

GAC Meeting with the ICANN Board

Session # 3 - Preparation for Meeting with ICANN Board

Session # 12 - Meeting with ICANN Board

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Purpose and Background

One of the key operational features of an ICANN Public Meeting is that it creates the opportunity for the GAC to meet and interact with other ICANN groups, organizations and structures - to coordinate and resolve specific policy work and operational matters and to build channels of communication to facilitate future exchanges.

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.

The GAC typically sets aside two plenary sessions at every ICANN public meeting that are devoted to both preparing for and then conducting the meeting with the full ICANN Board. From time-to-time, the GAC also hosts a meeting of the Board-GAC Interaction Group which is covered by a separate briefing document - although that meeting will not take place as part of this ICANN68 Virtual Public Forum.

Relevant Developments and Previous Meetings

Recent GAC-Board Meetings have covered a range of subjects and topics and mostly center around formal questions the GAC submits to the Board about two to three weeks before the start of the ICANN Public Meeting.

GAC members were asked via email on 18 May to suggest potential topics or questions to present to the Board at ICANN68. A preliminary list of those topics and questions **were** discussed by the GAC leadership prior to the meeting and shared with the Board Support Team by mid-June to alert

the Board to GAC areas of interest. *New text in this briefing (Version 2) reflecting the added information developed by the GAC Leadership since 18 May is provided in purple-colored font.*

Agenda

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During this session the GAC will review the proposed topics and questions that have previously been shared with the ICANN Board and identify any new issues that may have arisen shortly before or during the public meeting that merit identification to or discussion with the Board.

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For most public meetings, the Board shares questions ahead for the different community groups. That will not take place for ICANN68, thus the session agenda will likely center around the topics and questions raised by GAC members to the Board.

Preliminary Meeting Agenda proposed to Board as of 16 June:

A. Introductions

B. Review of GAC Efforts Since ICANN67

(an opportunity for the GAC to share how the GAC has been facing the substantive and operational challenges presented by the current “virtual” operating experience – including efforts to prioritize important government topics of interest, substantive focus on key GAC priorities and longer-term considerations regarding GAC advice development and operational considerations)

C. Discussion of Specific GAC Priority Areas (including specific GAC questions – shared in advance of meeting):

- New gTLD Subsequent Procedures*
- DNS Abuse Mitigation; and*
- Domain Name Registration Directory Service and Data Protection issues*

D. Issue-Spotting - Recognition of Issues Coming up (including Global Public Interest, MSM Evolution, GAC Review (as chartering organization) of Auction Proceeds Recommendations and ATR3 Final Report)

E. Closing

GAC Positions

As of 1 June, based on input from GAC members, the GAC Leadership had developed the following Information for the Board:

A. Key priorities for action of ICANN constituencies in 2020

The GAC has four major policy priority issues in 2020. They include:

- Subsequent Rounds of new gTLDs
- WHOIS and Data Protection Policy

- DNS Abuse Mitigation
- IGO Names Protections

Other issues of importance to the GAC in 2020 include:

- ATRT3 Review – implications for the GAC
- Universal Acceptance and IDN Readiness
- Implementation of Workstream 2 Recommendations
- Monitoring Global Public Interest considerations (e.g., PIR/.org)
- Improving Onboarding and Capacity building capabilities and resources for governmental participants in ICANN

B. GAC Areas/Topics of Interest to Discuss with ICANN Board During ICANN68

The particular topic areas confirmed by the GAC leadership to the Board as of 16 June are as follows:

- New gTLD Subsequent Procedures;
 - Subsequent procedures for new gTLDs remain a high priority for the GAC. The GAC has participated extensively in the GNSO PDP process and the committee provided extensive summaries of its ICANN67 discussions in its ICANN67 GAC Communique.
 - Since ICANN67, the GAC has worked productively internally to develop particular positions on the high priority GAC topics being addressed in the GNSO PDP process and has shared several of those views in that venue. GAC leadership has also engaged with other communities, particularly the ALAC, to explore areas of common interest to ensure that all community views are thoroughly vetted during the PDP process. The GAC high priority topics include:
 - § Applicant Support and Participation of Underserved Regions
 - § Closed Generic TLDs
 - § Public Interest Commitments (PICs)
 - § Global Public Interest
 - § GAC Early Warnings and GAC Advice
 - § Community Based Applications
 - The GAC understands that the Final Report of the GNSO PDP is still being prepared. The committee will use the ICANN68 meeting to further refine its views in order to be prepared to share its views on the Final Report document when it is published.
 - It is important that the entire community be given sufficient time to review and respond to the Final Report of the PDP working group
- DNS Abuse Mitigation

Members of the PSWG are still preparing a few draft questions for the Board in this area. They will be reviewed during the preparation session (Session #3).

- Domain Name Registration Directory Service and Data Protection issues
Potential specific questions related to this RDS topic include:

1. How will the ICANN Board ensure that the reasonable access requirements in ICANN's Interim Registration Data Policy for gTLDs is effective, enforceable, and enforced by ICANN Contractual Compliance, in the interest of the ICANN Community, and in the public interest ?

2. How could the ICANN Board ensure that any future system for accessing gTLD Registration Data serves the interest of the public as well as does not only serve the interests of ICANN’s Contracted Parties ?

3. What role should the ICANN Board and ICANN organization play in ensuring that any future system for accessing gTLD Registration Data evolves appropriately and in a timely manner in response to future guidance or information available on the applicability of data protection law ?

4. What is the status of the ICANN org-led survey on the need to differentiate between Natural and Legal entities for the purposes of domain name registration data and when will the results be provided to the EPDP team? This study was supposed to have been provided last month and despite requests for an executive summary and estimated completion date, no further information has been provided. As acknowledged by staff, there is considerable interest in this topic.

Further Information

- Article 12 of the ICANN Bylaws - <https://www.icann.org/resources/pages/governance/bylaws-en/#article12>
- ICANN Strategic Plan for Fiscal Years 2021-2025 - <https://www.icann.org/en/system/files/files/strategic-plan-2021-2025-24jun19-en.pdf>;
- ICANN First Consultation on a 2-Year Planning Process - <https://www.icann.org/public-comments/two-year-planning-2018-12-21-en>
- ICANN Public Comment Forum - Third Accountability and Transparency Review Team (ATRT3) Draft Report - <https://www.icann.org/public-comments/atrt3-draft-report-2019-12-16-en>

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