts with appropriate safeguards.”*
 - After adoption of these policy recommendations by the GNSO Council, the ICANN Board provided the [bylaw-mandated notification to the GAC](#) (9 Dec. 2021), in [response](#) to which **the GAC requested that the ICANN Board** *“considers [...] the GAC Minority Statement in its entirety, as well as available options to address the outstanding public policy concerns expressed therein.”* (9 Feb. 2022).
 - On 10 March 2022, the ICANN Board [adopted](#) the Phase 2A policy recommendations and directed ICANN org to develop and execute an implementation plan for these resolutions.
 - In the [GAC Comments](#) on the proposed Draft Registration Data Consensus Policy for gTLD (21 November 2022), **the GAC expressed public policy concerns in connection with the implementation of EPDP Phase 1 recommendations without those of Phase 2A**, resulting in a partial system and a policy gap. In response, ICANN org reached out to the GAC Small Group on WHOIS/EPDP with a [memo](#) (5 May 2023) which clarified, inter alia, that *“it will ultimately be up to the technical community to determine [whether] a field will be created to distinguish between legal and natural persons”*

- **Publication of Reseller information in domain registration data**

- The CCT Review [Final Report](#) (8 September 2018) recommended per **Recommendation 17** that ***“ICANN should collect data about and publicize the chain of parties responsible for gTLD domain name registrations”*** which the ICANN Board [accepted](#) (1 March 2019) since *“reseller information is already displayed within the publicly available WHOIS, reliant upon all contracted parties complying with ICANN Consensus Policies and contractual obligations to provide such data”*
- In [GAC Comments on the Final Report and Recommendations of the CCT Review Team](#) (11 December 2018) the GAC endorsed this recommendation, as part of a set of recommendations encouraging the collection of data to ***“allow for more informed decision and policy making, particularly with regard to future standard registry and registrar contract provisions and any subsequent rounds of gTLDs.”***
- In [GAC Comments](#) (21 October 2019) on the [CCT Review Team Accepted Recommendations - Plan for Implementation and Next Steps](#) (11 Sep. 2019), the GAC noted that *“[a]lthough the ICANN Board accepted this recommendation, the proposed implementation plan is not robust. [...] ICANN should take a more active role in educating the community about why this information is necessary in order to track and publish information about DNS Abuse, and spearhead community discussions directed to requiring contracted parties to collect and publish this information in order to promote increased transparency and accountability.”*
- In its [Final Implementation Report](#) (14 September 2022), ICANN org noted that CCT Review **Recommendation 17** ***“has been implemented to the extent possible consistent with current policy requirements”*** and that ***“no further action is required”***. In particular, it referred to the [Advisory: Clarifications to the Registry Agreement, and the 2013 Registrar Accreditation Agreement \(RAA\) regarding applicable Registration Data Directory Service \(Whois\) Specifications](#), published on 12 September 2014 and noted that the Reseller field is *“optional and should be treated as described in the Advisory”*. It in fact a subsequent Advisory, which superseded the previous version, the [Advisory: Clarifications to the Registry and Registrar Requirements for WHOIS \(port 43\) and Web-Based Directory Services](#) published on 27 April 2015 and last updated on 25 May 2018, which states:

50. The value section of the "Reseller" field SHOULD be shown, but MAY be left blank or the whole field MAY not be shown at all. If shown, the value of the field MUST be the name of organization, in case the Reseller for the name is a legal entity, or a natural person name otherwise.
- In the context of the phasing out of the WHOIS protocol and its replacement by the Registration Data Access Protocol, in [GAC Comments on the proposed Registration Data Access Protocol \(RDAP\) and Bulk Registration Data Access \(BRDA\) Contractual Amendments](#) (16 November 2022), the GAC noted that the [RDAP Response Profile](#) provides that *“the returned domain object in the RDAP response MAY contain an entity with the reseller role, if the domain name was registered through a reseller.”* It further stressed that *“In recognition of the purposes of the RDDS system and the evolving domain*

name industry, the GAC supports the inclusion of all entities inherent to the registrar's domain name registration data distribution channel. Such entities should be included in an RDAP query response, when they exist."

- In response, in its [Public Comment Summary Report](#) (16 December 2022), ICANN org acknowledged the GAC's comment and noted *"that ICANN org will continue to work with the ICANN community to identify how roles and entities are represented in RDDS as part of the policy development process and will work with the contracted parties to update the respective agreements as policies require."*
- As part of a [Public Comment proceeding on the proposed draft Registration Data Consensus Policy](#), in a [GAC Comment on the Draft Registration Data Consensus Policy for gTLDs](#) (21 November 2022), the GAC suggested that instead of "6.4 Registrar MAY generate the Reseller data element value." the policy should read "6.4 Registrar SHOULD generate the Reseller data element value, for the Reseller with a direct relationship with the Registrant." The GAC observed that *"the domain name industry has evolved considerably since ICANN's inception, and today includes roles and entities which may not have existed in previous RDDS systems; similarly, new entities may be created tomorrow which have yet to be conceived of today. In recognition of this, the GAC supports the inclusion of corporate entities inherent to the registrar's distribution channel (such as the RDAP Response Profile entity 2.5 enumerating the "reseller" role) as it is the purpose of the RDDS system to enumerate roles and responsibilities relevant to domain name registrations; such entities should be included in an RDAP response, when they exist. This would also prove as a benefit in highlighting the best point of contact to deal with notifications of abuse or compromise to the party with the ability to act the quickest or most appropriately"*.
- In its Review of Public Comments (28 April 2023) as appended to the original [Public Comment Summary Report](#) (20 January 2023) [see after p.39], ICANN org stated:

"After careful consideration of the public comments received, the IPT determined that additional changes should not be made to the policy language pertaining to the requirements related to the reseller field. There is no indication that the draft policy was drafted incorrectly, and the EPDP Phase 1 team determined that the collection, transfer, and publication of the reseller field remain optional. The draft policy language maintains the status quo as org recognizes that current business practices allow for the optional collection, transfer, and publication of the reseller field. Thus, the IPT believes that making any recommended changes is beyond the scope of the policy as it would create additional changes that are not required by the EPDP Phase 1 recommendations.

Key Reference Documents

- RDRS Usage Metrics Report since December 2023 at <https://www.icann.org/rdrs-en>
- Correspondence regarding next steps on Urgent Requests (June - October 2024)
 - [ICANN Board letter to the GNSO Council](#) (3 June 2024)
 - [GNSO Council response to the ICANN Board](#) (29 August 2024)
 - [GAC Chair to ICANN Board](#) (15 October 2024)
- [ICANN80 San Juan Communiqué](#) (11 June 2024) Follow-up on Previous Advice regarding Urgent Requests, and Issues of Importance related to the RDRS, Registration Data Accuracy, and Privacy/Proxy Accreditation Policy Implementation; as well as:
 - [Scorecard of Board Action](#) regarding the Follow-up on Previous Advice regarding Urgent Requests (7 September 2024)
 - [ICANN Board Comments on the Issues of Importance](#) (15 October 2024)
- [ICANN79 San Juan Communiqué](#) (11 March 2024) GAC Advice on Urgent Requests, and Issues of Importance related to the RDRS, Privacy/Proxy Accreditation Policy Implementation, and Registration Data Accuracy; as well as:
 - [Scorecard of Board Action](#) regarding Advice the San Juan Communiqué (5 May 2024)
 - [ICANN Board Comments on the Issues of Importance](#) (9 May 2024)
- ICANN org [Assessment of Registration Data Accuracy Scenarios](#) (13 October 2023)
- [GAC Chair letter to the ICANN Board Chair](#) (23 August 2023) on the timeline for response to Urgent Request in the proposed Final Registration Data Consensus Policy, and [ICANN Board response](#) to the GAC Chair (11 February 2024).
- [GAC Washington D.C. Communiqué](#) (20 June 2023) Follow up on Previous GAC Advice on Privacy Proxy Services; and Issues of Importance in the on the Registration Data Consensus Accuracy, the RDDS and the Registration Data Consensus Policy, as well as:
 - [Scorecard of Board Action](#) regarding Advice the D.C. Communiqué (10 Sep. 2023)
 - [ICANN Board Comments on the Issues of Importance](#) (18 September 2023)
- [ICANN org Review of Public Comment](#) (28 April 2023) - starting p.40 - on the [Draft Registration Data Consensus Policy for gTLDs](#) (24 August 2022)
- GAC Advice in the ICANN76 [Cancún Communiqué](#) (20 March 2023) on Privacy/Proxy Services, and the related
 - [Summary Notes](#) of the Board/GAC Clarification Call (11 April 2023)
 - [Scorecard of Board Action](#) regarding Advice the GAC Cancún Communiqué
- [ICANN Org Correspondence to the GNSO Council](#) regarding the Registration Data Accuracy Scoping Team (14 March 2023)
- [GAC Comments](#) (21 November 2022) on the [Draft Registration Data Consensus Policy for gTLDs](#) (24 August 2022)

- [Addendum](#) (7 Nov. 2022) to the SSAD ODA Small Team [Preliminary Report](#) (4 April 2022) regarding requirements for an SSAD proof of concept.
- [WHOIS Disclosure System ICANN Design Paper](#) (13 Sep. 2022)
- Accuracy Scoping Team [preliminary recommendations](#) to the GNSO Council (2 Sep. 2022)
- [Draft Registration Data Consensus Policy for gTLDs](#) (24 August 2022)
- [ICANN org Update to the Accuracy Scoping Team](#) on scenarios for EDPB engagement (9 May 2022)
- ICANN org [Operational Design Assessment of the SSAD](#) (25 January 2022)
- GAC Advice in the [GAC ICANN72 Communiqué](#) (1 Nov. 2021) and related ICANN Board [Scorecard](#) (16 January 2022)
- GAC Advice in the [GAC ICANN71 Communiqué](#) (21 June 2021) and related ICANN Board [Scorecard](#) (12 September 2021)
- GAC Advice in the [GAC ICANN70 Communiqué](#) (25 March 2021), related ICANN Board [Scorecard](#) (12 May 2021) and [GAC Response to ICANN Board Clarifying Questions](#) (16 Nov. 2021)
- [GAC Minority Statement](#) (24 August 2020) on EPDP Phase 2 [Final Report](#) (31 July 2020)
- [GAC Minority Statement](#) (10 Sep. 2021) on EPDP Phase 2A [Final Report](#) (3 Sep. 2021)
- [GAC Response](#) (6 October 2021) to [ICANN Board Clarifying Questions](#) (21 April 2021) on the ICANN70 GAC Advice regarding the GAC Minority Statement on EPDP Phase 2, as reiterated during the ICANN71 Communiqué clarification discussions.

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GAC Meeting with GNSO Contracted Parties House

Session # 12

Session Objective

During this session, representatives of the Generic Names Supporting Organization's gTLD Registries Stakeholder Group (RySG) and the Registrants Stakeholder Group (RrSG) will join GAC representatives to discuss the latest developments in areas where they have common or overlapping interests.

Session Agenda

Members of the RySG and RrSG leadership will share information with GAC representatives on the latest developments in areas where they have common or overlapping interests with GAC member governments. Attendees will explore opportunities for future information sharing and collaboration with the GAC on key topics. The topics identified by GAC members for bilateral discussion during this session include:

- Data Accuracy
 - What problems or issues are GAC members and their respective governments seeing which improving the accuracy of domain name registration data could help to resolve or remediate?
- Next Round of New gTLDs Topics
- GAC, RySG and RrSG Reactions to ICANN's Community Participant Code of Conduct on SOIs and General Ethics Policy

Background

The RySG and the RrSG are defined stakeholder groups within the Generic Names Supporting Organization. Together, the two groups comprise the Contracted Parties House (CPH) within the GNSO organizational structure.

Recent Developments

The GAC and the CPH were not able to meet during ICANN80. This session during ICANN81 was identified and scheduled as an opportunity to resume past collaborative and informational discussion on matters of common and overlapping interest.

Key Reference Documents

- GNSO “Quick Info” Web Page - <https://gnso.icann.org/en/policy-efforts/quick-info#workspaces>
- RySG Web Page - <https://gnso.icann.org/en/about/stakeholders-constituencies/rysg>
- RrSG Web Page - <https://gnso.icann.org/en/about/stakeholders-constituencies/rrsg>
- Depiction of CPH in the GNSO Council Structure - <https://gnso.icann.org/en/about/council>
- GAC Basics Webinar - Introduction to ICANN Contracted Parties - <https://gac-author.icann.org/sessions/icann-contracted-parties-basics-webinar-22-february-2024>

Document Administration

Title	ICANN81 - Session #12 - GAC Meeting with the GNSO CPH
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GAC Meeting with the At-Large Advisory Committee (ALAC)

Session 14

Session Objective

The GAC and the At-Large Advisory Committee (ALAC) regularly meet during ICANN Public Meetings to discuss public policy matters of interest to both government stakeholders and Internet end-users.

Background

The ALAC is the primary ICANN-designated organizational home for the voices and concerns of individual Internet end users. Representing the At-Large Community, the 15-member ALAC consists of two members selected by each of the five Regional At-Large Organizations (RALOs) and five members appointed by ICANN's Nominating Committee. Advocating for the interests of end-users, the ALAC advises on the activities of ICANN, including Internet policies developed by ICANN's Supporting Organizations.

The GAC and ALAC have been meeting at ICANN Public Meetings in order to coordinate and discuss ICANN policy issues of common interest. In the past they have worked to develop joint statements on certain policy and operational topics.

Agenda

At ICANN81, the groups will continue to exchange views on topics of similar interest by focusing on:

- 1. Introduction and Opening Remarks**
- 2. WSIS+20: Reflections and Future Directions**
- 3. DNS Abuse: Addressing the Challenges (TBC)**
- 4. Open Discussion and Q&A**
- 5. Closing Remarks**

Current Status and Perspectives

1. WSIS+20: Reflections and Future Directions

From a merged ALAC and GAC perspective, the focus will be on looking ahead to ensure where possible the outcome of the Review at the UNGA (late 2025) preserves the current multi-stakeholder approaches to IG with the broader goal of promoting user-centric governance at the global level.

Digital Inclusion: Both GAC and ALAC would emphasize the importance of closing the digital divide. Governments aim to ensure that information and communication technologies (ICT) policies are equitable and foster economic development, while ALAC's interests focus on universal access, and ensuring that every individual has the right to participate in the digital world, irrespective of geographic, economic, or social constraints

Multistakeholder Engagement: Both bodies recognize the importance of an inclusive governance model that incorporates input from all stakeholders, including governments, civil society, and individual users. They would advocate for policies that respect national sovereignty while ensuring that end-user rights (ALAC's concern) remain a key consideration in any global Internet governance framework.

UN Internet Governance Forum: A key component of the WSIS+20 Review will be the renewal and the endorsement of the mandate for the UN IGF post 2025. The UN IGF along with the array of National and Regional IGFs has been instrumental for the ICANN Community to explain and discuss what we do.

Security and Privacy: While not specifically a WSIS+20 Review issue it is important that any discussions work towards crafting policies that protect both security and user privacy. Together, they would support a balanced approach where privacy protections are not sacrificed for security needs, and vice versa.

2. Domain Names Abuse (DNS): Addressing the Challenges

In the context of DNS abuse, both GAC and ALAC have overlapping interests in maintaining a secure and trustworthy Internet.

User Protection and National Security: ALAC and the GAC both focus on safeguarding individual users from phishing, malware, and fraud, with the GAC being also concerned with the broader national security implications of DNS abuse, such as preventing cybercrime and protecting critical infrastructure. From a merged perspective, the key priority is creating strong anti-abuse measures that both protect citizens from cyber threats and prevent damage to national and global economies.

Accountability and Enforcement: the GAC is interested in effective enforcement mechanisms that enable DNS actors (like registries and registrars) to be held accountable. ALAC, meanwhile, focusses on transparency and user education, ensuring that users are informed about how to avoid abuse. Both committees therefore share common interest in advocating for clear, enforceable policies that hold DNS operators accountable for preventing and mitigating abusive practices.

Collaboration with Industry: A merged perspective would also recognize the need for closer cooperation between government authorities and private-sector actors (domain registries, law enforcement, etc.). ALAC would insist on user-friendly mechanisms to report abuse, while GAC members seek industry adherence to national and international regulatory frameworks.

From the ALAC and GAC perspective, these topics focus on balancing the protection of end-users and their rights with the government's responsibility to ensure national security, stability, and equitable access to the Internet. They would jointly advocate for strong, user-centered policies that promote multistakeholder collaboration and international cooperation while protecting both national interests and the rights of individual users.

In closing, a merged GAC-ALAC perspective would likely underscore:

- Shared Responsibility: The need for shared responsibility between governments, private entities, and users to ensure that the Internet remains safe, stable, and accessible. This could mean advocating for clear, enforceable regulations to prevent DNS abuse (GAC's focus) and empowering users to protect themselves through better education and resources (ALAC's focus).
- Collaborative Solutions: Both bodies would encourage continued collaboration between governments and the Internet user community, advocating for user-centric policies that also address the legitimate concerns of national security and sovereignty.

Document Administration

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DNS Abuse Mitigation

Session 15

Contents

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Session Objectives

DNS Abuse is a priority issue for the Governmental Advisory Committee (GAC). Working with members of the Security and Stability Advisory Committee (SSAC), the GAC co-leads for DNS Abuse (European Commission, Japan, and the United States) are planning a program for ICANN81 and ICANN82 that will:

- Introduce GAC representatives to the topic (including during a Pre-ICANN81 webinar),
- Describe the DNS Abuse work that is taking place within ICANN (i.e. the work that the GAC can influence), and also
- Raise awareness about efforts outside of ICANN to address abusive activity.

Leadership Proposal for GAC Action

1. Continue considering the scope of desirable policy development to further improve DNS Abuse prevention and mitigation in light of:

- Recommendation by the [GNSO Small Team on DNS Abuse](#) (7 October 2022) to initiate a **policy development process on malicious registrations**, and potential contractual negotiations on this matter, which should eventually be informed by findings of the Inferential Analysis of Maliciously Registered Domains (INFERMAL) project, to explore the drivers of malicious domain name registrations¹.
- The GAC’s statement in the [GAC Comments](#) (17 July 2023) on the proposed Amendments that “*subsequent work with the multistakeholder community on DNS Abuse [...] should*

¹ See ICANN OCTO Blog “[New ICANN Project Explores the Drivers of Malicious Domain Name Registrations](#)” on 25 April 2023

include Policy Development Processes (PDPs) to further inform the updated RA and RAA, as well as other work on outstanding issues to address prior to the next application round for New gTLDs.”

- The [summary report of Public Comments on the new amendments](#) (1 August 2023) in which ICANN org noted *“the ICANN community will have the opportunity to discuss these obligations and determine if further obligations are required [...]. **ICANN org and the CPH NT support the comments from the GAC which stated that after the proposed amendments are adopted, work should include Policy Development Processes (PDPs) to further inform the updated Base RA and RAA.”***
- ICANN Contractual Compliance’s plans to enforce the new amendments, as [outlined to the GAC during ICANN79](#):
 - To conduct specific monitoring and prioritize the processing of complaints submitted by law enforcement and cybersecurity professionals
 - To facilitate the submission of valid complaints that provide enough information so that prompt action can be taken
 - To Include the new DNS Abuse obligations in the scope of future proactive audits
 - To produce a dedicated report on the enforcement of the new DNS Abuse requirements, published monthly starting in June 2024
 - To prepare a specific report on the enforcement of the new obligations after 6 months (to be published in Q2 2025)
- **The ICANN Board’s indication**, during a GAC/Board interaction on the ICANN79 San Juan Communiqué (13 May 2024)² that while Compliance reports are expected to contribute to measuring the impact of the DNS Abuse Amendments, **it would be up to a community-led effort, facilitated and supported by ICANN, to determine the specific metrics and data sets that will allow measurement** of such an impact. In [response to Issues of Importance in the ICANN80 Kigali Communiqué](#) (15 October 2024), the ICANN Board further stated that *“It is important to allow sufficient time for the implementation of the new amendments and to accurately measure impact. For example, **Compliance metrics, while an important data source, alone cannot be relied on to measure the overall impact of the DNS Abuse Amendments.** Compliance has visibility over the instances of DNS Abuse that are subject of Compliance’s cases, but not over the entire DNS market and how contracted parties or other actors within the DNS ecosystem address DNS Abuse”.*

² See [ICANN Board Comments on Issues of Importance in the ICANN79 San Juan Communiqué](#) (9 May 2024)

Current Status and Recent Developments

- **Amendments of the Registry and Registrar Agreements to Enhance DNS Abuse Mitigation Obligations**
 - Since ICANN66, **leaders of the GAC Public Safety Working Group have briefed the GAC** on the issue of DNS Abuse mitigation³ including **measures available to registries and registrars to prevent DNS Abuse**, in particular the role of registration policies (including identity verification) and pricing strategies as key determinants of levels of abuse in any given TLD; as well as on **possible avenues to address DNS Abuse more effectively at the ICANN Board and ICANN org level**, such as the revisions of ICANN Contracts with registries and registrars, the enforcement of existing requirements, the implementation of relevant CCT and SSR2 Review recommendations, Privacy/Proxy Service Provider policy recommendations, the improvement of accuracy of registration data, and the publication of more detailed domain abuse activity data.
 - In Communiqués in recent years, the GAC highlighted ***“the need for improved contract requirements to address the issue of DNS Abuse more effectively (ICANN72 GAC Communiqué, 1 Nov. 2021) and proposed that “Improved contract provisions could focus on the reporting and handling of DNS Abuse and enforcement of related contract requirements” (The Hague Communiqué, 20 June 2022).*** The GAC also stressed that ICANN is *“particularly well placed to negotiate improvements to existing contracts”* and *“to receive public input from the ICANN Community”*.
 - During ICANN75, the **GNSO Small Team on DNS Abuse, discussed “gaps in interpretation and/or enforcement” of the current ICANN contracts** as later reflected in its [Recommendations to the GNSO Council](#) (7 Oct. 2022).
 - In the [Kuala Lumpur Communiqué](#) (26 September 2022) the **GAC recalled its “support for ‘the development of proposed contract provisions applicable to all gTLDs to improve responses to DNS Abuse’⁴, for example those identified in the SSR2 and the CCT reviews”**
 - In December 2022, the [Registrar Stakeholder Group \(RrSG\)](#) and [Registry Stakeholder Group \(RySG\)](#) formally **notified ICANN to initiate negotiations** to respectively *“incorporate baseline contractual requirements to Section 3.18 of the RAA for registrars to disrupt and/or mitigate Domain Name System Abuse”* and *“enhance the DNS Abuse obligations contained in the [Registry Agreement]”*. An **ICANN CEO Blog** (18 Jan. 2023) confirmed ongoing work *“to define baseline obligations to require registries and registrars to mitigate or disrupt DNS abuse”* expecting that this should *“aid ICANN's Contractual Compliance team in its enforcement efforts with registrars or registries who fail to adequately address DNS abuse.”* It also noted this would be an opportunity for the ICANN Community *“to discuss and determine if further obligations are required via a policy development process”*.

³ See material of GAC plenary sessions during [ICANN66](#), [ICANN68](#), [ICANN69](#), [ICANN70](#), [ICANN71](#), [ICANN72](#), [ICANN73](#) and [ICANN74](#).

⁴ [ICANN70 GAC Communiqué](#), Section IV.1 p.5

- In the meantime, the GNSO’s Business Constituency (**BC**) and Intellectual Property Constituency (**IPC**), and the At Large Advisory Committee (**ALAC**) [requested](#) (20 Jan. 2023) that *“community input is appropriately regarded, and to assist ICANN Org in its established role as an advocate for community needs and arbiter of the public interest”*. In its [response](#) (27 March 2023), the ICANN Board stated that both *“ICANN Board and org have listened carefully to the community over the last several years regarding DNS abuse. Taking **this approach to make focused improvements to the Agreements, to add a clear obligation for registries and registrars to mitigate DNS abuse, will be an important building block in a longer journey that envisions potential policy discussions open to the full ICANN community, and potentially future negotiations between the CPH and ICANN org.**”*
- In a [Pre-ICANN76 GAC Briefing on Contract Negotiation regarding DNS Abuse Mitigation](#) (28 February 2023) [*GAC website login required*] GAC Topic leads **discussed possible improvements to existing contract provisions** towards better clarity and enforceability, **as well as possible areas for new contract provisions** as discussed in the ICANN Community (notably by the CCT and SSR2 Reviews) **including: financial and reputational incentives, thresholds of abuse and compliance triggers, best practices and centralized abuse reporting.**
- During the GAC bilateral meeting with the ICANN Board during ICANN76, **the GAC encouraged the ICANN Board to consider conducting a listening session with the ICANN community** about the negotiations (See p.11 of the [ICANN76 GAC Meeting Minutes](#))
- In the ICANN76 [Cancún Communiqué](#) (20 March 2023), the GAC encouraged the ongoing negotiations *“to proceed expeditiously”* and noted that it *“considers that **continued efforts in this area will be required, including further improvement of contractual obligations and/or targeted policy development processes prior to the launch of a second round of New generic Top-Level Domains (new gTLDs).**”* In addition, the GAC encouraged *“Contracted Parties and ICANN to further consider, inter alia, proactive measures as well as positive incentives for registries and registrars in future work on DNS abuse mitigation or disruption.”*
- In preparation for ICANN77, the **GAC Underserved Regions Working Group (USRWG)** organized two **webinars** to prepare newcomers and underserved regions GAC representatives to contribute to a Comment on the expected amendments of the Registry and Registrar contracts⁵.
- **ICANN org initiated a public comment proceeding** on the [Amendments to the Base gTLD RA and RAA to Modify DNS Abuse Contract Obligations](#) (29 May 2023) which were subsequently presented in a [ICANN77 Prep Week webinar](#) (30 May 2023). Among the various changes proposed to ICANN’s contracts, the amendments include a **new requirement to promptly take appropriate mitigation actions against domains for which the contracted party has actionable evidence** demonstrating that the domains are being used for DNS Abuse. In addition to the [proposed contract amendments](#), a [draft ICANN](#)

⁵ See [Pre-ICANN77 GAC Capacity Development Webinar on DNS abuse #1](#) (4 May 2023) and [Webinar #2](#) (22 May 2023)

[Advisory](#) provides detailed explanation of the new provisions and sets expectations as to their interpretation.

- Following its discussions of the proposed amendments during ICANN77⁶, [GAC Comments](#) (17 July 2023) were submitted in the public comment proceeding:
 - The GAC noted that the amendments are *“timely and relevant and, when adopted, will represent an important first step forward to combat DNS Abuse.”*
 - The GAC stressed *“In light of the ongoing threat that DNS Abuse poses to consumers and the public and private sectors”, that “it is imperative that the improved contracts are swiftly adopted following the completion of the Public Comment process”*
 - **The GAC expressed support for “the proposed amendments as a general matter” but invited “ICANN org and the CPH NT to consider some specific issues related to the text of the amendments”.** These include: the DNS Abuse definition; reporting and monitoring by Contracted Parties; consequence for non compliance; providing the ICANN community the ability to monitor how compliance is enforced; the need for the Advisory to be updated from time to time; and the need to address DNS Abuse both inside and outside of ICANN.
 - **The GAC indicated looking forward to “engaging in subsequent work with the multistakeholder community on DNS Abuse after the amendments are adopted. This work should include Policy Development Processes (PDPs) to further inform the updated RA and RAA, as well as other work on outstanding issues to address prior to the next application round for New gTLDs.”**
- In its [Public Comment Summary Report](#) (1 August 2023), **ICANN org indicated that voting by registries and registrars will proceed on the amendments as initially proposed** and noted *“[r]egarding comments that the proposed amendments are insufficient to address the challenge of DNS Abuse”: ICANN org acknowledges the comments and reminds the community that the ICANN community will have the opportunity to discuss these obligations and determine if further obligations are required [...]. ICANN org and the CPH [Negotiating Team] support the comments from the GAC which stated that after the proposed amendments are adopted, work should include Policy Development Processes (PDPs) to further inform the updated Base RA and RAA.”*
- [Voting by registries and registrars](#) on the amendments started on 9 October 2023 for a duration of 60 days and concluded successfully with 80% of affirmative votes by Registries and 94% approval by Registrars⁷ .
- The ICANN Board subsequently [resolved to approve the amendments](#) (21 January 2024) and determined that *“no further revisions to the proposed Global Amendments are necessary after taking the public comments and voting results into account”*.
- The [Amendment of the Registry Agreement](#), the [Amendment of the Registrar Accreditation Agreement](#) and the related [Advisory: Compliance With DNS Abuse](#)

⁶ See [ICANN77 GAC Capacity Development Workshop on DNS Abuse](#) (Sunday 11 June) and [GAC Discussion on DNS Abuse](#) (Wednesday 14 June)

⁷ Detailed voting results available at <https://www.icann.org/resources/pages/global-amendment-2024-en>

[Obligations in the Registrar Accreditation Agreement and the Registry Agreement](#) were published on 5 February 2024 and became effective on 5 April 2024⁸.

- During the ICANN79 ICANN meeting, ICANN Contractual Compliance outlined its enforcement plans to the GAC. These are expected to include:
 - Specific monitoring of complaints submitted by law enforcement and cybersecurity professionals and prioritization of their processing.
 - Facilitating the submission of valid complaints that provide enough information so that prompt action can be taken.
 - Inclusion of the new DNS Abuse obligations in the scope of future proactive audits
 - A dedicated report on the enforcement of the new DNS Abuse requirements to be published and updated every month, including data such as:
 - Number of complaints received broken down by the type of DNS Abuse;
 - Number of compliance notifications sent to contracted parties under the DNS Abuse requirements;
 - Number of cases resolved with contracted parties and their outcomes, including whether the contracted party took action to stop or to disrupt the DNS Abuse or whether no action was taken because there was no actionable evidence; and
 - Number cases resolved with contracted parties, and their outcomes, that resulted from complaints submitted by law enforcement agencies within the registrar’s jurisdiction.
 - By Q2 2025, ICANN Compliance intends to prepare a more detailed report related to the enforcement of the DNS Abuse requirements during the first 6 months in force.
- In the [ICANN79 GAC San Juan Communiqué](#) (11 March 2024), the GAC stated that it “*will track reports from ICANN Compliance on DNS Abuse enforcement*” and that “*there remains a general expectation that significant progress occur in advance of the next round of new gTLD applications*”.
- In its [ICANN Board Comments on Issues of Importance in the ICANN79 San Juan Communiqué](#) (9 May 2024) regarding the ICANN79 Communiqué, the ICANN Board stated: “***the intent is that Compliance’s reports contribute to measuring the impact of the DNS Abuse Amendments. However, determining the specific metrics and data sets that will allow measurement of such an impact should be a community-led effort, facilitated and supported by ICANN***”. It further indicated that “*an ICANN org cross-functional team working on analyzing the information and determining how to approach these efforts.*”
- During the recent [Contracted Parties Summit](#) (6-9 May 2024), Contracted Parties discussed the [implementation and impact of the Amendments](#) from their perspective. It was reported that the CPH DNS Abuse Subgroup is currently engaging ICANN Compliance on the way the amendments are being enforced.

⁸ See notices sent by ICANN org to [Registry Operators](#) and [Registrars](#) (5 Feb. 2024)

- During the GAC and [ICANN Board discussion](#) (21 October 2024) of the Issues of Importance identified in the [ICANN80 Kigali Communiqué](#) (17 June 2024), the ICANN Board stressed that the new amendments “empower ICANN Contractual Compliance (Compliance) to take enforcement actions against registrars or registries who fail to adequately mitigate or disrupt well evidenced DNS abuse” and reported that **ICANN Compliance took several enforcement action based on the amendments**, including:
 - Issued a formal [Notice of Breach](#) against a registry operator and a formal [Notice of Breach](#) against a registrar for failing to comply with DNS Abuse mitigation requirements.
 - Initiated investigations resulting in the suspension of over 2,600 malicious domain names and the disabling of over 328 phishing websites.
 - Began publishing [monthly reports](#) detailing the number of reported instances of phishing, malware, botnets, pharming, and spam used to deliver DNS abuse as well as how these were addressed. The [newly launched reports](#) are broken out by the type of DNS abuse reported and contain a significant amount of data captured from received complaints and the related enforcement actions
 - Launched an audit of registry operators to confirm, among other things, that the auditees are complying with the new DNS Abuse obligations
- As it relates to measuring the **impact and effectiveness of the new DNS Abuse amendments**, the ICANN Board stated “It is important to allow sufficient time for the implementation of the new amendments and to accurately measure impact. For example, **Compliance metrics, while an important data source, alone cannot be relied on to measure the overall impact of the DNS Abuse Amendments.** Compliance has visibility over the instances of DNS Abuse that are subject of Compliance’s cases, but not over the entire DNS market and how contracted parties or other actors within the DNS ecosystem address DNS Abuse. Accordingly, **Compliance data can be considered alongside that of other third-party experts who also capture nuanced metrics.** For instance [Net Beacon’s MAP](#) contains metrics across the global gTLD domain name market such as normalized abuse rates, median time to mitigate, and viewpoint of malicious versus compromised names.”

- **Prospects of policy development regarding the prevention and mitigation of DNS Abuse**
 - Per the [ICANN69 GAC Communiqué](#) (23 October 2020), ***“From the GAC’s perspective, the momentum has been increasingly building for concrete action as the Community has progressively engaged in constructive dialogue to advance work on a shared goal, the mitigation of DNS abuse. Beginning with the recommendations from the CCT-RT and the SSR2 RT and continuing through several cross-community sessions and more recent work on a DNS Abuse Framework, the GAC believes there is now a solid expression of broad support for concrete steps to be taken to address the core components of effective DNS abuse mitigation”.***
 - Since prior to the ICANN68 meeting, **the GAC Leadership has sought the establishment, in collaboration with the GNSO Council leadership, of a framework of possible community work and policy development to address DNS Abuse.** During the ICANN72 bilateral meeting between the GAC and the GNSO as reported in the [ICANN72 GAC Minutes](#), the GAC Chair reiterated that DNS Abuse *“is a long standing issue of interest to the GAC and that the GAC is interested in advancing community discussions, driving progress and convergence of views prior to the launch of new gTLDs”* and added that *“the GAC looks forward to agreeing on how to handle community wide discussions on DNS Abuse mitigation (a PDP, CCWG etc)”*
 - On 31 January 2022 the GNSO Council [formed](#) a **GNSO Small Team on DNS Abuse** expected to determine *“what policy efforts, if any, the GNSO Council should consider undertaking to support the efforts already underway in the different parts of the community to tackle DNS abuse”.*
 - In [The Hague Communiqué](#) (20 June 2022), the GAC stated that ***“any PDP on DNS Abuse should be narrowly tailored to produce a timely and workable outcome”*** to which the ICANN Board responded that it shares this view and is prepared to support the ICANN community in such pursuits⁹.
 - **The GNSO Small Team recommended** in a [Report to the GNSO Council](#) (7 October 2022): **the initiation of a tightly scoped policy development on malicious registrations** (Rec. 1), **further exploration of the role of bulk registrations play in DNS Abuse** and measures already in place to address it (Rec. 2), **encouraging further work towards easier, better and actionable reporting** of DNS Abuse (Rec. 3), and possible work between Contracted Parties and ICANN Compliance regarding its findings on potential gaps in interpretation and/or enforcement of the current ICANN contracts (Rec. 4). The GNSO Council proceeded with recommended outreach to [Contracted Parties](#) regarding Rec. 3 and to [Contracted Parties, the DNS Abuse Institute and ICANN Compliance](#) regarding Recommendation 2 (6 January 2023).
 - **Regarding bulk registrations**, the [ICANN Compliance response to the GNSO Council](#) (22 February 2023) states that *‘ICANN agreements and policies do not contain requirements or limitations related to registering domain names in bulk. As a result, ICANN Contractual*

⁹ See <https://gac.icann.org/sessions/boardgac-interaction-group-bgig-call-31-august-2022> (31 August 2022) [prior GAC website login required]

Compliance does not collect or track information on bulk registrations, [or] the potential role these may play in Domain Name System (DNS) abuse". The [DNS Abuse Institute's response](#) (24 February 2023) proposed that **"research would need to be conducted to determine the scale of any issues related to [Bulk Domain Registration] prior to any policy work"**, and noted the relevance of the [Framework on Domain Generating Algorithms Associated with Malware and Botnets](#) developed by the RySG and the GAC PSWG. The DNS Abuse Institute expressed support for payment-based approaches to fighting DNS abuse, and proposed that it would be worth **"to encourage Registrars to investigate all of the domains in a customer account where one is identified as malicious"** as part of **"sensible and practical options available to registrars that will reduce DNS Abuse [...] right now"**, in addition to **"friction at the time of registration"**.

- Based on further input received from Contracted Parties¹⁰, the **GNSO Small Team on DNS Abuse concluded**, as part of its [Preliminary Findings Preliminary Finding on Bulk Registrations](#) (15 May 2023), that **the topic of bulk registrations "does not fall within the realm of Consensus Policy at the moment"** to the extent that:
 - *Complaints from single or multiple registrations are handled uniformly, without clarity on what might constitute bulk registrations warranting targeted reactions.*
 - *The lack of a clear definition did not elicit a clear response.*
 - *Other Know Your Customer tools are deemed more efficient in detecting potential abuse, and should warrant more attention.*
 - *ICANN's recently started [Inferential Analysis of Maliciously Registered Domains \(INFERMAL\)](#) project seems to indicate a willingness from the org. to look into this matter and provide [...] better statistics and intelligence [on this matter]*
- In the [Hamburg Communiqué](#) (30 October 2023), the GAC stated its intention **"to engage with the community in discussions on policy efforts around [...] key themes linked to effective implementation of the amendments, such as clarification of key terms from the amendments (i.e. "reasonable", "actionable", "prompt"), and further actions to mitigate DNS Abuse, such as capacity building efforts"**.
- During the ICANN79 preparation call between the GNSO Council and GAC Leadership, it was indicated that at the moment, the GNSO Council is not actively considering policy development on DNS Abuse-related issues and that this is currently the subject of discussion within and between stakeholder groups in the GNSO.
- During a [bilateral meeting with the GAC in San Juan](#) (6 March 2024), the GNSO Council noted that the GNSO Small Team is currently paused while awaiting for data to be collected from ICANN Compliance on the impact of the amendments, and will resume once further information is provided to determine what if any policy development might be appropriate to address gaps in DNS Abuse mitigation.

¹⁰ See correspondence from the [Contracted Parties House \(CPH\)](#), [Registry Stakeholder Group \(RySG\)](#) and [Registrar Stakeholder Group \(RrSG\)](#)

- **Status and implementation prospects of Specific Reviews recommendations related to DNS Abuse disruption¹¹**
 - **The SSR2 Review delivered 63 recommendations** in its [Final Report](#) (25 January 2021) with a significant focus on measures to prevent and mitigate DNS Abuse.
 - The GAC considered a [Draft SSR2 Review Report](#) (24 January 2020) and endorsed many of the draft recommendations in a [GAC Comment](#) (3 April 2020). These were followed by [GAC Comments](#) (8 April 2021) on the final recommendations, and subsequent GAC Advice in the [ICANN72 Communiqué](#) (1 Nov. 2021) requesting follow-up action and further information on levels of implementation of certain recommendations, to which the ICANN Board [responded](#) (16 Jan. 2022), leading to further discussions during ICANN73¹², and communications by ICANN org to the GAC in a [letter](#) (18 March 2022) and a [follow-up email](#) (12 April 2022).
 - Based on the [ICANN Specific Review Quarterly Report](#) (31 March 2024), and based on several ICANN Board resolutions ([22 July 2021](#), [1 May 2022](#), [16 November 2022](#) and [10 September 2023](#)): **23 recommendations** are now **approved** (including 14 subject to prioritization for implementation), **38 rejected**, and **1 pending** further information.
 - On [10 September 2023](#), the **ICANN Board rejected 6 of the 7 Pending Recommendations relating to DNS Abuse** based on [assessment by ICANN org - 12.1 \(DNS Abuse Analysis advisory team\)](#), **12.2 (structure agreements with data providers to allow further sharing of the data)**, **12.3 (publish reports that identify registries and registrars whose domains most contribute to abuse)**, **12.4 (report actions taken by registries and registrars to respond to complaints of illegal and/or malicious conduct)**, **13.1 (central DNS abuse complaint portal mandatory for all gTLDs)**, **13.2 (publish complaints data for third party analysis)** and **14.2 (provide contracted parties with lists of domains in their portfolios identified as abusive)**
 - **In its discussion of contract negotiations on DNS Abuse, the GAC PSWG discussed¹³ several SSR2 recommendations that have been rejected** by the ICANN Board per the [Board Scorecard](#) (22 July 2021) - **8.1 (commission a negotiating team that includes abuse and security experts to renegotiate contracted party contracts)**, **9.4 (regular compliance reports enumerating missing tools)**, **14.4 (provide contracted parties 30 days to reduce the fraction of abusive domains below the threshold)** and **14.5 (consider offering financial incentives)** - **for which the GAC acknowledged** in the [GAC ICANN72 Communiqué](#) (1 November 2021) *“the procedural bases for the Board’s rejection”* **noting, nevertheless, “the useful substantive aspects of certain rejected recommendations, including those that aim to provide ICANN org and ICANN Contractual Compliance with appropriate tools to prevent and mitigate DNS abuse”.**

¹¹ The status of all recommendations may be consulted in the ICANN’s Quarterly Reports, the home page of each review, all accessible from <https://www.icann.org/resources/reviews/specific-reviews>

¹² See [ICANN73 GAC Minutes](#) p.13

¹³ See [PSWG Conference Call](#) on 14 February 2023 [prior GAC website login required]

- The **Competition, Consumer Trust & Consumer Choice Review Team’s [Final Report](#)** (8 Sep. 2018) provided 35 recommendations. In the [Montréal Communiqué](#) (6 Nov. 2019), as clarified in subsequent [correspondence with the ICANN Board](#) (Jan. 2020), **the GAC advised the ICANN Board “not to proceed with a new round of gTLDs until after the complete implementation of the recommendations [...] that were identified as ‘prerequisites’ [14 recommendations] or as ‘high priority’ [10 recommendations].”** Following discussions related to the ICANN70 and ICANN71 Communiqués¹⁴, the GAC and ICANN Board agreed on an understanding stated in a [GAC/Board BGIG Call](#) (5 October 2021) [GAC Website Login required] as “the GAC would consider follow-up on the substance of the CCT Review recommendations and not the specific recommendations themselves.” Several of these recommendations were relevant to contract negotiations on DNS Abuse and were discussed by the GAC PSWG¹⁵:
 - **Recommendation 17** (collect data about and publicize the chain of parties responsible for domain name registrations) **was approved and implementation is complete** per its [Implementation documentation](#) as of 14 Sep. 2022.
 - **Recommendation 13** (collect data on impact of registration restrictions which the GAC noted “would allow for more informed decision and policy making with regard to future standard registry and registrar contract provisions”) and **Recommendation 20** (assess mechanisms to report and handle complaints and possibly consider amending future standard Registry Agreements to require registries to more prominently disclose their abuse points of contact and provide more granular information to ICANN) were approved in part per [Board Scorecard of 22 October 2020](#), and **their implementation is in progress with completion estimated between Q3 2023 and Q2 2024** according to the [ICANN Specific Reviews Q1 2023 Quarterly Report](#) (31 March 2023)
 - **Recommendation 14** (incentives to adopt proactive anti-DNS Abuse measures) and **Recommendation 15** (negotiate amendments to include provisions aimed at preventing systemic use of specific registrars or registries for DNS Security Abuse, and establish thresholds of abuse for automatic compliance triggers) **were rejected by the ICANN Board** ([resolution](#) of 10 September 2023)
- The **RDS-WHOIS2 Review recommendations LE.1 and LE.2** which sought “regular data gathering through surveys and studies to inform a future assessment of the effectiveness of RDS (WHOIS) in meeting the needs of law enforcement” and “conducting comparable surveys and/or studies with other RDS (WHOIS) users working with law enforcement on a regular basis” are now **considered to be “implemented to the extent possible”** in connection with work of EPDP Phase 2 and 2A as well as the SSAD ODP, per the [Implementation Documentation](#) (11 October 2022)

¹⁴ See Communiqué clarification discussions and eventual Board responses to the GAC’s Follow-up on Previous Advice in the ICANN70 Communiqué and ICANN71 Communiqué: ICANN70 [Clarification call](#) (21 April 2021) and [Board response](#) (12 May 2021), and ICANN71 [Clarification call](#) (29 July 2021) and [Board response](#) (12 September 2021).

¹⁵ See [PSWG Conference Call](#) on 14 February 2023 [GAC website login required]

- **Measures and initiatives to mitigate DNS Abuse by Registries and Registrars**

- On 27 March 2020, ICANN org [executed](#) the [proposed amendment of the .COM Registry Agreement](#) which **extends contractual provisions to facilitate the detection and reporting of DNS Abuse to three-quarters of the gTLD namespace**¹⁶. Additionally, a binding [Letter of Intent](#) between ICANN org and Verisign lays out a cooperation framework to develop best practices and potential new contractual obligations, as well as measures to help measure and mitigate DNS security threats.
- **In the context of the COVID-19 crisis Contracted Parties and Public Safety stakeholders** reported¹⁷ on their collaboration to facilitate reports, their review and their referral to relevant jurisdiction through the adoption of a standardized form and the establishment of single point of contacts for relevant authorities. These efforts built on working relations established between law enforcement and registrars as well as the publication by the **Registrar Stakeholder Group** of a [Guide to Registrar Abuse Reporting](#) during ICANN67. This guide was [updated](#) (Jan. 2022) and endorsed by the **Registry Stakeholder Group**.
- **Public Interest Registry (PIR)**, Registry Operator of .ORG and several New gTLDs [launched](#) the **DNS Abuse Institute** (17 February 2021). This initiative was [presented to the GAC PSWG](#) (3 March 2021). In the [ICANN70 Communiqué](#), the GAC welcomed the launch of the DNS Abuse Institute and “*encouraged[d] community efforts to cooperatively tackle DNS Abuse in a holistic manner*”. The DNS Abuse Institute has since released a [Roadmap](#) (14 June 2021), regularly discusses best practices, and developed an [initiative to measure the use of the DNS for phishing and malware activities](#). During ICANN74, the GAC invited the DNS Abuse Institute to present [Net Beacon](#) (formerly known as the **Centralized Abuse Reporting Tool**), which it indicated it is developing in response to SAC115 and SSR2 Recommendation 13.1, and consistent with CCT-RT Recommendation 20. In advance of ICANN79, the DNS Abuse Institute [published](#) an analysis of [GAC Communiqués and Community Activity on DNS Abuse](#) (8 February 2024) in which it discusses the GAC’s positions, related Community activity and “current gaps”.
- **Several actors of the DNS Industry are actively seeking to contribute to the measurement of DNS Abuse** and of the effect the recently approved Amendments of the Registry Agreement and the Registrar Accreditation Agreements will have:
 - During ICANN78, the **DNS Abuse Institute** presented to the GAC its [Compass](#) project and methodology which aims to provide a rigorous and transparent approach to measuring DNS Abuse, and currently produces monthly abuse reports that discuss trends across the industry and specific registrars and registries that either have high or low rates of DNS Abuse. Based on its measurements, the DNS Abuse Institute reports that 80% of DNS Abuse gets mitigated within 30 days. It expects that

¹⁶ Such provisions include [Specification 11.3b](#) which had only been applicable to New gTLDs so far. As of March 2022, .COM totaled 161.3 million domains names registrations, which, excluding the 133.4 million ccTLD domains out of the 350.5 million domains across all TLDs, represent a 74% share of all gTLD domain registrations (see [Verisign Domain Name Industry Brief](#) of June 2022)

¹⁷ See Contracted Parties presentations [prior](#) and [during the ICANN68 meeting](#) and [PSWG briefing to the GAC](#) during ICANN68.

mitigation trends should evolve favorably in the future thanks to the amendments of the ICANN's contracts.

- **CleanDNS**, a service provider managing DNS Abuse on behalf of registrars, registries and hosting providers, discussed with the GAC, during ICANN78 and ICANN79, the importance of well evidenced reports of DNS Abuse, which need to be communicated to the most appropriate party (registry, registrar, hosting provider or registrant), to ensure that the time to mitigate the abuse is as short as possible so that victimization can be minimized.
- During the recent [Contracted Parties Summit](#) (6-9 May 2024), ICANN and Contracted Parties held a “Combatting DNS Abuse workshop” which discussed amongst other topics” “Most pressing concerns and challenges on DNS Abuse”, “Case Studies and Lessons Learnt from Challenging DNS Abuse Reports”. Recording of the open sessions are available at <https://cpsummit2024.sched.com/>.
- **ICANN Org’s multifaceted Response¹⁸ (now part of the DNS Security Threat Mitigation Program) and contractual enforcement**
 - ICANN org [presented](#) (22 July 2021) its [DNS Security Threat Mitigation Program](#) which aims to provide visibility and clarity over various DNS security threats related initiatives and projects, and allows for the formation and execution of a centralized strategy.
 - **ICANN’s Office of the CTO (OCTO) and its Security Stability and Resiliency Team (SSR)** conduct research and maintain ICANN’s expertise in DNS security for the benefit of the Community. It is engaged in cyber threats intelligence and incident response fora, and develops systems and tools to assist in identification, analysis and reporting DNS Abuse¹⁹.
 - In response to the COVID-19 crisis, OCTO developed the **Domain Name Security Threat Information Collection and Reporting (DNSTICR)** tool to help identify domain names used for COVID-19-related abuse and share data with appropriate parties. The GAC was initially [briefed](#) on this matter prior to ICANN68 (12 June 2020) and GAC Members have been invited to contribute to the linguistic diversity of the tool.
 - Through its **Domain Abuse Activity Reporting (DAAR) platform**, ICANN has [reported monthly](#) since January 2018 on domain name registration and security threats behavior observed in the DNS²⁰. In October 2021, ICANN org and the Registry Stakeholder Group reported on their agreement in principle²¹ to leverage Registry-held registration data to provide registrar-level information in DAAR as [recognized by the GAC](#) in a letter to ICANN (21 February 2022). These changes were included in the [Proposed Amendments to the Base gTLD RA and RAA to Add RDAP Contract Obligations](#) (6 September 2022) which the GAC welcomed in its [Comments](#)

¹⁸ See ICANN CEO blog on 20 April 2020 detailing ICANN Org’s [Multifaceted Response to DNS Abuse](#)

¹⁹ During a [GAC call on DNS Abuse Matters](#) (24 February 2021), ICANN org provided updates on OCTO’s DNS Abuse-related Activities, which included a discussion the definition of DNS Security Threats and DNS Abuse, Contracted Parties obligations, and updates on DAAR, DNSTICR, DSFI, KINDNS, and OCTO’s efforts in the area of training and capacity building throughout the world

²⁰ Several stakeholders and ICANN initiatives have commented on the limitations of DAAR, in particular a [letter](#) from the M3AAWG to ICANN org (5 April 2019) and the [Draft Report](#) of the SSR2 Review Team (24 January 2020). The Registry Stakeholder Group who had also expressed concerns made recommendations in a [correspondence](#) to ICANN’s CTO (9 September 2020).

²¹ See RySG letter to ICANN (22 October 2021) and ICANN Blog (28 October 2021)

- (16 November 2022). These amendments were recently [approved by the ICANN Board](#) (30 April 2023) and are expected to become effective by 3 February 2024. On 28 February 2024, ICANN [announced](#) that **DAAR was to be replaced by a new platform, “ICANN Domain Metrica”**, to provide an extended set of metrics and metadata about domain names, including DNS Abuse concentration in gTLD Registries and Registrars, Abuse risk scores, categorization of maliciousness and other DNS-related information. According to an [update on the project’s status](#) (22 October 2024), the first module providing DNS Abuse concentration data has been undergoing a pilot testing phase and is expected to be open to all registries and registrars before ICANN81 during which the platform will be demonstrated to the ICANN Community during a [DNS Abuse Updates](#) session on 13 November 2024). For more information, see the project’s [FAQ](#).
- OCTO supported the **DNS Security Facilitation Initiative Technical Study Group**, [launched](#) in May 2020 as part of the implementation of the [FY21-25 Strategic Plan](#), to *“explore ideas around what ICANN can and should be doing to increase the level of collaboration and engagement with DNS ecosystem stakeholders to improve the security profile for the DNS”*. Its [Final report](#) (15 October 2021) was [released](#) after 18 months of deliberations. ICANN org [indicated to the GAC](#) (16 Feb. 2022) developing an action plan accordingly. The [implementation process](#) and a [wiki page](#) to track progress was introduced to the community on 20 April 2022. During ICANN74, the GAC discussed the value of prioritizing recommendation E5 for the establishment of a **threat and incident information sharing platform** among relevant stakeholders in the ICANN community²².
 - A new project to be supervised by ICANN OCTO, [Inferential Analysis of Maliciously Registered Domains \(INFERMAL\)](#), aims to **systematically analyze the preferences of cyberattackers, including the use of domain names of certain registrars over others**, and possible measures to mitigate malicious activities across top-level domains (TLDs). This project is stemming in part from evidence gathered in the [Statistical Analysis of DNS Abuse in gTLDs](#) (9 August 2017)²³, suggesting that malicious actors may prefer registrars that provide low registration prices, accept specific payment methods, offer free application programming interfaces (APIs) for bulk registrations or avoid registrars that require certain information in the purchasing process. In a [pre-ICANN78 update](#) (25 October 2023), it was indicated that the research team was planning *“to perform an analysis of identified security measures that help mitigate DNS abuse”* and intended to *“summarize a study on how quickly abusive domain names are suspended after operators are notified about the abuse”*. It expected that a final report *“in the form of a research paper”* will be shared by September 2024 and that *“best practices to effectively mitigate abuse”* will be

²² Recommendation E5 *Incident Response* of the [DSFI-TSG Final Report](#) (13 Oct. 2021): “ICANN org should, together with relevant parties, encourage the development and deployment of a formalized incident-response process across the DNS industry that allows for interaction with others in the ecosystem. Such an effort should include incident-response handling as well as the protected sharing of threat and incident information”

²³ This study was conducted as part of the CCT Review and a [GAC Comment](#) (19 Sept. 2017) was submitted on this report.

proposed. An update on this project is scheduled during ICANN81 in a [DNS Abuse Updates session](#) on 13 November 2024.

- **Regarding Contractual Compliance enforcement** in its [blog](#) (20 April 2020), the ICANN CEO recalled: *“ICANN Compliance enforces the contractual obligations set forth in ICANN’s policies and agreements, including the Registry Agreement (RA) and the Registrar Accreditation Agreement (RAA). ICANN Compliance also works closely with OCTO to identify DNS security threats [...] and associate those threats with the sponsoring contracted parties. ICANN Compliance uses data collected in audits [...] to assess whether registries and registrars are adhering to their DNS security threat obligations. Outside of audits, ICANN Compliance will leverage data collected by OCTO and others to proactively engage with registries and registrars responsible for a disproportionate amount of DNS security threats. Where constructive engagement fails, ICANN Compliance will not hesitate to take enforcement action against those who refuse to comply with DNS security threat-related obligations.”*
 - Following a prior **Contractual Compliance audit of Registry Operators** focused on **DNS Infrastructure abuse** which concluded in June 2019²⁴, ICANN [reported](#) (24 August 2021) on the results of the audit on **Registrars’ Compliance with DNS Abuse Obligations**: 126 registrars audited (managing over 90% of all registered domains in gTLDs); 111 registrars not fully compliant with requirements related to the receiving and handling of DNS abuse reports (RAA Sections 3.18.1 – 3.18.3); and 92 registrars took actions to become fully compliant.
 - A new round of **audits for 28 gTLD Registry Operators**²⁵ running gTLDs that have not previously been audited in a standard full-scope audit, and which were found to have the highest abuse score as reported by publicly available Reputation Blocklists (excluding Spam), was [announced](#) on 13 April 2022 and concluded with the publication of the [Audit Report](#) on 16 September 2022. The GAC discussed the findings during its [plenary session on DNS Abuse during ICANN75](#) (20 Sep. 2022).
 - In a [report of a subsequent Registrar Audit](#) (22 June 2023) concerning **15 Registrars “representing 7 registrar families comprising 619 registrars” based in 8 countries**, totalling 83 million domain names under management (see list on p.17). 40% of auditees were able to resolve “initial findings” while 53% were not and “are implementing necessary changes” to resolve outstanding deficiencies (see pp. 10-14).
 - In [a report of a subsequent Registry Compliance Audit](#) (22 January 2024) involving **19 Registry Operators**, not previously audited, with a [DAAR](#) abuse score greater than 0% (see list p.11), ICANN Compliance reported that *“Nine (9) of the 19 registries (47 percent) received an audit report with no initial findings. Two (2) of the 19 Registries (11 percent) who received a final report had initial findings noted in their draft report and were able to fully resolve them prior to the completion of the Remediation Phase”* and that *“The remaining eight (8) of the 19 registries (42 percent) completed the audit*

²⁴ See ICANN blog [Contractual Compliance: Addressing Domain Name System \(DNS\) Infrastructure Abuse](#) (8 November 2018) and [Contractual Compliance Report on Registry Operator Audit for Addressing DNS Security Threats](#) (17 September 2019)

²⁵ .africa .app .art .bar .best .blog .buzz .cat .cloud .club .com .coop .gift .icu .ink .istanbul .moe .one .ooo .org .ren .ryukyu .tel .tirol .xin 我爱你 (Xn--6qq986b3xl) .닷컴 (Xn--mk1bu44c) .Pyc (Xn--p1acf)

with deficiencies noted as they were unable to fully resolve their initial findings prior to the completion of the Remediation Phase”

- In a [report of a Registrar Compliance Audit](#) (20 August 2024) of **62 registrars totalling more than 25 million domain names under management**, ICANN reported that: *“eighteen registrars were unable to fully resolve their initial findings prior to the completion of the audit”* and noted that the most frequent deficiencies were related to required provisions in agreements with registrants (79% of deficient registrars), required field in WHOIS output (43%), information required on registrar’s website (40-38%), non-publication of registrars procedures for handling abuse reports (34%), and missing required terms for Privacy and Proxy Services (24%).

- **Survey of DNS Abuse Mitigation efforts in ccTLDs by the ccNSO DNS Abuse Standing Committee (DASC)**

- Work plans of the GAC Public Safety Working Group (PSWG) have included consideration of DNS Abuse mitigation practices by ccTLDs to inform elevated contractual standards in the gTLD space. In particular, the most recent [2023-2024 PSWG Work Plan](#) includes Work Item 1.3 to *“Review and identify ccTLD Best Practices for adoption in the gTLD space”*:
 - *Review and assess ccTLD best practices in mitigating security threats such as abuse prediction and registrant validation and verification policies, with a view to identify possible practical and implementable approaches and consider how they may inform elevated contractual standards in the gTLD space.*
- Previously, operators of ccTLDs around the world briefed the GAC in a [Pre-ICANN69 webinar](#) (4 June 2020) on the lessons they learned from their operations during the COVID-19 crisis.
- In March 2022, the ccNSO established a [DNS Abuse Standing Committee \(DASC\)](#) to *“raise understanding and awareness of the issues pertaining to DNS Abuse, promote open and constructive dialogue, and ultimately to assist ccTLD Managers in their efforts to mitigate the impact of DNS Abuse”*, noting that *“In keeping with the nature of the ccNSO, the purpose of the Committee is not to formulate any policy or standards, recognising that policy development in this area is out of scope of the ccNSO policy remit.”*
- During the [ICANN76 GAC Capacity Development Workshop](#) (11 March 2023), the DASC presented to the GAC its initial findings following a survey it conducted between September and November 2022 covering about 100 ccTLDs, on their practices for mitigating DNS Abuse. The presentation discussed quantitative results regarding:
 - methods used to mitigate DNS Abuse (registration policies, complaint procedures, other tools) and actions taken when DNS Abuse is detected (notices to registrants, suspension, deletion);
 - collaboration with national CERTs, Law Enforcement and Trusted Notifiers;
 - public reporting of DNS Abuse.
- The results of this survey were further discussed in [ccNSO session during ICANN77](#)

focussing on quantitative results related to verifications of registration data, their scope, timing, methods and consequences; as well as the connection between pricing policies and levels of DNS Abuse.

- During the final presentation of the survey's results, in a [Pre-ICANN78 DASC webinar](#) on 28 September 2023 (see [recording](#) and [slides](#)), the DASC focussed on the quantitative distribution of DNS Abuse trends and mitigation practices based on features of ccTLDs (including region, governance model, size of domain portfolio, etc.).
- During ICANN78, the ccNSO DASC joined the [GAC plenary discussion on DNS Abuse Mitigation](#) and discussed next steps in studying measurements of DNS Abuse and mitigation tools in ccTLDs.
- The second edition of the ccNSO DASC global survey of DNS abuse mitigation practices across ccTLDs was [conducted between August and September 2024](#). It is expected that a first set of results will be presented during an [update by the ccNSO DASC during ICANN81](#), on Wednesday 13 November 2024 at 10:15 UTC / 13:15 local time.

Key Reference Documents

- SSAC [SAC115 Report](#) (19 March 2021), a proposal for an Interoperable Approach to Addressing Abuse Handling in the DNS and a the recent [Pre-ICANN81 GAC Webinar on DNS Abuse mitigation \(4 October 2024\)](#) which provided status on the implementation of the SSAC recommendations.
- [ICANN Contractual Compliance New DNS Abuse Monthly Reports](#) (since April 2024)
- [ICANN Board Comments on Issues of Importance in the ICANN80 Kigali Communiqué](#) (15 October 2024)
- [ICANN Board Comments on Issues of Importance in the ICANN79 San Juan Communiqué](#) (9 May 2024)
- [Contracted Parties Summit](#) (6-9 May 2024) and [recordings of the open sessions](#).
- [Amendment of the Registry Agreement](#), [Amendment of the Registrar Accreditation Agreement](#) and related [Advisory: Compliance With DNS Abuse Obligations in the Registrar Accreditation Agreement and the Registry Agreement](#) (published on 5 February 2024 and to become effective on 5 April 2024).
- [ICANN Board resolution](#) (21 January 2024) approving the Amendments of the Registry and Registrar Agreements regarding DNS Abuse
- [ICANN Board Resolution](#) (10 September 2023) based on [ICANN org assessment](#) of pending CCT and SSR2 Review pertaining to DNS Abuse Mitigation
- ICANN org [Public Comment Summary Report](#) (1 August 2023) on Public Comment proceeding related to the proposed Amendments of the Registry and Registrar Agreements regarding DNS Abuse

- [GAC Comments](#) (17 July 2023) on the proposed Amendments of the Registry and Registrar Agreements regarding DNS Abuse
- [Contractual Compliance November 2022 Round Registrar Audit Report](#) (22 June 2023)
- [Amendments to the Base gTLD RA and RAA to Modify DNS Abuse Contract Obligations](#) (29 May 2023)
- [Inferential Analysis of Maliciously Registered Domains \(INFERMAL\)](#) announcement (25 April 2023)
- [GNSO Small Team on DNS Abuse Report to the GNSO Council](#) (7 October 2022)
- [The Last Four years in Retrospect: A Brief Review of DNS Abuse](#) by ICANN org (22 March 2022)
- European Commission [Study on DNS Abuse](#) and its [Technical Appendix](#) (31 January 2022)
- SSR2 Review [Final Report](#) (25 January 2021) and related [GAC Comments](#) (8 April 2021)

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GAC Meeting with ICANN Board

Session 16

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Session Objectives

An ICANN Public Meeting creates the opportunity for the GAC to meet and interact with other ICANN groups, organizations and structures - enabling the committee to coordinate and resolve specific policy work and operational matters and to build channels of communication with other groups to address current issues of government interest and facilitate future informational exchanges. The GAC Meeting with the ICANN Board of Directors is one of those important opportunities. The Tuesday, 12 November GAC meeting with the ICANN Board at ICANN81 will enable the GAC to share views and ask timely questions of Board Members on topics of importance to the committee.

Recent Developments

Recent GAC-Board Meetings have covered a range of subjects and topics that have mostly centered around formal questions the GAC submits to the Board about two to three weeks before the start of the ICANN Public Meeting. For some meetings, the Board presents a number of standard questions or session topics to community groups for them to respond to the Board.

For ICANN81, the Board has proposed one specific questions for the GAC:

- *ICANN's new CEO will come on board in December. What do you think his top three priorities should be, and why? Please be as concrete as possible.*

With respect to the topics and questions from the GAC to the ICANN Board, during the ICANN81 Agenda Setting Calls on 4 September and 30 September, GAC members were reminded to share potential topics and questions for compilation by GAC Support staff and subsequent curation from the GAC Chair and Vice Chair (C-VC) team.

So far, the identified topics areas include the Applicant Support Program for the next round of new gTLDs, responses to urgent requests for disclosure of domain name registration, and policy process transparency. The C-VC will discuss and curate the questions that have been submitted. The initial list of questions for ICANN81 will be shared with the Board by 29 October.

GAC Members will discuss particular drafted questions to present to the Board during a special committee pre-meeting preparatory call before ICANN81, after which finalized questions will be shared with the Board in preparation for the meeting.

Session Agenda

Session #16 - Tuesday, 12 November (1015 UTC) - GAC Meeting with ICANN Board

A preliminary meeting agenda for the joint meeting (as of 21 October) is:

- A. Introductions
- B. Review of GAC Topics/Questions (shared in advance of meeting)
- C. Review of Board Question to the GAC
- D. AOB
- E. Closing

Further Information

Board-GAC Interactions -

- Within the ICANN multistakeholder community, the GAC has a fundamental relationship with the ICANN Board of Directors that is detailed in the ICANN Bylaws (see ICANN Bylaws Section 12.2(a)) and the Board-GAC meeting is a regular feature of every ICANN Public Meeting - <https://www.icann.org/resources/pages/governance/bylaws-en/#article12>
- From time-to-time, the GAC also hosts a meeting of the Board-GAC Interaction Group (BGIG) which is covered by a separate briefing document. For this meeting cycle, that meeting took place on 21 October 2024, during which Board members shared their reactions to the GAC Issues of Importance identified in the ICANN80 Communiqué. Information materials about that interaction can be found here - <https://gac.icann.org/sessions/boardgac-interaction-group-call-bgig-13-may-2024> (GAC ICANN Account log-in required).

Topical Reference Documents -

- The [Board Scorecard on ICANN79 GAC Advice \(5 May 2024\)](#), outlining Board decisions following the issuance of GAC advice at ICANN78.

- The [Board Scorecard on ICANN79 GAC Issues of Importance](#) (9 May 2024)

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GAC Meeting with the Address Supporting Organization (ASO)

Session 17

Session Objective

The GAC will be meeting with the Address Supporting Organization (ASO) to discuss public policy matters of mutual interest.

Both groups have not had an opportunity to meet at an ICANN meeting for a long time, ICANN81 is an opportunity for both groups to reconnect and facilitate future dialogue and collaboration.

Background

The ASO is one of ICANN's three Supporting Organizations (SOs) that reviews and develops recommendations on Internet Protocol (IP) address policy and advises the ICANN Board on policy issues relating to the operation, assignment, and management of IP addresses.

The ASO does not develop policy relating to Internet number resources itself but rather ensures that the [Global Policy Development Process \(GPDP\)](#) has been correctly followed in each Regional Internet Registry ([RIR](#)) region.

- **ASO and NRO**

The Address Supporting Organization (ASO) and the Number Resource Organization (NRO) are two separate bodies. While they are closely linked, they each have distinct responsibilities.

The [NRO](#), as the coordinating body for the five RIRs, fulfills the role, responsibilities and functions of the ASO. These functions and responsibilities are outlined in the [ICANN-ASO Memorandum of Understanding](#) (MoU).

The NRO provides secretariat support for the ASO, acts as a coordinating mechanism for the five RIRs and participates, as the ASO, in the [ICANN Empowered Community](#).

- **ASO Address Council**

The ICANN-ASO MoU states that the ASO shall have an Address Council ([ASO AC](#)) consisting of the 15 members of the Number Resource Organization (NRO) Number Council (NRO NC).

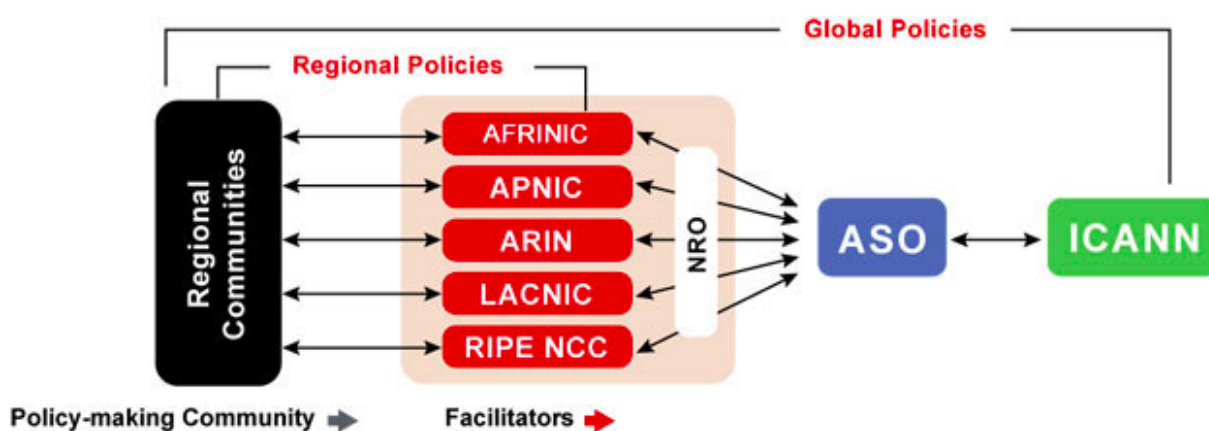
Among other activities, the ASO AC oversees the [GPDP](#), provides recommendations to the ICANN Board on the management of IP address space and the recognition of new RIRs, and [appoints Directors](#) to serve in the ASO's two seats (Seat 9 and Seat 10) on the ICANN Board.

Each of the five RIRs appoints three members to the ASO AC. Each RIR's community appoints two members and one member is appointed by the RIR's Executive Board.

While similar in name, the ASO and the ASO AC are distinct groups and have separate responsibilities.

- **Global Policies**

Global policies govern how Public Technical Identifiers ([PTI](#)), the organization charged with performing the [IANA functions](#), issues Internet number resources to the Regional Internet Registries ([RIRs](#)). The RIRs then distribute these Internet number resources to their members according to the [regional policies](#) developed by their respective communities.



Current Status and Recent Developments for discussion at ICANN81

At ICANN81, the ASO will update the GAC on the review of the Internet Coordination Policy ([ICP](#))-2: Criteria for Establishment of New Regional Internet Registries.

The review is meant to set forth core principles for providing a stronger Regional Internet Registry (RIR) system with greater accountability to the Internet community.

- **Public Comment Proceeding**

On 25 October 2023, the Number Resource Organization Executive Council (NRO EC) [asked](#) the ASO AC to establish and manage a process to propose updates to the Internet Coordination Policy 2 (ICP-2) document, in consultation with each of the RIR communities, to provide the RIR system with greater accountability to the Internet community.

You can find an overview of the ASO AC activities since October 2023 leading up to this Public Comment proceeding [here](#).

This Public Comment solicits feedback on the ICP-2 version 2 principles document. It complements an NRO EC effort to solicit feedback from each of the RIR communities. The Public Comment proceeding opened on 8 October 2024 and will be closing on 25 November 2024:

<https://www.icann.org/en/public-comment/proceeding/proposed-internet-coordination-policy-2-icp-2-version-2-principles-08-10-2024>

After feedback is received on this principles document, by 25 November 2024, the ASO AC will proceed to draft a full version of a proposed revised ICP-2 document based on the feedback and present that document to the same stakeholders for further feedback.

Key Reference Documents

- [ICANN ASO - How it Works](#) (*ICANN79 GAC capacity development session*)
- [ICP-2 Review webpage](#)
- [ICP-2 Review timeline](#)

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GAC Meeting with the Country Code Names Supporting Organization (ccNSO)

Session 19

Session Objective

The GAC and the Country Code Names Supporting Organization (ccNSO) will meet to discuss policy matters of common interest.

At ICANN81, the joint session will focus on the following issues:

1. Policy /procedural gaps IANA policies pertaining to ccTLDs,
2. WSIS+20: securing (ICANN's) multi-stakeholder model, and
3. DASC Survey results

Background

The Country Code Names Supporting Organization (ccNSO) is a body within the ICANN structure created for and by ccTLD managers.

The ccNSO provides a platform to nurture consensus, technical cooperation and skill-building among ccTLDs and facilitates the development of voluntary best practices for ccTLD managers. The policy development process is managed by the [ccNSO Council](#), which consists of 18 Councilors (15 elected by ccNSO members, three appointed by the ICANN Nominating Committee).

The GAC and ccNSO have been meeting, when deemed necessary, at ICANN Meetings in order to coordinate and discuss public policy issues of common interest.

The ccNSO appointed a new Liaison to the GAC, Sean Copeland, and the GAC is currently proceeding with the upcoming transition for Point of Contacts (PoC) this year. Their role is to facilitate policy and other internal community discussions among their groups and leaderships, while also preparing meeting agendas for joint sessions at ICANN Meetings.

Recent Developments in ccNSO of possible mutual interest to GAC members and ccTLDs

Agenda Item 1 - Policy Gap Analysis

Since the ICANN79 Meeting (October 2023), the ccNSO has been working closely with the Internet Assigned Numbers Authority (IANA), to identify, and analyze potential gaps in the current set of policies pertaining to country code Top Level Domains (ccTLDs), and whether such a gap stems from a shortcoming in policy, interpretation of policy, guidance to IANA under specific circumstances, or a gap in the procedures.

Established in 2024, the [ccNSO Policy Gac Analysis Working Group \(PGA WG\)](#), is tasked with identifying and addressing those gaps in existing ccNSO policies, guidance or practices pertaining to the delegation, transfer, revocation and retirement of ccTLDs, and other related IANA Naming Functions for ccTLDs.

At ICANN81, the PGA WG will present its findings to date and engage the GAC in the process.

Agenda Item 2 - WSIS+20

The ccTLD community and the GAC have shown a strong interest in the World Summit on the Information Society (WSIS)+20 process, and participate in the WSIS+20 community group and informal discussion group.

At ICANN81, the goal will be to look for commonalities in the approach to WSIS+20.

Agenda Item 3 - Second DASC Survey Results

The ccNSO Domain Name System (DNS) Abuse Committee ([DASC](#)) is intended to maintain a dedicated forum for ccTLD Managers to discuss the important topic of DNS Abuse and to share information, insights, and practices. It is primarily aimed at ccTLD Managers who participate within the ICANN community but is not limited to ccNSO members, participation is voluntary. The overarching purpose is to raise understanding and awareness of the issues pertaining to DNS Abuse, promote open and constructive dialogue, and ultimately to assist ccTLD Managers in their efforts to mitigate the impact of DNS Abuse.

The DASC launched its second survey in September 2024 following the initial survey shared in September 2022, to uncover trends and understand the level of DNS Abuse mitigation practices across country code Top-Level Domains (ccTLDs).

Respondents in the first edition of the survey included both bigger and smaller organisations, both in terms of domain names under management and staff. Most respondents reported less than 0.1% of their names under management being affected by DNS Abuse.

Finally, the survey results revealed that even ccTLDs with limited resources - including funding and staff – can effectively mitigate DNS abuse, with the help of DNS abuse policies and procedures and monitoring tools.

Overall, the first DASC survey provided valuable insights into the current state of DNS abuse mitigation among ccTLD registries, and identified several areas for improvement, including collaboration, effective use of DNS reporting tools, resource allocation, and education to effective DNS abuse mitigation. This also includes raising awareness among policymakers and the broader public. Read more here: <https://ccnso.icann.org/en/workinggroups/dasc.htm> (see 2022 survey).

In Istanbul, the results of the second survey will be presented at the joint session between ccNSO and GAC.

Key Reference Documents

- [DASC second survey launch announcement](#)
- [ccNSO Working Groups](#)

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GAC Wrap-Up Session

Session 20

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Session Objectives

A final GAC “wrap-up” session has been scheduled at ICANN81 to enable GAC delegates to conduct follow-up discussions regarding any timely topics or issues that arise during the meeting week. This additional flexible session time can be used by GAC Members to accommodate topics or presenters who were not able to speak earlier in the week. GAC attendees can also discuss specific follow-up or next-step activities that will require intersessional committee action. If needed, the session can also be used for Communiqué drafting activities, if final text polishing and review still need to be done.

Three potential planning matters for this ICANN81 wrap-up session will be feedback (lessons-learned) regarding the preparation and planning for the various sessions held at ICANN81, and discussion of other potential priority topics for GAC discussions during the ICANN82 Community Forum in March 2025.

Public Meeting Feedback - Lessons Learned

Time permitting and with a particular focus on the HLG and bilateral interactions, GAC delegates can express their thoughts and feedback about the meeting experience and share ideas about lessons-learned and improvements for meeting planning and implementation at ICANN82.

Possible Topic Follow-Up Time - ICANN81 to 82 Planning

Based on the GAC’s experience during the previous virtual Public Meetings, time during this session can also be set-aside to enable GAC follow-up discussions regarding any timely topics or issues that may have arisen during the meeting week. This additional flexible time can also be used by GAC members to discuss specific follow-up activities that may be triggered during the meeting week. Among the potential topics for further discussion could include:

- Next Round Applicant Support Program Promotion, Implementation and Collaboration
- Onboarding New GAC CEO
- GAC Strategic/Annual Plan Implementation
- ICANN Ombuds Introduction
- Other delegate suggestions

Further Information

GAC Operating Principles -

<https://gac.icann.org/operating-principles/operating-principles-june-2017>

GAC Strategic Plan 2024-2028 -

<https://gac.icann.org/work-plans/gac-strategic-plan-2024-2028.pdf>

GAC Annual Plan 2024/2025 -

<https://gac.icann.org/work-plans/gac-annual-plan-2024-2025.pdf>

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