GAC Meeting with ICANN Board (and Prep Session)

Session 4 - GAC Preparation For Meeting with the Board
Session 7 - GAC Meeting with ICANN Board

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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 14 June GAC meeting with the ICANN Board 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.

No topics have been formally proposed by the Board to the GAC for the ICANN77 joint meeting, but recent Board-to-GAC correspondence offers insights on a couple of topics "ripe" for discussion.

On 26 April 2023, the Board Chair wrote to the GAC Chair and other community leaders regarding the "rebalancing of the ICANN Nominating Committee membership." In that correspondence the Board Chair noted that, "The ICANN community has been discussing for over 10 years the issue of the rebalancing of the ICANN Nominating Committee (NomCom)." Perhaps in anticipation of ICANN77, the Chair then asked the GAC to consider answering a

short list of questions (due 30 June 2023) to engage with the ICANN community to understand community views on what form future NomCom rebalancing could take. Those questions are listed elsewhere in this document to help you navigate this issue.

On 22 May 2023, the Board Chair wrote to the GAC Chair on the topic of the Final Report on the New gTLD Subsequent Procedures Policy Development Process. In that letter, the Board Chair reflected that a number of the GNSO's final report recommendations still needed to be resolved. Two of those key issues, GAC Consensus Advice and GAC Early Warnings are something that the Board has a particular interest in. Specifically, the Board Chair's letter seeks the GAC's views on this critical issue. Specific excerpts from that letter are provided in the next section of this briefing document.

GAC Members were asked via email and during the GAC ICANN77 Agenda Setting Calls on 20 April and 9 May to recommend any potential topics or questions to present to the Board at ICANN77. By 7 June, the GAC Leadership is scheduled to finalize what primary topic areas the committee wants to explore with the Board and to share them so that Board Members can prepare for the joint meeting scheduled for 14 June 2023.

As of 29 May, no topics - other than those identified in recent Board Chair correspondence had been identified to be shared with the ICANN Board. This document will be updated if/as additional topics are identified. In the meantime, the current preliminary proposed topics include the following:

I. Potential Board Topics/Questions for the GAC at ICANN77

Topic #1 – New gTLD Subsequent Rounds – GAC Topics of Importance

Background:

ICANN Board Chair Letter to GAC Chair (22 May 2023) - https://gac.icann.org/advice/correspondence/incoming/20230522/final-report-on-the-new-gtld-subsequent-procedures-policy-development-process.

Key Language:

> "Accordingly, the Board wishes to invite the GAC to discuss a clear path forward to supporting a Board decision regarding the recommendations on GAC Consensus Advice and GAC Early Warning, including how to address any GAC concerns during the implementation phase. Although all of the pending recommendations on GAC Consensus Advice and GAC Early Warning received full or partial consensus from the PDP Working Group, the Board understands that the GAC has concerns about their potential impact on the timing of GAC Consensus Advice. The Board also acknowledges diverse opinion within the GAC's membership on the proposal in Recommendation 30.4

to omit language on the "strong presumption" for the ICANN Board to accept GAC consensus advice, when it recommends that an application for a new gTLD should not proceed.

The Board notes that ICANN org suggested several options in the New gTLD Subsequent Procedures Operational Design Assessment (ODA), to address the GAC's concerns on this topic, including reaching consensus with the GAC on the provision and timing of future Advice and revising language in the Applicant Guidebook around the issue of "strong presumption," which the Board would like to suggest as a useful basis for initial discussions.

We look forward to receiving the GAC's views on this subject. The Board invites the GAC to indicate its preferred method and timeline for engagement and welcomes the opportunity to work together to resolve this important issue."

Topic #2 – ICANN Nominating Committee Rebalancing -

<u>Background</u>

ICANN Board Chair Letter to GAC Chair (26 April 2023) - https://gac.icann.org/advice/correspondence/incoming/20230426/nominating-committee-nomcom-rebalancing

Key Quoted Language and Questions from the letter:

"The Chair then asked the GAC to consider answering a short list of questions (due 30 June 2023) to engage with the ICANN community to understand community views on what form future rebalancing could take. … Therefore, we kindly ask for your input on the following questions:

1. What does it mean to have a balanced NomCom at a point in time? For example, what criteria would you apply to measure or assess whether the NomCom is balanced? And further, how can one test whether or not the NomCom is balanced?
2. Do you support the view that the current composition of the NomCom needs to be rebalanced? Please explain why or why not.
3. How frequently does the balance need to be measured or assessed?
4. How do you suggest that the NomCom's composition be rebalanced?
5. Who should conduct this work, and how should it be conducted?
6. How would your community group prioritize consideration of this issue within your planning efforts?"

The full GAC will have an opportunity to discuss potential responses and messaging to the

Board on-site in Washington, D.C. during the ICANN77 planning session for GAC joint meetings scheduled on 12 June 2023.

Session Agendas

Session #4 - Monday, 12 June (1630 UTC) - Preparation for Meeting with ICANN Board

This public session will enable GAC Members to review, discuss and confirm proposed topics and any questions or messages the GAC plans to explore with Board members during ICANN77.

Session #7 - Wednesday, 14 June (1300 UTC) - GAC Meeting with ICANN Board

A preliminary meeting agenda for the joint meeting (as of 29 May) is:

A. Introductions
B. Discussion of ICANN Board Chair Topics
C. GAC Topics/Questions (shared in advance of meeting)
C. AOB
D. 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 will take place on 6 June 2023. The GAC Chair will likely report to the GAC during ICANN76 on what was discussed during that recent meeting.

Topical Reference Documents -

- GNSO Final Report on the New gTLD Subsequent Procedures Policy Development Process - https://itp.cdn.icann.org/en/files/internationalized-domain-names-idn/phase-1-initial-report-internationalized-domain-names-expedited-policy-development-process-24-04-2023-en.pdf.

- GAC Comment on Subsequent Rounds for New gTLDs Draft Final Report Public Comment Proceeding - https://mm.icann.org/pipermail/comments-gnso-gtld-subsequent-procedures-final-outputs

-22apr21/attachments/20210601/6e13bf77/GACCommentFINAL-SubproFinalOutputsforIC
ANNBoardConsideration-0001.pdf

- GAC Collaboration Google Document / *Draft GAC Advice - Subpro Final Outputs* -
https://docs.google.com/document/d/1mb7Zmbg4XY7LeGRBMMJA_b-dPYXZ_Ge2j0uwtDP
qYsQ/edit

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