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**MINUTES OF MEETING**  
**ICANN66 Montréal, 2-7 November 2019**

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## **1. MEETING ATTENDANCE & MEMBERSHIP**

Sixty-eight (68) GAC Members and nine (9) Observers attended the meeting in-person. Five (5) Members attended the meeting remotely. A list of ICANN66 GAC meeting attendees is provided in [Attachment 1](#).

GAC membership currently stands at 178 Members, and 38 Observers.

The GAC Montreal Communiqué is published on the GAC website at:  
<https://gac.icann.org/contentMigrated/icann66-montreal-communicue>.

Presentations used by speakers during the meeting and supporting briefing prepared for the GAC can be accessed from the GAC website: <https://gac.icann.org/agendas/icann66-montreal-agenda>

Full transcripts for each session are to be made available from the ICANN66 Public Meeting website, via the relevant agenda items on the GAC's website agenda page listed above.

## **2. PUBLIC POLICY AND SUBSTANTIVE ISSUES**

### **2.1. WHOIS and Data Protection Policy**

The GAC reviewed progress in the development and implementation of new gTLD registration data policy in compliance with applicable data protection law. The GAC noted the uncertainty regarding timely completion of implementation for policy recommendation issued in Phase 1 of the Expedited Policy Development Process (EPDP) and adopted by the ICANN Board on 15 May 2019. Regarding the ongoing policy development in phase 2 of the EPDP, GAC representatives in the EPDP Team cautioned that the implementation of a Unified Access Model (UAM) could take several years.

In the meantime, the GAC determined to seek an effective operation of the mechanism known as "reasonable access" provided for in the Interim Registration Data Policy for gTLDs to address the needs of law enforcement and other legitimate requestors of non-public data. GAC Members recalled advice in GAC Kobe Communiqué seeking expeditious conclusion of policy development and implementation, including through the parallelization of effort.

In terms of ongoing policy considerations, the GAC discussed roles and responsibilities in a centralized model, for legitimate entities to become accredited and authorized to request and obtain, for specific purposes and where applicable, disclosure of personal data related to domain name registration. The GAC noted a recent request by ICANN org for formal guidance from the European Data Protection Board regarding such a model. GAC Members shared belief in the duty of ICANN to deliver an exemplary application of the EU General Data Protection Regulation (GDPR) and stressed the importance of differentiating between natural and legal person when processing gTLD Registration Data.

Regarding accreditation of public authorities in a centralized (or unified) access model, the GAC is considering a set of principles which would allow a country or territory to appoint its own identity

provider and to set its own eligibility requirements to gain credentials, with final responsibility for granting disclosure of registration data remaining with the party considered as the data controller.

**Action Points:**

- **GAC Members** to consider the concept paper of GAC Accreditation Principles for Public Authorities circulated at the beginning of ICANN66.
- **GAC Members** to consider assembling indicative lists of their public authorities and other relevant parties requiring non-public registration data, including criminal and civil law enforcement consumer protection authorities, etc.
- **GAC** to consider the expected Initial Report Phase 2 of the EPDP on gTLD Registration Data
- **GAC Members** to consider joining the GAC Small Group on GDPR and following EPDP deliberations

## 2.2. DNS Abuse Mitigation

In preparation for the Cross Community Session held during ICANN66 on DNS Abuse, the GAC was briefed by experts of the Public Safety Working Group on the permanent and growing threats that remain their main priority, despite the attention given to WHOIS and data protection policy. In fact, current impediments on WHOIS, a critical investigative tool, are compounding existing challenges.

Consistent with the GAC Statement on DNS Abuse issued in August 2019, the GAC reviewed existing definitions of DNS Abuse, including in the GAC Beijing Safeguards Advice (*“security threats such as pharming, phishing, malware and botnets”*), the deliberations of the CCT Review, and the more recent work by the Internet & Jurisdiction Policy Network (discussing action at the DNS level for technical abuse and certain categories of content abuse). These definitions may be leveraged in future developments, as was previously done with ICANN’s Domain Abuse Activity Reporting Tool (DAAR).

In terms of mitigation of such threats, the GAC considered measures available to registries and registrars, as included in existing voluntary frameworks, or implemented by leading TLDs, including ccTLDs. Among the most effective measures to prevent DNS Abuse, the role of registration policies (including identity verification) and pricing strategies was emphasized as a key determinant of levels of abuse in any given TLD.

At the ICANN Board and organization level, the GAC examined ongoing or possible initiatives to address DNS Abuse more effectively, including through:

- Implementation of relevant recommendations of the Competition, Consumer Trust and Consumer Choice Review (CCT Review)
- Revision of ICANN Contracts with registries and registrars
- Enforcement of existing requirements
- Publication of more detailed Domain Abuse Activity data

**Action Points:**

- **GAC** to follow up on the consideration and implementation of the CCT Review recommendations
- **GAC** to continue assessing the effectiveness of previous GAC Advice (per Hyderabad and Copenhagen Communiqués)
- **GAC** to identify and promote ccTLD best practices

- **GAC** to work with other interested stakeholders such as SSAC and the Business Constituency on proposals going forward
- **GAC Members** to encourage reporting by public authorities of non-compliance with the requirement for reasonable access to be provided to non-public gTLD registration data

### 2.3. Subsequent Rounds of New gTLDs

The GAC was briefed on recent developments from the Subsequent Procedure PDP WG Co-Chair including, timeline, key topics to the GAC, and upcoming opportunities for GAC input on subsequent rounds. The GAC Focal Group provided an update of its intersessional work since ICANN65 focused on capacity building on priority topics for the GAC.

Agreement was reached that in addition to continuing GAC capacity building efforts to focus the GAC Focal Group to review and update GAC advice starting with four identified topics:

- Applicant Support;
- Closed Generics;
- Public Interest Commitments (PICs) and Global Public Interest;
- GAC Advice and GAC Early Warnings.

The aim is to provide GAC input in response to an anticipated public comment proceeding before the next ICANN meeting, in addition to ongoing opportunities during meetings of the Sub Pro PDP WG. A few GAC members volunteered to assist this effort as topic leads.

#### Action Points:

- **GAC Members** are encouraged to volunteer as topic leads for the four priority topics relative to subsequent rounds to shepherd updating GAC advice on such topics and provide GAC input to the PDP.
- **GAC Focal Group** to continue update GAC members on relevant developments of the PDP WG.
- **GAC Support** to circulate GAC scorecard to brief GAC members on priority topics to support topic leads and longer term on all GAC areas of interest relative to subsequent rounds.

### 2.4. Protection of Geographic Names in Any Future Expansion of gTLDs

The GAC plenary considered the conclusion of the deliberations in Work Track 5 on Geographic Names at Top Level, a sub-team of the New gTLD Subsequent Procedures Policy Development Process Working Group. With an inclusive leadership composed of four co-leaders from ALAC, ccNSO, GAC and GNSO, Work Track 5 conducted 52 meetings in nearly two years to review the existing protection of geographic names at the top level and determine if new recommendations were needed for future rounds of New gTLDs. The consensus recommendations of Work Track 5 have been submitted for consideration by the PDP Working Group.

In order to facilitate the processing of future applications for gTLDs, many GAC members expressed interest in the development of a tool that would provide timely notifications to GAC Members of strings that consist in geographic names, drawing inspiration as appropriate from the existing tool for the 2-character codes.

**Action Points:**

- **None identified by GAC Support Staff**

## 2.5. Dot Amazon applications

The GAC met in plenary session to discuss the latest developments regarding the status of the .AMAZON applications. ICANN's Government Engagement staff provided a short overview of the ".AMAZON" applications process and updates since the ICANN65 meeting.

During the session, Brazil expressed that granting the ".amazon" application without a mutually agreeable solution would contradict previous GAC advice (ICANN60 Abu Dhabi Communiqué), which states:

*The GAC advises the ICANN Board to: i. continue facilitating negotiations between the Amazon Cooperation Treaty Organization's (ACTO) member states and the Amazon corporation with a view to reaching a mutually acceptable solution to allow for the use of .amazon as a top level domain name.*

Some delegations supported the proposal that the GAC should request the Board to exhaust all possible means to facilitate parties to arrive at a mutually agreeable solution through the organization of a time-limited and independently mediated final negotiation round which they believe would be important to strengthen the GAC and ICANN roles in Internet governance.

Other delegations stated that they believe that all relevant GAC Advice on this matter has been addressed by the Board, no further GAC Advice is needed, and that the applications should not be further delayed in accordance with the applicable IRP decision. These delegations did not necessarily agree with the basis of the concerns as articulated above.

These discussions were memorialized in the GAC Montreal Communiqué.

### **Action Points:**

- **None identified by GAC Support Staff**

## 2.6. Two-Character Country Codes at the Second Level

GAC Members met in plenary session to share their assessments of ICANN's Second Level Country Code Registration Search Tool (the "Search Tool"). The session began with an overview of the background of this topic provided by the ICANN Government Engagement (GE) team. The GE team reported that: (1) the two-character code provisions of ICANN's Base New gTLD Registry Agreement are aimed to avoid any user confusion with the country codes or affiliated governments; (2) those provisions cannot be perceived as granting any global authorization role for governments because ICANN is not able to create such legal norm (there no pre-existing legal framework, international treaty or ICANN policy to this effect) The GE team reaffirmed that ICANN org's responsibility is to implement measures to avoid confusion.

It was explained that the Search Tool allows governments to access online information related to the registrations at the second level of two-character codes that ISO assigned to their country/territories and enables governments play an active role by reporting any potential confusion.

The GE team shared statistics about the recent use of the tool by GAC members noting that to date, 96,237 records were in the tool across 676 two-character codes and that so far, 47 requests for credential had been submitted by GAC members, in addition to the credentials assigned initially to individual GAC representatives. The GE team noted that a survey of Search Tool users had been initiated and would run through the end of the Montreal meeting with an expectation that results would be collected and reported at a future date.

**Action Points:**

- **None identified by GAC Support Staff**

## **2.7. Protections of IGO and Red Cross Red Crescent Identifiers in New gTLDs**

Following Advice in the GAC San Juan Communiqué, the ICANN org reported on its efforts to assess the feasibility of ensuring accuracy and completeness of the 22 March 2013 GAC IGO List. The project has completed after contact was established with almost 90% of IGOs on the GAC List, some of which requested protection of their name in a second language per the applicable ICANN “Protection of IGO and INGO Identifiers in All gTLDs Policy”. It is expected that requests for updating IGO information or for new IGOs to join the GAC List will come in the future. Some GAC Members recalled prior expression of such interest from certain IGOs. This will require a process still to be defined in the GAC.

Regarding access of IGOs to appropriate curative rights protection mechanisms (RPMs), considering challenges with the application of Uniform Dispute Resolution Policy (UDRP) to IGOs’ specific status under international trademark law, and noting the persistent inconsistency between GAC Advice and GNSO recommendations to the ICANN Board on this matter, GAC topic leads reported their monitoring of and contribution to the initiation of new policy development in a dedicated IGO Work Track under the ongoing GNSO PDP on Review of All RPMs

The specific case of the National Red Cross and Red Crescent Societies, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies was reviewed and the GAC formally followed-up on previous GAC Advice seeking a protection regime similar to that of other IGOs.

**Action Points:**

- **GAC** to agree intersessionally, possibly over email, about a process and associated procedures to maintain the GAC IGO List (add or remove IGOs as appropriate)
- **GAC Topics Leads** to continue engaging with the GNSO regarding new policy development to resolve the long standing inconsistencies between GAC Advice and GNSO recommendation on the protection of IGO Acronyms.

### 3. ICANN ACCOUNTABILITY

#### 3.1. Board-GAC Interaction Group (BGIG)

ICANN Board and GAC members met in GAC plenary session and discussed follow-up on the ICANN Board's GAC Marrakech Scorecard, the schedule for addressing advice in the GAC Montreal Communique, the status of previous GAC advice and feedback on the use of the 2-Character Tool. BGIG members also acknowledged the transition of Board responsibility for the group from Maarten Botterman to Becky Burr, as Mr. Botterman moves to his new role of ICANN Board Chair.

##### **Action Points:**

- **None identified by GAC Support Staff**

#### 3.2. ICANN ATRT3 Review (Meeting with the GAC Working Party)

The GAC met in plenary session with representatives from the GAC Work Party of the Third Accountability and Transparency Review (ATRT3) who shared the status of the review team's efforts including an explanation of their work to date (including their assessment of the implementation of the ATRT2 recommendations the majority of which focused on the Board and the GAC), how they processed recent survey results from the ICANN community, and, based on their work, a number of preliminary recommendations they are developing for consideration of improvements to GAC operations.

Work party members noted that of the sixteen GAC ATRT2 recommendations, thirteen had been fully implemented and three had been partially implemented. Among community survey results, the work party reported majority satisfaction regarding the interactions the GAC has with the SO/ACs (71% of respondents) and with the ICANN Board (64%); and agreement on the need to improve "GAC accountability" (73%) and "GAC transparency" (54%).

Work Party members revealed several preliminary recommendations that were being considered for the ATRT3 final report including suggestions that the GAC:

- Publish a short list of suggested qualities or requirements for liaisons to assist SO/ACs to select the best candidates to be GAC liaisons;
- Provide orientation for liaisons to GAC (in conjunction with ICANN) so they understand the environment of the GAC as well as the expectations for liaisons;
- Continue to commit to its improvement efforts focusing on ensuring early engagement with relevant SOs and ACs on matters of importance to it;
- Develop and implement an accreditation process for GAC members which could privilege a "whole of government" approach;
- Continue its continuous improvement efforts – with a focus on making the GAC communique clearer (to improve the community's ability to integrate the GAC's positions into their work);
- Develop with the ICANN Board, joint messaging about the current state of their interactions and the mechanisms which support these; and

- Considering the success of the current mechanisms that are in place for GAC interactions with the Board, work with the GNSO to implement similar mechanisms to facilitate interactions between the GAC and the GNSO.

GAC members were advised that the ATRT3 is currently planning to publish its draft report for public consultation by mid-December 2019 and closing at the end of January 2020.

**Action Points:**

- **None identified by GAC Support Staff.**

### **3.3. Meeting with the ICANN Legitimacy Project**

The GAC met in plenary session with researchers (Hortense Jongen and Jan Aart Scholte) from the University of Göttingen and received an update on the initial results of the ICANN Legitimacy Project.

The researchers explained the background of the project, the input from ICANN “insiders”, the challenges of securing participation of government (GAC) community members and the outreach to other stakeholders and observers (“outsiders”) of ICANN’s work. The researchers provided a “preview” of the report results, sharing various descriptive slides that compared the survey responder “confidence” level with respect to ICANN in comparison with other organizations and the principles that appeared to be important to government stakeholders as compared with other communities.

The GAC was advised that before a formal report would be published, further work on the potential explanations for the current response descriptions would be necessary. The researchers offered to provide a subsequent report on their efforts at ICANN67.

**Action Points:**

- **None identified by GAC Support Staff**

## **4. GAC WORKING GROUPS (ON OTHER ISSUES)**

### **4.1. GAC Public Safety Working Group (PSWG)**

The PSWG discussed DNS abuse mitigation measures, including the need to implement the CCT Review Team recommendations on DNS Abuse, the importance of the Domain Abuse Activity Reporting System, and the need to ensure that the requirement for “reasonable access” to non-public Domain Name Registration Information is operating effectively given the impact on investigations and other activities to preserve public safety and enforce the law.

The PSWG also participated in the Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data and the Cross-Community Session on DNS Abuse. Finally, the PSWG held discussions with ICANN Compliance, the Security and Stability Advisory Committee, and the Non-Commercial, Registry and Registrar Stakeholder Groups, and Intellectual Property and Business Constituencies

#### **Action Points:**

- **PSWG** to update its work plan intersessionally and seek GAC endorsement during the next ICANN meeting.

### **4.2. GAC Human Rights and International Law Working Group (HRIL WG)**

The HRIL WG and Cross Community Working Party discussed community implementation of the Human Rights Core Value, in collaboration with a panel comprised of SO/AC Members and an ICANN Board Member. The ICANN Board confirmed that the HR Core Value would come into effect once the ICANN Board adopted the CCWG Accountability Work Stream 2 recommendations, which was done during ICANN66.

It is expected that cross community work will be crucial in the process to implement ICANN’s Human Rights Core Value. The HRIL WG encouraged GAC and other community members to participate in this effort, and specifically to collaborate towards understanding what should be the consequences of assessments of negative impact on human rights in ICANN policy development.

#### **Action Points:**

- **None identified by GAC Support Staff**

### **4.3. GAC Working Group to Examine the GAC’s Participation in NomCom**

The GAC Working Group to Examine the GAC’s Participation in NomCom met in plenary session. The Working Group Chair (Argentina) presented to the GAC recommendations that the Nominating Committee of ICANN (NomCom) should consider when selecting candidates for ICANN Board positions. The GAC endorsed the draft recommendations and determined that they should be communicated to the 2020 Nominating Committee leadership.

**Action Point:**

- **GAC Support** to transmit endorsed recommendations to the NomCom operations team for consideration by the NomCom.

#### **4.4. GAC Underserved Regions Working Group (USRWG)**

The GAC USR WG received an update from Baher Esmat (ICANN Vice President for Global Stakeholder Engagement in the Middle East) on the latest capacity building workshop held in Bahrain on 30 September 2019.

The co-Chair of the USRWG initiated discussion of the WG work plan, inviting WG volunteers to lead the work inter-sessionally. The Working Group discussed an update on the GAC Focal Group on Subsequent Rounds of New gTLD and its mandate, including the potential future collaboration between the USRWG and the Focal Group.

GAC Members expressed concern about the ability to access basic information about important ICANN topics that may impact government interests. Some members noted the value of GAC pre-meeting briefings prepared by GAC Support Staff and expressed interest in exploring how information about various issues could be updated intersessionally. Other members considered further leveraging ICANN Learn capabilities as a mechanism for onboarding and informing GAC participants of topics of interest.

**Action Points:**

- **GAC Support and ICANN Government Engagement Staff** to continue collaboration on USRWG briefing documents.
- **GAC Support and ICANN Public Responsibility Support Staff** to coordinate on potential ICANN Learn introductory courses for the GAC.
- **USRWG Co-Chair** to follow up with WG Members on planned intersessional work.
- **USRWG and Focal Group** to collaborate on capacity building material on subsequent rounds.

#### **4.5. GAC Operating Principles Evolution Working Group (GOPE WG)**

The GOPE WG met in a plenary session during ICANN66 to update the GAC on developments since ICANN65 and present the GAC Working Group Guidelines document, developed since ICANN64 by WG Members to supplement the GAC Operating Principles. The WG Chair reviewed pending items from the WG's initial review of the guidelines and invited GAC members to provide input as needed.

The WG is aiming to finalize this document by ICANN67. A preliminary draft for the 2020 WG work plan was reviewed, pending confirmation by GAC leadership.

**Action Points:**

- **GAC Membership** to review the GAC Working Group Guidelines document and pending items document following ICANN66.
- **GOPE WG** to incorporate input by GAC membership, prior to submission to GAC leadership for endorsement.

#### 4.6. GAC Focal Group on Subsequent Rounds of New gTLDs

The GAC Focal Group on Subsequent Rounds of New gTLDs met in a non-plenary setting prior to meeting in GAC plenary. The Co-chairs of the GNSO's New gTLDs Subsequent Procedures PDP Working Group updated the GAC Focal Group on PDP status and timeline. Mechanisms available for GAC members to provide input to the PDP WG were discussed. Key updates and takeaways were then presented to the full GAC membership during the plenary session (see Section 2.3 Subsequent Rounds of New gTLDs above).

##### Action Points:

- **GAC Focal Group Members** to identify opportunities for GAC input on subsequent rounds.
- **GAC Support** to work with GNSO Support Staff on updates to the GAC scorecard on Subsequent Rounds of New gTLDs.

## 5. CROSS COMMUNITY ENGAGEMENT

### 5.1. Meeting with the ICANN Board

The GAC met in plenary session with the ICANN Board and discussed:

- Implementation of plans that will shape the future of ICANN and its multi-stakeholder model
- GDPR/WHOIS matters
- DNS Abuse Mitigation
- CCT Review Recommendations and Subsequent Rounds of New gTLDs

The ICANN Board Chair utilized the session to explain the importance the Board is placing on the effective and efficient implementation of ICANN's latest strategic planning efforts. He noted the substantial importance of the three plans that will shape ICANN's future and for which the Community, Board and ICANN org must prepare thoroughly during the first six months of 2020, for successful implementation:

- ICANN's 5-year Strategic Plan FY21- FY25;
- ICANN's 5-year Operating & Financial Plan FY21 – FY25; and
- The forthcoming Work Plan for Improving the Effectiveness of ICANN's Multistakeholder Model.

The new Strategic Plan was presented as a living document on which the Board expects to engage the community at regular intervals for adjustment as necessary. The ICANN Board Chair flagged several important ICANN org responsibilities including serving as the implementation manager for all three plans by: (a) developing detailed plans plan and supporting transparent processes, (b) demonstrably aligning its work with specific plan objectives, (c) providing CEO level leadership and (d) engaging with the SOs, ACs, and other community mechanisms. With respect to the community, he encouraged the GAC to work with other communities in ICANN to align its work to the strategic objectives of the plan and working with ICANN Org to achieve the plans' objectives and to strive to commit and successfully execute on the work plan to improve the effectiveness of the multistakeholder model.

Regarding the Strategic Plan discussion, it was acknowledged that two particular strategic points merited higher visibility and consideration including (1) the need to improve and strengthen inclusivity and participation in the ICANN multistakeholder model and (2) the acknowledgement of ICANN's important role as a participant (not just an observer) in the broader ecosystem of Internet governance. It was acknowledged that inclusivity should be more visible in the Strategic Plan and that further consideration be given to how ICANN could consider the posture of contributor, rather than observer on a number of valuable Internet ecosystem issues.

During the meeting, GAC members raised three topics of importance to governments.

Regarding GDPR/WHOIS matters, GAC members shared with the Board: (a) GAC expectations for concluding the EPDP Phase 2 effort in a timely manner; (b) GAC support for ICANN seeking greater clarity and guidance from European Data Protection Authorities; and (c) GAC support for ICANN to express the expectation that a process for developing and implementing an access/disclosure model be articulated and agreed including an anticipated deadline for completing.

Regarding DNS abuse mitigation matters, GAC members asked Board members to explain the operational steps the Board intends to take to (a) promote "a coordinated approach to effectively identify and mitigate DNS security threats and combat DNS abuse"; and (b) maintain itself as a "source of unbiased, reliable, and factual information on DNS health".

Regarding the impact of the CCT Review on any further potential round of new gTLD applications, GAC members reiterated previous GAC advice that further releases of new gTLDs needed to fully consider all the results of the relevant reviews and analyses to determine which aspects and elements need adjustment and to address and consider the results and concerns of the reviews before proceeding with new rounds.

The discussion of these topics contributed to development of GAC consensus advice that was included in the GAC Montreal Communiqué.

**Action Points:**

- **None identified by GAC Support Staff**

## **5.2. Meeting with the At-Large Advisory Committee (ALAC)**

The GAC met in plenary session with members of the ALAC and discussed:

- Updates on the EPDP on gTLD Registration Data
- Cooperation in capacity building efforts
- Collaboration of ALAC with the GAC Focal Group on Subsequent Rounds of New gTLDs (Focal Group)

The two committees identified several points of common interest regarding the GNSO EPDP effort including, (1) complying with GDPR and other relevant data protection laws; (2) SSAD, (3) automation, accuracy of gTLD registration data, and (4) the distinction between natural and legal persons.

Session participants agreed on the value of collaborating on capacity building matters and an effort will be made to incorporate some ALAC member input in an upcoming GAC Capacity Building workshop.

Noting other potential committee synergies on new gTLD subsequent procedure topics, participants discussed potential manners in which there could be further collaboration between ALAC and GAC members - notably in the area of building capacity and informing the respective committee members of the importance of these issues.

**Action Point:**

- **GAC Focal Group** to arrange a potential Intersessional call with ALAC to further discuss possible synergies on the procedures for subsequent rounds of new gTLDs.

### **5.3. Meeting with the Country Code Names Supporting Organization (ccNSO)**

As part of a longer term effort to help new GAC participants “on-board” and develop a better understanding of the relationship between governments, country code managers and ICANN, the ccNSO provided an informational session on the retirement of ccTLDs, particularly in relation to the related ongoing ccNSO Policy Development Process. The presentation (a) provided an overview of the DNS, (b) explained the importance of terminology in the various processes regarding the various roles and responsibilities of country code managers, ICANN and other stakeholders, and (c) reviewed the rationales, mechanisms, milestones and complexities of the retirement process, among other TLD retirement considerations.

**Action Point:**

- **None identified by GAC Support Staff**

#### 5.4. Meeting with the Generic Names Supporting Organization (GNSO)

The GAC met in plenary session with members of the GNSO Council and discussed:

- IGO Access to Curative Rights Protection Mechanisms, and the proposed charter for a new IGO Work Track under the Review of all RPMs PDP WG;
- Evolving ICANN's Multistakeholder Model (including GNSO PDP 3.0 matters on which GAC members were encouraged to provide feedback on the PDP 3.0 effort); and
- Work of the New gTLD Subsequent Procedures PDP (including the recently concluded Work Track 5 on geographic names).

Members of each community noted that the chartering of the IGO work track was intended to maximize the chances of success in a concise timeline. Noting the challenges for IGOs to participate in ICANN efforts, it was acknowledged that engagement from GAC members and IGO interests could contribute to the ultimate success of the effort. With respect to the GNSO's recommendation 1 through 4, it was acknowledged that under GNSO operating procedures, any existing policy recommendation can be replaced or superseded. It was noted that intersessional discussions will be important to this work effort.

Learning of developments regarding the PDP 3.0 effort, the GAC was advised of further opportunities to contribute post-Montreal views to the project. There was discussion about the overlap of some of the PDP 3.0 matters with the ongoing effort to evolve the ICANN multistakeholder model.

Noting the substantial interest and community commitments to the new gTLD Subsequent Procedures PDP, session participants discussed the results of the Work Track 5 (WT5) effort noting that it achieved a compromise of competing views that was being incorporated into the full Subsequent Procedures recommendations. The GNSO indicated a willingness to examine and discuss lessons-learned from the operations of the WT5.

##### **Action Point:**

- **GAC** to develop input regarding the latest opportunity to comment on the draft implementation documentation for the GNSO PDP 3.0 effort.

#### 5.5. Meeting with the Registry Stakeholder Group (RySG)

The GAC met with representatives of the RySG and discussed:

- Expedited Policy Development Process (EPDP) on gTLD Registration Data; and
- Obligations and practices of registries regarding the mitigation of DNS Abuse.

Members of the RySG and the GAC noted the value of open communications between governments and the businesses responsible for managing domain names and the value that can potentially be achieved by identifying more opportunities for information exchange.

In addition to discussing the EPDP efforts, it was noted that a group of 11 ICANN contracted parties recently developed a Framework to Address Abuse seeking to: (a) contribute to and encourage dialogue

among interested stakeholders, and (b) promote DNS safety and security by disrupting abuse in, with, and around the DNS.

**Action Points:**

- **None identified by GAC Support Staff**

### **5.6. Meeting with the Root Server System Advisory Committee (RRSAC)**

The GAC met in plenary session with co-chairs of the RRSAC and received an update on the status of its efforts regarding “RSSAC037: A Proposed Governance Model for the DNS Root Server System” (RSSAC037) and “RSSAC038: RSSAC Advisory on a Proposed Governance Model for the Root Server System” in which the RSSAC community presented detailed proposals that address various aspects of the structure and organization of a new system of governance of the Root Server System.

The proposals have already gone through one round of public comments and the RSSAC co-chairs reported that they expect further public opportunities for input.

**Action Points:**

- **None identified by GAC Support Staff**

### **5.7. Meeting with the Universal Acceptance Steering Group (UASG)**

Following discussions at ICANN65 in Marrakech, representatives of the UASG briefed the GAC in plenary session on the latest steering group efforts.

Following further discussions about the relevance of the topic to governments, the GAC agreed on a proposal from the Chair to establish a new GAC Working Group to address matters of relevance to governments regarding Universal Acceptance and Internationalized Domain Names (IDN). The new working group will shortly begin efforts to develop Terms of Reference to be endorsed by the GAC. Initial volunteers for the group effort include Argentina, Egypt, India and Turkey.

**Action Points:**

- **GAC Support** to establish working group infrastructure (e.g., email, web page, etc.).

### **5.8. Meeting with the Cross-Community Working Group on New gTLDs Auction Proceeds**

The CCWG Co-Chair updated the GAC on recent developments, noting the CCWG is now finalizing its proposed Final Report and anticipate a consensus call, including potential surveys, after the second public comment proceeding.

The upcoming public comment proceeding is expected to be launched as soon as possible following ICANN66 and will be focused on items not previously submitted for public comment. In particular, the CCWG is seeking input from the GAC and GAC Members on mechanisms for auction proceeds. The GAC Chair encouraged GAC input as early as possible, or via the public comment proceeding.

GAC discussion took place on a potential vehicle for providing input. GAC Members discussed broader considerations beyond the scope of the CCWG's work on possible mechanisms to allocate auction proceeds funds, including the importance of GAC discussion and input:

- The mechanism that will be ultimately selected to allocate the proceeds;
- Criteria for the selection of projects to be funded via this vehicle.

**Action Point:**

- **GAC Members** to consider GAC input via the upcoming public comment proceeding.

## 6. INTERNAL GAC MATTERS

### 6.1. GAC Elections

The GAC Vice-Chair election voting period concluded on 3 November 2019.

The requirements of [GAC Operating Principle 32 and 35](#) were satisfied, as a total of 101 ballots ("more than 1/3 of the GAC Members") were submitted. There were no ties that would prohibit identifying the candidates with the five highest vote counts, thus further in-person paper balloting was not needed.

Based on the votes cast, the elected 2020 GAC Vice-Chairs for the term starting after ICANN67 (March 2020) and ending at the close of ICANN70 (March 2021) will be:

- Olga Cavalli (Argentina) (second consecutive term)
- Luisa Paez (Canada) (second consecutive term)
- Pua Hunter (Cook Islands) (first term)
- Guiguemde Jacques Rodrigue Ragnimpinda (Burkina Faso) (first term)
- Jorge Cancio (Switzerland) (first term)

**Action Point:**

- **GAC Support** to publish voting results on the GAC 2019 election web page.

### 6.2. GAC Operational Matters

The GAC was briefed on the latest efforts of the Empowered Community Administration and support staff provided background on the latest opportunity for the committee to act in conjunction with a Fundamental Bylaws amendment (FBA) regarding the IANA Function Review Team. It was explained that the GAC Leadership will be developing recommendations for GAC action on the FBA.

The GAC was also briefed on the need to consider whether the initial [Guidelines for GAC participation in the Empowered Community](#) (now two years old - November 2017) needed to be updated. GAC members were advised that support staff has been directed to review the current guidelines and offer recommendations for how they could be improved.

Noting the recent changes to the ICANN Board and ICANN org cycle of responding to and tracking GAC Consensus advice, GAC members were informed that the GAC leadership has asked the support staff to develop a proposed additional step in the advice cycle in which the GAC would be able to assess the

Board response to each GAC Communiqué. This Board response, now more formally referred to as the “scorecard” is typically released about 6 weeks before a GAC face-to-face meeting.

The leadership would like the GAC to consider a new process that would enable the committee to assess any Board scorecard response to assure that all GAC advice has been reviewed, assessed and implemented (as appropriate). Since ICANN org is now tracking the status and implementation of GAC advice and sharing that information as soon as a scorecard is released, a time window may be possible during which the GAC could evaluate and react to the Board scorecard.

**Action Points:**

- **GAC Support** to develop recommendations on a Board scorecard response mechanism for the GAC and share for committee review prior to ICANN67.

# # #

**Attachment 1 - ICANN66 Montréal - GAC ATTENDEES LIST**

GAC Members (68)		
Argentina	France	Portugal
Armenia	Gabon	Qatar
Austria	Germany	Saint Kitts and Nevis
Australia	Hong Kong Special Administrative Region, China	Singapore
Azerbaijan	India	Somalia
Bangladesh	Indonesia	Spain
Belgium	Israel	Sri Lanka
Bosnia and Herzegovina	Italy	Suriname, Republic of
Brazil	Jamaica	Switzerland
Burkina Faso	Japan	Chinese Taipei
Cambodia	Kenya	Turkey
Cameroon	Lao People’s Democratic Republic	Uganda

Canada	Lithuania	Ukraine
Cayman Islands	North Macedonia	United Arab Emirates
Chad, Republic of	Mali	United Kingdom
China	Morocco	United States of America
Colombia	Mozambique	Viet Nam
Congo, Democratic Republic of	Republic of the Union of Myanmar	Zimbabwe
Congo, Republic of	Netherlands	
Cook Islands	New Zealand	
Croatia	Nigeria	
Denmark	Niue	
Egypt	Norway	
European Commission	Philippines	
Finland	Poland	

<b>GAC Observers (9)</b>	
Commonwealth Telecommunications Organization (CTO)	Organization of American States (OAS)
Economic Community of Central African States (ECCAS)	Organisation Internationale de la Francophonie (OIF)
Economic Community of West African States (ECOWAS)	West Africa Telecommunications Regulators Assembly (WATRA)
International Red Cross Red Crescent Movement	World Intellectual Property Organization (WIPO)
League of Arab States	

<b>Remote Participants (6)</b>	
Korea, Republic of	Serbia
Malaysia	Thailand
Russia	

## Attachment 2 - ICANN66 Action Points Compilation

#	Subject Matter	Action Point
1	WHOIS	<b>GAC Members</b> to consider the concept paper of GAC Accreditation Principles for Public Authorities circulated at the beginning of ICANN66.
2	WHOIS	<b>GAC Members</b> to consider assembling indicative lists of their public authorities and other relevant parties requiring non-public registration data, including criminal and civil law enforcement consumer protection authorities, etc.
3	WHOIS	<b>GAC</b> to consider the expected Initial Report Phase 2 of the EPDP on gTLD Registration Data.
4	WHOIS	<b>GAC Members</b> to consider joining the GAC Small Group on GDPR and following EPDP deliberations.
5	DNS Abuse	<b>GAC</b> to follow up on the consideration and implementation of the CCT Review recommendations.
6	DNS Abuse	<b>GAC</b> to continue assessing the effectiveness of previous GAC Advice (per Hyderabad and Copenhagen Communiqués).
7	DNS Abuse	<b>GAC</b> to identify and promote ccTLD best practices.
8	DNS Abuse	<b>GAC</b> to work with other interested stakeholders such as SSAC and the Business Constituency on proposals going forward.
9	DNS Abuse	<b>GAC Members</b> to encourage reporting by public authorities of non-compliance with the requirement for reasonable access to be provided to non-public gTLD registration data.
10	Subsequent Rounds	<b>GAC Members</b> are encouraged to volunteer as topic leads for the four priority topics relative to subsequent rounds to shepherd updating GAC advice on such topics and provide GAC input to the PDP.
11	Subsequent Rounds	<b>GAC Focal Group</b> to continue update GAC members on relevant developments of the PDP WG.
12	Subsequent Rounds	<b>GAC Support</b> to circulate GAC scorecard to brief GAC members on priority topics to support topic leads and longer term on all GAC areas of interest relative to subsequent rounds.
13	IGO Protections	<b>GAC</b> to agree intersessionally, possibly over email, about a process and associated procedures to maintain the GAC IGO List (add or remove IGOs as appropriate).
14	IGO Protections	<b>GAC Topics Leads</b> to continue engaging with the GNSO regarding new policy development to resolve the long standing inconsistencies between GAC Advice and GNSO recommendation on the protection of IGO Acronyms.

15	PSWG	<b>PSWG</b> to update its work plan intersessionally and seek GAC endorsement during the next ICANN meeting.
16	NomCom WG	<b>GAC Support</b> to transmit endorsed recommendations to the NomCom operations team for consideration by the NomCom.
17	USRWG	<b>GAC Support and ICANN Government Engagement Staff</b> to continue collaboration on USRWG briefing documents.
18	USRWG	<b>GAC Support and ICANN Public Responsibility Support Staffs</b> to coordinate on potential ICANN Learn introductory courses for the GAC.
19	USRWG	<b>USRWG Co-Chair</b> to follow up with WG Members on planned intersessional work.
20	USRWG	<b>USRWG and Focal Group</b> to collaborate on capacity building material on subsequent rounds.
21	GOPE WG	<b>GAC Membership</b> to review the GAC Working Group Guidelines document and pending items document following ICANN66.
22	GOPE WG	<b>GOPE WG</b> to incorporate input by GAC membership, prior to submission to GAC leadership for endorsement.
23	Focal Group on Sub Rounds	<b>GAC Focal Group Members</b> to identify opportunities for GAC input on subsequent rounds.
24	Focal Group on Sub Rounds	<b>GAC Support</b> to work with GNSO Support Staff on updates to the GAC scorecard on Subsequent Rounds of New gTLDs.
25	Meeting with the ALAC	<b>GAC Focal Group</b> to arrange a potential Intersessional call with ALAC to further discuss possible synergies on the procedures for subsequent rounds of new gTLDs.
26	Meeting with the GNSO	<b>GAC</b> to develop input regarding the latest opportunity to comment on the draft implementation documentation for the GNSO PDP 3.0 effort.
27	Meeting with the UASG	<b>GAC Support</b> to establish working group infrastructure (e.g., email, web page, etc.).
28	Meeting with the CCWG on Auction Proceeds	<b>GAC Members</b> to consider GAC input via the upcoming public comment proceeding.
29	GAC Elections	<b>GAC Support</b> to publish voting results on the GAC 2019 election web page.
30	Operational Matters	<b>GAC Support</b> to develop recommendations on a Board scorecard response mechanism for the GAC and share for committee review prior to ICANN67.