

TO: GNSO Council

FROM: Jeffrey J. Neuman, GNSO Liaison to



GAC RE: 20223-2024 GNSO Liaison to

GAC Report DATE: November 6, 2024

I. Background

The GNSO Liaison to the GAC (the Liaison) role was established in 2014 to improve communications between the GNSO and the GAC, and to encourage early engagement by the GAC in policy development processes and other GNSO activities. This is my final annual report as my term ends when the new GNSO Council is seated and Sebasten Ducos takes over. I have been in this role for four years and have thoroughly enjoyed my time working with both the Council and the GAC.

I believe these past four years have seen a great positive transformation in the relationship of the GAC and the GNSO. There is much more transparency between the GAC and the GNSO communities, more collaboration and most of all more participation of the GAC in GNSO policy related matters. Whether we have personally agreed or not with the outcomes of matters involving the next round of new gTLDs, IDNs, Registration Data, DNS Abuse, IGO Curative Rights, etc., I hope we can all say that we have had better and more informed decision making, a more collaborative spirit, and at the end of the day a stronger multi-stakeholder process.

II. The GNSO Liaison to the GAC:

As discussed in the three previous Liaison Reports, the role of the Liaison has evolved from a relatively inactive role to one that will hopefully continue to be vital to the activities of both the GAC and the GNSO. Some of the improvements between the GNSO and the GAC include:

- a. The Liaison and the GAC Point of Contact (PoC) now meet on a monthly basis to go over: (i) recent developments within the GAC and the GNSO and how they relate to the ICANN Community, (ii) updates about the current PDPs, implementation review teams, small teams, etc. (iii) potential future PDPs or other GNSO activities, and (iv) planning for subsequent GNSO/GAC bilateral meetings.
- b. Agendas for GNSO/GAC bilateral meetings (which occur during ICANN meetings) are developed by the Liaison and the GAC PoC and recommended to both GNSO Council Leadership and ultimately to the GNSO Council so that both the GAC and GNSO

Council are prepared for the bilateral at (or sometimes before) ICANN meetings. The role the Liaison plays is dependent on how much the GNSO Council leadership want to use the Liaison and of course the Liaison's familiarity with the GNSO and GAC activities.

- c. In the two years we have also continued the practice of gathering GAC "talking points" prior to the bilaterals so that the Council can be prepared to discuss the GAC's view on particular subjects. These are forwarded to the Council List generally a week or so before the scheduled bilateral. These talking points allow us to have more focused discussions on the topics and issues at hand and less time on general background issues.
- d. Shortly after ICANN meetings, the Liaison is tasked with coordinating the GNSO response to the GAC Communique. Over the two years, the Council has wanted to take a more active role in responding not just to "Consensus Advice", but also to issues of importance. This was one of my recommendations early on, and it is good to see that this is now a standard practice (as detailed below). In addition, the ICANN Board has thanked the Council for providing that information as it is has also been taken into account in their bilateral discussions with the GAC.
- e. The Liaison also regularly participates in all GAC meetings held at ICANN involving GNSO- related issues (to the extent that these sessions do not conflict with the GNSO working sessions or Council meetings). Participation has also evolved over the past two years to include not just observing these meetings, but the Liaison is also given the opportunity to request the floor at any time to address any questions posed by GAC members or to make any comments to clarify GNSO positions (where such positions exist). In addition, the Liaison regularly provides comments through the zoom chat feature when requesting the floor does not seem appropriate. Although the Liaison is not always taken up on this offer, it has been appreciated by the GAC and its members.

III. Follow up on Previous Recommendations:

1. Recommendations to Improve GAC Communique Responses:

A) Improving the Substance:

In the past two years, the GNSO Council has expanded its engagement with the GAC by responding not only to formal GAC Advice but also to other issues identified as priorities by the GAC. This shift reflects a change in attitude within the Council towards providing comprehensive responses, a direction encouraged by ICANN Board members at both the 2022 and 2023 Strategic Planning Summits. The ICANN Board has expressed appreciation for this feedback, as it supports their intersessional

meetings with the GAC, where they review all aspects of the GAC Communique, including formal advice, follow-ups, and additional GAC-identified priorities. These discussions produce a “Scorecard,” approved by the Board, which helps set agendas for future GAC and Board activities. Consequently, over the past year, the Council has recognized the importance of addressing all relevant areas in the Communique that may impact, or be impacted by, GNSO activities.

The GNSO Council is still refining the format and content of its responses. Currently, most responses refer back to previous GNSO initiatives or small team activities, often providing relevant links. However, due to the timing of Council meetings and the Board/GAC intersessional discussions, the Council has had to approve the GNSO response to the Communique after it has already been sent to the Board, which is not ideal.

In the future, I recommend enhancing the substance of GNSO responses to be more useful for both the GAC and the Board. While it remains important to highlight previous GNSO activities, we should also identify areas of mutual interest with the GAC and explore potential collaboration on shared topics. Recognizing that many of our reports are dense, we should aim to summarize information or provide clear guidance to assist the GAC in navigating these materials.

For instance, when the GAC requested a summary of stakeholder positions on transparency requirements for Statements of Interest, the Council opted to send the full report rather than a concise summary. This response was understandably unhelpful to the GAC, as they were already aware of the report and were seeking a brief overview to assist members who lacked the time to analyze it in depth. Moving forward, providing targeted summaries or directing the GAC to specific sections of our reports would improve the utility and accessibility of our responses.

B) Improving the Process

Approving the GAC Communique response after the response has been sent to the ICANN Board is not ideal. However, it is also essential that the Council response is sent to the Board in a timely manner prior to its intersessional meeting with the GAC. Unfortunately, the timing of the intersessional meeting between the Board and the GAC is not set out in advance nor is it predictable that the Council knows prior to the start of drafting its response when the Board/Gac intersessional meeting will be.

It would be great if there was a way for the Board to schedule its intersessional meeting with the GAC prior to the applicable ICANN meeting so that the Council can set a reasonable deadline for the small team drafting its response to finish its work and send it to the GNSO Council with enough time to review and comment on the response before it has to be sent to the Board. If there is time to approve it at a Council meeting prior to sending it to the Board, that would be ideal, but the Council should develop a process to approve the response by e-mail (which I believe it has the right to do under its procedures).

2. GAC Intersessional Meetings. Although it has been discussed that the GNSO Liaison to the GAC would be invited to intersessional meetings of the GAC, this has not yet happened. Admittedly I am not sure how often these intersessional meetings occurred in 2021-2022. It may just be that there have not been any.
3. Encourage More Informal Dialogue

Our interactions with the GAC often become overly formal. I suggest considering additional calls or intersessional meetings with the GAC (or individual members) to discuss substantive issues outside the structure of official meetings. Fostering open, informal dialogue and brainstorming sessions could enhance mutual understanding and collaboration. Creating an environment where ideas can be shared without fear of attribution would allow both the GAC and the GNSO to explore solutions more freely. While bi-lateral meetings at ICANN events are useful, they seldom move discussions forward significantly, which contributes to the slower progress within our model.

Thank you for the opportunity to serve as the GNSO Liaison to the GAC over the past four years. I look forward to passing this role to Sebastien, confident that under his leadership, the position will continue to support and enhance GAC/GNSO collaboration in the years to come.