

15 March 2023

Manal Ismail
Chair, Governmental Advisory Committee (GAC)

RE: Board-GAC Interaction Group (BGIG) Update on ICANN75 Kuala Lumpur GAC
Communiqué Issues of Importance

Dear Manal,

The ICANN Board appreciates the thoughtful inputs received from the Governmental Advisory Committee (GAC) in their [ICANN75 Kuala Lumpur Communiqué](#), as mentioned in a letter dated [18 November 2022](#). Given there have been challenges in scheduling a Board-GAC Interaction Group (BGIG) call prior to ICANN76, the Board wants to ensure that the GAC receives the Board's perspectives and updates regarding each of the Issues of Importance the GAC shared in its ICANN75 Communiqué.

Consequently, attached please find a "scorecard" document addressing each of the Issues of Importance in the GAC's ICANN75 Communiqué in order of presentation. This document is modeled after the traditional GAC Advice Scorecard normally produced by the Board in reaction to GAC Advice. I hope that this document provides the GAC with useful information and a clear understanding of the Board's perspectives about each of the issues identified in the ICANN75 Communiqué.

The Board looks forward to continuing its dialogue with the GAC on any of these matters at a future BGIG gathering and/or during the Board/GAC joint session at ICANN76 on 14 March 2023.

Sincerely,



Tripti Sinha
ICANN Board Chair

GAC ICANN75 Kuala Lumpur Communiqué: Issues of Importance (26 September 2022) - Updates for Board-GAC Interactions Group
Updated (28 February 2023)

Issues of Importance

The section below contains Board updates related to the ICANN75 Kuala Lumpur Communiqué, in support of the Board-GAC Interactions Group (BGIG). **This section will not be presented to the Board for resolution.**

Issue	Issue Text <i>(from the Communiqué)</i>	ICANN Board Updates
1. Subsequent Rounds of New gTLDs	<p>The GAC discussed recent developments pertaining to Subsequent Rounds of New gTLDs including the ongoing Operational Design Phase, the upcoming launch of the GNSO Guidance Process (GGP) on Applicant Support, as well as the upcoming GAC and GNSO Council dialogue on Closed Generics, including a status update from ICANN org on the latter.</p> <p>The GAC confirmed its commitment to engage with the GNSO Council as well as ALAC in seeking a mutually agreeable solution on Closed Generic applications in the next round of New gTLDs, in keeping with the GAC Beijing Advice on the matter whereby “<i>exclusive registry access should serve a public interest goal</i>”. GAC positions on Closed Generics will be guided by said Advice as well as prior GAC consensus inputs to the Subsequent Procedures for New gTLDs Policy Development Process (SubPro PDP). Regular exchanges between the six (6) GAC designated representatives to the facilitated dialogue and the GAC are envisaged to take place intersessionally.</p> <p>In preparation for the next round of New gTLDs, GAC members strongly encouraged ICANN org to share an analysis of changes between the rules applicable to the 2012 round and the forthcoming rules derived from the 2021 policy recommendations as set forth in the Final Report of the SubPro PDP. Such analysis would help GAC</p>	<ul style="list-style-type: none"> ● The Board appreciates the GAC’s participation in dialogue with the GNSO Council on a potential framework for closed generics, in light of the GAC’s previous advice on this topic. The Board understands that the GAC, GNSO Council and ALAC have appointed participants for the dialogue, who have begun to work including a meeting in late January 2023. The Board looks forward to the outcomes of these exchanges. ● The Board notes the GAC’s suggestion for an analysis of changes including a comparison between the 2007 policy recommendations on the introduction of new gTLDs and the 2021 recommendations for new gTLD subsequent procedures. <ul style="list-style-type: none"> ○ The Board understands that the org has already begun to prepare a high-level overview of the recommended changes. ○ The Board also notes that, if the Board approves the 2021 recommendations for new gTLD subsequent procedures, the resulting updated Guidebook will fully document the processes and procedures for the next round of new gTLDs. ICANN org would plan at that point to provide an overview of changes to help illustrate changes between the 2012 processes and those for the immediate next round of new gTLDs. ● The Board also notes the GAC’s emphasis on diversity and engagement, and appreciates its interest in working on the Applicant Support components of the New gTLD Program in the context of the GNSO Guidance Process (GGP) on this topic. The Board understands that the GNSO Council formally initiated the GGP in August 2022, and confirmed a Chair for the work in October 2022. ● The Board also notes that on 12 December 2022, ICANN org delivered an Operational Design Assessment, providing the Board with operational information to help inform the Board’s decision on the policy recommendations relating to subsequent new gTLD procedures. The Board looks forward to discussing the Operational Design Assessment with the GAC.

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	<p>members and the wider community prepare for the upcoming round of New gTLDs in an effective manner.</p> <p>Stressing the need to promote diversity and a balanced geographical engagement among stakeholders, the GAC reaffirmed its continued interest in the improvement of Applicant Support for the next round of New gTLDs, noting the importance of active GAC participation in the upcoming GGP. In this regard, the GAC calls on the GNSO Council to allow broader participation from interested GAC participants, as well as other members of the community, beyond the single member per Advisory Committee presently envisioned by the call for volunteers communicated to the GAC.</p>	
<p>2. Digital Inclusion and Internet Connectivity</p>	<p>In the follow-up of capacity-building sessions held on 17 and 18 September 2022, the GAC took note of presented data and figures that indicate a high level of concentration of the global DNS industry in specific geographic regions.</p> <p>GAC Members recognized the fact that the previous round of New gTLDs had geographical concentration, most notably as a reflection of digital divides, and encouraged the ICANN Board and the community as a whole to explore new and additional actions. These should aim to: contribute to bridge digital inequalities, within and among countries; ensure that all opportunities regarding the application for gTLDs are equally shared among all regions; and promote a more balanced distribution of New gTLD applications, registries and registrars among regions.</p> <p>The GAC further noted remarks made by the ICANN Board Chair and the ICANN President about existing gaps in global Internet access and connectivity. The GAC</p>	<ul style="list-style-type: none"> ● In regard to the New gTLD Program, the Board supports the exploration of opportunities to generate awareness and pathways to participation in the space by stakeholders in all regions of the world. ● Two studies that ICANN org recently commissioned are anticipated to offer fresh insights into new and additional actions that ICANN Board, community, and org can take to foster greater geographic balance and diverse participation in digital infrastructure. <ul style="list-style-type: none"> ○ The first study is a TLD Operating Model Study intended to improve our collective understanding of the most significant challenges and emerging trends to consider in developing rules and procedures for future gTLD rounds. ○ The second study is on the Africa Domain Name System. This study is intended to: highlight the strengths and weaknesses in the DNS sector in Africa, develop recommendations on how to advance the industry to better exploit the opportunities available and to address identified challenges, and explore options for establishing an observatory to continuously monitor the growth, development, and emerging needs regarding the DNS in Africa. This study will be essential for

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	<p>acknowledges that addressing these gaps and bridging digital divides should stand as a priority for the broader Internet community. Building on the experience gained with the unprecedented provision of financial support for Internet access in Ukraine, the GAC urges the ICANN Board to develop a more comprehensive framework for the provision of financial, technical, and capacity-building support to promote Internet access and connectivity in developing and underserved regions, as well as in countries in particular situations of vulnerability or distress.</p>	<p>understanding the current circumstances in Africa ahead of a potential future round of new generic top-level domains.</p> <ul style="list-style-type: none"> ● As discussed at ICANN75, the Board notes that ICANN org has recently hired a global communications and public relations firm (Teneo Brussels) to develop and implement a global strategy to localize information and conduct communications and outreach efforts to reach specific target audiences based on the SubPro Final Report outputs. <ul style="list-style-type: none"> ○ In addition, the Board notes ICANN org’s cross-functional efforts to identify diverse target audiences, stakeholders, and communities and to develop tailored strategies for reaching each of those target audiences. ○ The Board also recognizes that, on its own, raising awareness about the New gTLD Program is unlikely to fully address barriers to participation. Pending Board decision on the SubPro Final Report, the Board understands that ICANN org would incorporate a cross-functional team to support comprehensive approaches to identifying and addressing such gaps and barriers to participation. ○ Noting that ICANN org is one entity across a global system of actors, the Board notes that it will be equally important to determine the most appropriate and effective roles for ICANN to play, while helping to catalyze other actors to lend their expertise and support towards bridging digital inequalities. ● As regards the remarks on developing a more comprehensive framework for the provision of financial, technical, and capacity-building support to promote Internet access and connectivity in developing and underserved regions the Board notes the following recent activities: <ul style="list-style-type: none"> ○ Launch of the Coalition for Digital Africa: The Coalition for Digital Africa was formally launched at the Internet Governance Forum (IGF) in Addis Ababa on 1 December. The Coalition aims to develop the local Internet infrastructure to support the growth and sustainability of Africa’s digital economy. Working across the continent in partnership with governments, international organizations, and national and local stakeholders, the Coalition will contribute to enhancing the continent’s Internet infrastructure, increasing the rate of

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		<p>Internet access, bolstering Internet security, and raising the level of participation and contribution from Africa in multi stakeholder policy making development. The purpose of the coalition is to encourage collaboration, facilitate identifying solutions and identifying partners that can implement those solutions. Organizations with projects that address these challenges and endorse the principles of the Coalition will be able to join and have their programs identified on the Coalition website. There are several projects ICANN has implemented under the Coalition.</p> <ul style="list-style-type: none"> <li data-bbox="1677 573 2577 1101">■ IMRS Cluster: In cooperation with its regional partners, ICANN deployed a new ICANN Managed Root Server (IMRS) cluster in Nairobi, Kenya. The cluster helps to improve DNS infrastructure in several ways including stimulating Internet access and strengthening Internet stability, as well as reducing the impact of cyberattacks across Africa. IMRS clusters provide higher bandwidth and data processing capacity to alleviate traffic- since the launch of the cluster in Kenya, the percentage of Internet traffic being resolved outside of the country has been reduced from 40% down to 25% - this is a significant benefit to all Internet users in Africa by reducing latency and making the infrastructure more robust. Discussions are underway for the potential placement of a second IMRS cluster on the African Continent. <li data-bbox="1677 1117 2577 1414">■ ccTLD capacity development program under the Coalition: One way the Coalition for Digital Africa will develop capacity is through a pilot project focused on training for 10 African country code top-level domain (ccTLD) registries to compete in the domain industry and participate in Internet governance. The 10 ccTLD registries will receive specialized training led by industry experts, through a combination of online courses, hands-on workshops, and webinars. The training will cover topics ranging

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		<p>from best practices in domain name system security and registry governance, to business plan writing and marketing, to Internationalized Domain Names and Universal Acceptance. The capacity building is demand driven as the program for each ccTLD will be determined by their responses to a survey.</p> <ul style="list-style-type: none"> ■ Developing IXPs in Africa: ICANN is providing funding to ISOC to support deployment of an additional exchange point on the African Continent as well as training for operators of five IXPs over the next three years. The selection will identify five IXPs with the potential to make a high impact on their local and sub-regional market. ■ Universal Acceptance and IDNs: ICANN is working with the Association of African Universities on universal acceptance and training the next generation on the process and importance of rendering more scripts and languages in unicode, as well as the need to create the demand and awareness that will lead to application and software designers introducing the necessary changes to make their products UA ready.
<p>3. ICANN Strategic Planning</p>	<p>The GAC expressed interest to the ICANN Board in getting closely involved in the early design phase of the next strategic planning cycle, for the period 2026-2030, as a more effective means of influencing the process in line with its main priorities.</p>	<ul style="list-style-type: none"> ● The Board appreciates the GAC's interest in ICANN's Strategic Planning process. The Board welcomes the GAC's early involvement, as well as other interested community stakeholder groups, in the development of the FY2026 to FY2030 Strategic Plan. ● ICANN org has started the prep work for the design phase of the upcoming strategic planning cycle, which will be discussed with the Board early next calendar year. ● The ICANN Board will provide updates to the community as the work progresses in order to seek community input as appropriate.
<p>4. WHOIS Disclosure System</p>	<p>The GAC notes the publication of ICANN org's Design Paper for the WHOIS Disclosure System, a single point of entry for fielding domain name registration data requests, and distributing those requests to registrars, and greatly appreciates ICANN org's efforts on this work. This system is a useful first step towards building a more comprehensive solution as envisioned by EPDP Phase 2.</p>	<ul style="list-style-type: none"> ● The Board understands that providing an effective centralized system for access to and disclosure of domain name registration data is an important topic for the GAC. ● The WHOIS Disclosure System, if implemented, would provide an interim mechanism for gathering data to gauge the demand for a system that would streamline the process for submitting requests for access to nonpublic gTLD registration data. The System would also streamline the review process for registrars by standardizing the information that is required to be provided in support of a request for data access.

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	<p>It should facilitate the collection of useful data in a quicker and more cost-effective manner and, ideally, shed light on usage rates, timelines for response, and percentages of requests granted or denied. Such data would assist the ICANN Board with its considerations of the EPDP Phase 2 recommendations and allow work to continue towards their effective and timely implementation.</p> <p>The GAC highlights the importance of engaging in education and outreach with potential requesters so that these requesters learn of the WHOIS Disclosure System's availability.</p> <p>In line with the "Temporary Specification for gTLD Registration Data" which requires both gTLD registries and registrars to provide reasonable access to Personal Data in Registration Data, the GAC invites ICANN to consider the participation in the System of registry operators, as well as exploring incentives for both registries and registrars to participate, given that participation in the current design is voluntary.</p> <p>As currently designed, any communications beyond the request itself take place outside the system. Information about approvals or denials of requests, timing of the response, and reasons for denial would be logged at the election of the registrar. The GAC finds it very important to log this data in a proper manner as this will help to ensure the system is generating robust and useful data to inform future work. The GAC also finds that even if a request relates to a registrar that chooses not to participate in the framework, logging such information would also provide useful data. The framework should therefore include such functionality. Finally, the GAC stresses the importance of including a mechanism to allow for confidential law</p>	<ul style="list-style-type: none"> ● Data collected concerning the usage of the System would inform the discussion between the GNSO Council and the ICANN Board regarding SSAD-related recommendations, of which the Board paused its consideration based on the Council's request. ● ICANN org delivered the WHOIS Disclosure System design paper in September 2022, further discussed the details of the design with the GNSO Council Small Team at ICANN75, and has since continued its engagement with interested stakeholders to understand the registrars' and community's needs to maximize participation in the system, if implemented. ● In the Board's view, there is a critical need to assess demand for a centralized system to streamline the request submission and review process, given the significant resources that would be required to implement the SSAD as outlined in the SSAD Operational Design Assessment (ODA). The demand for such a system is unclear, given the low volume of complaints to ICANN Contractual Compliance regarding access requests, which currently must be submitted directly to the relevant contracted parties. The WHOIS Disclosure System will allow the community to test actual demand and usage against existing data. ● In response to the GNSO Council's 17 Nov 2022 request to implement a "proof of concept" system to gather usage data, the Board adopted a resolution on 27 Feb 2023, directing ICANN Org to develop and launch a WHOIS Disclosure System (and propose a new name for the System) within 11 months and subsequently operate it for up to two years. ● In the resolution, the Board urged the GNSO Council to consider a Policy Development Process or other means to require registrars to use the System, as recommended by the GNSO Small Team in the Addendum to the Initial Report submitted to the GNSO Council. <p>WHOIS Disclosure System Functionality</p> <ul style="list-style-type: none"> ● The Board understands that the GAC wishes to include registries as data request recipients in the WHOIS Disclosure System. It is important to note that the WHOIS Disclosure System is a simplified approach based on the SSAD recommendations - more specifically, the system is envisioned to simplify the process of requesting and receiving requests for nonpublic gTLD registration data. To ensure efficiency, the number of actors in the system has been limited to requestors and registrars.

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	<p>enforcement requests. The GAC recommends ICANN org engages with the GAC PSWG to further discuss the issue of how confidentiality of law enforcement requests will be ensured and how the (meta) data of all the requests of law enforcement agencies will be handled.</p>	<ul style="list-style-type: none"> • Furthermore, the SSAD ODA contemplated registries to receive data requests only under very limited circumstances. It is also important to remember that the WHOIS Disclosure System is envisioned to be an interim solution to gather data on usage and demand to aid the Board’s consideration of the SSAD-related recommendations, as well as any further action the Council may take or advise for the Board. • The Board is aware of the GAC’s interest in logging request responses from non-participating registrars, as well as data points in addition to those outlined in the design paper. Following discussions with the community at ICANN75, ICANN org has added this feature to the System design. • The Board acknowledges the interests expressed by the PSWG about the handling of the confidentiality of law enforcement requests. Again, it is important to note that the WHOIS Disclosure System is envisioned to be an interim system to collect usage data, through its efficient and less costly design modeled off of SSAD. Further, legal requirements around the confidentiality of law enforcement investigations may be embedded in local law and, as such, will vary by jurisdiction and the specific circumstances in which a law enforcement authority is requesting access to nonpublic gTLD registration data. • Another important point to make is that the WHOIS Disclosure System is designed to be used by a broad spectrum of parties that require access to nonpublic gTLD registration data, including parties who are not generally participants in the ICANN community. This tool, by requiring detailed information in support of each request that sets out the specific legal basis (where applicable) would ensure that requestors submit well-formed requests, which will streamline the request evaluation process for registrars.
<p>5. DNS Abuse Mitigation</p>	<p>The GAC appreciates the efforts carried out to advance proposals to mitigate DNS Abuse, and while looking into the many avenues available to combat this threat, the GAC highlights ICANN’s technical role in finding solutions and looks forward to the GNSO Council’s Small Team final report on the subject, in order to discuss subsequent steps.</p> <p>Mitigating DNS Abuse continues to be an issue of concern and the GAC emphasizes the importance of building on</p>	<ul style="list-style-type: none"> • The Board acknowledges the extensive community and ICANN org efforts currently going on around DNS security threats. The Board appreciates the GAC’s continued engagement and proposal of solutions. • The Board supports ICANN org’s aim to be a factual, trusted source of data about DNS security threats and to provide tools to the community to better understand and support the mitigation of DNS security threats. • It is worth noting again, DNS abuse has trended down across the industry both in total number of domains used and as a normalized percentage compared to total domain names over the period of 2017-2022. Over the same period (2017-2022) ICANN org has taken many actions and initiatives related to DNS abuse, including created DAAR,

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	<p>the current work which includes effectively preventing, reporting and responding to DNS Abuse. This topic is especially important given the ongoing activities related to a next round of New gTLDs. The GAC has previously stated that “DNS Abuse should be addressed in collaboration with the ICANN community and ICANN org prior to the launch of a second round of New gTLDs”, and expressed its support for “the development of proposed contract provisions applicable to all gTLDs to improve responses to DNS Abuse” , for example those identified in the SSR2 and the CCT reviews. The GAC has also recognized a potential role for ‘targeted Policy Development Processes’ to yield contract improvements at ICANN74.</p> <p>The GAC recognizes voluntary initiatives from the community to address DNS Abuse and looks forward to seeing the output of these, and how they can be effectively used to reduce DNS Abuse. In particular, the GAC welcomed the many activities taking place across the ICANN community to address DNS Abuse, including: the draft DNS Abuse Small Team Report to the GNSO Council; a forthcoming discussion paper from the Contracted Parties House on “malicious vs. compromised” domains; a review of recent abuse reporting; and highlight of voluntary initiatives on measurement and reporting.</p> <p>One GAC Member provided a presentation that focused on the problems of repeated registrant abuse moving from domain name to domain name and noted that a lack of clarity within Registrar contracts makes it more difficult to ensure there is an effective response to such abuse.</p>	<p>collaborated with the community to develop clarifications and tools to support the DNS abuse provisions in the Base Registry Agreement, and worked with several legacy TLD operators to incorporate those provisions in their agreements, The Board appreciates the effort of the GNSO Council’s Small Team and understands that the GNSO Council is set to review the set of recommendations provided in their report, which was delivered on 10 October 2022.</p> <ul style="list-style-type: none"> ● The Board shares the GAC’s interest in the various activities across the ICANN community which address DNS Abuse, and notes the initiatives from the RrSG and DNS Abuse Institute on their abuse reporting tools. ● The proposed amendments to the Base Registry Agreement that were recently put for public comment will enable ICANN org the access to data it requires to conduct additional research such as extending DAAR to the registrar level and other improvements. ● In their 4 November letter, the Contracted Parties have now outlined a proposal to ICANN and the Community to initiate amendments to the Base Registry Agreement (RA) and Registrar Accreditation Agreement (RAA) to improve the existing DNS abuse-related provisions and following the amendment process to pursue policy development for further enhancements. ● ICANN org demonstrated its support of this effort by the contracted parties to bring meaningful and enforceable changes to help raise the common floor for combating DNS abuse by improving the existing provisions as explained in ICANN’s President & CEO’s 30 November 2022 response to the CPH. ● Negotiations are now underway to make focused improvements to the existing contracts. Together, ICANN org and negotiation teams from the RySG and RrSG are working to define baseline obligations to require registries and registrars to mitigate or disrupt DNS abuse. ● Negotiations will take place between ICANN org & respective registry / registrar stakeholder group as prescribed in the agreements. Public comment will occur after a preliminary agreement between ICANN/CPH – per agreements & ICANN transparency principles. ● If the GAC or other community members have questions about this concept, we suggest engagement directly with the contracted parties. This proposal from the CPH seems to align with the GNSO Small team’s recommendations.

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	<p>There was also a discussion about potential work across the community that could focus on developing improved contract provisions for ICANN’s consideration, and on the scope of DNS Abuse that may be addressed within ICANN’s remit. Discussion on a potential Policy Development Process could proceed in parallel with the advancement of these efforts.</p>	<ul style="list-style-type: none"> • The Board understands the GNSO Small team report to suggest policy development may be a helpful tool after the improvements to the RA & RAA have been established. • Additionally, the Board recalls its previous encouragement to the GAC in its scorecard response to the ICANN71 GAC Communiqué (see the Board Scorecard entitled “GAC Advice – ICANN71 Virtual Policy Forum Communiqué: Actions and Updates (12 September 2021)”) and subsequent meeting of the BGIG in October 2021, that if the GAC has any remaining questions about topics addressed by recommendations in the CCT Final Report that were not included in the list of recommendations that the Board approved, the GAC may consider posing its own questions directly to the Board on these subjects (without reference to the CCT recommendations). As it noted at the time, the Board stands ready to further discuss these matters with the GAC. <p>Registrar Hopping</p> <ul style="list-style-type: none"> • The Board appreciates the continued presentation and discussion by GAC on the registrar/domain hopping issue and continues to urge the GAC to review and engage in the ongoing PDP related to domain name transfers. Preliminary Recommendation 19 regarding reasons a losing registrar may deny a transfer may address this issue.
<p>6. Internationalized Domain Names and Universal Acceptance</p>	<p>The GAC welcomes and encourages the further adoption of Universal Acceptance (UA) for the better use of Internationalized Domain Names (IDN), Email Addresses Internationalizations and new generic Top Level Domains for accelerating the progress of online diversity.</p> <p>In recognition of the importance of Universal Acceptance, prior to ICANN75 the GAC circulated a request for the roles of Point of Contact with the Universal Acceptance Steering Group (UASG) and Chair or Co-Chair of the GAC Universal Acceptance and Internationalized Domain Names Working Group encouraging additional GAC members to join UA activities.</p> <p>The GAC also welcomes the initiation by the UASG of an annual Universal Acceptance Day, the first one taking place on 16 February 2023, and encourages individual GAC Members and others to take part in this day.</p>	<p>IDN-UA</p> <ul style="list-style-type: none"> • The ICANN Board welcomes the GAC’s continued engagement and support for Internationalized Domain Names (IDNs) and Universal Acceptance (UA) topics through the GAC Universal Acceptance and Internationalized Domain Names Working Group. • The ICANN Board is committed to promoting the UA-readiness of all Internet-enabled applications. Work on Internationalized Domain Names and Universal Acceptance is part of the Board’s Operational Priorities. • The ICANN Board is keenly overseeing the progress on UA-readiness through its Board IDN-UA Working Group. <p>IDN</p> <ul style="list-style-type: none"> • The ICANN Board continues to oversee and advise on matters related to internationalized domain names for an inclusive internet, while maintaining the stability and security of the Domain Name System. • As examples, this has included oversight of the following work for the top level domains:

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		<ul style="list-style-type: none"> ○ The Root Zone Label Generation Rules (RZ-LGR), developed by various script communities. RZ-LGR enables secure and stable additional scripts in the root zone. <ul style="list-style-type: none"> ■ The RZ-LGR version 5 supports 26 scripts: Arabic, Armenian, Bangla, Chinese (Han), Cyrillic, Devanagari, Ethiopic, Georgian, Greek, Gujarati, Gurmukhi, Hebrew, Japanese (Hiragana, Katakana, and Kanji [Han]), Kannada, Khmer, Korean (Hangul and Hanja [Han]), Lao, Latin, Malayalam, Myanmar, Oriya, Sinhala, Tamil, Telugu, and Thai. ○ In some script communities, variant TLDs are needed for use of IDNs. The Variant TLD Recommendations set out how to manage variant labels at the top-level of the domain name system. Both ccNSO and GNSO are working on the IDN related policy developments while taking the Variant TLD Recommendations into account and keep each other informed as the ICANN Board requested in 2019. ● At the second level, the ICANN Board recently approved IDN Implementation Guidelines version 4.1 which superseded the previous version 3.0 drafted in 2011. The guidelines address secure and stable IDN implementation at the second level. <p>UA</p> <ul style="list-style-type: none"> ● UA-readiness requires all of us to update our systems to be UA-ready. ● The ICANN Board regularly reviews and guides the work of ICANN org towards promoting UA adoption by stakeholders. ● The ICANN Board has also engaged with Universal Acceptance Steering Group (UASG) to understand the challenges and see how the Board can help the community further, beyond the support already provided by ICANN org. This is part of ICANN Board's operational priorities. ● As many of the stakeholders for UA are external to ICANN, ICANN org is working with the ICANN community to reach out to these stakeholders to raise awareness of UA and to motivate them to support UA. ● ICANN org has been updating its own systems to be UA-ready since 2017. Most of the systems facing the community are now updated to support UA. ICANN org is currently working to make its email system UA-ready.

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		<ul style="list-style-type: none"> ● Multiple studies on the challenges and solutions for UA have been conducted by UASG, supported by ICANN org. The ongoing progress on UA is available at https://uasg.tech website as well as https://icann.org/ua. ● ICANN org has also added resources in the IDN and UA Program team to increase technical engagement for supporting UA. ● ICANN Board and org will be supporting the upcoming UA Day on March 28 <ul style="list-style-type: none"> ○ UA Day will be an opportunity to rally local, regional, and global communities and organizations to spread UA awareness and to encourage UA adoption with key stakeholders. ○ UA Day will feature UA awareness and technical training sessions hosted by the UASG including its UA ambassadors and UA local initiatives, ICANN, and interested global partners and organizations. ○ The sessions will aim to engage and mobilize top technical and language communities, companies, governments, and Domain Name System (DNS) industry stakeholders to better understand the benefits of UA. They will also explain how to make systems UA-ready. ○ ● ICANN Board encourages the UA and IDN WG of GAC to work with GAC members for them to consider including UA requirements in their respective procurement policies for software services for their citizens.
7. Accuracy of Registration Data	<p>The GAC, having actively contributed to the work of the Registration Data Accuracy Scoping Team, reiterates the importance of addressing efficiently and in a timely manner the issue of accuracy and reliability of domain name registration data. The GAC takes good note of the recommendations of the Interim Report on Assignments #1 and #2 and encourages the Scoping Team to continue its work while ICANN awaits feedback from the relevant data protection authorities regarding its legal basis for processing data for the purposes of measuring accuracy.</p> <p>Regarding Recommendation #1, the GAC stresses the importance of encouraging the widest possible participation of registrars in the Registrar Survey and</p>	<ul style="list-style-type: none"> ● The ICANN Board welcomes the GAC’s continued engagement and participation in the efforts of the GNSO Registration Data Accuracy Scoping Team. ● The ICANN Board understands that the Scoping Team’s write up for assignments #1 and #2 was submitted to the GNSO Council for consideration and notes the support and input that ICANN org has provided in relation to the discussions on recommendation #1 (Registrar Survey) and #2 (Registrar Audit). ● The ICANN Board notes that the GNSO Council adopted 17 November 2022 the Scoping Team’s recommendation 3 (recommending that the team’s work be paused in relation to proposals that require access to registration data; encouraging ICANN org to proceed with their outreach to the EDPB as well as the Data Protection Impact Assessment in connection with the scenario(s) in which the request and processing of registration data takes place as a matter of urgency; and requesting that ICANN org and Contracted Parties finalize the negotiations on the Data Processing Agreement

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	<p>welcomes the exploration of approaches to incentivize participation in it, as well as consideration by the Scoping Team or the GNSO Council of the use of a third party to aid in its design. The GAC notes that Recommendation #2 (Registrar Audit) and part of Recommendation #3 relating to proceeding with a Data Protection Impact Assessment may lack the necessary clarity and detail regarding their envisioned implementation. This was also confirmed by the exchange with the GNSO Council during ICANN75. Further, the GAC highlights the importance of concluding swiftly the Data Protection Agreement between ICANN and contracted parties (as part of Recommendation #3). Finally, the GAC urges the Scoping Team to accompany these recommendations with an Explanatory Note elaborating further on how these recommendations are envisaged to be implemented.</p>	<p>(DPA) as soon as practicable as the absence of a completed DPA may act as a roadblock for policy work before Council).</p> <ul style="list-style-type: none"> ● The ICANN Board also notes that the GNSO Council deferred consideration of the Scoping Team recommendations #1 and #2 until the DPA negotiations between ICANN org and Contracted Parties have completed and there is feedback from ICANN org on if/how it anticipates the requesting and processing of registration data will be undertaken in the context of measuring accuracy, or for six months, whichever is the shorter. The ICANN Board is also aware of the 5 December 2023 letter sent by the GNSO Council to the ICANN Org Liaison to the scoping team explaining its resolution from 17 November and following up on its requests to the Org explained above, as well as the update that was sent to Advisory Committees, including the GAC. ● The ICANN Board understands that, in the GAC's view, Recommendation 2 (Registrar Audit) and part of Recommendation 3 (Data Protection Impact Assessment) may lack the necessary clarity and detail regarding their envisioned implementation. Although the ICANN Board understands that additional implementation work may need to be undertaken on these recommendations should the Council decide to proceed, the ICANN Board encourages the GAC to share this input with the scoping team and/or GNSO Council. ● The ICANN Board further understands that the GAC encourages ICANN org and the contracted parties to swiftly conclude the data protection agreement being negotiated pursuant to the Phase 1 recommendations of the Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data. The Board understands that this negotiation is actively underway with the aim of completing an agreed Data Processing Specification to the Registrar Accreditation Agreement and the Registry Agreement in the near term. ● The ICANN Board notes that ICANN org sent a letter to the European Commission on 2 June 2022, requesting that the Commission confirm whether or not it is willing to facilitate ICANN org interactions with the European Data Protection Authorities. To date, this request has not been answered. Given the complexities and differences of opinion concerning how the GDPR applies to ICANN org's access to nonpublic gTLD registration data held by registrars for the purposes of taking additional steps related to registration data accuracy, ICANN org believes that such engagement could provide additional clarity that would support ICANN org efforts in this area.

GAC ICANN75 Kuala Lumpur Communiqué: Issues of Importance (26 September 2022)

Issues of Importance

Issue	Issue Text <i>(From the Communiqué)</i>		ICANN Board Updates
<p>1. Subsequent Rounds of New gTLDs</p>	<p>The GAC discussed recent developments pertaining to Subsequent Rounds of New gTLDs including the ongoing Operational Design Phase, the upcoming launch of the GNSO Guidance Process (GGP) on Applicant Support, as well as the upcoming GAC and GNSO Council dialogue on Closed Generics, including a status update from ICANN org on the latter.</p> <p>The GAC confirmed its commitment to engage with the GNSO Council as well as ALAC in seeking a mutually agreeable solution on Closed Generic applications in the next round of New gTLDs, in keeping with the GAC Beijing Advice on the matter whereby <i>“exclusive registry access should serve a public interest goal”</i>. GAC positions on Closed Generics will be guided by said Advice as well as prior GAC consensus inputs to the Subsequent Procedures for New gTLDs Policy Development Process (SubPro PDP). Regular exchanges between the six (6) GAC designated representatives to the facilitated dialogue and the GAC are envisaged to take place intersessionally.</p> <p>In preparation for the next round of New gTLDs, GAC members strongly encouraged ICANN org to share an analysis of changes between the rules applicable to the 2012 round and the forthcoming rules derived from the 2021 policy recommendations as set forth in the Final Report of the SubPro PDP. Such analysis would help GAC members and the wider community prepare for the upcoming round of New gTLDs in an effective manner.</p> <p>Stressing the need to promote diversity and a balanced geographical engagement among stakeholders, the GAC reaffirmed its continued interest in the improvement of Applicant Support for the next round of New gTLDs, noting the importance of active GAC participation in the upcoming GGP. In this regard, the GAC calls on the GNSO Council to allow broader participation from interested GAC participants, as well as other members of the community, beyond the single member per Advisory Committee presently envisioned by the call for volunteers communicated to the GAC.</p>		<ul style="list-style-type: none"> ● The Board appreciates the GAC’s participation in dialogue with the GNSO Council on a potential framework for closed generics, in light of the GAC’s previous advice on this topic. The Board understands that the GAC, GNSO Council and ALAC have appointed participants for the dialogue, who have begun to work including a meeting in late January 2023. The Board looks forward to the outcomes of these exchanges. ● The Board notes the GAC’s suggestion for an analysis of changes including a comparison between the 2007 policy recommendations on the introduction of new gTLDs and the 2021 recommendations for new gTLD subsequent procedures. <ul style="list-style-type: none"> ○ The Board understands that the org has already begun to prepare a high-level overview of the recommended changes. ○ The Board also notes that, if the Board approves the 2021 recommendations for new gTLD subsequent procedures, the resulting updated Guidebook will fully document the processes and procedures for the next round of new gTLDs. ICANN org would plan at that point to provide an overview of changes to help illustrate changes between the 2012 processes and those for the immediate next round of new gTLDs. ● The Board also notes the GAC’s emphasis on diversity and engagement and appreciates its interest in working on the Applicant Support components of the New gTLD Program in the context of the GNSO Guidance Process (GGP) on this topic. The Board understands that the GNSO Council formally initiated the GGP in August 2022 and confirmed a Chair for the work in October 2022. ● The Board also notes that on 12 December 2022, ICANN org delivered an Operational Design Assessment, providing the Board with operational information to help inform the Board’s decision on the policy recommendations relating to subsequent new gTLD procedures. The Board looks forward to discussing the Operational Design Assessment with the GAC.
<p>2. Digital Inclusion and Internet Connectivity</p>	<p>In the follow-up of capacity-building sessions held on 17 and 18 September 2022, the GAC took note of presented data and figures that</p>		<ul style="list-style-type: none"> ● In regard to the New gTLD Program, the Board supports the exploration of opportunities to generate awareness and pathways to participation in the space by stakeholders in all regions of the world.

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	<p>indicate a high level of concentration of the global DNS industry in specific geographic regions.</p> <p>GAC Members recognized the fact that the previous round of New gTLDs had geographical concentration, most notably as a reflection of digital divides, and encouraged the ICANN Board and the community as a whole to explore new and additional actions. These should aim to contribute to bridge digital inequalities, within and among countries; ensure that all opportunities regarding the application for gTLDs are equally shared among all regions; and promote a more balanced distribution of New gTLD applications, registries, and registrars among regions.</p> <p>The GAC further noted remarks made by the ICANN Board Chair and the ICANN President about existing gaps in global Internet access and connectivity. The GAC acknowledges that addressing these gaps and bridging digital divides should stand as a priority for the broader Internet community. Building on the experience gained with the unprecedented provision of financial support for Internet access in Ukraine, the GAC urges the ICANN Board to develop a more comprehensive framework for the provision of financial, technical, and capacity-building support to promote Internet access and connectivity in developing and underserved regions, as well as in countries in particular situations of vulnerability or distress.</p>		<ul style="list-style-type: none"> ● Two studies that ICANN org recently commissioned are anticipated to offer fresh insights into new and additional actions that ICANN Board, community, and org can take to foster greater geographic balance and diverse participation in digital infrastructure. <ul style="list-style-type: none"> ○ The first study is a TLD Operating Model Study intended to improve our collective understanding of the most significant challenges and emerging trends to consider in developing rules and procedures for future gTLD rounds. ○ The second study is on the Africa Domain Name System. This study is intended to: highlight the strengths and weaknesses in the DNS sector in Africa, develop recommendations on how to advance the industry to better exploit the opportunities available and to address identified challenges, and explore options for establishing an observatory to continuously monitor the growth, development, and emerging needs regarding the DNS in Africa. This study will be essential for understanding the current circumstances in Africa ahead of a potential future round of new generic top-level domains. ● As discussed at ICANN75, the Board notes that ICANN org has recently hired a global communications and public relations firm (Teneo Brussels) to develop and implement a global strategy to localize information and conduct communications and outreach efforts to reach specific target audiences based on the SubPro Final Report outputs. <ul style="list-style-type: none"> ○ In addition, the Board notes ICANN org’s cross-functional efforts to identify diverse target audiences, stakeholders, and communities and to develop tailored strategies for reaching each of those target audiences. ○ The Board also recognizes that, on its own, raising awareness about the New gTLD Program is unlikely to fully address barriers to participation. Pending Board decision on the SubPro Final Report, the Board understands that ICANN org would incorporate a cross-functional team to support comprehensive approaches to identifying and addressing such gaps and barriers to participation. ○ Noting that ICANN org is one entity across a global system of actors, the Board notes that it will be equally important to determine the most appropriate and effective roles for ICANN to play, while helping to catalyze other actors to lend their expertise and support towards bridging digital inequalities. ● As regards the remarks on developing a more comprehensive framework for the provision of financial, technical, and capacity-building support to promote Internet access and connectivity in developing and underserved regions the Board notes the following recent activities: <ul style="list-style-type: none"> ○ Launch of the Coalition for Digital Africa: The Coalition for Digital Africa was formally launched at the Internet Governance Forum (IGF) in Addis Ababa on 1 December. The Coalition aims to develop the local Internet infrastructure to support the growth and sustainability of Africa’s digital economy. Working across the continent in partnership with governments, international organizations, and national and local stakeholders, the Coalition will contribute to enhancing the continent’s Internet infrastructure, increasing the rate of Internet access, bolstering Internet security, and raising the level of participation and contribution from Africa in multi stakeholder policy making development.

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			<p>The purpose of the coalition is to encourage collaboration, facilitate identifying solutions and identifying partners that can implement those solutions. Organizations with projects that address these challenges and endorse the principles of the Coalition will be able to join and have their programs identified on the Coalition website. There are several projects ICANN has implemented under the Coalition.</p> <ul style="list-style-type: none"> ■ IMRS Cluster: In cooperation with its regional partners, ICANN deployed a new ICANN Managed Root Server (IMRS) cluster in Nairobi, Kenya. The cluster helps to improve DNS infrastructure in several ways including stimulating Internet access and strengthening Internet stability, as well as reducing the impact of cyberattacks across Africa. IMRS clusters provide higher bandwidth and data processing capacity to alleviate traffic- since the launch of the cluster in Kenya, the percentage of Internet traffic being resolved outside of the country has been reduced from 40% down to 25% - this is a significant benefit to all Internet users in Africa by reducing latency and making the infrastructure more robust. Discussions are underway for the potential placement of a second IMRS cluster on the African Continent. ■ ccTLD capacity development program under the Coalition: One way the Coalition for Digital Africa will develop capacity is through a pilot project focused on training for 10 African country code top-level domain (ccTLD) registries to compete in the domain industry and participate in Internet governance. The 10 ccTLD registries will receive specialized training led by industry experts, through a combination of online courses, hands-on workshops, and webinars. The training will cover topics ranging from best practices in domain name system security and registry governance, to business plan writing and marketing, to Internationalized Domain Names and Universal Acceptance. The capacity building is demand driven as the program for each ccTLD will be determined by their responses to a survey. ■ Developing IXPs in Africa: ICANN is providing funding to ISOC to support deployment of an additional exchange point on the African Continent as well as training for operators of five IXPs over the next three years. The selection will identify five IXPs with the potential to make a high impact on their local and sub-regional market. ■ Universal Acceptance and IDNs: ICANN is working with the Association of African Universities on universal acceptance and training the next generation on the process and importance of rendering more scripts and languages in unicode, as well as the need to create the demand and awareness that will lead to application and software designers introducing the necessary changes to make their products UA ready.
3. ICANN Strategic Planning	The GAC expressed interest to the ICANN Board in getting closely involved in the early design phase of the next strategic planning cycle, for the period 2026-2030, as a more effective means of influencing the process in line with its main priorities.		<ul style="list-style-type: none"> ● The Board appreciates the GAC’s interest in ICANN’s Strategic Planning process. The Board welcomes the GAC’s early involvement, as well as other interested community stakeholder groups, in the development of the FY2026 to FY2030 Strategic Plan.

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			<ul style="list-style-type: none"> ● ICANN org has started the prep work for the design phase of the upcoming strategic planning cycle, which will be discussed with the Board early next calendar year. ● The ICANN Board will provide updates to the community as the work progresses in order to seek community input as appropriate.
<p>4. WHOIS Disclosure System</p>	<p>The GAC notes the publication of ICANN org’s Design Paper for the WHOIS Disclosure System, a single point of entry for fielding domain name registration data requests, and distributing those requests to registrars, and greatly appreciates ICANN org’s efforts on this work. This system is a useful first step towards building a more comprehensive solution as envisioned by EPDP Phase 2. It should facilitate the collection of useful data in a quicker and more cost-effective manner and, ideally, shed light on usage rates, timelines for response, and percentages of requests granted or denied. Such data would assist the ICANN Board with its considerations of the EPDP Phase 2 recommendations and allow work to continue towards their effective and timely implementation. The GAC highlights the importance of engaging in education and outreach with potential requesters so that these requesters learn of the WHOIS Disclosure System’s availability.</p> <p>In line with the “Temporary Specification for gTLD Registration Data” which requires both gTLD registries and registrars to provide reasonable access to Personal Data in Registration Data, the GAC invites ICANN to consider the participation in the System of registry operators, as well as exploring incentives for both registries and registrars to participate, given that participation in the current design is voluntary.</p> <p>As currently designed, any communications beyond the request itself take place outside the system. Information about approvals or denials of requests, timing of the response, and reasons for denial would be logged at the election of the registrar. The GAC finds it very important to log this data in a proper manner as this will help to ensure the system is generating robust and useful data to inform future work. The GAC also finds that even if a request relates to a registrar that chooses not to participate in the framework, logging such information would also provide useful data. The framework should therefore include such functionality. Finally, the GAC stresses the importance of including a mechanism to allow for confidential law enforcement requests. The GAC recommends ICANN org engages with the GAC PSWG to further discuss the issue of how confidentiality of law enforcement requests will be ensured and how the (meta) data of all the requests of law enforcement agencies will be handled.</p>		<ul style="list-style-type: none"> ● The Board understands that providing an effective centralized system for access to and disclosure of domain name registration data is an important topic for the GAC. ● The WHOIS Disclosure System, if implemented, would provide an interim mechanism for gathering data to gauge the demand for a system that would streamline the process for submitting requests for access to nonpublic gTLD registration data. The System would also streamline the review process for registrars by standardizing the information that is required to be provided in support of a request for data access. ● Data collected concerning the usage of the System would inform the discussion between the GNSO Council and the ICANN Board regarding SSAD-related recommendations, of which the Board paused its consideration based on the Council’s request. ● ICANN org delivered the WHOIS Disclosure System design paper in September 2022, further discussed the details of the design with the GNSO Council Small Team at ICANN75 and has since continued its engagement with interested stakeholders to understand the registrars’ and community’s needs to maximize participation in the system, if implemented. ● In the Board’s view, there is a critical need to assess demand for a centralized system to streamline the request submission and review process, given the significant resources that would be required to implement the SSAD as outlined in the SSAD Operational Design Assessment (ODA). The demand for such a system is unclear, given the low volume of complaints to ICANN Contractual Compliance regarding access requests, which currently must be submitted directly to the relevant contracted parties. The WHOIS Disclosure System will allow the community to test actual demand and usage against existing data. ● In response to the GNSO Council’s 17 Nov 2022 request to implement a “proof of concept” system to gather usage data, the Board adopted a resolution on 27 Feb 2023, directing ICANN Org to develop and launch a WHOIS Disclosure System (and propose a new name for the System) within 11 months and subsequently operate it for up to two years. ● In the resolution, the Board urged the GNSO Council to consider a Policy Development Process or other means to require registrars to use the System, as recommended by the GNSO Small Team in the Addendum to the Initial Report submitted to the GNSO Council. <p>WHOIS Disclosure System Functionality</p> <ul style="list-style-type: none"> ● The Board understands that the GAC wishes to include registries as data request recipients in the WHOIS Disclosure System. It is important to note that the WHOIS Disclosure System is a simplified approach based on the SSAD recommendations - more specifically, the system is envisioned to simplify the process of requesting and receiving requests for nonpublic gTLD registration data. To ensure efficiency, the number of actors in the system has been limited to requestors and registrars. ● Furthermore, the SSAD ODA contemplated registries to receive data requests only under very limited circumstances. It is also important to remember that the WHOIS Disclosure System is envisioned to be an interim solution to gather data on usage and demand to aid the Board’s consideration of the SSAD-related recommendations, as well as any further action the Council may take or advise for the Board.

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			<ul style="list-style-type: none"> ● The Board is aware of the GAC’s interest in logging request responses from non-participating registrars, as well as data points in addition to those outlined in the design paper. Following discussions with the community at ICANN75, ICANN org has added this feature to the System design. ● The Board acknowledges the interests expressed by the PSWG about the handling of the confidentiality of law enforcement requests. Again, it is important to note that the WHOIS Disclosure System is envisioned to be an interim system to collect usage data, through its efficient and less costly design modeled off of SSAD. Further, legal requirements around the confidentiality of law enforcement investigations may be embedded in local law and, as such, will vary by jurisdiction and the specific circumstances in which a law enforcement authority is requesting access to nonpublic gTLD registration data. ● Another important point to make is that the WHOIS Disclosure System is designed to be used by a broad spectrum of parties that require access to nonpublic gTLD registration data, including parties who are not generally participants in the ICANN community. This tool, by requiring detailed information in support of each request that sets out the specific legal basis (where applicable) would ensure that requestors submit well-formed requests, which will streamline the request evaluation process for registrars.
<p>5. DNS Abuse Mitigation</p>	<p>The GAC appreciates the efforts carried out to advance proposals to mitigate DNS Abuse, and while looking into the many avenues available to combat this threat, the GAC highlights ICANN’s technical role in finding solutions and looks forward to the GNSO Council’s Small Team final report on the subject, in order to discuss subsequent steps.</p> <p>Mitigating DNS Abuse continues to be an issue of concern and the GAC emphasizes the importance of building on the current work which includes effectively preventing, reporting, and responding to DNS Abuse. This topic is especially important given the ongoing activities related to a next round of New gTLDs. The GAC has previously stated that “DNS Abuse should be addressed in collaboration with the ICANN community and ICANN org prior to the launch of a second round of New gTLDs” and expressed its support for “the development of proposed contract provisions applicable to all gTLDs to improve responses to DNS Abuse”, for example those identified in the SSR2 and the CCT reviews. The GAC has also recognized a potential role for ‘targeted Policy Development Processes’ to yield contract improvements at ICANN74.</p> <p>The GAC recognizes voluntary initiatives from the community to address DNS Abuse and looks forward to seeing the output of these, and how they can be effectively used to reduce DNS Abuse. In particular, the GAC welcomed the many activities taking place across the ICANN community to address DNS Abuse, including: the draft DNS Abuse Small Team Report to the GNSO Council; a forthcoming discussion paper from the Contracted Parties House on “malicious vs. compromised” domains; a review of recent abuse reporting; and highlight of voluntary initiatives on measurement and reporting.</p>		<ul style="list-style-type: none"> ● The Board acknowledges the extensive community and ICANN org efforts currently going on around DNS security threats. The Board appreciates the GAC’s continued engagement and proposal of solutions. ● The Board supports ICANN org’s aim to be a factual, trusted source of data about DNS security threats and to provide tools to the community to better understand and support the mitigation of DNS security threats. ● It is worth noting again, DNS abuse has trended down across the industry both in total number of domains used and as a normalized percentage compared to total domain names over the period of 2017-2022. Over the same period (2017-2022) ICANN org has taken many actions and initiatives related to DNS abuse, including created DAAR, collaborated with the community to develop clarifications and tools to support the DNS abuse provisions in the Base Registry Agreement, and worked with several legacy TLD operators to incorporate those provisions in their agreements, The Board appreciates the effort of the GNSO Council’s Small Team and understands that the GNSO Council is set to review the set of recommendations provided in their report, which was delivered on 10 October 2022. ● The Board shares the GAC’s interest in the various activities across the ICANN community which address DNS Abuse and notes the initiatives from the RrSG and DNS Abuse Institute on their abuse reporting tools. ● The proposed amendments to the Base Registry Agreement that were recently put for public comment will enable ICANN org the access to data it requires to conduct additional research such as extending DAAR to the registrar level and other improvements. ● In their 4 November letter, the Contracted Parties have now outlined a proposal to ICANN and the Community to initiate amendments to the Base Registry Agreement (RA) and Registrar Accreditation Agreement (RAA) to improve the existing DNS abuse-related provisions and following the amendment process to pursue policy development for further enhancements. ● ICANN org demonstrated its support of this effort by the contracted parties to bring meaningful and enforceable changes to help raise the common floor for combating DNS abuse by improving the existing provisions as explained in ICANN’s President & CEO’s 30 November 2022 response to the CPH. ● Negotiations are now underway to make focused improvements to the existing contracts. Together, ICANN org and negotiation teams from the RvSG and RrSG are working to define baseline obligations to require registries and registrars to mitigate or disrupt DNS abuse.

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	<p>One GAC Member provided a presentation that focused on the problems of repeated registrant abuse moving from domain name to domain name and noted that a lack of clarity within Registrar contracts makes it more difficult to ensure there is an effective response to such abuse.</p> <p>There was also a discussion about potential work across the community that could focus on developing improved contract provisions for ICANN’s consideration, and on the scope of DNS Abuse that may be addressed within ICANN’s remit. Discussion on a potential Policy Development Process could proceed in parallel with the advancement of these efforts.</p>		<ul style="list-style-type: none"> • Negotiations will take place between ICANN org & respective registry / registrar stakeholder group as prescribed in the agreements. Public comment will occur after a preliminary agreement between ICANN/CPH – per agreements & ICANN transparency principles. • If the GAC or other community members have questions about this concept, we suggest engagement directly with the contracted parties. This proposal from the CPH seems to align with the GNSO Small team’s recommendations • The Board understands the GNSO Small team report to suggest policy development may be a helpful tool after the improvements to the RA & RAA have been established. • Additionally, the Board recalls its previous encouragement to the GAC in its scorecard response to the ICANN71 GAC Communiqué (see the Board Scorecard entitled “GAC Advice – ICANN71 Virtual Policy Forum Communiqué: Actions and Updates (12 September 2021)”) and subsequent meeting of the BGIG in October 2021, that if the GAC has any remaining questions about topics addressed by recommendations in the CCT Final Report that were not included in the list of recommendations that the Board approved, the GAC may consider posing its own questions directly to the Board on these subjects (without reference to the CCT recommendations). As it noted at the time, the Board stands ready to further discuss these matters with the GAC. <p>Registrar Hopping</p> <ul style="list-style-type: none"> • The Board appreciates the continued presentation and discussion by GAC on the registrar/domain hopping issue and continues to urge the GAC to review and engage in the ongoing PDP related to domain name transfers. Preliminary Recommendation 19 regarding reasons a losing registrar may deny a transfer may address this issue.
<p>6. Internationalized Domain Names and Universal Acceptance</p>	<p>The GAC welcomes and encourages the further adoption of Universal Acceptance (UA) for the better use of Internationalized Domain Names (IDN), Email Addresses Internationalizations and new generic Top-Level Domains for accelerating the progress of online diversity.</p> <p>In recognition of the importance of Universal Acceptance, prior to ICANN75 the GAC circulated a request for the roles of Point of Contact with the Universal Acceptance Steering Group (UASG) and Chair or Co-Chair of the GAC Universal Acceptance and Internationalized Domain Names Working Group encouraging additional GAC members to join UA activities.</p> <p>The GAC also welcomes the initiation by the UASG of an annual Universal Acceptance Day, the first one taking place on 16 February 2023, and encourages individual GAC Members and others to take part in this day.</p>		<p>IDN-UA</p> <ul style="list-style-type: none"> • The ICANN Board welcomes the GAC’s continued engagement and support for Internationalized Domain Names (IDNs) and Universal Acceptance (UA) topics through the GAC Universal Acceptance and Internationalized Domain Names Working Group. • The ICANN Board is committed to promoting the UA-readiness of all Internet-enabled applications. Work on Internationalized Domain Names and Universal Acceptance is part of the Board’s Operational Priorities. • The ICANN Board is keenly overseeing the progress on UA-readiness through its Board IDN-UA Working Group. <p>IDN</p> <ul style="list-style-type: none"> • The ICANN Board continues to oversee and advise on matters related to internationalized domain names for an inclusive internet, while maintaining the stability and security of the Domain Name System. • As examples, this has included oversight of the following work for the top-level domains: <ul style="list-style-type: none"> ○ The Root Zone Label Generation Rules (RZ-LGR), developed by various script communities. RZ-LGR enables secure and stable additional scripts in the root zone. <ul style="list-style-type: none"> ■ The RZ-LGR version 5 supports 26 scripts: Arabic, Armenian, Bangla, Chinese (Han), Cyrillic, Devanagari, Ethiopic, Georgian, Greek, Gujarati, Gurmukhi, Hebrew, Japanese (Hiragana, Katakana, and Kanji [Han]), Kannada, Khmer, Korean (Hangul and Hanja [Han]), Lao, Latin, Malayalam, Myanmar, Oriya, Sinhala, Tamil, Telugu, and Thai. ○ In some script communities, variant TLDs are needed for use of IDNs. The Variant TLD Recommendations set out how to manage variant labels at the top-level of the domain name system. Both ccNSO and GNSO are working on the IDN related policy developments while taking the Variant

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			<p>TLD Recommendations into account and keep each other informed as the ICANN Board requested in 2019.</p> <ul style="list-style-type: none"> ● At the second level, the ICANN Board recently approved IDN Implementation Guidelines version 4.1 which superseded the previous version 3.0 drafted in 2011. The guidelines address secure and stable IDN implementation at the second level. <p>UA</p> <ul style="list-style-type: none"> ● UA-readiness requires all of us to update our systems to be UA-ready. ● The ICANN Board regularly reviews and guides the work of ICANN org towards promoting UA adoption by stakeholders. ● The ICANN Board has also engaged with Universal Acceptance Steering Group (UASG) to understand the challenges and see how the Board can help the community further, beyond the support already provided by ICANN org. This is part of ICANN Board’s operational priorities. ● As many of the stakeholders for UA are external to ICANN, ICANN org is working with the ICANN community to reach out to these stakeholders to raise awareness of UA and to motivate them to support UA. ● ICANN org has been updating its own systems to be UA-ready since 2017. Most of the systems facing the community are now updated to support UA. ICANN org is currently working to make its email system UA-ready. ● Multiple studies on the challenges and solutions for UA have been conducted by UASG, supported by ICANN org. The ongoing progress on UA is available at https://uasg.tech website as well as https://icann.org/ua. ● ICANN org has also added resources in the IDN and UA Program team to increase technical engagement for supporting UA. ● ICANN Board and org will be supporting the upcoming UA Day on March 28 <ul style="list-style-type: none"> ○ UA Day will be an opportunity to rally local, regional, and global communities and organizations to spread UA awareness and to encourage UA adoption with key stakeholders. ○ UA Day will feature UA awareness and technical training sessions hosted by the UASG including its UA ambassadors and UA local initiatives, ICANN, and interested global partners and organizations. ○ The sessions will aim to engage and mobilize top technical and language communities, companies, governments, and Domain Name System (DNS) industry stakeholders to better understand the benefits of UA. They will also explain how to make systems UA-ready. ○ ● ICANN Board encourages the UA and IDN WG of GAC to work with GAC members for them to consider including UA requirements in their respective procurement policies for software services for their citizens.
<p>7. Accuracy of Registration Data</p>	<p>The GAC, having actively contributed to the work of the Registration Data Accuracy Scoping Team, reiterates the importance of addressing efficiently and in a timely manner the issue of accuracy and reliability of domain name registration data. The GAC takes good note of the recommendations of the Interim Report on Assignments #1 and #2 and encourages the Scoping Team to continue its work while ICANN awaits feedback from the relevant data protection authorities regarding its legal basis for processing data for the purposes of measuring accuracy.</p>		<ul style="list-style-type: none"> ● The ICANN Board welcomes the GAC’s continued engagement and participation in the efforts of the GNSO Registration Data Accuracy Scoping Team. ● The ICANN Board understands that the Scoping Team’s write up for assignments #1 and #2 was submitted to the GNSO Council for consideration and notes the support and input that ICANN org has provided in relation to the discussions on recommendation #1 (Registrar Survey) and #2 (Registrar Audit). ● The ICANN Board notes that the GNSO Council adopted 17 November 2022 the Scoping Team’s recommendation 3 (recommending that the team’s work be paused in relation to proposals that require access to registration data; encouraging ICANN org to proceed with their outreach to the EDPB as well as the Data Protection Impact Assessment in connection with the scenario(s) in which the request and processing of registration data takes place as a matter of urgency; and requesting that ICANN org and Contracted Parties

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	<p>Regarding Recommendation #1, the GAC stresses the importance of encouraging the widest possible participation of registrars in the Registrar Survey and welcomes the exploration of approaches to incentivize participation in it, as well as consideration by the Scoping Team or the GNSO Council of the use of a third party to aid in its design. The GAC notes that Recommendation #2 (Registrar Audit) and part of Recommendation #3 relating to proceeding with a Data Protection Impact Assessment may lack the necessary clarity and detail regarding their envisioned implementation. This was also confirmed by the exchange with the GNSO Council during ICANN75. Further, the GAC highlights the importance of concluding swiftly the Data Protection Agreement between ICANN and contracted parties (as part of Recommendation #3). Finally, the GAC urges the Scoping Team to accompany these recommendations with an Explanatory Note elaborating further on how these recommendations are envisaged to be implemented.</p>		<p>finalize the negotiations on the Data Processing Agreement (DPA) as soon as practicable as the absence of a completed DPA may act as a roadblock for policy work before Council).</p> <ul style="list-style-type: none"> ● The ICANN Board also notes that the GNSO Council deferred consideration of the Scoping Team recommendations #1 and #2 until the DPA negotiations between ICANN org and Contracted Parties have completed and there is feedback from ICANN org on if/how it anticipates the requesting and processing of registration data will be undertaken in the context of measuring accuracy, or for six months, whichever is the shorter. The ICANN Board is also aware of the 5 December 2023 letter sent by the GNSO Council to the ICANN Org Liaison to the scoping team explaining its resolution from 17 November and following up on its requests to the Org explained above, as well as the update that was sent to Advisory Committees, including the GAC. ● The ICANN Board understands that, in the GAC’s view, Recommendation 2 (Registrar Audit) and part of Recommendation 3 (Data Protection Impact Assessment) may lack the necessary clarity and detail regarding their envisioned implementation. Although the ICANN Board understands that additional implementation work may need to be undertaken on these recommendations should the Council decide to proceed, the ICANN Board encourages the GAC to share this input with the scoping team and/or GNSO Council. ● The ICANN Board further understands that the GAC encourages ICANN org and the contracted parties to swiftly conclude the data protection agreement being negotiated pursuant to the Phase 1 recommendations of the Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data. The Board understands that this negotiation is actively underway with the aim of completing an agreed Data Processing Specification to the Registrar Accreditation Agreement and the Registry Agreement in the near term. ● The ICANN Board notes that ICANN org sent a letter to the European Commission on 2 June 2022, requesting that the Commission confirm whether or not it is willing to facilitate ICANN org interactions with the European Data Protection Authorities. To date, this request has not been answered. Given the complexities and differences of opinion concerning how the GDPR applies to ICANN org’s access to nonpublic gTLD registration data held by registrars for the purposes of taking additional steps related to registration data accuracy, ICANN org believes that such engagement could provide additional clarity that would support ICANN org efforts in this area.