

15 March 2023

Manal Ismail
Chair, Governmental Advisory Committee (GAC)

RE: Status of GAC Advice in the Action Request Register (ARR)

Dear Manal,

In preparation for the upcoming Board/GAC joint session at ICANN76 on 14 March 2023, the Board is issuing the latest report of the status of advice issued by the GAC as it appears in the Action Request Register (ARR). The Board issued the last advice report on [02 September 2022](#). Below is additional information regarding the status of GAC advice items in the ARR. The full inventory with detailed status of GAC advice items in the ARR can be found in the [Appendix](#) of this letter, including notations for any changes in an item's phase or actions taken on the advice (highlighted in yellow).

The Board has also received the ICANN75 Kuala Lumpur Communiqué and acknowledged the Communiqué in a letter dated [18 November 2022](#).

In preparation for any questions regarding the contents of this update at the upcoming joint session, the GAC will see that:¹

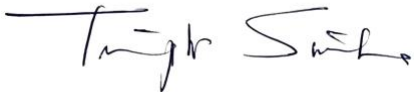
- 17 consensus advice items are still being considered by the Board. Advice regarding the EPDP Phase 2 Final Report is pending the org's implementation and subsequent operation of the WHOIS Disclosure System. Advice regarding the Protection of IGO Acronyms is pending the Board's review and deliberation of the recommendations from the EPDP on Specific Curative Rights Protections for IGOs Final Report, along with the review of GNSO policy recommendations that remain pending. As each of these activities conclude, the Board will take further action, as appropriate (see [Table 2](#));
- Five consensus advice items regarding WHOIS/GDPR advice related to the WHOIS Disclosure System, the Board Scorecard on SSR2 Review Final Report, and on Updates to the IGO List for IGO Protections remain in implementation (see [Table 3](#));
- No consensus advice items have been moved from implementation to the closing process (see [Table 4](#)); and
- One consensus advice item on Domain Name Registration Directory Service and Data Protection - Phase 2 of the EPDP has been closed (see [Table 5](#)).

The Board appreciates the GAC's attention to these items and for the GAC's thoughtful considerations in the advice and other input it provides to the Board. In the spirit of continued cooperation, the Board appreciates any feedback provided by the GAC on the substance, frequency, and format of open GAC advice tracking and updates. Perhaps feedback on those matters specifically, would be a useful agenda item for the next BGIG meeting.

¹ Please also find information on the status of GAC advice on the ARR webpage here: <https://features.icann.org/board-advice/gac>. The webpage contains a report with details on all GAC advice items: <https://www.icann.org/board-gac-advice-status-current.xlsx>.

The Board reiterates its satisfaction with the BGIG calls, which continue to serve as a conduit for collaborative discussion and ongoing Board-GAC interactions. The Board is grateful for your efforts in partnership with BGIG co-chair, Becky Burr, in leading this group. As always, the Board thanks the GAC for their advice and looks forward to its next meeting with the GAC.

Sincerely,



Tripti Sinha
Chair, ICANN Board of Directors

Appendix: Inventory and Status of GAC Advice Items

As a reminder for longstanding members of the GAC and overview for newer members of the GAC, ICANN org implemented the ARR in 2015 at the request of former Board Chair Dr. Steve Crocker. The ARR is a five-phase framework used to consistently process formal requests to the Board and was developed to provide clarity and consistency to the ICANN community about the status and lifecycles of different inputs to the Board. Initially, the ARR only tracked formal advice from the At-Large Advisory Committee (ALAC), the Root Server System Advisory Committee (RSSAC), and the Security and Stability Advisory Committee (SSAC). In 2017, ICANN org expanded the ARR to include advice from the GAC.

The ARR Phases

The ARR is a five-phase framework used to consistently process formal requests to the Board. Please see below explanations of each phase as it relates to GAC advice:

- **Phase 1 | Acknowledge:** The GAC issued a Communiqué containing advice to the ICANN Board and the ICANN organization has not yet published the advice.
- **Phase 2 | Understand:** The ICANN Board and organization are reviewing the advice to identify any questions needing clarification. The Board and the GAC typically conduct an exchange to discuss any clarifications required before formal Board consideration.
- **Phase 3 | Evaluate & Consider:** The ICANN Board is in the process of formally considering the advice via a scorecard and/or resolution. Items may appear in this phase because further Board consideration may be required. Additionally, items may appear in this phase pending input from the ICANN org or other constituencies; if so, this will be made clear to the GAC.
- **Phase 4 | Implement:** The Board has considered the advice and directed the CEO and ICANN organization to proceed with action or implementation. This action or implementation is currently underway.
- **Phase 5 | Close Request:** The ICANN organization has reviewed the advice and has determined the advice has been considered, and all directed action or implementation has been completed. The ICANN Board will review items in Phase 5 before moving them to “Closed.”
- **Closed:** The advice has been processed as much as is relevant and is considered complete; no work is outstanding from the perspective of the ICANN Board or org. Related implementation work may have been integrated into ICANN’s ongoing operations or other initiatives.

Additional Information on Items in Phase 3 | Evaluate & Consider (16 Items)

The 17 items in Phase 3 | Evaluate & Consider have all been previously considered by the Board. However, the Board has not yet taken a resolution to either accept and/or implement the advice, or to not accept the advice, which would trigger the process described in the ICANN Bylaws Section 12.2(a)(x), and has deferred a formal decision pending ongoing work related to the advice. Additionally, items may appear in this phase pending input from the ICANN org or other constituencies; if so, this will be made clear to the GAC. The Board will consider revisiting these items at a future date following this work.

Table 2. Inventory of GAC Advice Items in Phase 3 | Evaluate & Consider

Advice Item	Advice Text	Actions Taken
ICANN48 Buenos Aires Communique §4.a.i. Protection of Inter- Governmental Organisations (IGOs) (20 November 2013)	<p>The GAC Advises the ICANN Board that the GAC, together with IGOs, remains committed to continuing the dialogue with NGPC on finalising the modalities for permanent protection of IGO acronyms at the second level, by putting in place a mechanism which would:</p> <ol style="list-style-type: none"> 1. provide for a permanent system of notifications to both the potential registrant and the relevant IGO as to a possible conflict if a potential registrant seeks to register a domain name matching the acronym of that IGO; 2. allow the IGO a timely opportunity to effectively prevent potential misuse and confusion; 3. allow for a final and binding determination by an independent third party in order to resolve any disagreement between an IGO and a potential registrant; and 4. be at no cost or of a nominal cost only to the IGO. 	<p>As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.</p> <p>The EPDP team that the Board mentioned in the scorecard included GAC members and IGO representatives. The group completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. In addition to reviewing the EPDP recommendations, the Board will also consider the remaining GNSO policy recommendations concerning protections for IGO acronyms, including the four GNSO Council-approved recommendations from the Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms.</p>

Advice Item	Advice Text	Actions Taken
	<p>The GAC looks forward to receiving the alternative NGPC proposal adequately addressing this advice. The initial protections for IGO acronyms should remain in place until the dialogue between the NGPC, the IGOs and the GAC ensuring the implementation of this protection is completed.</p>	
<p>ICANN49 Singapore Communique</p> <p>§8</p> <p>Protection of Inter-Governmental Organisation (IGO) Names and Acronyms</p> <p>(27 March 2014)</p>	<p>The GAC recalls its previous public policy advice from the Toronto, Beijing, Durban and Buenos Aires Communiqués regarding protection for IGO names and acronyms at the top and second levels and awaits the Board's response regarding implementation of the GAC advice.</p>	<p>As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.</p> <p>The EPDP team that the Board mentioned in the scorecard included GAC members and IGO representatives. The group completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. As required by the Bylaws, the recommendations were posted for Public Comment and the GAC notified at the end of November 2022. The next step will be for the Board to consider the EPDP recommendations as well as the remaining GNSO policy recommendations that remain pending before the Board, including the four recommendations from the previous Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms that the GNSO Council approved in April 2019.</p>
<p>ICANN50 London Communique</p> <p>§5</p>	<p>The GAC reaffirms its advice from the Toronto, Beijing, Durban, Buenos Aires and Singapore Communiqués regarding protection for IGO names and acronyms at the top and second levels, as implementation of such protection is in the public interest given</p>	<p>As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the</p>

Advice Item	Advice Text	Actions Taken
<p>Protection of Inter-Governmental Organisation (IGO) Names and Acronyms</p> <p>(25 June 2014)</p>	<p>that IGOs, as created by governments under international law are objectively different rights holders; notes the NGPC's letter of 16 June 2014 to the GNSO concerning further steps under the GNSO Policy Development Process while expressing concerns that the process of implementing GAC advice has been so protracted; welcomes the NGPC's assurance that interim protections remain in place pending any such process; and confirms its willingness to work with the GNSO on outcomes that meet the GAC's concerns.</p>	<p>GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.</p> <p>The EPDP team that the Board mentioned in the scorecard included GAC members and IGO representatives. The group completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. As required by the Bylaws, the recommendations were posted for Public Comment and the GAC notified at the end of November 2022. The next step will be for the Board to consider the EPDP recommendations as well as the remaining GNSO policy recommendations that remain pending before the Board, including the four recommendations from the previous Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms that the GNSO Council approved in April 2019.</p>
<p>ICANN51 Los Angeles Communique</p> <p>§5.a.I-II - 5.b.I.</p> <p>Protection of Inter-Governmental Organisation (IGO) Names and Acronyms</p> <p>(15 October 2014)</p>	<p>"a. The GAC reaffirms its advice from the Toronto, Beijing, Durban, Buenos Aires, Singapore and London Communiques regarding protection of IGO names and acronyms at the top and second levels, as implementation of such protection is in the public interest given that IGOs, as created by governments under international law, are objectively different right holders; namely,</p> <p>i. Concerning preventative protection at the second level, the GAC reminds the ICANN Board that notice of a match to an IGO name or acronym to prospective registrants, as well as to the concerned IGO, should apply in perpetuity for the concerned name and acronym in two languages, and at no cost to IGOs;</p>	<p>As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.</p> <p>The EPDP team that the Board mentioned in the scorecard included GAC members and IGO representatives. The group completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. As required by the Bylaws, the recommendations were posted for Public Comment and the GAC notified at the end of November 2022. The next step will be for the Board to consider the EPDP recommendations as well as the remaining GNSO policy recommendations that remain pending before the Board, including the four recommendations from the previous Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms that the GNSO Council approved in April 2019.</p>

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	<p>ii. Concerning curative protection at the second level, and noting the ongoing GNSO PDP on access to curative Rights Protection Mechanisms, the GAC reminds the ICANN Board that any such mechanism should be at no or nominal cost to IGOs; and further, in implementing any such curative mechanism,</p> <p>b. The GAC advises the ICANN Board:</p> <p>i. That the UDRP should not be amended; welcomes the NGPC's continued assurance that interim protections remain in place pending the resolution of discussions concerning preventative protection of IGO names and acronyms; and supports continued dialogue between the GAC (including IGOs), the ICANN Board (NGPC) and the GNSO to develop concrete solutions to implement long-standing GAC advice.</p>	
<p>ICANN52 Singapore Communique §2 Protection of Names and Acronyms for Inter- Governmental Organisations (IGOs) (11 February 2015)</p>	<p>The GAC will continue to work with interested parties to reach agreement on appropriate permanent protections for names and acronyms for Inter-Governmental Organisations. This will include working with the GNSO PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms; and with IGOs and the NGPC.</p>	<p>As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.</p> <p>The EPDP team that the Board mentioned in the scorecard included GAC members and IGO representatives. The group completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP</p>

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		<p>recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. As required by the Bylaws, the recommendations were posted for Public Comment and the GAC notified at the end of November 2022. The next step will be for the Board to consider the EPDP recommendations as well as the remaining GNSO policy recommendations that remain pending before the Board, including the four recommendations from the previous Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms that the GNSO Council approved in April 2019.</p>
<p>ICANN58 Copenhagen Communique</p> <p>§2.a.I</p> <p>IGO Protections</p> <p>(15 March 20217)</p>	<p>Pursue implementation of (i) a permanent system of notification to IGOs regarding second-level registration of strings that match their acronyms in up to two languages and (ii) a parallel system of notification to registrants for a more limited time period, in line with both previous GAC advice and GNSO recommendations;</p>	<p>As noted in the Board resolution of October 2020, the Board believed that the most appropriate solution (not including any curative rights mechanisms) regarding second level protections for IGO acronyms that is in the best interests of the ICANN community and ICANN will be for the ICANN organization to implement, as an operational matter, an ongoing (i.e. permanent) post-registration notification mechanism that will notify an affected IGO when a third party registers a second level domain matching that organization's acronym. The Board has confirmed that the interim reservations of IGO acronyms will remain in place until the permanent post-registration notification system for IGOs is in place.</p>
<p>ICANN58 Copenhagen Communique</p> <p>§2.a.II</p> <p>IGO Protections</p> <p>(15 March 20217)</p>	<p>Facilitate continued discussions in order to develop a resolution that will reflect (i) the fact that IGOs are in an objectively unique category of rights holders and (ii) a better understanding of relevant GAC Advice, particularly as it relates to IGO immunities recognized under international law as noted by IGO Legal Counsels; and</p>	<p>As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.</p> <p>The EPDP team that the Board mentioned in the scorecard included GAC members and IGO representatives. The group completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. As required by the Bylaws, the recommendations were posted for Public Comment and the GAC notified at the end of November 2022. The next step will be for the Board to consider the EPDP recommendations as well as the remaining GNSO policy recommendations that remain pending before the Board, including the four recommendations from the previous Policy</p>

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<p>ICANN58 Copenhagen Communique</p> <p>§2.a.III</p> <p>IGO Protections</p> <p>(15 March 20217)</p>	<p>Urge the Working Group for the ongoing PDP on IGO-INGO Access to Curative Rights Protection Mechanisms to take into account the GAC's comments on the Initial Report.</p>	<p>Development Process on IGO-INGO Access to Curative Rights Mechanisms that the GNSO Council approved in April 2019.</p> <p>As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.</p> <p>The EPDP team that the Board mentioned in the scorecard included GAC members and IGO representatives. The group completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. As required by the Bylaws, the recommendations were posted for Public Comment and the GAC notified at the end of November 2022. The next step will be for the Board to consider the EPDP recommendations as well as the remaining GNSO policy recommendations that remain pending before the Board, including the four recommendations from the previous Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms that the GNSO Council approved in April 2019.</p>
<p>ICANN59 Johannesburg Communique</p> <p>§1.a.I-III.</p> <p>Intergovernmental Organization (IGO) Protections</p> <p>(29 June 2017)</p>	<p>The GAC reiterates its Advice that IGO access to curative dispute resolution mechanism should:</p> <p>I. be modeled on, but separate from, the existing Uniform Dispute Resolution Policy (UDRP)</p> <p>II. provide standing based on IGOs' status as public intergovernmental institutions, and</p>	<p>Since this advice was issued, GAC members and IGO representatives participated in the EPDP on Specific Curative Rights Protections for IGOs. The EPDP completed its work in April 2022 and the GNSO Council approved the five Full Consensus recommendations in June 2022, which it forwarded to the Board in a Recommendations Report in July 2022. As required by the Bylaws, the recommendations were posted for Public Comment and the GAC notified at the end of November 2022. The next step will be for the Board to consider the EPDP recommendations, as well as the remaining recommendations relating to IGO protections from previous GNSO PDPs, including the four out of five recommendations that the GNSO Council approved from the PDP on IGO-INGO Access to Curative Rights Mechanisms referred to by the GAC in this advice.</p>

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	<p>III. respect IGOs' jurisdictional status by facilitating appeals exclusively through arbitration.</p> <p>The GAC expresses concern that a GNSO working group has indicated that it may deliver recommendations which substantially differ from GAC Advice, and calls on the ICANN Board to ensure that such recommendations adequately reflect input and expertise provided by IGOs.</p>	
<p>ICANN60 Abu Dhabi Communique</p> <p>§1.a.I</p> <p>Intergovernmental Organization (IGO) Protections</p> <p>(1 November 2017)</p>	<p>Review closely the decisions on this issue in order to ensure that they are compatible with these values and reflect the full factual record.</p>	<p>As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.</p> <p>The EPDP team that the Board mentioned in the scorecard included GAC members and IGO representatives. The group completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. As required by the Bylaws, the recommendations were posted for Public Comment and the GAC notified at the end of November 2022. The next step will be for the Board to consider the EPDP recommendations as well as the remaining GNSO policy recommendations that remain pending before the Board, including the four recommendations from the previous Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms that the GNSO Council approved in April 2019.</p>

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ICANN61 San Juan Communique §2.a.I IGO Reserved Acronyms (15 March 2018)	Ensure that the list of IGOs eligible for preventative protection is as accurate and complete as possible.	The GAC is continuing to discuss a proposed mechanism for how it will consider updates that are requested to the IGO List that the GAC submitted to ICANN in 2013, to ensure that in the future the list can be maintained in a manner consistent with Advice in the GAC San Juan Communiqué. The Board had directed that ICANN org conduct a feasibility study in response to the San Juan Communique.
ICANN61 San Juan Communique §1.a.IV GDPR and WHOIS (15 March 2018)	Distinguish between legal and natural persons, allowing for public access to WHOIS data of legal entities, which are not in the remit of the GDPR;	As per the Board's 12 May 2021 resolution , the Board has considered the GAC's consensus advice to consider the GAC's Minority Statement. As the 12 May 2021 scorecard states, "the Board will consider all relevant public policy concerns, including those raised by the GAC, along with available legal guidance." The Board has considered the GAC's Minority Statement and continues to confer with the GNSO Council and community to determine next steps regarding the SSAD policy recommendations. On 9 June 2022, the Board agreed to the GNSO Council's request to pause the consideration of the SSAD-related recommendations while proceeding with the simpler, more cost effective system design (the system is now called "WHOIS Disclosure System") (the Board's letter is posted at https://www.icann.org/en/system/files/correspondence/botterman-to-fouquart-09jun22-en.pdf). With the publication of the WHOIS Disclosure System Design Paper, the GNSO Council requested the Board to proceed with the implementation and the subsequent running of the WHOIS Disclosure System for up to 2 years while continuing to pause the consideration of the SSAD-related recommendations.
ICANN61 San Juan Communique §1.a.VI GDPR and WHOIS (15 March 2018)	Ensure that limitations in terms of query volume envisaged under an accreditation program balance realistic investigatory cross-referencing needs	As per the Board's 12 May 2021 resolution , the Board has considered the GAC's consensus advice to consider the GAC's Minority Statement. As the 12 May 2021 scorecard states, "the Board will consider all relevant public policy concerns, including those raised by the GAC, along with available legal guidance." The Board has considered the GAC's Minority Statement and continues to confer with the GNSO Council and community to determine next steps regarding the SSAD policy recommendations. On 9 June 2022, the Board agreed to the GNSO Council's request to pause the consideration of the SSAD-related recommendations while proceeding with the simpler, more cost effective system design (the system is now called "WHOIS Disclosure System") (the Board's letter is posted at https://www.icann.org/en/system/files/correspondence/botterman-to-fouquart-09jun22-en.pdf). With the publication of the WHOIS Disclosure System Design Paper, the GNSO Council requested the Board to proceed with the implementation and the subsequent running of the WHOIS Disclosure System for up to 2 years while continuing to pause the consideration of the SSAD-related recommendations.

Advice Item	Advice Text	Actions Taken
<p>ICANN61 San Juan Communique</p> <p>§1.a.VII</p> <p>GDPR and WHOIS</p> <p>(15 March 2018)</p>	<p>Ensure confidentiality of WHOIS queries by law enforcement agencies.</p>	<p>As per the Board's 12 May 2021 resolution, the Board has considered the GAC's consensus advice to consider the GAC's Minority Statement. As the 12 May 2021 scorecard states, "the Board will consider all relevant public policy concerns, including those raised by the GAC, along with available legal guidance." The Board has considered the GAC's Minority Statement and continues to confer with the GNSO Council and community to determine next steps regarding the SSAD policy recommendations. On 9 June 2022, the Board agreed to the GNSO Council's request to pause the consideration of the SSAD-related recommendations while proceeding with the simpler, more cost effective system design (the system is now called "WHOIS Disclosure System") (the Board's letter is posted at https://www.icann.org/en/system/files/correspondence/botterman-to-fouquart-09jun22-en.pdf). With the publication of the WHOIS Disclosure System Design Paper, the GNSO Council requested the Board to proceed with the implementation and the subsequent running of the WHOIS Disclosure System for up to 2 years while continuing to pause the consideration of the SSAD-related recommendations.</p>
<p>ICANN62 Panama Communique</p> <p>§2.a.II</p> <p>Protection of IGO Identifiers</p> <p>(28 June 2018)</p>	<p>Work with the GNSO and the GAC following the completion of the ongoing PDP on IGO-INGO access to curative rights protection mechanisms to ensure that GAC advice on protection of IGO acronyms, which includes the available "small group" proposal, is adequately taken into account also in any related Board decision; and</p>	<p>As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.</p> <p>The EPDP team that the Board mentioned in the scorecard included GAC members and IGO representatives. The group completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. As required by the Bylaws, the recommendations were posted for Public Comment and the GAC notified at the end of November 2022. The next step will be for the Board to consider the EPDP recommendations as well as the remaining GNSO policy recommendations that remain pending before the Board, including the four recommendations from the previous Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms that the GNSO Council approved in April 2019.</p>

Advice Item	Advice Text	Actions Taken
<p>ICANN70 Virtual Community Forum GAC Communique</p> <p>§1.a.i</p> <p>EPDP Phase 2 Final Report</p> <p>(25 March 2021)</p>	<p>The GAC advises the Board to consider the GAC Minority Statement and available options to address the public policy concerns expressed therein, and take necessary action, as appropriate.</p>	<p>As per the Board's 12 May 2021 resolution, the Board has considered the GAC's consensus advice to consider the GAC's Minority Statement. As the 12 May 2021 scorecard states, "the Board will consider all relevant public policy concerns, including those raised by the GAC, along with available legal guidance." The Board has considered the GAC's Minority Statement and continues to confer with the GNSO Council and community to determine next steps regarding the SSAD policy recommendations. On 9 June 2022, the Board agreed to the GNSO Council's request to pause the consideration of the SSAD-related recommendations while proceeding with the simpler, more cost effective system design (the system is now called "WHOIS Disclosure System") (the Board's letter is posted at https://www.icann.org/en/system/files/correspondence/botterman-to-fouquart-09jun22-en.pdf). With the publication of the WHOIS Disclosure System Design Paper, the GNSO Council requested the Board to proceed with the implementation and the subsequent running of the WHOIS Disclosure System for up to 2 years while continuing to pause the consideration of the SSAD-related recommendations.</p>
<p>ICANN71 Virtual Policy Forum GAC Communique</p> <p>§1.a.I</p> <p>IGO Protections</p> <p>(21 June 2021)</p>	<p>While continuing to welcome work being undertaken by the GNSO in terms of a curative rights protection mechanism for IGOs, the GAC wishes to clarify that the current moratorium on the registration of IGO acronyms should remain in place pending a conclusion to this curative work track.</p> <p>a. The GAC advises the Board:</p> <p>i. to maintain the current moratorium on the registration of IGO acronyms pending the conclusion of the IGO curative work track currently underway (noting that it is expected to conclude within the calendar year).</p>	<p>As noted in the scorecard accompanying the Board's 12 September 2021 resolution on the GAC's ICANN71 Communique, the Board "acknowledges the GAC advice to maintain the current moratorium on second-level registrations of domain names matching the acronyms of IGOs currently on the GAC List (dated March 2013), pending the conclusion of the IGO Work Track" and "emphasizes that the final scope of total protections for IGO acronyms is a matter to be determined through ICANN's policy processes, including the outcomes of the ongoing IGO Work Track (now an EPDP team)." Registry Operators are currently required to withhold the acronyms of the IGOs on the GAC's 2013 list from registration in new gTLDs launched under the 2012 New gTLD Program. This measure was intended to be temporary while the Board, ICANN org and the community continue to actively work through implementation issues concerning IGO acronyms. The Board has confirmed that these interim reservations will remain in place until the post-registration notification system for IGOs is in place.</p> <p>The EPDP team that the Board mentioned in the scorecard included GAC members and IGO representatives. The group completed its work in April 2022 and forwarded its recommendations, all of which attained Full Consensus, to the GNSO Council. The GNSO Council approved all the EPDP recommendations in June 2022 and forwarded its Recommendations Report to the ICANN Board in July 2022. As required by the Bylaws, the recommendations were posted for Public Comment and the GAC notified at the end of November 2022. The next step will be for the Board to consider the EPDP recommendations as well as the remaining GNSO policy recommendations that remain pending before the Board, including the four recommendations from the previous Policy Development Process on IGO-INGO Access to Curative Rights Mechanisms that the GNSO Council approved in April 2019.</p>

Additional Information on Items in Phase 4 | Implement (3 Items)

The 5 items in Phase 4 | Implement have all been previously considered by the Board, and the Board directed the ICANN President and CEO to implement the advice. The Board has provided implementation updates as of the inventory accompanying this letter.

Table 3. Inventory of GAC Advice Items in Phase 4 | Implement

Advice Item	Advice Text	Actions Taken
ICANN62 Panama Communique §1.a.I. GDPR and WHOIS (28 June 2018)	Take all steps necessary to ensure the development and implementation of a unified access model that addresses accreditation, authentication, access and accountability, and applies to all contracted parties, as quickly as possible; and	As per the Board's 12 May 2021 resolution , the Board has considered the GAC's consensus advice to consider the GAC's Minority Statement. As the 12 May 2021 scorecard states, "the Board will consider all relevant public policy concerns, including those raised by the GAC, along with available legal guidance." The Board has considered the GAC's Minority Statement and continues to confer with the GNSO Council and community to determine next steps regarding the SSAD policy recommendations. On 9 June 2022, the Board agreed to the GNSO Council's request to pause the consideration of the SSAD-related recommendations while proceeding with the simpler, more cost effective system design (the system is now called "WHOIS Disclosure System") (the Board's letter is posted at https://www.icann.org/en/system/files/correspondence/botterman-to-fouquart-09jun22-en.pdf). With the publication of the WHOIS Disclosure System Design Paper, the GNSO Council requested the Board to proceed with the implementation and the subsequent running of the WHOIS Disclosure System for up to 2 years while continuing to pause the consideration of the SSAD-related recommendations.
ICANN62 Panama Communique §2.a.III Protection of IGO Identifiers (28 June 2018)	Continue working with the GAC in order to ensure accuracy and completeness of IGO contacts on the current list of IGO identifiers.	ICANN org continues to work with the GAC to consider how to facilitate accuracy and completeness of the IGO contacts on the list of IGOs prepared by the GAC.
ICANN64 Kobe Communique 1.a.V. WHOIS and Data Protection Legislation	Facilitate swift implementation of the new Registration Directory Services policies as they are developed and agreed, including by sending distinct parts to implementation as and when they are agreed, such as the questions deferred from Phase 1;	As per the Board's 12 May 2021 resolution , the Board has considered the GAC's consensus advice to consider the GAC's Minority Statement. As the 12 May 2021 scorecard states, "the Board will consider all relevant public policy concerns, including those raised by the GAC, along with available legal guidance." The Board has considered the GAC's Minority Statement and continues to confer with the GNSO Council and community to determine next steps regarding the SSAD policy recommendations. On 9 June 2022, the Board agreed to the GNSO Council's request to pause the consideration of the SSAD-related recommendations while proceeding with the simpler, more cost effective system design (the system is now called "WHOIS Disclosure System") (the Board's letter

Advice Item	Advice Text	Actions Taken
(14 March 2019)		is posted at https://www.icann.org/en/system/files/correspondence/botterman-to-fouquart-09jun22-en.pdf). With the publication of the WHOIS Disclosure System Design Paper, the GNSO Council requested the Board to proceed with the implementation and the subsequent running of the WHOIS Disclosure System for up to 2 years while continuing to pause the consideration of the SSAD-related recommendations.
<p>ICANN72 Virtual Annual General Meeting Communique</p> <p>§1.a.1</p> <p>Board Scorecard on SSR2 Review Final Report</p> <p>(1 November 2021)</p>	<p>The GAC advises the Board to: Undertake as a matter of priority the follow-up actions needed to support the swift implementation of the Board's scorecard on the Final SSR2 Review Team Report, and to inform the GAC accordingly, including about the corresponding timeline.</p>	<p>On 16 January 2022, the ICANN Board considered the ICANN72 Virtual Annual General Meeting GAC Communique and provided the following response: The Board agrees that addressing the 34 pending recommendations, noted in the scorecard accompanying the Board resolution 2021.07.22.13, in a timely manner is important.</p> <p>The SSR2 recommendations approved by the Board on 22 July 2021 went through the FY23 Pilot Prioritization conducted by the community group in April-May 2022. ICANN org convened a dedicated cross-functional project team (hereafter "project team") in June 2022 to address the outcome of the Pilot Prioritization. Using the prioritization proposed by the community group as input, the project team developed a strategy and design for implementation.</p> <p>With the implementation design complete, the org is now working towards implementation using a cross-functional work plan. To support implementation efforts of prioritized Specific Reviews recommendations, including SSR2, on 16 November 2022 the Board approved the release of resources from the Supplemental Fund for Implementation of Community Recommendations (SFICR).</p> <p>Since the conclusion of the FY23 Pilot Prioritization, progress has been made towards addressing the implementation of several recommendations as documented on the SSR2 ICANN.org page and community wiki page.</p> <p>With reference to recommendations pending Board consideration, it is worth noting the following developments:</p> <ul style="list-style-type: none"> On 1 May 2022, the Board took action on 3 pending recommendations, approving one recommendation which was included in the FY24 prioritization in October 2022, and rejecting the other two. On 16 November 2022, Board action was taken on a set of 21 recommendations, approving 7 as fully implemented, 2 subject to prioritization, and rejecting the others. ICANN org continues to work on the remaining ten pending recommendations. <p>Implementation Operations and the project team, composed of ICANN org subject matter experts, is also working on appropriately documenting the implementation of recommendations considered complete as well as monitoring and resolving dependencies, where possible, to move Board approved recommendations towards prioritization.</p>

Advice Item	Advice Text	Actions Taken
<p>ICANN72 Virtual Annual General Meeting Communique</p> <p>§1.b.1</p> <p>Board Scorecard on SSR2 Review Final Report</p> <p>(1 November 2021)</p>	<p>The GAC advises the Board to provide further information on the diverging interpretation by the Board and SSR2 Review Team of the level of implementation of certain recommendations.</p>	<p>Implementation Operations plans to complement the existing implementation documentation for Specific Reviews recommendations with a final status report that will serve as a central repository for all actions (Board, org or community) on a given review.</p> <p>On 16 January 2022, the ICANN Board considered the ICANN72 Virtual Annual General Meeting GAC Communique and provided the following response: The Board approved Recommendations 4.1 and 9.1, which were considered already fully implemented based on the measures of success defined by the SSR2 Review Team in its Final Report, and including rationale for its decision as detailed in the Scorecard accompanying the Board action. With regard to Recommendation 4.1, the Board noted that ICANN org already has policies, plans and programs in place through which Recommendation 4.1 has already been implemented. The Board continues its oversight role over ICANN org's risk management efforts and is supportive of ICANN org in continuing the risk management activities and strategy that it is already carrying out. For Recommendation 9.1, the Board noted that the current Contractual Compliance operations already meet the SSR2 Review Team's defined measures of success for this recommendation as audits are in place, have been completed and been the subject of public reports.</p> <p>For all Specific Reviews recommendations Implementation Operations, the ICANN org department responsible for overseeing the implementation of non-policy work, is deploying new reporting tools, including implementation documentation for each complete recommendation, quarterly updates on the status of Specific Reviews (first one to be issued in January 2023) and a final implementation report to cover all the recommendations produced by a review team. The enhanced reporting system will support future review teams, SSR3 in the case of SSR2, in the assessment of the recommendations of the previous review cycle. The Bylaws (Section 4.6(b)(iii)) reserve to SSR3 (or other future SSRs) the role of final assessment of the completion of recommendations from prior SSR reviews.</p> <p>Updates regarding the implementation status of SSR2 recommendations, including implementation documentation for 4.1 and 9.1, may be found at https://www.icann.org/resources/reviews/specific-reviews/ssr and at https://community.icann.org/display/SSR/SSR2+Review</p>

Additional Information on Items in Phase 5 | Close Request (1 Item)

There is currently 1 GAC advice item in Phase 5. Items enter Phase 5 | Close Request when the ICANN org has reviewed the advice and has determined the advice has been considered, and all directed action or implementation has been completed. The ICANN Board will review items in Phase 5 before moving them to “Closed.”

Table 4. Inventory of Phase 5 | Close Request GAC Advice Items

Advice Item	Advice Text	Actions Taken
N/A	N/A	ICANN org notes that there are currently no consensus advice items that have been moved to Phase 5 Close Request.

Additional Information on Recently Closed Items (8 Item)

Advice is considered closed once the Board has reviewed the advice, and the advice has been processed as much as is relevant and is considered complete. For advice that is considered closed, no work is outstanding from the perspective of the ICANN Board or org. Related implementation work may have been integrated into ICANN's ongoing operations or other initiatives. Follow-up to previous advice items will be noted on open items of consensus advice related to the same topic and will be closed out after the Board adopts a scorecard with a response to the follow-up comments. Follow-up to previous advice will not be tracked in phases four or five.

Table 5. Inventory of GAC Advice Items Closed since Last Scorecard

Advice Item	Advice Text	Actions Taken
ICANN66 Montreal Communique 2.b.i Domain Name Registration Directory Service and Data Protection - Phase 2 of the EPDP	<p>The GAC advises the Board to instruct the ICANN organization to ensure that the current system that requires "reasonable access" to non-public domain name registration is operating effectively.</p> <p>This should include:</p> <ul style="list-style-type: none"> - educating key stakeholder groups, including governments, that there is a process to request non-public data; - actively making available a standard request form that can be used by stakeholders to request access based upon the current consensus policy; and - actively making available links to registrar and registry information and points of contact on this topic. 	<p>The RrSG, RySG and ICANN staff agreed to publish guidelines around the Minimum Required Information for Whois Data Requests. These guidelines offer the minimally required information that should be submitted when requesting data disclosure and also offers where to find the hosting registry/registrar to submit this information. This set of guidelines is available on the RrSG webpage as well as on ICANN's DNS abuse page - www.icann.org/dnsabuse.</p> <p>Since the publication and promotion of the guidelines, the ICANN org team has shifted its resources to focusing on the Operational Design Assessment of the GNSO's recommended SSAD.</p> <p>It should be noted, the data from both Contractual Compliance and Global Support do not indicate this lack of centralized intake system to be a significant issue for Internet users. It should be further noted that the standard request form or the SSAD will not circumvent the GDPR or any other applicable legal restriction on registration data access and disclosure. Therefore, since these guidelines provide information on how to request non-public data: Based on this information, this item is considered completed and has been closed.</p>