ICANN | GAC

Governmental Advisory Committee

Hamburg, Germany, 30 October 2023

GAC Communiqué – Hamburg, Germany[1]

The Hamburg Communiqué was drafted and agreed in a hybrid setting, during the ICANN78 Annual General Meeting, with some GAC participants in Hamburg, Germany, and others remotely. The Communiqué was circulated to the GAC immediately after the meeting to provide an opportunity for all GAC Members and Observers to consider it before publication, bearing in mind the special circumstances of a hybrid meeting. No objections were raised during the agreed timeframe before publication.

I. Introduction

The Governmental Advisory Committee (GAC) of the Internet Corporation for Assigned Names and Numbers (ICANN) met in Hamburg, Germany, in a hybrid setting including remote participation from 21 to 26 October 2023.

Ninety three (93) GAC Members and eight (8) Observers attended the meeting.

The GAC meeting was conducted as part of the ICANN78 Annual General Meeting. All GAC plenary and working group sessions were conducted as open meetings.

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[1] To access previous GAC Advice, whether on the same or other topics, past GAC communiqués are available at:
https://gac.icann.org/

II. Inter-Constituency Activities and Community Engagement

Meeting with the ICANN Board

The GAC met with the ICANN Board and discussed:
- New gTLD Program Next Round
- DNS Abuse
- Registration Data Policy
- GNSO Statements of Interest (SOI); and
- Internet Governance Developments

Meeting with the At-Large Advisory Committee (ALAC)

The GAC met with members of the ALAC and discussed:
- Follow-up on the 2017 Joint GAC/ALAC Advice to the Board entitled "Enabling Inclusive, Informed and Meaningful Participation at ICANN: a Joint Statement by ALAC and GAC"
- Closed Generics including the joint GAC/ALAC letter to the ICANN Board
- Contention Resolutions in new gTLDs including a presentation on closed bid auctions.

Meeting with the Generic Names Supporting Organization (GNSO)

The GAC met with members of the GNSO Council and discussed:
- New gTLD Program Next Round
- IGO Curative Rights Protection Mechanism Implementation
- DNS Abuse
- WHOIS/Data Protection; and
- Transparency in GNSO (Statement of Interest discussion)

III. Internal Matters

1. GAC Membership

There are currently 182 GAC Member States and Territories and 38 Observer Organizations.

2. GAC Elections

The GAC elected as Vice-Chairs for the term starting after ICANN79 (March 2024) and ending at the close of ICANN82 (March 2025):

Zeina Bou Harb (Lebanon)
Nigel Hickson (United Kingdom)
WANG Lang (China)
Christine Arida (Egypt)
Thiago Dal-Toe (Colombia)

3. GAC Working Groups

- **GAC Public Safety Working Group (PSWG)**

The GAC Public Safety Working Group continued its work to advocate for improved measures to combat DNS Abuse and promote lawful, effective access to domain name registration data.

The PSWG participated in a session to brief the GAC on DNS Abuse Mitigation that included presentations about 1) the GAC's public comment on the proposed DNS Abuse amendments to the Registry Agreement and Registrar Accreditation Agreement contracts; 2) possibilities for future work to mitigate DNS Abuse; 3) presentations from ICANN org and the DNS Abuse Institute on DNS Abuse trends; 4) efforts by CleanDNS to disrupt DNS Abuse; and 5) the results of the survey of ccTLDs conducted by ccNSO DNS Abuse Standing Committee.

The PSWG continued its active participation to support the GAC Small Group that focuses on domain name registration issues including by participating in the update to the GAC on these issues. The presentation included an update on the Registration Data Request Service (RDRS) and implementation of the EPDP Phase 1 policy recommendations, including appropriate timelines to respond to Urgent Requests.

The PSWG also continued its outreach, holding discussions with several constituent groups within ICANN.

Finally, the PSWG extends its sincere appreciation to Chris Lewis-Evans for his exemplary service as a PSWG co-chair – his participation and leadership within the PSWG will be missed.

- **GAC Underserved Regions Working Group (USRWG)**

The GAC Underserved Regions Working Group (USRWG) held a two-day Capacity Development Workshop (CDW) on 21-22 October 2023. The CDW planning team appreciates the contributions by ICANN org and experts from the ICANN community.

The foundation/policy day focused on topics of interest to the GAC with an introduction to the upcoming High Level Government Meeting (HLGM) that will be held during ICANN80 in Rwanda. A technology day was delivered as agreed by the GAC during ICANN77 to incorporate emerging technologies in the CDW program.

Both days concluded with language-based breakouts to discuss regional priorities and issues and will be followed by a post-workshop survey.

The USRWG will continue to enhance capacity development initiatives through webinars and workshops, regionally and during ICANN meetings in light of the complexity and importance of the topics of interest to the GAC and the ICANN community, and for the benefit of all GAC participants, including newcomers.

- **GAC Operating Principles Evolution Working Group (GOPE WG)**

The GAC Operating Principles Evolution Working Group (GOPE WG) Co-Chairs updated the GAC on its recent activities. The working group released a Work Plan for 2024 and 2025 which outlines next steps to review GAC Operating Principles. The GOPE WG will continue to provide updates on the working group's progress to the GAC, as noted in the Work Plan. Interested GAC members are invited to participate in the working group's upcoming discussions. The working group will resume its meetings post ICANN78 and update the GAC of their intersessional work at ICANN79.

4. GAC Capacity Development

At the beginning of the meeting week, the GAC conducted a well-attended, productive, and informative two-day capacity development workshop featuring several topics of interest to GAC participants.

Day 1 focused on ICANN and the GAC's place in the wider Internet governance ecosystem, an introduction on the new gTLD Program (highlighting financial and in-kind support for applicants), DNS abuse mitigation and providing information on the next GAC High Level Government Meeting. The GAC would like to thank the ICANN Government Engagement team for its efforts in constructing the program.

Day 2 was more technically oriented and provided introductions to the DNS, Blockchain and the impact of alternative namespaces. Noting that such namespaces could be perceived as providing alternatives to the DNS, the GAC emphasizes the extreme importance of protecting the security, stability, and resiliency of the DNS, which is an indispensable part of the foundation for a single, global Internet. The GAC intends to monitor further developments related to alternative

namespaces. The GAC would also like to thank the ICANN Office of the Chief Technology Officer (OCTO) for its efforts in helping to organize this informative session.

In addition, with the aim of supporting underserved regions regarding the issue of number resource scarcity, the GAC looks forward to further discussions, including engagement with the Address Supporting Organization (ASO) and the Number Resource Organization (NRO), to address the needs of these regions within ICANN's remit.

5. GAC Operational Matters

GAC Members exchanged views regarding the GAC's current relationship with and potential for future participation in the ICANN Nominating Committee (NomCom). It was agreed that this topic will be further explored in future discussions among the GAC Chair and Vice Chairs team to inform further committee discussion of options for contributing to the work of the NomCom.

1. High Level Government Meeting (HLGM)

The GAC welcomes the invitation from the Government of Rwanda to the next High-Level Government Meeting (HLGM) in Kigali on 9 June 2024. This meeting will be held ahead of the ICANN80 Policy Forum scheduled for 10-13 June 2024, offering potential opportunities for participation throughout this meeting. The GAC agreed to pursue the matter and finalize topics of interest to be covered during the HLGM. GAC representatives are also invited to inform the Rwandese hosts of the names and contact details of the high-level representatives to be invited at the earliest convenience, for the invitations to be sent in November, together with a proposed agenda.

2. Future Rounds of New gTLDs

- **Auctions: Mechanisms of Last Resort/Private Resolution of Contention Sets in New gTLDs**

The GAC takes note of the Board's decision per the September Scorecard on GAC Advice to defer GAC Advice on auctions in New gTLDs as policy recommendations on this topic are under discussion. The GAC further notes that the Board is engaging an expert to analyze the issue, and looks forward to continued engagement with the Board and community on this matter prior to a Board decision.

- **Latin Script Diacritics[2] in New Generic Top Level Domains (gTLDs)**

The GAC notes that a potential gap in policy has been identified on the use of diacritics characters in the Latin script. The GAC strongly supports a multilingual Internet free from barriers in existing policy and looks forward to continued engagement with the GNSO Council on this issue, and to reviewing the anticipated GNSO Council's Issue Report on this topic.

- **GAC Consensus Advice and Early Warnings on new gTLD Applications**

In view of the changes to the future Applicant Guidebook regarding the "strong presumption" language, pursuant to recommendation 30.4 of the GNSO SubPro Recommendations, the GAC expresses its understanding that such wording modifications do not affect nor change in any way, shape, or form the high importance attached to GAC Consensus Advice by the ICANN Board whenever issued regarding applications under the future Applicant Guidebook.

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[2] Diacritics in the Latin script are modifiers surrounding basic letter shapes, generally recognized as distinct graphic elements to form new letters, such as accents. See Background Briefing to the GNSO Council (25 October 2023).

Some GAC members also noted surprise at the promptness with which the Board proceeded to accept recommendation 30.4, following intersessional engagement between the GAC and the Board. Some GAC members had proposed adjustments to that language rather than omitting it altogether, pointing to its political significance beyond the legal implications listed by ICANN org and the Board.

- **New gTLD Applicant Support Program**

The GAC welcomes efforts to take forward a successful Applicant Support Program (ASP) in various areas of the ICANN community, including through the Implementation Review Team's (IRT) work on applicant support and the GNSO Guidance Process Working Group (GGP) on the ASP. The GAC thanks the GGP on the ASP for the opportunity to provide a public comment and looks forward to receiving the group's Final Report expected in December. The GAC also looks forward to participating in the IRT sub-track on applicant support and the 'small team plus' effort to address the Final Report on the New gTLD Subsequent Procedures Policy Development Process' Recommendation 17.2 on the ASP. The ASP is core to the success of the next New gTLD Program and the GAC recalls that the original rationale to launch a new round was to encourage further geographic diversification of applications in the New gTLD Program.

Applicant support was identified as a key topic of importance to the GAC, particularly for underrepresented and underserved regions, during the ICANN78 Capacity Development Workshop. GAC members noted the need for ICANN org to effectively communicate with GAC members about the Applicant Support Program so that members can support awareness raising efforts within their countries. GAC members also highlighted the importance of using local languages to raise awareness of the program. The GAC stressed that support for applicants should extend beyond applicant fee reductions, and include providing training and technical and legal assistance to potential applicants. Training efforts should be commenced at the earliest opportunity, and certainly ahead of ICANN79. In this regard, the GAC appreciated exchanges with the GNSO and the ALAC on applicant support, in particular the comment that the ASP should cover not just financial support but support in other areas of both the application and the operation of a top-level domain and the ALAC's proposal to address Recommendation 17.2 by taking a "holistic approach to providing applicant support services"[3] and utilizing an ASP incubator.

The GAC welcomes the ICANN Board's commitment to the ASP and thanks the Board for its valuable input on the ICANN77 GAC advice on this matter The ICANN Board stated that it plans to provide communications and engagement plans related to engaging underrepresented and underserved regions by ICANN78 and the GAC looks forward to receiving documented plans at the earliest opportunity, including on the mini-campaigns noted at the GAC's meeting with the Board and on how ICANN intends to support the operation of supported TLDs. The GAC Small Team on the ASP is continuing discussions to provide relevant information to the Board, noting the GAC's engagement through the IRT sub-track will help address these useful points and recalling the GAC's previous work to agree on parameters on underserved regions[4].

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[3] ALAC Statement on Subsequent Procedures Recommendation 17.2 on Applicant Support (18 August 2023)
[4] For parameters on underserved regions see the GAC USRWG Terms of Reference

3. Registration Data Request Service (RDRS)

The GAC welcomes the launch of the voluntary Registration Data Request Service (RDRS) this coming November. The GAC encourages its members to inform their respective relevant communities of the launch. Widespread use of the new system from both registrars and requesters will help the system meet its intended purpose of gathering sufficient data to inform the ICANN Board's consideration of the policy recommendations related to a future System for Standardized Access and Disclosure (SSAD) of domain name registration data. To promote usage, the GAC notes that the Board urged the GNSO Council to consider a Policy Development Process or other means to *require* registrars to use the RDRS[5]. The GAC remains supportive of this idea.

Other factors that will impact usage relate to whether users submitting legitimate requests receive data relating to the underlying registrant as opposed to information related to a privacy or proxy service. Currently, many leading registrars provide privacy/proxy services to registrants by default. ICANN org's Operational Design Assessment (ODA) of the SSAD analyzed the potential adverse impacts on that system noting that "*Requestors may feel confused or frustrated with the system if they don't receive the registrant data they seek due to proxy or privacy service use*" and that this risks "*significant user confusion and/or dissatisfaction.*"[6]

The GAC highlights these risks because Registrars, including those that provide privacy/proxy services directly for their registrant customers, will have discretion on how to respond to requests. The GAC observes that the RDRS's success depends in part on how satisfied users are with the system with positive experiences promoting repeat usage.

Finally, the GAC also encourages users of the system to provide feedback on the effectiveness of the RDRS.

4. Urgent Requests for Disclosure of Registration Data

The GAC welcomes the Board's reaction to the letter sent on 23 August 2023[7] in which the GAC asked the Board to reconsider the publication of the proposed Registration Data Consensus Policy for gTLDs and expressed its public policy concerns on the appropriate timeline to respond to requests for registration data in select emergency circumstances, known as "Urgent Requests". The GAC supports the initiative of the Board to separate the topic of Urgent Requests from the publication of the overarching Registration Data Consensus Policy for gTLDs and to speedily continue discussions on the former to achieve an outcome which is acceptable to all parties.

The GAC reiterates that "*the proposed outcome of up to three business (not calendar) days to respond to the narrowly defined category of "urgent" requests for domain name registration data does not serve its intended purpose*" and that the use of "business" and not "calendar" days is particularly problematic in this respect as it can lead to significant delays and would vary across different jurisdictions, leading to uncertainty. The GAC also recalls that in April 2023 the ICANN org

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[5] ICANN Board Resolution on WHOIS Disclosure System Implementation (27 February 2023)
[6] SSAD Operational Design Assessment (25 January 2022) at pp.19-20
[7] GAC Correspondence to ICANN Board Chair: Timeline to Respond to Urgent Requests for Disclosure of Domain Name Registration Data (23 August 2023)

Implementation Project Team (IPT) carefully reviewed the public input received and concluded that there was *"sufficient justification to revisit the policy language and to require a 24-hour response time for urgent requests."*

The GAC looks forward to the early reopening of the discussions with the community, also based on the further input which is expected to be provided by the Security Stability Advisory Committee (SSAC), with the objective of achieving "*an outcome that better meets the public safety considerations posed by urgent requests*".

Because of the vital public safety interest implicated by Urgent Requests, the GAC emphasizes the need to commence and conclude this implementation work as soon as possible. Further, this work should include accreditation issues, among others.

5. DNS Abuse

During ICANN78, the GAC welcomed updates on advancements in DNS Abuse measurement, examples of DNS Abuse mitigation solutions, and an update from the ccNSO DNS Abuse Standing Committee.

The GAC urges the Contracted Parties to adopt the DNS Abuse amendments so that baseline obligations for gTLD registries and registrars regarding DNS Abuse are established in ICANN's contracts. The GAC also urges ICANN org to provide the community with the ability to monitor the implementation of the amendments.

At the same time, the GAC notes with disappointment that suggestions made in its submission to the public consultation on the contract amendments were not reflected in the final amendments or Advisory. The GAC underlines the importance of taking GAC input into account in future work. In particular, the GAC reiterates the importance of considering proactive monitoring and transparency of reporting. The GAC also recalls the practical need to recognize the inevitable evolution of DNS Abuse, including how it is defined in the amendments, as well as abuse report handling, tackling systemic abuse and additional reporting and data collection requirements.

Once the amendments are adopted, the GAC intends to engage with the community in discussions on policy efforts around the above mentioned topics as well as other key themes linked to effective implementation of the amendments, such as clarification of key terms from the amendments (i.e., "reasonable", "actionable", "prompt"), and further actions to mitigate DNS Abuse, such as capacity building efforts.

Finally, the GAC recognizes that the accuracy of domain name registration data as it pertains to DNS Abuse remains an ongoing topic of great interest to be pursued.

6. Transparency and GNSO Statements of Interest (SOI)

The GAC strongly supports transparency at ICANN and takes note of ongoing discussions within the GNSO and the work conducted by the GNSO Council Committee for Overseeing and Implementing Continuous Improvement (CCOICI) on the Review of the Statement of Interest (SOI) Requirements. The GAC notes that the GNSO Council motion on this matter on 25 October 2023 was not adopted.

The GAC expresses ongoing concerns, as noted in the GAC ICANN76 Communiqué, regarding a proposed exception in the SOI that might permit GNSO participants to refrain from disclosing the identity of the entities they represent in GNSO working groups. Section 3.1 of ICANN's Bylaws state that "*ICANN and its constituent bodies shall operate to the maximum extent feasible in an open and transparent manner and consistent with procedures designed to ensure fairness*". Transparent disclosure of interests represented in GNSO working groups is part of the basis of credibility and legitimacy of ICANN's multistakeholder model.

The GAC looks forward to continued engagement with the GNSO, Board and community on this issue.

7. Emergency Assistance Program for Continued Internet Access

While the GAC acknowledges the information previously shared by the Board, the GAC reiterates its interest in having further details on criteria, dates and updates related to the Emergency Assistance Program for Continued Internet Access.

V. GAC Consensus Advice to ICANN Board

The following items of advice from the GAC to the Board have been reached on the basis of consensus as defined in the ICANN Bylaws[8]:

1. Closed Generic gTLDs

The GAC expresses its appreciation for the efforts of the participants in the GAC, GNSO and ALAC Facilitated Dialogue on Closed Generics.

a. The GAC advises the Board:

i. Prior to the next round of New gTLDs, to ensure that the forthcoming Applicant Guidebook clearly states that Closed Generic gTLD applications will not be considered.

RATIONALE

The GAC offers this advice in recognition of the support of the message from the Chairs of the ALAC, GAC, and GNSO to the participants of the facilitated dialogue that "*unless and until there is a community-developed consensus policy in place, any applications [for closed generic gTLDs] [...] should not proceed.*"[9]

A clear statement in the Applicant Guidebook will help potential applicants to avoid confusion and possibly the waste of resources.

Additionally, the GAC recalled in its Comment on the Draft Framework for Closed Generics (15 July 2023)[10] its concerns on "*competition issues, the overall assessment of the value of Closed Generic TLD for the Internet, their potential negative economic and social impacts, and the evaluation panel*". The good faith deliberations that took place in the Facilitated Dialogue addressed directly the question of whether Closed Generics could serve a "public interest goal" (as advised in the 2013 Beijing Communiqué) without reaching a solution garnering consensus within the community. The GAC further underlines the importance to promote an open digital space and is of the view that under these circumstances determining and arbitrating whether a proposed closed gTLD would meet a public interest goal would likely create significant costs without providing any corresponding benefit.

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[8] Bylaws section.12.2.(a)(x) The advice of the Governmental Advisory Committee on public policy matters shall be duly taken into account, both in the formulation and adoption of policies. In the event that the Board determines to take an action that is not consistent with Governmental Advisory Committee advice, it shall so inform the Governmental Advisory Committee and state the reasons why it decided not to follow that advice. Any Governmental Advisory Committee advice approved by a full Governmental Advisory Committee consensus, understood to mean the practice of adopting decisions by general agreement in the absence of any formal objection ("GAC Consensus Advice"), may only be rejected by a vote of no less than 60% of the Board, and the Governmental Advisory Committee and the Board will then try, in good faith and in a timely and efficient manner, to find a mutually acceptable solution. The Governmental Advisory Committee will state whether any advice it gives to the Board is GAC Consensus Advice.

[9] ALAC, GAC, GNSO Chairs Letter to Facilitated Dialogue Participants (7 August 2023)

[10] Governmental Advisory Committee (GAC) Comment on the Draft Framework for Closed Generics (15 July 2023).

VI. Follow-up on Previous Advice

The following items reflect matters related to previous Consensus Advice provided to the Board.

1. Enabling Inclusive, Informed and Meaningful Participation in ICANN

The GAC would welcome a written status update from the Board on the activities adopted and implemented by ICANN org pursuant to the ICANN60 GAC Abu Dhabi Communiqué Advice regarding the development of a simple and efficient document management system and the production of easily understandable executive summaries for all relevant issues, processes and activities.

2. Future gTLDs Policies and Procedures

The GAC recalls its advice to the Board in the ICANN56 GAC Helsinki Communiqué (30 June 2016) that "*An objective and independent analysis of costs and benefits should be conducted beforehand, drawing on experience with and outcomes from the recent round.*" So far the GAC is not certain of the availability of such analysis called for by the GAC. The GAC is looking forward to receiving such analysis at the earliest opportunity and ahead of ICANN79.

VII. Next Meeting

The GAC is scheduled to meet next during the ICANN79 Community Forum in San Juan, Puerto Rico, on 2-7 March 2024.

ICANN78 | AGM – Joint Session: ICANN Board and GAC
Tuesday, October 24, 2023 – 1:30 to 2:30 HAM

GULTEN TEPE: Recording in progress. Hello and welcome to the ICANN 78 GAC meeting with the ICANN board session being held on Tuesday, 24th of October at 11:30 UTC. My name is Gulten Tepe Oksuzoglu and I'm the remote participation manager for this session. Please note that this session is being recorded and is governed by the ICANN expected standards of behavior. During this session, questions or comments submitted in the chat will only be read aloud if put in the proper form. Interpretation for this session will include six UN languages and Portuguese. Please click on the interpretation icon in Zoom and select the language you will listen to during this session. If you wish to speak, please raise your hand in the Zoom room, and once the session facilitator calls upon your name, kindly unmute your microphone and take the floor. Before speaking, ensure you have selected the language you will speak from the interpretation menu. Please state your name for the record and the language you will speak if speaking a language other than English. When speaking, be sure to mute all other devices and notifications. Please speak clearly and at a reasonable pace to allow for accurate interpretation. To view the real-time transcription, click on the close caption button in the Zoom toolbar. To ensure transparency of participation in ICANN's multi-stakeholder model, we ask that you sign into Zoom sessions using your full name. With that, I will hand the floor over to GAC chair, Nicolas Caballero.

NICOLAS CABALLERO: Thank you very much, Gulten. Welcome, everyone, to the GAC joint meeting with the ICANN board. I have the great pleasure of introducing my board colleagues, Danko Jevtovic, Jim Galvin, Becky Burr, Tripti Sinha, Sally, and my vice chairs, Nigel from the UK, Zeina Bou Harb from Lebanon, and Wang Lang from China. Welcome, everyone. Let me just go over the agenda topics very quickly.

First, we'll review the GAC topic questions and questions that were shared in advance of the meeting with the board. Then we'll discuss the GAC answers to the selected board questions, and then we'll have a hopefully interesting AOB session and then some closing remarks. The three topics that we agreed are the new GTLD program next rounds, DNS abuse, and registration data policy. This session will run from 1:30 to 2:30 PM, roughly speaking, 60 minutes, if everything goes well with the time management, I mean. So without further ado, let me welcome you again. Tripti, any opening remarks?

TRIPTI SINHA: Thank you, Nico. And thank you, GAC members. We're delighted to be here today. This is one of our meetings that we look forward to having an honest, constructive dialogue with members of the GAC so that we can consider your opinions and weigh it into our policymaking. So we look forward to a good discussion. Thank you, Nico.

NICOLAS CABALLERO: Thank you very much. Tripti, Sally, any opening remarks?

SALLY COSTERTON: Thank you, Nico. I'm looking forward to a good discussion, and I'm here with two hats on. I'm obviously on the board, but I'm also the interim president and CFO of ICANN. So as we go through the discussion, if we get to operational topics that relate to and how is the organization going to do this or this, then I'm at your disposal, either yours, Nico, or anybody else. Thank you.

NICOLAS CABALLERO: Thank you very much, Sally. So without further ado, let me go directly to the questions. So question number one, this is regarding, obviously, the new GTLD program next rounds. The GAC questions are as follows. Number one, the GAC welcomes an update from the board on its understanding of the status of closed generic GTLDs following the GAC GNSO ALAC chair's decision to halt the facilitated dialogue on closed generics as outlined in the letter to the facilitated dialogue group on 7 August 2023 and subsequent correspondence. Tripti?

TRIPTI SINHA: Thank you for the question. Becky Burr will take that one for us.

BECKY BURR: Thanks, and greetings, everyone. This is Becky Burr. On the closed generics, we understand that the GAC and the ALAC representatives to the community discussions have agreed that-- and actually, the GNSO has also agreed that there's no consensus at this point, and that the GAC and ALAC have said they're comfortable proceeding without any changes and leaving closed generics off the table for the time being. We've received or are receiving correspondence from the GNSO council

that agrees that there's no consensus that can be reached. The GNSO council does not take a position on what should happen next and what the position going forward, and that's based on a procedural view about what the GNSO council is authorized to do. So at this point, the board has to take that information back and make a determination about which way to proceed. We haven't done that yet, but we do have the input from the GAC and ALAC and the GNSO on that point.

NICOLAS CABALLERO: Thank you very much, Becky. My apologies to the rest of my distinguished board colleagues-- Catherine, Matthew, Edmon, Harald, Avri, Sarah, Chris, Sajid, Katrina, and Patricio. My apologies. So with that, any comments? Any further question? I mean, regarding topic number one, I mean, regarding the first question. Are we OK to move on? I have Switzerland. Go ahead, please.

JORGE CANCIO: Thank you, Nico, Jorge Cancio, Switzerland, for the record. Speaking here also in my capacity as a participant in the facilitated dialogue, so I just wanted to go into the record that although we didn't achieve a common solution, the experience was really very positive. And we had very good constructive dialogue within the facilitated group. So I just wanted to acknowledge that and thank the board for the initiative of triggering that facilitated dialogue. Thank also, of course, the facilitator, Melissa, all the other staff involved. And although this time and because there are other priorities, we didn't achieve this agreed framework, it is, I think, a positive precedent of multistakeholder cooperation. And I just wanted to note that. Thank you.

NICOLAS CABALLERO: Thank you, Switzerland. I have Iran. Go ahead, please.

KAVOUSS ARASTEH: Yes, thank you. Thank you very much. I echo what Jorge mentioned. My question to the distinguished board member and the chairman of the board that what text will appear in the new applicant guidebook, the text of the 2012 or any other text taking into account that there is no consensus? And I believe that there would not be any consensus even in the future. Thank you.

NICOLAS CABALLERO: Thank you, Iran. Tripti, would you-- Becky, Becky, go ahead, please.

BECKY BURR: Thank you. And greetings, Kavouss. We don't know at this point. The board has received the input from the facilitated dialogue, and we will be considering that. I don't know what the answer is, and I won't know what the answer is until the board has a discussion about it. But we will, of course, take into consideration all of the input that we've received. And we are very grateful that the community was willing to come together in this facilitated dialogue and very happy to hear that it was a successful effort.

KAVOUSS ARASTEH: Distinguished chair, would you allow a small follow-up question?

NICOLAS CABALLERO: Go ahead, please.

KAVOUSS ARASTEH: Yeah. I hope that the board would kindly share whatever they would wish to decide with GAC in one of our board GAC meetings before being formally published. Is that correct, or is that valid, or is that taken into account?

BECKY BURR: I'm not sure how we will do this. We will make our decision public as we always do. And I'm not sure what the timing is, but there won't be any secrets. And we will give you as much heads up as we possibly can.

NICOLAS CABALLERO: Thank you, Iran. Thank you, Becky. Any further questions, comments in the room or online? I don't see any hands. So let me read the second question. The GAC takes note of the board's decision as outlined in the September 2023 scorecard, Subsequent Procedures PDP, 10 September 2023, pertaining to topic 30 and quote, that the board review the concerns voiced by GAC members in the ICANN 77 GAC communique. On recommendation 30.4, the board notes that the ICANN bylaws section 12.2(a) details all relevant procedures concerning GAC consensus advice and that this section of the ICANN bylaws determines how the board engages with GAC consensus advice, not language included in a future applicant guidebook. Accordingly, the board moves to adopt this recommendation, noting that it doesn't in any way prejudice or impact the processes regarding board consideration of GAC consensus advice, detailed in bylaws section

12.2(a) end quote, and reaffirms the GAC's concerns with the suppression of the language in recommendation 30.4. Tripti? Becky, go ahead, please.

BECKY BURR: Thank you. First, let me say that the board is well aware that this is a very sensitive topic with the GAC. And the decision that we took to accept the recommendation of the GNSO council on this was not made in contradiction to that sensitivity, but actually to reflect that sensitivity. And I'll try to explain that. The bylaws establish the way in which the board is obligated to consider GAC advice. And those bylaws provisions do put GAC advice in a very special place, which is to say, we have to accept GAC advice unless there's a supermajority on the board. If we determine to reject GAC advice, we have to first enter into a dialogue with the GAC with the goal of finding an mutually acceptable solution. So the bylaws do contain a degree of deference to the GAC that's special and is not granted to any other advisory committees. There were binding decisions by the independent review panel in the last round of gTLDs that held that the board could not simply defer to GAC advice without actually looking at that advice carefully and determining that it was supported by a sound public policy basis. We understand that the GAC is happy to provide detailed explanations for its advice and early warnings. And we actually have had some very good experiences with that on one recent IRP. We came back to the GAC and asked for an explanation, which the GAC provided. And we were able to move forward on that basis. Our concern with putting the additional language that the GAC had asked for, or that some members of the GAC had asked for, into the applicant guidebook was that it actually raised

an opportunity for somebody who was unhappy to raise an objection that the board had violated its bylaws by providing some kind of deference that was not provided for in the bylaws, and that the board was not fulfilling its obligation to consider and determine that there was a sound public policy basis for its decision. So we actually think that including that language would have been detrimental to the GAC's position, and it would have increased the opportunity for disputes. So although I do understand, we all understand the sensitivity about it, we really believe that the way we are proceeding is the best way to proceed consistent with the bylaws and consistent with the special provisions related to GAC advice in the bylaws.

NICOLAS CABALLERO: Thank you very much, Becky. Before I give the floor to Iran and Brazil, let me also welcome my distinguished board colleagues, Maarten Botterman and Leon Sanchez. Iran, the floor is yours, and then I have Brazil.

KAVOUSS ARASTEH: Yeah, thank you very much, Becky. I think the bylaw text that you referred to existed before, and the text in the applicant guidebook also existed, and there has been no difficulty at all. Should we do not have any new GTLD, these two texts, they were living with each other with a good cohabitation. So I have difficulty to agree with the logic that you mentioned. I'm sorry. Please accept my apology that I have the right to give my comment. However, in one of the GAC board meeting, I suggested that we could soften the language in the applicant guidebook, and just two hours before this meeting, I have read that text

for the GAC members, and I read it again. The GAC early warning consensus advice, now the changes is, could trigger the presumption for the ICANN board that the application may not be approved by the board, provided that a valid and justifiable rationale is submitted with such early advice. So soften the language. Still, we are within the bylaw. We say that could trigger, but not saying it a strong presumption. I say that may not be approved. So I think they are consistent with the bylaw. I am a lawyer, and I know what I'm talking about, and I think it is not inconsistent. So I think for at least for us, I'm not talking on behalf of the entire GAC, it's very important to maintain some sort of this softened language in the applicant guidebook. Thank you. And I maintain the position of Iran. Thank you.

NICOLAS CABALLERO: Thank you, Iran. Becky Tripti, would you like to-- before I give the floor to Brazil, would you like to answer?

TRIPTI SINHA: Let me just say, Kavouss, that I very much respect your right to maintain that position. And I think it just comes down to the fact that if somebody has the ability to claim that there was deference beyond that which is provided in the bylaws, we would have a dispute in our ways. And we actually have had disputes with respect to that in two or three IRP cases.

NICOLAS CABALLERO: Thank you, Becky. Thank you, Iran. Brazil, go ahead, please.

LUCIANO MAZZA DE ANDRADE: Thank you, Luciano from Brazil, for the record. Now, thank you very much for engaging on this topic. And we read very carefully the arguments that were put forward regarding this decision. I think we were just a bit surprised by how quickly this decision was taken. I know this issue may be around for some time, but we had that indication of being a matter of concern, of interest to GAC only during the last meeting. And very quickly now, between two meetings, between GAC and the board, this decision was taken. And I think Brazil was a bit surprised that it was seen as a need to have this done so quickly. I fully understand the legal arguments that have been presented. I think they are sound. They make sense. And I don't question the advice that the board receives from your legal team. But I think there are arguments that could be made. I won't go into-- as Iran mentioned, I think a presumption is rebuttable. It's not a presumption that is absolute. So I think there might be ways to reconcile those positions. I think there's a point where the board mentions that, well, the bylaws already determine what are the set of competencies and how the institutions relate to each other. And that applies to everything. I think for several reasons, the GTLD program is an area of particular concern for many members. I don't think it's unreasonable to have specific rules for specific issues if they can be reconciled, the general rules that preside over the competencies of every institution within the ICANN system. So I think from a legal perspective, there are ways to address this. I think the board was, perhaps, from our percept, a bit too quick in finding a way to get rid of this topic. Perhaps we might find ways to have some sort of language. But perhaps it's still possible to find some sort of

language in the guidebook referring to this issue. But I believe also there's a broader political element here as well. And I think we refer to determinations that the review panel has made over time about what a consensus advice should have or should not have. If you take this into consideration, and also now this decision to remove this text from the applicant guidebook, the concern we have is that if this cannot be read and perceived as abandoning somehow the institutional balance of competencies between the institutions within the ICANN system. And I think, as I mentioned to colleagues before, one might have the feeling that the GAC is worse off now in the next round than it were institutionally in 2012. Even if it's only a political perception, I think that it might be interesting to address this issue politically as well, even in terms of political messaging in that regard. So that would be my comments. Thank you.

NICOLAS CABALLERO: Thank you for the comments. Brazil, you have any specific question?

LUCIANO MAZZA DE ANDRADE: I think it's essentially a comment. I'd like to have a reaction to that comment. Yes. My question is why it was so important to have the decision taken so quickly.

NICOLAS CABALLERO: Thank you. Becky, would you like to go ahead?

BECKY BURR: Yes, and thank you very much for your input. Let me just reiterate. The board felt that this was the best way. And this is based on advice. The board felt that this was the best way to preserve the GAC's role and the deference that the GAC is due under the bylaws. So we proceeded on that basis. We had to make a judgment call. We did have some discussions with the GAC, both in a call with the board GAC interaction group and then in the post-ICANN 77 call. And we are moving deliberately with respect to the new GTLD recommendations. And when we reached the point that we felt this was the best way forward, respecting the GAC's authority, we proceeded to move. I do take your point about the political issues. And as I said, we are very conscious that this is a sensitive issue for some members of the GAC.

NICOLAS CABALLERO: Thank you for that, Becky. Just in case, Brazil, I didn't mean to judge your comment. For your benefit, just wanted to make sure that you didn't have any specific question.

LUCIANO MAZZA DE ANDRADE: No, it's clear. Thanks so much for clarifying.

NICOLAS CABALLERO: So do we have any other comment or question in the room? Or I see none online. So that would take us to the next topic, unless you tell me otherwise. I don't see any hands. So the second topic is DNS abuse. And the GAC question is, will the board consider organizing a listening session on the desirable scope of policy development to further inform

the updated registry agreement and registrar accreditation agreement? Tripti?

TRIPTI SINHA: Thank you, Nico. The board takes the DNS abuse very seriously. We've got a group that looks at this topic. And I'm going to turn it over to Jim, who will first start the discussion.

JIM GALVIN: Thank you, Tripti. James Galvin, for the record. And yes, continuing on with what Becky just said, it's important to say up front that the board is very much aligned with the GAC's concern about advancing attention and mitigation for DNS abuse. It certainly is a high priority topic. And with that in mind, we're very appreciative of the advancement that registries and registrars have moved along in creating the amendments that have been produced. In record time. We often speak to ourselves about things being slow in ICANN. But the pace of five months, and ICANN Org and contracted parties negotiated a set of amendments. And those are out for vote right now. The board does believe, along with many in the community, that those are very beneficial. And they will set an important baseline for all of us as we move forward. We should not overlook the fact, though, that the voting is a pretty important step in this process. And there's quite a threshold that has to be achieved. So we do want to encourage folks, especially registrars and registries, to vote. And any influence that you have in those in your communities, and encouraging them to vote would be a good help. It's important to do that so we can move this along.

With regard to your specific question, thank you very much for following up on your excellent suggestion to propose how to move forward with policy development processes and a listening session. I think it's important to also remind ourselves that the council, although they did not assume that policy development would take place, there is a commitment to move forward with examining the topic carefully. And that is something that was stated by the council and the small team. And we look forward to those efforts. And we look forward to that particular step progressing after the amendment process has closed and we have a starting point. And that would be an appropriate time to examine the question of a listening session as a way to influence and otherwise discuss with the council how to move forward on policy development. That's it. Thank you.

NICOLAS CABALLERO: Thank you, Jim. Any comment? Any question? In the room, online, in this regard? UK. Nigel, go ahead, please.

NIGEL HICKSON: Yes, thank you very much, Mr. Chair. Nigel Hickson, UK GAC. Just to thank the board for that response. I think I can speak for all members of the GAC that we're following the contract amendment process very carefully. I mean, it is something that, as you know from our previous discussion on this issue, that we're very keen to see implemented. But as we commented in relation to the contract amendments, we do see this as a first but very important step that the contract amendments are adopted. And thereafter, we would indeed like to see a fairly sort of efficient process whereby there were targeted and small and beautiful,

I think someone said once, policy process deliberations on specific issues concerning DNS abuse such as botnets and whatever. So it's really welcoming that the board would be willing to take place in such a dialogue. Thank you.

NICOLAS CABALLERO: Thank you, UK. Thoughts, questions, any other comment? And I see none. So let's move on to the next topic, which is registration data policy. And the GAC question is, what are the ICANN board's current plans regarding the timeline issue of responding to urgent requests and the future publication of the registration data consensus policy? Tripti?

TRIPTI SINHA: Thank you, Nico. The board has had some very in-depth conversations on this topic. And I'm going to turn it over to Becky. But rest assured, we've had some serious discussions regarding urgent requests.

BECKY BURR: Yes. In fact, just by way of background and to get to the question that the GAC also had with respect to the integrity of the comment process, initially, the recommendation was that registrars would have X business days to respond to requests for information in response to situations posing an imminent threat to life, serious bodily injury, critical infrastructure, or child exploitation. In the comment period, the GAC made clear its views that business days was not an appropriate length of time. There has been back and forth. And the coming out of the IRT was a proposal that we move this to generally 24 hours, but in no case longer than two business days plus a possibility of one. And I

understand that there was some confusion in the IRT about what had been agreed to. So when we received the GAC's input in August, we basically said, 24 hours plus two days plus one day is not fit for purpose. The board took a look at this. And in fact, we agree that when you are facing a situation where there's an imminent threat of life, serious bodily harm, infrastructure, or child exploitation, we really need to think about how those requests get dealt with. And of course, in the normal course within a jurisdiction, law enforcement will have relationships with registrars that are doing business, established to do business, and doing significant business in the jurisdiction. And there is direct communication channels. But of course, there are not direct communication channels in all places. And we understood this urgent request system to really be intended to address that. As we started looking at this, it also occurred to us that in the context where those direct communications relations are not in place, there is going to be a need in the local jurisdiction to authenticate and validate the request as it comes from law enforcement. If you don't have that relationship with law enforcement and your registrar, you're going to have to go determine that you're getting a request from a real bona fide law enforcement agency in a different jurisdiction. And that could take some time. So the bottom line was when this all came to the board, when your letter came asking that we move forward with issuing the registration data consensus policy without section 10.6, our inclination is to agree with that. We would like to move the registration data policy forward, the discussion forward on that. But we do think it is appropriate to have further discussions on that particular piece. We need to reach out to the GNSO council and figure out how to do this. We are in a somewhat awkward-- well, a unique or novel situation where

the board has accepted a policy recommendation and is now saying, we're not certain that we are comfortable with this. So the next steps will be interacting with the GNSO council. But I can tell you that the board had a long discussion about this the other day and agreed that the appropriate way to move forward was to publish the policy absent without the 10.6 section on responding to urgent requests timeline.

NICOLAS CABALLERO: Thank you very much, Becky. I have Iran. Go ahead, please.

KAVOUSS ARASTEH: Thank you very much, Becky, for explanation. You mentioned that the deadline is 24 hours to 48 hours. In fact, 48 hours is two working days. Do you have any example that any action or reaction has been taken within that deadline? Any example up to now? Or it is just a simple theory?

BECKY BURR: Well, I was talking about the proposed deadline and what was agreed on, at least. And I'm trying to be careful about this because I understand that there was some confusion and maybe some miscommunication about what people were agreeing to. But the compromise position was that the timeline should be generally 24 hours. But in appropriate circumstances, there could be an extension of up to two business days and then the possibility of a third business day is what was disputed and what brought this to the board's immediate attention. This policy isn't in place. It doesn't exist now. It is a policy recommendation in the EPDP phase one policy. So no, I do not have any concrete examples because

it is a policy that's not in place. And what we were talking about was implementation of a policy.

NICOLAS CABALLERO: Thank you very much, Becky. Thank you, Iran. I have the USA. Susan, go ahead, please.

SUSAN CHALMERS: Thank you, Chair. We appreciate that this was a case of first impression, if you will, procedurally speaking. And I just wanted to note our thanks and that we welcome the board's decision to separate the urgent request issue from the rest of the consensus policy. We look forward to engaging in next steps. Thank you.

NICOLAS CABALLERO: Thank you, USA. Any other question or comment on this topic before we move on? And I don't see anything online either. So let's move on to the next topic, which is basically board questions. Let me turn this over to you,

TRIPTI SINHA: Tripti. Thank you, Nico. So the board, as you know, is embarking on the early stages of writing our next strategic plan. And this strategic plan will run from FY '26 to '30. So the question is, what are key strategic issues in the ICANN ecosystem that we should be addressing in this next plan from the perspective of the GAC, and of course, why?

NICOLAS CABALLERO: Any GAC member would like to take the floor at this point? Or should I just read the answer that is right in front of everyone? I mean, I'm OK to do that, but unless anybody would like to take the floor. So I'll go ahead. GAC members would welcome a dialogue with board members where ICANN also indicates which priorities they will have, especially regarding internet governance development during 2024, 2025. In particular, GAC members are interested in ICANN plans, positions, and intentions with respect to the Global Digital Compact and the WSIS+20 review process. Any further comment? Anything else you would like to add? And I don't see anything online. Any other comment in the room? And I have Portugal. Please go ahead.

ANANEVES: Thank you very much. I just would like to mention that in discussing the GDC and mostly the GDC, the technical community is not mentioned so many times. So I would like to know what the thinking is for the time being from the board members bearing this in mind. So normally in the remit of the GDC, we're talking about the private sector, public sector, and civil society. And Portugal, for instance, is mentioning all the time that we have to involve technical community, academia, and civil society, bearing in mind that civil society is a different thing under the Tunis agenda and that the multistakeholder approach is very mature for the time nowadays. So we think that maybe it's a step back on what we achieved so far. So I think that we could have this kind of discussion here and not to be-- I don't know if shy is the right word. But I think it's the moment to talk in a very open way on what is going on. Thank you.

NICOLAS CABALLERO: Thank you. Portugal, Tripti, would you like to?

TRIPTI SINHA: So yes, with regard to the Global Digital Compact, we are indeed concerned that the technical community is not included in that. And from the perspective of the WSIS, when the Tunis agenda was confirmed and then reconfirmed in 2015 and now up for review in 2025, it clearly spelled out that the multistakeholder community included the technical community, governments, businesses, academia, civil society. So that is a concern for us. And we're hoping that that will evolve and modify to be more inclusive because it is a highly select group of individuals, of constituencies that would be under this particular umbrella. So it is indeed concerning. But we're hoping that the WSIS+20 will reconfirm the Tunis agenda. And we will continue to sharpen the multistakeholder model as defined and be more than just-- with more outcomes, if you will.

NICOLAS CABALLERO: Thank you very much, Tripti, for that. I have the UK. Nigel?

NIGEL HICKSON: Yes, thank you very much, Nico. Just to say a couple of things. One, to note the excellent geopolitical session that ICANN hosted at this forum yesterday and the commitment shown by ICANN during that session to engage in these processes as part of the technical community and also the call in that session yesterday by a number of participants that it will be so useful for the technical community to come together and do something like they did before with the Montevideo statement some

years ago in committing themselves to these processes at the UN. We think the ICANN has an important role to play, both in the forthcoming dialogue on the Global Digital Compact, which will lead up to the Summit of the Future in September next year, but also in particular on the WSIS process, which will be discussed both at the UN Commission on Science and Technology for Development, which our distinguished colleague from Portugal chairs—And ICANN will be able to take part in discussions on that next year—but also at the WSIS forum as well that the ITU and other UN agencies host, where there will be a high-level ministerial discussion on the WSIS+20 process. Thank you.

NICOLAS CABALLERO: Thank you very much, UK. I have Switzerland.

JORGE CANCIO: Thank you, Nico, Jorge Cancio, Swiss government, for the record. I just wanted to briefly comment that it is very important that you continue engaging in these global conversations. So we are happy that you were very active in Kyoto, in the IGF, and that you are engaging, as Veni Markovski explained to us and his team. So that's a good point. I think it's also important for all of us, I guess, that we develop a positive narrative, a positive explanation of all what the multistakeholder approach in different flavors, in different fashions, is really offering the world, in this case with ICANN, making sure that the DNS operates well during the pandemic, during so many challenges. So just to say that sometimes we tend to-- or some colleagues tend to have a defensive approach. And we have so much more to offer, a positive view of how the multistakeholder process works. And as we are speaking here, we

are having negotiations back in New York on, amongst other things, the ICT4D resolution of the UN General Assembly. So it's really something also for all colleagues here in the room from the GAC to be aware, to connect very well with all the different ministries and departments, because sometimes it's not the same people who are here and those who are leading discussions in New York, but which have an effect on what we do here. So just to make that point. Thank you.

NICOLAS CABALLERO: Thank you. Before I give the floor to Tripti, I have Iran. Then I have a board member, Edmon Chung. And then I have the Netherlands. Tripti?

TRIPTI SINHA: Thank you. Thank you. In response to what you just said, I would like to share with you that-- first, thank you for your comment about our participation in Kyoto. Yes, we had a very large delegation there. This topic has been elevated inside of ICANN, both at the board level as well as inside the organization. The board is making this an extremely high priority. We are deeply engaged in this. And this is also now a priority on the interim CEO's goals for FY24. And Veni, as you know, is the interim head of global government engagement. And he, as you know, we couldn't have a better person in that role. And he is deeply involved in this. And we're taking this very seriously. And I don't believe we need to necessarily defend the model. The model speaks for itself and has served us well. And it can certainly do better. And I believe, in my personal opinion, multilateralism also has a role to play. When you look at the United Nations SDG goals, many of them are better fulfilled via multilateralism versus multistakeholderism. But when it comes to

governing the internet, at least the layer that we operate in, which is the technical infrastructure, and in particular, if you were to scope it down to what ICANN is involved in, which is the unique identifier systems, this is indeed the best model that works best for it. But we are truly fully engaged. And thank you for your comments.

NICOLAS CABALLERO: Thank you, Tripti. I have Iran. And then I have board member Edmon Chung. And then I have the Netherlands. Iran, go ahead, please.

KAVOUSS ARASTEH: Thank you very much. I think I fully agree with the chairman of the board that we do not defend multistakeholder. Multilateral is another approach. And multistakeholder, even if not formally agreed by some people, they have agreed on the fact that it does not need any defend and so on. So let us not divert the discussion on that one. And with respect to the position and intentions, I understand from these two words means contribution of ICANN. Like many other stakeholders, we don't want to have a particular position or giving a particular point to the ICANN. They are accepted in 2010 by ITU to contribute on a mutual basis. And they can contribute without any particular distinction. I hesitate to say that multistakeholder is the best model. It is a model. It is a model ICANN model. I don't want to associate any adjective to that, worse or best or so on and so forth. That is a model for the time being. It is continued. And let us not discuss these things, WSIS and so on and so forth. There are many stakeholders. And ICANN is one of them. Thank you.

NICOLAS CABALLERO: Thank you, Iran. Edmon, please go ahead.

EDMON CHUNG: Edmon here. So building on what Tripti and Jorge was saying, I think it's actually quite consistent with some of the conversations that the board had with other community groups earlier today, is to present a positive approach. And I think that's a very important aspect. So looking at the response from GAC, I think at least especially the first sentence, I believe the board members would be happy to engage in that kind of dialogue. And we should probably think about what the next steps is. So kind of get together in team ICANN to approach the GDC and the WSIS+20.

NICOLAS CABALLERO: Thank you very much, Edmon. Well noted. I have the Netherlands.

ALISA HEAVER: Yes, thank you. Yeah, the CEO ICANN goal on creating communications and engagement strategy, as we mentioned a few times, do we have a timeline on when this strategy should be finalized? We can't take as much time as we take often for a PDP or an EPDP because then we're already past 2025. Thanks.

NICOLAS CABALLERO: Sally, would you like to take that one?

SALLY COSTERTON: Thank you. Excellent. Excellent question. We do. And I haven't got the CEO document at my fingertips in this meeting, which is I'm just kicking myself, because we've spelled out the deliverables as a series of milestones under the goal itself. So I will make sure that that is brought to the GAC's visibility through the list. Thank you.

NICOLAS CABALLERO: Thank you, Sally. Thank you, Netherlands. Any other comment? Any other question online or in the room? And I have Hungary. Please go ahead.

PETER MAJOR: Thank you, Nico. First of all, I would like to thank Tripti for her remarks concerning WSIS+20. And I'm happy to tell you that Sally is going to participate, unfortunately, remotely only of the inter-sessional meeting. She will be on the panel of the WSIS+20 discussion. So I'm really happy, the engagement from the ICANN. And I hope it's going to be continued. Thank you.

NICOLAS CABALLERO: Thank you very much, Hungary. Sally, anything to add to that?

SALLY COSTERTON: I'm delighted we can participate. And I'm looking forward to it. And thank you very much for the invitation. I think it's a great opportunity.

NICOLAS CABALLERO: Thoughts, comments, any other question? Seeing none, I'm very happy, extremely happy to tell you that we'll have 10 full minutes for AOB. I can't believe this. But yeah, finally, we have enough time to talk about any other business. If I recall correctly, Switzerland, you wanted to mention something that I don't remember right now. But you can go ahead. I remember you asked me. So please go ahead.

JORGE CANCIO: Thank you, Nico. Thank you for putting me on the spot. Basically, I think something that perhaps some other colleague would like to raise as well to your attention is that we have been discussing internally, but also with the GNSO in our bilateral, the question of the SOIs, the statements of interest. Because apparently, the GNSO is working on recommendations on the matter. And there is still an open question whether the transparency of the interests represented by people engaging in GNSO PDPs is really a given. And so we are really concerned. We already included some language in our ICANN 76 communique. And probably we will again include some language here. And as this is really a fundamental issue for the credibility and the legitimacy of the PDPs, which are a basis of our multistakeholder model here in ICANN, we wanted to raise this to your attention. Thank you.

NICOLAS CABALLERO: Thank you, Switzerland. Tripti?

TRIPTI SINHA: Thank you very much for the question. Yes, we're fully aware of this discussion that's occurring. And as you know, one of the fundamental

principles that we uphold happens to be transparency, especially when it comes to ratifying policy that's developed by the community and comes up to the board. We want to ensure that there's full transparency in who participated and that they are devoid of any kinds of conflicts or self-interest. So we are following the discussion very closely. We would welcome such a policy. And we're also engaging-- ICANN org, general counsel's office will also be looking to see how we can facilitate the discussion and contribute towards that particular topic. But we are following it closely.

NICOLAS CABALLERO: Thank you, Switzerland. Thank you, Tripti. Any other question, comment, any thoughts? We still have a full seven minutes for any other business. Iran, go ahead, please.

KAVOUSS ARASTEH: Thank you very much, chair of the board. I think, as you have observed in many, many policy development, the government, GAC, has always been in the minority. That is the difficulty that we face. In spite of all efforts, we made the minority. And what we were forced to express minority statement. I know that the board has taken it to account to the extent possible. But we would like to request, if not recommend, the board to take full account of this minority statement from GAC or ALAC and any others that are in minority. And unfortunately, the structure of the situation does not allow us to have sufficient support and so on and so forth. Because for various reasons, either we don't participate or less participate with less number of the people, or we are overrided by the others. So please can we fully address the minority statement, in

particular, the sensitive cases. You have done that. But we encourage you, request you, invite you to do further enforcement of the take into account the minority statement in many cases. Thank you.

NICOLAS CABALLERO: Thank you, Iran.

TRIPTI SINHA: Thank you very much for sharing your opinion. We will certainly take it into consideration.

NICOLAS CABALLERO: Thank you. Thank you, Iran. Thank you, Tripti. I have Switzerland. I have the UK. And then the UK again. So Switzerland, go ahead.

JORGE CANCIO: OK, thank you, Nico. Jorge Gancio, Switzerland again. And very sorry to take the floor so many times. But there is another issue that has arisen in the last conversations within the GAC and also with ALAC. And it is about the status of the advice we delivered to you in Washington on SubPro regarding the auctions. You remember we made an advice regarding auctions as a contention set resolution mechanism that we advised against using them in contention sets between commercial and non-commercial applications. That was one piece. And the other piece was about desensitizing or banning so-called private auctions. And as in the scorecard of September, if I remember correctly, you said that you were deferring that because it was still under discussion. I just

wanted to go back to this and see whether that status has changed and see what is the way forward. Thank you.

NICOLAS CABALLERO: Thank you, Switzerland. Becky?

BECKY BURR: So ICANN is going to or has engaged experts on this to look at the auction. I think the board is sympathetic to concerns about private auctions. And we do have some difficulty with, is there a clear distinction between for-profit and not-for-profit applications in terms of the global public interest? I think that's a little complicated. But the bottom line here is we want expert advice on contention sets. And we will wait until we get that to act on that.

TRIPTI SINHA: Thank you very much, Becky. I have Nigel from the UK. Then I have Ros from the UK. And then I will have to close the queue because we're basically running out of time. Nigel, go ahead, please.

NIGEL HICKSON: Thank you very much. I mean, just to save time, I'll pass over to Ros. I was going to raise the same issue as our distinguished colleague from Switzerland has raised. And just to note, we had an excellent session with ALAC earlier where they had some very interesting ideas on this very, very important issue. But over to my colleague, Ros.

ROSALIND KENNYBIRCH: Thanks. Just participating on behalf of the work I've been leading with Argentina on applicant support. Just looking back at the board scorecard clarifying questions for GAC advice at ICANN 77, I noted that ICANN plans to provide communications and engagement plans related to engaging underrepresented and underserved regions by ICANN 78. So I was just hoping for an update on that. And completely appreciate we don't have much time. But an overview would be really excellent. Thanks so much.

NICOLAS CABALLERO: Thank you, UK. Sally, would you take that one?

SALLY COSTERTON: I'm so sorry, Ros. My attention was distracted by my machine pinging. Could you just summarize, please?

ROSALIND KENNYBIRCH: Yeah, no problem. So essentially, the board had previously written at the last ICANN that ICANN plans to provide communications and engagement plans related to engaging underrepresented and underserved regions on applicant support by ICANN 78. So I just wanted to take the opportunity to ask for a quick overview. Thank you.

SALLY COSTERTON: Oh, thank you very much. Yes, we have been engaging in a series of mini campaigns-- I think is the best way of putting it-- in a specific set of countries over the last four or five months in order to raise awareness of the next round, get input on questions around the applicant support

program, and discuss universal acceptance. So what I'll do is, in order to save time, because I know we're out of time on this meeting, I will ask the team to update with the blog on what we've been doing and what we've been hearing. And we've been doing this in partnership very much. You mentioned the At-Large, Nigel, with our partners on the ground in the RALOs as well. So there's been quite a lot of activity and discussion. And we have a project team inside the organization who is leading on the evolution of the proposal of what should go into the ASP itself. So I will take that action.

NICOLAS CABALLERO: Thank you. Thank you very much, UK. Thank you, Sally. I have Iran and [inaudible] up. But we're over time already, so I'll give you 30 seconds each one. Go ahead, please.

KAVOUSS ARASTEH: Thank you very much. With respect to the suggestion of Nigel, we have not come to any agreement to proceed with the new approach proposed that implementation be converted into application. This should be analyzed carefully, pros and cons. So I don't think that we could think-- we maintain our GAC advice in Washington, DC and others, and we would not change the position at this stage at all.

NICOLAS CABALLERO: Thank you. Thank you, Iran. I have [inaudible] And then I have to close the session, basically. [inaudible] go ahead.

UNIDENTIFIED SPEAKER: Thank you very much. I'd like to turn to another question regarding ICANN deals with names and numbers, right? So in the interest of supporting underserved regions, I think that names, we have no problem. ccTLD is there. But IP numbers, especially IPv4, the scarcity of that is a problem. Does the board have some plan of dealing with this? For example, in the next round, would you consider allocating small portions of the proceeds to help fund certain numbers of IPv4 for small administration? Thank you.

TRIPTI SINHA: Thank you. I hope I understood your question correctly. But one, there's exhaustion of v4, but also this comes out of the purview of the RIRs. And ICANN does not fund IP address allocations. And if we haven't answered your question, by all means, feel free to reach out after the end of this meeting. Thank you.

NICOLAS CABALLERO: So we have to close the session. Thank you very much to the board. Thank you, distinguished GAG colleagues.

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