

# NOTES OF GAC TELECONFERENCE WITH THE ICANN BOARD

## 15 DECEMBER 2016 2200 UTC

Prepared by ACIG GAC Secretariat

### PRESENT

GAC	BOARD	STAFF
Thomas Schneider (Chair)	Marcus Kummer	Tom Dale (ACIG)
Australia	Goran Marby (CEO)	Michelle Scott Tucker (ACIG)
China	Ron da Silva	Tracey Hind (ACIG)
Denmark	Rinalia Abdul Rahim	Olof Nordling
Egypt	Akinori Maemura	Fabien Betremieux
France	Rafel Lito Ibarra	Julia Charvolen
Iran	Maarten Botterman	Gulten Tepe
Japan	Khaled Koubaa	
New Zealand	Cherene Chalaby	
Niue	Chris Disspain	Other ICANN staff
Samoa	Jonne Soininen	
Spain	George Sadowsky	
Switzerland		
Thailand		
United Kingdom		
United Nations		
United States		
Vanuatu		

### APOLOGIES

Dr Steve Crocker, Chair, ICANN

### AGENDA

The Board provided to the GAC shortly before the call its response to the GAC Helsinki Communiqué and a series of "clarifying questions" on the Hyderabad Communiqué. It was agreed to use these questions as an agenda for the call. The purpose of this call is to clarify issues and enable the Board to move to finalise its response to the Hyderabad Communiqué.

### FUTURE gTLD POLICIES & PROCEDURES

The Board stated that timing of the community's work schedule is a matter for the community and not the Board.

Several GAC members pointed out that this was inconsistent with the Board's letter to the GNSO Council of 5 August 2016 in which it sought views on re-scheduling of the timing for policy development for new gTLD subsequent procedures.

### DNS ABUSE

The Board will direct the CEO to reply to the questions on DNS abuse contained in the Hyderabad Communiqué.

## **2-LETTER COUNTRY CODES AT THE SECOND LEVEL**

The Board had asked: "In what ways do you believe that the Board's actions are not consistent with the GAC's advice?"

The GAC Chair reminded the Board that the most recent substantive GAC advice is contained in the Helsinki Communiqué. The Hyderabad Communiqué is mainly concerned with procedural issues.

GAC members noted that:

- A clear statement is necessary to determine whether the Board has accepted GAC advice or not, especially in the new accountability environment.
- Information on how GAC advice will be implemented is also important in issues with a complex history such as this one.
- The Board Resolution made at Hyderabad is not clear as to its precise meaning and practical effect.
- The Board does not appear to have followed GAC advice in that: (a) governments have been given no real opportunity to engage with those seeking registration of a 2-letter code (b) the confusability issue has been reduced to affiliation with governments (c) there is no obligation to talk to a government before assigning a code (d) there is no independent third party assessment.

One GAC member noted that it was the intention of the GAC that delegation should not proceed where specified countries had made it clear that their explicit permission is required. The Board responded that this has not been done and it was unclear that the GAC advice required it.

## **BOARD POSITION TO BE MADE AVAILABLE IN DUE TIME**

The GAC Chair informed the Board that this refers to the need for better communications generally, not just in the case of 2-character country codes, and also to the importance of having a clear statement from the Board, on the public record, as to whether the Board has accepted particular GAC advice or not.

## **IGO PROTECTIONS**

GAC members noted that the draft GNSO Council response to the Hyderabad Communiqué appeared inconsistent with the Board's proposed approach of a "facilitated dialogue."

There is concern that things may not progress before Copenhagen. GAC members seek a full and transparent reporting of progress at Copenhagen.

GAC members noted the need to continue current protections pending resolution of current disagreements.

The Board noted these issues.

## **RED CROSS RED CRESCENT RED CRYSTAL PROTECTIONS**

GAC members noted that: (a) this is a separate issue from IGOs; (b) again, the draft GNSO Council response to the Hyderabad Communiqué appeared inconsistent with the Board's proposed approach.

The Board stated that this is noted and understood.

## **STRING SIMILARITY REVIEW**

The GAC Chair clarified that this issue is not intended as one for the new gTLD policy development procedure, but as an advice related to the GAC's input to the relevant ccNSO process, dated 28 September 2016.

## **GAC-BOARD COOPERATION AND UNDERSTANDING**

The GAC Chair informed the Board that, in responding to GAC advice, they should consider the rationale provided as well as the action points.

GAC members suggested that Board dialogue should be with all elements of the community and be fully transparent, rather than a series of bilateral exchanges.

There was agreement from all parties to keep working on improved communications between the GAC and the Board to avoid the problem of "talking past each other."

The GAC Chair noted continuing work that is underway to clarify the processing of GAC advice, the respective roles of the Board and GAC, what is accepted and implemented and so on.