Governmental Advisory Committee (GAC)

OF THE INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS (ICANN)

ICANN74 FELLOWS MENTORING

MAY 2022

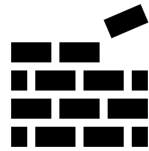# Getting to Know the GAC
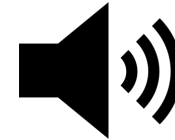
About the GAC

Governmental Advisory Committee

Established in 1999

The voice of Governments and Intergovernmental Organizations (IGOs) in ICANN's multi-stakeholder structure

GAC Membership

179 Governments as **Members**

Only members are eligible to voting *(during elections)*

Members and observers participate equally in all discussions

38 Intergovernmental Organizations as **Observers**

One third of the Current Membership with voting rights constitutes a quorum at any meeting

GAC Leadership

Chair	Vice Chairs
Elected by Members Term: 2 years – max 2 consecutive terms	Up to 5 Vice Chairs elected by Members Term: 1 year – max 2 consecutive terms

Chair-Vice Chairs (CVC) collectively referred to as GAC Leadership

GAC Support

GAC Support provided by 5 ICANN support staff

Support activities include:
◦ Organizing meetings,

◦ Providing substantive issue briefings,

◦ Managing GAC website and email administration,

◦ Liaise with ICANN Org and other ICANN structures, and

◦ Coordination of operational matters, including:
  ◦ membership management,
  ◦ working group facilitation support, and
  ◦ coordination of community travel support

Rob Hoggarth
Fabien Betremieux
Julia Charvolen
Benedetta Rossi
Gülten Tepe

GAC Work Modalities

"GAC Consensus Advice"
"understood to mean the practice of adopting decisions by general agreement in the absence of any formal objection" → in the form of a *communiqué* at the end of each GAC meeting
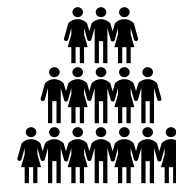
The GAC meets **face-to-face three times a year** in conjunction with ICANN meetings

Communiqué, meeting minutes, transcription and recording of all open meetings are **posted online**

GAC Internal **Working Groups** are created, as deemed necessary, either *permanently* or *temporary* for a specific task

Role of the GAC

Key Role of the GAC

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

Provides advice in accordance with the GAC Operating Principles upon ICANN Board's request or on its own initiative

GAC Advice is duly taken into consideration by the Board in accordance with Section 12.2 (a)(x-xi) of the ICANN Bylaws
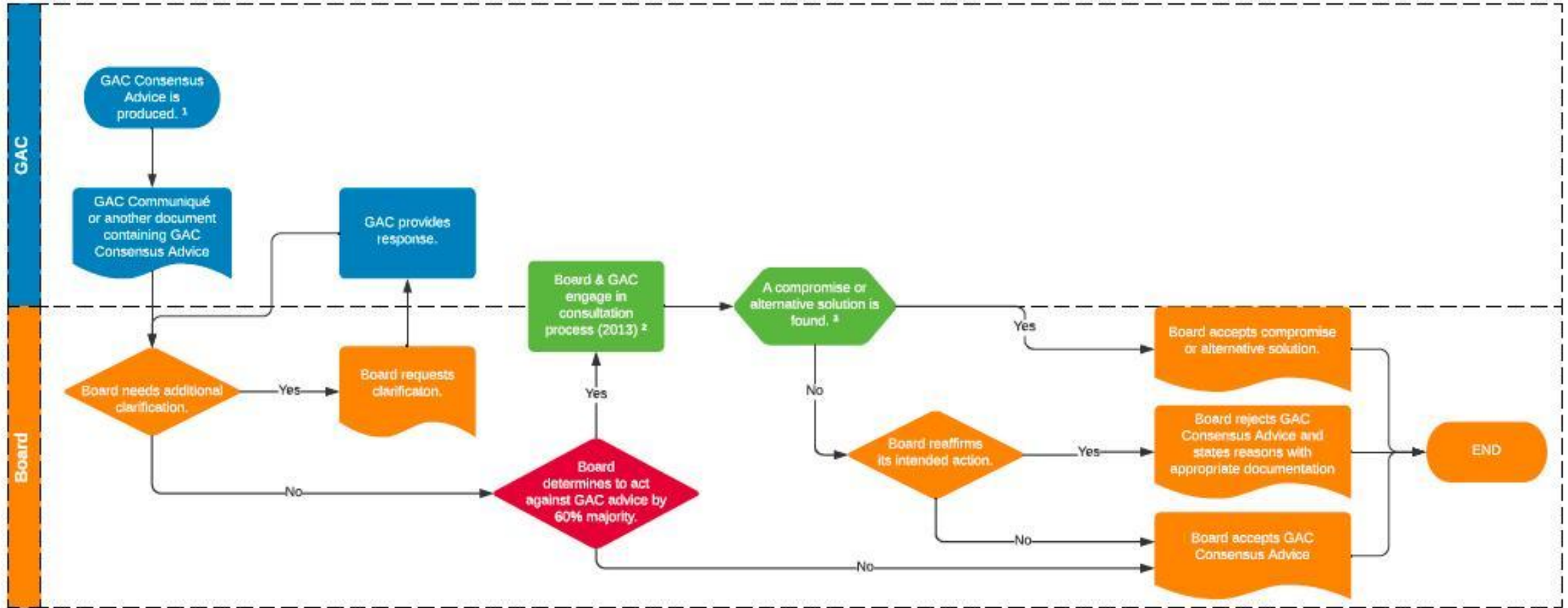
Board Consideration of GAC Advice

"[Bylaws Section 12.2(a)(x)](): The advice of the Governmental Advisory Committee on public policy matters shall be duly taken into account, both in the formulation and adoption of policies. In the event that the Board determines to take an action that is not consistent with Governmental Advisory Committee advice, it shall so inform the Governmental Advisory Committee and state the reasons why it decided not to follow that advice.

Any Governmental Advisory Committee advice approved by a full Governmental Advisory Committee consensus, understood to mean the practice of adopting decisions by general agreement in the absence of any formal objection ("GAC Consensus Advice"), may only be rejected by a vote of no less than 60% of the Board, and the Governmental Advisory Committee and the Board will then try, in good faith and in a timely and efficient manner, to find a mutually acceptable solution. The Governmental Advisory Committee will state whether any advice it gives to the Board is GAC Consensus Advice."

Process for Board Consideration of
GAC Consensus Advice

GAC

- GAC Consensus Advice is produced. [1]
- GAC Communiqué or another document containing GAC Consensus Advice
- GAC provides response.

Board

- Board needs additional clarification.
  - Yes → Board requests clarification.
  - No → Board determines to act against GAC advice by 60% majority.
- Board & GAC engage in consultation process (2013) [2]
- A compromise or alternative solution is found. [3]
  - Yes → Board accepts compromise or alternative solution.
  - No → Board reaffirms its intended action.
    - Yes → Board rejects GAC Consensus Advice and states reasons with appropriate documentation
    - No → Board accepts GAC Consensus Advice
- END

[1] GAC Consensus Advice is defined in Section 12.2(a)(x) of the Bylaws

[2] The full timeline, steps and possible outcomes of the Board-GAC Consultation Process (2013) are linked here.

[3] This process could result in a GAC determination to revise or modify its existing advice, which would end this process flow and direct the matter back to the GAC's internal processes (which are not reflected in this flow chart).

Working Methods

Operating Principles

The GAC sets its own Operating Principles (GAC OP)

Current Operating Principles dates back to 2011

Slightly amended in Buenos Aires in 2015 to allow for 5 Vice Chairs

Slightly amended in Johannesburg on June, 2017 to allow for electronic voting

Overall GAC Operating Principles are currently under review

GAC Meetings

GAC prepares for meetings inter-sessionally

Agenda & Briefs are circulated and posted online in advance of the meeting

The GAC meets face-to-face three times a year in conjunction with ICANN meetings

All GAC meetings are open by default (GAC can hold closed meetings if deemed necessary)

Real-time interpretation in 6 UN languages + Portuguese - Real-time captioning - Remote participation - Recording of the meetings

The GAC produces a Communiqué at the end of each meeting

Communiqué, meeting minutes, transcription and recording of all open meetings are posted online

Virtual/Hybrid Meetings Highlights

More intersessional work

Extended footprint of GAC meetings

Good opportunity for prioritization

Communique drafting challenges

Technical challenges

Time zone challenges

Daily briefs during meeting week

72-hr period for communique review

High Level Government Meeting (HLGM)

Following recommendations from ICANN's Accountability & Transparency Review Teams 1&2, a High Level Government Meeting (HLGM) is organized once every two years, hosted by one of the GAC Members

Past meetings:
- Canada (ICANN45 Toronto, October 2012)
- United Kingdom (ICANN50 London, June 2014)
- Kingdom of Morocco (ICANN55, Marrakech, February 2016)
- Spain (ICANN63, Barcelona, October 2018)

High Level Government Meeting (HLGM)

HLGMs provide an opportunity to:

Reaffirm the critical role that governments play at ICANN and enable a clearer understanding of that role

Discuss current public policy issues and challenges at senior level

Provide an opportunity for senior government officials to meet each other and meet ICANN Executives

Reach out to governments who are not represented at GAC/ICANN

GAC Internal Working Groups

GAC Working Groups (WGs) :

Created, as deemed necessary

Focus on particular areas either related to substance or administrative issues
- Each has an agreed Terms of Reference
- Leads and participants are volunteer GAC members/observers
- May have a dedicated mailing list, separate f-2-f meetings and/or their own conference calls
- Provide necessary briefs before f-2-f meetings and provide regular reporting to GAC plenaries
- Some are ongoing while others have specific life span and are closed as soon as they achieve their mandate

GAC WGs

GAC Under-Served Regions WG (USRWG)

◦ Focuses on regions under-served by the DNS industry, and least developed economies and small island developing states

GAC Public Safety WG (PSWG)

◦ Focuses on aspects of ICANN's policies and procedures that implicate the safety of the public

GAC WG on Human Rights and International Law (HRIL WG)

◦ Focuses on aspects of ICANN's policies and procedures which relate to human rights and relevant international law

GAC WGs

GAC Focal Group on Next Rounds of New gTLDs

◦ Geared towards ensuring GAC timely input into the final deliberations of the New gTLDs Subsequent Procedures PDP WG

GAC Universal Acceptance and Internationalized Domain Names Working Group (UA-IDN WG)

◦ Works to develop a single information source on UA and IDNs and to follow efforts on related issues of importance to governments

GAC WG on GAC Operating Principles Evolution (GOPE WG)

◦ Focuses on a comprehensive review of the GAC Operating Principles to provide the GAC with recommendations for a revised set of Operating Principles

GAC within the Broader Community

Bilateral meetings and activities:

◦ Board-GAC Interaction Group (BGIG)

◦ Meeting with the Board

◦ Meeting with other parts of the community, including GNSO, ccNSO, ALAC, SSAC, RSSAC …

Community-wide activities:

◦ GAC Participation in Policy Development Processes (PDPs)

◦ GAC participation in cross community efforts (sessions and WGs)

◦ GAC Participation in Specific Reviews

General Principles for GAC Participation

Adopt flexible approach and make changes as necessary

Have a clear, consistent, predictable and transparent process in taking and documenting decisions

Engage in issues with public policy implications

Participate in early stages, with a view to assisting resolution of the issue

Approach each case on its merits

GAC Post IANA Transition

IANA Stewardship Transition

Handover of IANA Function Stewardship from the US Government to the global multistakeholder community in October 2016

- Ending the special role/status of the US government
- The transition proposal was mandated to meet certain principles:
  - Support and enhance the multistakeholder model,
  - Maintain the security, stability, and resiliency of the Internet DNS,
  - Meet the needs and expectation of the global customers and partners of the IANA services, and
  - Maintain the openness of the Internet.
- ICANN Org now accountable to => the EMPOWERED COMMUNITY

Empowered Community

[Empowered Community (EC)](#) is the mechanism in new ICANN Bylaws through which the community is empowered to exercise nine powers to make ICANN accountable:

- Reject an ICANN or IANA Operating Plan/Strategic Plan/Budget,
- Approve a change to Fundamental Bylaws and ICANN's Articles of Incorporation,
- Reject changes to Standard Bylaws,
- Remove an individual Board Director,
- Remove the entire Board,
- Initiate a binding Review Process or a Request for Reconsideration,
- Require the ICANN board to review its rejection of recommendations from reviews relating to PTI
- Reject Public Technical Identifiers (PTI) Governance Actions, and
- The rights of inspection and investigation.

Decisional Participants

The GAC is a Decisional Participant

The GAC has formal obligations under the new Bylaws to :
◦ receive and initiate petitions,
◦ participate in the conduct of community discussions, and
◦ support, reject or abstain from a collective exercise of one of the new powers

The community communicates its decisions through EC Administration

EC Administration is made up of chairs or representatives of Decisional Participants of ICANN Supporting Organizations / Advisory Committees (SOs/ACs)

The GAC agreed to be represented by its chair temporarily until GAC discussions are finalized

GAC Hot Topics

GAC Agenda Highlights – Substance

New gTLDs Subsequent Procedures

WHOIS and Data Protection

DNS Abuse

IGO Rights Protection Mechanisms

Global Public Interest

Administrative & Internal Matters

"Hybrid" ICANN Meetings

GAC Operating Principles Review

Onboarding of new GAC representatives

High Level Government Meeting

Upcoming GAC Leadership Election

How Governments Can Get Involved

GAC Website:

https://gac.icann.org

GAC Newcomers page:

https://gac.icann.org/meeting-services/attending-your-first-gac-meeting

GAC Working Groups:

https://gac.icann.org/working-group/

GAC support staff:

gac-staff@icann.org

Thank You

QUESTIONS ?