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ICANN70 | Virtual Community Forum - GAC ICANN70 Communique Drafting (4/5)  
Thursday, March 25, 2021 - 9:00 to 10:00 EST

GULTEN TEPE:

Good morning, good afternoon and good evening. Welcome to this ICANN70 GAC session, Communique Drafting, on Thursday, 25th of March. Recognizing that these are public sessions and other members of the ICANN community may be in attendance, the GAC leadership encourage all of you GAC representatives to type your name and affiliation in the participation chat pod to keep accurate attendance records. If you would like to ask a question or make a comment please type in the chat, the feature is located at the bottom of your Zoom window, by starting and ending your sentence with a <QUESTION> or <COMMENT> as indicated in the chat.

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Finally, this session, like all other ICANN activities, is governed by the ICANN Expected Standards of Behavior. In the case of a disruption during the session, our Technical Support Team will mute all participants. The session is being recorded, and all materials will be available on the ICANN70 meetings page. With that, I would like to turn it over to GAC Vice Chair, Luisa Paez. Over to you, Luisa.

LUISA PAEZ, GAC VICE-CHAIR: Thank you, Gulden. Luisa Paez, for the record. Hello everyone. Good morning, good afternoon, and good evening. Given that Manal had an important commitment, at least I will be beginning the session, our communique drafting session. Of course it's big fit to fill, and thus my other distinguished advice chairs will be supporting as well. So again, welcome everyone. I know we have had a productive session yesterday, and so today to start I just wanted to perhaps mention a few points to ensure we're all on the same page. And of course, I ask everyone to continue in a collaborative and respectful manner this communique drafting session.

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And if we can perhaps ask support staff, go -- if you can share the communique draft, I wanted to just explain a few items and then we can go straight to continuing the drafting. Thank you.

[reading] just looking at the chat, thank you, Manal, wonderful you're able to be here with us. I will just mention a few items and then happy to switch it over to you, thank you. So in the meantime, while we get the communique drafting session, we wanted to mention a few items. First of all, wanted to ensure that follow everyone knowledge, that in the communique Google document, all the language that is colored in light gray has been in principle approved or I guess agreed on by the GAC members, so that is something important to make note of. So I guess I am still waiting for support staff to share the communique text. They're just managing a few logistics. Thank you.

Okay. The text highlighted in light gray has been in principle agreed to and also to note that at this point basically anything, the time to propose any substantive text would be discouraged at this point as we have this one hour in terms of the communique drafting session. So hopefully asking everyone's collaborative spirit unless you cannot live with any text highlighted in light gray, that is something to note. And also something we will also be doing with the help of the support staff just to ensure more of a swift drafting session as this is our last communique drafting

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hour, that currently the text from a technical perspective will be frozen, so this way and what this means is that any further edits or changes in the text will only be made by support staff, obviously with everyone's direction.

And then finally what this also means is that we recommend our distinguished GAC members to focus on the text that is shown on the screen, because from a technical perspective when we freeze the text, it's best to follow the text -- I guess the master document which is the one that is being shared on the screen. Of course once we all agree with any further edits, then once agreed, again, from support staff, in particular, Fabien and Benedetta -- agree to the new text, then it will show in your personal Google link, so just something I wanted to clarify at the beginning, so don't be surprised if you are not able to make any changes directly right now to the Google Doc. But of course if you do want to please let us know, that's why we have this drafting session.

And I think more or less that is all in terms of procedurally things we want to share with all GAC members at the beginning. And in terms of the way we can proceed today is we were thinking to focus first on any proposed new text so we can start with the follow-up advice text, then we can go to the consensus GAC advice text which in principle yesterday was agreed to, and of

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course we will show you any -- there were I think a few more minor edits that were done in the rest of the communique text.

So I will stop here and see if there are any questions, but Manal, I will first hand it over to you and support staff, if I missed something in terms of the technical side or process wise, do let me know as well as any of the vice chairs. And if not, I will pass it over to you, Manal, thank you very much.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Luisa, and thank you to all my GAC leadership colleagues and support staff for filling in for me during an emergency, sorry to join in late. And thank you for all the technical staff. If anything to add, please feel free to chime in at any time. So I believe you mentioned, Luisa, that we would be starting up to the follow-up GAC advice to the Board, right?

LUISA PAEZ, GAC VICE-CHAIR: Yes, Manal, I believe that is probably the best way to go forward. And if we can scroll down the communique, you will see that there was in the follow-up advice section there was new text proposed by the US. So just to make one quick clarification, and then I will hand it over to you, Manal.

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So to bring it to everyone's attention, this proposed new text, and I guess further clarification or question we had for the United States was whether -- because if we scroll down a little bit more on the communique, we just wanted to make sure if that new text means we can therefore delete number 3, subsequent rounds of new gTLDs. So that was sort of the first question. But yes, Manal, starting here with the follow-up advice, but wanted to bring everyone's attention, this is the new text that was proposed. Over to you, Manal. I know we already have a few in the queue, both Kavouss from Iran, Susan from the United States, as well as Fabien. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Luisa, and Kavouss and Susan. If you will allow me -- Fabien, if it's something related to the background before we take the queue, please go ahead.

FABIEN BETREMIEUX: No, sorry, it was really about the text that was proposed here by the US in the Roman 4 which I think may belong to subsection 3, I wonder whether that needs to move to subsection 3. Just wanted to say that, thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Kavouss, please and then Susan.

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IRAN: Good morning, good afternoon, and good evening. I don't understand what is proposed to be transferred, like that it one by one. Happy that we start with the follow-up actions and then go to the GAC consensus advice. Luisa mentioned that the GAC consensus advice was agreed yesterday, no, I don't remember that we have agreed anything on that, we have to come back to that.

And by the way, distinguished Manal, happy you come back in spite of very heavy workload and other things, means you are very hard-working, I have sent you emails -- we don't want to put advice on top of advice, I hope you will kindly look at that one and I think we should either start the follow-up action -- I have no problem or with the GAC consensus advice but not the introductory part because that is not so complicated. So in your hand please start but I think here there are some [indiscernible] identification, I have not seen this text and I think we have to add something to that based on the discussion we had with the Board and GAC interactive meetings and we add that one about the IGO pre and post notification, we have to have an item on that, thank you very much.

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MANAL ISMAIL, GAC CHAIR: Thank you very much, Kavouss, and I believe the text Luisa mentioned that we have agreed upon it yesterday has been already agreed, but let me first take the US, and then when we finalize this we can go back to other parts if you have any final comments. Susan, please.

UNITED STATES: Thank you, Manal and good morning, good afternoon, and good evening, colleagues. To begin with the question raised by Fabien, I would like to first say that we have after reviewing the comment chair that you so hopefully provided in the margins on the Google Doc regarding follow-up advice, we would like to propose some edits to be responsive to your guidance, and perhaps then we might ask other members their opinion on whether as a result of our proposed edits if they are accepted, if this follow-up advice relaying Helsinki is best combined with the CTT related advice or in a separate section. So if I may, I would like to suggest these edits and then we can follow back up on the question of whether it should be a third category of follow-up on previous advice.

Okay. So we would like to suggest two actions to be responsive to that guidance, the first of which would be to consider extracting a paragraph --

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MANAL ISMAIL, GAC CHAIR: Susan, sorry to interrupt, if I may just read my comment, probably not everyone has read it. Thank you for reading it and taking action accordingly, but I was not sure I would be able to join so I thought to put my thoughts in the Google Doc, so for the sake of everyone, I wrote just a comment for consideration: While finalizing this section tomorrow [reading] please make sure the text that gets into this section that strict reiteration of previous GAC advice preferably without additions. Language under GAC consensus advice and under follow-up on previous advice is parsed carefully and broken down to its components resulting into either previous or new advice that would trigger the bylaws. So too much text not advisable and may lead to confusion. Thank you very much, Susan, and sorry to interrupt you. Back to you again.

UNITED STATES: Thank you, Chair. So we would like to suggest two actions, the first of which would be to extract the text in paragraph 3. And though we did hear from Luisa that the text in gray is in principle finalized, we would like to suggest that we move this text in paragraph 3 to make it the [indiscernible] paragraph of the SubPro area under paragraph 3. That would be the first suggestion. And then we have red line edits to shorten the

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paragraph under the fourth sub paragraph. And so I can provide those edits right now, if you wish.

LUISA PAEZ, GAC VICE-CHAIR: If you are speaking, Manal, we can't hear you.

MANAL ISMAIL, GAC CHAIR: Yes, sorry. So just checking if we can either make the edits or give the US permission to reflect the edits, as I understand the text frozen now.

FABIEN BETREMIEUX: We haven't technically locked the documents; you may still be able to edit the text of Roman number 4. I just wanted to ask for confirmation of where Roman 3 should go. To issues of importance to the GAC under new rounds of gTLDs? I see you confirming, Susan, can you say again where you wanted that text.

UNITED STATES: Sure, so the second to last paragraph and above the paragraph with the bullet points.

FABIEN BETREMIEUX: Okay.

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UNITED STATES: And it may need some adjustments because it would be the second to last paragraph, so the word finally on the preceding paragraph might need to be removed but that is our general idea. And as regards to the edits, I'm happy to describe them that way but our colleagues on the call might have a better appreciation of what we're proposing, but only if -- it's whatever you prefer, Fabien.

FABIEN BETREMIEUX: I can certainly type them as you provide the edits. So let's go back down to advice, and I will listen to your guidance.

UNITED STATES: Thank you. So we would propose to shorten the sub paragraph 4 by making a deletion beginning with the words a mechanism to address -- will give you time there, yes, and ending with the words subsequent procedures final report, so to delete those, and then to add a few words after that before the word as, the opportunity for this analysis to assist the Board.

And if I may, Chair, I would just like to add a little bit of rationale for our thinking behind the proposed edits, that is what we would hope the effect of these edits would be to acknowledge and identify with and encourage attention paid to different concerns

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from different parts of the community regarding security and DNS abuse associated with possible second expansion of TLD space and it would seem the [indistinct] in the Helsinki advice would naturally find its place in the ODP.

It is our view this has not necessarily been addressed in large part because the time has not yet been right but now that the SubPro final report has issued we think that time has come, and we welcome the thoughts of our fellow GAC members and proposed edits. Thank you Chair thank you very much, Susan, let me read bullet point 4 and we can take any comments the GAC also recalls its advice to the board in the Helsinki communique that an objective and independent analysis of costs and benefits should be conducted beforehand drawing on experience with and outcomes from the recent round -- and quoted from the Helsinki -- such analysis has yet to take place. In this regard we note that the operational design phase may provide the opportunity for this analysis to assist the Board as it considers whether a second round of new gTLDs is in the interest of the community as a whole.

MANAL ISMAIL, GAC CHAIR: Any comments or reactions? Thank you, US, this addresses my comments of yesterday. So thank you very much. Kavouss, a new hand?

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IRAN: Yes, Manal. This is a new hand. Please kindly do not say to me is this a new or old hand. I never override anything, new hand. I don't agree that we made changes at the next plenary. Everyone has ideas -- if this is it is the only one, I can accept.

MANAL ISMAIL, GAC CHAIR: Sorry, can you repeat?

IRAN: Please kindly listen before asking me to repeat.

GULTEN TEPE: Sorry to interrupt, Kavouss. Could you speak at a reasonably pace. Interpreters having difficulty to catch your remarks.

IRAN: Manal, I want it is not appropriate at this last but one meeting we go to the heavy modifications. Everyone has new ideas. So let's just see to see the minimum changes. Nevertheless, if this is the only change, I could reluctantly agree, but where are we? Follow-up action or GAC advice, please clarify and then give me back the floor because I have comments, thank you.

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MANAL ISMAIL, GAC CHAIR: We are in the follow-up actions, not proposing new ideas. All this was from yesterday and we are trying to put the text in the relevant text and reduce text and address points of concerns. So this part of the communique was not finalized yesterday, and this is what we're doing right now.

IRAN: Apart from that, the second modification, what was the second modification from the US?

MANAL ISMAIL, GAC CHAIR: They moved one of the bullets proposed under follow up on previous GAC advice to issues of importance to the GAC, and we will go back to this and read it and fine tune it together.

IRAN: Okay, the last entry I have no problem provided we had not missed opportunity and propose heavy modifications.

MANAL ISMAIL, GAC CHAIR: Though heavy modifications, as Luisa mentioned.

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IRAN: I'm sorry, you are in very perfect English command. English is not my mother tongue. If you speak Persian, I will be happy. But I can't accept many changes -- I'm very sorry.

MANAL ISMAIL, GAC CHAIR: You are muted, Kavouss. So also English is not my mother tongue, and if you will speak Arabic --

IRAN: I don't speak English well -- but please accept I cannot agree with heavy modifications. This one reluctantly agreed. Go ahead with the next one. Thank you.

MANAL ISMAIL, GAC CHAIR: If we can scroll up to complete this part of the communique. We are under follow-up on previous GAC advice, this is first thing under follow-up on precinct GAC advice. CCT review and subsequent rounds of new gTLDs. I will go through each paragraph and stop for comments. Susan, sorry, new hand? Okay and Kavouss, if I may ask -- okay, it's not.

[reading] pursuant to GAC advice issued in Montreal, ICANN 66 related core spans with the ICANN Board and subsequent discussions, the latest on 23rd of March during ICANN70, the GAC

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-- and we need to agree whether we reference the GAC in singular or plural to be consistent -- so the GAC is seeking a coordinated approach on the implementation of the specified recommendations from the CCT review ahead of the potential launch of a new round of gTLDs.

Any comments? I see no hands so I will go to the first bullet point. And I already see it in square brackets there was a suggestion. Can someone remind me whether the suggestion was to fine tune or delete or... let me just read it, that in light of the Board GAC discussions at ICANN70 to kindly update the GAC on the ongoing consideration of this advice and in particular the recommendations marked as prerequisites or high priority namely in the list of numbers. So Nigel, please, UK.

UNITED KINGDOM: Good afternoon, Manal and colleagues, I recall that --

**[overlapping speakers]**

MANAL ISMAIL, GAC CHAIR: I'm sorry, UK. If you can hear me -- I'm receiving translation, I'm not sure even in which language. I cannot hear Nigel. Something went wrong, I'm sorry.

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LUISA PAEZ, GAC VICE-CHAIR: Sorry, Manal, on my side I could hear very well Nigel, but I am seeing in the chat that some others might be having difficulties. But perhaps --

MANAL ISMAIL, GAC CHAIR: But it was not the volume, it was a different interpretation. But please Nigel, go ahead.

UNITED KINGDOM: Sorry, Manal, from me you will only get English, my linguistic ability very limited [chuckling] but we move the GAC advice [indiscernible] from the section and that's why it is in brackets.

MANAL ISMAIL, GAC CHAIR: Thank you very much, so this is proposed to be moved, right? Can we move it, Fabien, to the proposed place and then revisit it when we're done with this part.

FABIEN BETREMIEUX: Sorry, Manal, can you confirm where this needs to be moved?

MANAL ISMAIL, GAC CHAIR: Nigel, please, if you can confirm on GAC advice, right, to the Board.

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UNITED KINGDOM: No, sorry, it was in the GAC advice and we moved it here. This is the right place. It was just placed in square brackets because we moved it.

MANAL ISMAIL, GAC CHAIR: Sorry, my confusion. So seeking comments, if any, on this part, and I see Jorge's hand.

SWITZERLAND: Thank you, Manal. Trying to switch my camera on. Here I am. Good to have you here. Thanks so much for being here with us. Just as a friendly amendment to the UK, at least to my mind Romans 1 and 2 are connected, so apart from deleting the square brackets, I would leave it as a single number. And in the seconds paragraph, if I may suggest I would delete table and leave tracking tool. Because it gives the Board a bit more flexibility on how they want to present the information to us and the tracking tool may be also something that might be updated which is in the nature of the matter. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Jorge, and since it is now one bullet, I will read the few remaining lines and give the floor to Kavouss.

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In recognition of the attribution of some of the recommendations to the organization and the ICANN community in addition to the Board, the GAC would like to see a tracking tool at that identifies the status of each recommendation in terms of who is taking it forward and when implementation or completion is expected. Kavouss, please. Sorry to keep you waiting.

IRAN: Thank you. I have a comment on the first paragraph. Roman 1. When you say of this advice, which advice? Perhaps you refer to the above advice because this is a demonstrative [indiscernible] instead of this advice, the above-mentioned advice, we are referring to the Montreal advice, am I right or wrong?

MANAL ISMAIL, GAC CHAIR: Right, so the proposal is to say the above-mentioned advice. Noted, Kavouss. I see Fabien already reflecting it on the screen.

IRAN: And I have another comment but later on.

MANAL ISMAIL, GAC CHAIR: Go ahead.

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IRAN: In the remaining part of Roman 1 in the last word, and when and how implementation or completeness is expected. Not only when but how. Because we know the fashion, the manner in which it should be implemented and how. When and how implementation or completion. I don't know, completion is not a synonym of the implementation. Why do you put implementation in the round bracket. Maybe implementation and completion -- please kindly delete round bracket and put and implementation in fact are expected, because you are putting so many things in plural, then is should be are.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss, and I see a good suggestion also from Taylor, Canada: Maybe how implemented and when completed. Does this address your point, Kavouss?

IRAN: Yes, thank you.

MANAL ISMAIL, GAC CHAIR: Okay. How implemented and when completed.

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FABIEN BETREMIEUX: Sorry, Manal, I am a bit lost at this moment. Do you mind helping me with the edit suggested?

MANAL ISMAIL, GAC CHAIR: I think who is taking it forward, how it will be implemented and when it will be completed. But just to make sure, we're not asking them to say now when it's going to be completed, but rather we want a tracking tool to reflect this piece of information whenever ready, right? Just to make sure we don't get the question on this part.

So any comments? And I see agreement from Switzerland, Taylor in Canada. So moving on to the last bullet on this part which is the proposal from the US which was already I think agreed after reflecting the proposed edits. So are we good with this part? Shall we make it gray?

FABIEN BETREMIEUX: Sorry, Manal, Fabien speaking. I'm having a little difficulty here, some yellow appeared, and I believe the deletion disappeared, so let me three to do this as we speak. Let me make sure we have -- because the editing here seems to be a little bit challenging for some reason. Let me try to make sure I have everything right here.

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MANAL ISMAIL, GAC CHAIR: Okay. So while you reflect on previous agreements, Fabien, let me take Jorge, if this is a new hand. Please go ahead.

SWITZERLAND: Yes. Thank you, Manal, and I was intending to speak to an observation or a question from Susan she made before regarding whether we think that Romans 3, this text is well placed here, and at least in my opinion, it fits quite neatly into this section because it is also referring to the Helsinki communique which is connected to what we are discussing also under Romans 1. So in principle, I would see the connection, and I think we can leave it here.

MANAL ISMAIL, GAC CHAIR: Jorge, is this regarding the text we already moved to information part?

SWITZERLAND: It's actually regarding this text that Fabien just cleaned up.

MANAL ISMAIL, GAC CHAIR: Excellent. Thank you. Just because we are changing the numbers of the bullets and I just got confused. So thanks for confirming. I think this part is good to go now.

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FABIEN BETREMIEUX: Manal, if I may, sorry to interrupt. I just want to note that Roman number 1 and 2, the listing exists because originally the text was under GAC advice where we have the formatting of the GAC advises the Board, Romans 1, 2, 3-RBGS et cetera, so I wonder -- I have two questions one, is this list still relevant in this section? Should it be separate paragraphs? And the first sentence of what is currently Roman 1 reads a little weird, if I may say, when not having the heading of the GAC advises the Board that in light of the Board GAC discussion, et cetera.

Since we don't have that advice phrase, shouldn't there be an edit here to make it flow better? Because the paragraph starts in light of the discussion to kindly update the GAC, it feels like it's missing something, so I just wanted to highlight that.

MANAL ISMAIL, GAC CHAIR: Thank you for highlighting this. I fully agree, Fabien. I think it needs rewording and parts under follow-up on previous GAC advice and -- under GAC advice [indiscernible] each bullet a concrete ask from the Board, so to speak, and here the highlight should be reiteration of whatever we're trying to follow up on. So I agree, it has to start differently. If there are any suggestions. Kavouss, I see your hand up.

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IRAN: Yes. I think it is purely editorial. We don't spend time on that, I leave it to you and a few other people to see. I don't think that we have agreed to the text but where we put it and how we should be a separate paragraph or not separate paragraph, bullet or 1 or 2, that is totally editorial so I don't think we have to spend time. We have little time and many things to do. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss. If there is an immediate suggestion how to start this, I see a suggestion that the first sentence of the [indiscernible] separate can be incorporated into Roman 1. Is this okay? And if we can do the edits, and meanwhile we have three maybe other pending things to finalize. They are not substantial, and that's why we were focusing on this substantial part.

FABIEN BETREMIEUX: Manal, I am reading comments by Taylor in the chat. I'm not too sure -- seeing two sentences in the [indiscernible] paragraph in this section. If you could help me make the edit, I would be glad to.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Fabien. Just trying to read Taylor in the chat, Taylor, if you would like to speak to your suggestion. Okay.

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So Taylor is suggesting to help with the drafting in the documents. So thank you, Taylor. And let's start to address the, I think, three or four other minor issues.

FABIEN BETREMIEUX: Manal, we also have the IGO identifier.

MANAL ISMAIL, GAC CHAIR: Sorry, [reading] while the GAC welcomes the new GNSO Work Track on curative rights, it notes issues created by an overly narrow charter and in the meantime recalls prior GAC advice, example Johannesburg and Panama, and ICANN agreement on moratorium for new reservations of IGO acronyms ahead of a final resolution of this issue. Comments on this part? I am just trying to see what are we following up on here. Fabien, please.

FABIEN BETREMIEUX: If I may, personally as I am reading this paragraph, I am a bit concerned with new reservation of IGO acronyms, is this in the context of pre and post registration mechanism? Just wanted to flag this as this could lead to different interpret takes, I suppose, just wanted to flag this.

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MANAL ISMAIL, GAC CHAIR: Thank you, Fabien. Do we have Brian in the room? Reading Brian in the chat [reading] yes, thanks. Should say registration. Thank you, Brian, for confirming, and I see Kavouss' hand.

IRAN: This is what we discussed in our meeting with GAC, the Board, we say postpone decision of this prenotification deletion and going to post notification only after the work of this [indiscernible] was finished. That means don't make any changes now, do not go to the post registration without any preregistration notification until the task of the Work Track completed. That is what we have discussed. So put it in that sense, I think that is sufficient.

MANAL ISMAIL, GAC CHAIR: But what you are suggesting, Kavouss, is a new advice --

IRAN: No, this is this one. Moratorium for new registration of IGO acronym ahead of a final resolution of this matter. You add in other words, any Board action on the preregistration notification and post registration notification should be postponed until the result of this Work Track is available.

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MANAL ISMAIL, GAC CHAIR: So where does this language come from, Kavouss --

IRAN: What we have discussed with the Board, with BGIG.

MANAL ISMAIL, GAC CHAIR: Exactly. Does it come from a previous GAC advice?

IRAN: Not previous GAC advice, no.

MANAL ISMAIL, GAC CHAIR: And we are here under previous GAC advice section.

IRAN: Okay. So if that's one, delete this one, that's something we --

MANAL ISMAIL, GAC CHAIR: Okay. Thank you. Thank you. So indeed we discussed this but it's something new and here we are reiterating previous GAC advice, so we have to stick to whatever previous GAC advice we're referring to. So I see no other requests for the floor on this part. If we can scroll up. Are we done with editing here? Not yet, so let's go to other parts we need to finalize.

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FABIEN BETREMIEUX: Manal, if I may suggest as we scroll up, maybe we can stop here on the title of the section 1 of GAC consensus advice to the Board. We still need confirmation of this title, this was just what we had captured very initially in the review, in the communique review session, so that probably needs a better title.

MANAL ISMAIL, GAC CHAIR: Okay, so any good suggestions for a title here? And here we are advising the Board to carefully consider the GAC minority statement and available options to address the public policy concerns expressed there in, so it's the EPDP Phase 2 minority statement. Kavouss.

IRAN: Thank you very much, you come to this -- the following ICANN and so on, so forth fort, [indiscernible] the GAC has serious concerns instead of serious concerns, concerning serious concerns relating to certain recommendation and gaps in the final report of Phase 2 of the EPDP and so on, so forth. As set forth in the GAC minority problem. I have no problem here and then going to the A and, so on, so forth.

Another suggestion, Manal, if you accept, because you have started 43 minutes ago, we don't need to have 30 minutes of

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break. If you and other distinguished colleagues agree we reduce that 30 minutes to 15 minutes. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss. I personally don't mind. I am not sure about the interpreter and the technical staff. Would that be an option? I know support staff has investigated all options, and I haven't done thoroughly, but let's see how far we can reach and then decide on this. Meanwhile, if support staff can see if we can extend a little bit further this session. Jorge, please.

SWITZERLAND: Yes. Thank you, Manal. Regarding the break, at least to draw to your attention that we heard from support that we could extend five or at the most ten minutes because of translators and things like that. So we cannot really -- we already looked into this option, Kavouss, thank you.

Regarding the title, I think we could be very neat and descriptive if we just put EPDP Phase 2 final report or something like that, because it's just a title, and then the advice is self-explanatory.

MANAL ISMAIL, GAC CHAIR: Okay. And I see the same suggestion also from Nigel, and I think it's simple, straightforward. I see agreement from Egypt as well.

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So if we can scroll up. And I see no objections to replacing concerning with relating to. So just confirming this edit as well from Kavouss.

IRAN:

Can I comment on that, GAC advises the Board. I will suggest you delete the word carefully. Because that means normally not reading carefully, so to consider. And then the second line, we have to add something. We ask them to consider, okay. Thank you very much, I consider but no action. You add to that and take necessary action as appropriate.

Second line please after there in, express there in and take necessary action, as promote. So we are not just asking the Board to consider, we want that they take action. And then the --

MANAL ISMAIL, GAC CHAIR: Go ahead, and then I will comment.

IRAN:

And the second, the GAC also notes that the ODP can focus on some of the practical implementation challenges, especially those involving cost apportionment. I don't understand the relevance or meaning of this, what advice we're give to go the Board? We note this is not advice, what is the advice here? So I

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don't believe the second part, the GAC is necessary to be here, it should be elsewhere if necessary or treated, because it has nothing to do with advice, it's just saying we note that. Note is not advice, a note is a note. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you. So a proposal to add and take necessary action as appropriate and to delete the second sentence. Any comments or reactions to this? Any objections? European Commission go ahead.

EUROPEAN COMMISSION: Olivier Bringer, European Commission. I agree with Kavouss, this is not really advice text but still, I would suggest we keep it maybe in the rationale. The point is that one of the statements we have made relates to the costs of the SSAD, and we think that the ODP is a good vehicle to look into this issue. So maybe if it's possible, I would suggest to move it to the rationale. Thanks.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Olivier. If we can scroll down to the rationale, and I see a plus 1 from Ana from the UK to moving it to the rationale. So maybe for the sake of time we can put it in the rationale now between square brackets and maybe try to fine tune it during one of the breaks.

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So I think, again, we have agreement here, though not very final text but we will finalize. Let's go scroll up to other parts that also need to be -- Kavouss, you are still on this, sorry.

IRAN:

Go back to the sentence that I have no problem with the proposal of Olivier but no square brackets. The only thing we should add, the GAC also is of the opinion, not note, also of the opinion that -- and I don't think there is any priority of the paragraph, which paragraphs comes before or after other paragraph, the whole thing is rationale and totally fits notice rationale. Also is of the opinion that.

MANAL ISMAIL, GAC CHAIR: Okay. Then we already have a concrete proposal regarding the place of this sentence. So thank you, Kavouss. And we will do a final reading at the end but good to have an initial agreement here.

Olivier, is this a new hand? If not, then I think we have maybe like two other quick pending issues. Let's agree on them in the coming five minutes or so that we can break and then I propose that at the beginning of the follow-up session we can have the part of the follow-up session the part that was not finalized. We can read it out loud, make one read through the whole document

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and finalize before the wrap up session. But for now, I think there was another title that needed to be...

FABIEN BETREMIEUX: Yes, subsection five under issues of importance to the GAC.

MANAL ISMAIL, GAC CHAIR: So any suggestion? The initial title reads: Domain name registration data, EPDP Phase 1 implementation and accuracy. But I can also see Phase 2 under the title. So just wondering which title can cover EPDP Phase 2 accuracy, and I think we have implementation of EPDP Phase 1 as well at the end. And Jorge -- getting simply domain name registration data. Kavouss, please.

IRAN: First all, (no audio) I agree with the suggestion that the title of two texts should be similar, either we start with EPDP Phase 1 implementation, so on, so forth and add a comma policy development and implementation regarding gTLD, so I ask Jorge whether he could agree to come back or go back to the old text of the Phase 2 and try to be consistent and balanced for the title of this, but my question raising hands was not this. How many paragraphs we have in the GAC consistent advice? I saw A, do we have another or just one?

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MANAL ISMAIL, GAC CHAIR: Only one GAC consensus advice.

IRAN: So it should not be A, should be without A.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss, I think this is how we normally format the communique, Fabien?

FABIEN BETREMIEUX: Yes, this was to confirm that we usually keep the listing with the letters and Roman numerals as well as just a constant throughout the communique drafting, even when only one piece of advice.

MANAL ISMAIL, GAC CHAIR: Thank you for the confirmation, and I think we had one last thing, but I of course stand to be corrected, under subsequent procedures on DNS abuse under issues of importance to the GAC. There was one sentence to finalize. Yes. It reads: It is necessary to consider whether the implementation of subsequent rounds of new gTLDs should be carried out before said issue addressed by the ICANN community. We were between two views being consistent with our previous GAC advice inputting this as a

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condition and being flexible and adapting with the changing circumstances and trying to put softer language.

So I was just suggesting maybe to help out if deleting whether and deleting could be carried out would do the balance needed. So the suggestion now reads: It is necessary to consider implementation of subsequent rounds of new gTLDs before said issue is addressed by the ICANN Board. So removing whether removes the doubt, and still we're not putting it in strong language, but Kavouss, I see your hand.

IRAN: My preference is to delete the sentence. But if you want to keep it and everyone else in the virtual room wants to keep it, yes, I could take what you suggest but when we say it is necessary to consider, so on, so forth, I add at the end, if appropriate.

MANAL ISMAIL, GAC CHAIR: So I see support to deletion, I see Switzerland supporting deletion  
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IRAN: And I also support the deletion, yeah, thank you.

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MANAL ISMAIL, GAC CHAIR: Thank you. Jorge, and concurring from the US. Thank you, Susan. So if no objections to deletion, let's delete it. And please help me if there are any other appointments that needed our attention.

FABIEN BETREMIEUX: Manal, just above this paragraph, there were some edits on the predictable paragraph.

MANAL ISMAIL, GAC CHAIR: Let me read it quickly on predictable some GAC members shared concerns relative to the implementation of the standing predictability implementation review team, SPIRT, and the added layer it may create regarding GAC consensus advice. GAC members agreed that further clarification on the implementation of the SPIRT should be encouraged as well as on the role the GAC will play in it. Especially in light of implementation guidance 2.3 suggesting direct dialogue between the SPIRT, ICANN org, and the Board on GAC in which the GAC expects to be included as well, for the GAC members the importance of opportunity for equitable and equal participation on the SPIRT by all interested ICANN communities.

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IRAN: Manal, urge that you remember when we discussed that with the Board, I indicated we wanted to have equitable participation and equal rights of decision in this SPIRT if it is agreed to be established. And I gave the reason of that. Some of you may not be there but you distinguished chair, you were there. When icg was established, they wanted one member from GAC --

MANAL ISMAIL, GAC CHAIR: It is based on your proposal. [reading] furthermore, the GAC members note the importance of the opportunity for equitable and equal participation on the SPIRT --

IRAN: I didn't say that. I said equitable participation, not equal. Equitable participation and equal rights of decision, not only want to participate but we want to have the right of the decisions, participate in the decision making, so two things: Equitable participation, if there are five from other community, we want five. And if there are two, we have two -- they may say you are an observer. Good. You participate, you observe, you don't have any right to comment on the final decision. We want to have the right on the final decision.

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MANAL ISMAIL, GAC CHAIR: But doesn't equitable participation means throughout the process, maybe?

IRAN: No, you could see have equitable participation and at the end say thank you very much, you were five, you all participated, expressed views, finished, stopped in the decision making. We want to also have a role in the decision making. Two different things. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss. I am just worried that maybe this is strong language, unlike yourself, and -- I mean changing in the process maybe but I see Jorge's hand up. Please.

SWITZERLAND: Thank you, Manal. Perhaps in the line you were expressing equal rights of decision sounds a bit strange in this context. I would offer as a friendly amendment that we have for equitable participation on an equal footing, participation on an equal footing instead of the language about equal rights. Fabien, do you hear me?

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MANAL ISMAIL, GAC CHAIR: If we can write [overlapping speakers]

FABIEN BETREMIEUX: Sorry, I apologize.

SWITZERLAND: For equitable -- exactly.

MANAL ISMAIL, GAC CHAIR: Kavouss, I hope this addresses your point in a softer language.

IRAN: Sorry, does not address my point. When we say equal footing with respect other community, equal footing respect to whom?

MANAL ISMAIL, GAC CHAIR: With respect to everyone else participating.

IRAN: We should mention with respect to the other community and then Jorge does not like to have the right of the decision, very good Jorge, we go there and we see -- okay, you have participated, very good, expressed your views, you are more or less an observer, you

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are finished. Don't discuss the editing of the participation on decision making.

MANAL ISMAIL, GAC CHAIR: Let's put this in square brackets if it needs discussion, we need to stop now for the interpreters and technical support. Thank you, everyone, there is now the plenary after a 30 minute break, and we will reconvene here 12:30 Cancun time, 1730 UTC, 15 minutes for the communique and then we start the wrap up. So thank you, everyone.

[ END OF TRANSCRIPT ]