
ICANN75 | AGM – GAC Communique Drafting (4 of 5)
Wednesday, September 21, 2022 – 16:30 to 17:30 KUL

GÜLTEN TEPE ÖKSÜZOĞLU: Manal, leaving the floor to yourself.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Gülten, and welcome back everyone. I hope you enjoyed your coffee breaks. We are still having so drafting here, but for the sake of time I'm going to start by parts we haven't read and straightforward by the reporting back from the working groups and we have some editing in the internationalized domain names. And let's see what we haven't done until colleagues drafting text are ready to share it. So yes, thank you. This is the reporting back from the GAC Public Safety Working Group, and apologies for the fast reading, last session I was told I was a bit fast so I will try to read slower.

The GAC PSWG continued its work to advocate for improved measures to combat DNS abuse and promote effective access to domain name registration data. The the PSWG took part in the capacity building work shop orienting new GAC members to the issues of WHOIS data and DNS abuse. The PSWG also held a session to update the GAC on DNS abuse that included, one, references to recent studies showing rising rates of phishing and

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malware threats and its impact on Internet users; two, updates on various initiatives from the community to support the mitigation of DNS abuse; three, a follow-up presentation by a GAC member highlighting the need for action to improve the specificity Of standard contracts but also through information sharing at a registrar level to allow for proactive measures to combat forms of malicious activity by registrars. And four, look at how potential contract changes may be used to incentivize or reduce the burden on contracted parties in carrying out DNS abuse preventive and mitigation measures. The PSWG indicated its intent to work with the GAC and various stakeholder groups to find common ground on measures to improve contracts.

The PSWG continued its active participation to support the GAC small group through participation in the Phase 1 implementation review team, the SSAD small team discussing ICANN's operational design assessment, ODA, WHOIS disclosure system, WDS design, and GNSO accuracy scoping team. The PSWG emphasized the importance of accurate registration data to deter and investigate DNS abuse. The PSWG participated in the update to the GAC on domain name registration data issues. With regard to ICANN's org's proposed design of a WHOIS disclosure system, the PSWG noted that this could be a valuable addition that could reduce overall risk through the use of prototype to reduce the unknowns for specific technical and operational concerns and

reduce the burden on users in accessing the right contact point. However, the PSWG also noted that this effort must inform and not replace a more comprehensive system on access to registration data.

As per its work plan, the PSWG continued its outreach to Public Safety bodies and shared amongst its members, it's 2022-2023 work plan which it hopes to get accepted by the GAC before ICANN 76. The PSWG also held discussions with a number of constituent groups within ICANN.

So any comments? Sorry, just checking on Zoom as well. And seeing none, then I think we're good to move to the Underserved Regions Working Group reporting back. And the updated text reads: The GAC Underserved Regions Working Group held a well-attended capacity building weekend, CBW on Saturday 17, and Sunday 18 September 2022 on a variety of topics aimed at giving GAC participants an opportunity to learn or increase their knowledge on the basics of the GAC.

The Capacity Building Weekend included issues facing the GAC, ICANN's monthly stakeholder model, structure and operations. In addition, it allowed GAC participants to become acquainted with different community groups to facilitate future dialogue, share experiences, and enhance GAC internal collaboration.

The Capacity Building Weekend focused on the following main topics of interest to GAC participants. One, onboarding basics, example, describing the GAC, its operations and its place in the multi-stakeholder community; two, key GAC topics, example Subsequent Rounds of new gTLD, DNS abuse and WHOIS; and three, overview of the DNS, example introduction to ccTLD, gTLD, registries and registrars role and responsibilities.

The CBW received strong positive feedback from both GAC and non-GAC attendees. An evaluation survey will be issued to GAC participants to assess the pertinence and relevance of the sessions for future capacity-building activities. It is envisaged that topics covered at a high-level during the CBW will be elaborated in the lead-up to ICANN 76.

Any comments? Okay. Seeing none, can we scroll down, please. We're done with Subsequent Rounds. And I thought we had already accepted the text under digital inclusion and Internet connectivity. Anything specific related to the highlighted part, please Fabien?

FABIEN BETREMIEUX: Yes, sorry Manal. I just highlighted text and suggested for readability purposes that the drafter consider maybe breaking

this paragraph into two sentences, so where the highlight starts and maybe resuming with a second sentence that could start where this should aim, so these are the additional actions, these should or could aim to contribute, ensure, and promote, so just a suggestion to make it easier to read.

BRAZIL: Yeah, I think that's fine.

MANAL ISMAIL, GAC CHAIR: Thank you very much Brazil for that confirmation, and thank you Fabien for highlighting, i remember it was difficult to read in one shot, so good to separate. And I see more preference to this should aim contributing, thank you and I see elaborate is also highlighted any specific comments?

FABIEN BETREMIEUX: Here, we were wondering whether it would be clearer if another word was used such as buildup or establish or -- we were just wondering maybe imprecise or maybe a bit confusing, [Inaudible]

MANAL ISMAIL, GAC CHAIR: Thank you. So any suggestions by GAC colleagues for an alternative verb here? And just trying to read the sentence. The GAC urges the ICANN Board to elaborate a more comprehensive

framework for the provision of financial, technical, and capacity building support. Fabien.

BRAZIL: I think the develop should be fine, the only thing there is a lot of develop In the middle of the paragraph, but I think that in English normally it is not a big deal, so develop would be good.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Brazil. The GAC urges the ICANN Board to develop a more comprehensive framework, I think it sounds better, appreciate the suggestion. Thank you very much. So then if we can accept the text? Under this section, digital inclusion and Internet connectivity.

And then we have separated the last paragraph under a new title ICANN's strategic planning. And it reads: The GAC expressed interest to the ICANN Board in getting closely involved in the early design of the next strategic planning cycle for the period 2026-2030 as a more effective means of influencing the process in line with its main priorities.

And I think we're good with the proposed edits as well? I see no requests for the floor. So, if we can accept the text under ICANN's strategic planning please. Then for WHOIS disclosure system, I

understand we have additional text, right? If we can scroll, yes, thank you. So maybe reading the paragraph from the beginning: As currently designed, any communication beyond the request itself takes place outside the system. Information about approvals or denials of request, timing of the response, and reason, for denial would be logged at the election of the registrar.

The GAC finds it very important to log this data in a proper manner, as this will help to ensure the system is generating robust and useful data to inform future work. The GAC also finds that even if a request relates to a registrar that chooses not to participate in the framework, logging such information would also provide useful data. The framework should therefore include such functionality.

Finally, the GAC stresses the importance of including a mechanism to allow for confidential law enforcement requests. The GAC recommends ICANN.org engages with the PSWG to further discuss the issue of how confidentiality of law enforcement requests will be ensured and how the metadata of all the requests of law enforcement agencies are handled. Any questions? I see Brazil's hand up.

BRAZIL:

Thank you Manal. No suggestion about the text, just for the record. The only concern we have, everything is very tentative at this point because it's a pilot project and we don't know exactly where this will take and I think the important thing is that it fits for purpose and of course the purpose of this is to ensure that somebody requests and received the information, the purpose is not to gather statistical information, [inaudible] a lot of focus on data about the system itself. No, the important thing is the system works in the sense that one is requesting something and obtains that information, this is a lateral comment I know this is the beginning of something that has some way to go, but I just wanted to make this point. No suggestion to the text as it is, but for future reference when this comes back to our consideration. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Brazil, well noted. So if there are no comments, then we can accept this part of the text.

CHRIS LEWIS EVANS:

Sorry, Manal, thank you. Just to quickly respond to Brazil I don't want to get into the subject too much but the purpose of this prototype or this proof of concept initially was to collect some statistics, and that is why the language in the document is quite heavy on the statistics. Because as you will probably recall, a

large part of the variance and the costing was them not really understanding the volume of requests, so that is why there is a lot language around statistics in the document. So obviously we do need to be careful of that from a governmental and law enforcement perspective. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Chris, for that clarification. Next if we can scroll down. On DNS abuse, are we still expecting text? I don't think so. Let's scroll down. I remember there are some fine tuning with the internationalized domain names and then maybe we can see where we stand on DNS abuse, and we also have something under accuracy.

For internationalized domain names and Universal Acceptance, the GAC welcomes and encourages the further adoption of Universal Acceptance for the better use of internationalized domain names, email addresses internationalization and new generic top-level domains for accelerating the progress of online diversity.

In recognition of the importance of Universal Acceptance prior to ICANN75, the GAC circulated a request for the roles of point of contact with the Universal Acceptance Steering Group and co-

chair of the GAC Universal Acceptance -- I'm sorry, okay, yeah. Let me read it again.

In recognition of the importance of Universal Acceptance prior to ICANN75, the GAC circulated a request for the roles of point of contact with the Universal Acceptance Steering Group and the Chair or co-chair of the GAC Universal Acceptance and internationalized domain names Working Group. Encouraging additional GAC members to join UA activities. The GAC also welcomes the initiation by the Universal Acceptance Working Group of an annual Universal Acceptance day, the first one taking place on 16th February, 2023, and encourages individual GAC members and others to take part in this day.

I think it's Universal Acceptance Steering Group and not Working Group, yeah, UASG. Rob, please.

ROBERT HOGGARTH:

Thank you, Manal, Rob Hoggarth from GAC support staff. just an editorial comment in this section, on a number of occasions we use parentheticals in this draft to reflect acronyms that are not used again, so in terms of just clarity or streamlining, those parenthetical references could be removed, thank you.

MANAL ISMAIL, GAC CHAIR: so you mean we just keep the full name and no need to reference the abbreviation at all?

ROBERT HOGGARTH: yes maam, that would be my suggestion given that the parenthetical serves no purpose.

MANAL ISMAIL, GAC CHAIR: Okay. Any objection? If not, then since we will not have further reference, maybe we don't need the abbreviations. And in the last paragraph, we are referring here to Universal Acceptance working Group, is it the UASG the Universal Acceptance Steering Group?

UNKNOWN SPEAKER: Or is it the GAC working group Manal?

ROBERT HOGGARTH: I'm not sure who added this.

MANAL ISMAIL, GAC CHAIR: We assigned Nigel.

ROBERT HOGGARTH: Sorry, Nigel, we're just correct.

MANAL ISMAIL, GAC CHAIR: So the GAC also welcomes the initiation by the Universal Acceptance Steering Group the UASG of an annual Universal Acceptance day, the first taking place on 16th February 2023 and encourages individual GAC members and others to take part in this day. So I think we're good with the internationalized domain names? Any final requests for the floor? Seeing none, and assuming your hand is an old one, Rob, we can move to accuracy.

And this is new text. It reads: The GAC, having actively contributed to the work of the registration data accuracy scoping team, reiterates the importance of addressing efficiently and timely the issues.

EUROPEAN COMMISSION: Apologies, Manal. Just that I'm still editing the text. Just a couple more minutes. Because im really at the finishing line.

MANAL ISMAIL, GAC CHAIR: It's okay, Gemma. Argentina please go ahead.

ARGENTINA: Just a question on the WHOIS disclosure system, if I may. But just for clarification. I understood that the new system, the purpose is to simplify the first proposal. And if we are asking here to include a new mechanism, we are complexing it again. So maybe

in the countries that worked this paragraph and say the GAC stresses the importance of ensuring confidentiality for law enforcement, it will be enough instead of adding another mechanism which will make it more complex again. Thank you very much.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Argentina. So Argentina is wondering whether adding this confidentiality part would complicate or end up with a less simplified mechanism that we were seeking to achieve. But I think the simplicity also comes from leaving out many features that were to be designed in the very first proposal. Any comments? I see Chris, please go ahead.

CHRIS LEWIS EVANS: Yes, to Argentina's points, the system was meant to be a lighter weight version of the SSAD to enable them to see that there's a cost/benefit that the system could bring and Manal as you hinted at there, one of the big complicated parts was the accreditation side which we left out. So as I said to Brazil's intervention, I think some of the purpose of the system is to get a good representative measurement of how the system would be used, and I think without confidentiality for law enforcement requests there would be a very low uptake from this sector. So therefore I think having this in a current system is probably required to get a

representative, so I would say I would like to leave that in there, certainly for consideration from ICANN whether it increases and fits with their proof of concept. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, and I see Argentina nodding. So I think we're good to move on. So Fabien, correct me if I'm wrong, the remaining parts are the accuracy, as soon as Gemma is done, im sure she will give us a heads up.

EUROPEAN COMMISSION: We're done.

FABIEN BETREMIEUX: And we also need to finalize DNS reviews.

MANAL ISMAIL, GAC CHAIR: Thank you, Fabien. And lets start with the accuracy of registration data the text reads the GAC having actively contributed to the work of the registration data accuracy, RDA scoping team reiterates the importance of addressing efficiently and timely the issue of accuracy and reliability of domain name registration data. The GAC takes good note of the recommendations of the interim report on assignments 1 and 2 and encourages the scoping team to continue its work while ICANN awaits feedback

from the relevant Data Protection authorities regarding its legal basis for processing data for the purposes of measuring accuracy.

Regarding recommendation number 1, registrar survey, the GAC stresses the importance of encouraging the widest possible participation of registrars to the survey, and it welcomes the exploration of approaches to incentivize participation in the survey, as well as consideration of the use of a third party to aid in the survey design.

The GAC notes that recommendations 2 and 3c may lack the necessary clarity and detail regarding the visioned implementation. This was confirmed also by the exchange with the GNSO during ICANN75. Further, the GAC highlights the importance of concluding swiftly the data protection agreement, DPA, between ICANN and the contracted parties. And this is from recommendation 4. Finally, the GAC urges the scoping team to accompany these recommendations with an explanatory note elaborating further on how these recommendations are envisaged to be implemented. And I am pausing to see if there are any comments on the text.

And seeing none, I think we can now move to the DNS abuse part. Do we have the final text in the Google Doc? Okay. I see nodding

from Velimira, so thank you very much. And the text reads: The GAC appreciates the efforts carried out to advance proposals to mitigate DNS abuse, and while looking into the many avenues available to combat this threat, we highlight ICANN's technical role in finding solutions and look forward to the GNSO Council's small team final report on the subject in order to discuss subsequent steps.

Mitigating DNS abuse continues to be an issue of concern for the GAC, and we emphasize the importance of building on the current work which includes effectively reporting and responding to DNS abuse. This topic is especially important given the ongoing activities related to a next round of new gTLDs. The GAC has previously stated that DNS abuse should be addressed in collaboration with the ICANN community and ICANN.org prior to the launch of a second round of new gTLDs and noted its support for the development of proposed contract provisions applicable to all gTLDs to improve responses to DNS abuse, a quote from a GAC communiqué from ICANN70. Thank you, Rob. USA please, sorry to overlook your floor request.

UNITED STATES:

Forgive me, Manal, but these are not red lines. The red lines are not reflected within the text. Therefore the previous text that the GAC had previously reviewed, unless we can go back, I'm afraid

that may have been lost, I'm unclear on what is new and has been added. This is extremely, it seems a bit unusual, and I'm just in your hands here, and perhaps in the hand of our colleague from the Commission on how to move forward. I think we would need to review this, if perhaps the Commission colleague could confirm that she is finished live editing the text without red lines?

MANAL ISMAIL, GAC CHAIR: Fabien, please. Go ahead.

FABIEN BETREMIEUX: You just mentioned we're seeing below our text, we see here the previous text that apparently was replaced with the latest edits, so we can work to extract that and show that text side by side if we need to, so I don't think we have lost the text.

UNITED STATES: Well, that is good to hear. If we can have a comparison of the previous text, including the new text red lined to indicate what has been changed or otherwise -- so in your hands at this point, Fabien, thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Susan, and meanwhile as Fabien tries to do the comparative view, I see a request for the floor from European Commission. Please, Velimira.

EUROPEAN COMMISSION: Thank you, Manal. I just wanted to thank Susan for the remark. I think it's a completely valid one. I need to apologize to the colleagues, because I have issues because I am ejected from the Google Doc all the time, and some of the changes were made through the computer of our colleague in GAC support. What I think we can do, I can also help Fabien identify what is new and probably explain what happened and why there was such a mess.

Initially we were exchanging with our colleagues of United States on a draft together with some other colleagues and I thought nothing was pasted in the Google Doc and hence I started combining the input from our colleagues from the UK outside the Google Doc and in the meantime when I started reading then I realized that other colleagues had already put text in the document. And therefore actually between the ejection, it was very difficult to see. So basically I had the same issue as Susan, and I think what I would suggest that I can say what I have added and what I have done is basically just the wording of the rest I don't think I have deleted text, at least I cannot recall, and

probably if it's okay for you, Chair, and for the rest of the colleagues, probably we can take the time offline and tomorrow just see whether any of the colleagues have any comments that probably preceding the reading now and see if we have issues. But just to say that it's a valid point that it's very difficult now to understand who put what now, but I wanted to give more transparency into that. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Velimira. Fabien, do you think we can help with this now or do we need to park it until tomorrow?

FABIEN BETREMIEUX: As much as I hate the idea of suggesting that we park it until tomorrow, we will need more time to recover the exact wording that go preceding this and make comparison with the red lines, because we need to go back in the history of the document. We retain -- so we see -- I don't think anybody is able to remove text because it would get striked so we would see it but because of the controversion of the edits, we need ourselves to go back in the history of the document to recover exactly how the text looks, so if we want to do that we would need a bit of time and I'm afraid we wouldn't be able to do it right now.

MANAL ISMAIL, GAC CHAIR: Can we please once we do it share it on the mailing list so we can trigger the discussion even and not necessarily wait until the very end of the day tomorrow? I didn't mean the mailing list, I'm sorry. Yeah, so are you going to do a track change version in the Google doc?

FABIEN BETREMIEUX: We can try to do that. And we can try to do that after this session or once we're done here, but it would be very difficult for us to do it now.

MANAL ISMAIL, GAC CHAIR: Yeah, in all cases I'm not pushing for something during the session, but I was just trying to understand what to expect so that we can urge GAC colleagues to not wait until the session tomorrow but have a look whether in the Google Doc or over email or whatever so that if things could be resolved before the session, it would be excellent. And if not, then we come back here at the session with already well thought text and we can have a more efficient drafting session.

So anyway, if it is not clear yet, then I'm just urging people to keep an eye on your emails and either the text will be there or a link to the Google Doc, so keep an eye on the text so we come tomorrow

more efficiently. And anything else that is missing, Fabien, apart from the DNS abuse part?

FABIEN BETREMIEUX: I believe we have covered the whole text. I think we will need to do a check of references in the accuracy of the text just to make sure, because it's my understanding that in the recommendations there is a reference to recommendation number 4, so we'll just clarify that we have the reference. And other than that, we will be working on the DNS abuse text to try to show the red line of the latest proposals.

MANAL ISMAIL, GAC CHAIR: Okay.

FABIEN BETREMIEUX: We will let everybody know when we have that comparison.

MANAL ISMAIL, GAC CHAIR: Thank you. So please, if you can kindly try to look at the text before the session so that we can work efficiently tomorrow. We still have 17 minutes. And yeah, I will leave things until tomorrow. We can have a one complete reading of the Communiqué and then first resolve the DNS abuse part and the final reading of the Communiqué, and I hope we will be then set. And before

concluding, I have a request for the floor from the US, please, go ahead.

UNITED STATES:

Thank you, Manal. And thank you to GAC colleagues for the productive drafting session that we just had. The US would like to read a statement into the record in light of another statement made yesterday towards the end of the Board GAC session regarding the ITU secretary general elections I would like to note US support for Doreen Bogdan-Martin as the next candidate for the secretary general of the international telecommunication union she is a transformational leader who has driven global results that will be a positive generational impact for all. Her vision, values and priorities at the ITU are clear. If elected, she is uniquely suited to drive meaningful connectivity for the unconnected, broaden and deepen partnerships to accelerate digital transformation, and support greater organizational accountability.

ITU member states are deeply aware of her steadfast efforts to shape the future of digital connectivity. A trailblazer when she was elected to her current position in 2018, Doreen became the first woman elected to any ITU leadership position in its 157 year history. She will make history again if she is elected the first ever female secretary general of the ITU. We encourage ITU member

states to join us in voting for Doreen on September 29th in Bucharest to become the next secretary general. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Susan. And with that -- yes, Rob please.

ROBERT HOGGARTH: Thank you Manal. Just from a process standpoint, Fabien, please correct me if I'm wrong. As the session ends, we declare that the Google contributions aspect of the process is closed any future edits or changes, should go through staff so we can track the changes. Thank you very much.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Rob, well noted, and thank you very much everyone for your flexibility and engagement. This concludes our meeting for today.

Tomorrow the schedule starts with the ICANN public forum, the Board meeting, and [indiscernible] political forum all of which you are encouraged to attend and we will reconvene here in the GAC room at 1500 local time, 700 UTC, to finalize the Communiqué and then continue with our wrap-up session. And until then, stay safe and have a good rest of your days. Thank you very much, everyone.

[END OF TRANSCRIPTION]