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.

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ICANN71 GAC Opening Plenary

Monday, 14 June 2021

ICANN | **GAC**
Governmental Advisory Committee

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Opening Plenary Agenda

1. Welcome and Introductions - Review Session Agenda
2. Meeting Logistics and Review of Technical Capabilities for ICANN71
3. ICANN71 Week - GAC Block Schedule
4. GAC Work Review (Notable Developments Since ICANN70)
   a. GNSO Policy Development Processes
   b. ccNSO Policy Development Processes
   c. GAC Priority Topics Update
   d. GAC Operational Priorities Update
   e. GAC Intersessional Work
   f. Onboarding and Engagement
5. Review Communique drafting process

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ICANN71 - GAC Meeting Logistics and Technical Capabilities

- Zoom Session Infrastructure and Protocols:
  - Before the session
    - Calendar Invites in advance (24-hour link info)
    - Session pages on GAC website for materials
  - During the session
    - "Renaming" yourself as a participant to indicate affiliation
    - Experiment of Zoom "Webinar Format" (Session 8 and 12/13)
    - Interpretation
    - 6 UN Languages
      - (use Zoom system; CRN app as back-up if necessary)
      - Pick Language
      - (identify yourself and speak slowly)
  - After the session
    - Recordings and transcripts on GAC web site
- GAC Informal Sessions
  - Daily Updates
  - Monday GAC Networking Opportunity

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ICANN71 GAC Week (Block Schedule)

ICANN71 GAC Schedule (Final, as of 24 May 2021)

GNSO Policy Development Processes (PDPs)

Wrapping-up (*but still deserving careful attention*):

- New gTLD Subsequent Procedures PDP (SubPro)
- Review of All Rights Protection Mechanisms in all gTLDs

Ongoing:

- EPDP on gTLD Registration Data – EPDP Phase 2A
- IGO Curative Rights Work Track
- Transfer Policy PDP (just started)

Beginning:

- Internationalized Domain Names (EPDP)
  - (volunteers needed and webinar being considered for week of 21 June)

ccNSO Policy Development Processes (ccPDPs)

ccPDP3 -

- In February 2021 the ccNSO Working Group on Retirement of Country Code Top-Level Domains concluded its work - unanimously supporting new policy recommendations pertaining to the retirement of ccTLDs.
- ccNSO separated the PDP into <u>two independent processes</u> - each following its own timeline - on 4 June 2021.
  - Part 1 - Recommended policy for the Retirement of ccTLDs - Final Report Issued 8 June, ccNSO Council Discussion and vote on 17 June 2021 and vote by ccNSO members from 7 July to 28 July 2021.
  - Part 2 - Developing a Review Mechanism for decisions pertaining to delegation, transfer, revocation and retirement of ccTLDs
- To date the working group has identified which decisions should be subject to a review and explored the requirements for the review mechanism.
- The group is now taking a deep-dive into the various requirements and related topics.

ccPDP4 -

- Reviewing and updating the criteria, procedures and documentation of the process for the selection of IDN ccTLD strings.
- Latest results progress shared 15 April with community.
- Results will eventually replace the IDN ccTLD Fast Track Process.
- Working group has made considerable progress and intends to seek feedback and input from the broader community during ICANN71 session.

GAC Priority Topic Updates (ICANN71)

- Subsequent Rounds of New gTLDs (2 sessions)(SubPro)

- RDS/WHOIS and Data Protection (EPDP)

- DNS Abuse Mitigation

- IGO - Rights Protection Mechanisms (RPMs)

Subsequent Rounds of new gTLDs (SubPro)

Importance to GAC

○ Determining how and when ICANN conducts the next round of new gTLD applications is a fundamental and high priority for the GAC.

○ The GNSO SubPro effort is focused on determining the application rules for the next round of new gTLDs

Recent Developments:

○ GAC Members actively participated in the recent GNSO SubPro PDP process.

○ 1 June 2021: GAC submitted a collective comment on the SubPro PDP WG Final Outputs for ICANN Board Consideration, noting areas which remain of interest to the GAC and may result in potential GAC Advice - including:

    ○ *Clarity and Predictability of Application Process (including costs and benefits of new gTLD rounds);*

    ○ *Public Interest Commitments;*

    ○ *DNS Abuse mitigation;*

    ○ *GAC Early Warnings and GAC Advice;*

    ○ *Closed Generic TLDs*

    ○ *Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets*

ICANN71 Objectives:

○ GAC thorough discussion on areas of high priority and prepare for potential future ODP

○ Actively discussing with GAC Members/Observers to gather input, if needed, to develop potential GAC Advice to the ICANN Board.

ICANN71 Sessions:

Tuesday, 15 June 08:30 UTC; Wednesday, 16 June 09:15 UTC

ICANN71 Meeting - GAC Agenda Topic Highlights

RDS/WHOIS and Data Protection (EPDP)

- Importance to the GAC
  - Public domain registration data is indispensable for attributing content, services and crime
  - WHOIS policies require the balancing of data protection and the protection of the public (cybersecurity, user confidence; consumer trust, protecting consumers and businesses)
  - Efforts to date demonstrate challenges to adequately accommodate both imperatives

- Recent Developments
  - GAC members are engaged in active phases of ICANN's work related to WHOIS compliance with data protection laws: EPDP Phase 1 implementation, Phase 2A Policy Development
  - EPDP Phase 2A released its Initial Report for Public Comment
  - Substantial GAC Interest in future developments:
    - Operational Design Phase (ODP) to inform consideration of EPDP Phase 2 policy recommendations by the ICANN Board
    - GNSO Scoping Team on gTLD Registration Data Accuracy

- ICANN71 Objectives
  - Determine need to follow-up on public policy concern in recent and ongoing developments
  - Engage relevant parties (ICANN Board and GNSO Council) to resolve pending policy and implementation issues

- ICANN71 GAC Session: Tuesday 15 June 10:30 UTC

ICANN71 Meeting - GAC Agenda Topic Highlights

DNS Abuse Mitigation

- Importance to the GAC
  - Threat to consumers, Internet users (personal and commercial) and their trust in the DNS
  - Security Threat to the security, stability and resiliency of DNS infrastructures

- Recent Developments
  - Publication of the SSAC DNS Abuse Work Party Report (SAC115)
  - Continuing Community discussion of the definition of DNS Abuse; its measurement; reporting; the effectiveness of existing contractual provisions, their enforceability and enforcement; and Voluntary measures adopted by industry actors
  - Pending Implementation of relevant recommendations (CCT, RDS2 and SSR2 Reviews)
  - Pending consideration of important issues such as registration data accuracy.

- ICANN71 Objectives
  - Consider SAC115
  - Consider GNSO deliberations to date regarding DNS Abuse
  - Continue deliberating on potential next steps

- ICANN71 GAC Session: Monday 14 June 12:30 UTC

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IGO Protections

Importance to the GAC

- Legal Rights and legitimate holder of a domain name
- Effective and enforceable processes to resolve disputes across jurisdictions

Recent Developments

- RPM PDP WG delivered Phase1 Final Report (24 Nov 2020) to the GNSO Council
- GNSO Council approved the RPM Phase 1 Final Report (21 Jan 2021)
- GNSO Council created a separate Work Track within Phase 2 RPMs PDP WG to review Recommendation 5 of IGO-INGO Curative RPMs PDP WG Final Report
- ICANN Board formally initiated the Bylaws-triggered Consultation Process on GAC Advice in relation to IGO Protections at the Second Level
- The GAC expressed a preference for a holistic approach of IGO Protections, that is preserving existing pre-registration protection for IGOs until completion of the work on Curative Right Protections ongoing in the IGO Work Track of the RPM PDP.

ICANN71 Objectives

- Discussion on relevant developments on the consultation with the ICANN Board on IGO Protections
- Potential process to manage changes to the GAC IGO List used for protection of full IGO names in new gTLDs.

ICANN71 GAC Session:

- Wednesday 16 June 08:30 UTC
  -

GAC Operational Priorities (ICANN71)

- ICANN Operational Design Phase (ODP)
- GAC Advice (recent BGIG discussions)
- ICANN Accountability and Public Meeting Planning
- GAC Action/Decision Radar

GAC Ops Priorities - Operational Design Phase (ODP)

- Concept Introduced to Community Leaders in September/October 2020
- The objective for an additional design phase is to allow the Board to obtain relevant information about any operational and resourcing issues associated with certain policy implementation efforts.
- Operational Design Phase (ODP) is envisioned to take place prior to Board action on GNSO-approved policy recommendations, initiated through a Board request to ICANN org.
- The expectation is that an ODP will likely only be needed for complex, costly or other large-scale implementation efforts.
- Concept Introduced in September 2020 - Community Input at ICANN69 and after (GAC Commented)
- March 2021 Board Chair and CEO Announce that ODP will be applied to:
  - *The recommendations on the System for Standardized Access/Disclosure to Nonpublic Registration Data (SSAD) from the EPDP Phase 2.*
  - *The New gTLD Subsequent Procedures Policy Development Process recommendations that were approved by the GNSO Council on 18 February 2021.*
- Evaluation after first two ODPs - GAC to observe closely and give feedback

GAC Ops Priorities - GAC Advice (BGIG discussions)

- The Board GAC Interaction Group (BGIG) includes a subset of Board Members and interested GAC Members.
- The BGIG has proven to be an effective venue for discussions to ensure effective Board and GAC collaboration and communication
- BGIG recently developed a streamlined approach for discussion Issues of Importance to the GAC
- Most recently (June 2021) the group has discussed:
  - ICANN70 GAC Communique Issues of Importance
  - Process clarity with respect to Board GAC consultations (when possibility exists of GAC advice not being followed) and how that process can be depicted in greater detail
- BGIG Membership open to any interested GAC representative

GAC Ops Priorities - Accountability and Public Meeting Planning

- Community Leadership (SO-AC leaders) meet regularly before ICANN public meetings to review matters of cross-community impact
- Topics of two May/June 2021 SO-AC Chair Roundtables were heavily weighted toward strategic and meeting planning:
  - Implementation of Work Stream 2 Accountability recommendations by ICANN org and community groups (SOs, ACs, etc.)
  - Community Prioritization and Planning
  - Return to In-Person Public Meetings (e.g., survey, potential impacts, community needs for ICANN72 and beyond)

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GAC Ops Priorities - GAC Action/Decision Radar

- GAC workload continues to grow. It was observed that the GAC Leadership needed a means to effectively track all the requests being made of the committee
- The GAC Action/Decision Radar has been developed for all GAC members to track existing and anticipated actions requiring GAC attention and decision
- First two Action/Decision Radar documents published for GAC participants on 3 May 2021 and 3 June 2021 - available online as a live document and with the capability to be regularly produce offline as a PDF
- New tool intended to better inform GAC Members and Observers to:
  - determine collective GAC priorities;
  - facilitate identifying topics of individual GAC member's interest; and
  - possibly flag policy topics or activities of interest not already on the GAC's radar
- Feedback from GAC representatives?

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GAC Intersessional Work (ICANN70 - 71)

- GAC Comments Review

- GAC Correspondence Review

- Cross Community Work

Onboarding and Engagement - Big Picture

- Many new faces since ICANN66

  - ~ 80 new GAC delegates since November 2019

  - GAC has grown to almost 500 participants

- More emphasis on engagement resources – working with staff to improve onboarding and engagement with new members and info to share with government colleagues.

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Notable Onboarding and Engagement Efforts

- More Regional Pre-Meeting Webinars (sponsored by ICANN regional teams)

- New Committee Welcome Webinar (first held a few weeks ago)

- Re-examination of ICANN Learn Content (incorporating the resource into a more comprehensive suite of info materials)

- Updates to GAC Website Design (new UX/UI look and feel targeted for beginning of next month)

- More Introductory Webinars (new Consensus Playbook webinar in July)

- Expanded Use of Metrics (helping C-VC to assess leverage points for more resources)

- GAC being asked more and more to participate in various community activities - challenge of attracting informed volunteers

- Offers from ICANN org for more GAC support resources (e.g. research and legal capabilities)
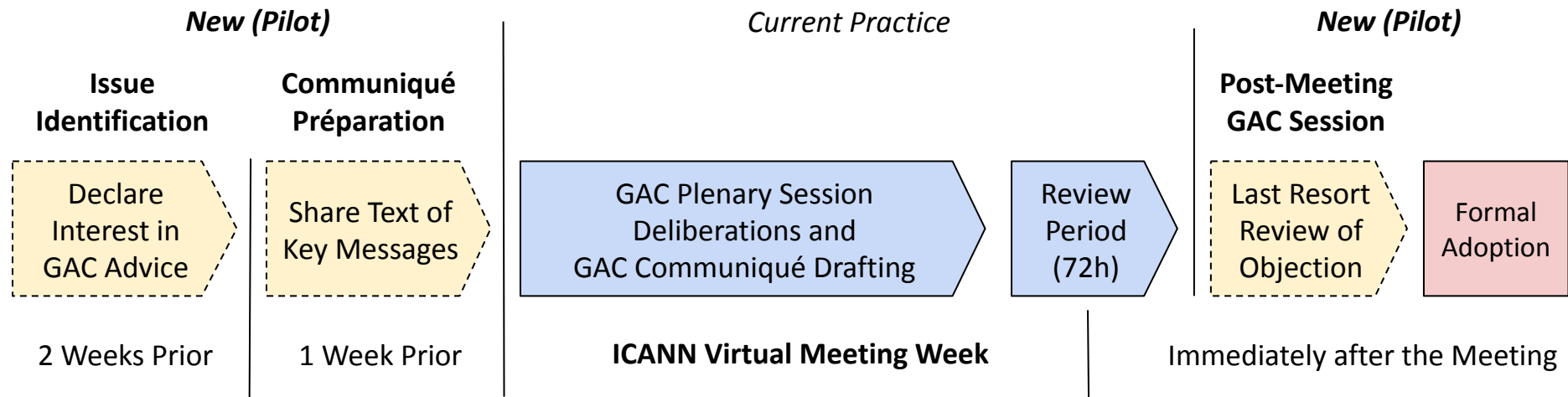
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Review Communique Drafting Process for ICANN71

- Issue:
  - GAC Communiqué Advice developed at ICANN70 was first "virtual" advice developed by GAC.
  - Some GAC Members have expressed concern that the virtual environment may impede participation for some GAC Members and Observers
  - Some GAC Members believe the GAC still needs to consider and provide Advice in relation to important developments and policies being considered at ICANN

- New Process Components Adapted at ICANN70 :
  - During virtual ICANN meetings, the GAC Communiqué now becomes formally adopted at the end of a 72-hour Review Period, provided no objections are raised.
  - In case of objection, post meeting GAC call/meeting would likely be needed
  - Development process seems to work well so far - no objections noted

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Potential Proposals for GAC Advice Development

New (Pilot)   *Current Practice*   *New (Pilot)*

Issue Identification	**Communiqué Préparation**		**Post-Meeting GAC Session**	
Declare Interest in GAC Advice	Share Text of Key Messages	GAC Plenary Session Deliberations and GAC Communiqué Drafting → Review Period (72h)	Last Resort Review of Objection	Formal Adoption
2 Weeks Prior	1 Week Prior	**ICANN Virtual Meeting Week**	Immediately after the Meeting	

- The pre-ICANN meeting **Issue identification** and **Communiqué Preparation** phases remain **optional** and do **not preclude** such efforts during the meeting. They are intended to **facilitate discussions during Communiqué drafting** and are particularly desirable for issues that can be identified in advance of a meeting to give GAC members more time to consider them.

- The **Post-Meeting GAC Session** will only need to be held in exceptional cases when there is a formal objection.

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ICANN71 Communiqué Collaborative Drafting

1. Make sure you are in "suggesting" mode (should be by default)

2. Propose you text where appropriate

3. Identify Author (GAC Representation or Group of drafters)

4. Don't forget to hit "Reply" otherwise your edits will not be identified

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