
GOVERNMENTAL ADVISORY COMMITTEE (GAC): MINUTES OF MEETING, Panama City, 25-28 June 2018

1. MEETING ATTENDANCE & MEMBERSHIP

Sixty three GAC Members and five GAC Observers attended the meeting.

The GAC welcomed Ecuador as a new member.

GAC membership currently stands at 177 Members, and 36 Observers.

A list of attendees is at **Attachment 1**.

The GAC Panama City Communiqué is on the GAC website at:

<https://gac.icann.org/contentMigrated/icann62-panama-communicue>

Presentations used by speakers during the meeting and supporting briefing prepared for the GAC can be accessed, where available, from the [GAC website](#) under Meetings and Records/ICANN Meeting Agendas. Full transcripts for each session are available at the [ICANN 62 schedule website](#).

2. PUBLIC POLICY AND SUBSTANTIVE ISSUES SESSIONS

2a: WHOIS/GDPR

GAC members and the GAC's Public Safety Working Group (PSWG) again participated actively in a wide range of multi-party discussions aimed at continuing to develop arrangements to ensure compliance with the European General Data Protection Regulation (GDPR), particularly with regard to WHOIS data. The key issue, reflected in the Communiqué, remains access to non-public WHOIS data for legitimate purposes such as law enforcement, rights protection and cybersecurity.

At the face to face meeting between the GAC and the ICANN Board, the ICANN CEO and Board said there would be coordination of the range of current initiatives, including the proposed EPDP, the Unified Access Model and ongoing work on WHOIS. The Board will meet 2 weeks before each expiry of the 90-day renewal periods contained in the temporary Specification. The Board wishes to stay flexible on adjustment of the Temporary Specification. Unified access will be influenced by any legal guidance that may be provided by the courts or the Data Protection Authorities (DPAs).

The GAC agreed to advise the Board to take steps to address those issues which were the subject of GAC advice in the San Juan Communiqué and on which the Board has deferred a response.

A decision by GNSO Council on initiating an EPDP was not made during ICANN 62. The GAC stressed the importance of balanced participation in any EPDP, including from the GAC.

Action Points

GAC to submit comments on the ICANN Unified Access Model as soon as possible after ICANN 62 (GAC leads + PSWG + ICANN staff).

GAC to follow up on its advice to the Board on this matter through the usual procedure (GAC leadership + members).

2b: 2-letter country/territory codes at the second level

This remains an issue of concern to some, but not all, GAC members.

Concerned members noted that 2-character codes corresponding to country codes continue to be released at the second level, both for new gTLDs and also legacy TLDs such as .XXX. While this is consistent with Board Resolution 2016.11.08.15, the measures taken by ICANN Org to address GAC concerns on process and improve communications have been found by many governments to be inadequate.

The GAC was briefed by ICANN Org (Global Domains Division) on progress with providing web-based information for governments on actions taken by ICANN and registries with regard to that governments country code.

At the GAC's meeting with the ICANN Board there was an exchange of views on this issue but no specific decisions taken.

Action Point

ICANN Board to take action to resolve outstanding concerns from GAC members, with GAC to follow up on its advice to the Board on this matter through the usual procedure (GAC leadership + members).

Further work by ICANN Org on web-based data access to be reviewed by the GAC inter-sessionally and at the face to face meeting at ICANN 63. (ICANN support staff)

2c: Protection of IGO Names and Acronyms

The GAC reviewed developments with regard to protection of IGO names and acronyms.

It was noted that the final report of the GNSO PDP IGO-INGO Access to Curative Rights Protection Mechanisms has been further delayed. The GAC agreed to advise the Board to work with GNSO and GAC to ensure GAC advice, including the "small group" proposal, is adequately taken into account.

The GAC agreed to continue working with ICANN Org to ensure that the list of IGO names and acronyms on which current protections are based is maintained as accurately and completely as possible.

Action Point

GAC to follow up on its advice to the Board on this matter through the usual procedure (GAC leadership + members).

2d: New gTLDs Subsequent Procedures PDP Work Track 5: Geographic Names

GAC members participated in the two cross-community working sessions of Work Track 5, including ongoing consideration of non-capital city names.

Action Point

GAC participants in WT5 to continue to engage with its work and report to GAC on developments (*GAC WT5 participants*).

2e: New gTLDs Subsequent Procedures PDP Work Tracks 1-4

The GAC reviewed the work and timelines of the New gTLD Subsequent Procedures PDP and met with the Co-Chairs and Work Track leads.

The GAC noted that it will be difficult to respond quickly to the lengthy PDP Initial Report, to be posted for public comment following ICANN 62, given limited resources and the northern summer period.

The Co-Chairs accepted points made by some GAC members about difficulties in getting all views heard in some Work Tracks and said that procedural improvements are being pursued.

Action Point

GAC to consider its response to the PDP Initial report when posted for public comment (*GAC leadership + members*).

2f: Dot.Amazon

Brazil provided the ICANN Board with an update on consideration by ACTO governments of the proposals from Amazon.com presented at ICANN 60. The Board noted that a placeholder item had been included for its 18 September Workshop.

Action Point

None.

2g: New gTLD Auction Proceeds

The GAC received an update on the work of the Cross Community Working Group on New gTLD Auction Proceeds from the CCWG Co-Chairs

Action Point

The GAC will continue to engage with the work of the CCWG, and consider its response as a Chartering Organisation to any final recommendations in due course.

2h: GAC Participation in NomCom

The GAC agreed to criteria to be provided to the ICANN Nominating Committee (NomCom) for use when making selections for leadership positions. These criteria relate to public policy experience and expertise.

Action Point

GAC Chair to write to the NomCom Chair conveying the agreed criteria (*GAC support staff*).

3. CROSS-COMMUNITY ENGAGEMENT

3a: Meeting with ICANN Board

The GAC met with the ICANN Board and discussed the following issues:

- An update from Brazil on the dot.amazon issue. See 2f above.
- Appreciation for ICANN Board and ICANN Org support for the program of GAC Capacity-Building Workshops. See 7 below.
- Several aspects of work relating to GDPR and access to WHOIS data, including the Unified Access Model, the proposed EPDP and coordination arrangements. See 2a above.
- Handling of issues relating to ICANN jurisdiction following the report of the CCWG Accountability Work Stream 2. See 4b below.
- 2-character codes at the second level. See 2b above.

3b: Meeting with Generic Names Supporting Organisation (GNSO)

The GAC met with the Chair and members of the [GNSO Council](#). The key issues raised were:

- The GNSO process exploring possible incremental improvements to PDP procedures ("PDP 3.0").
- GDPR/WHOIS.

The GAC was subsequently briefed by GNSO contracted parties on their experiences to date with complying with the ICANN Temporary Specification.

Action Points

See 2a above.

3c: Meeting with Country Code Name Supporting Organisation (ccNSO)

The GAC met with the Chair and other members of the ccNSO Council. The main issues raised were:

- A briefing on the nature of ccTLDs and the operation of the ccNSO.
- The ccNSO PDP on Retirement of ccTLDs.
- The GNSO New gTLD Subsequent Procedures PDP Work Track 5 (Geographic Names).
- A briefing on the purpose and operation of the standard ISO3166.

Action Point

None.

3d: Meeting with At-Large Advisory Committee (ALAC)

The GAC met with ALAC leadership and members and discussed:

- The nature and operation of the At-Large structure.
- The independent review of ALAC.

- GDPR/WHOIS.
- The GNSO New gTLD Subsequent Procedures PDP Work Track 5 (Geographic Names).
- Follow-up on the joint GAC-ALAC statement on inclusive, informed and meaningful participation in ICANN, and the ICANN Information Transparency Initiative.

Action Point

None.

4. ICANN ACCOUNTABILITY

4a: ICANN Empowered Community

The GAC did not discuss any Empowered Community issues at this meeting.

Action Point

GAC Secretariat to continue to monitor Empowered Community developments and advise the GAC Chair and members as appropriate.

4b: Cross Community Working Group on Enhancing ICANN Accountability

The GAC was briefed on the final report and recommendations of the CCWG-Accountability WS2 by one of the Co-Chairs. It was agreed that the GAC should work towards adopting a final position as a Chartering Organisation no later than ICANN 63. The first phase of work will be identifying the recommendations of most relevance to the GAC, with further analysis of implications to be discussed with relevant GAC leads and the full membership.

Action Point

Secretariat to prepare an initial summary paper for GAC members within 3-4 weeks (ACIG GAC Secretariat).

5. HIGH LEVEL GOVERNMENTAL MEETING (HLGM) 2018

The GAC was again briefed by the Spanish Government on arrangements for the next High Level Governmental Meeting to take place in Barcelona during ICANN63 in October 2018. This is a joint ICANN-GAC initiative.

Action Point:

GAC members and the GAC leadership to continue to work with Spain and ICANN on encouraging attendance and facilitating support arrangements.

6. INTERNAL GAC MATTERS

6a: Elections

The GAC was briefed by ICANN GAC support staff on arrangements for elections for the GAC Chair and Vice Chair positions. Nominations will close at 23:59 UTC on 5 September 2018.

Action Point

ICANN GAC support staff to conduct election arrangements and keep GAC members informed as appropriate.

6b: Board-GAC Review Implementation Working Group (BGRI)

The BGRI-WG and the GAC met, with several Board members in attendance, and:

- Noted a proposal for the Board to conduct an inter-sessional webinar for the GAC on the operation of the Board.
- Reviewed the operation of the new ICANN Action Request Register as it applies to GAC advice. Some aspects require further clarification, including the treatment of standing GAC advice such as GAC Principles and the status of unresolved items of advice.
- Received an update from ICANN staff on development of a portal on the GAC website for information on 2-character country codes at the second level.
- Noted the Board's proposed timeline for responding to the GAC Panama City Communique.

Action Point

GAC members to provide ICANN Org with any questions on the data portal for 2-character country codes at the second level (*interested GAC members*).

6c: Independent GAC Secretariat

The GAC was informed that donor funds of 200,000 Euro are likely to be available for 2019 to fund an independent secretariat function, plus a specific offer of funds from Japan for ICANN 64.

It was agreed that a GAC task force be established (lead: Brazil) to develop a Request for Proposal for a secretariat function following the conclusion of the current contract with ACIG.

Action Point

E-mail to the GAC to be prepared summarising discussions at this meeting and seeking volunteers for the task force (*GAC leadership + ICANN staff*).

6d: GAC Website

The GAC was briefed by ICANN GAC support and technical staff on the continuing development of the GAC website. Several suggestions on basic operations and functionality were noted for follow-up.

Action Points

ICANN support and technical staff will continue to work on development of the website, taking into account continuing feedback from members.

6e: Onboarding and Travel Support

Support staff briefed the GAC on GAC membership turnover and initiatives to inform and engage with new members ("onboarding"), including a series of webinars, the capacity building workshops and the ICANN Learn platform. Additional suggestions from members included more translations of documents into languages other than English, a "buddy" system for mentoring and a pre-meeting "ice-breaker" function.

Due to time constraints, travel support issues will be followed up with the GAC by e-mail.

Action Point

Support staff to continue working with GAC leadership and members to enable the best onboarding experience.

6f: Other Operational Matters

The GAC was briefed by ICANN GAC support staff on:

- Continuing work on reviewing the GAC Operating Principles.
- A call for expressions of interest in the positions of GAC Liaison to the Customer Standing Committee and the IANA Function Review Team.

Action Points

GAC members to consider volunteering for the two GAC Liaison positions (GAC + support staff).

7. GAC WORKING GROUPS

GAC Working Groups reported to the GAC as follows.

The GAC Public Safety Working Group (PSWG): The PSWG supported the GAC's deliberations related to WHOIS Compliance with GDPR, in particular with respect to the three key developments: the Temporary Specification for gTLD Registration Data, the Unified Access Model and a possible Expedited Policy Development Process to be initiated. Views of the GAC were conveyed by the PSWG's Co-Chair in the two cross-community sessions held on these matters.

In the meantime, PSWG Members engaged with GNSO stakeholders and the technical community to provide expert input into current discussions, and contribute to the design of practical solutions to ensure appropriate access to WHOIS data. The PSWG met with the Security and Stability Advisory of ICANN (SSAC) to explore areas of possible collaboration with the GAC and discuss the SAC101 Advisory Regarding Access to Domain Name Registration Data which the PSWG welcomes.

Consistent with its strategic goal to develop participation, the PSWG welcomed three participants from Germany, Norway and Sweden, thanks to the support of Europol's EMPACT programme.

The GAC Working Group on Under-Served Regions: Since ICANN61, the Working Group (WG) completed a regional capacity development workshop in Senegal in May 2018 and its eighth and final capacity development workshop during ICANN62 in Panama. The workshops were well received by the participants. The WG is finalizing its evaluation of the initiative and will present its draft report during the High Level Governmental Meeting in Barcelona during ICANN63.

The Working Group is grateful for the continuous support of ICANN's CEO and Board of Directors through the collaboration of ICANN's Government Engagement Team. The Working Group would also like to thank all the other ICANN departments involved in this program. Finally, the Working Group would like to thank the Supporting Organizations and Advisory Committees of ICANN, as well as other stakeholders for committing resources and availing members to contribute during the workshops.

GAC Working Group on Human Rights and International Law: The working group discussed internal matters, including the potential to add new members to the WG leadership, and a process for updating its current work plan. These issues will be addressed intersessionally. An update on the further ICANN process for adopting the Framework of Interpretation (FoI) and considerations relating to the Human Rights Core Value (HRCV) expressed in the ICANN Bylaws was shared. WG members will share and develop intersessionally ideas on potential implementation of the HRCV within the GAC for further discussion at ICANN63 as appropriate.

GAC Working Group on GAC's Participation in the NomCom: The Working Group presented to the GAC the "GAC Criteria for NomCom". Text was analysed in a plenary meeting in order to have agreement on a final version.

DOCUMENT ADMINISTRATION

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ATTACHMENT 1 : GAC Attendees, Panama City ICANN62

GAC Members		
Argentina	Hungary	
Australia		Senegal
Austria	India	Singapore
Azerbaijan	Indonesia	South Africa
	Iran	Spain
Belgium	Italy	Sweden
Bosnia & Herzegovina	Jamaica	Switzerland
Botswana	Japan	Chinese Taipei
Brazil		Thailand
	Korea, Republic of	Trinidad and Tobago
Cambodia		Tuvalu
Cameroon	Lithuania	
Canada		Uganda
China	Madagascar	United Kingdom
Colombia	Mali	United States
Congo, Democratic Republic of	Mexico	Uruguay
Congo, Republic of	Mozambique	
Cook Islands		Venezuela
Cote d'Ivoire	New Zealand	Vietnam
	Niue	
Denmark		Zimbabwe
	Pakistan	
Egypt	Papua New Guinea	
European Commission	Portugal	
Finland	Romania	
France	Russian Federation	
	Rwanda	
Gabon		
Germany		
Guyana		
GAC Observers		
Caribbean Telecommunications Union (CTU)	Economic Community of West African States (ECOWAS)	Organisation Internationale de la Francophonie (OIF)
World Intellectual Property Organisation (WIPO)	International Criminal Police Organisation (INTERPOL)	