ICANN|GAC
Governmental Advisory Committee

GAC Marrakech Meeting with ICANN Board

Session 7.2 - Preparation For Meeting with ICANN Board
Session 9.2 - GAC Meeting with ICANN Board

Contents:

Session Objective

Substantive dialogue and exchange of information with the ICANN Board.

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.

In addition to its separate relationship with certain Board members though the Board-GAC interaction Group (see briefing document for ICANN65 Session 6.3), the GAC sets aside two plenary sessions at every ICANN meeting that are devoted to both preparing for and then conducting the meeting with the full ICANN Board.

Relevant Developments

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

The Board has also begun to examine the status of ICANN's governance model. A community consultation on that topic was initiated at ICANN64. Board members will likely be looking for some update from GAC members on this matter as well.

Agenda

Session 7.2 - GAC Preparation for Meeting with the ICANN Board

During this session the GAC typically reviews the proposed questions that have previously been shared with the ICANN Board (usually a few weeks in advance of the ICANN Public Meeting) and identifies any new issues that may have risen shortly before or during the public meeting that merit identification to or discussion with the Board.

Session 9.2 - GAC Meeting with the ICANN Board

As noted above, this session agenda will likely center around specific questions and statements that the GAC has identified for the Board (the proposed GAC topics - suggested by the GAC leadership and individual GAC members - were formally shared with the Board Operations Team on 15 June 2019).

Those topics include:

1. IGO Protections
2. Domain Registration and Data Protection Matters - GDPR/EPDP
3. Evolving ICANN's Multistakeholder Model
4. GAC Capacity Building Sustainability Efforts
5. .AMAZON

As of 17 June, the status of draft GAC questions and statements were as follows:

1. Topic: IGO Protections

Draft Question or Statement: (*from GAC letter to ICANN Board Chair – 13 June*)

"The GAC would welcome the Board's confirmation as to its available options regarding the recent decision of the GNSO Council to accept recommendations set forth in the Final Report of the GNSO IGO/INGO Access to Curative Rights Protection Mechanisms PDP WG. It is the GAC's understanding that should the ICANN Board accept the GNSO policy recommendations, it would necessarily be rejecting Consensus GAC Advice and would need to enter into a dialogue with the GAC to find a mutually acceptable solution, per ICANN Bylaws Section 12.2(a)(x). Conversely, should the ICANN Board not adopt the GNSO policy recommendation, consistent with long-standing GAC Advice, it would need to engage in discussions with the GNSO per ICANN Bylaws Annex A, Section 9."

2. Topic: Domain Registration and Data Protection Matters - GDPR/EPDP

Draft Question or Statement: *(draft question from recent discussions of GAC Small Group on the Topic of gTLD Registration Data and GDPR)*

"What are the Board's intended plans and status to date on engaging with the European Data Protection Board (EDPB) as it pertains to the Unified Access Model (UAM) technical model and, specifically, getting an understanding if the EDPB sees this model as shifting the legal liability away from contracted parties who provide access to non-public gTLD registration data?"

3. Topic: Evolving ICANN's Multistakeholder Model

Draft Question or Statement: *(draft language taken by staff from recent GAC Comments filed 13 June)*

The GAC is an interested and active participant in the current Public Comment Forum and the general community consideration of ICANN's Evolving Multistakeholder Model. It is important to note that the principles and concrete requests being discussed in that effort are part of a much larger effort that can help maintain an inclusive, informed and meaningful multistakeholder environment at ICANN - an environment in which all community input is fully considered, priorities are carefully weighed, and a volunteer-based system is thoroughly encouraged and supported.

4. Topic: GAC Capacity Building Sustainability Efforts

Draft Question or Statement: (proposed by Pua Hunter - Cook Islands)

"The Board has shown support for the GAC's capacity building initiative (a series of pilot workshops) which began back in January 2017. As an outcome, a Capacity Building Evaluation Report has been produced and shared among the GAC membership. Post-workshop surveys highlighted the demand for more capacity building for the GAC which resulted in the recent GAC request (and Board approval) for support through the Additional Budget Request (ABR) process for financial year 2019/2020. The GAC is grateful for the Board's acknowledgement of and support for of these efforts. Assurance of a continued funding allocation for such an important initiative need to be confirmed so we do not have to apply for ABR each year (unless that is the process).

Across ICANN, there are developing and ongoing capacity building initiatives.   Allocation of funds need to be transparent and efforts streamlined to ensure all communities make better use of ICANN resources. A new joint GAC-ALAC initiative on capacity building is contributing to this principle."

5. Topic: .AMAZON

Draft Question or Statement: (proposed by Thiago Jardim - Brazil)

"What are the reasons why the Board considered that the Applicant's April 17, 2019 proposal for the delegation of the .Amazon strings, which would be operated as closed-brand TLDs depriving the Amazon communities they are associated with from participating in their governance and use, is consistent with GAC advice and the underlying public policy principles determined by the GAC, including as reiterated in the GAC Chair's March 15, 2018 letter to the ICANN Board, and as recorded in the transcript of the ICANN63 GAC session on the .Amazon applications, which the GAC transmitted to the Board, through the March 15, 2018 letter, as part of its response to the October

29, 2017 Board request for information "regarding the GAC's advice that the Amazon applications should not proceed?"

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Given the more focused schedule associated with an ICANN Policy Forum, the proposed agenda for the session is quite targeted.

- Opening Remarks
- GAC Questions and Statement on Topics Presented to the Board
- AOB

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/public-comments/strategic-plan-2018-12-20-en;
- ICANN First Consultation on a 2-Year Planning Process -
  https://www.icann.org/public-comments/two-year-planning-2018-12-21-en
- Questions/Topics Presented to the Board: According to the preparation timetable for the ICANN65 Marrakech meeting, preliminary agreed upon GAC questions will be shared with the Board on 12 June. An initial topic list of potential questions includes IGO Protections, GDPR/EPDP matters and Evolving ICANN's Multistakeholder Model.

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