
MINUTES OF MEETING
ICANN74 Hybrid Policy Forum, 13-16 June 2022

MEETING ATTENDANCE & MEMBERSHIP	2
Opening Plenary Session	2
PUBLIC POLICY AND SUBSTANTIVE ISSUES	3
Subsequent Rounds of New gTLDs	3
WHOIS and Data Protection	3
DNS Abuse Mitigation	5
IGO Protection Matters	6
GAC WORKING GROUPS	6
GAC Public Safety Working Group (PSWG)	6
GAC Operating Principles Evolution Working Group (GOPEWG)	7
GAC Human Rights and International Law Working Group (HRILWG)	7
CROSS COMMUNITY ENGAGEMENT	7
Meeting with the ICANN Board	7
Meeting with the Generic Names Supporting Organization (GNSO)	13
Meeting with the At-Large Advisory Committee (ALAC)	14
INTERNAL GAC MATTERS	15
GAC Wrap-Up Session	15
Attachment 1 - ICANN74 Hybrid Policy Forum - GAC ATTENDEES LIST	17
Attachment 2 - ICANN74 Action Points Compilation	19
Appendix A - GAC Opening Plenary Statement Monday 13 June 2022	20

1. MEETING ATTENDANCE & MEMBERSHIP

85 GAC Members and 8 Observers attended the meeting remotely.

GAC membership currently stands at 179 Member States and Territories, and 38 Observer Organizations. A list of ICANN74 GAC meeting Member and Observer attendees is provided in [Attachment 1 - ICANN74 Hybrid Policy Forum - GAC ATTENDEES LIST](#).

The ICANN74 GAC Communiqué is published on the GAC website at: <https://gac.icann.org/contentMigrated/icann74-gac-communique>.

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/icann74-hybrid-meeting-agenda>.

Full transcripts for each session are to be made available from the ICANN74 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 ICANN74 meeting. She reviewed specific aspects of the meeting week agenda. She identified a number of notable topics that were scheduled to be addressed by the GAC during ICANN74, including:

- RDS/WHOIS and Data Protection
- DNS Abuse Mitigation
- Subsequent Rounds of New gTLDs

The GAC Chair noted the “hybrid” format of the meeting, recognizing that GAC attendees were participating both in-person and remotely. GAC Support staff offered an overview of how the hybrid format would be implemented.

In view of the hybrid meeting format and the first time in almost three years for GAC Members to meet face-to-face, the committee conducted its traditional tour-de-table during which both in-person and remote attendees were given the opportunity to introduce themselves and offer opening remarks. Some members asked that their remarks be included in the meeting minutes, and they are attached to this document as [Appendix A](#).

After the tour-de-table, the co-chairs of the GAC Operating Principles Evolution Working Group offered an update on their recent work. Given time constraints, it was agreed that other working groups would provide their committee updates later during the week. All the working group reports provided during the meeting week are summarized in the [GAC WORKING GROUPS](#) section (Section 3) of this document below.

2. PUBLIC POLICY AND SUBSTANTIVE ISSUES

2.1. Subsequent Rounds of New gTLDs

GAC Topic leads provided an update on recent developments relative to Subsequent Rounds of New gTLDs, notably progress on the preparation of the upcoming GAC/GNSO Council dialogue on closed generics. Following ICANN73, the GAC responded favorably to the ICANN Board's invitation to hold a facilitated dialogue with the GNSO Council and provided input on parameters and methodology of the discussion, criteria for the selection of the dialogue facilitator and the importance of balanced representation from both groups. GAC members agreed that At-Large Advisory Committee (ALAC) participation would be encouraged, pending agreement from the Board and GNSO Council.

ICANN org provided a briefing to GAC members on the ODP, including background on new gTLDs, and details on the ICANN Org organization of the ODP work, ODP Work Tracks and high-level timeline. ICANN org provided further information on the upcoming GAC/GNSO Council dialogue on closed generics, noting that if the dialogue results in an agreed framework, this will not preclude upcoming policy work via appropriate GNSO and ICANN Bylaws process. If the dialogue does not result in an agreement, the issue will be brought back to the ICANN Board for consideration.

GAC Topic Leads encouraged GAC membership discussion intersessionally including potential consideration of GAC advice on topics of interest to the GAC. GAC members highlighted the complexity of issues related to new gTLDs as well as the increasing number of newcomers within GAC membership. To this effect, GAC members encouraged ICANN org and GAC leadership to consider holding capacity building webinars and training sessions tailored for GAC members, with the aim of providing a holistic view of the issues at hand on a topic-by-topic basis.

Action Points:

- **GAC Support** to liaise with ICANN Governmental Engagement team to seek availability to hold webinars/training sessions for GAC members on topics related to new gTLDs in preparation for the next round.
- **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.

2.2. WHOIS and Data Protection

Members of the GAC Small Group on EPDP/GDPR reminded GAC Members of the importance of this subject matter in view of the GAC Principles Regarding gTLD WHOIS Services (28 March 2007). It was noted during the session that ongoing procedures and debates within ICANN ultimately seek to achieve the proper balance between all of the interests at stake, including those of privacy, law enforcement and Intellectual Property. Several GAC Members also noted the importance of ensuring that any future policy regime takes into account relevant national legal frameworks which may differ from the EU's General Data Protection Regulation (GDPR).

Reviewing the current status of each of the phases of work within ICANN to define a new policy regime for Registration Data Services (formerly known as WHOIS), GAC topic leads noted the continued inability

to define a timeline for the delivery of this new policy regime. They also recalled ongoing concerns with some policy outcomes, as laid out in the GAC Minority Statement on EPDP Phase 2 (24 August 2020) which recommended 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.

Following previous consideration by the GAC of the findings of ICANN org's **Operational Design Assessment (ODA) of the SSAD policy recommendations**, the ensuing and continuing consultations between the ICANN Board and the GNSO Council, and community discussions of alternatives to a full implementation of the SSAD, the GAC's representatives in the GNSO Small Team on the SSAD ODA reported recent discussions of an "SSAD Light" to serve as a proof of concept. They noted that while a detailed proposal by ICANN org is expected before ICANN75 (which ICANN has indicated it will not name SSAD Light anymore but "WHOIS Disclosure System"), there remains reservations in the community regarding the ability of a simplified system excluding key SSAD features (such as that related to accreditation of requestors, or the centralization of governmental accreditation at the national level - a current concern for several GAC Members) to inform the question of whether an SSAD would meet the needs of its users. Nevertheless, it was suggested that there is value in a nimbler approach, possibly incorporating more complex features incrementally.

One of the GAC representatives in the GNSO **Scoping Team on Accuracy of Registration Data** reported challenges to secure the documentation, as part of the assessment of how ICANN Compliance enforces and reports on accuracy obligations (Assignment 1), that accuracy requirements in ICANN's contracts go beyond syntactic accuracy, in particular when registration data is found to be patently inaccurate by ICANN Compliance.

Regarding the measurement of accuracy (Assignment 2), GAC representatives have argued for the restarting of ICANN's Accuracy Reporting System (ARS). However, given the need for this system to collect personal data, it is likely to be dependent on the outcome of ICANN's planned engagement with the European Data Protection Board (EDPB) to determine whether it would be able to do so in compliance with the GDPR. In the meantime, Contracted Parties have proposed measuring accuracy of current registration data through a non-mandatory survey of registrars which would not necessitate the collection of personal data. While GAC representatives in the Scoping Team are not opposed to such a survey, it may provide insufficient evidence due to its voluntary nature.

Moving forward, while some parties are proposing a pause of the scoping team's work until the conclusion of the registrars survey, and ICANN's receipt of guidance from the EDPB, GAC representatives have suggested instead to proceed by testing systems in a way that does not rely upon personal data. They warned that not doing so risks pausing the work on registration data accuracy for an unpredictable amount of time.

As it relates to the connection between **accuracy of registration data and the mitigation of DNS Abuse and cybercrime**, a GAC Member reported on its national ccTLD starting to implement a "know your customer" approach for around 3 million domain names.

On the topic of potential **liability in relation to disclosure of domain registration data**, the core concern for affected parties in deliberations to define a new WHOIS policy regime, a GAC member shared not being aware of any court case on the matter in the European Union and suggested this could also be explored in other countries and regions.

2.3. DNS Abuse Mitigation

Co-chairs of the GAC Public Safety Working Group (PSWG) recalled the **importance of mitigating DNS Abuse** for the GAC, as recognized in the GAC Beijing Safeguard Advice (11 April 2013), the subsequent establishment of the GAC's PSWG (11 February 2015) and the GAC Statement on DNS Abuse (18 September 2019). ICANN Contracted Parties and registries in particular, were also recognized as concerned about their reputation and the impact of such threat on their customers, as seen through several important voluntary industry initiatives they have taken. More generally, it was noted that there is a lot of attention to this matter and opportunities for improving mitigation mechanisms available to affected parties. A particular focus of the GAC and many other stakeholders is on the **improvement of ICANN contracts**, which form the floor of what Contracted Parties are expected to do in response to DNS Abuse, a floor that can be raised, including by providing clearer and more enforceable obligations, thus enabling effective compliance enforcement by ICANN.

PSWG leaders discussed **DNS Abuse Trends** as reported to the GAC by ICANN org on the basis of its recent report "The Last Four years in Retrospect: A brief Review of DNS Abuse Trends". They noted that it was difficult to discern actual trends for important threats such as malware distribution, phishing and botnet, and that it was therefore too early to draw any conclusion on trends at this stage. They are looking forward to an opportunity of reviewing the underlying data as well as more detailed reporting in the future. PSWG co-chair also stressed the importance of considering harm being caused by DNS Abuse to provide a holistic picture of trends and called on Law Enforcement agencies to share any data and statistics they may be collecting. It was noted that Europol offered to conduct work in this area. Ultimately, it is hoped that such data could provide the ability to measure the effectiveness of measures being taken to mitigate DNS Abuse.

Building upon ICANN72 and ICANN73 discussions on the topic of "**Registrar Hopping**" and "**Domain Hopping**" (strategies malicious domain name registrants use to avoid detection and responsibility), a presentation was made by a GAC Member sharing a national experience highlighting that these types of abuse continue and that it is important to encourage work in this area.

In the context of ICANN's current processing of recommendations by the DNS Security Facilitation Initiative Technical Study Group (DSFI-TSG), PSWG leaders highlighted Recommendation E5 which proposed the establishment of a **threat and incident information sharing platform** among relevant stakeholders in the ICANN community. Based on the experience and effectiveness of such platforms in the financial sector, PSWG leaders believe that this recommendation should be prioritized.

The **DNS Abuse Institute** was invited to present its recently launched Net Beacon, formerly known as the Centralized **Abuse Reporting** Tool, which it has been developing in response to SAC115 and SSR2 Recommendation 13.1, and consistent with CCT-RT Recommendation 20.

This is now a live, free web-based portal meant to make reporting of DNS Abuse easy for end users and effective for the relevant affected parties in the ecosystem be they registrars, registries (including ccTLDs), hosting providers or content delivery networks. Once submitted, reports are enriched and automatically distributed to the relevant parties, with escalation if necessary, to facilitate and enable action at the appropriate level and in an appropriate time frame. Several GAC Members commended the

work of the DNS Abuse Institute and expressed interest in the expected future development of Net Beacon.

A GAC Member expressed the view that more comprehensive and rigorous **DNS Abuse Activity Reporting** (DAAR) including reporting at the registrar and registry level, more detailed breakdowns of the types of DNS Abuse measured, and availability of raw aggregated data, should assist in developing improved contract provisions.

Further, a PSWG co-chair called for the need to build on the transparency that is being created around DNS Abuse, to get a better understanding of the driving factors behind these threats, to complement the data on threat activity with perspective on the economic and human impact of the various forms of DNS Abuse, and to set appropriate incentives and contractual floor to ensure effective action is taken across the industry. Such work was noted to be in line with ICANN's role as defined in its Article of Incorporation and Bylaws. Several GAC Members suggested that with the support of governments, ICANN's multistakeholder community and processes are well positioned to address these issues.

2.4. 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, including the delivery of its final report to the GNSO Council. The final report was approved by the GNSO Council at ICANN74, and if considered appropriate, GAC members will be able to provide input via public comment prior to the Board's review of final recommendations.

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 ICANN73, GAC leadership and the GAC IGO Small Group have continued updating the proposed mechanism and further review from GAC membership is anticipated prior to ICANN75.

Additionally, as a follow-up to the 16 May 2022 email to the full GAC reporting on the background of the Uniform Domain-Name Dispute-Resolution Policy (UDRP) (one of the original ICANN consensus policies that went into effect back in 1999), GAC Members were briefed on community comments submitted to a recent ICANN Public Comment period regarding a report generated by the GNSO to assess the effectiveness of the UDRP.

The GAC was encouraged by WIPO to consider whether the GAC might provide Advice in the upcoming ICANN74 GAC Communique concerning the future stability of the UDRP. Noting that the exact steps in terms of a formal ICANN process to review the UDRP were currently unclear, GAC members were also encouraged to consider that when a review of the UDRP does eventually take place, the committee encourages the use of outside expertise (as some in the community believe is provided for in the ICANN bylaws) to aid the review process.

The GAC Chair also noted receipt of an email inquiry from Italy asking whether it was possible for the UDRP to include geographic indications. It was proposed that the GAC consider starting such a dialogue during or after ICANN74 to explore this idea.

Action Point:

- **GAC Members** to review and provide further input to the draft mechanism to manage changes to the GAC IGO List.

3. GAC WORKING GROUPS**3.1. GAC Public Safety Working Group (PSWG)**

The GAC PSWG continued its work to advocate for improved measures 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) updates on various initiatives from ICANN org, the GNSO, and private entities to research, assess and mitigate DNS Abuse, in particular recognizing recommendations from the DNS Security Facilitation Initiative Technical Study Group which would support the creation of an information sharing platform which the PSWG notes, in other business sectors has contributed to the reduction in harm and an increase in best practices; 2) a follow-up presentation by a GAC Member regarding Domain Hopping and Data Free Flow with Trust; and 3) a presentation from the DNS Abuse Institute about a new centralized DNS Abuse reporting tool. The PSWG also pointed out that DNS Abuse cannot be measured just by a reduction in the number of malicious domains affected but also needs to take into account the magnitude of the harm to users of the Internet.

The PSWG continued its active participation to support the GAC Small Group through participation in the Phase 1 Implementation Review Team, the SSAD small team discussing ICANN org's Operational Design Assessment (ODA), and the GNSO Accuracy Scoping Team. The PSWG emphasized the importance of accurate registration data to deter and investigate DNS Abuse. The PSWG noted the possibility that a "proof of concept" 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" but shared concerns that a timeline for the proof of concept and proposal for dealing with the recommendations not considered under a proof of concept would need to be created.

As per its work plan the PSWG continued its outreach to public safety bodies. With the support of the European Commission and Europol, the PSWG gave presentations to 17 EU Member States. The PSWG also held discussions with a number of constituent groups within ICANN.

3.2. GAC Operating Principles Evolution Working Group (GOPEWG)

The GOPEWG Co-Chairs updated GAC Membership on recent developments from the WG and presented the updated GAC Working Group Guidelines. The GAC Working Group Guidelines were reviewed at ICANN73, updated intersessionally by the GOPE WG, and submitted for review by GAC membership prior to ICANN74. The GOPEWG Co-Chairs reviewed the updated Working Group Guidelines, outlining changes from the previous version, which included input provided by GAC members. GAC Members endorsed the GAC Working Group Guidelines.

GOPEWG Members will meet intersessionally to commence review and discussion of the GAC Operating Principles and share relevant developments with the GAC Membership at ICANN75.

3.3. GAC Human Rights and International Law Working Group (HRILWG)

The GAC was briefed by the HRILWG co-chair regarding the recent discussions of the Work Stream 2 (WS2) Community Coordination Group on the diversity recommendations stemming from the GAC WS2 Perspective Proposal document. Regular updates will be provided to GAC Members as discussions continue.

4. CROSS COMMUNITY ENGAGEMENT

4.1. Meeting with the ICANN Board

The GAC met with the ICANN Board on 15 June to discuss the following agenda topics:

- SSAD Light Prioritization and Community-driven Solutions Being Built
- Accuracy Registration Data
- Follow-Up Regarding Global Public Interest (GPI) Framework, and
- Future GAC Information Opportunities

A full transcript of the meeting is appended to the GAC ICANN74 Communiqué. These minutes are intended to provide a high-level review of the session discussions and their context. In initial preparations for the joint meeting with the Board, the GAC had originally shared a total of five 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 (GAC Session #5 on 14 June) to add an additional question regarding the SSAD Light Prioritization topic.

After the GAC Chair and ICANN Board Chair welcomed attendees to the joint meeting (on 15 June) and offered brief opening remarks, the GAC Chair immediately proceeded to GAC questions for Board members.

1. *GAC Questions regarding SSAD Light Prioritization and Community-driven Solutions Being Built*

- **How can the ICANN Board ensure that an evaluation of an SSAD Light concept is completed in a timely manner?**

Board Member Becky Burr reported that the GDPR EPDP Board caucus has been engaged with the GNSO small team since the time that the GNSO Council asked the Board to consider pausing review of the SSAD recommendations. She noted that the caucus had just met again this week to discuss next steps. She indicated that the Board has provided information to the GNSO Council regarding the impact of the design paper on other ICANN activities and that the org is attempting to minimize impacts to the maximum extent possible. She said the Board expects to hear back from the GNSO Council regarding its views on the impact and any potential delays, and following that exchange the Board will move quickly to make a final determination. Meanwhile, she said, the org has been extremely busy. She noted that some meeting attendees may have seen that there was a presentation in a session earlier during ICANN74 demonstrating the kind of tools and functionality that ICANN org already has to be able to conduct its

evaluation.

- **Is the ICANN Board aware of, and if so, what are its views, on community-driven proposals for implementations of GDPR-compliant registration data disclosure systems?**

Becky Burr related that the Board has been closely following various community driven proposals with a great deal of interest and willingness to be informed and educated. She said the Board welcomes any community input on those proposals and on the SSAD Light design if that moves forward.

- **Given efforts on the SSAD developments to date, has the Board developed any general perspectives on the general usefulness and scope of the system concept?**

Becky Burr reminded attendees of the letter that the Board sent to the GNSO Council in January when the ODA was released. She explained that the Board has remained engaged with the Council on potential next steps related to SSAD policy. She noted that the Board has temporarily paused consideration of the recommendations themselves at the request of the GNSO Council in light of the SSAD Light proposal. She noted that the Board has been engaged in conversation with the team and that some think there are still some unanswered questions about the SSAD itself. She reported that the Board is looking forward to further discussions between the caucus and the small team about a design for a less complex version of the SSAD as a potential path to move the discussion forward and to ultimately reach a final decision.

ICANN CEO Göran Marby explained that, for newcomers, it is important to know that the final system concept itself will not change the underlying principles of the law, which is that the contracted parties are responsible for actually implementing a balancing test for determining when private data can be made available. He noted a solution lies with simplifying the roles and expectations for both the data controller and the requester of the data. He also reported that an effort is now being made to encourage people to start calling the new system the “WHOIS Disclosure System”.

2. GAC Question and Discussion About Accuracy of Registration Data (In connection with ICANN’s planned outreach to Data Protection Authorities for Guidance)

- **Has ICANN org requested and/or received legal advice on the issue of whether there is a legal basis for ICANN org to access registration data for purposes of accuracy verifications?**

Göran Marby noted that this is a very interesting question. He explained that it is known without dispute that the accuracy of individual records can be checked, but that the issue of accuracy on a more broad basis is much different. By way of background, he explained that before the GDPR, WHOIS information was accessible. Subsequently, under the GDPR, ICANN org received guidance from the Data Protection Board in Europe, that WHOIS records could be kept, but private data could not be disclosed unless requesters could provide legal reasons for that access to the contracted parties.

He noted that the challenge is that while ICANN can currently check the accuracy of data, it must first have an indication that the information is inaccurate. He said ICANN org continues to work a lot with accuracy matters and has actually taken out contracted parties because they have not been working on accuracy. He explained that the core problem is that ICANN does not know if particular information is correct or not because ICANN can't check the information. He noted that ICANN had sought permission to possibly go in and check data without prior indications of inaccuracy. He said that ICANN would like to be able to go into the registrar and check the accuracy of their data, but that is something it currently cannot do.

He explained that ICANN used to receive as many as 20,000 complaints every year that required the organization to check the accuracy of data, but that those complaints are no longer received because the information is not freely accessible anymore. He reminded attendees that the WHOIS system is not the same as a customer management system because, in this case, the registrant is the party who is responsible for providing the information. He used the analogy of a telephone directory and explained that, unlike an ordinary telephone book, the data doesn't come from the operator, it comes from the registrants themselves.

Becky Burr explained that there has been some confusion in the registry accuracy scoping group on this point. She explained that ICANN has asked the European Commission (EC) for an indication about whether it would facilitate its interaction with the European Data Protection Board (EDPB). Meanwhile, ICANN org is working on developing the kind of information that would be needed to accompany an actual discussion with the EDPB such as a data protection impact assessment, an articulation or documentation of the application of the balancing test, and a detailed description of a different or alternative proposal for proactive checking of WHOIS accuracy registration. She indicated that ICANN has heard some comments in this area, is very well aware of the accompanying information that would be needed to be provided and work is underway on that.

The UK added to the discussion that the matter of data accuracy is of real importance to the wider understanding of how the Internet and DNS work. It was noted that accuracy can be viewed as a litmus test for the credibility of the system and the way the DNS is managed. The accuracy of registration data is something people, politicians, and governments understand, and there is hope that institutions like ICANN are working on them to enhance the effectiveness, the safety, and the understanding and appreciation of the inclusiveness of the Internet. In this context, the UK explained that it welcomes the work that the current scoping group is taking forward, and the diligence of the contributors to that group as they continue their work. The Board and the ICANN organization were thanked for their support of this work. It was noted that the letter to the EC and the EDPB is important in this context, but should not in any way limit the work of the scoping group. It was recognized that the attention paid to accuracy across the ICANN organization, the Board and the community, means that the work of the scoping group is even more important, especially in terms of them understanding the current processes that registrars and registries undertake to ascertain accuracy. It was articulated that the UK government wants to see the scoping group carry forward all four elements of their work and that the planned registrars survey be carried out.

Becky Burr reaffirmed that the Board believes that accuracy is a fundamental and critical issue. She explained that the difficulty with carrying on with assignments 3 and 4 at this time really has to do with the lack of data to understand whether there are inaccuracies, what kinds of inaccuracies there are and whether they prevent contact with the individual in appropriate circumstances and how prevalent those inaccuracies are. Without that data, she explained, it is very difficult to contemplate a solution that is fit for purpose and that is why the working group needs additional information to zero in on what the problem is, and then move on to how to fix it.

3. GAC Questions and Discussion Regarding Global Public Interest Framework

Manal Ismail shared that the GAC recognizes the importance of incorporating considerations of the Global Public Interest (GPI) into policy development and decision-making at ICANN. She explained that the GAC conducted several discussions at ICANN73 and reminded attendees that GPI was an “Issue of Importance” in the GAC ICANN73 Communiqué (including, this language - “The requirement of inclusiveness established in the Articles of Incorporation should be explicitly enshrined in the GPI framework.”). She explained to attendees that the GAC Communiqué language prompted interest from some Board members who have suggested that it would be useful to clarify what the GAC meant by the term. She reported to attendees that, since ICANN73, the GAC has continued internal discussions regarding the concept of inclusiveness as something that goes beyond openness in the direction of meaningful participation. She said that GAC members look forward to future conversations with the Board about GPI - including its application to the current SubPro ODP.

Maarten Botterman explained that the Board’s intent for the GPI framework has been developed over time with the goal to give meaning to the term public interest as much as possible consistent with the ICANN Bylaws. With respect to the interest in the term inclusiveness, he explained that for the Board, inclusiveness is at the core of the bottom-up multi-stakeholder model. It is something that the Board strives to have and actively pursues.

A number of GAC Members (Switzerland, the EC and Brazil) noted that the committee and the Board appear to be aligned on the view that inclusiveness and diversity are at the heart of the multistakeholder model. It was noted that discussions within the GAC are continuing in this area - particularly with respect to how the concept of inclusiveness can be accreditized or operationalized. It was suggested that the Board consider leveraging the GPI framework as an opportunity to support further conversations among a larger group of community members (Board, GAC and others), to discuss how to operationalize these concepts more effectively.

Board member Avri Doria indicated that she would welcome such types of informal operational conversations as the pilot effort wound down and community feedback could be shared. She expressed her appreciation that the GAC has shown substantial interest in the GPI Framework and is putting a fair amount of thought into it. She reiterated that, at the moment, the development of the framework is still in a pilot stage. The framework concept was created initially to help the Board to resolve that any decision or action it takes is in the global public interest. She said the Board had the hope that as it moved forward beyond the pilot effort, that some of ICANN’s supporting organizations and advisory committees will take it up. Thus, to see the GAC show interest at this early stage is really quite heartening.

- **How has the Board considered advancing discussion with the different ACs and SOs on ways to take into account the global public interest, as part of their work and outputs?**

Avri Doria explained that once GPI pilot efforts are concluded as part of the SSAD and Subsequent Rounds ODAs, the Board will ask for further feedback and input from the community. She noted that while the Board will not presume to impose upon or instruct community groups to adopt the framework or put it into practice, it may encourage community groups to consider such efforts. Maarten Botterman echoed this view and explained that the effort to develop the GPI framework is a bit like the Internet - the Board won’t force anyone to adopt the framework, but it will try to make it attractive to use. He noted that if the community finds the framework to be useful, it will ultimately help the Board to do its job as well.

- **What measures could the Board take to ensure that “public interest concerns are not only considered but effectively addressed”?**

Avri Doria noted the challenges of the pilot efforts for evaluating the effectiveness of the GPI framework, particularly regarding the Board’s determination of the global public interest as it might apply to future decision making. She explained that discussions of implementing the framework within the context of the SSAD ODP and ODA were still underway which makes it difficult to determine how or if the framework will be useful in that context. With respect to assessing whether a particular policy decision ultimately results in supporting the public interest, she acknowledged that it was not yet clear from the pilot efforts how subsequent efforts to assess effectiveness of implementation efforts could be achieved.

The European Commission (EC) clarified that part of the context behind this question was the perceived treatment of minority views expressed during the SSAD ODP effort. It was noted that during that ODP some parties had expressed concerns that there were some cyber security threats that were not given sufficient priority in the sense that there were questions of different levels of priorities in the EPDP Phase 2 final report. It was explained that the view of the GAC at that time was that the concerns were not accorded sufficient importance. Consequently, GAC members wanted to draw attention to this example so that the next time the GPI framework is applied in relation to an ODA, care should be taken to be careful that when concerns are raised that they are effectively addressed.

Göran Marby made a connection between the GPI framework and considerations of the WHOIS Disclosure System to note some of the practical challenges the community has experienced in applying the GPI to real world conditions. He noted that ICANN org is observing an increasing number of laws that impact the organization's ability to make DNS policies. He gave the example that some in the community, including the GAC, may have the view that the disclosure of WHOIS data is in the public interest - but such disclosure is restrained by law. He noted that when the community looks at the GPI for the WHOIS disclosure system, the discussion quickly evolves from theoretical into a very practical one that is restrained by the legislation. He indicated that this is a factor that has led to efforts to try to get increased clarity from the EDPB so differences between them can be easily mapped.

In reaction to a brief exchange about the context of GDPR and its impact on WHOIS disclosure, it was clarified that GAC member comments with respect to GPI and SSAD were not intended to address the substance of the WHOIS disclosure issues.

Brazil noted that GAC has a very specific perspective to bring to this kind of debate with respect to the GPI. It was noted that the GPI framework can potentially serve as a tool that fits in the policy-making process. It was also noted that every country will likely bring its own perspective about what public interest is based on its own national policies and laws on how it interacts with other states.

It was also noted by Niue that in other contexts, discussions of national and local laws also had applications to delegation issues and that focused dialogue on those types of issues is needed.

Additionally, during the session, Iran noted the value of preliminary discussions to help the committee and the Board prepare for the session. GAC Members were encouraged to devote more discussion time to those preparations - particularly with regard to the form of the questions asked.

4. Discussion of Future GAC Information Opportunities

The GAC Chair recognized the substantial progress that the GAC has made over the last few years with the Board through the Board/GAC Interaction Group (BGIG). She particularly noted the productive support of ICANN org staff in bringing new GAC colleagues up to speed and recognizing the next round of new gTLDs that is being foreseen. Given the significant role previously played by the GAC during the first round of new gTLDs, specifically with the Applicant Guidebook, she noted the importance of offering onboarding and information opportunities to GAC Members before the next round of new gTLDs. She explained that the committee has welcomed 150 new GAC representatives since the ICANN66 meeting in Montreal. She acknowledged a promise from ICANN org to provide information summarizing how GAC advice was handled during the first round of new gTLDs, and expressed hope that consideration would be given to consider methods for future Board-GAC dialogue on the topic.

Maarten Botterman said the Board always looks for opportunities to further enhance its interactions with the GAC and to come to the best possible outcomes. He noted that direct GAC dialogue between community groups like the ALAC and GNSO appears to have enhanced the ultimate recommendations that have come to the Board as well. He expressed the intention to keep the BGIG as a focal group in helping to enhance communications, noting that the Board is ready for questions or interaction with the GAC at any point in time.

5. Session Close

Maarten Botterman expressed the Board's thanks for the meeting. He noted the Board's appreciation for the support and interest from governments around the world in the work of ICANN. He noted the hopeful shared objective in one global Internet that functions and serves the world.

Manal Ismail thanked Board members and attendees for their participation and adjourned the meeting.

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

The GAC met with members of the GNSO Council and followed up on its ICANN73 discussions. Regarding **Subsequent Rounds of New gTLDs**, GAC Members reiterated their support for At-Large Advisory Committee (ALAC) participation in the GAC/GNSO Council proposed Board-facilitated dialogue on **Closed Generics**. The GAC reviewed its input to the ICANN Board on the criteria for the selection of the facilitator, and encouraged the GNSO Council to provide feedback on the criteria. The GAC further noted its support for balanced representation from both groups for an effective dialogue and asked the GNSO Council to provide an expected number of participants for this effort. The GNSO Chair noted that the GNSO Council tasked a Small Team to review the ICANN org Framing Paper on the GAC/GNSO Council dialogue on closed generics, to provide recommendations to the GNSO Council on next steps. Based on preliminary discussions, the GNSO Chair indicated that facilitator criteria appear to align with GAC views as shared with the ICANN Board, with the addition of the idea of selecting a professional mediator during the process. Additionally, the Small Team reiterated the importance of this dialogue not circumventing regular policy making processes (including but not limited to PDPs) and its support for one member of ALAC to join discussions. A potential process to be considered is the **GNSO Guidance Process (GGP)**, which the GNSO Chair noted is a versatile process available within the GNSO resources to tackle topics identified as needing further work within the Implementation Review Team (IRT) and Operational Design Phase (ODP). The GAC Chair noted the GAC's interest in taking part in the GGP as appropriate.

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. The co-chairs of the Small Team updated the GAC on recent activities, and the Small Team's focus on discussing what defines the need to tackle DNS Abuse. To this effect outreach was undertaken for community-wide input, and the Small Team has been reviewing input received - including from the GAC. The GNSO Council Small Team encouraged interested GAC members to follow these discussions, which was welcomed by the GAC Chair. The GAC reiterated that the committee will continue to closely monitor the results of the Small Team.

On **Accuracy of Registration Data**, the GNSO Council provided an update on the Accuracy Scoping Team efforts since ICANN73, noting that the Scoping Team is considering how the current state of registration data accuracy can be measured, and whether the identified objectives of the existing accuracy requirements are being met. GAC topic leads expressed surprise regarding the Scoping Team's consideration of measurement of accuracy as a dependency to proceed with the team's efforts. The GNSO Council liaison to the Scoping Team noted the GAC's comment and will relay it to the team.

Under any other business, the GNSO Council reported on **SSAD light**, noting that a small team is reviewing the SSAD Operational Design Assessment (ODA) and tasked with ensuring the ODA represented the SSAD policy recommendations and to look at possible outcomes of the ODA. ICANN org is estimating a 6-week timeframe for the scoping exercise of the SSAD light, and confirmed that no further decisions, actions, or recommendations from the Board are expected until the scoping effort concludes. Finally, the **Global Public Interest (GPI)** was mentioned by the GAC Chair noting that the GAC and GNSO Council discussed this topic at ICANN72 and further plenary discussions were conducted at ICANN73. The GAC asked the GNSO Council how it sees its role in ensuring that public interest concerns are not only considered but effectively addressed. The GNSO Chair responded that the GNSO Council did not have an opportunity to address this topic, and therefore may not provide an update at this stage.

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

The GAC met with the ALAC and discussed matters of common interest. Regarding the **Universal Acceptance and Internationalized Domain Names (IDNs)**, both committees agreed on the importance of both issues as there is a need for a multilingual Internet and enhanced digital inclusion.

ALAC Members provided an overview of activities conducted in both areas, suggesting that both committees work together in order to ensure that all domain names and e-mail addresses work regardless of the script that is used. ALAC Members proposed several initiatives such as joint sessions on UA and IDNs at global forums to reinforce visibility and highlighted an end-user survey on UA/IDNs in India that, once completed, would provide valuable insights on how IDNs are perceived. GAC Members provided an update on the current Expedited Policy Development Process (EPDP) on IDNs and how its work is relevant to gTLDs and ccTLDs as well, with the objective of enhancing the use of internationalized domain names, while ensuring optimal opportunities for script variance.

On matters related to the **GAC and ALAC cooperation at the national level**, both committees respectively shared practices. On the one hand, ALAC Members provided an overview of how the multi-stakeholder model is represented in various forums by using the ISOC Finland case study. The GAC Member from Finland emphasized the importance of ALAC and GAC cooperation to raise public

awareness. Subsequently, GAC Members provided an overview of the multi-stakeholder process within the policy making process development using the case study of South Korea.

On **geopolitical issues and advancing the multi-stakeholder model**, the ALAC opened the discussion on the role of governments and civil society and how to improve participation, suggesting that new ways to recognize volunteer contributions could be established.

GAC Members noted that the multi-stakeholder model of ICANN is evolving, and many developments are occurring at the U.N. level. In addition to the Internet Governance Forum (IGF), the U.N Secretary General's appointment in 2021 of an envoy for technology aims to coordinate synergies in the work of the different agencies and offices in the U.N., by undertaking a global consultation process called the [Global Digital Compact](#) on the influence of internet governance and infrastructure.

Additionally, GAC Members called attention to the [Declaration for the Future of the Internet](#) launched by the United States, the European Commission and sixty (60) countries to advance a positive vision for the Internet's future, with principles including commitments such as to protecting the human rights and the fundamental freedom of all people, promoting the free flow of information and trust in the global digital ecosystem, and protecting and strengthening the multi-stakeholder approach.

5. INTERNAL GAC MATTERS

5.1. GAC Wrap-Up Session

The GAC Chair and Support staff briefed attendees regarding the process and important dates associated with the GAC 2022 Leadership Elections. The 2022 election process for the positions of GAC Chair and GAC Vice-Chairs will be initiated shortly after the ICANN74 meeting with the start of the nomination period. The nomination period will close on 5 August 2022. If needed, a voting process will be conducted from 29 August until 20 September 2022, ending during the ICANN75 public meeting where the election results will be announced.

GAC Members reviewed a number of work efforts, committee topics of interest and follow-up matters needed between ICANN74 and ICANN75 including:

- Subsequent Rounds of New gTLDs
 - Operational Design Phase
 - Closed Generics
 - Potential GAC Advice
- Continued GAC Engagement in GNSO EPDP Policy and Implementation Matters
- Data Accuracy Next Steps
- DNS Abuse Mitigation Strategies
- IGO Protections List Update
- GOPE WG Review of Operating Principles
- Volunteering Opportunities:
 - GAC Chair and Vice Chairs (nominations)
 - GAC UA-IDN WG Chair

- GAC Point of Contact with the UASG
- And GAC Capacity Building Planning

The GAC Chair also noted that the committee should be giving consideration to potential planning for the next High Level Government Meeting (HLGM) and attendees were encouraged to consider possibilities and options for hosting a future HLGM.

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Attachment 1 - ICANN74 Hybrid Policy Forum - GAC ATTENDEES LIST

GAC Members (85)		
Argentina	Germany	Niue
Armenia	Guatemala	Norway
Austria	Holy See - Vatican City State	Paraguay
Australia	Hong Kong, China	Poland
Belgium	Hungary	Portugal
Bermuda	India	Russian Federation
Brazil	Indonesia	Rwanda
Bosnia and Herzegovina	Iran	São Tomé and Príncipe
Bulgaria	Italy	Senegal
Burkina Faso	Jamaica	Serbia
Burundi	Japan	Singapore
Cambodia	Kenya	Slovakia
Canada	Republic of Korea	Spain
Chad	Latvia	Sudan
China	Lebanon	Sweden
Congo, Democratic Republic of	Lithuania	Switzerland
Congo, Republic of	Luxembourg	Chinese Taipei
Cook Islands	Madagascar	Thailand
Côte d'Ivoire	Malaysia	Timor-Leste
Croatia	Mali	Trinidad and Tobago
Czech Republic	Mexico	Tunisia
Denmark	Morocco	Türkiye
Egypt	Republic of the Union of Myanmar	United Arab Emirates
Eswatini	Netherlands	Uganda
European Commission	Nepal	United Kingdom
Finland	New Zealand	United States of America
Gabon	Niger	Ukraine
Georgia	Nigeria	Uruguay

Zimbabwe		
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GAC Observers (8)	
Caribbean Telecommunications Union (CTU)	Universal Postal Union
Economic Commission for Africa (ECA)	World Intellectual Property Organization (WIPO)
Economic Community of Central African States (ECCAS)	World Broadcasting Union
Comtelca	
League of Arab States	

Attachment 2 - ICANN74 Action Points Compilation

#	Subject Matter	Action Point
1	Subsequent Rounds of New gTLDs	GAC Support to liaise with ICANN Governmental Engagement team to seek availability to hold webinars/training sessions for GAC members on topics related to new gTLDs in preparation for the next round.
2	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.
3	IGO Protection Matters	GAC Members to review and provide further input to the draft mechanism to manage changes to the GAC IGO List.

Appendix A - GAC Opening Plenary Statement

Monday 13 June 2022

BRAZIL STATEMENT

- Brazil would like to update GAC Members on recent developments involving exchanges between Amazon Corporation and the Amazon Cooperation Treaty Organization (ACTO) concerning the delegation of the .AMAZON top-level domains.

-This intervention is made for the record and for informational purposes and has not been coordinated in advance with other Member States of that Organization

- As you may recall, a number of Public Interest Commitments were attached to the delegation of the .AMAZON gTLD, including a possible list of Requested-Reserved Domain Names and participation in a proposed Joint Steering Committee to assist in the implementation of the PICs

- In June 2021, AMAZON's Vice President for Public Policy sent a letter to ACTO's Secretary General reminding the organization that it had until December 19, 2021 to provide AMAZON with a list of proposed names to be included in the list of Requested-Reserved Domain Names.

- On December 17, 2021, the Secretary General of ACTO, after consulting the Member States of the organization, sent a letter in reply recalling the main elements of the Amazon countries' position on the matter.

- Among other points, it underlined that ACTO Member States did not give their due consent to the process of adjudication of the ".Amazon" top level domain and that they did not consider themselves bound by such decision or the conditions attached to it, including the above-mentioned Public Interest Commitments.

- In its conclusion, the letter of reply "reaffirms the position of the ACTO Member Countries that the adjudication of the ".Amazon" top level domain to a private company, without our approval and authorization, does not respect the applicable rules, expressly contravenes the multi-stakeholder nature of ICANN's decision making process of interest, and is incompatible with the expectations and sovereign rights of the Amazon peoples".

Thank you.