



## Governmental Advisory Committee

Buenos Aires, 24 June 2015

### **GAC Communiqué – Buenos Aires, Argentina<sup>1</sup>**

#### **I. Introduction**

The Governmental Advisory Committee (GAC) of the Internet Corporation for Assigned Names and Numbers (ICANN) met in Buenos Aires, Argentina during the week of the 20<sup>th</sup> of June 2015. Sixty-nine (69) GAC Members attended the meeting and nine (9) Observers.

#### **II. Inter-Constituency Activities & Community Engagement**

##### **1. Meeting with the ICANN Board**

The GAC met with the ICANN Board and discussed a range of issues, including:

- Community Priority Evaluation
- Dot Africa
- Safeguards for New gTLDs
- Country and Territory Names at the Second Level
- New gTLD Program Reviews
- IANA Stewardship Transition
- ICANN Accountability
- ICANN CEO

##### **2. Meeting with the Generic Names Supporting Organization (GNSO)**

The GAC met with the GNSO and noted the application of the new “quick look” mechanism related to the development of an issues paper on future directory services; and the value of more regular inter-sessional conference calls between the GAC and GNSO leadership groups. The GAC supported an extension of the pilot scheme of a GNSO Council Liaison to the GAC.

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<sup>1</sup>To access previous GAC advice, whether on the same or other topics, past GAC communiqués are available at: <https://gacweb.icann.org/display/gacweb/GAC+Recent+Meetings> and older GAC communiqués are available at: <https://gacweb.icann.org/display/gacweb/GAC+Meetings+Archive>.

The GAC welcomed the development by the GNSO of a mechanism for responding to GAC advice so that the Board receives a clear indication of GNSO policy that is relevant to such advice.

There was an exchange of views on the respective GAC and GNSO approaches to the work of the Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CWG-Stewardship) and the Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability).

### **3. Meeting with the Country Code Name Supporting Organisation (ccNSO)**

There was an exchange of views on the CWG-Stewardship and CCWG-Accountability approaches of the GAC and the ccNSO.

The GAC informed the ccNSO about data being gathered on relationships between country code top-level domains (ccTLDs) and governments. The aim is to assist developing countries by providing an information resource on good practice and experiences.

### **4. Meeting with the Security and Stability Advisory Committee (SSAC)**

The GAC met with the SSAC and received an update on current SSAC priorities. There was a very helpful discussion on the SSAC approach to the CWG-Stewardship and CCWG-Accountability work, in particular the recommendations in SAC069: SSAC Advisory on Maintaining the Security and Stability of the IANA Functions Through the Stewardship Transition.

### **5. Meeting with the At-Large Advisory Committee (ALAC)**

The GAC and the ALAC discussed a range of issues, including Category 1 gTLD Safeguards.

Views were exchanged on the CWG-Stewardship and CCWG-Accountability approaches of the GAC and the ALAC.

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The GAC warmly thanks all SOs/ACs who met with the GAC, as well as those among the ICANN community who have contributed to dialogue with the GAC in Buenos Aires.

## **III. Internal Matters**

### **1. New Members**

The GAC welcomes Kiribati and Mauritius as new Members. The GAC currently has 152 Members and 32 Observers.

Governments, who are not yet members of the GAC, are encouraged to consider joining.

## **2. GAC Operating Principles**

The GAC agreed to minor amendments to its Operating Principles that will enable the election of up to five Vice-Chairs. A Working Group has been established to review all other aspects of the Operating Principles.

## **3. GAC Working Groups**

The GAC continues to pursue specific areas of work through its Working Groups, which cover the following areas:

- Protection of Geographic Names
- Public Safety
- Underserved Regions
- GAC Participation in the ICANN Nominating Committee (NomCom)
- Human Rights and International Law
- Review of GAC Operating Principles
- Government and Inter-Governmental Organisation (IGO) Engagement

## **4. Country and Territory Names at the Second Level**

The GAC is continuing to develop a database of country requirements for notification of requests for release of country/territory names at the second level in new gTLDs (reserved according to the application rules for new gTLDs), with options for governments to state that they do not object to release and abstain from notifications for such requests.

This should be finalised by the end of July 2015 and published on the GAC website.

## **IV. High Level Governmental Meeting**

Morocco, as host of the next High Level Governmental Meeting (HLGM) to take place on Monday 7<sup>th</sup> March 2016, during ICANN 55, made a presentation of the preparatory process for the meeting and other aspects linked to the topics to be discussed, the draft agenda and related matters. Several GAC members expressed their appreciation to Morocco for hosting the HLGM and their support to make it a success. The GAC foresees to establish a Working Group chaired by Morocco to consult and engage members in developing a proposed agenda to be agreed no later than at the ICANN meeting in Dublin. The GAC will decide during the Dublin meeting about the themes to be addressed and a draft program.

## **V. Transition of US Stewardship of IANA and Enhancing ICANN Accountability**

### **1. Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CWG-Stewardship)**

The GAC has conveyed the following to the CWG-Stewardship Co-Chairs on 24 June 2015:

The GAC takes note of the CWG-Stewardship Final Proposal, and states support for its submission to the ICG, without prejudice to comments made publicly by individual delegations.

The GAC notes and recognizes the provisions of paragraph 106 of the CWG Final Proposal which states that the CWG-Stewardship proposal is significantly dependent and expressly conditioned on the implementation of ICANN-level accountability mechanisms by the Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability). If any element of these ICANN level accountability mechanisms is not implemented as contemplated by the CWG-Stewardship proposal, this CWG-Stewardship proposal will require revision.

The final CCWG proposal will be assessed on its own merits by the GAC and considered by the GAC as a Chartering Organisation.

The GAC wishes to express its sincere appreciation of the diligent and productive work performed by the CWG-Stewardship, its Co-Chairs, its members and all its contributors.

## **2. IANA Stewardship Transition Coordination Group (ICG)**

The GAC took note of the activities being carried out by the ICG and is looking forward to seeing the combined proposal from the three operational communities available for public comment.

## **3. Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability)**

The GAC is continuing to clarify issues of concern to GAC members with regard to the evolving proposals of the CCWG-Accountability. These will be conveyed to the CCWG face-to-face meeting to be held on 17-18 July 2015.

# **VI. GAC Advice to the ICANN Board<sup>2</sup>**

## **1. gTLD Safeguards**

The GAC appreciates the efforts of the ICANN Board New gTLD Program Committee (NGPC) since the 2013 Beijing meeting to respond to the GAC's Safeguard advice. At the same time, however, despite guidance provided by the GAC in Communiqués generated during subsequent ICANN meetings, including the 2015 ICANN meeting in Singapore, contracts with the new gTLD Applicants have continued without the GAC previously recommended provisions requiring the verification of credentials for domains in highly regulated sectors.

Nonetheless, the GAC notes that an increasing number of Registries and Applicants for strings related to highly regulated sectors have, consistent with GAC advice, voluntarily committed to undertaking the verification and validation of credentials. These Applicants and Registries demonstrate that satisfactory solutions can be achieved based on the GAC advice.

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<sup>2</sup> To track the history and progress of GAC Advice to the Board, please visit the GAC Advice Online Register available at: <https://gacweb.icann.org/display/GACADV/GAC+Register+of+Advice>

Accordingly,

**a. The GAC recommends that the NGPC:**

- i. Create a list of commended public interest commitment (PIC) examples related to verification and validation of credentials for domains in highly regulated sectors to serve as a model. These public interest commitments could demonstrate a best practice for other gTLD registry operators. For example the PIC for .bank appears to have taken steps to provide confidence to consumers that they can rely on the *bona fide* of the Registrants listed. Relevant stakeholders should be identified and encouraged to devise a set of PICs that work well for the protection of public interests in each of the new gTLDs related to highly regulated sectors.

**b. The GAC additionally recommends:**

- i. that the ICANN community creates a harmonised methodology to assess the number of abusive domain names within the current exercise of assessment of the new gTLD program.
- ii. that the NGPC clarifies its acceptance or rejection of Safeguard advice. It would be useful to develop a straightforward scorecard on all elements of GAC Safeguard advice since the Beijing 2013 GAC Communiqué in order to clarify what elements of GAC advice have been implemented, what remains a work in progress, and what has not been accepted for Implementation. In any instances of complete or partial rejection of the Advice, the GAC urges the NGPC to clarify the milestones intended to be followed in order to seek a potentially “mutually acceptable solution” as mandated by ICANN’s Bylaws.

**2. Protection for Inter-Governmental Organisations (IGOs)**

Consistent with previous GAC advice in previous Communiqués regarding protection for IGO names and acronyms at the top and second levels, the GAC takes note of the progress made by the informal “small group” towards developing mechanisms in line with previous GAC advice, and calls upon the small group to meet in the near term with a view towards developing a concrete proposal for these mechanisms before the next ICANN meetings in Dublin; and welcomes the preventative protections that remain in place until the implementation of permanent mechanisms for protection of IGO names and acronyms at the top and second levels.

**3. Accountability and Transparency Review Team 2 (ATRT2)**

The GAC confirmed the status of its implementation of GAC-related ATRT2 recommendations as conveyed to the Board in its letter of 8 May 2015, noting that work in several areas is ongoing as a process of continuous improvement. With regard to recommendation 6.8, the GAC agreed

on guidelines for engaging governments and for coordination between the GAC and the ICANN Global Stakeholder Engagement staff.

#### **4. Community Priority Evaluation**

The GAC continues to keep under review the community application process for new gTLDs, noting that it does not appear to have met applicant expectations. The GAC looks forward to seeing the report of the ICANN Ombudsman on this matter following his current inquiry and will review the situation at its meeting in Dublin.

#### **VII. Next Meeting**

The GAC will meet during the period of the 54<sup>th</sup> ICANN meeting in Dublin, Ireland.