GOVERNMENTAL ADVISORY COMMITTEE (GAC): MINUTES OF MEETING

ICANN 53 Buenos Aires

20 – 25 JUNE 2015

MEETING ATTENDANCE & MEMBERSHIP

Sixty nine GAC members and ten observers attended the meeting.

The GAC welcomed Kiribati and Mauritius as new members.

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

The GAC Buenos Aires Communiqué is at **Attachment 2.**

All available presentations made (as slides or word/PDF documents) are available on the GAC website.

CROSS-COMMUNITY ACTIVITIES & ENGAGEMENT

Meeting with ICANN Board

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

- Community Priority Evaluations.

- Update on dot Africa Independent Review Panel.

- Safeguards for new gTLDS.

- Country and territory names and 2-character labels at the second level.

- New gTLD program reviews and assessment.

- IANA Stewardship Transition.

- Enhancing ICANN Accountability.

- ICANN CEO.

Specifics of these matters and any substantive Board response are detailed under relevant subject headings elsewhere in these Minutes.

Meeting with Generic Names Supporting Organisation (GNSO)

The GAC met with Jonathan Robinson and David Cake, Chair and Vice Chair respectively of the GNSO Council.

It was noted that:

- There are now more regular calls between the GAC and GNSO leadership groups and coordination between respective secretariats.

- A proposed one-year extension to the GNSO Council Liaison to the GAC pilot project is supported by GAC members (Note: GNSO Council subsequently approved this extension).

- The "quick look mechanism" for identifying public policy aspects at the issues scoping phase of gTLD policy development is operating and is being applied to work on next generation gTLD registry directory services.

- The GAC-GNSO Consultation Group will continue its work. Possible initiatives include other opportunities for early engagement at subsequent stages of a PDP; procedures for cases where GAC early input is in conflict with GNSO views; and success criteria for GAC involvement at the issues scoping phase.

Current and upcoming policy issues for GNSO that may have public policy implications include:

- The purpose of gTLD registration data in future rounds.

- A review of all rights protection mechanisms in both legacy and new gTLDs.

- Final recommendation report on policy and implementation.

- Translation and transliteration of contact information PDP final report.

The GAC noted that GNSO Council is planning to trial a lightweight informal mechanism to provide the ICANN Board with a response to the GAC Communiqué on items where there are relevant GNSO policy views.

There was an exchange of views on the final proposal of the CWG – Stewardship.

ACTION POINT: Above discussions reflected in Communiqué.

Meeting with Country Code Name Supporting Organisation (ccNSO)

The GAC met with Byron Holland, Chair of the ccNSO Council and other members of the ccNSO.

There was an exchange of views on the final proposal of the CWG – Stewardship and the work of the CCWG-Accountability.

The ccNSO was informed of the survey of government/ccTLD practices being undertaken through the GAC Working Group on Underserved Regions. The intention is to gather information on good practice to assist GAC members who may be seeking to build capacity and expertise in this area. The views of ccNSO will be sought in analysing responses. This is flagged as a possible issue for the High Level Governmental meeting to be held in Marrakech in 2016.

ACTION POINT: Above discussions reflected in Communiqué. GAC Working Group on Under-served Regions to seek input from ccNSO as part of analysis of responses to survey on government/ccTLD practices.

Meeting with Security and Stability Advisory Committee (SSAC)

The GAC met with Patrik Faltstrom and James Galvin, Chair and Vice Chair respectively of the SSAC.

Most discussion focused on the CWG-Stewardship and CCWG-Accountability. SSAC's main priority for both is that its specialist role continues to be recognised and that its advice on security and stability is given due priority and consideration.

SSAC has reviewed the CWG-Stewardship final proposal and is evaluating it against SSAC recommendations in SAC Advisory Report SAC 69.

SSAC noted it is not currently designed to participate in many of the accountability mechanisms proposed to date by the CCWG, and will continue to consider its position. More information is contained in the SAC 71 Advisory Report.

ACTION POINT: Above discussions reflected in Communiqué.

Meeting with At-Large Advisory Committee (ALAC)

The GAC met with Alan Greenberg, Chair of ALAC and other members of the ccNSO.

There was an exchange of views on the final proposal of the CWG – Stewardship and the work of the CCWG-Accountability.

ALAC has advised the Board to stop further contract action on certain Category 1 strings, including casino, doctor, credit card, lawyer and lotto; and that the Board had neither accepted nor rejected this advice. ALAC would appreciate any support and assistance from the GAC in this regard. The ALAC analysis of registration policies for sensitive strings will be sent to the GAC.

There was discussion on the ICANN Leadership Training Program. GAC and ALAC members expressed support for this as a means of gaining skills to participate in ICANN activities. The next program will be immediately before the Dublin meeting, and GAC will receive an invitation to nominate participants.

ACTION POINT: ALAC analysis of sensitive string registration policies to be distributed to GAC (DONE). GAC to consider nominations to next Leadership Training Program when invitation received from ICANN (ICANN support staff to follow up.

CCWG on Internet Governance

The GAC received an update from one of the Co-Chairs of the CCWG on Internet Governance, Olivier Crepin-Leblond. The CCWG is still considering whether to develop consensus policies or simply inform and support ICANN staff in relevant fora. It was noted that GAC has not yet decided whether to participate as a Chartering Organisation.

ACTION POINT: GAC to give further consideration inter-sessionally to possible ways of participating in the CCWG on Internet Governance.

Global Stakeholder Engagement

The GAC met with ICANN Global Stakeholder Engagement (GSE) staff and discussed the following issues:

- Implementation of ATRT2 Recommendations 6.8 and 6.9: See "Accountability and Transparency" under GAC Advice to the Board, below.

- ICANN participation in the WSIS+10 process: GAC welcomed briefing from GSE on this matter.

- Enhanced arrangements for ICANN-GAC information exchange and discussion on outreach and government engagement.

HIGH LEVEL GOVERNMENTAL MEETING

With regard to the High Level Governmental Meeting to be held in Marrakech on 7 March 2015 in conjunction with ICANN 55:

- GAC members expressed appreciation to the Government of Morocco for hosting the meeting.

- The representative for Morocco explained the preparatory process and next steps in planning.

- Possible themes include ICANN-related issues, including accountability; Internet governance in the broader context; outreach to non-GAC members; and capacity building for developing countries in developing the digital economy.

- The meeting will be chaired by Moroccan Minister Moulay Hafid Elalamy, with the GAC Chair as Vice-Chair of the meeting.

- The outcome will be a Chair's summary statement rather than negotiated text.

- A working team will be established, chaired by Morocco, to consult and engage members on a draft agenda, to be finalised at the Dublin meeting.

- Formal invitations will be sent out as early as possible before Dublin.

- ICANN staff and ACIG will provide support to the working team and the HLGM.

ACTION POINTS: ACIG to seek expressions of interest from GAC in participation in the working team. ACIG and ICANN support staff to liaise with ICANN GSE staff on support arrangements, including development of an invitation list of Ministers.

IANA STEWARDSHIP TRANSITION & ENHANCING ICANN ACCOUNTABILITY

CWG-Stewardship

The GAC agreed to convey the following statement to the Co-Chairs of the CWG-Stewardship:

The GAC takes note of the CWG-Stewardship Final Proposal, and states support for its submission to the ICG, without prejudice to comments made publicly by individual delegations.

The GAC notes and recognizes the provisions of paragraph 106 of the CWG Final Proposal which states that the CWG-Stewardship proposal is significantly dependent and expressly conditioned on the implementation of ICANN-level accountability mechanisms by the Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability). If any element of these ICANN level accountability mechanisms is not implemented as contemplated by the CWG-Stewardship proposal, this CWG-Stewardship proposal will require revision.

The final CCWG proposal will be assessed on its own merits by the GAC and considered by GAC as a Chartering Organisation.

The GAC wishes to express its sincere appreciation of the diligent and productive work performed by the CWG-Stewardship, its Co-Chairs, its members and all its contributors.

ICG

The GAC noted that a consolidated proposal for IANA stewardship transition is being developed by the ICG on the basis of input from all three operational communities. GAC members will continue to contribute to, and report back on, relevant ICG work.

CCWG-Accountability

The GAC had extensive discussions on the draft report of the CCWG-Accountability and further possible options discussed in the CCWG immediately before and during the Buenos Aires meeting. GAC also met with the CCWG Co-Chairs.

GAC agreed that members should provide input to the CCWG face-to-face meeting scheduled for 17-18 July 2015 by submitting responses to the following questions to the GAC list by 10 July 2015. The Secretariat will arrange for them to be submitted to the CCWG as consolidated set of responses from individual GAC members. The questions are:

1. How will public policy issues be dealt with in the enhanced accountability framework?

2. What role does GAC and its members wish to have in the new framework so that it can provide advice on public policy issues?

3. Does GAC want to continue to have an advisory role (as of today) with respect to the ICANN Board?

4. Does the GAC want to participate in a membership-based community empowerment mechanism?

5. Does GAC wish to exercise any of the proposed community powers with regard to ICANN, and if so which ones; and how to participate?

6. In what ways would the proposed improvements to IRP be satisfactory for public policy and Governments' needs, e.g. in terms of increasing transparency, increasing focus on process and/or substance, binding/non-binding nature, etc.?

ACTION POINT: ACIG GAC Secretariat to consolidate GAC responses (identifying which member has made which responses) and submit to CCWG-Accountability.

GAC ADVICE TO THE BOARD

gTLD Safeguards

The GAC noted letters from the ICANN Board of 28 April and 11 June concerning previous GAC advice on gTLD safeguards. A further letter from the Board dated 23 June was received during the course of the meeting.

During the GAC's meeting with the Board, GAC members stressed the need for further ICANN action on highly sensitive and regulated strings so that consumer interests are no less protected than commercial ones. This could include encouraging best practice self-regulation such as that from dot bank. The Board noted that ICANN's powers are limited to its contractual relationships with registries and registrars.

The GAC decided to advise the Board:

- To create a list of commended public interest commitments (PICs) for verification and validation of credentials in highly regulated sectors, to serve as a best practice model. The PIC for dot bank is one such example.

- That the ICANN community create a harmonised methodology to assess the number of abusive domain names within the current assessment of the new gTLD program.

GAC members also expressed concern that the lengthy and complex history of GAC advice and Board responses on gTLD safeguards issues makes it unclear what advice has been accepted and what rejected. It was agreed to request a straightforward scorecard from the Board and clarification of the process to follow, in accordance with the ByLaws, in the case of advice that has been partially or completely rejected.

ACTION POINT: Key advice points included in the Communiqué.

Protection of Inter-Governmental Organisation (IGO) Names and Acronyms

The GAC was briefed by the Chair on inter-sessional discussions held by the informal "small group" comprising GAC representatives (Chair and United States) and IGOs with assistance from the Board as necessary. The group continues to work on both preventative and curative mechanisms for protection of IGO names and acronyms in top and second level domains. A meeting will be arranged in mid-July to agree next steps towards development of a firm proposal by the Dublin meeting.

Some members of the GAC leadership group also met informally with the Co-Chairs of the GNSO Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms and noted the GAC's approach as described above.

ACTION POINTS: ACIG and ICANN support staff to work with the Chair on arrangements for the next meeting of the "small group" on 16 July. The above discussion included in the Communiqué.

Accountability & Transparency

The GAC confirmed the status of its implementation of GAC-related ATRT2 recommendations as conveyed to the Board in its letter of 8 May 2015. Several recommendations are the subject of further work as part of a process of continuous improvement.

With regard to recommendation 6.8, the GAC agreed on guidelines for engaging governments and IGOs and for coordination between the GAC and ICANN Global Stakeholder Engagement staff. This should be seen as a "living document" and subject to regular feedback and improvement as necessary.

With regard to recommendation 6.9, GAC noted ongoing implementation by ICANN GSE staff. GAC and GSE staff agreed that a standing database of contact information for relevant government ministers is unnecessary and would be too resource-intensive. Instead, contact details will be compiled cooperatively between GSE and GAC for specific purposes, such as High Level Governmental Meetings.

The Board-GAC Review Implementation Working Group (BGRI) identified no outstanding issues from the Board's perspective.

ACTION POINTS: ACIG and ICANN support staff to continue further work on ATRT2 implementation as directed by GAC.

Community Priority Evaluation

The GAC discussed a briefing paper prepared by the United Kingdom, noting that there have been two areas of problems with community applications for new gTLDs: (a) Inconsistency in approvals; and (b) Obstacles put in the way of successful applicants.

A submission to GAC from the Community Top Level Domains Applicants Group (CTAG) was noted. Avri Doria (Non-Commercial Stakeholder Group) stated that community applicants are often treated as if they are trying to game the system; subjected to spurious accusations; required to absorb high costs that are disproportionate to community resources; and have no appeals mechanism.

GAC noted the current investigation by the ICANN Ombudsman into the Community Priority Evaluation (CPE) process (see pre-Buenos Aires update here). The possibility of inviting the Ombudsman to meet with the GAC in Dublin was discussed.

GAC agreed that it would keep the situation under review and include this matter on the agenda for the Dublin meting. GAC will be invited to submit comments on the UK paper within four weeks of the Buenos Aires meeting.

ACTION POINT: Above discussion reflected in the Communiqué. ACIG to remind GAC of deadline for submitting comments on UK paper

GAC WORKING GROUPS

Details of the most recent activities of GAC Working Groups, including work at the Buenos Aires meeting, are at Attachment 4. The GAC Working Groups are:

- GAC Working Group to Examine the Protection of Geographic Names in any Future Expansion of gTLDs

- GAC Working Group on Public Safety

- GAC Under-served Regions Working Group

- Working Group to Examine GAC participation in NomCom

- GAC Working Group on Human Rights & International Law

- GAC Operating Principles Working Group

- GAC Government and IGO Engagement Working Group.

INTRA-COMMUNITY WORK: GAC OPERATIONAL MATTERS

GAC Operating Principles

The GAC agreed to amend GAC Operating Principles 21, 25, 31 and 32 so as to allow up to five Vice Chair positions to be filled. The amendments are set out in detail in Attachment 3.

The GAC did not agree to proposed amendments to the Operating Principles relating to electronic voting. Some members considered that such amendments cannot be considered without addressing the issue of eligibility to vote.

GAC agreed to form a Working Group to review all aspects of the Operating Principles, including eligibility for membership and the way in which GAC decides its advice to the ICANN Board. Further details are contained in Attachment 4 (GAC Working Groups).

ACTION POINT: ACIG and ICANN support staff to arrange for an updated version of the Operating Principles to be posted on the GAC website. For Working Group Action Points see Attachment 4.

Elections for Vice Chairs

Nominations were called for the election of five Vice Chairs. Nominations will close on 1 September 2015.

In light of the decisions on amendment of the Operating Principles (see above), GAC agreed to use an updated version of the procedures used in the most recent elections.

ACTION POINT: ACIG to distribute updated advice on election procedures.

ICANN Meeting Structure

GAC was briefed by Portugal (as lead on this issue).

Most discussion focused on the mid-year "B" meeting. It was noted that the B meeting is an opportunity for all SOs and ACs to co-operate in a more flexible way and increase cross-community dialogue. Possible options for GAC include dedicated time for Working Group activities, planning sessions and open dialogue with the community and CCWGs. Several GAC members felt that some form of communiqué should always be issued after each GAC face-to-face meeting.

It was agreed that a Working Party, led by Portugal and with any interested GAC members participating, is established to bring a draft proposal to the Dublin meeting.

ACTION POINT: Working Party led by Portugal to prepare a draft GAC meeting structure for A, B and C Meetings, for decision by GAC in Dublin.

Review of GAC Advice Effectiveness

The GAC agreed that ACIG be tasked to review, analyse and report back at the next meeting on the following aspects of GAC advice over the period of meetings ICANN 44 through ICANN 52:

- Has GAC advice been accepted?

- Has GAC advice been implemented?

- Has GAC advice had an outcome?

- Has GAC advice been effective?

- Has GAC advice been understood by the community?

ACTION POINT: ACIG to prepare report for next meeting.

Review of GAC Website

GAC reviewed developments for the two streams of work: (a) Development of the new GAC website in conjunction with ICANN staff; and (b) Improvements to the existing website within the limits of the current platform. It was agreed that Trinidad and Tobago will continue to lead on this issue and that a small project team be established. Suggestions from all GAC members are encouraged.

ACTION POINT: Interested GAC members to contact Trinidad and Tobago if they wish to participate in the project team. GAC Chair to write to ICANN to establish GAC's expectations. Project team to meet by end July to agree priorities.

GAC Travel Support

GAC was briefed by Olof Nordling (ICANN staff) on the updated version of the GAC Travel Support Rules circulated recently for comment to GAC.

The GAC agreed that the version of the rules be posted on the GAC website and be used to determine travel support for the Dublin meeting.

ACTION POINT: GAC Travel Support Rules to be posted on the GAC website.

Country and Territory Names at the Second Level

Olof Nordling (ICANN staff) reported that members are continuing to submit the "opt out" form previously circulated, so that the initial database can be completed on members' intentions with regard to being notified of applications for country and territory names at the second level of gTLDs. An extended deadline of 15 July was agreed for submission of completed forms. GAC requested an updated briefing paper from the ACIG GAC Secretariat on the current status of the procedure for release of 2-character codes and country/territory names at the second level.

ACTION POINT: ACIG GAC Secretariat to prepare briefing paper as requested and circulate to GAC.

ATTACHMENT 1

LIST OF GAC ATTENDEES: BUENOS AIRES, 20-25 JUNE 2015

Members	
African Union Commission	Madagascar
Argentina	Mali
Australia	Mexico
Austria	Mongolia
	Morocco
Belgium	
Benin	Namibia
Brazil	Netherlands
Bulgaria	New Zealand
	Nigeria
Cameroon	Niue
Canada	Norway
Chad	
China	Paraguay
Colombia	Peru
Commonwealth of Dominica	Poland
Congo, Democratic Republic of	Portugal
Cote d'Ivoire	
	Romania
Denmark	Russian Federation
Dominican Republic	
	Senegal
Egypt	Singapore
European Commission	Spain
	Sweden
Finland	Switzerland
France	
	Taipei, Chinese
Gabon	Thailand
Germany	Trinidad and Tobago
Guinea, Republic of	Turkey
Holy See –Vatican City State	Uganda
Hungary	United Arab Emirates
	United Kingdom
India	United States
Indonesia	Uruguay
Iran	
Israel	Venezuela
Italy	Viet Nam
Jamaica	
Japan	
Kenya	
Korea, Republic of	

Observers	
World Intellectual Property Organisation (WIPO)	Organisation for Economic Cooperation and Development (OECD)
Organisation Internationale de la Francophonie (OIF)	Organisation of American States
	European Broadcasting Union
Caribbean Telecommunications Union (CTU)	Council of Europe
International Red Cross Red Crescent Movement (ICRC)	Economic Community of West African States (ECOWAS)
	REGULATEL

ATTACHMENT 2

GAC BUENOS AIRES COMMUNIQUÉ

Buenos Aires, 24 June 2015

I. INTRODUCTION

The Governmental Advisory Committee (GAC) of the Internet Corporation for Assigned Names and Numbers (ICANN) met in Buenos Aires during the week of 20th of June 2015. Sixty nine (69) GAC Members attended the meeting; and nine (9) Observers.

II. INTER-CONSTITUENCY ACTIVITIES & COMMUNITY ENGAGEMENT

1. Meeting with the ICANN Board

The GAC met with the ICANN Board and discussed a range of issues, including:

- Community Priority Applications
- Dot Africa
- Safeguards for new gTLDs
- Country and territory names at the Second Level
- New gTLD Program Reviews
- IANA Stewardship Transition
- ICANN Accountability
- ICANN CEO.

2. Meeting with the Generic Names Supporting Organisation (GNSO)

The GAC met with the GNSO and noted the application of the new "quick look" mechanism related to the development of an issues paper on future directory services; and the value of more regular inter-sessional conference calls between the GAC and GNSO leadership groups. The GAC supported an extension of the pilot scheme of a GNSO Council Liaison to the GAC.

The GAC welcomed the development by GNSO of a mechanism for responding to GAC advice so that the Board receives a clear indication of GNSO policy that is relevant to such advice.

There was an exchange of views on the respective GAC and GNSO approaches to the work of the Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CWG-Stewardship) and the Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability).

3. Meeting with the Country Code Name Supporting Organisation (ccNSO)

There was an exchange of views on the CWG-Stewardship and CCWG-Accountability approaches of the GAC and the ccNSO.

The GAC informed the ccNSO about data being gathered on relationships between country code top-level domains (ccTLDs) and governments. The aim is to assist developing countries by providing an information resource on good practice and experiences.

4. Meeting with the Security and Stability Advisory Committee (SSAC)

The GAC met with the SSAC and received an update on current SSAC priorities. There was a very helpful discussion on the SSAC approach to the CWG-Stewardship and CCWG-Accountability work, in particular the recommendations in SAC069: SSAC Advisory on Maintaining the Security and Stability of the IANA Functions Through the Stewardship Transition.

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

The GAC and the ALAC discussed a range of issues, including Category 1 gTLD Safeguards.

Views were exchanged on the CWG-Stewardship and CCWG-Accountability approaches of the GAC and the ALAC.

***

The GAC warmly thanks all SOs/ACs who met with the GAC, as well as those among the ICANN community who have contributed to dialogue with the GAC in Buenos Aires.

III. INTERNAL MATTERS

1. New Members

The GAC welcomes Kiribati and Mauritius as new Members. The GAC currently has 152 members and 32 observers.

Governments who are not yet members are encouraged to consider joining.

2. GAC Operating Principles

The GAC agreed to minor amendments to its Operating Principles that will enable the election of up to five Vice Chairs. A Working Group has been established to review all other aspects of the Operating Principles.

3. GAC Working Groups

The GAC continues to pursue specific areas of work through its working groups, which cover the following areas:

- Protection of geographic names in future rounds
- Public safety
- Underserved regions

- GAC participation in the ICANN Nominating Committee (NomCom)
- Human rights and international law.
- Review of GAC Operating Principles
- Government and Inter-Governmental Organisation (IGO) engagement

4. Country/Territory Names at the Second Level

The GAC is continuing to develop a database of country requirements for notification of requests for release of country/territory names at the second level in new gTLDs (reserved

according to the application rules for new gTLDs), with options for governments to state that they do not object to release and abstain from notifications for such requests.

This should be finalised by the end of July 2015 and published on the GAC website.

IV. HIGH LEVEL GOVERNMENTAL MEETING

Morocco, as host of the next High Level Governmental Meeting (HLGM) to take place on Monday 7th March 2016, during ICANN 55, made a presentation of the preparatory process for the meeting and other aspects linked to the topics to be discussed, the draft agenda and related matters. Several GAC members expressed their appreciation to Morocco for hosting the HLGM and their support to make it a success. The GAC foresees to establish a working group chaired by Morocco to consult and engage members in developing a proposed agenda to be agreed no later than the ICANN meeting in Dublin. The GAC will decide during the Dublin meeting about the themes to be addressed and a draft program.

V. TRANSITION OF US STEWARDSHIP OF IANA AND ENHANCING ICANN ACCOUNTABILITY

1. Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CWG-Stewardship)

The GAC has conveyed the following to the CWG-Stewardship Co-Chairs on 24 June 2015:

The GAC takes note of the CWG-Stewardship Final Proposal, and states support for its submission to the ICG, without prejudice to comments made publicly by individual delegations.

The GAC notes and recognizes the provisions of paragraph 106 of the CWG Final Proposal which states that the CWG-Stewardship proposal is significantly dependent and expressly conditioned on the implementation of ICANN-level accountability mechanisms by the Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability). If any element of these ICANN level accountability mechanisms is not implemented as contemplated by the CWG-Stewardship proposal, this CWG-Stewardship proposal will require revision.

The final CCWG proposal will be assessed on its own merits by the GAC and considered by GAC as a Chartering Organisation.

The GAC wishes to express its sincere appreciation of the diligent and productive work performed by the CWG-Stewardship, its Co-Chairs, its members and all its contributors.

2. IANA Stewardship Transition Coordination Group (ICG)

GAC took note of the activities being carried out by the ICG and is looking forward to seeing the combined proposal from the three operational communities available for public comment.

3. Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability)

The GAC is continuing to clarify issues of concern to GAC members with regard to the evolving proposals of the CCWG-Accountability. These will be conveyed to the CCWG face-to-face meeting to be held on 17-18 July 2015.

VI. GAC ADVICE TO THE BOARD

1. gTLD Safeguards

The GAC appreciates the efforts of the ICANN Board New gTLD Program Committee (NGPC) since the 2013 Beijing meeting to respond to the GAC's Safeguard advice. At the same time, however, despite guidance provided by the GAC in Communiqués generated during subsequent ICANN meetings, including the 2015 ICANN meeting in Singapore, contracts with the new gTLD Applicants have continued without the GAC previously recommended provisions requiring the verification of credentials for domains in highly regulated sectors.

Nonetheless, the GAC notes that an increasing number of Registries and Applicants for highly regulated strings have, consistent with GAC advice, voluntarily committed to undertaking the verification and validation of credentials. These Applicants and Registries demonstrate that satisfactory solutions can be achieved based on the GAC advice.

Accordingly,

a. the GAC recommends that the NGPC:

i.   Create a list of commended public interest commitment (PIC) examples related to verification and validation of credentials for domains in highly regulated sectors to serve as a model. These public interest commitments could demonstrate a best practice for other gTLD registry operators. For example the PIC for .bank appears to have taken steps to provide confidence to consumers that they   can rely on the *bona fide* of the Registrants listed. Relevant stakeholders should be identified and encouraged to devise a set of PICs that work well for the protection of public interests in each of the highly regulated strings.

b. The GAC additionally recommends:

i.   That the ICANN community creates a harmonised methodology to assess the number of abusive domain names within the current exercise of assessment of the new gTLD program.

ii.   That the NGPC clarify its acceptance or rejection of Safeguard advice. It would be useful to develop a straightforward scorecard on all elements of GAC safeguard advice since the Beijing 2013 GAC Communiqué in order to clarify what elements of GAC advice have been implemented, what remains a work in progress, and what has not been accepted for Implementation. In any instances of complete or partial rejection of the Advice, the GAC urges the NGPC to clarify the milestones intended to be followed in order to seek a potentially "mutually acceptable solution" as mandated by ICANN's Bylaws.

2. Protection for Inter-Governmental Organisations (IGOs)

Consistent with previous GAC advice in previous Communiqués regarding protection for IGO names and acronyms at the top and second levels, the GAC takes note of the progress made by the informal "small group" towards developing mechanisms in line with previous GAC advice, and calls upon the small group to meet in the near term with a view towards developing a concrete proposal for these mechanisms before the next ICANN meetings in Dublin; and welcomes the preventative protections that remain in place until the implementation of permanent mechanisms for protection of IGO names and acronyms at the top and second levels.

3. Accountability and Transparency Review Team 2 (ATRT2)

The GAC confirmed the status of its implementation of GAC-related ATRT2 recommendations as conveyed to the Board in its letter of 8 May 2015, noting that work in several areas is ongoing as a process of continuous improvement. With regard to recommendation 6.8, GAC agreed on guidelines for engaging governments and for coordination between GAC and the ICANN Global Stakeholder Engagement staff,

4. Community Priority Applications

The GAC continues to keep under review the community application process for new gTLDs, noting that it does not appear to have met applicant expectations. GAC looks forward to seeing the report of the ICANN Ombudsman on this matter following his current inquiry and will review the situation at its meeting in Dublin.

VII. NEXT MEETING

The GAC will meet during the period of the 54th ICANN meeting in Dublin, Ireland.

ATTACHMENT 3

AMENDMENTS TO GAC OPERATING PRINCIPLES AGREED IN BUENOS AIRES JUNE 2015

The agreed amendments are highlighted in <mark>yellow</mark>.

ARTICLE VII – CHAIR, VICE CHAIRS, OTHER OFFICERS AND COMMITTEES

Principle 21

If the GAC moves to require additional officers other than the Chair, then <mark>up to five (5)</mark> Vice-Chairs shall be elected from among the Members. To the extent possible, the Vice-Chairs should appropriately reflect the geographic and development diversity of the membership. The Chair shall hold office for a term of two (2) years, renewable once. The Vice-Chairs shall hold office for a term of one (1) year and may be re-elected; however no person may serve as Vice-Chair for more than two consecutive terms.

Principle 25

If the Chair is absent from any meeting or part thereof, one of the <mark>~~three~~</mark> Vice-Chairs shall perform the functions of the Chair. If no Vice-Chairs were elected or if no Vice-Chair is present the GAC shall elect an interim Chair for that meeting or that part of the meeting.

ARTICLE IX – ELECTION OF CHAIR AND VICE CHAIRS

Principle 31

Elections for the GAC Chair shall take place during the final meeting of every second year (even years) unless the Chair can no longer perform the functions of the office. If Chair can no longer perform the functions during the first year in the office, the elections shall be organized for the remaining term in the office during the next GAC meeting. If Chair can no longer perform the functions during the second year in the office, the GAC shall decide which of the Vice Chairs should replace the Chair until the regular elections are held.

Elections for the <mark>~~three~~</mark> Vice Chairs shall normally take place during the final meeting of the year. If Vice Chair can no longer perform the functions before the full term has finished, new elections shall be organized for the remaining term in the office during the next GAC meeting. The results of each election shall formally be announced at the end of any meeting in which an election has taken place, and shall take effect at the end of the next GAC meeting.

Principle 32

In the event of a single candidate he or she shall be elected by acclamation. If there is more than one candidate for the position of Chair, or more than <mark>five (5)</mark> candidates for the positions of Vice Chairs, an election will be held. For elections, the candidate or candidates with the most votes shall be elected to the position(s) that he or she has stood for.

In case of a tie ballot for two leading candidates, an additional ballot shall be held restricted to these candidates after an interval of at least one hour.

Elections shall be valid if more than 1/3 of the GAC members participate in the voting in person and by electronic mail. In case of the second round of voting, only present at the meeting GAC members participate.

ATTACHMENT 4

GAC WORKING GROUPS: OUTCOMES FROM MEETINGS IN BUENOS AIRES JUNE 2015

1.   Protection of Geographic Names

The Working Group held a public session as part of the main GAC Agenda and received a presentation from the Chair (Argentina).

There were no comments on the draft terms of reference for the Working Group circulated to the GAC list, and they were agreed by the GAC.

 Several GAC members suggested some refinement and prioritisation should be considered for an approach to protecting geographic names, including: Prioritising the most important names for public policy purposes; Focussing on protection against abuse rather than blanket prohibitions; and Reviewing data and experiences from the first round of new gTLDS with regard to geographic names.

The CCWG on Use of Country and Territory Names as TLDs (Co-Chair, Annabeth Lange) stressed the importance of receiving GAC input, particularly on definitional issues.

In general discussion it was noted that applications for geographic names and community applications had often shared the same problems at the Community Priority Evaluation stage, including a narrow definition of community and lack of transparency.

2.   Public Safety

Draft Terms of Reference were endorsed by the Working Group. The Next step is for Co-Chairs to get them circulated to the GAC for intersessional endorsement by the whole GAC.

A Work Plan will be developed. Possible areas for work are:

- WHOIS – there is a problem proposal statement around WHOIS that the group may pursue and activity might include reconciling the IP WHOIS with the DNS WHOIS.
- Privacy/proxy accreditation preliminary report. The group will provide their feedback on this report to the GAC and seek their position on it to be documented as advice
- Safeguards. The group will provide their feedback on this report to the GAC and seek their position on it to be documented as advice.

The Co-Chairs asked the PSWG members to make their Law Enforcement agencies in their national jurisdictions aware of the group as they want the widest possible participation.

3.   Human Rights and International Law

The GAC Singapore Communiqué (February 2015) stated: "9. International Law, Human Rights and ICANN.   The GAC decided to establish a Working Group on Human Rights Issues and the Application of International Law as these matters relate to ICANN activities. The GAC will also monitor community developments and consider how any GAC initiatives can complement any such developments."

The Working Group had its first meeting on 22 June 2015.

Present

This was an open meeting. There was a good attendance of interested people from outside the GAC.

The meeting was Co-Chaired by Peru and the United Kingdom. There was an invited presentation on the Cross Community Working Party (CCWP) on ICANN's Corporate and Social Responsibility to Respect Human Rights – by Niels ten Oever of that WP.

The UK Co-Chair reported to the Working Group that the Committee of Ministers of the 47 Member States of the Council of Europe adopted a Declaration on 3 June 2015 recalling that ICANN, as a private non-profit corporation should respect international human rights law, notably the UN Resolution 17/4 on human rights and transnational corporations and other business enterprises, and welcoming ICANN's commitment to operate in conformity with relevant principles of international law.

Terms of Reference

The most recent version of the draft terms of reference was discussed. Key points in the discussion were:

- The US expressed concern about their comments on the ToRs not being taken into consideration.

- A range of views were expressed on whether the term "international law" in the WG title and ToRs should be narrowed or qualified, for example to "international law relating to human rights."

- The WG should be mindful of the potential application to ICANN work of the UN Guiding Principles on Human Rights.

CCWP

The CCWP presentation on its work covered the following points:

- They are a working party, not a CCWG.

- There is no intention to expand ICANN's mission.

- The WP is continuing discussions on this issue which started in the London June 2014 meeting.

- They had a public session and an open working session on Wednesday 24 June (it was noted that this conflicts with scheduled GAC sessions).

- More information is available at https://tinyurl.com/cchumanrights

It was noted that, while the GAC WG and the CCWP should keep each other informed of their respective work, at this stage there are no agreed GAC positions for input to the CCWP.

Next Steps

Terms of Reference to be discussed further in GAC; and, when settled, to be reviewed after 12 months of operation.

Preparation of a draft Work Plan to commence immediately. This will be discussed at the next physical meeting of the Working Group to be held during the GAC meeting in Dublin on 17-22 October 2015; and be informed by community input inter-sessionally via the Working Group's mailing list.

In developing the Work Plan, the priorities eventually agreed should be as clear as possible on which areas of international law are relevant.

4. Underserved Regions

The Working Group held its first face-to-face meeting in Buenos Aires.

Terms of reference will be agreed inter-sessionally through the GAC mail list. The Working Group will develop a workplan.

The survey of government/ccTLD arrangements has commenced and is being coordinated by the Working Group.

The Working Group will support the Moroccan hosts for relevant aspects of the High Level Governmental Meeting in 2016.

5. Review of GAC Operating Principles

The GAC agreed to the establishment of a Working Group to review the GAC Operating Principles, with Namibia as Chair.

Proposed terms of reference are:

> The focus of the WG is to undertake a comprehensive review of the GAC Operating Principles and to provide the GAC with recommendations for a revised set of principles.

Proposed deliverables are:

1. Developing a list of principles where change is proposed or suggested.

2. Developing a process for reviewing, discussing and reaching consensus about each Principle where a change is proposed or suggested.

3. Reviewing each Principle where change is proposed or suggested as per the agreed processes.

4. Preparing briefing papers for the GAC to provide updates about the process of the Working Group

Comments are sought from GAC members on the proposed terms of reference and deliverables no later than the 31 July 2015.

The Working Group will take into account work done as part of the most recent review of the Operating Principles in 2011.

6.   Governmental and IGO Engagement

In the absence of the Working Group Chair (Lebanon), GAC was briefed by ICANN GSE staff and action agreed on ATRT2 Recommendations 6.8 and 6.9, as noted in the minutes.

7.   GAC Participation in the NomCom

The Working Group did not meet in Buenos Aires. Draft terms of reference for the Working Group were circulated prior to the meeting and no comments were received.