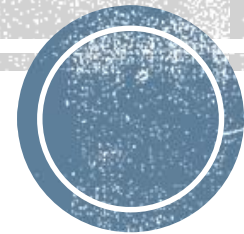


All About GAC

The Governmental Advisory Committee



Outline . . .

- Introduction – Getting to know the GAC
- Role of the GAC – What does the GAC do?
- Working Methods – How does the GAC work?
- GAC Working Groups (WGs) – What are they and what do they do?
- Empowered Community (EC) – Procedures for GAC engagement
- ICANN Constituencies – GAC within the wider community
- Bilateral Activities – Joint WGs and inter-constituency work
- Cross Community Efforts – GAC participation in cross-community efforts
- Abu Dhabi ICANN60 Agenda – Cross community sessions & GAC agenda highlights
- How to get involved – Useful links





Introduction

Getting to know the GAC

GAC ID . . .

- Governmental Advisory Committee (GAC)
- Established in 1999
- The voice of Governments and Intergovernmental Organizations (IGOs) in ICANN's multi-stakeholder structure
- Provides advice to ICANN Board on issues of public policy



Membership ...

- GAC [membership](#) comprises:
 - 173 governments as members
 - 36 Intergovernmental Organizations as observers
- Members and observers participate equally in all discussions
- Only members are eligible to voting (*normally takes place only during elections*)



GAC Leadership . . .

- Chair elected by members
 - Currently: Mr. Thomas Schneider from Switzerland
- Up to 5 Vice Chairs elected by members
 - Currently: China, France, Peru, UK & Egypt
- Vice Chairs are to be from different regions, to the extent possible
- Chair-Vice Chairs (CVC) are collectively referred to as [GAC Leadership](#)
- The term of the Chair is 2 years – max 2 consecutive terms
- The term of a Vice Chair is 1 year – max 2 consecutive terms
- GAC leadership elections results (*AI 19*)



GAC Support ...

GAC Support:

- ICANN support staff
- Independent secretariat provided by ACIG, funded by some GAC members
- Due to lack of funds, services of the independent secretariat may be terminated after the Abu Dhabi meeting
(AI 4)





Role of the GAC

What does the GAC do?

Key Role of the GAC . . .

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



Description of GAC Advice . . .

- What constitutes GAC Advice: *(to be adopted in Abu Dhabi – AI 17)*
 - GAC Advice is advice on the activities of ICANN as they relate to concerns of governments, particularly matters where there may be an interaction between ICANN’s policies and various laws and international agreements or where they may affect public policy issues.
 - GAC Advice is embodied in a written communication where the specific advice is clearly marked as such, has a clearly stated proposal for action(s) by the Board, and explains the underlying rationale for its Advice.
 - GAC Advice is provided in accordance with the [GAC Operating Principles](#), and is duly considered, accepted, or rejected by the Board in accordance with [Section 12.2 \(a\)\(x-xi\) of the ICANN Bylaws](#).
- Per ICANN Bylaws, GAC advice is duly taken into account by ICANN Board
- The GAC works to provide “GAC Consensus Advice”



Forms of GAC Advice ...

- Usually conveyed in the form of a communiqué issued at the end of each GAC meeting (*AI 36(a)-(c)*)
- In practice, the GAC produces other various forms of written advice to the Board, including:
 - letters signed by the GAC Chair on behalf of the GAC
 - overarching "principles",
 - "issues" and interim issues documents



Types of GAC Advice ...

- GAC Consensus Advice

“understood to mean the practice of adopting decisions by general agreement in the absence of any formal objection”

- GAC Advice

Advice that enjoys broad agreement but receives one or more formal objections (threshold under discussion)

- Conveying a range of views

Failing to reach consensus or broad agreement, the full range of views are conveyed to the Board



Raising Formal Objections . . .

Still under discussion (AI 5)

- If only one or a small number of objections (*suggested threshold 3*), it is proposed to either:
 - Approve “GAC Advice” by broad agreement with a/small no. of formal objection(s)
 - or
 - If only 1 formal objection, GAC would re-discuss the issue and see if another/other GAC member(s) supported the objection:
 - If yes, then advice would be considered “GAC Advice” by broad agreement (with objections)
 - If not, then the one objection would have lost its “blocking power” and the advice would be considered “GAC Consensus Advice”



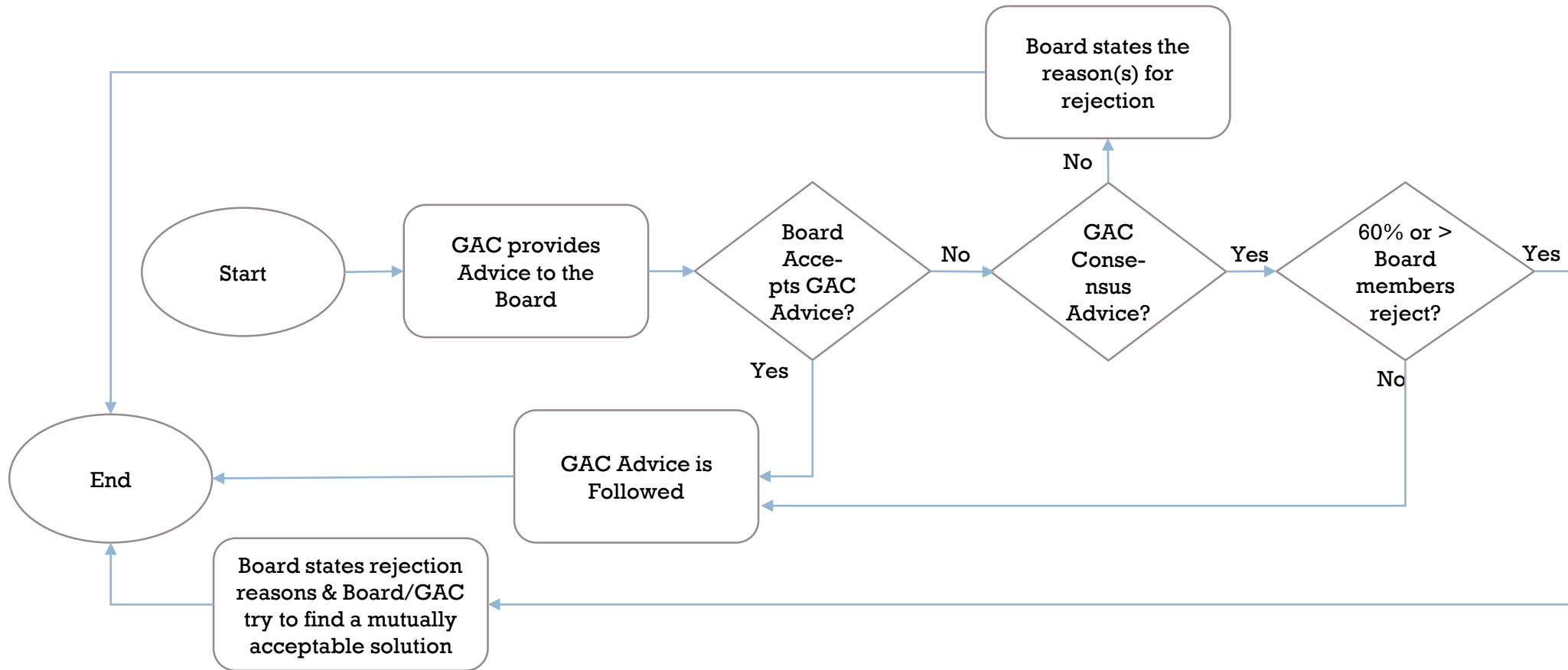
Expected Reaction of the Board . . .

*“**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.**”*



GAC Advice to the Board ...





Working Methods

How does the GAC work?

Operating Principles ...

- The GAC sets its own [Operating Principles](#) (GAC OP)
- Current Operating Principles dates back to 2011
- Slightly amended in Buenos Aires in 2015 to allow for 5 Vice Chairs
- Slightly amended in Johannesburg on June, 2017 to allow for electronic voting
- Overall GAC Operating Principles are currently under review (*AI 29*)



Operating Principles Under Review . . .

- Scope
- Membership
- **Working methods**
- **Meetings**
- GAC Leadership
- Elections
- GAC Advice to the Board
- Interaction with ICANN Community
- GAC participation in Empowered Community
- Secretariat
- Revision of OP



Preparing for GAC Meetings ...

- The GAC works inter-sessionally on priority issues:
 - over email, and
 - through conference calls
- The GAC compiles the meeting Agenda typically over 2 conference calls
- GAC agenda is circulated in advance of the meeting
- Briefs related to GAC Agenda Items (AIs) are also circulated and posted online in advance of the meeting



At GAC Meetings . . .

- 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
- Remote participation



At the End of GAC Meetings . . .

- The GAC produces a Communiqué, including:
 - GAC Advice to the Board,
 - Follow-Up on Previous GAC Advice to the Board,as well as reporting on:
 - Internal matters,
 - Inter-Constituency Activities,
 - Specific topics of interest (*previously IANA Transition, currently GAC Participation in EC*),
 - Etc ...
- The communiqué, as well as meeting minutes, transcription and recording of all open meetings are posted online





GAC Working Groups

What are they and what do they do?

GAC Working Groups . . .

GAC Working Groups (WGs) :

- Created, as deemed necessary
- Focus on particular areas either related to substance or administrative issues
- Each has an agreed Terms of Reference
- Leads and participants are volunteer GAC members
- 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 as soon as they achieve their mandate



Active WGs on Substance . . .

- [GAC Working Group on Under-Served Regions \(USRWG\) \(AI 31\)](#)
Focuses on regions under-served by the DNS industry, and least developed economies and small island developing states
- [GAC Working Group to Examine the Protection of Geographic Names in any Future Expansion of gTLDs \(AI 8\)](#)
Examines the Protection of Geographic Names in any Future Expansion of gTLDs to review and considers any necessary improvements to the existing protections
- [GAC Public Safety Working Group \(PSWG\) \(AI 18\)](#)
Focuses on aspects of ICANN's policies and procedures that implicate the safety of the public
- [GAC Working Group on Human Rights and International Law \(AI 7\)](#)
Focuses on aspects of ICANN's policies and procedures which relate to human rights and relevant international law



Active WGs on Administrative Issues . . .

- [GAC Working Group on GAC participation in NomCom \(AI 30\)](#)
Focuses on determining if, and how, the GAC can participate in the NomCom process
- [GAC Technology Task Force to Create New GAC Website \(AI 33\)](#)
A GAC sponsored and ICANN supported project to redefine and re-implement the necessary components of the GAC Website on a more mature content management platform
- [GAC Working Group on Revisions to the GAC Operating Principles](#)
Focuses on a comprehensive review of the GAC Operating Principles to provide the GAC with recommendations for a revised set of Operating Principles
- **Steering Group for GAC participation in the Empowered Community (AI 5)**
Tasked with working inter-sessionally to prepare proposals for outstanding issues in order to be resolved by the end of ICANN60 meeting





Empowered Community

Procedures for GAC engagement

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:
 1. Reject an ICANN or IANA Operating Plan/Strategic Plan/Budget,
 2. Approve a change to Fundamental Bylaws and ICANN's Articles of Incorporation,
 3. Reject changes to Standard Bylaws,
 4. Remove an individual Board Director,
 5. Remove the entire Board,
 6. Initiate a binding Review Process or a Request for Reconsideration,
 7. Require the ICANN board to review its rejection of recommendations from reviews relating to PTI
 8. Reject Public Technical Identifiers (PTI) Governance Actions, and
 9. 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 calls and forums, 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 (*AI 5*)



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



Escalation Process ...

- Stage 1: Petition
- Stage 2: Conference Call
- Stage 3: Community Forum
- Stage 4: Exercise Community Power
- Principles for GAC participation are still under discussion
(AI 5)



GAC Participation at Stages 1-3 ...

- Proposed procedures:
 - These stages are designed to expose an issue and resolve it without recourse to formal community powers
 - Active participation desirable in support of resolving issues
 - Allow for some flexibility, for issue resolution rather than exercise of powers
 - If GAC consideration is required, GAC leadership will submit a proposal to the GAC with one of the Bylaws options: (a) support; (b) object; or (c) abstain
 - This proposal will be subject to GAC discussion over email
 - Formal objections will trigger full GAC discussion through a conference call
 - If no acceptable solution is found, the GAC will abstain
 - If GAC does not participate at these stages, it may still monitor developments with the assistance of the Secretariat



GAC Participation at Stage 4 ...

- Proposed procedures:
 - Exercise of a community power is significantly different from other stages in the escalation process
 - GAC members' views will be actively sought by the GAC Chair
 - Consensus GAC position sought on the basis of a draft proposal prepared by the GAC leadership to the GAC either to: (a) Support; (b) Object; or (c) Abstain
 - This proposal will be subject to GAC discussion over email
 - Any formal objection will trigger a full GAC discussion through a teleconference
 - If a consensus GAC position is not possible, the GAC will abstain in the relevant decision-making process



Request for the GAC to Submit a Petition . . .

- As a Decisional Participant, the GAC can initiate the escalation process by submitting a petition
- Only GAC members and observers are allowed to submit a request for the GAC to initiate a petition
- GAC leadership will examine requests and propose a course of action
- Proposed course of action will be subject to GAC discussion over email
- If small number of members object, course of action will be adopted, otherwise objections will trigger a GAC teleconference discussion
- If no acceptable solution is found, issue will be decided at the following GAC plenary





ICANN Constituencies

GAC within the wider community

ICANN Supporting Organizations & Advisory Committees (SOs/ACs) ...

- Generic Names Supporting Organization (GNSO)
- Country Code Names Supporting Organization (ccNSO)
- Address Supporting Organization (ASO)
- At-Large Advisory Committee (ALAC)
- Security and Stability Advisory Committee (SSAC)
- Root Server System Advisory Committee (RSSAC)
- Governmental Advisory Committee (GAC)





Bilateral Activities

Joint working groups and inter-constituency work

Board-GAC Recommendation Implementation WG (BGRI-WG) ...

Board-GAC Recommendation Implementation WG (BGRI-WG):

- Created to implement GAC-related recommendations of the first ICANN Accountability and Transparency Review Team (ATRT1)
- Extended to implement GAC-related recommendations of the second Accountability and Transparency Review Team (ATRT2)
- Re-convened with the mandate of looking into and reviewing “Effectiveness of GAC Advice”
 - Description of what constitutes GAC Advice
 - GAC-Board post communique exchange



Board-GAC Meeting Agenda . . .

GAC-Board Meeting Agenda will address the following questions (*AI 23&27*):

1. What are the next steps from the ICANN side with regard to the IRP final declaration on the dot Amazon application?
2. Can the Board inform the GAC on what measures it considers appropriate and necessary to avoid an apparent conflict between GAC advice and the likely recommendations of the Policy Development Process (PDP) on International governmental and non governmental organizations (IGO-INGO) Access to Curative Rights Protection Mechanisms?
3. How and on the basis of which interpretation does ICANN intend to enforce the WHOIS policy come May 2018?
4. What are the next steps with regard to the actions on 2-character country/territory codes at the second level noted by the ICANN CEO at the Board-GAC call of 14 August 2017 in response to the Johannesburg Communique?



Board-GAC Meeting Agenda . . .

5. As GAC is planning to raise (again) the issue of reducing barriers to participation in ICANN activities with other SOs/ACs, can the Board indicate whether it supports further work in this area and, if so, how the Board and ICANN Org might support such work?
6. In responding to the GAC Hyderabad Communique with regard to timing and process for release of further new gTLDs, the Board stated that it accepted the GAC's advice and will continue to monitor the work of the community regarding reviews of the current round of the New gTLD Program and the policy development work for subsequent rounds of the New gTLD Program. Can the Board provide an update of this monitoring?



GAC-GNSO Consultation Group ...

- The GAC-GNSO Consultation Group on GAC early engagement in GNSO Policy Development Process (PDP)
(concluded its work)
- Its recommendations includes:
 - Having a GNSO Liaison to the GAC
 - Having a GAC Quick Look Mechanism (QLM) to facilitate GAC early engagement in early phases of GNSO PDP
 - Regular updates provided to the GAC
 - Joint GAC-GNSO Leadership meeting prior to each ICANN meeting



GAC Participation in PDPs ...

- GNSO PDP: IGO-INGO Access to Curative Rights Protection Mechanisms
 - GNSO PDP: New gTLD Subsequent Procedures - 5 Work Tracks
 - GNSO PDP: Review of All Rights Protection Mechanisms in All gTLDs
 - GNSO PDP: Next generation gTLD Registration Directory Services to Replace WHOIS
 - ccNSO PDP: Retirement of ccTLDs (*no GAC members*)
- * More organized GAC participation is needed*



GAC-GNSO Mutual Collaboration . . .

- GAC-GNSO bilateral meeting agenda (*AI 14*)
 - IGOs/INGOs protections and curative rights
 - GNSO Liaison to the GAC
 - Lowering barriers to community participation
 - The use of Geographic Names at the Top Level (WT5)
- Other topics of common interest include:
 - New gTLD Subsequent Procedures
 - Red Cross/Red Crescent
 - General Data Protection Regulation (GDPR)
 - Whois / Registry Directory Services (RDS)
 - Review of Rights Protection Mechanisms



GAC-CCNSO Mutual Collaboration . . .

- GAC-CCNSO bilateral meeting agenda (*AI 25*):
 - ISO 3166 three letter codes as TLDs
 - Policy development on country & territory names
 - Policy development on the use of Geographic names at the Top Level (WT5)
 - PDP on ccTLD retirement update
 - ccNSO meeting strategy review
 - Lowering barriers to community participation
- Other topics of common interest include:
 - Internationalized Domain Names (IDNs)
 - Delegation, Re-delegation & Retirement of ccTLDs
 - Release of 2-character codes at the second level



GAC-ALAC Mutual Collaboration . . .

- ALAC liaison to the GAC
- GAC-ALAC bilateral meeting agenda (*AI 26*)
 - New gTLD subsequent procedures
 - Country and Territory Names, and
 - Community based applications
 - Lowering Barriers to Participation (*plan for a joint course of action*)
 - General Data Protection Regulation (GDPR)
 - Cooperation in capacity building in Underserved Regions
- Other topics of common interest include:
 - Applicant Support
 - String Confusion
 - Closed Generics
 - Geographic Names





Cross Community Efforts

GAC participation in cross community efforts

Guidelines for GAC Participation ...

Guidelines for GAC Participation in Cross Community Working Groups (CCWGs):

- GAC may wish to participate as a Chartering Organization
- As a chartering organization, GAC:
 - appoint members to the CCWG (typically up to 5),
 - may choose to appoint a co-chair
- Other GAC members can participate as participants or observers
- GAC members and participants typically represent their individual governments' views
- If a GAC consensus position exist, it could be referenced



Expectations of GAC-Appointed Members . . .

- Participate actively on regular basis
- Report back regularly to the GAC
- Seek feedback regularly from the GAC
- When voting or participating to a poll:
 - Consider full range of known GAC views
 - Give GAC a reasonable notice to provide their views
 - Provide GAC with details of any voting position taken and the reasons for it
- Propose and assist with CCWG-related sessions at GAC meetings
- Coordinate with other GAC members / participants in the same CCWG
- Seek assistance from GAC secretariat / ICANN support staff, if needed



Expectations of GAC Participants ...

- Participate actively in CCWG activities, including:
 - Virtual meetings
 - Face-to-face meetings
 - Email discussions
 - Sub-groups/working groups activities of relevance to the GAC
- Coordinate with other GAC members and participants in the same CCWG



GAC Participation in Cross Community Efforts ...

- IANA Stewardship Transition Coordination Group (ICG) (*concluded*)
- CCWG on the Names-part of the IANA transition final proposal (*concluded*)
- CCWG on Enhancing ICANN Accountability (CCWG-ACCT) (*concluded*)
- CCWG on ICANN Accountability Work Stream 2 (*active*)
- PTI Customer Standing Committee (*active*)
- Cross Community Work Track 5 of new gTLD Subsequent Procedures PDP on Geographic Names (*just started*)
- CCWG on New gTLD Auction Proceeds (*active*)
- CCWG on Internet Governance (*ongoing*)



GAC Participation in Specific Reviews ...

- First ICANN Accountability and Transparency Review Team (ATRT1) (*concluded*)
- Second ICANN Accountability and Transparency Review Team (ATRT2) (*concluded*)
- Third ICANN Accountability and Transparency Review Team (ATRT3) (*in formation*)
- Competition, Consumer Choice and Consumer Trust Review (CCT) (*active*)
- Security, Stability, and Resiliency of the DNS Review (SSR) (*concluded*)
- Second Security, Stability, and Resiliency of the DNS Review (SSR2) (*active*)
- WHOIS Policy Review (*concluded*)
- Registration Directory Service (RDS) Review (formerly WHOIS Review) (*review team announced*)





Abu Dhabi ICANN60 Agenda

Cross community sessions & GAC agenda highlights

Cross Community Sessions ...

- Jurisdictional Challenges for ICANN
- General Data Protection Regulation (GDPR) Implications for ICANN
- Domain Name System (DNS) Abuse Reporting
- Community Feedback on Concluding CCWG on Accountability - Work Stream (WS2)
- Operating Standards for Specific Reviews



Key GAC Agenda Items . . .

- Discussions of the .Amazon Independent Review Panel Final Declaration (*AI 12&13*)
- ICANN Jurisdiction (*AI 11*)
- New gTLD Subsequent Procedures PDP – new cross-community Work Track 5 on geographic names at the top level
- WHOIS/RDS and General Data Protection Regulation (GDPR) (*AI 22&37*)
- IGOs/INGOs and Red Cross Protections (*AI 21*)
- DNS Abuse mitigation (*AI 32*)
- Lowering barriers to community participation (*AI 20*)





How to Get Involved

Useful links

Get Engaged . . .

- GAC Website:

<https://gac.icann.org>

- GAC Newcomers page:

<https://gac.icann.org/display/gacweb/Newcomers>

- GAC Underserved Regions Working Group:

<https://gac.icann.org/display/gacweb/GAC+Underserved+Regions+Working+Group>

- GAC Working Groups:

<https://gacweb.icann.org/display/gacweb/GAC+Working+Groups>

- GAC staff support:

gac-staff@icann.org



Thank You



Questions ?

