
MINUTES OF MEETING

ICANN73 Virtual Community Forum, 7-10 March 2022

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1. MEETING ATTENDANCE & MEMBERSHIP

75 GAC Members and 10 Observers attended the meeting remotely.

GAC membership currently stands at 179 Member States and Territories, and 38 Observer Organizations. A list of ICANN73 GAC meeting Member and Observer attendees is provided in [Attachment 1](#).

The ICANN73 GAC Communiqué is published on the GAC website at:
<https://gac.icann.org/contentMigrated/icann73-gac-communication>.

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/icann73-virtual-meeting-agenda>.

Full transcripts for each session are to be made available from the ICANN73 Public Meeting website, via the relevant agenda items on the GAC's website agenda page listed above.

1.1. Opening Plenary Session

The GAC Chair formally opened the GAC ICANN73 meeting. She reviewed specific aspects of the meeting week agenda and noted the plan to offer daily 30-minute "catch-up" updates during the week for GAC Members who may not be able to fully participate in all the virtual meeting sessions due to time zone challenges or other reasons.

In response to a request by Ukraine for an immediate committee meeting prior to ICANN73, the GAC Chair opened the floor and invited GAC members to provide interventions and statements. Ukraine made an initial statement regarding a recent request for action by ICANN org and the direct impacts being felt as a consequence of the Russia-Ukraine war. A number of other GAC Members subsequently offered statements regarding the conflict during the session. Statements from all the GAC Members who spoke during the session have been reproduced in the English language in Appendix A of this document.

The GAC Chair identified a number of notable topics that were scheduled to be addressed by the GAC during ICANN73, including:

- RDS/WHOIS and Data Protection
- DNS Abuse Mitigation
- Subsequent Rounds of New gTLDs
- Global Public Interest Framework

The GAC Chair thanked GAC Members for remaining focused on the committee's work during the global COVID-19 pandemic. She noted that the committee had received and sent correspondence on a number of substantive topics during the recent intersessional period. She recounted the various Board interactions with the GAC regarding the ICANN72 Communiqué and noted the committee's plans to establish further engagement with the ICANN org Governmental Engagement team during the intersessional period between ICANN73 and ICANN74. Attendees were directed to the GAC web site for details on any of those intersessional efforts.

The GAC Chair noted a number of GAC working group initiatives that had taken place since ICANN72. She reviewed the substantial work and issue management conducted by the Public Safety Working Group

(PSWG), relayed the work of the GAC Operating Principles Evolution Working Group (GOPE) on developing its work plan, revealed that the committee was still seeking a chair for the Universal Acceptance and IDN Working Group (UA-IDN WG) and explained that consideration was being given to evolve the former Focal Group on Next Rounds of New gTLDs to a different framework to help the committee address issues related to the next round of new gTLDs.

The GAC Chair reviewed recent interactions between the GAC and other parts of the ICANN community. She recounted recent discussions among leaders of the other Supporting Organizations and Advisory Committees on the topics of Work Stream 2 Accountability, community prioritization and planning and preparations for a return to in-person and hybrid meeting formats for ICANN74 and beyond. She recounted GAC interactions with the ICANN Board in the context of the Board-GAC Interaction Group (BGIG). She explained that the BGIG had recently provided a forum for discussion about the issues of importance identified by the GAC in the ICANN72 Communique and reminded GAC members that BGIG membership is open to any interested GAC Members.

Regarding onboarding and engagement matters within the committee, the GAC Chair reported that over 130 new delegates had joined the committee since the last face-to-face GAC meeting at ICANN66 in Montreal. She noted that GAC leadership was working with the GAC Support staff to improve onboarding and engagement for and among new and existing delegates by expanding the GAC content in the ICANN Learn curriculum and by continuing to evolve the committee meeting preparations for public meetings – including the addition of oral briefing opportunities to supplement the written session briefings prepared by topic leads and support staff.

The GAC Chair reminded session attendees of the updated Communiqué drafting process that members had agreed to employ and successfully implemented previously for ICANN73. She noted that GAC Members had been offered the opportunity to share any advice proposals for Communiqué language before the meeting and that the document review period after the meeting would remain at 72 hours so that all GAC Members would have the opportunity to thoroughly review the Communiqué in their own time zone before document publication. Support staff provided an overview of key meeting logistics information resources for meeting attendees and the session was adjourned so that attendees could attend a cross-community session organized for a dialogue with the ICANN Executive team.

2. PUBLIC POLICY AND SUBSTANTIVE ISSUES

2.1. Global Public Interest Framework

GAC topic leads provided an introduction to the Global Public Interest (GPI) framework process, particularly with the recent Standardized Access/Disclosure of the Registration Data (SSAD) Operational Design Phase (ODP) that was used as a pilot case to demonstrate which recommendations include public interest considerations.

Subsequently, ICANN Board member Avri Doria, provided an overview of the Board's GPI framework process, highlighting that the objective of the framework is not to create another set of processes. Instead, the Board is asking the community to consider the GPI framework and determine whether it can be useful to adapt it, for instance, within its recommendations, decisions, advice, and public comments. Meanwhile, the community is encouraged to assess the tool, and comment on possible improvements. GAC topic leads opened the discussion on the GAC's assessment of the GPI framework, and explored how the process can be applied within the GAC. The discussion began with a few questions regarding what the framework proffers in the eventuality of a Board's action if the outcome of a policy does not meet public interest. Furthermore, the framework requires tools and indicators to assess whether the requirements of an inclusive, bottom-up and multistakeholder process is really met.

Some GAC members agreed that there is a need for a rigorous analysis and assessment of the tool, emphasizing the importance of ensuring that the GPI is inclusive, considering the size of the ICANN community. The tool should be considered from the very beginning, when the recommendations are created and fall within ICANN's mission. With regard to the usage and implementation of the tool, it was suggested that, for instance, the GAC could use the tool when preparing its GAC consensus advice or reflecting its positions on policy recommendations. Additionally, the GAC questioned the most appropriate time for when the tool could be applied within the policy development process, hence the GNSO should consider it in its deliberations and discussions.

The GAC Chair encouraged GAC members to consider how the committee could benefit from the pilot experience and whether the topic of closed generics might offer that opportunity.

2.2. CCWG Accountability Work Stream 2 Matters

The Human Rights and International Law (HRIL) Working Group reviewed the intersessional developments made since ICANN72 on the [GAC perspective proposal document](#) relative to the [Work Stream 2 Final Report](#) Recommendation 1.1 on the definition of diversity.

The proposal document provides a GAC perspective on each of the seven (7) elements of diversity identified in the report pertaining to geographic or regional representation, language, gender, age, physical disability, diverse skills, stakeholder group or constituency.

In addition to the elements incorporated at ICANN72 regarding "cultural diversity" and "diversity in attendance", the Working Group included a final element on the subject of "diversity in views" at ICANN73.

The GAC agreed on the WG sharing the proposal document for future discussion with the newly formed Community Coordination Group (CCG) focusing on addressing topics for community-wide approach. The

GAC volunteer representatives and observers to the CCG can be found on the [GAC appointments](#) website page.

Action Point:

- **GAC HRILWG** to send the proposal document to the Community Coordination Group (CCG) in light of discussions on Recommendation 1.1.

2.3. IGO Protection Matters

The GAC reviewed background on IGO Protection matters and discussed recent developments from the EPDP on Specific Curative Rights Protections for IGOs. Immediately prior to ICANN73, a draft final report was circulated for review by EPDP WG members, with the expectation that this review would conclude within the next month. From an IGO perspective, the GAC Topic Lead noted that IGOs believe the Draft Final Report should be at a stage where IGOs are able to accept compromise recommendations, hopefully aligning with GAC views on this matter. This would bring a positive conclusion to the EPDP with GAC support, which IGOs welcome.

Additionally, the GAC received an update on the proposed mechanism to manage changes to the GAC IGO List of IGO's full names to be reserved in New gTLDs. Following ICANN72, GAC leadership and the GAC IGO Small Group have continued updating the proposed mechanism to include historical and technical terminology details. The draft process should be circulated to GAC membership for review and input shortly.

Action Point:

- **GAC Members** to consider the draft mechanism to manage changes to the GAC IGO List as soon as possible when circulated by the IGO Small Group.

2.4. WHOIS and Data Protection

Members of the GAC Small Group on EPDP/GDPR reminded GAC Members of the importance of this subject matter to the GAC in view of the GAC Principles Regarding gTLD WHOIS Services (28 March 2007). They provided an update on the status of each of the phases of work within ICANN to define a new policy regime for Registration Data Services, discussed the inability to define a timeline for the delivery of this new policy regime and recalled ongoing concerns with some policy outcomes, as laid out in the GAC Minority Statement on EPDP Phase 2 (24 August 2020) recommending a System for Standardized Access/Disclosure (SSAD), and in the GAC Minority Statement on EPDP Phase 2A (10 September 2021) regarding the distinction of registration data from legal vs. natural persons.

The GAC reviewed the **findings of the recently delivered Operational Design Assessment (ODA) of the SSAD policy recommendations**. On the basis of a design it proposed to meet the proposed policy, ICANN org assesses that a complex set of systems and processes will be required, involving a multi-year development phase, resulting in a wide range of costs and fees. GAC presenters suggested that it may not be possible to accurately predict costs given the significant level of uncertainty remaining regarding actual demand for such a system. It was noted in particular that the prevalence of data protected by Privacy/Proxy Services and restrictions on cross-border transfers of registration data may significantly reduce interest in this system. While the GNSO Council and ICANN Board are expected to continue their consultations before the Board considers the SSAD policy recommendations, it was noted that the community is discussing alternatives to a full implementation of the proposed SSAD. The GAC Chair

noted support expressed by several GAC Members for a pilot or phased approach as a way to manage the risks identified, and asked Members to consider what parts of the policy recommendations a pilot should include and exclude. A GAC Member insisted that a more robust assessment of demand and operational costs is necessary. Another GAC Member suggested that ICANN org should centralize registration data if issues of controllership are not resolved, and consider funding an SSAD entirely based on the fees it collects from Contracted Parties and possibly from users.

GAC representatives in the GNSO Scoping Team on **Accuracy of Registration Data** reported on the recent developments in the deliberations initiated shortly before ICANN72, including a gap analysis of stakeholders expectations vs. existing contractual requirements and their enforcement, as well as an attempt to agree on a working definition of Accuracy. They noted the challenges facing this group given arguments by some stakeholders that no reliable data exist to demonstrate significant issues with registration data accuracy, and numerous obstacles identified by ICANN org preventing the resuming of the WHOIS Accuracy Reporting System (ARS). As the scoping team discusses possible parameters for a study, which could impact the timeline to deliver recommendations for a GNSO Policy Development Process (PDP), the GAC was due to discuss with the ICANN Board, ICANN's ability to access registration data under the GDPR on the basis that it has a legitimate interest in checking the accuracy of the data.

2.5. DNS Abuse Mitigation

GAC Topic leads recalled the **importance of DNS Abuse mitigation for the GAC** in light of the Beijing Communiqué Safeguard Advice (11 April 2013) and the GAC Statement on DNS Abuse (18 September 2018) which have addressed how DNS Abuse should be understood. It was reminded that these matters are not solely a concern for the GAC, but also for many ICANN stakeholders. In this context, the Public Safety Working Group (PSWG) which was formed to advise the GAC on these matters in 2015, seeks to develop the capabilities of the ICANN and Law Enforcement communities to prevent and mitigate abuse involving the DNS as a key resource.

A recent **independent study of DNS Abuse commissioned by the European Commission** was presented to the GAC. It was stressed that this study was procured outside of a specific EU policy initiative because of the complexity and critical importance of this matter in the context of the EU Cybersecurity Strategy. The study is intended to invite community discussion beyond the rhetorical debates around ICANN's remit and definitions of DNS Abuse, and towards determining who should take what sort of actions to prevent and mitigate harm caused on victims. Among the findings of this study, which the European Commission indicated it is considering from a policy making perspective, the concentration of DNS Abuse in certain new gTLDs and registrars was highlighted, as well as the need for accurate registration data.

PSWG leaders highlighted **recent developments in the ICANN Community** including: "excellent" recommendations made to ICANN by the DNS Security Facilitation Initiative Technical Study Group (TSG-DNSFI), which ICANN is currently considering; the expected beta testing by some registrars of a Centralized Abuse Reporting Tool (CART) being developed by PIR's DNS Abuse Institute in response to recommendations made by SSAC in its SAC115 Report; and the recent launch of a GNSO Small Team to consider "*what policy efforts, if any, the GNSO Council should consider undertaking*", which invited the GAC to share its expectations in terms of potential policy development.

Looking to **next steps and future work**, a PSWG co-chair recalled the GAC ICANN72 Communiqué which stressed the need for improved contract requirements to address the issue of DNS Abuse more effectively and noted that in light of the ICANN Bylaws provisions authorizing ICANN to negotiate

agreements, ICANN org is particularly well placed to negotiate improvements to existing contracts. This was reinforced in the context of discussions of future rounds of New gTLDs prior to which the SSAC recommended further assessments of DNS Abuse should be conducted, per SAC114.

A GAC Member followed-up on **previous discussion of Registrar Hopping** (registrant evading suspension of their abusive domain names by continuously transferring their registrations from one registrar to another) by discussing the case of multiple registrations by the same registrant with the same registrar being used to commit the same abuse. This GAC Member called for effective and proactive compliance enforcement, including ensuring that registration data is accurate, and suggested that a range of collaboration be considered to promote the adoption of effective measures to combat DNS Abuse.

2.6. Subsequent Rounds of New gTLDs

GAC Topic leads provided an update on recent developments relative to Subsequent Rounds of New gTLDs, notably the launch of the Operational Design Phase (ODP). ICANN org provided a briefing to GAC members on the ODP, including details on the ICANN Org organization of the ODP work, ODP Work Tracks and high-level timeline.

GAC Topic Leads flagged that during the ODP ICANN Org identified several policy issues for the ICANN Board to address, including Closed Generics, due to lack of agreement and recommendations on Closed Generics in the SubPro PDP WG Final Report. As part of this effort, the GAC and GNSO Chairs received an invitation from the ICANN Board for the GAC and GNSO to explore a mutually agreeable way forward on closed generics, with Board facilitation. The expectation is to attempt to formulate a workable framework to identify how to handle closed generic applications, and if an agreement is reached, it would then be considered through the appropriate GNSO policy development process and be submitted to the broader ICANN community for input.

The GAC Chair asked for reactions from GAC Membership on the facilitated dialogue on closed generics. Receiving no objections, the GAC Chair will notify the ICANN Board that the GAC is interested in taking part in this effort. GAC Topic Leads noted they would welcome participation from the At-Large Advisory Committee (ALAC) in this consultation process, as appropriate, considering ALAC's long-standing interest and understanding of the matter.

GAC Topic Leads encouraged GAC membership potential intersessional consideration of GAC advice in preparation for ICANN74.

Action Points:

- **GAC Members** are encouraged to share potential topics and language for GAC advice intersessionally prior to ICANN74 for potential incorporation in the ICANN74 communique as appropriate.
- **GAC Members** interested in Subsequent Rounds of New gTLDs are encouraged to join the GAC Small Group on SubPro by notifying GAC Support Staff and/or GAC Topic Leads.
- **GAC Members** interested in joining the GAC/GNSO Dialogue on Closed Generics are encouraged to reach out to GAC Support or GAC Topic Leads in preparation for this effort.

3. GAC WORKING GROUPS

3.1. GAC Public Safety Working Group (PSWG)

The GAC PSWG continued its work to combat DNS Abuse and promote effective access to domain name registration data. The PSWG led a session to update the GAC on DNS Abuse that included:

1) a presentation from one of the authors of a recently released study on DNS Abuse commissioned by the European Commission; 2) updates on various initiatives from ICANN org, the GNSO, and private entities to research, assess and mitigate DNS Abuse; and 3) a follow-up presentation by Japan regarding malicious domain name registrants and the strategies they use to avoid detection and responsibility. The PSWG also pointed out its continued focus on DNS Abuse, discussing possible steps forward which include assessing how contract provisions may be improved to respond to DNS Abuse.

The PSWG continued its active participation to support the GAC Small Group through participation in the Phase 1 Implementation Review Team, the GNSO Accuracy Scoping Team, and the GNSO Small Team discussing ICANN Org's Operational Design Assessment (ODA) of EPDP Phase 2 Recommendations. The PSWG emphasized the importance of accurate registration data to deter and investigate DNS abuse. The PSWG highlighted that the ODA raised many questions about anticipated usage and costs and noted the possibility that a pilot program could be a valuable addition that could "reduce overall risk through the use of a prototype to reduce the unknowns for specific technical and operational concerns."

During ICANN73, the PSWG held discussions with: ICANN org including representatives of the Office of the Chief Technology Officer, the Security Stability Resiliency team, Global Domains & Strategy, and Contractual Compliance; the Security and Stability Advisory Committee (SSAC); the Registries and Registrar Stakeholder Groups (RySG, RrSG); and the Commercial Stakeholder Group (CSG).

3.2. GAC Operating Principles Evolution Working Group (GOPEWG)

The GOPE WG Co-Chairs updated GAC Membership on recent developments from the WG and presented the updated GOPE WG Work Plan for 2022-2023. The Work Plan was reviewed and adopted by GAC membership during the session. The GOPE WG is expected to focus on the review and finalization of the Framework for GAC Working Group Guidelines as a priority, followed by the review of GAC Operating Principles after ICANN74.

GAC Support presented the updated Framework for Working Group Guidelines, outlining changes submitted by GOPE WG members from the previous version from 2016. GAC members discussed potential updates to the Framework for Working Group Guidelines, specifically on newcomers, the potential inclusion of mentions of underserved regions as a criteria for WGs to take into account, as well as WG products/outputs. For the latter, GAC members discussed further exploration of potential naming of WG outputs, notably to avoid confusing GAC outputs which include advice and consensus with GAC Working Group outputs. The GAC also reaffirmed that all outputs from Working Groups should be considered 'draft' or 'proposed', with 'final' versions agreed only after full GAC consideration.

GOPE WG Members will meet intersessionally and share relevant developments with Membership prior to ICANN74.

Action Points:

- **GOPE WG** to contact other WG chairs/co-chairs to seek feedback on the current draft Framework for GAC Working Group Guidelines.
- **GOPE WG** to review any written comments from GAC members on the Framework for GAC Working Group Guidelines.
- **GOPE WG** to hold an intersessional meeting, opened to wider GAC membership for further discussion on the Framework for GAC WG Guidelines.

4. CROSS COMMUNITY ENGAGEMENT

4.1. Meeting with the ICANN Board

The GAC met with the ICANN Board and discussed:

- GAC 2022 priorities
- GAC Suggestions for enhancing the implementation of recommendations from policy development processes and independent reviews
- SSR2 Review Recommendations
- Global Public Interest (GPI) Framework
- Registration Data (including the System for Standardized Access/Disclosure (SSAD), Data Protection Agreements between ICANN and Contracted Parties, and accuracy of registration data)

In initial preparations for the meeting, the GAC had originally shared a total of eight questions with the Board. Aside from minor edits to the pre-submitted questions, a decision was made during the preparatory session for the meeting with the Board to add an additional question regarding the GNSO Phase 2 Final Report and what might happen regarding access to registration data if the Board were to reject the report recommendations.

A. Board Questions to the GAC:

During the meeting with the ICANN Board, the GAC Chair first presented GAC responses to a number of discussion questions proposed by the Board Chair that were designed to explore the GAC's key 2022 priorities and to elicit feedback from committee members about how to improve ICANN org implementation of recommendations adopted from policy development processes and independent review efforts.

The GAC Chair advised the Board that in 2022, the GAC continues to pursue a full menu of DNS policy and operational matters. The top priorities among this menu of topics include: (1) the next round of new gTLDs, (2) DNS Abuse mitigation and (3) determining an appropriate access system for registration data. The Chair explained that GAC Members believe that attention to these GAC priorities will contribute to the ICANN FY 2021-2025 strategic objectives to "strengthen the security of the Domain Name System" and to "improve the effectiveness of ICANN's multi-stakeholder model of governance". She noted that the GAC believes that all of the GAC's current priority issues are impacted by the larger expectation that ICANN's inclusive and representative multi stakeholder model will achieve timely and effective outcomes that serve the public interest.

In response to a Board Chair question seeking suggestions from the GAC for how to enhance ICANN's effectiveness and efficiency regarding implementation of adopted PDP or Review recommendations, the GAC Chair relayed that long time delays between the launch and conclusion of policy development processes and the completion of the following implementation stage, may lead to obsolete policies in practice. She explained that this scenario undermines the whole development effort.

The GAC Chair expressed that GAC Members believe that keeping track of policy implementation progress can help identify areas of difficulty or delay and prompt remedial actions. Noting the recent context of discussions regarding the CCT-RT and SSR2 recommendations, she said, the GAC would very much welcome the Board to instruct the ICANN org to develop and maintain visible and regularly updated dashboards that would monitor and reflect implementation work regarding all accepted policy

recommendations across the whole community. She explained that such tools and processes would help all parts of the community to monitor the status of important implementation work.

With respect to the “pre-implementation” policy recommendations themselves, the GAC Chair relayed that it appears to some GAC Members that advice coming from ICANN Advisory Committees, including the GAC, has little impact on the wording of such recommendations. At most, she relayed, when there is an obvious clash between Supporting Organization policy recommendations and Advisory Committee advice, the Board refers the issue back to the community (i.e. normally the GNSO) to find a way to resolve the disagreement.

Additionally, the GAC Chair relayed that GAC Members believe there are questions about how the Board treats GAC Advice when that advice involves potential policy work by the GNSO or other parts of the ICANN Community. It was noted that the issue came into focus after ICANN71 when the GAC issued advice on DNS abuse which included potential policy initiatives. She explained that the Board response, at the time, was that this was not an issue for the Board (i.e. the GAC was not addressing actions by Board) as it could not act on the advice.

The GAC Chair noted that these various considerations consequently led to a number of related questions and that GAC members would welcome the Board’s views on the questions. The three questions included:

1. What is the value of GAC Advice regarding GNSO policy recommendations? To what extent may such advice serve to adapt, change or complement GNSO policy recommendations?
2. What is the role of the Board regarding GNSO policy recommendations? Is it, according to its own understanding, able to adapt, complement, and/or change such recommendations? Or does it limit itself to adopting or rejecting them, in full or in part?
3. On those occasions (e.g., as there is with the topic of DNS abuse) where the GAC seeks actions which rest with the wider Community and not just the Board, what expectations, if any, should there be for the Board to react to the advice by initiating a conversation with the Community to seek views on the GAC advice?

Board members addressed these three questions in turn.

Board Dialogue on GAC Advice Question #1. The Board chair explained that the GAC constitutes the voice of governments and intergovernmental organizations in ICANN’s multistakeholder system. Created under the ICANN Bylaws the GAC is an advisory committee to the ICANN Board and the GAC’s key role is to provide advice to ICANN on the issues of public policy especially where there may be an interaction between ICANN’s activities or policies and national laws or international agreements. He noted that GAC advice has a particular status. Its advice must be duly taken into account by the ICANN Board, and where the Board proposes actions inconsistent with GAC advice it must give reasons for doing so and attempt to reach a mutually acceptable solution. As part of the IANA stewardship transition process, the ICANN Bylaws were updated to specifically require a vote of no less than 60% of the Board in case it would want to reject GAC Consensus Advice.

He noted that efforts to improve the processing and tracking of GAC advice have been a fundamental focus of the Board and the GAC for some time. He recalled that the original Board-GAC Review Implementation (BGRI) Working Group was the primary vehicle for regular dialogue between the Board and GAC members on this topic and together the group evolved into the Board GAC Interaction Group

(BGIG) in 2018 at ICANN63. He noted that the Board and GAC have grown this into an improvement in how they communicate together over time.

Board Dialogue on GAC Advice Question #2. With respect to the second question, the Board Chair explained that the Bylaws provide a detailed process for interaction and dialogue between the Board and the GNSO where the Board believes that the GNSO policy recommendations may not be in the interest of ICANN or the ICANN community. He noted that while the Board has the final responsibility of determining whether or not to adopt the recommended policy, and thus move into implementation, the Board does not have the authority to unilaterally modify community developed consensus recommendations. However, the Board has relied on the Bylaws consultation process (including with the GAC) to try to ensure that the community's policy recommendations are ultimately in the best interests of ICANN and the ICANN community.

He noted that since 2019, the Board has shepherded development of a Global Public Interest Framework and earlier during the meeting week Board member Avri Doria had worked with the GAC to explore that effort. He hoped that the effort will make the global public interest determination more explicit rather than implicit, as it has always been the part of what the Board has taken into account. He noted that the Board always seeks input from the community, and always listens and takes that into account, but the way the Board deals with the advice is predetermined by the Bylaws.

The Board Chair referenced the recent outreach regarding the issue of closed generics where the Board is exploring if it can assist the GNSO and the GAC to come together to see what makes the most sense on the issue. In the end, he said, the Board does what it can to make sure that these types of issues are properly addressed. He noted his perception that over the years the Board and the GAC have established a very good interaction where the two groups explore things together while still respecting the bylaw mandates. He also reiterated the use of the BGIG to explore how processes can be improved. He noted if there are continuing specific concerns the GAC was encouraged to raise them in that BGIG context.

GAC Members shared additional perspectives. Switzerland noted its support for the multistakeholder model and reflected that, like democracy, it is subject to a never-ending process of improvement. It was noted that the GAC had become much more involved in policy development processes at the PDP level over the last decade and expansion of the openness of the GNSO to PDP participation by ALAC and GAC was noted. Considering the perspective that the Board is not able to make any adjustments to supporting organization policy recommendations that may be advised by advisory committees, it was observed that the GAC might be led to further assess when, and to what extent, advisory committees may participate in the policy development process.

Early engagement and advice from the GAC, particularly, was noted as a beneficial factor in motivating conversations and processes during PDP efforts. Board members noted their perspective that early involvement by the GAC in PDP efforts are very much acknowledged by the community and taken into account throughout the process. It was noted that, in the end, the community knows that the Board must respond to any advice provided by the GAC. It was observed that the fact that the GAC has been willing to engage early in several recent PDPs has made a difference, but that the Bylaws are very clear that the Board itself does not have the authority or ability to make policy. Moreover, Board members explained, the core of the multistakeholder model is the concept that every part of the community is part of the "multi", and what comes out at the end of a PDP may not be perfectly aligned with the views of one particular group or another - but that all of the policy production will have benefited by the input from all of the parts of the multistakeholder arrangement.

Noting several similar exchanges in the past about this subject matter, the ICANN CEO offered to the GAC Chair to organize an opportunity to engage with GAC Members more broadly to provide an overview of the Bylaws and how they work. The GAC Chair welcomed the offer and agreed that further conversation should take place to follow-up on that offer.

Board Dialogue on GAC Advice Question #3. Noting that aspects of these questions had been captured in the earlier discussion, the Board Chair shared that Board members are constantly interested in GAC advice and that the arguments presented by governments are closely considered by the Board. In the end, he noted the work on the DNS Abuse is a policy development which is ultimately managed by the GNSO which will benefit from GAC input. He encouraged GAC Members to continue to be engaged on the topic.

GAC Members clarified that GAC advice can in some cases be better taken forward by the organization itself, or by another part of the community rather than by the Board. The United Kingdom observed that when that is the case, it would be hoped that the Board might communicate the appropriate GAC advice to that other entity within the community, or to the ICANN organization as appropriate. While a number of excellent channels are already in place, it was observed that there are times when the GAC advice is more appropriately relayed by the Board to those parties (e.g., the GNSO) in a more direct manner.

When asked if such an approach by the Board might be viewed as interfering with the community's responsibility to develop policy, it was clarified that the GAC has no intention to interfere in the policy development process or in contradiction of the Bylaws. Rather, GAC Members noted the need for the Board to facilitate a communication channel in those circumstances where GAC Advice was more appropriately directed to the GNSO, the ccNSO or by some other part of the community.

B. GAC Topic Questions for the Board

Moving on from the Board questions to the GAC, the GAC Chair turned to specific questions prepared for the Board by GAC Members.

SSR2 Review Recommendations Question

The GAC Chair noted that there was an expectation that pending recommendations stemming from the SSR2 Review Final report had been expected by 22 January. She asked if the Board could share with the GAC the findings of this update and the Board's first reaction to these findings?

The Board confirmed that security, stability and resiliency are a keystone of ICANN and that the SSR2 review is very important to the Board. It was explained that the Board has divided up the SSR2 recommendations, and the org is processing them in coordination with implementation shepherds from the review team. The Board advised that the first group of recommendations – those considered as likely to be approved - is almost ready for the Board action. A second group of recommendations require more information and are subject to further communication between ICANN org and the Board shepherds. It was noted that the Board has set up a focus group chaired by Danko Jevtović that is overseeing this process. It was further noted that there is a web page dedicated to this effort on the ICANN website and that the Board is looking to improve the public view of the process of all the recommendations in order to bring more clarity to the implementation of the process.

Global Public Interest Framework Question

What conclusions does the Board draw from the pilot SSAD use case of the GPI framework (Appendix 2 of the SSAD ODA)? How does the Board see the evolution of the GPI framework?

Board members expressed appreciation to the GAC for its early outreach on the GPI framework and invited the GAC to help explore it, learn from it, and share impressions with the Board.

It was explained that consideration of the GPI Framework by the Board is still in its early stages and the Board has yet to draw any conclusions. It was noted that the application of the GPI in the SSAD ODA might be mapped in a way to determine if the framework could be aligned with expressions of public interest identified in the policy development process. Board members noted that during ICANN73 they are in listening mode and have been gathering as much extra information as possible with an expectation to discuss it, weigh it, and balance it before making any decision regarding the application of the GPI to the SSAD ODP. In particular, it was noted that there will be an initial evaluation of how the framework worked within the SSAD ODP and then the framework will again be applied in the SubPro ODP as well. GAC members were alerted that there were likely to be future community consultation opportunities with further webinars and papers regarding the effort with the expectation of some final report by the end of 2023.

Registration Data – SSAD Question

What is the Board's view of the statement which implies that the SSAD could not be implemented due to the cost identified in the ODA?

The Board explained that no decision has been made with respect to whether the SSAD serves the global public interest or not. It was noted that the application of the GPI in the ODA did not account for costs, but costs are part of the consideration because the question comes down to: "Will the SSAD serve the purpose for which it was intended?" And, in terms of a central intake system: "is it worth the expense given the fact that the Board knows that it does not answer the concern of many parts of the community with respect to access to the data itself?" It was explained that the Board is engaged in a productive conversation with the GNSO Council about these issues.

With respect to registration data accuracy, the Board highlighted that it is very committed to furthering the work that is under way. It was noted that the maintenance of accurate and up to date registration data is a fundamental part of ICANN's mission. It was noted that because ICANN is not able to access registration data in bulk to proactively check accuracy, it has not been able to produce baseline accuracy statistics since 2018. Board members noted that due to this absence of reliable and broadly accepted baseline information it has decided that it is going to pursue some further questions with the European Data Protection Board (EDPB) to understand whether, and how ICANN could access data in bulk, and not simply in response to individual identification of potentially inaccurate data. It was noted that efforts would be made to make any questions very precise and very granular and provide a variety of scenarios to maximize the chance that actionable guidance can be obtained. It was also noted that the Board would very much welcome the GAC's support for any request for guidance to the EDPB.

It was also noted that there seems to have been some confusion about the obligations of Contracted Parties regarding the accuracy of registration data, and that Board members want to make sure that it is quite clear that the contracts with ICANN, in particular the Registrar Accreditation Agreement, do impose

substantive obligations on Contracted Parties with respect to accuracy and that it was important to reach agreement with the Contracted Parties on those issues.

Registration Data – Data Protection Agreements and Data Accuracy

1. What is the Status of the negotiation of Data Protection Agreements between ICANN and the Contracted Parties?

Board members indicated an understanding that negotiations with Contracted Parties are under way and there is hope to revitalize the conversations and drive to conclusion after ICANN73. But GAC members were cautioned that an agreement between ICANN org and the Contracted Parties will not increase the possibility for ICANN to get access to the data because ICANN needs guidance from the EDPB. Contract clarity will only be achieved after guidance has been obtained. The European Commission was asked to provide assistance in these requests.

2. Is ICANN able to access registration data under the GDPR on the basis that it has a legitimate interest in checking the accuracy of the data? Has ICANN ever received or plans to receive legal advice on the topic?

Board Members reiterated that ICANN is able to access registration data in response to a complaint that the data is inaccurate or for other compliance reasons – but only on a case-by-case basis. It was noted that it is still unclear whether GDPR permits proactive bulk access and processing of the many millions of records that are at issue in this case. The expectation, it was explained, is that any legal advice provided at this stage would not be dispositive and that is why the Board members feel that clarity from the EDPB would be so important.

The GAC was asked if it could support ICANN org’s efforts for more guidance from the EDPB and further, its proposal into the NIS2 Directive to make ICANN org legally responsible for the disclosure of data.

GAC Members, including the European Commission, indicated support for ICANN’s efforts to seek further guidance from the EDPB, but cautioned that while the EC may be able to facilitate contacts, that, as a separate entity, the EDPB is in no way under the influence of the EC in this area. It was further indicated that support of ICANN’s NIS2 proposals is not possible given the current context and timing of the legislative process.

3. If the Board were to reject the GNSO Phase 2 Final Report, what would be the next steps regarding access to registration data?

The Board Chairman observed that the Board had not yet determined whether to accept or reject the SSAD recommendations and they are currently engaged in further discussions with the GNSO. He indicated that if the Board ultimately declines to accept the recommendations, there would be a subsequent consultation process required by the Bylaws. The parties did not have the time to further discuss this final question.

C. Adjourn

Acknowledging that the meeting had gone over time, the GAC Chair thanked the attendees for the interactive discussion and noted sincere apologies to the interpreters. She noted there were a number of matters to follow-up on through the BGIG and ICANN org.

Action Point:

- **ICANN org** to provide a webinar for GAC on application of ICANN Bylaws to policy development and GAC Advice.

4.2. Meeting with the Generic Names Supporting Organization (GNSO)

The GAC met with members of the GNSO Council and followed up on its ICANN72 discussions. Regarding the **SSAD Operational Design Phase (ODP)**, GAC members asked for GNSO Council views on the Operational Design Assessment (ODA) findings. The Chair of EPDP Phase 2 Small Team to review the SSAD ODA noted that the Small Team was convened to answer the questions from the ICANN Board regarding some aspects of the ODA and to ensure it correctly interpreted all recommendations made on the SSAD. Thus far, the Small Team convened twice and is in the process of preparing clarifying questions to the ODA Team.

On the **Subsequent Rounds of New gTLDs (SubPro) ODP**, the GAC Chair noted the GAC's continued interest in this topic and asked the GNSO Council whether it sees the Global Public Interest intersecting in the work of the SubPro ODP. The GNSO Chair, in his personal capacity, noted that in light of the ICANN Board question relative to a potential GAC/GNSO consultation on Closed Generics, there may be learnings applicable to the GPI framework as well. The GAC asked for GNSO Council views on how the ODP may capture the objective and independent analysis of costs and benefits from the 2012 round of new gTLDs as called for in the GAC Helsinki advice. The GNSO Council Liaison to the GAC mentioned that ICANN org had previously in the day referenced the Top-Level Domain Operating Model Study Request for Proposal (RFP) ICANN org is carrying out, noting this project may address the cost/benefit analysis. The GNSO Council is not anticipating engaging in any further activities which may address this item. GAC members noted they are reviewing the RFP scoping terms to assess whether it is consistent with GAC advice from the ICANN56 (Helsinki), albeit preliminary reading indicates it doesn't match the Helsinki Advice. The GNSO Council Liaison to the GAC additionally noted that the GNSO Council is reviewing the possibility for the GNSO, GAC and At-Large to provide input to the ODP Team while the ODP is ongoing.

Relative to **DNS Abuse**, the GAC expressed its continued interest in this matter and asked for an update from the GNSO Small Team on DNS Abuse, and what the GNSO Council expectations are in terms of concrete outputs from the Small Team. The GAC received initial questions from the Small Team and hopes to provide input by the requested deadline (March 21st). The co-chairs of the Small Team updated the GAC on recent activities, and the Small Team's decision to initially focus on understanding where the community is in terms of whether and how DNS Abuse should be addressed through policy making in the GNSO and/or other means, and whether there are key areas the Small Team could contribute to in a short timeframe.

On the **EPDP on Specific Curative Rights Protections for IGOs**, the GAC noted this is a longstanding issue of importance to the GAC and that it understands the processes have to run its course and looks forward to a positive resolution of the current IGO-EPDP. The GAC representative on the EPDP noted that the EPDP is being led productively by its Chair and while work is still ongoing, there have been good

discussions and compromises made along the way. Further updates should be available soon since work is still in progress.

Accuracy of Registration Data was briefly mentioned under any other business, and the GAC flagged the ICANN Board communication including additional guidance on this matter which was received earlier in the day.

Finally, on **Closed Generics**, the GAC Chair noted that the GAC and GNSO Chairs received an invitation from the ICANN Board for the GAC and GNSO to explore a mutually agreeable way forward on closed generics, with Board facilitation. The expectation is to formulate a workable framework to identify how to handle closed generic applications, and if an agreement is reached, it would then be considered through the appropriate GNSO policy development process and be submitted to the broader ICANN community for input. The GAC Chair noted the GAC looks forward to collaborating with the GNSO and potentially other interested parts of the community, ALAC in particular, on this dialogue and that it awaits the framing paper which is expected imminently from ICANN org outlining the scope of this expected framework. The GNSO Chair noted the GNSO Council is eager to engage in this effort with the GAC, and that it awaits further details on the scope of the Board-facilitated dialogue. The GNSO Council Liaison to the GAC underlined the importance of a narrowed focus for the GAC/GNSO group to ensure a different outcome than that of the SubPro PDP WG.

4.3. Meeting with the country code Names Supporting Organization (ccNSO)

The GAC met with members of the ccNSO on matters related to ccNSO Policy Development Process Working Groups updates and on recent discussions pertaining to ccNSO endeavors on DNS Abuse.

Regarding the ccPDP3 on Review Mechanisms, the goal of the ccNSO working group is to report on and recommend a policy for a review mechanism with respect to decisions pertaining to the delegation, transfer, revocation and retirement of the delegated Top Level Domains associated with the country codes assigned to countries and territories listed in the ISO 3166-1 and within the framework of the ccNSO Policy Development Process. The group is awaiting for a final approval by ICANN Legal, the group started exploring - as an intermediary step - a non-binding Review Mechanism for the decisions subject to a review.

On the ccPDP4 on Internationalized Domain Names (IDNs), the ccNSO working group defines the criteria, process, and procedures for (de)selecting Internationalized Domain Name country code Top Level Domain strings (IDN ccTLDs) associated with the country codes assigned to countries, territories or other areas of geopolitical interest listed in the ISO 3166-1 standard and within the framework of the ccNSO Policy Development Process.

Finally, on ccNSO activities related to DNS Abuse, Tatiana Tropina introduced the matter to the GAC noting that although there is no policy making for the ccNSO, the aim is to create a platform to exchange and share information relative to DNS Abuse issues.

Activities began with ccNSO consultations with the community at ICANN72 with a session focused on whether the ccNSO should become more involved in discussions regarding DNS Abuse, and what is expected of them.

Subsequently, the ccNSO held an internal workshop to discuss an impact-effort analysis using the feedback received at ICANN72, with actions falling under a set of projects either to consider, to avoid or to strongly avoid, with different high, medium or low impact.

At ICANN73, the ccNSO small team responsible for the analysis is seeking community feedback and potential adoption of the roadmap by the Council.

The GAC welcomed the initiative and raised the parallel efforts from the GNSO small group that may merit future discussions and alignment.

4.4. Meeting with the At-Large Advisory Committee (ALAC)

The GAC met with members of the ALAC and discussed topics of joint interest including global public interest, UA and IDNs, SSAD and areas of coordination at the national level. On each topic, members of each Advisory Committee were encouraged to share information regarding the latest developments on each issue.

Regarding the Global Public Interest (GPI), the ALAC provided an overview of the plenary session on GPI that took place on the first day of the meeting week and that the outcome of the session included general agreement that the GPI Framework project should keep on going forward and the community should continue considering potentially using it in its work.

The GAC raised the question as to how can the GPI Framework effectively contribute to addressing the public interest. More importantly, several aspects should be considered such as who should be applying the framework, when should the framework be applied, and how it should be applied in the ICANN Community; while balancing the different community interests and perspectives that are given to the GPI considerations.

On the Universal Acceptance and Internationalized Domain Names (UA/IDNs), the ALAC noted that there is a significant alignment of interest between the ALAC and the GAC on both issues. The ALAC has been engaged in the promotion of UA in all regions through the regional at-large organizations (RALOs) seeking to provide training and capacity building.

From the GAC side, it was noted that the UA/IDNs are of key importance to ensure that everyone has the opportunity to access the Internet, and that there should be greater collaboration between end users and governments.

With regard to the proposed Standardized System for Access/Disclosure of Registration Data (SSAD), the GAC highlighted that there are a lot of uncertainties raised by the SSAD ODP analysis in terms of the number of users having direct impacts on cost and whether the system will serve the interests of its users.

In sum, in the view of GAC topic leads, the ODA raises many important questions, but may not give the Board the guidance it may have expected.

The ALAC agreed that there is a strong correlation between ALAC and GAC positions.

In ALAC's view, two cost issues were ignored by the ODA: the PDP recommendations allowed the development costs of an SSAD to be absorbed fully by ICANN and not charged back to the users, which should be a Board decision on whether to recover costs through fees or leverage ICANN's own resources. Secondly, the SSAD report also allowed ICANN to subsidize some of the operational costs.

Moreover, the SSAD policy recommendations allowed future requestors to make assertions/provide assurances of how they would use the data, but the ODA did not allow for these.

In conclusion regarding the SSAD, the ALAC believes that it should not be built, because it will take too long to deploy, will not provide sufficient value, and will not have the flexibility necessary to keep up with new regulations.

Lastly, the ALAC initiated the discussion on how to extend the cooperation between the GAC and the ALAC on the global and national level. For the ALAC, expertise could be shared at the national and regional Internet Governance Forums, while also leveraging the expertise available in At-Large Structures (ALSes) and sharing best practices at future ALAC/GAC joint meetings.

The GAC reiterated the question on how to improve cooperation among various stakeholders at the national level and asked whether there are good practices of enhancing multi-stakeholderism through public-private partnerships.

5. INTERNAL GAC MATTERS

5.1. GAC Wrap-Up Session

The GAC Chair welcomed Brajesh Jain, delegate to the ICANN 2022 Nominating Committee (NomCom) from the Address Supporting Organization to the meeting. The GAC Chair noted that the GAC had provided its annual input to the NomCom earlier in the week. Mr. Jain offered GAC members an overview of the NomCom plans for 2022 and alerted attendees that the application period for this year's NomCom positions had been extended to 15 March 2022.

It was noted that the new GAC Leadership team (elected during ICANN72) would be assembling after the conclusion of the ICANN73 meeting. The new leadership team will be comprised of the following individuals:

- Manal Ismail (Egypt) (Chair)
- Pär Brumark (Niue) (Vice-Chair)
- Francis Olivier Cubahiro (Burundi) (Vice-Chair)
- Shi Young Chang (Republic of Korea) (Vice-Chair)
- Jaideep Kumar Mishra (India) (Vice-Chair)
- Ola Bergström (Sweden) (Vice-Chair)

The GAC thanked its outgoing Vice-Chairs, Jorge Cancio (Switzerland), Pua Hunter (Cook Islands) and Jacques Rodrigue Guiguemde Ragnimpinda (Burkina Faso) for their valuable support and contributions to the GAC during their two one-year terms.

Meeting attendees were invited to share assessments regarding the planning and implementation of the GAC ICANN73 meeting. They also discussed planning for ICANN74 and ICANN75 which are likely to be conducted in "hybrid" meeting formats. Some attendees suggested that support staff enlist the service of participants who have had recent experience with hybrid meetings conducted by other organizations to help collect planning and organizational thoughts for the coming meetings.

The GAC Chair identified a number of substantive matters likely to demand GAC planning and attention in the next several months including:

- Subsequent Rounds of New gTLDs
 - ODP (Operational Design Phase)
 - Closed Generics
- Continued GAC Engagement in GNSO RDS/WHOIS EPDP Matters
- Data Accuracy
- DNS Abuse Mitigation
- GAC IGO Protection List
- VPICs (Voluntary Public Interest Commitments)
- Potential ALAC Follow-up on various topics

The GAC Chair identified a number of operational matters likely to demand GAC planning and attention over the next several months including:

- Webinar Planning Post ICANN73 - notable possible topics
 - IDN Information Sharing
 - Universal Acceptance Knowledge Sharing
 - ICANN ByLaws Basics with ICANN org staff
 - GNSO Policy Playbook
 - Intersessional Exchange with ICANN Government Engagement (GE) Staff
 - Review of Internet Protocol (IP) and Non IP Developments (GE recommendation to the C-VC)
- Volunteer Opportunities - UA/IDN WG Chair
- Communiqué Drafting and Format Discussion
- ICANN Account - ITI Initiative
- GOPE WG Work Plan Implementation
- Future HLGGM Planning
- WS-2 Accountability Implementation Continues
- Updates to ECA Guidelines

The GAC Chair noted a number of key post-ICANN73 meeting dates including:

- ICANN73 GAC Minutes ~ April 2022
- Topics for ICANN74 (policy topics, WG updates, joint sessions) ~ due mid April 2022
- ICANN74 GAC Agenda Setting Call (to review preliminary agenda) ~ May 2022
- ICANN74 - Scheduled for 13-16 June; The Hague, Netherlands
- ICANN75 - Scheduled for 17-22 September; Kuala Lumpur, Malaysia

The GAC Chair reminded members about the opportunity to review and provide any objections to the GAC Communiqué over the next 72-hours. She adjourned the meeting with thanks to attendees, interpreters and support staff.

#

Attachment 1 - ICANN73 Virtual Community Forum - GAC ATTENDEES LIST

GAC Members (75) participating remotely		
Argentina	Hong Kong, China	Portugal
Armenia	India	Russian Federation
Australia	Israel	Saint Kitts and Nevis
Austria	Italy	Saint Vincent and the Grenadines
Bangladesh	Jamaica	São Tomé and Príncipe
Belgium	Japan	Serbia
Bosnia and Herzegovina	Kenya	Singapore
Bulgaria	Republic of Korea	Spain
Burkina Faso	Lebanon	Sudan
Burundi	Lithuania	Sweden
Canada	Luxembourg	Switzerland
China	Madagascar	Chinese Taipei
Colombia	Malaysia	Thailand
Cook Islands	Mali	Timor-Leste
Côte d'Ivoire	Morocco	Trinidad and Tobago
Croatia	North Macedonia	Turkey
Czech Republic	Nepal	Uganda
Denmark	Netherlands	Ukraine
Egypt	New Zealand	United Arab Emirates
Eswatini	Niger	United Kingdom
European Commission	Nigeria	United States
Finland	Niue	Uruguay
France	Norway	Zimbabwe
Georgia	Pakistan	
Germany	Peru	
Greece	Poland	

GAC Observers (10) participating remotely	
Caribbean Telecommunications Union (CTU)	West Africa Telecommunications Regulators Assembly (WATRA)
Organization of American States (OAS)	World Bank
Regulatel	World Broadcasting Union
United Nation Educational Scientific and Cultural Organization (UNESCO)	World Intellectual Property Organization (WIPO)
Universal Postal Union (UPU)	World Trade Organization

Attachment 2 - ICANN73 Action Points Compilation

#	Subject Matter	Action Point
1	CCWG Accountability Work Stream 2 Matters	GAC HRILWG to send the proposal document to the Community Coordination Group (CCG) in light of discussions on Recommendation 1.1.
2	IGO Protection Matters	GAC Members to consider the draft mechanism to manage changes to the GAC IGO List as soon as possible when circulated by the IGO Small Group
3	Subsequent Rounds of New gTLDs	GAC Members are encouraged to share potential topics and language for GAC advice intersessionally prior to ICANN74 for potential incorporation in the ICANN74 communique as appropriate.
4	Subsequent Rounds of New gTLDs	GAC members interested in Subsequent Rounds of New gTLDs are encouraged to join the GAC Small Group on SubPro by notifying GAC Support Staff and/or GAC Topic Leads.
5	Subsequent Rounds of New gTLDs	GAC Members interested in joining the GAC/GNSO Dialogue on Closed Generics are encouraged to reach out to GAC Support or GAC Topic Leads in preparation for this effort.
6	GOPE WG	GOPE WG to contact other WG chairs/co-chairs to seek feedback on the current draft Framework for GAC Working Group Guidelines.
7	GOPE WG	GOPE WG to review any written comments from GAC members on the Framework for GAC Working Group Guidelines.
8	GOPE WG	GOPE WG to hold an intersessional meeting, opened to wider GAC membership for further discussion on the Framework for GAC WG Guidelines.
9	Meeting with the ICANN Board	ICANN org to provide a webinar for GAC on application of ICANN Bylaws to policy development and GAC Advice.

Appendix A - GAC Opening Plenary Statements
Monday 7 March 2022

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UKRAINE STATEMENT

“One World, One Internet”

This slogan is wonderful.

“Multistakeholder model” – a community-based consensus-driven approach to policy-making.

This model is great.

Ukraine admires both this slogan and this model.

Ukraine believes both in this slogan and in this model.

The Ukrainian government showed its support for them in its numerous actions and statements before. Believes or did believe?

On February 24, at 5 am, my family woke up from explosions. We saw a lot of fire and smoke in the window - our city was shelled by rockets. I can not put into words the feeling when you have to explain to your 7-year-old daughter that we urgently need to leave home to save our lives. In a few minutes, my friends from all parts of Ukraine confirmed that there had been missile strikes in the whole country. At once, all the values you lived with yesterday cease to exist. Now the main task is to save our families, relatives and friends.

So, Russian missiles attacked Ukraine. Putin said it is a “special military operation” in the territory of the independent country. Putin said the goal is "demilitarisation and de-Nazification" to ensure the security of Russia". Security of the largest country in the world with the most enormous nuclear potential seems to be defending itself against ghostly Nazis without nuclear weapons...
The logic has left our chat.

Today is the 12th day of the war. Not some "operation", but a war, a war in Europe! Undeclared Russian war on Ukraine. It is the 12th day of Russian bombing of peaceful Ukrainians cities and even villages, schools, kindergartens, maternity clinics. Nuclear stations.
But Putin’s Blitzkrieg became blitz failure.

The whole world admires the courage of Ukrainian soldiers and civilians – in social media, in private messages, on TV. Unfortunately, thousands Ukrainians have been killed (including 38 children). Millions of Ukrainians have been forced to leave their homes.
Many of you sent us many words of support, sheltered us and helped our army. Many thanks to you!
Many of you have understood that the real goal of the Kremlin and Russian dictatorship is to destroy freedom, peace and human rights. Right to life, right to dignity, right to freedom.
And the right to the Internet.

Last year, our team carried out a large state infrastructure project for deploying fiber-optic networks in the most remote villages of the country. According to our last data, we had the highest level of coverage of high-capacity networks among all European countries. About 97% of the Ukrainian population had the opportunity to connect to the Internet based on fiber-optic technologies. Those settlements, where the Russian army enters, are cut off from the Internet.

For example, in one of the villages where my relatives live, there are currently several thousand russians.

As soon as they captured the village, they immediately cut the optical cables and shot at the mobile operator's base station with a machine gun. People are now cut off from the world.

Today is the 12th day of destroying Ukrainian Internet infrastructure by Russian bombs.

Our heroic ISPs rebuild it under fire risking their lives to save communications.

Thanks to our heroic ISPs and Elon Musk's support, people in bomb shelters still have a chance to know whether their relatives are safe (or not), whether they are alive (or unfortunately no more). Our cybersecurity is also under threat.

Thanks to heroic efforts the .ua domain is stable. All servers and services have been moved to backup positions and function independently from the Ukrainian infrastructure.

Hostmaster LLC strengthened anycast secondaries to prevent possible attacks on domain servers.

"ICANN has been built to ensure that the Internet works, not for its coordination role to be used to stop it from working" – I fully support these words of Goran Murby, ICANN CEO.

But I would like to ask you – will it be OK for you if the Internet is working for all except Ukrainians? Just because Russian assassins will kill Ukrainians?

Of course, this is an apocalyptic scenario that will not be implemented. Ukrainians will not allow this.

Yes, Ukraine has already received invaluable support from nearly all ICANN constituencies (and at an individual level). We are grateful for your help in strengthening the cybersecurity of .ua, as well as other items of our critical infrastructure. We welcome the decision of the ICANN Board to allocate an initial sum of \$1 million to be used to provide financial assistance to support access to Internet infrastructure in emergency situations. It would be great to spend a part of this sum to buy more StarLinks for Ukrainian Internet users.

Of course, ICANN cannot close the sky over Ukraine. But I would like to ask all of you to appeal to your governments to protect Ukraine (and the infrastructure of the Internet, for that matter) from the barbaric actions of Putin's Russia.

We fully support ICANN's commitment to ensure a single, global, interoperable Internet. Moreover, we've already asked to limit the Kremlin's influence on our common free digital space, since the "national Russian peculiarities" of Internet Governance are well known worldwide. The Kremlin wants – and will be happy – to get the "sovereign Internet". And they will get it – by destroying "One World, One Internet" – if we do not unite against such threats. On March 11 Russia will completely disconnect from the global Internet. But the Russian representative will retain his role as one of the 12 holders of DNSSEC root key. Are you serious?

That is why, we call on ICANN community, IANA, registrars and registries, and the vendors who make the internet free and available for everyone on the earth, to join the enforcement of the sanctions of the civilized world recently imposed on the Kremlin, Russian companies, and individuals. Do not allow them to use the Internet as a cyber battlefield against fundamental human rights and do not allow them to attack critical infrastructure for bloody warfare. We also call on

public and private entities to make steps in technological exodus from the Russian Federation, the empire of evil, the terrorist state number 1, the fascists of the 21st century.

Last person turns off the lights. I hope it will not be ICANN.

Thank you, dear community, for your support. We believe that you are also on the side of freedom and light.

UNITED KINGDOM STATEMENT

The United Kingdom welcomes the opportunity to take the floor. It is an honour to speak after the distinguished GAC delegate from Ukraine.

Russia's assault on Ukraine is an unprovoked, premeditated attack against a sovereign democratic state. The UK and our international partners stand united in condemning the Russian government's reprehensible actions.

We note the ICANN letter to Ukraine Deputy Prime Minister, Minister of Digital Transformation.

Deputy Prime Minister Fedorov highlights Russia's use of disinformation to attempt to justify its military action against Ukraine. Russian authorities falsely cast Ukraine as a threat to justify their aggressive stance. This is a transparent attempt at disinformation and to provide a pretext for military action.

Access to communications and digital transformation is important to all of us here in the GAC. It is outrageous that Russia is destroying the infrastructure that supports our digital future.

We join with Ukraine and others in welcoming the ICANN announcement for emergency funding to ensure access to the Internet for all.

We remain committed to working in partnership with GAC colleagues in furthering the important role of the GAC and our shared ambition to ensure that all, wherever they live, have access to an open Internet free of disinformation.

FRANCE STATEMENT

In this dark moment for Europe and the international community, the European Union and its Member States condemn in the strongest possible terms the unprecedented military aggression of the Russian Federation against Ukraine. By its unprovoked, unjustified and premeditated military actions, the Russian Federation is grossly violating the UN Charter and attacking the very foundation of international law. It has turned its back on the spirit of peace and dialogue that forms the basis of multilateral and multi-stakeholder cooperation.

We call on the Russian Federation to immediately cease the hostilities, withdraw its military forces from Ukraine and to fully respect Ukraine's territorial integrity, sovereignty and independence. We stand by the people of Ukraine and its democratically elected institutions and representatives.

Since February 24th, the European Union and its Member States, together with partners, have taken far-reaching economic and political sanctions against the Russian Federation and its leaders to stop their destructive course. In many organizations, above all in the United Nations system, we have seized every opportunity to express our solidarity with Ukraine and our condemnation of the war of aggression waged by the Russian Federation. We believe that the unacceptable actions of the Russian Federation must be denounced wherever it is possible, as we are doing here in ICANN.

The European Union and its Member States are convinced that ICANN and the Internet governance community need to remain consistent in regards to the open Internet and focus on the technical assistance necessary to keep the global open internet resilient and secure. As explained by the ICANN CEO Göran Marby in his letter to Minister Mykhailo Fedorov dated March 2nd, it is not within the remit of ICANN to take actions that would cut off a country or its top-level domains from the global Internet. The Internet was designed as a resilient, decentralized system that may not be switched on or off.

In these dark times, we need to keep the Internet open and accessible to everyone, including to all Russian citizens who have the right to access free and balanced information on the war in Ukraine. In this case, the Internet is a factor of peace.

Other forms of sanctions could be considered.

The European Union and its Member States reiterate their full solidarity with Ukraine, adhere to the vision of a free, open and interoperable Internet and oppose that of a centralized Internet submitted to shutdowns and surveillance.

We ask that this text be included in the ICANN 73 GAC Communiqué and the minutes of the GAC opening plenary.

UNITED STATES STATEMENT

Madam Chair, GAC Members, Good morning.

The United States stands steadfastly with Ukraine and condemns in the strongest terms Russia's premeditated, unprovoked, and unjustified war. We call on Russia to cease its blatant and brutal violation of international law.

We stand firmly in solidarity with the people, and the democratically-elected Government, of Ukraine.

CANADA STATEMENT

Good morning, good afternoon and good evening distinguished GAC colleagues.

The Government of Canada would like to take this opportunity to strongly condemn President Putin's unjustifiable and unprovoked invasion of Ukraine.

The attacks are causing widespread humanitarian consequences and are resulting in the senseless deaths of innocent people.

The international community must be seized of this issue. This is not just an attack on Ukraine. This is an attack on international law, including the UN Charter, as well as democracy, freedom, and human rights.

The consequences of Russia's actions will extend well beyond Ukraine's borders. The world must reject this behavior.

Canada stands with the government of Ukraine and its brave and resilient people.

Thank you.

BURKINA FASO STATEMENT

Dear colleagues,

The situation in Ukraine is of concern and has been the subject of a statement by the African Union Commission. Thus, the Chairperson of the African Union and the Chairperson of the African Commission have expressed their concerns and in particular the need to preserve the sovereignty of Ukraine and the respect of international law. They also called for an immediate cease-fire and a settlement of this conflict under the auspices of the United Nations, giving priority to negotiations.

A few days ago, our Ukrainian colleague sent us the letter addressed by Mr. Fedorov, Vice Prime Minister of the Republic of Ukraine to the Director General of ICANN. We were able to learn about the request of the Ukrainian government addressed to ICANN in the context of the current conflict.

Indeed, we can understand that it is difficult for any country to face the situation that Ukraine is experiencing at the moment and it seems obvious that they make an appeal for help in order to stop the suffering of the Ukrainian people by all means. It is their duty, their right and to their credit.

If the international political news echoes different sanctions imposed on the Russian Federation by different countries, regional and international organizations, it seems to us that ICANN does not have the capacity to take such measures and in particular those requested by the Ukrainian government in view of our commitment to the maintenance and development of an open, accessible and interoperable Internet.

I would like to add that, according to ICANN's bylaws and in particular Article 2 on the power of the organization, such measures would go beyond the powers of the Organization while remaining committed to the respect of its bylaws which were the subject of a consensus of the Internet Community during the IANA transition in 2016.

Moreover, the exercise of such measures would represent a flagrant violation of the sovereignty of the Russian Federation by ICANN in view of the need for ICANN to respect the rule of law and the principle of sovereignty of States over their national top-level domains, a principle enshrined by the international community at the World Summit on the Information Society in Tunis in 2005.

Also, we must work to avoid the politicization of ICANN's role and the coordination of the Internet's unique identifiers. ICANN as a technical organization and the ICANN community federated around the great principles of openness, accessibility and interoperability of the Internet must be entirely dedicated to technical issues with the only political agenda being the development of global connectivity and notably the fight against the digital divide.

We therefore welcome the response of Mr. Göran Marby, Director General of ICANN, to the Ukrainian government and hope that the tragic events we are experiencing today will allow us to realize the need to work together more effectively in the development of an Internet where technical progress will be at the service of economic and social progress for all.

The ICANN 73 started this Monday 07/03/2022 and exchanges will take place on the subject and it is important that we can follow with attention these discussions throughout the sessions.

Thank you.

SWITZERLAND STATEMENT

Dear Andri, dear colleagues

Switzerland condemns the Russian military attack on Ukraine in the strongest possible terms and calls on Russia to de-escalate the situation immediately, cease all hostilities and withdraw its troops from Ukrainian territory without delay.

This is a serious violation of international law. Russia's actions violate the prohibition of the use of force and the territorial integrity and sovereignty of Ukraine as enshrined in international law.

Switzerland also condemns the involvement of Belarus in Russia's military attack.

Russia's large-scale military attack against Ukraine represents a massive security risk for the entire continent, which is a matter of deep concern to us.

Switzerland reaffirms its solidarity with Ukraine and its people. In this sense, we express our sympathy and understanding for the reasons underpinning the request made by Ukraine to ICANN.

At the same time, the public core of the Internet, including the global coordination of the DNS by ICANN as a precondition for one single interoperable Internet, has to be protected – as it inter alia allows for a free flow of information and facts, which is crucial in the current circumstances.

Therefore, we understand and share the reasons expressed by ICANN in its reply to our Ukrainian colleagues, which in no way or form diminishes our solidarity with them in the terms expressed above.

Finally, we welcome ICANNs announcement of an emergency infrastructure funding.

Thank you very much.

AUSTRALIA STATEMENT

Good morning, good afternoon and good evening.

This is Ian Sheldon for the record, GAC representative for Australia.

Thank you for allowing me to provide a brief statement on behalf of the Australian Government with respect to this important issue.

Australia condemns in the strongest possible terms Russia's unprovoked attack on Ukraine, which seeks to undermine Ukraine's national security, sovereignty and territorial integrity.

We denounce what are unilateral hostile actions in Ukraine. Russia is flagrantly breaching international law, including the UN Charter.

The Australian Government is deeply concerned by the humanitarian cost which will be borne by the Ukrainian people as a result of this conflict.

Australia condemns malicious cyber activity by Russia that seeks to disrupt Ukraine's essential services and critical infrastructure, and its use of the internet to spread disinformation and lies.

Australia continues to provide cyber security assistance to Ukraine. Australia stands with our allies and partners to hold Russia to account for its unacceptable activity.

Thank you.

RUSSIAN FEDERATION STATEMENT

The Russian Federation would like to point out that ICANN is not a suitable forum for discussing political issues and hope that during the ICANN73 conference stakeholders will concentrate on technical issues of the operation of the Internet.

The Russian Federation would also like to stress that the proposal to exclude the .RU domain zone from service was made by Ukraine, while the Russian Federation on the other part is doing everything in power to keep the Internet as a global indivisible space.

ARGENTINA STATEMENT

Argentina has expressed its position on the Russian Federation's invasion of Ukraine before the United Nations General Assembly and the United Nations Human Rights Council.

In line with the statement made by ICANN President and CEO, Argentina understands that applying sanctions such as those requested is not within ICANN's mandate in this case.

Argentina welcomes ICANN's recent resolution to support and protect the Internet infrastructure in Ukraine.

BURUNDI STATEMENT

Madam Chair of the GAC, Ladies and Gentlemen,

Burundi supports and echoes the statement of the GAC Vice-Chairman Mr Rodrigue, and likewise welcomes the reply of Mr Göran Marby, ICANN Director General, to the GAC representative from Ukraine.

Burundi remains committed to the maintenance and development of an open, accessible, and interoperable Internet -principles promoted and defended through ICANN's multistakeholder governance model for the Internet's unique identifiers.

Thank you.