Review our Expected Standards of Behavior when participating in ICANN Meetings.

Go to:
http://go.icann.org/expected-standards

Review the ICANN Community Anti-Harassment Policy when participating in ICANN Meetings.

Go to:
http://go.icann.org/anti-harassment

Do you have a question or concern for the ICANN Ombudsman?

Email ombudsman@icann.org to set up a meeting.

ICANN

GAC Capacity Development Workshop

Saturday 11 March 2023

<u>Session 1</u>
Introduction to ICANN,
the role of the GAC and to the PDP

1.1 Introduction to ICANN and its Role in the Internet Governance (IG) Ecosystem

Mary Wong, ICANN org

11 March 2023

ICANN | GAC
Governmental Advisory Committee

ICANN's Mission

Since 1998 The mission of the Internet Corporation for Assigned Names and Numbers (ICANN) is to **ensure the stable and secure operation of the Internet's unique identifier systems**

Specifically, ICANN:

1 Coordinates the **allocation and assignment of names in the root zone** of the Domain Name System

2 Coordinates the development and implementation of **policies concerning the registration of second-level domain names in generic top-level domains (gTLDs)**

3 Facilitates the coordination of the operation and evolution of the DNS root name server system

4 Coordinates the allocation and assignment at the **top-most level of Internet Protocol numbers & Autonomous System numbers**

5 Collaborates with other bodies as appropriate to provide registries needed for the functioning of the Internet as specified by Internet protocol standards development organizations

Bottom-up, consensus-driven policy development and advice involving all stakeholders is at the core of ICANN's mission.

ICANN Multi-Stakeholder Policy Making

MAKING POLICY:

Three Supporting Organizations (SOs) in the ICANN community are responsible for developing policy recommendations in the areas they represent: IP addresses; generic top-level domains (gTLDs); and country code top-level domains (ccTLDs).

PROVIDING ADVICE:

Four Advisory Committees (ACs) give advice and make recommendations on ICANN topics. The ACs are made up of representatives from: governments and international treaty organizations; root server operators; Internet security experts; and Internet end users.

1.2 The Role of the GAC in ICANN & its Relationship with the ICANN org, Board and Community

Tracy Hackshaw, GAC Observer

11 March 2013

ICANN | **GAC**
Governmental Advisory Committee

ICANN |76
COMMUNITY FORUM
CANCÚN
11-16 March 2023

About the GAC

Governmental Advisory Committee

Established in 1999

The voice of Governments and Intergovernmental Organizations (IGOs) in ICANN's multi-stakeholder structure

GAC Membership

180
Governments as **Members**

Only members are eligible to voting
(during elections)

Members and observers participate equally in all discussions

38
Intergovernmental Organizations as **Observers**

One third of the Current Membership with voting rights constitutes a quorum at any meeting
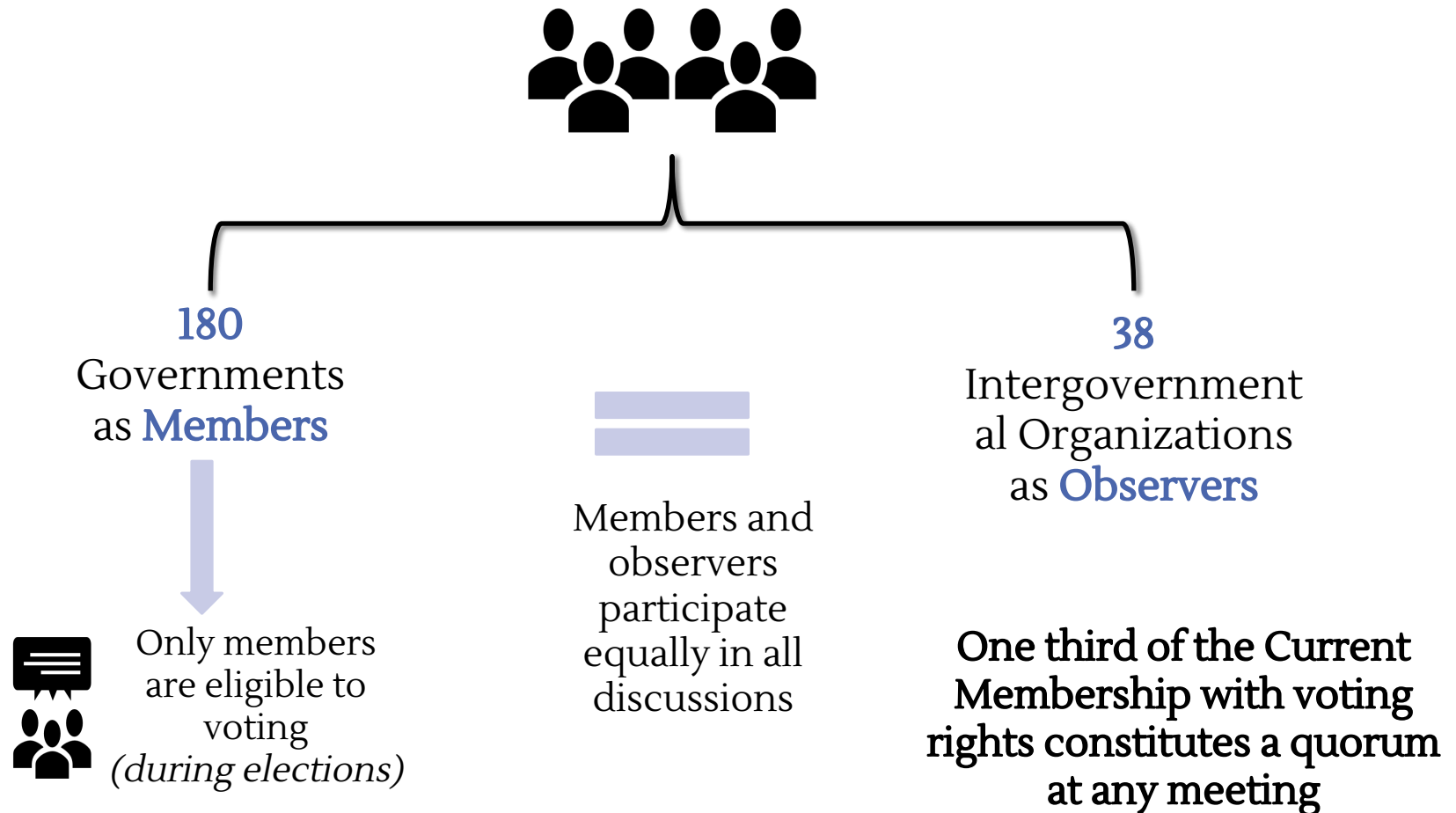
Key Role of the GAC

Provides advice to ICANN Board on issues of public policy, especially where there may be interaction between ICANN's activities or policies and national laws or international agreements

Provides advice in accordance with the GAC Operating Principles upon ICANN Board's request or on its own initiative

GAC Advice is duly taken into consideration by the Board in accordance with Section 12.2 (a)(x-xi) of the ICANN Bylaws

Board Consideration of GAC Advice

"Bylaws Section 12.2(a)(x): The advice of the Governmental Advisory Committee on public policy matters shall be duly taken into account, both in the formulation and adoption of policies. In the event that the Board determines to take an action that is not consistent with Governmental Advisory Committee advice, it shall so inform the Governmental Advisory Committee and state the reasons why it decided not to follow that advice.

Any Governmental Advisory Committee advice approved by a full Governmental Advisory Committee consensus, understood to mean the practice of adopting decisions by general agreement in the absence of any formal objection ("GAC Consensus Advice"), may only be rejected by a vote of no less than 60% of the Board, and the Governmental Advisory Committee and the Board will then try, in good faith and in a timely and efficient manner, to find a mutually acceptable solution. The Governmental Advisory Committee will state whether any advice it gives to the Board is GAC Consensus Advice."

Process for Board Consideration of
GAC Consensus Advice
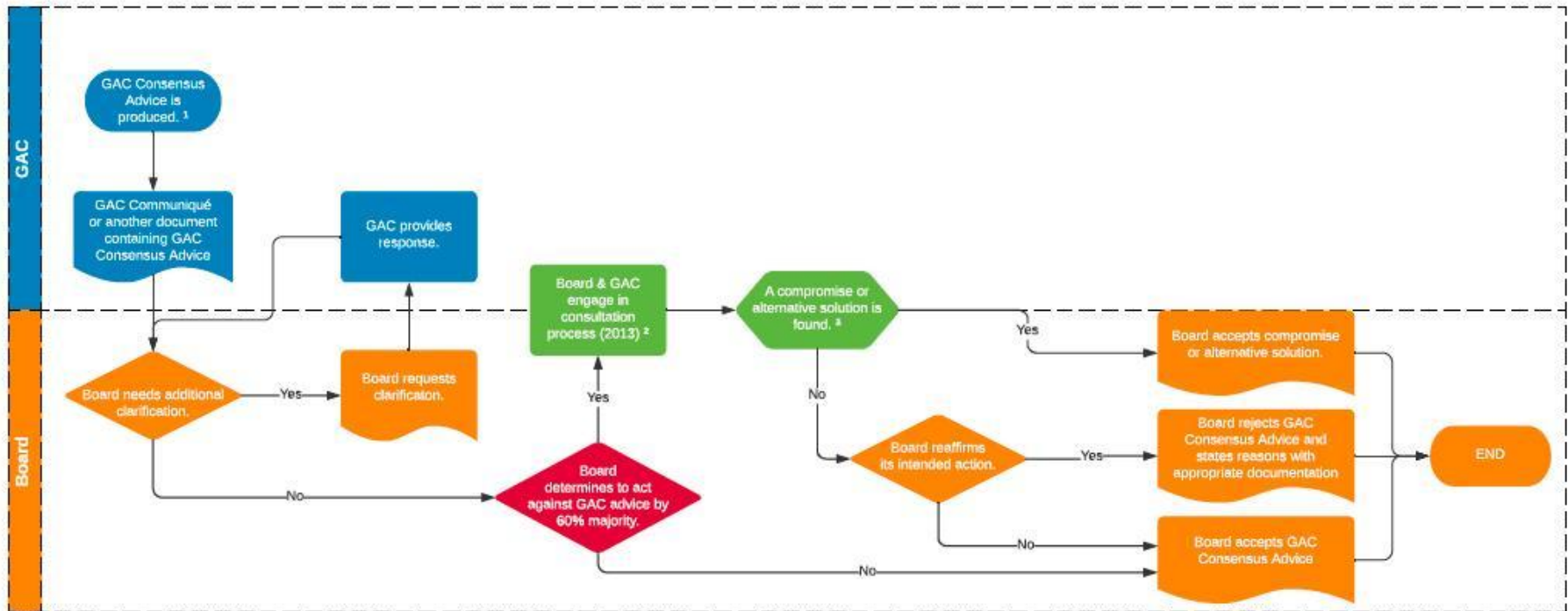
[1] GAC Consensus Advice is defined in Section 12.2(a)(x) of the Bylaws

[2] The full timeline, steps and possible outcomes of the Board-GAC Consultation Process (2013) are linked here.

[3] This process could result in a GAC determination to revise or modify its existing advice, which would end this process flow and direct the matter back to the GAC's internal processes (which are not reflected in this flow chart).

GAC within the Broader Community

Bilateral meetings and activities:
- Board-GAC Interaction Group (BGIG)
- Meeting with the Board
- Meeting with other parts of the community, including GNSO, ccNSO, ALAC, SSAC, RSSAC …

Community-wide activities:
- GAC Participation in Policy Development Processes (PDPs)
- GAC participation in cross community efforts (sessions and WGs)
- GAC Participation in Specific Reviews

High Level Government Meeting (HLGM)

Following recommendations from ICANN's Accountability & Transparency Review Teams 1&2, a High Level Government Meeting (HLGM) is organized once every two years, hosted by one of the GAC Members

Past meetings:
- Canada (ICANN45 Toronto, October 2012)
- United Kingdom (ICANN50 London, June 2014)
- Kingdom of Morocco (ICANN55, Marrakech, February 2016)
- Spain (ICANN63, Barcelona, October 2018)

High Level Government Meeting (HLGM)

HLGMs provide an opportunity to:

Reaffirm the critical role that governments play at ICANN and enable a clearer understanding of that role

Discuss current public policy issues and challenges at senior level

Provide an opportunity for senior government officials to meet each other and meet ICANN Executives

Reach out to governments who are not represented at GAC/ICANN

GAC Post IANA Transition

IANA Stewardship Transition

Handover of IANA Function Stewardship from the US Government to the global multistakeholder community in October 2016

- Ending the special role/status of the US government
- The transition proposal was mandated to meet certain principles:
  - Support and enhance the multistakeholder model,
  - Maintain the security, stability, and resiliency of the Internet DNS,
  - Meet the needs and expectation of the global customers and partners of the IANA services, and
  - Maintain the openness of the Internet.
- ICANN Org now accountable to => the EMPOWERED COMMUNITY

Empowered Community

Empowered Community (EC) is the mechanism in new ICANN Bylaws through which the community is empowered to exercise nine powers to make ICANN accountable:

◦ Reject an ICANN or IANA Operating Plan/Strategic Plan/Budget,

◦ Approve a change to Fundamental Bylaws and ICANN's Articles of Incorporation,

◦ Reject changes to Standard Bylaws,

◦ Remove an individual Board Director,

◦ Remove the entire Board,

◦ Initiate a binding Review Process or a Request for Reconsideration,

◦ Require the ICANN board to review its rejection of recommendations from reviews relating to PTI

◦ Reject Public Technical Identifiers (PTI) Governance Actions, and

◦ The rights of inspection and investigation.

Decisional Participants

The GAC is a Decisional Participant

The GAC has formal obligations under the new Bylaws to :
- ◦ receive and initiate petitions,
- ◦ participate in the conduct of community discussions, and
- ◦ support, reject or abstain from a collective exercise of one of the new powers

The community communicates its decisions through EC Administration

EC Administration is made up of chairs or representatives of Decisional Participants of ICANN Supporting Organizations / Advisory Committees (SOs/ACs)

The GAC agreed to be represented by its chair temporarily until GAC discussions are finalized

PART 1
What is the GAC and How Does it Work?

1.3 How Does the GAC Operate and Develop Advice? GAC Structures Process and Operations

Tracy Hackshaw
Nicolas Caballero
Karel Douglas

17 September 2022

I C A N N | G A C
Governmental Advisory Committee

GAC Leadership

Chair	Vice Chairs
Elected by Members Term: 2 years – max 2 consecutive terms	Up to 5 Vice Chairs elected by Members Term: 1 year – max 2 consecutive terms

Chair-Vice Chairs (CVC) collectively referred to as GAC Leadership

GAC Support

GAC Support provided by 5 ICANN support staff
Support activities include:

◦ Organizing meetings,
◦ Providing substantive issue briefings,
◦ Managing GAC website and email administration,
◦ Liaise with ICANN Org and other ICANN structures, and
◦ Coordination of operational matters, including:
  ◦ membership management,
  ◦ working group facilitation support, and
  ◦ coordination of community travel support

Rob Hoggarth
Fabien Betremieux
Julia Charvolen
Benedetta Rossi
Gülten Tepe Öksüzoǧlu

GAC Work Modalities

"GAC Consensus Advice"
"understood to mean the practice of adopting decisions by general agreement in the absence of any formal objection"

→ in the form of a *communiqué* at the end of each GAC meeting

The GAC meets **face-to-face three times a year** in conjunction with ICANN meetings

Communiqué, meeting minutes, transcription and recording of all open meetings are **posted online**

GAC Internal **Working Groups** are created, as deemed necessary, either *permanently* or *temporary* for a specific task

Working Methods

Operating Principles

The GAC sets its own Operating Principles

Current Operating Principles date back to 2011

Slightly amended in Buenos Aires in 2015 to allow for 5 Vice Chairs

Slightly amended in Johannesburg in 2017 to allow for electronic voting

Overall, GAC Operating Principles are currently under review by a GAC Working Group

GAC Meetings

GAC prepares for meetings inter-sessionally

Agenda & Briefs are circulated and posted online in advance of the meeting

The GAC meets face-to-face three times a year in conjunction with ICANN meetings

All GAC meetings are open by default (GAC can hold closed meetings if deemed necessary)

Real-time interpretation in 6 UN languages + Portuguese - Real-time captioning - Remote participation - Recording of the meetings

The GAC produces a Communiqué at the end of each meeting

Communiqué, meeting minutes, transcription and recording of all open meetings are posted online

GAC Working Groups (WGs):

- Can be created by GAC Chair (GAC Operating Principle 27)
- Focus on particular topics or areas either related to substance or administrative issues
  - Each has an agreed Terms of Reference
  - Leads and participants are volunteer GAC members/observers
  - May have a dedicated mailing list, separate f-2-f meetings and/or their own conference calls
  - Provide necessary briefs before f-2-f meetings and provide regular reporting to GAC plenaries
  - Some are ongoing while others have specific life span and are closed when they achieve their mandate
- Provide expertise, recommendations or draft documentation that are then considered by GAC Leadership or full GAC (depending on circumstances of particular matters)
- Recently, new working group guidelines (12 pages) were developed by the GAC - https://gac.icann.org/principles-and-guidelines/gac-working-group-guidelines.pdf

GAC Working Groups (WGs)*:

GAC Under-Served Regions WG (USRWG)
Focuses on regions under-served by the DNS industry, and least developed economies and small island developing states

GAC Public Safety WG (PSWG)
Focuses on aspects of ICANN's policies and procedures that implicate the safety of the public

GAC WG on Human Rights and International Law (HRIL WG)
Focuses on aspects of ICANN's policies and procedures which relate to human rights and relevant international law

GAC Universal Acceptance and Internationalized Domain Names Working Group (UA-IDN WG)
Works to develop a single information source on UA and IDNs and to follow efforts on related issues of importance to governments

GAC WG on GAC Operating Principles Evolution (GOPE WG)
Focuses on a comprehensive review of the GAC Operating Principles to provide the GAC with recommendations for a revised set of Operating Principles

*   *There is also a Board/GAC Interaction Group (BGIG) - this group is made up of both GAC participants and Members of the ICANN Board*

Other GAC Collaborative Structures:

- Although not specifically provided for in GAC Operating Principles, the committee has, from time-to-time, developed "other" collaborative structures for dealing with particular topics or issues of priority government interest
- These other structures may be needed to address particular timing pressures, the need for specific expertise and/or the coordination among several GAC representatives representing the GAC in various processes (principals and alternates) and handling the turnover amongst them (especially in long processes)
- Often, these other structures are created to enable more timely and focused consideration of committee action or expression of views as necessitated by these processes (such as certain GNSO PDPs)
- Terminology for these structures is largely undefined and processes purposefully flexible:
  - Scope and Pace of Work
  - Number, Diversity, Expertise, and Interest of participants
- In recent times, GAC has created:
  - **Focal Groups** "focused" on particular topic areas: e.g. Subsequent Procedures for New gTLDs
  - **Small Groups** dedicated to particular topic areas requiring faster strategic/tactical decision-making or targeted expertise: e.g. **Small Group on IGOs** and **Small Group on EPDP/WHOIS/GDPR**
  - The latter was formed early in the GNSO EPDP process in recognition of:
    - the complexity and intensity of the discussions as well as regularity of call for contributions (up to twice weekly 120-minutes PDP WG calls)
    - the need for coordinating various national positions and translating them into possible consensus GAC positions and contributions

General Principles for GAC Participation

Adopt flexible approach and make changes as necessary

Have a clear, consistent, predictable and transparent process in taking and documenting decisions

Engage in issues with public policy implications

Participate in early stages, with a view to assisting resolution of the issue

Approach each case on its merits

GAC Hot Topics

GAC Priorities

New gTLD Subsequent Rounds and Procedures

WHOIS and Registration Data Services (RDS)

DNS Abuse Mitigation

IGO Rights Protection Mechanisms

Internationalized Domain Names

GAC ICANN75 Agenda Highlights – Substance

Capacity Building Weekend (Saturday and Sunday)

New gTLD Subsequent Rounds and Procedures

WHOIS and Registration Data Services (RDS)

DNS Abuse Mitigation

GAC ICANN75 - Administrative & Internal Matters

Concluding GAC 2022 Chair/Vice Chairs Election

Committee Work Planning for 2023 (next GAC meeting not until March 2023 at ICANN76)

How Governments Can Get Involved

GAC Website:

https://gac.icann.org

GAC Newcomers page:

https://gac.icann.org/meeting-services/attending-your-first-gac-meeting

GAC Working Groups:

https://gac.icann.org/working-group/

GAC support staff:

gac-staff@icann.org