



# ICANN76 Governmental Advisory Committee Capacity Development Workshop (GAC CDW)

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# ICANN76 GAC Capacity Development Workshop<sup>1</sup>

**Venue:** Cancún Center, Mexico

**Dates:** Saturday 11 March 2023

## I. Executive Summary

During ICANN76, the Governmental Advisory Committee (GAC) held a productive and informational capacity development workshop on a selection of topics of interest to the GAC, such as:

- An introduction to ICANN, including the role of the GAC and the GNSO Policy Development Process (PDP), and
- Priority policy topics for governments such as Domain Name System (DNS) abuse, next round of new gTLDs, and registration data matters (WHOIS).

The Capacity Development Workshop (CDW) provided an opportunity for GAC participants to learn the basics or increase their knowledge on aspects of the ICANN multistakeholder model, its structure, and operations. It was also an opportunity for GAC attendees to learn about the background and perspectives of priority policy topics of interest to current government members at ICANN, and to share experiences and best practices to enhance GAC internal collaboration on various ICANN matters.

For future CDW activities leading up to the ICANN77 Policy Forum Meeting, the GAC Underserved Regions Working Group (USRWG) will work on intersessional activities focusing on DNS abuse.

All the ICANN76 GAC Capacity Development Workshop session materials can be found on the [GAC ICANN76 Meeting Agenda](#).

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<sup>1</sup> *The intent of this report is to provide an overview summary of the Capacity Development Workshop (“CDW”) event. This report does not make reference to all resources used and information shared during all the event sessions. Unless otherwise indicated, representations in this document are intended to reflect summaries of presenter remarks and should not be construed as formal GAC positions or views. References to all the CDW recordings, transcripts and materials can be found on the GAC website.*

## **II. Background**

As the GAC has emerged from more than two years of virtual meetings, many GAC participants have expressed the need for in-person capacity development and information sharing.

Within the past few years, there has been a substantial number of new committee delegates who now participate in the work of the GAC - between ICANN66 (November 2019) and ICANN76, 205 new community delegates joined the GAC.

The main objective for re-commencing in-person capacity development activities has been to provide GAC delegates opportunities to learn about issues that are important to them and share experiences and best practices on how to address and manage such issues in the committee.

## **III. Objectives**

The workshop had the following primary objectives:

- increase stakeholder knowledge on the functioning of ICANN and role of the GAC in ICANN;
- Lower information barriers to participation in the work of ICANN;
- Increase participation of GAC members in the activities of the committee; and
- Enhance community and internal collaboration

## **IV. Workshop process**

The workshop was designed to provide high-level overviews of the GAC within ICANN and its operations, and various topics of interest to governments in light of the ICANN76 Meeting agenda. The workshop was divided into four (4) sessions, taking place on the Saturday of ICANN76. Several speakers from across the community and ICANN org expertly discussed their topics. Each session provided opportunities for GAC attendees, particularly those from the Latin America and the Caribbean (LAC) region (i.e ICANN76 Cancún, Mexico) to ask questions, share experiences and better understand how such issues may impact the region and which aspects should be taken into account for the future.

A post-workshop survey was conducted to determine the effectiveness and efficacy of the Capacity Development Workshop. The results of that survey (see the Appendix to this report [here](#)) offer insights on potential future capacity development efforts by the GAC.

## V. Summaries of GAC Capacity Development Workshop Sessions

### Session 1: Introduction to ICANN, the role of the GAC and the policy development process (PDP)

Moderators: Pua Hunter, Karel Douglas, GAC Underserved Regions Working Group (USRWG) co-chairs

Presenters: Nicolas G. Caballero (incoming GAC Chair), Tracy Hackshaw (GAC USRWG Member), Carlos Reyes (Director, Policy and Strategy, ICANN org), Robert Hoggarth (Vice President, Policy Development and GAC Relations, ICANN org)

Session Link: <https://tinyurl.com/33rfwa9e>

Nicolas G. Caballero, GAC representative of Paraguay and incoming GAC Chair, welcomed remote and in-person GAC members and observers. Mr. Caballero noted that the GAC expressed interest in continuing capacity development activities and the ICANN76 workshop would be the perfect opportunity for important discussions on matters of importance to governments.

Carlos Reyes provided attendees with an introduction to ICANN's mission - to ensure the stable and secure operation of the Internet's unique identifier systems - underscoring the importance for collaboration and cooperation with technical partners (e.g. Regional Internet Registries (RIR), Internet Engineering Task Force (IETF), Root Server Operators (RSO), etc) to help make the Internet work. Following questions from the audience, Carlos spent some time talking about the differences between Supporting Organisations (SOs) and Advisory Committees (ACs) highlighting that ACs have more specific views whereas SOs bring together different views around a policy remit.

Mr Reyes continued its introduction elaborating that the ICANN community is made up of three Supporting Organizations ("SOs"; GNSO, ccNSO, & ASO) which develop policy recommendations on topics within their remits, and four Advisory Committees ("ACs"; GAC, ALAC, SSAC, & RSSAC) which provide advisory recommendations. Specifically, the GAC is responsible for advising the ICANN Board and community when policy work introduces or impacts issues of public policy that are of concern to governments.

Subsequently, Tracy Hackshaw, Universal Postal Union (UPU) and member of the GAC Underserved Regions Working Group (USRWG), provided an overview of the GAC and how it works. The GAC is made up of 181 government members and 38 Observer organizations. Members and Observers participate in discussions equally, but only Members vote. He reinforced the importance not only for members but for observing organizations to be vocal and participate in discussions of the GAC, especially from under-served regions.

The GAC provides advice to the ICANN Board on issues of public policy, especially where there may be interaction between activities or policies and national laws or international agreements. 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 inform the Governmental Advisory Committee and state the reasons why it decided not to follow that advice.

Robert Hoggarth was asked to share his experience of a situation when the ICANN Board and GAC did not come to terms on a specific issue, for instance the intergovernmental organizations (IGOs) matter. The GAC plays a very high level role in the operations of ICANN. From the observation of staff and other observers in the GAC, he reported that the ICANN Board takes the input from governments extremely seriously. The key element is the reflection of what the Board can and cannot do at a particular time, as it not necessarily chooses to act on the advice and uses different procedures to clarify the issues, or due to circumstance and timing the Board will defer acting on the advice. The advice drafting is very important in how GAC members and observers wish to convey the committee's point of view. With regard to IGOs, there were still policy development activities that needed to be completed in the GNSO and as the Board didn't want to reject the advice, it decided to defer it and give way to interactions with the GAC.

Tracy Hackshaw continued his presentation noting that the GAC has a role within the broader community through bilateral meetings and activities such as the Board-GAC Interaction Group (BGIG) that meets intersessionally and the meeting with ICANN Board at ICANN Meetings. The GAC meets with other SO and ACs, participates in Policy Development Processes (PDPs), Working Groups, and Specific Reviews, as well as the biennial High Level Government Meeting (HLGM).

With the handover of IANA Function Stewardship from the U.S. Government to the global stakeholder community in October 2016, ICANN org is now accountable to the "Empowered Community", in which the GAC is a Decisional Participant. The Empowered Community (EC) is the mechanism through which the community may exercise nine powers to hold ICANN accountable, for example, the power to approve changes to ICANN's fundamental Bylaws or even to remove the entire ICANN Board.

For the third part of the session, introducing the policy development process, Carlos Reyes focused on the Generic Names Supporting Organizations (GNSO) and the Governmental Advisory Committee (GAC) as this is where most of the work of the GAC will take place. The country code Names Supporting Organizations (ccNSO) has its own policy development process but there is a requirement in the ICANN Bylaws and in the ccNSO Operating Procedures to consult with the GAC. Finally, he explained that the Address Supporting Organization's (ASO) policy work takes place at a regional level and at ICANN it is only limited to a policy level. Therefore, the likelihood of an ASO global policy development process is limited.

Every supporting organization has a policy development process and its own set of operating procedures. At a high level, there is a first step where an issue is identified, which doesn't necessarily have to be raised by the GNSO but can come from another entity in ICANN. If the

community believes that the issue is within the scope of their mission, they will consider whether or not to initiate a policy development process. In the case of the GNSO, its consensus policy, which means that the outcome is binding on the contracted parties (registries and registrars). The policies that the GNSO develops will be implemented by ICANN and enforced through contracts with the contracted parties.

In the case where an issue, identified by the GNSO Council, ICANN Board or Advisory Committees, that the GNSO should take on, known as the scoping phase, the Council may request an issue report that will go through a Public Comment Period (where the GAC may provide input as any other community group) and subsequently a Final Issue Report will be submitted to the GNSO Council for consideration and decision on whether to initiate a PDP. In that case, the GNSO Council adopts the charter of the PDP Working Group (WG) and calls for volunteers to form the WG.

Subsequently, during the WG phase, which can take up to 4 or 5 years depending on how the discussions are going, the WG consults with the Community and develops the Initial Report for Public Comment Period, another opportunity where the GAC can provide input to the WG. Such input may modify the WG's discussions and deliberations. Following the Public Comment reviews, the WG submits its Final Report to the GNSO Council.

Mr. Kavouss Arasteh, GAC Member for Iran, raised the importance for the GAC to be more active on policy issues and particularly during public comment periods. For instance, the GAC could gather a group of representatives willing to oversee the public comment opportunities and call for input if deemed necessary.

## **Session 2: Key Priority Topics for Governments - DNS Abuse**

Moderator: Tracy Hackshaw, Pua Hunter

Presenters: Chris Lewis-Evans (GAC PSWG, co-chair and topic lead), Gabriel Andrews (PSWG member and topic lead), Jeff Bedser (SSAC), Nick Wenban-Smith (ccNSO DNS Abuse Standing Committee Chair), Samaneh Tajalizadehkhoob (OCTO, ICANN org)

Session Link: <https://tinyurl.com/mr3zjzek>

Gabriel Andrews began the session by providing a high-level overview introduction about DNS abuse.

The Domain Name System converts the human readable domain names to the machine routable Internet Protocol (IP) Addresses (e.g. www.icann.org <> 192.0.43.7). When it comes to DNS abuse, it becomes harder to explain what it is. Various definitions have come from various parts of the ICANN community as what they might consider as DNS abuse. Depending on how one defines DNS abuse, it might be perceived as trying to assign responsibility for action. Eventhough the language used to describe DNS abuse is not always the same (i.e crime, fraud, phishing, etc), it a lot of the time to talk about the same issue. Therefore, if governments want to

bring to ICANN matters of importance, it is very important to be able to translate what is said and bring consensus into ICANN discussions.

Gabriel Andrews also provided an example among many on how to take action at the DNS level but also at the hosting level mitigating a phishing email threat (one type of the DNS abuse), and illustrating what happens on the part of the DNS controlled by registrars and registries and the one controlled at the IP level via hosting providers and why it is necessary to control abuse at the DNS level through resolving.

Jeff Bedser carried on by presenting the Security and Stability Advisory Committee's perspective on DNS abuse through the [SSAC115 report on an interoperable approach to addressing abuse handling in the DNS](#) published in 2021 and what has happened since then. The overall goal is to reduce victimization of internet users by an interoperable approach based on universal standards for DNS abuse handling, with the desired outcome that SSAC115 acts as catalyst to channel ongoing efforts to establish universal standards for taking these initiatives. The report proposes a general framework of best practices and processes to streamline reporting DNS abuse and abuse on the Internet in general. In fact, the report does not define "DNS abuse" but points to definitions commonly used by the ICANN Community, under technical abuse as defined by the contracted parties such as, malware, botnets, phishing, pharming and spam (caveat: when spam is being used to redirect to another type of technical abuse).

The proposed framework for the interoperable approach comes down to five (5) core points. Each type of abuse has a primary point of responsibility for abuse resolution, for instance, sometimes it can be the registry, the registrar, the hosting company or the content delivery network, but there is always a primary point where the abuse can be resolved. As such, the escalation path, when a report is made to the appropriate party but it doesn't want or can't take action, this should be escalated and be resolved. However, in an industry where abuse exists since the Internet started, there isn't a body of standards on what constitutes evidence on different types of abuse that everyone recognizes.

The framework includes the question of a reasonable timeframe for action, from when an entity is notified about the abuse to when it gets resolved, passed along to the next party and mitigated. Evidently, the last point of the chain of steps doesn't take place if the availability and quality contact information is missing in order to know who at the infrastructure provider to go to communicate this abuse.

Jeff Bedser concluded on the findings of the SSAC, noting that a lack of coordination leads to inconsistent approaches to DNS abuse management, and if all different parties have different approaches, how can they reduce victimization. Therefore, the SSAC discussed the opportunity for a Common Abuse Responsibility Facilitator (also cited in the work of the Internet and

Jurisdiction Project<sup>2</sup>). Since 2021, the DNS Abuse Institute started the netbeacon<sup>3</sup> tool which plays the role of this Facilitator, taking reports from individuals and organizations to report online abuse and route that report to the right party for mitigation. Working to get adopted for the registrars and registries to accept the reports and now working with governments, law enforcement and cyber security companies to report DNS abuse.

The SSAC recommends that the ICANN community continue to work together with the extended DNS infrastructure community in an effort to (1) examine and refine the proposal for a Common Abuse Response Facilitator to be created to streamline abuse reporting and minimize abuse victimization; and (2) define the role and scope of work for the Common Abuse Response Facilitator, using SAC115 as an input.

Subsequently, Nick Wenban-Smith began his presentation by stating that there are three (3) things for participants to takeaway from his presentation. Firstly, this is a group of ccTLDs and there is no role for ICANN as there is no contract or policy formation. Secondly, the level of abuse in ccTLDs is very low, the vast majority of ccTLDs abuse registration is less than 0.5 %. Thirdly, within the ccTLDs there is an incredible amount of diversity.

The ccNSO Council formed a DNS Abuse Standing Committee to look specifically at questions pertaining to DNS abuse, with no policy making remit, but more with an aim to share information, best practices, raise understanding and awareness and give assist members of the ccTLD community in efforts to mitigate the impact of DNS abuse.

The ccNSO community undertook a voluntary survey (fourth quarter of 2022) gathering 57 unique responses, representing approximately 100 ccTLDs. With regard to the diversity aspect, the survey was geographically diverse in terms of the participants and the organization of each ccTLD.

The survey also looked at DNS abuse mitigation trends, showing that ccTLDs take a very proactive and combative stance against abuse of their TLDs.

Lastly, Samaneh Tajalizadehkhoob spoke about how the ICANN Office of the Chief Technology Officer (OCTO) perceived DNS abuse, what kind of research is conducted in this domain, its findings and what it will focus on in the future, with the disclaimer that this presentation is only about what is reported and listed online as abuse.

OCTO has a project called Domain Abuse Activity Reporting (DAAR) developed in 2018, when the DNS abuse topic was relatively new. The purpose of the system is to report on where abuse or security threat is concentrated according to what is listed online, on the so called “reputation block lists” (RBLs), which are lists of Domain Names, Universal Resource Locators (URLs),

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<https://www.internetjurisdiction.net/uploads/pdfs/Papers/Domains-Jurisdiction-Program-Operational-Approaches.pdf>

<sup>3</sup> <https://netbeacon.org/>



and/or Internet Protocol (IP) addresses that have been identified as posing security threats. ICANN collects this data and aggregates it to different levels (gTLD and ccTLD). The trends coming out of the DAAR data shows that the total number of domains in gTLD zones (new and legacy gTLDs) that ICANN has access to, grows overtime.

As of February 2023, the DAAR system covers 1145 gTLDs, with 427 TLDs containing domains listed as security threat and the sum of the listed domains were around 640,000. From 2017, most types except for phishing have declined over time (data based on 4 types of threats - phishing, malware, spam and command and control).

Samaneh Tajalizadehkhoob concluded that the data collected by ICANN is a minor cut of the data from the system and not about the whole landscape. There are other reports, best practices and community findings that are similar or complete the DAAR ones (DNSAI Compass reports, APWG quarterly reports, etc). The DAAR system only reports on concentration of abuse.

Before closing the session, Tracy Hackshaw asked a couple questions to the presenters whether they could see any specific issues that need to be addressed for the Latin America and the Caribbean region (LAC) to take into account but also to a broader extent for all governments.

Chris Lewis-Evans confirmed that DNS abuse impacts all governments, and encouraged participants to engage with their ccTLDs.

### **Session 3: Key Priority Topics for Governments - Subsequent Rounds of New gTLDs**

Moderators: Karel Douglas, Pua Hunter

Presenters: Karen Lentz (ICANN's Vice President of Policy Research & Stakeholder Programs, ICANN org), Christopher Bare (Director, Strategic Initiatives, ICANN org), Jorge Cancio (GAC topic lead, Switzerland), Rosalin KennyBirch (GAC topic lead, United Kingdom), Jason Merritt (GAC topic lead, Canada)

Session Link: <https://tinyurl.com/z78bsapa>

Karen Lentz presented the background and history of new gTLDs within ICANN as well as the recent developments in the past few months and at the ICANN76 Meeting, regarding the next round of new gTLD applications.

Seven new gTLDs were introduced both in 2000 and 2003. Based on the results of these rounds, the GNSO conducted a Policy Development Process (PDP) from 2005-2007 to consider the introduction of new gTLDs. In 2011, the GNSO's final recommendations resulted in the ICANN Board adopting the "Applicant Guidebook", the rules for how new gTLDs could be applied for and evaluated, and authorizing the launch of the New gTLD Program. Among other goals, the program aimed to enhance innovation, competition, and consumer choice in the domain namespace.

Christopher Bare shared information about the ICANN 2012 round of new gTLD applications, noting that a total of 1,930 applications were submitted during the 2012 application period. The first 4 TLDs, which were IDNs, were contracted in June/July 2012.

Some notable aspects of the New gTLD Program included the creation of an Applicant Support Program (designed to increase underserved regions' access to new gTLD applications), the Community Priority Evaluation (CPE) process, allowance for GAC Advice & Early Warnings on potentially sensitive or problematic new gTLDs applications, and the creation of Public Interest Commitments (PICs) between ICANN and Registry Operators to help implement various GAC advice related to public policy issues. In April 2013, the GAC issued its first Advice on new gTLD applications in its Beijing Communiqué.

From 2015 to 2022, a PDP for New gTLD Subsequent Procedures (“SubPro”) was conducted with wide community input to identify changes to the 2007 GNSO policy recommendations and their implementation. The Final Report was published and sent to the ICANN Board, which then requested ICANN org to undertake a SubPro Operational Design Phase (ODP) to provide the Board with additional analysis to inform its decision which resulted in the [Operational Design Assessment](#) (ODA) Final Report delivered in December 2022.

To date, several decisions should be discussed at ICANN76, while a subset of recommendations will be deferred for future consideration.

Karen Lentz provided an overview of the key GAC outputs related to the SubPro process between 2013 and 2021, from its Advice on new gTLDs in the Beijing Communiqué to its most recent Public Comment Proceeding on the Subsequent Rounds for New gTLDs Draft Final Report, indicating that the GAC may warrant future advice on the topic.

With regard to the next steps and recent developments, Christopher Bare noted that the Board anticipates making incremental decisions leading up to the final decision on opening a new application window for new gTLDs, will begin implementation following the ICANN76 Board resolution, and pending recommendations will continue to be a Board priority. Per the ODA, the implementation phase is divided into four (4) interdependent streams: Policy implementation (resulting in an updated Applicant Guidebook), program design (i.e the processes), infrastructure development (i.e systems/tools that will be developed), and operationalization (i.e create procedures and train staff prior to launching).

Karen Lentz concluded the presentation listing the different roles and responsibilities for implementing policy recommendations from different parts of the community (GNSO Council and Council liaison, Implementation Review Team (IRT), ICANN org, and GAC).

Jorge Cancio, GAC member and SubPro topic lead highlighted why this issue is important to governments. For instance, Top Level domains (TLDs) are salient identifiers on the Internet, they are unique, can have an economic development aspect for a country or a region, they carry

meaning (e.g geographic connections) and have public policy implications (e.g., early warning and GAC Consensus Advice).

At this time, the community discussions regarding the next round of new gTLDs are primarily focused on determining the application rules for the next round, while the outcome of the current ODA will be the basis for policy/rules governing the next phase of gTLD expansion. While the GAC has been closely involved in all steps of the Policy Development Process (PDP) and doesn't object to the introduction of new gTLDs, it has expressed concerns regarding the absence of policy recommendations on DNS abuse mitigation the SubPro PDP WG Final Report and calls upon the ICANN Board to provide a comprehensive overview and periodic updates of all issues that need to be addressed before the next round of new gTLDs.

Jorge Cancio noted a number of priorities for the GAC and highlighted the current ongoing community engagement on Closed Generics, where GAC Members are working with GNSO and At-Large participants to agree on a policy approach to closed generics; and Applicant Support, where GAC Members are participating in the ongoing GNSO Guidance Process (GGP).

Rosalind KennyBirch provided an introduction to the GGP to provide additional guidance to support the eventual implementation efforts relating to the Applicant Support Program, during which the group is expected to review historical information about applicant support and to create a methodology for allocating financial support where there is inadequate funding for all qualified applicants.

The group is expected to produce a GNSO Guidance Recommendation(s) Report, which will be subject to Public Comment. Following the review of Public Comment submissions, the working group is expected to produce a Final Report for the consideration of the GNSO Council and subsequently for consideration by the ICANN Board.

Jason Merritt provided additional information on the Closed Generics efforts. As part of the ODP work, he explained, ICANN org identified several policy issues for the ICANN Board to address, including Closed Generics. Due to lack of agreement and recommendations on the SubPro PDP WG Final Report on the issue, the GAC and GNSO Council agreed to take part in a facilitated dialogue (including one representative from the ALAC) to develop a framework with the ICANN46 Beijing GAC Advice serving as a basis for this dialogue, noting that "exclusive registry access must serve a public interest goal". Should the GAC and GNSO reach agreement on a framework on closed generics, the broader community will be invited to provide feedback. However, if the dialogue does not result in a mutually agreed framework, the Board will need to consider appropriate next steps.

#### **Session 4: Key Priority Topics for Governments - WHOIS**

Moderator: Tracy Hackshaw, Pua Hunter

Presenters: Gabriel Andrews (GAC PSWG member), Elena Plexida (Vice-President for Government and IGO Engagement, ICANN org), Eleeza Agopian (Senior Director, Strategic Initiatives, ICANN org)

Session Link: <https://tinyurl.com/5n8z9xwd>

Gabriel Andrews began the session with a high level introduction by emphasizing the use of three (3) major words that everyone should know the difference when speaking about ICANN matters: Registrant (buys the name), Registrar (sells the name), and Registry (entity that controls the top level domain).

Mr. Andrews carried on providing a historic overview of WHOIS from its own physical paper (Jon Postel's logs) to its now global usage (WHOIS database). The collection and publishing of domain name registration data in WHOIS lookups by gTLD registrars and registry operators has helped promote transparency and accountability, being particularly useful to law enforcement agencies worldwide. However, in recent years, the public access to the information has been decreasing. For instance, privacy laws such as the General Data Protection Regulation (GDPR) have greatly impacted WHOIS and its display of personal information. Today, most domain name registration data is redacted for privacy or masked by privacy or proxy services, rather than being publicly displayed and easily accessible.

It was explained that ICANN has been putting a lot of effort into developing a process for a GDPR compliant evolution of WHOIS, through a multiyear Expedited Policy Development Process (EPDP). This EPDP was made to design a System for Standardized Access/Disclosure, now renamed the "WHOIS Disclosure System". Many policy issues remain linked to this system such as the registrant data accuracy, the new technical protocol known as the Registration Data Access Protocol (RDAP) that will convey the messages back and forth, or even privacy and proxy accreditation policies which were put on hold while all the WHOIS and SSAD conversation occurs with the EPDP.

Gabriel Andrews concluded that WHOIS remains an ongoing debate, over whether there is a wish for a system that returns information or one that evolves into something less public.

Elena Plexida provided background information on what happened to date and what issues the community is still facing regarding the WHOIS issue. She explained that ICANN has Bylaws obligations related to WHOIS because the stable operation of the Internet relies on the concept that someone cannot run a hierarchical and decentralized system like the Internet (network of networks) without the people who operate it to alert of any problems and coordinate responses to operational issues.

Additionally, the WHOIS system helps serve the public interest as it also helps with issues related to the consumer's protection, investigation of cybercrime, DNS abuse, intellectual property, as well as addressing law enforcement needs. Nonetheless, there has been a common misunderstanding to believe that WHOIS is a single database. On the contrary, registry

and registrar operators (gTLDs) maintain their own database, as well as ccTLDs, regional Internet registries for their IP addresses, etc.

In the gTLDs context, the contracted parties (registries and registrars) collect and hold the data, there are “data controllers”. They have the responsibility for the processing of the data they are holding under GDPR and other data protection laws around the world. Additionally, there needs to be a legal basis for disclosing the data, and it is up to the contracted parties to perform a “balancing test”, to assess the legitimacy of the request and of the access seeker vis a vis the right to privacy of the registrant.

Another issue that’s been of high interest to the community, and for instance the GAC, concerns the legal versus natural (aka identifiable) persons. Any personal data included in the registration data for any registrant, including a legal person, is protected under GDPR. As such, the model did not differentiate between legal and natural persons.

Eleeza Agopian closed the loop on the issue with information on the WHOIS Disclosure System that ICANN org is working on to get operationalized by the end of 2023. She explained that the ICANN Board asked ICANN org to develop an access model for users with a legitimate purpose for seeking non-public gTLD registration data. The policy work of the community was divided into two (2) phases. Phase 1 focused on the registration data policy that is still ongoing, and the second phase was how to approach creating an access model that the community came up with in its policy development process, commonly known as the [System for Standardized Access Disclosure \(SSAD\)](#).

In June 2022, the Board paused the consideration of the SSAD policy recommendations, at the GNSO Council’s request, to allow for the org and the Council to explore implementation of a simpler system. On 27 February 2023, the ICANN Board adopted a resolution directing the org to begin implementing the design of the WHOIS Disclosure System (formerly known as the SSAD). The updated system provides a single platform for both requesters and registrars to submit and receive requests for non-public gTLD registration data in a standardized format. However, the system is voluntary, and there are no contractual or policy requirements that mandate registrars’ use. As a consequence, the ICANN Board urged the GNSO Council to consider a Policy Development Process or other means to require registrars to use the system.

Moving from the WHOIS protocol to the RDAP protocol, going forward, the system will be called the Registration Data Request Service. ICANN org is expected to develop and launch the system by the end of 2023.

## **VI. Achievements/Outcomes**

Respondents to the post-workshop survey were either very satisfied (50%) or satisfied (50%) with the event. Based on survey responses, the Capacity Development Workshop achieved the following:

- Increased comprehension of the role of ICANN and the GAC
- Increased knowledge of ICANN's policy development process (PDP)
- Lowered barriers for GAC internal dialogue and experience sharing

## **VII. Conclusion/Recommendations from GAC workshop participants**

The Capacity Development Workshop was recognized by attendees as being valuable and informative. According to the feedback received during ICANN76 and in the post workshop survey responses, further Capacity Development Workshops should be conducted and include topics such as DNS abuse, DNS security, or Internet governance, while also considering focusing on a single topic, to allow for more in-depth conversations.

## **VIII. Next Steps for GAC Capacity Development and Onboarding Events**

Based on the positive feedback received from the successful ICANN76 CDW, and in light of the comments made by GAC participants, it is envisaged that the next CDW iteration will focus on a single topic related to Domain Name System (DNS) Abuse.

In the lead up to ICANN77, the GAC Underserved Regions Working Group (USRWG) will collaborate with interested GAC Members to plan for the next Capacity Development and Outreach event as well as organize intersessional webinars on the topic.

## **IX. Thank You and Acknowledgements**

In addition to the organizers, planners, moderators and presenters, the GAC would like to thank the following groups for their collaboration and work on making the ICANN76 GAC CDW a successful event: ICANN GAC Support, Government Engagement (GE), Global Stakeholder Engagement (GSE), Strategic Initiatives, and Policy Development Support Teams.

## **APPENDIX |**

### **GAC Post ICANN76 CDW Survey Report**

#### **Background**

The ICANN76 Capacity Development Workshop (“CDW”) provided an opportunity for GAC participants to learn the basics or increase their knowledge on aspects of the ICANN multistakeholder model, its structure and operations. It was also an opportunity for GAC attendees to learn about the background and perspectives of priority policy topics of interest to current government members at ICANN, and to share experiences and best practices to enhance GAC internal collaboration on various ICANN matters.

After the CDW, on 12 March 2023, a post-event survey was sent to participants and responses were collected until 20 March 2023. A total of 15 participants responded to the survey.

#### **Analysis**

Overall responses regarding the CDW were very positive. This document reflects specific areas of feedback in response to the 12 questions that were part of the survey.

The first four questions in the survey were related to participants’ experience of the CDW. All participants who responded to the survey were either “very satisfied” or “satisfied” with the event. Almost ninety percent (90%) of participants found the length of the event “just right”. Thirty-three percent (33%) of the respondents were very satisfied and fifty three percent (53%) of the respondents were satisfied with the content and materials presented, while thirteen percent of participants responded that they were “somewhat satisfied”.

Nevertheless, for the following question, eighty percent (80%) of respondents indicated that the content and materials improved their knowledge and understanding of the topics.

The fifth question of the survey asked whether the knowledge gained from the CDW will be useful in the participants’ GAC or governmental work, to which all respondents answered yes.

Question six asked participants what was the most effective part of the CDW. All respondents answered the question. Input ranged from the speakers’ interventions, the sessions’ content, planning and level of detail. All answers are available in the “Results” section below.

The seventh question asked what improvements can be made to the CDW. Participants made suggestions on a range indicating primarily that it would be beneficial if workshop material could be shared in advance, explaining the objective of the workshop, and focusing on the content of preferably one topic instead of multiple ones. All answers are available in the “Results” section below.

Question eight asked about the frequency of future GAC CDW meetings. The majority of the participants answered that the CDW should happen once per each ICANN Meeting (66.7%), while almost seven percent (7%) of the participants answered that CDW should happen every two years or once a year for newcomers.

Question nine asked participants about each of the eight modules of the CDW. For each part, respondents mostly indicated that they were either very satisfied or satisfied, except for session

3, “Key Priority Topics for Governments - Subsequent Rounds of New gTLDs”, where one participant indicated poor satisfaction.

Question ten asked about the topics participants are interested in within the ICANN ecosystem. In a multiple-choice question, respondents favored the topic of “Internet Governance” the most with 73.3%, followed by “Role of the GAC” with 66.7%, and “DNS Abuse” with 60%.

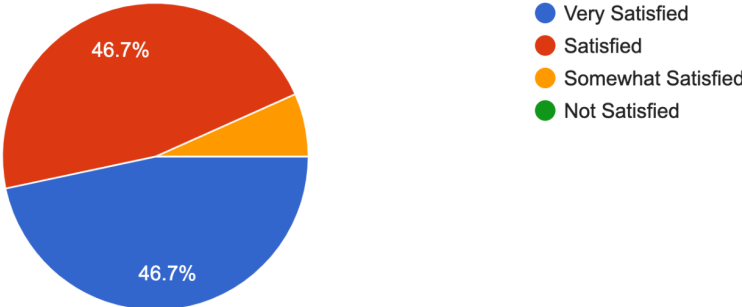
The last two questions were asked to learn more about the respondents’ profiles. Among (31) fifteen (15) respondents, 66.7% have been participating in GAC activities for between one and five years, 13.3% for five to ten years. It was also asked whether the participants have ever been a member of another Advisory Committee (AC) or a Standing Organization (SO). Only one (1) participant indicated having been a member of the Country Code Names Supporting Organization (ccNSO).



**Results**

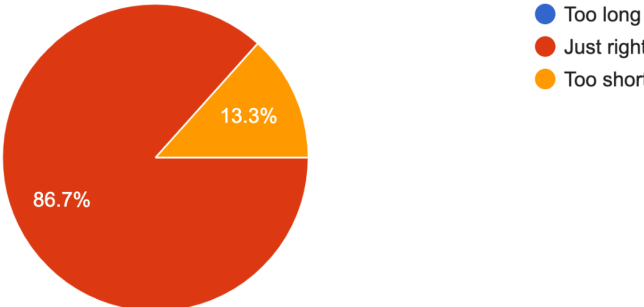
1. Overall, how satisfied were you with the Capacity Development Workshop?

15 responses



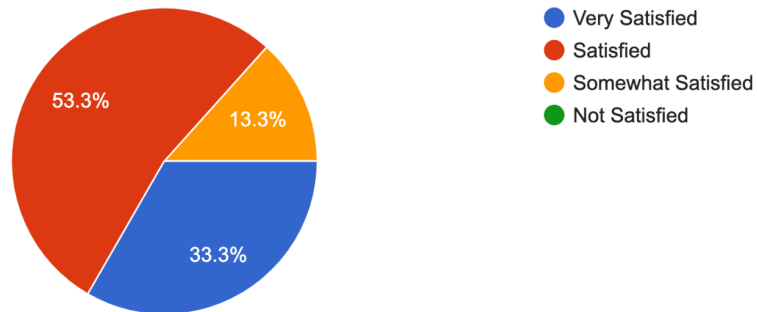
2. The length of the Capacity Development Workshop was:

15 responses



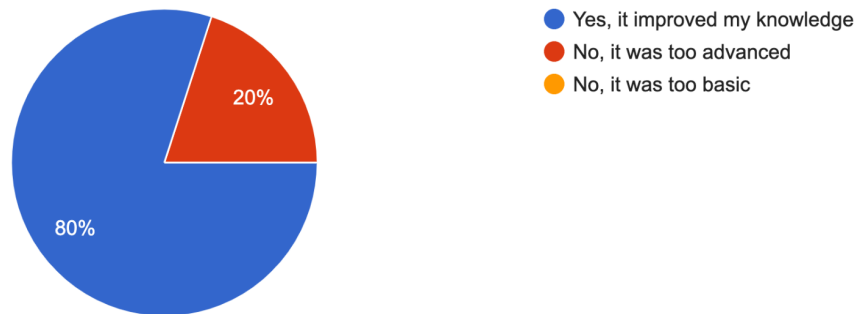
3. Overall, how satisfied were you with the materials and content presented?

15 responses



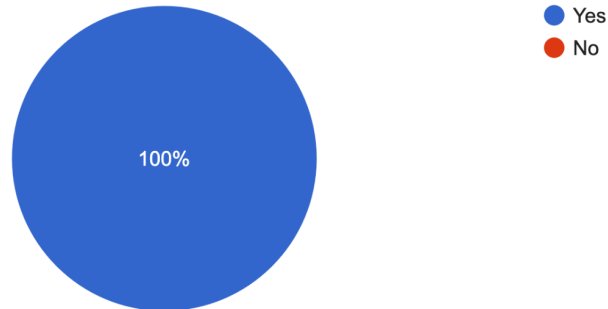
4. Has the presented material improved your knowledge and understanding of topics?

15 responses



5. Do you believe the knowledge you gained from the Capacity Development Workshop will be useful in your GAC or governmental work?

15 responses



5.a. If "Yes", would you like to provide more details?

- Provided a useful overview of history related to decisions, but also presented the current nuances of topics being considered
- It gives information on various issues
- I was able to get an understanding on the operation of GAC in ICANN. I hope to be able to contribute to the PDP process and all GAC activities.
- the whole CDW provided an introductory material to all most relevant issues dealt with by the GAC. For a new GAC that is of high importance to accelerate involvement in all topics
- It will help me to understand the topics I am more focused on.
- Provided information on key issues engaging the attention of the ICANN community and those which have implications for and requires the attention of the underserved regions.
- It allows you to get memorized the different ongoing processes and topics that are relevant and important to the GAC. As a newbie since one year in the GAC, there is "much food" to assimilate.

6. From your experience, what was the most effective part of the Capacity Development Workshop (speakers, session planning, content, etc.)?

- Speakers did an excellent job of pitching content at a level that was right for both beginners and more advanced members
- When the presentation is on current important topics and followed by information as how ICANN and GAC may overcome any problem; eg, The problem of DNS abuse
- Everything
- Enjoyed presentations from other supporting committees and understanding their role in the GAC's work.
- content and speakers
- DNS abuse

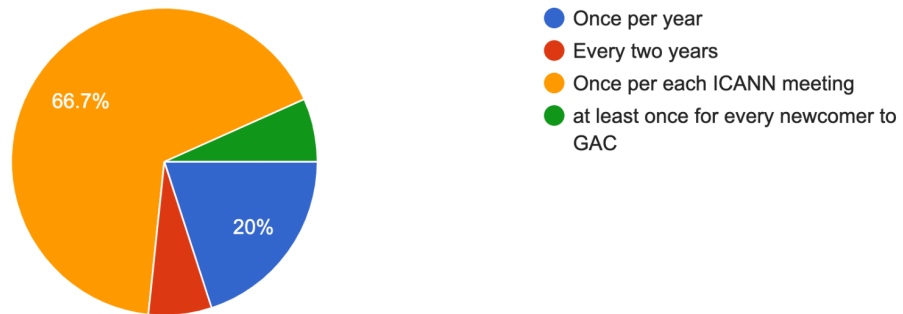
- A good variety of speakers
- The Content is the main effective part. this overview and brief on all presented topics is very useful.
- I think the speakers, given that those that participated were the one directly responsible for the issues they present
- The session planning was very appropriate, as it covered all relevant topics for the GAC.
- Speakers
- The panel on DNS Abuse was particularly informative and stimulating
- the afternoon session
- The speakers and the material used in the sessions are the engine. Of course, the chosen content are important too.
- no comment

7. What do you think can be done to improve the Capacity Development Workshop (speakers, session planning, content, etc.)?

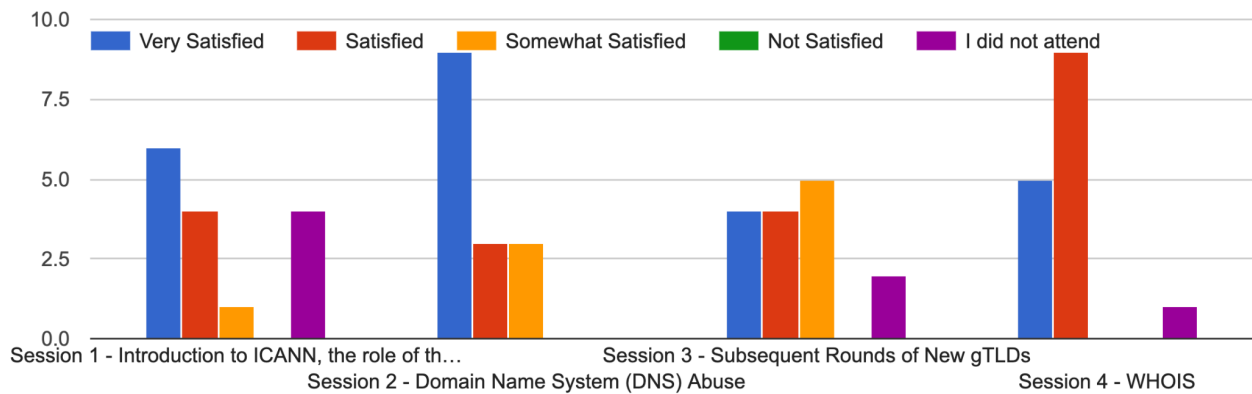
- Time cut-offs for members asking questions (especially if taking up a lot of time to ask questions at every opportunity)
- Presentation about ICANN in general including the short history; then more discussion on how GAC can support to overcome any problems arise
- Deepen awareness within members of the benefits of the capacity development workshop and need for more participation.
- It would be nice to share slides and content before the workshop so that participants can interrogate issues beforehand.
- session planning
- Slides could be distributed before the sessions, so attendees have already an idea about what will be presented.
- more focus on ICANN structure + a comprehensive approach which includes different view on important issues
- maybe more time would be needed to give basic info about all the topics before moving to the GAC work progress and plan on each topic by relevant WG
- Explain to all those involved the objective of the agenda and agree to a set of rules for the workshops.
- The content should be more basic, as concepts and procedures are complex to understand, at least for me.
- N/a
- Consider focusing on a single topic and allow for broad discussions and deep dive
- Capacity development should focus on the content of the hot topics, not discuss positions. Also the morning session could be replaced by a short document sent in advance.
- I sincerely hope that I can participate onsite to a CDW when ICANN will lift the "Health and Safety" rules.
- ICANN could add a session to summarize all of the important issues and its current situation

8. How frequently do you think the GAC Capacity Development Workshop should happen?

15 responses

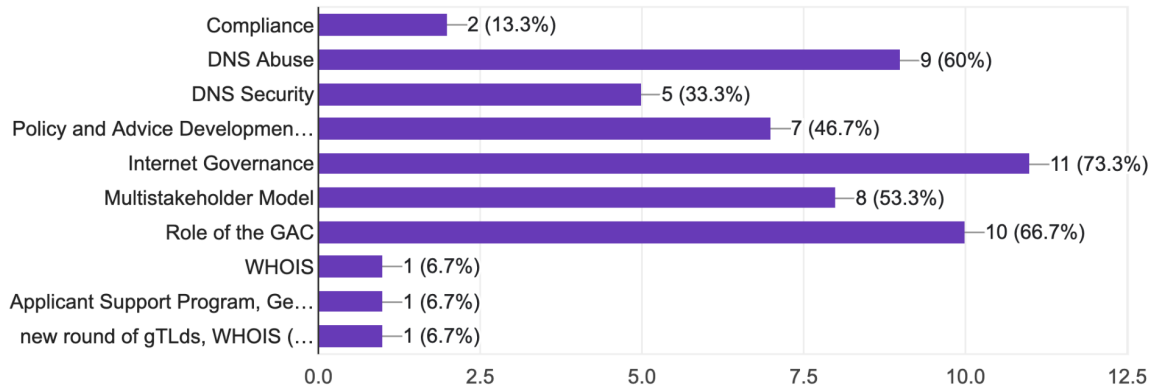


9. Overall, how satisfied were you with each session of the Capacity Development Workshop?



### 10. Which topics in ICANN's ecosystem interest you the most?

15 responses



### 11. How long have you been a GAC Participant?

15 responses

