
ICANN71 | Virtual Policy Forum - Joint Session: ICANN Board and GAC
Tuesday, June 15, 2021 - 16:30 to 17:30 CEST

GULTEN TEPE: The session will now begin. Welcome to this ICANN71 GAC session, a meeting with the ICANN Board, on Tuesday the 15th of June at 14:30 UTC. Recognizing that these are public sessions and other members of the ICANN community may be in attendance, GAC leadership and support staff encourage all of you who are 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 it in the chat, the feature located on the bottom of your Zoom window, by starting and ending your sentence with <question> or <comment>, as indicated in the chat.

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Finally, this session, like all ICANN activities, is governed by the ICANN expected Standards of Behavior. In the case of disruption during the session, our technical support team will mute all participants. This session is being recorded and all materials will be available on the ICANN71 meetings page. With that, I would like to leave the floor to GAC Chair, Manal Ismail.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Gulden, and good morning, good afternoon, and good evening everyone. Welcome back to the GAC room and welcome to all Board members in the GAC Zoom room. We always value our exchanges with the Board, and I hope you already received the list of topics we intend to discuss today. We have identified five broad themes or topic areas, if you wish, for our one-hour Board/GAC bilateral. So not much time and many things to address under each, but before getting started, allow me to ask first if there are any opening remarks from the Board side.

MAARTEN BOTTERMAN: Thank you, Manal, GAC, for welcoming us again with the trust and belief to become another informative and open session on a

number of important topics. And please know -- and you know, of course we say that every time -- we recognize and very much value what the GAC brings and truly is a unique feature of the GAC ecosystem that so many governments are willing and able to send their representatives to advise us on matters of public interest.

So on the -- it's a strange system with the policies, or a unique system. The policies are determined, priorities by the community, the organization helps make it work, and the Board oversees us. So this brings us in unique ways and a multi-stakeholder model that -- the situation that is to serve us all and has brought us a long way but we look forward to progressing as well this year, and we have been helped in our drive to innovativeness by the current pandemic forcing us to meet in this way.

So in this, we have found that for many it requires a lot of dedication but also dedication of more time and flexibility, and I thank you very much for being there and working with us and investing that to make sure that we continue to be able to do our work even not in a face-to-face session. So with that, Manal, very happy to respond to the questions that you have raised, and I understand you have people that will introduce each question.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Maarten. And indeed, the time and effort exerted by everyone to stay connected and engaged during these challenging times are very much appreciated. We already have the list of topics on the screen, but I hope you would allow me, please, to first clear the air on one concerning issue before we proceed with our agenda. And this is in regards to questions that were posed by org to the GAC in the GAC briefs. We very much understand the good intention and the tight time frame, but still would have expected these questions to be submitted to the GAC through its leadership and topic leads. So I hope this would be kindly taken into consideration should need arise again. Thank you.

GÖRAN MARBY: Thank you for that, Manal, and you are right, we should have done that. We did interact with the leadership in the GAC and informed about intention of the questions, and I'm happy that you don't think that to be able to provide GAC members with questions to synthesize some of the issues so they for instance can check that the [indistinct] bad ID. But I agree, in the future we would engage better with the ones you acknowledge should be doing that. Thank you very much for that, and also thank you for recognizing the importance of the work we try to do to support the GAC better. Thank you very much.

MAARTEN BOTTERMAN: And just to add. As you know, we are in continuous openness towards further improving our collaboration, be it Board or the org, with the GAC. So thank you for raising this, and thank you, Göran.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Maarten and Göran with this and the list of topics we already have on the screen, subsequent rounds of new gTLDs, DNS abuse, CCT, and SSR 2 [reading] registration data, WHOIS GDPR matters, return to in-person meetings, and I will introduce each topic, allowing for interactions by the Board, and also GAC colleagues may like to chime in or complement what I have introduced.

So if we go to the following slide on subsequent rounds of new gTLDs, just noting that the GAC continues to prioritize subsequent rounds of new gTLDs, engaging actively and following closely all relevant discussions with the help of our topic leads, of course. We have already prioritized this topic on the GAC leadership call with Göran Marby, and Göran, you expressed interest of providing a quick overview at the beginning of our discussion. So before delving into a deeper discussion --

GÖRAN MARBY:

Always happy to speak to the GAC. I had in the morning -- I hope I won't bore you, but repetition is the mother of knowledge. But when we speak of the next round, we are at a historical point; we at ICANN can contribute to something that is very, very important, and that is people's ability to communicate. Today we have -- and I heard today 4 billion to 5 billion users -- and I don't know the right number, I don't think anyone knows -- but just to the fact we have so few identifiers on the Internet, and most are the translation to English words, and I think the next round should be giving the ability to people to have something in correlation with their own scripts, their own keyboards -- because we created [indiscernible] as a part of the evolution of it. The work we do, universal acceptance with IDNs will be very important for the next round but we have to re-think things we have done previously. Because the last time we did a round was very much about the English language itself, and I don't think that's fair for the rest of the world.

To be able to have diverse and creative Internet, maybe also when I speak to governments when they ask me questions -- how do I get the benefits of the Internet actually staying in the country? Local content, local web pages and connectivity, data centers in that country instead of going to other places. It's an important part of the [indiscernible] of the world. Since the last round, if I

get the numbers right, the Internet connection in Africa has gone from 7-10 percent up to 35 percent. A large continent, many different cultures and languages, and the same thing in Asia. The world has very much moved on when it comes to this.

So just a sense of the historical direction we now can take and the opportunity for the people in the PDP who foresaw that this will be something that is different than we did before, and I want to be sure we grasp that opportunity and look into the new challenges we face because [indiscernible] doesn't come to our meetings or doesn't even know there is the possibility for them to have the identifiers on the Internet.

And [indiscernible] came up with this, which I like, that said: We made the Internet operable over the world, but it's time to make sure it's operable for people. You should be able to use the Internet regardless of your competence when it comes to the English language or that you read from left to right. You should be able to use your own keyboard, your own narrative and way of looking at it; I think we owe that to the Internet users of the world. Thank you very much, Manal, for the opportunity to say this.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Göran, and thank you also for the good exchange with the GAC earlier today. I know it was a difficult hour

for you as well, so thanks for being there. So allow me first by stating this clearly and explicitly that the GAC supports the multi-stakeholder process and does not object to the introduction of new gTLDs and does not intend nor wish to unnecessarily delay the process to prepare for a future round of new gTLDs. Yet this shouldn't keep the GAC from highlighting things that need to be considered prior to a new round, knowing they are long-standing points and not last-minute requests flagged to delay the process.

We also very much appreciate what you mentioned earlier today, Göran, regarding and now reiterating this regarding this round, offering an opportunity for IDNs and universal acceptance, ensuring a more diversify and inclusive DNS market, aligns with GAC views on the importance of reaching out, including developing countries and emerging economies, also reflected in GAC views on an African support program and communication and outreach.

I would like also to acknowledge the recent announcement on adding the linguistic initiative, linguistic diversity to security as well, well received and will be circulated to the GAC. GAC has submitted GAC collective input and shared it with the Board through a letter on the 4th of June, and the GAC asks the Board to

ensure that all the necessary steps and reviews takes place before a new round of gTLD enter area of CCT rv review and SSAC 114.

The [reading] the GAC looking forward to receiving an objective and independent analysis of costs and benefits, drawing on experience with and outcomes from the 2012 round of new gTLDs. Would allow the GAC to offer further advice ahead of a launch of a new round. And as mentioned, we have already shared the GAC comments with the Board, and we are currently working on identifying volunteers to follow up, monitor, and contribute to the relevant operational design phase. And many thanks again to you, Göran, and to Lars Hoffmann for the interactive and informative discussion earlier today.

Sorry to speak for a long time, I will stop here to give everyone a chance to react and for GAC colleagues, if you want to weigh in. Thanks. Any reactions from the Board or follow up from the GAC? Please, Avri, go ahead.

AVRI DORIA:

No, sorry for the delay. I wasn't sure whether Maarten was going to take it and then ask for me to speak.

MAARTEN BOTTERMAN: I was waiting for a colleague from the GAC, but yes, please. Avri, who has been following subsequent procedures for a long time and has helped the Board to better understand this over the last year, would be giving the comments. So please.

AVRI DORIA: Thank you. And yeah, I have been with Becky basically shepherding, leading the Board's caucus on this, and we have been working on it for quite a while. And recently we have been working with a team from within the org that is trying to prepare the questions for the ODP. First of all, I wanted to say from a personal perspective, I have been truly impressed by the amount of participation and the degree and intensity of participation from GAC members in the SubPro. Even when I abandoned the project to do something else, I continued to watch it, and that has really been one of my happier moments, watching all of the participation.

So I wanted to say that we're in the process of working with the org in terms of the questions that need to be dealt with in the ODP in order for the Board to be able to make a decision. And whether it's the great set of points that you brought up in the June 4th letter, which is really many of the points that the Board has sort of already recognized need a certain amount of understanding

and discussion, and the points you are making now are all parts of those questions that will eventually get developed through the ODP, and assuming the Board does approve that -- I try not to assume these things before they're actually done. So I really do think there is going to be a very serious consideration of each of these issues, and these issues are already on the list for further discussion and analysis.

One question I always ask, and I tend to quip about universal acceptance, which I believe in wholeheartedly, on some of these questions, whether SSAC 114, SSR-2 recommendations, certainly the [indistinct] are done and we need to be well in progress on our plans and work for getting them done, I'm not sure when we will have the universe accepting new IDNs.

So one of the issues we will be discussing and will be coming back to the community I think for a long time is what degree of completeness is complete on any of these major -- and this also interfaces with the prioritization issues we have in terms prioritization to get work done which will also be community driven. So in that there is a degree of uncertainty. There is a certainty they will all be worked on, that the reviews will be done, certainty that all the issues are already taken seriously and considered. There is an uncertainty I think on the degree to which

everyone will consider everything finished, and just basically wanted to say that early in the process.

I believe -- and for this I would look to someone from org to tell me about the independent studies and what the plans will be -- any studies would be included within the ODP, and I don't feel myself in a position to speak about what those are. There will be studies, because the ODP is still in the process of being prepared. So let me stop there. Hopefully I covered the issues. As probably almost anybody that knows me now, I'm willing to go down the rabbit hole on almost any issue at almost any time, so hold me back.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Avri. And we're reminded to mention our names every time we take the floor. So thanks, Avri, and this is Manal speaking and we always grasp any opportunity to also thank the co-chairs of the PDP, Cheryl and Jeff. I have Vincent and then Becky, and we can then move to DNS abuse. France, please, go ahead.

FRANCE: Thank you very much, Manal. This is Vincent Guillard from France, for the record, and I will be speaking in French.

(Through interpreter) Thank you very much, Board members, for being here, and thank you Göran, Avri, Maarten, and everyone. I expect not to take much of your time, but there's so much that has been said that's interesting and smart that I might take a bit longer than expected but still will try not to take so much time.

For starters, I wanted to thank the Board, and Avri in particular, for what was said where we met at ICANN70. I remind you that France has a number of reservations regarding the SPIRT mechanisms, you know that. And I'm saying this in particular regarding a recommendation which the ICANN org reviewed and while reviewing the SPIRT, they discussed matters which affected the GAC without involving the GAC. But everything Avri said at ICANN70 regarding the Board's consideration on the matter and the fact they would always include the GAC in such circumstances were more than welcome. So France would like to thank you for that.

We are completely open and willing, of course, to take part in these types of future endeavors, whether regarding the SPIRT in particular or regarding any other operational stages for the operation design phase that is to be launched. Coming to my question regarding the ODP, I was wondering whether the Board is now in a position where it could provide the GAC with even a preliminary timeline for the ODP and perhaps the date for the

presentation or at which date they expect to go live and how long the process will take, whether it will be six months as in the case of the SSAC or it could take longer.

And I would like to end by thanking Göran for his presentation this morning regarding the opportunity that the next round of new gTLDs presents for us, in particular for the global south and the countries where Internet is yet to be further developed over local content, is not very developed to date. France, of course, entirely agrees with initiatives of this kind to make countries move forward, and we think indeed it presents great opportunities. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Vincent, and thank you Becky for your patience. We have Becky, we have Jorge, and then we will move to DNS abuse, mindful that we might not be able to go through the full agenda, of course, but I cannot turn -- and we have Göran next. Becky, please.

BECKY BURR: I was just saying I think I should defer to Göran to allow him to answer the question on timing that was just asked.

GÖRAN MARBY: Do you want me to answer the question about the time and the width and breadth, the depth of the ODP?

MAARTEN BOTTERMAN: If that's okay, to complement what Avri said.

GÖRAN MARBY: The ODP will take longer than six months, I can safely say, because there are many things that the Board would wish for further clarity. And before you say it's a long time, just to give you an example, one of the things that somewhere in line with us has to make decisions about it is how many applicants do we think will come into the route; is it going to be 2, 5, 10, 5,000, 2,000? That will have an effect on how big of a system we have to build to handle it. And if you take the 300 plus pages of the applicant guidebook and take that times 3,000 applicants, we have to be -- one of the learnings from the last round was we have to build a very thorough system to make that happen, and what will the cost of that be?

From the cost perspective, \$300 or \$400 million. So what happened on the last round, we have a timeline between beginning to an end and we added ODP. We don't think that will take more time because what happened last time when the Board

made the decision, we actually sort of did an ODP before it went into [indiscernible] and that took a very long time. And one of the things we learned from that and the Board is keen on is to make sure we make that process more transparent. So in a way, sort of moving things into an ODP to make it more transparent and also in the end, shortened the full time for doing this and also giving for instance the GAC the opportunity to have information as well if there are unclarities, if the Board doesn't understand the recommendations, maybe we have to go back to the GNSO for the liaisons to talk about that as well.

So don't see this as -- you have to do it, because then faster, implemented, and done. This is a really big effort from the ICANN Board, the org, and also the community. So I don't know the answer to the question of how long of a time because we haven't finished the scope and the Board hasn't finished scoping of what they want contained in the ODP. The more things to do, of course the longer time it takes. But really want to make sure that it's the overall time we're looking at, not only this phase. I hope this answers your question. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Göran. And Becky, your hand is still up. Would you like to add or --

BECKY BURR: Yes, I just wanted to briefly suggest that on this slide -- and I know we will talk about this a little bit more -- that when the GAC is asking the Board to ensure that all necessary steps and reviews and points out the CCT rt and the SSR 2 recommendations, it would certainly help us to know specifically which portions of those reviews and recommendations the Board wants to be complete -- or the GAC wants to have completed and what it means to the GAC for those things to be completed.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Becky. Then I have Jorge, our topic lead, and then we can move to DNS abuse.

SWITZERLAND: Thank you so much, Manal. Jorge Cancio, for the record, and thank you to Göran, to Maarten, to Avri, and Becky for your reactions. I think it's important to keep up this dialogue. I acknowledge and welcome that Avri mentioned our input from June 4th and also this input we filed to the public comment period, and this is really a condensation of what the GAC has been filing for the first years into the process.

There are some outstanding issues, and as Avri said, there are some shared concerns or some issues of shared concern as could

be closed generics, private auctions, community based applications, the applicant support program, the outreach and the communication we do with emerging economies with developing countries, universal acceptance. So we are really here to keep up this dialogue, and please come back to us with more reactions, with more questions because this is the way to really solve things and to get things done as quickly as possible to have this launch in the earliest time possible in the coming years.

So I think our door is open. Maybe we cannot give absolutely exact responses to each and every detail, because as the GAC we are of course at the different level of specificity. And what we are asking in the end is best efforts, reasonable efforts, to go about with the different steps and reviews we have been calling for since Helsinki and afterwards. Thank you very much.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Jorge. Manal speaking. And if we can go to the following slide and get started with DNS abuse. So in addition to previous reference to overarching comments in GAC's 1st of June public comments, the GAC continues to harbor serious concerns regarding the absence of policy recommendations on DNS abuse mitigation in the SubPro PDP Working Group final report, and we note that the Working Group deemed that such further efforts should be holistic and must apply to both existing

and new gTLDs. The GAC urges the Board and the ICANN community to collectively and meaningfully address this issue.

The GAC expects swift action from the GNSO Council in triggering a holistic effort towards DNS abuse and considers that DNS abuse needs to be addressed and sees value in the SSAC's comment on SubPro that -- and I'm quoting: Waiting until efforts to mitigate DNS abuse can be equally applied to all existing and new gTLDs, effectively seeds the ground to malicious actors who can depend upon a long policy development process to hinder meaningful anti-abuse measures. In that respect, we would also like to seek Board views regarding SSAC 115 and whether the Board wants to take the lead on -- seeking Board views regarding SSAC 115 and whether the Board wants to take the lead in fostering community effort, and also what does the Board think about the proposed common abuse response facilitator?

MAARTEN BOTTERMAN: Thank you for these questions on DNS abuse. We also prepare and follow the community and the advice but making sure we are on the ball as well, and this has been led within the Board by Sarah and Becky. Sarah, can you comment on this please.

SARAH DEUTSCH:

Sure. Thank you, Maarten. I wanted just to emphasize to start off that this is a very important topic, and the first step is that the community will need to align on scoping it and figuring out how to address it. But that said, the Board believes there are meaningful solutions that can be found inside the multi-stakeholder model. So on the Board side we have already held several deep dive sessions on DNS abuse which I co-led with Becky and a new Board caucus group devoted to DNS abuse in the process of being created. The creation of this group confirms that the Board considers this issue a priority and one we're taking very seriously.

I also wanted to mention org and [indiscernible] continue developing tools on help the communities understanding. First the org reached out to the contracted parties house to extend the DAAR program, having this new data for research purposes like DAAR will be extremely useful going forward to address the area of DNS abuse. And the second issue Manal just mentioned that ICANN will be increasing the linguistic diversity of the strings and is quite helpful for identifying COVID-19 domain name used for malicious purposes.

So an update I wanted to share on the org side and back to the Board, we will continue our consideration of the SSR 2 final

report, and we note many of the recommendations relate to DNS abuse and as highlighted so well yesterday in your GAC session, there's already been so much thoughtful work on this topic from within the GAC, and you all are really at the front lines of working this issue with knowing how to protect the public. The SSAC and so many other parts of the community, and we are taking it in and watching it very carefully and just want to acknowledge that DNS abuse is a very complex problem by many different actors within the Internet ecosystem. So as a Board we will look carefully at the role of different parties within the ecosystem, their roles and responsibilities. Some solutions sit within ICANN, others are best practices adjacent to ICANN, and we commend the parties that have made progress on those practices and others outside the ICANN process.

So focused on the big picture but especially drilling down on the pieces that sit within ICANN's remit and the bylaws. So I think it's fair there are separate but vital roles for the Board, org, for the community, we all have a to play in addressing this issue and we will be mindful as a Board to look at these options while taking care not to preempt the role of the community.

So turning to the SSAC common abuse facilitator issue. We want to commend this; this is something our Board caucus group will certainly be reviewing and discussing. The SSAC idea overlaps

and also involves a much wider system of actors in order to work. So the SSAC appears to be making this recommendation to the community, not to the Board, so at least it's our understanding that the Board is not being asked to create this role. So I think I will stop there, and we welcome your questions.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Sarah, for this update. Good to know it's high on the Board's priority and thank you for updating us on org efforts as well. I see no hand up. Göran, is this an old hand? Okay. If so, I think this was excellent response. Thank you, Sarah, and I believe we can move to the following topic, which I think is on CCT review recommendations.

I won't repeat the text on the screen. We're seeking a tracker document, and I would like to acknowledge and thank org for the information shared with the GAC in that respect which was also circulated to all GAC members. We very much appreciate the efforts exerted to compile the shared set of references to public information available on the CCT recommendations, yet a feeling that this provides a snapshot of the status of recommendations whereas the GAC more in favor of a dynamic tracking of the implementation of the recommendations, a tool which may also serve as a centralized place to track recommendations of other

reviews as well. And we have sensed some support from other parts of the community. So I will stop here. Thank you.

MAARTEN BOTTERMAN: Thanks for these questions. We have for both CCT and [indiscernible] we are already organized. [indiscernible] Becky, can you take the CCT first?

BECKY BURR: Yes. We had hoped that the information provided by org to the GAC would provide the kind of background information that you were looking for. These things are updated regularly. I hear your request for some kind of a tracking tool, and we have not discussed that but obviously can go back and discuss it. There's always a tension between actually making progress and tracking progress. So I think we don't want the tracking to be the enemy of the progress here, but I understand the request that you're making and understand that you did not consider the references that you received to be adequately addressing this tracker document request.

MAARTEN BOTTERMAN: For sure we would strive to continue transparency, as you know, that's very important to us, so we will find a way to make sure progress is transparent.

GÖRAN MARBY: Can I make a very quick comment? So there is an updated web page which contains all the information about the status of all recommendations including the 14 ones, which I think is the sort of knitting point on this one, is that some of the recommendations of special interest was actually rejected by the Board before the Montreal advice, and I think that's the point of some of these discussions. But if you are interested in the updates on the implementation of the CCT review, I think we provided the GAC with a link to that -- and we can ask someone to post it in the chat as well, thank you -- which also includes the 14 recommendations that were decided by the Board not to be implemented. And I see it's already there.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Becky, Maarten, and Göran. Manal speaking. And Nigel, I see your hand is up. Please go ahead before we move to SSR 2. I think you are still muted, Nigel?

UNITED KINGDOM: Very sorry, just to thank the response from Göran and Becky, and to thank the Board and the organization for the document of the 25th of March 2021 listing the various recommendations, and indeed there is a tracker of some form but it would be nice to have

some sort of freestanding tracker, but of course clearly in your hands.

On the specific recommendations, I mean clearly, as Becky said, we need to have specificity relevant to the GNSO, and we will be discussing that. Thank you for the update.

GÖRAN MARBY:

Just for clarification, coming from the discussion, this may sound like a maze, but it's actually clear cut. The Board received recommendations from in this case the CCT review. Some of the recommendations that came into the Board was not according to the bylaws, which was also known by the CCT review team because they were written in such a way that they should be dealt with within the GNSO. But the GNSO doesn't need to take them into account in any way. I know they're looking at them, been talking about them, but there's no formal process about where the Board in that sense can force them to take up on those recommendations. And the Board is not allowed by the bylaws to make policy, that is not the role of the Board. That is the whole point of the multi-stakeholder model, and that is why it's so important that the Board is also making sure that everyone understands that.

So when it comes to some of the recommendation that if the Board accepted them, it would be against the bylaws, the Board cannot accept them at all. But your point Nigel is, that is why you don't see an update on them on this website, because there is no update on them because the Board actually rejected them. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Göran. And I think we need to move now to SSR 2. And sparing you any long speeches, the GAC -- on the same slide, please -- the GAC is seeking updates on how the SSR 2 recommendations are being considered or might be addressed going forward.

MAARTEN BOTTERMAN: Yes, please. Danko.

DANKO JEVTOVIC: My name is Danko Jevtovic, Board member, and I will be speaking to the CCT rv review, and of course it is of interest to the GAC and also a high priority for the Board. So the Board has received the recommendations by the review team after quite a long work by the whole team. There are 63 of them and they're quite substantial and of course the security and stability key to our

remit, so we take them, well, as everything, as very critical ones and very importantly.

So currently the Board with org is preparing to consider recommendations by the deadline bylaws of 25th of July. In order to do that, the Board has performed the SSR 2 Board focus group. And the group working with the org but also informing the whole Board and we had sessions I believe two about recommendations. So as I said, a number of them are very substantial, and we are trying to find the systemized way of how to work with them.

Some of those recommendations are directly connected to the DNS abuse discussion we already have in our community. Some of the recommendations are more technical and can be easily implemented after prioritization, and some will need more understanding of how they're connecting to the other pieces of the work and our bottom-up multi-stakeholder policy development process, because this is the way we work and how the Board has to support that.

So in order to do that, we are engaging from the focus group with a group of implementation shepherds by review team, and we are preparing specification on specific actions on all 63 recommendations. So this is a work in progress, very important

and critical for us, and we will do our mandate, bylaws mandated role of making the decisions by the 25th of July. If any other details are needed, I would be happy to answer.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Danko, this is very helpful. And I see no hand up, so we can move to the fourth topic under administration data WHOIS GDPR matters, the GAC is seeking an update on SSAD ODP in light of the 25th of March Board decision on this matter. Any updates?

MATTHEW SHEARS: Yes, I'm happy to provide an update on where we stand since the March 25th resolution. As you know, the time the Board directed org to proceed with an ODP on the EPDP Phase 2 recommendations 1-18. On the 29th of April, org launched the ODP, there were significant preparatory work to be undertaken for its launch, and the org is now in the process of undertaking the assessment part of the ODP on those recommendations, so that work is currently underway.

Things have happened since then in addition to the work being underway. I think, as you probably know, the GNSO Council has appointed a liaison to the ODP, and that is someone you probably know well, [indiscernible] the former EPDP Phase 2 Chair. There

is now a very useful ODP web page which is important to know, also provides opportunities for input. There's an opportunity to input and review what input has been placed on the ODP. We're expecting the org to deliver the ODA in a six-month time frame from April 29th, and the org is also anticipating an informational webinar on the status, the progress is being made, sometime after ICANN71. So yes, I see in the chat, I do apologize for not explaining the acronyms.

On the ODP website, operational design phase website, you will also notice a recent announcement that the org will be eventually, soon publishing an rf5 on information for identifying verifications, and that is also on the ODP page. And that is more or less where things stand at the moment unless others on the Board or perhaps Göran want to fill in any further details.

GÖRAN MARBY: I think it was perfect from your side.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Matthew, and thanks Maarten for confirming that we can move on. If we go to the next slide, please. And we're now at a distinction between legal versus natural persons. The GAC has noted the initial report of the EPDP Phase 2a contains no recommendation to change policy. The GAC will

follow up on these issues, and any changes after public comment ends with a view of having policies that balance data protection and other public policy interests within ICANN. And when it comes to accuracy, the GAC has offers to support the GNSO Council in its scoping of a PDP, and we're very much looking forward to the launch of such scoping efforts. So again, I will stop here if there are any reactions from the Board side.

MAARTEN BOTTERMAN: None, our leading expert is Becky.

BECKY BURR: Thank you so much. We actually worked very hard in Phase 2a discussions to get more clarity, more legal advice and clarity between this natural vs legal distinction and how we could create sort of actionable advice there. Unfortunately, the burden really reiterated the advice that it had previously given us even when we probed them on whether the existence of this distinction or the emphasis -- and I have two on the ability of information about legal persons or the policies and processes that other organizations were following, whether that would make a difference in how they thought about this, and they essentially reiterated their advice.

So again, the Board at this point is also waiting to hear the public comments on this, and we look forward to hearing more from the GAC on this issue.

But I just wanted to note, and I know that some members of the GAC were very involved in the legal questions that we put on EPDP Phase 2a. Know that we pressed very hard on our legal advisors to see if we could get clarity here.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Becky. And I see no other hand up, and I bring to everyone's attention very active follow-up discussions in the chat as well. But if there are no other follow-up questions on this topic, maybe we can move to our fifth and last --

MAARTEN BOTTERMAN: Maybe for more clarity, [indiscernible] continues asking for a holistic tracking tool. Does he mean anything else than what we currently have, which is tracking all the recommendations --

GÖRAN MARBY: I think we're conflicting two issues. I think we have dealt with issues about answering the questions about the status of CCT, at least I hope so. Because if the GAC members looks at the web page for the CCT, I think all of the answers are there. And we put

-- added information to Jorge that there is a reason we don't follow up. We don't follow -- after the Board has rejected a recommendation, that is the end of it, we don't do any follow-up work.

The other thing Jorge is bringing up I think is with the total amount of review recommendations we're having, we're lacking a sort of tracking system for all of them, which we are in the process of designing and building because that is not only from the GAC, we hear from other ones. As some of you know, just a couple of weeks ago I think we made an update to the community about the status of different reviews, including the CCT review, work stream 2, et cetera, et cetera.

But we all agree we need a better system for transparency for tracking reviews. Some might be contradictory to each other. Some may say you want to break the bylaws. So because of the amount of recommendations, we want to review that, it's in the pipeline, not something I can point out and say when we will do it but we give regular updates, so it's not like we don't have an opportunity for you to know, and of course the GAC is always welcome to ask questions about specific reviews.

I hope that answers the question.

JORGE CANCIO, GAC VICE-CHAIR: If I may very quickly, this is like when Switzerland for instance has an international commitment but the implementation is made by our cantons. It's not the Federation's business, but the Federation is the one moderating the progress by the accountants; it's very similar to what we're asking for from the Board. We know the recommendations asked of the Board -- we know some according to our bottom-up system, we accept that, but we would very much welcome, because it would be really useful to have an overall dashboard to have the overview of all the recommendations.

Thank you.

GÖRAN MARBY: If I understand you correctly -- please correct me if I am wrong now -- what you would like us to do is when the Board has directed recommendation to the GNSO, you want us to follow up what the GNSO is doing with those recommendations; is that true? I have the sad news, ICANN does not work like the Swiss Federation, because the Board cannot tell the GNSO to implement recommendations --

JORGE CANCIO, GAC VICE-CHAIR: Göran, nobody says that the Board has to tell, it's just about information. It's about being informed about what has been done.

GÖRAN MARBY: Jorge, I think that you know that you are asking for something that doesn't exist in the structures, and of course I think you can talk to the GNSO Council and the GNSO about how they dealt with them but also the PDP. It's not -- we talked earlier about making that we're bureaucratic. The notion that you are asking for unfortunately is not part of how the ICANN setup is done, there's no procedures for it. And I think that we will end this, rightly so, that this is something that you can address to the GNSO directly.

The Board cannot, should not be interfering in the policy-making process.

MAARTEN BOTTERMAN: It's not our intent to interfere, and ICANN as a whole is committed to transparency and accountability as we constantly try to improve our progressions in that way as well. So in that way, yeah, keep track and make sure that we know what we need to know. So maybe just to move on to the last question, because I know time flies.

MANAL ISMAIL, GAC CHAIR: Yeah, we're at the end of the scheduled time, and not sure if you have couple of minutes more or we can find another opportunity for this agenda item, was just going to report on a very short session today.

MAARTEN BOTTERMAN: Let's keep it as short as possible, but basically -- and I have repeated this earlier, what we do, we look at how we can go back to face-to-face and how that would look, and we do that clearly in interaction with community.

The survey provides us already very good input on the view of community members, vis-a-vis the [indiscernible] planned for October, based on the safety and security of all the people in the ecosystem key as well, and equitable participation is another element. When it would turn out that it's impossible for more than half of the world who wants to come to such a location, we need to wonder whether it would be the right thing to do. And these are all considerations to take into account and for sure on how to move forward and how it would look like, we are very happy and blessed to also have the interaction with the SO/AC leaders to help us reflect the thinking and also get impressions back from the community.

So for sure we will [indiscernible] in isolation, and like all of you, we look forward to, the Board, to be able to meet face-to-face.

MANAL ISMAIL, GAC CHAIR: Thank you so much, Maarten. And we had a very short but useful session this morning, it was just 20 minutes, and we were provided a brief by Nick on the results of the survey, and of course everyone is looking forward to face-to-face with all its advantages, but to your point of hybrid and instead state phases, the point of equality was flagged, that all the participants have to be treated equally, there should be a technical platform that allows this equality. It may be useful to have a number of meetings face-to-face or hybrid and a number of meetings fully virtual also reduces carbon footprint.

Again, on unity, it was suggested to have a screen in the room displaying remote participants so that there is a feeling that everyone is together. Also, worth considering that flow requestors queue may be maintained online only to interface fairly between in-person and online participants. And also there was a view shared that we shouldn't rush back to in-person, running risk of increasing inequalities and split by region, noting that instead state will probably settle on a hybrid model but with the remote participation being a choice and not an obligation.

And finally, a GAC-related topic was the quorum and whether and how this may be affected by hybrid situation, particularly if hybrid is going to be the steady state, so we should be considerate of how we will calculate the quorum for the GAC.

So I will stop here, we're already five minutes beyond time. I would like to thank you all very much, GAC members, Board members, and all colleagues who also joined the room for the active engagement and discussion. So anything, Maarten, before we close?

MAARTEN BOTTERMAN:

Just thank you very much, and on the last part, as you and others have experienced in the community, also in the virtual meetings, the organization has been able to continue to improve the effectiveness of the tools we use together, including now also the [indiscernible] streaming and the language services. So all these suggestions are very welcome, and the aim is to do our work together in the best possible way. And whatever it is, within reason, possible, so a number of languages but not all the languages in the world, somewhere in between. And the same for this. I'm sure we will find together the best possible way to keep us moving into the next couple of years in a hybrid way, if you want that. So thank you all very much for your input, as always.

Really appreciate it.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Maarten. And this concludes our meetings today. And to GAC colleagues and to those who were not able to attend the previous session, please join the session starting [indiscernible] and tomorrow we will start at 900 The Hague time, 700 UTC, with our bilateral with the GNSO. So please be prompt and thank you again, everyone. The meeting is adjourned.

[END OF TRANSCRIPT]