ICANN76 | CF – GAC Joint Meetings Preparation
Sunday, March 12, 2023 – 15:00 to 16:00 CUN

GULTEN TEPE:	Hello, and welcome to the ICANN76 GAC session on Joint Meeting Discussions on Sunday 12th of March at 20:00 UTC. Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior. During this session, questions or comments submitted in the chat will be read aloud if put it in the proper form.
	If you're remote, please wait until you are called upon and unmute your Zoom microphone. For the benefit of our other participants, please state your name for the record and speak at a reasonable pace. You may access all available features for this session in the Zoom toolbar. With that, I will hand the floor to GAC chair, Manal Ismail. Over to you, Manal.
MANAL ISMAIL:	Thank you very much, Gulten. Sorry. Thank you very much, Gulten. And welcome back everyone. If we can take our seats, and we are starting our preparatory session for the GAC bilaterals, and we have to prepare for three bilaterals, the bilateral with the board, the bilateral with the GNSO, and the bilateral with the ALAC.
	So quite another tensed agenda. I thought we may quickly go through-- so, oops. So we need to confirm the topics that we are going to discuss during each of the bilaterals, and if need be, prioritized the topics so

that we can allow time for the more important topics or more urgent from a GAC perspective. If we can go to the next slide, please, Gulten.

So quickly to note that the bilateral meetings are an important opportunity during the ICANN public meetings so that we can maintain our relationship and expand it further with the board and other constituencies of the community. And they also provide the useful venue to highlight and emphasize topics and issues that are important to the GAC and likely to be addressed in the GAC communique. We try to employ a new approach, so we prepare intercession the topics or questions that we need to discuss with each party that we are going to meet, and we share the topics or the questions upfront so that they can come prepared to discuss the topics we share with them or answer the questions we have.

So yes, with that, if we can go to the following slide, and I thought maybe we can-- so these are the topics that were identified through the ALAC liaison to the GAC. And Nigel from UK has very generously volunteered to be our interim point of contact to the ALAC until we have volunteer from the GAC.

So, the leadership of both sides held a call and we agreed on the three topics you see on the screen. First, a follow up on 2017 joint statement that was submitted to the board titled "Enabling Inclusive Informed and Meaningful Participation at ICANN." And this was a joint statement submitted by ALAC and the GAC. So this should be a follow up and I hope you all managed to check the link for the statement so that you can be able to engage in the discussion with the ALAC. Second topic is WSIS +20 review and furthering the multi-stakeholder model looking ahead to the plenary session.

So again, this is in relation to the plenary session, and Nigel will be leading on this discussion. Jorge will be leading from the GAC side on the first topic. And then we have DNS abuse in the context of contemporary policy advancements coordinating the multi-stakeholder approach. And for this topic, we will have Laureen from the GAC side, and the ALAC as well, they have identified topic leads from their side, and topic leads will kickstart the discussion, and I hope the GAC will get engaged once the topic has been introduced. So I think this is pretty straightforward and concise agenda.

If we can go to the following slide, and this is our meeting with the GNSO. So the meeting will be held on Wednesday at 09:00 local time Cancun. And we have identified quite a few topics. First, the subsequent rounds of new gTLDs. And just to remember to thank Jorge from the GAC side and Jeff from the GNSO side.

They are the focal points who have coordinated the agenda. And then we have both leaderships from both constituencies meeting and confirming subsequent terms of new gTLDs where we need to go through the guidance process on applicant support, the operational design assessment, and the closed generics. So basically, same topics of interest under the subsequent rounds. And then we have the DNS abuse mitigation, WHOIS Disclosure System, accuracy of registration data, IGO protections, and UDRP review. And under any other business, two topics were identified.

First, GAC communique issues of importance to the GAC and GNSO council response. The GNSO council used to provide comments on the GAC communique aiming at, or trying to provide information for the Board regarding the GAC communique. So they were offering to do the

same review for issues of importance to the GAC, which I think is a positive thing.

It continues to give weight to the issues of importance to the GAC section. So instead of everyone just focusing on GAC advice to the Board, we are now putting more and more weight on our discussions. And the second topic is transparency in GNSO PDP regarding the companies and organizations being represented, the role, and current limitations of the statements of interest system. And this topic was suggested by the US. So two topics under any other business. So again, it's full agenda in one hour. I hope we will manage to go through it. I'm sorry, yes, please, Brian. Go ahead, WIPO.

BRIAN BECKHAM: Thank you chair. Brian Beckham. Sorry, small point of clarification if it's possible, and apologies if this was circulated earlier and I missed it, but on item five, would it be possible, if not, then at least I would like to make a correction for the record that the two topics IGO protections and UDRP review should be separate topics. Thank you.

MANAL ISMAIL: Thank you, Brian. Noted. I don't think, yes, I see a sum up from Benedetta, and I don't think this is a problem. We can definitely split them. Again, the same topics will be tackled, so we can separate them in two. Thank you for your input. So with that, I think we are now ready to discuss the agenda with the Board, which is really a very long one.

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So please be mindful that we need to shorten the list of questions if at all possible. Otherwise, I will be tackling them topic by topic and not necessarily question by question. So normally, we provide quick introductions at the beginning, and then we split the time of the session into two supposedly 30 minutes for the Board question to the GAC, and 30 minutes for the GAC questions to the Board.

But this time, since we don't have much to discuss on the board's question, we will provide quick responses. And since we have a very long list of questions, I have already asked the Board that we divide the time differently. So 10 minutes to quickly tackle the Board's question to the GAC, and then we dedicate the rest of the session to our questions, and they have already confirmed this.

So if we can go to the following slide. If we can get to the next slide. Yes, Thank you. So this is the Board's question to the GAC. For ICANN77, the ICANN Board chair has-- so the question says, "The ICANN Board would like to explore how to combine the efficiencies of an agile approach to problem solving, like the council's small teams, with the need for accountability and transparency to make progress on policy conversations. When would such an approach be most appropriate, and how can we ensure that it does not circumvent required steps in a policy development process?" So basically, the question is how to get the best out of both the normal PDP, but also the quick small groups that the council sometimes create.

And we have brainstormed on this a little bit on the GAC leadership call. And if we can go to the next slide, please. We have identified three quick points, very high level. Let me read this quickly. So first, agile approaches to policy development problem solving may be useful in

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particular and limited circumstances, but should not be viewed as regular substitutes for an effective and ongoing use of traditional policy development process.

Second, the use of GNSO small teams in GNSO policy development is a useful exercise in that it provides helpful impetus for initial community discussions. The makeup of those teams, however, are heavily populated by GNSO representatives, which can serve to foreclose discourse on complicated issues. It would be beneficial if other ACs and SOs could be invited to take part in such groups. And finally, a facilitated community dialogue approach, such as is being employed for closed generics provides a more productive approach to community dialogue. When judged as necessary, the Board should consider making this type of facilitated dialogue even more open and transparent to the community.

And an example, here is the Chatham House rules which are the rules we are working with for the closed generics facilitated dialogue. So here we are saying they are not necessarily always. So I think the bottom line is small teams may be helpful at certain points, they don't need to take long to conclude, and they don't need to have a broad scope, maybe a very narrow scope, and a quick approach to drive some progress.

And then we go back to the traditional PDPs and the well-represented and transparent groups. So this is basically, and thanks to Jorge, he was instrumental in helping to formulate our response here. So please if there are any comments, and if not, we can move on to the GAC questions to the Board. Kavouss, please go ahead.

KAVOUSS ARASTEH: Yes, Manal, thank you very much. I think the approach deserve to be well considered, but I don't think that we should take the approach of delegation of responsibility to a small team, a small group. There is a big risk on that.

It's good that a small group, a small team prepare something to come back to us to have a look, to facilitate, but not the delegation of responsibility. A small team cannot replace the PDP, PDP is referred to the bylaw. There is a approach how to do that, how to start the vote based on the report, and based on the PDP, and based on the public comment. And replacing by something I think is oversimplifying, we should be careful. I'm not against that it's good, but you should be very careful that does not produce something and unintended consequences. Thank you.

MANAL ISMAIL: Thank you very much, Kavouss. And yes, indeed maybe we should stress that no delegation of responsibility. And I see Jorge's hand up. Please, Jorge, go ahead.

JORGE CANCIO: Yes. I hope you hear me okay. I switched to another device. I just wanted to thank specially Rob for formulating our thoughts so eloquently in these points. And I think Kavouss has made a very important point.

And if the text of these bullets or these paragraphs is not clear enough, maybe we can still wordsmith a little bit because actually that was the intention, especially regarding the small teams which sometimes [00:17:16 - inaudible] frame to, although they are helpful to a certain extent, sometimes they seemingly frame discussions too much. And as they are not populated always with members of other ACs and SOs, this might be problematic. At the same time, the facilitated dialogues like the one we are having on closed generics, I think is a quite productive way of trying to solve sticky issues.

But as we mentioned at the end of the third point, at least from our point of view, from those who prepared this in the GAC leadership and topic leads, we wouldn't mind having more transparent and open approaches to such a facilitated dialogue in the sense that there's nothing really to hide, and of course, informal conversations can be taken also over, over lunch or dinner when, whenever they are needed. So I'll leave it by that, and thanks again very much for the formulations.

MANAL ISMAIL: Thank you very much Jorge, and thanks again, Rob, for reflecting our discussions real time here on the screen. So given the limited size, overall PDP responsibilities should not be delegated to such groups. I think this gives the essence of our discussion. So thank you very much, Rob. And I see no further requests for the floor, so maybe we can go to the next slide, Gulten, please.

So this is an overview of the full list of topics that we have identified. First, new gTLD subsequent rounds, and then we have second topic DNS

abuse mitigation with two subtopics, one on CCT review recommendations, and the other on the contract negotiations.

Third topic is WHOIS Disclosure System, and here we have three subtopics. First one, ensuring proper data collection, second on law enforcement requests, and third on features to be built into the WHOIS Disclosure System. Topic number four is ICANN's Emergency Assistant Program Framework for Continued Internet Access, and topic five is the Curative Rights Protections for Intergovernmental Organizations.

Can we go to the following slide, please? So I'll read this quickly, but during the Board session, probably I will not go through the reading, I'll make a quick introduction on the background so that we can focus on the questions. So the GAC has taken note with interest of the Board's planned approach to handle the outputs from the GNSO SubPro PDP final report, as well as the perception that ICANN Org is considering an Implementation Review Team to be set up post-Cancun to work on specific issues.

The GAC specially takes note of the issues the Board is identifying as pending and subject to further dialogue with the GNSO council. In this regard, the GAC would like to draw the board's attention to the GAC'S collective comment to the board consultation on the finer recommendations of SubPro filed on first of Jan-- of June, I'm sorry, 2021. That GAC comment includes GAC consensus positions regarding many of the issues now identified as pending by the Board, interalia: registry voluntary commitments and public interest commitments, applicant support, GAC consensus advice, and GAC early warnings, community applications and options. If we can go to the next slide, please, Gulten.

And here, when we get to the question, the GAC would like to ask the Board first whether these GAC positions on above mentioned issues beyond GAC, consensus advise and early warnings are being considered by the Board. And second, whether the GAC is going to be given an opportunity to be involved in the forthcoming dialogue on these issues.

And third, if the Board does not adopt all recommendations from the GNSO, how will such decisions impact the overall implementation timeframe for SubPro going forward? The GAC would welcome being included in such a forthcoming dialogue. The committee may also consider elevating all or some of the above-mentioned issues to GAC consensus advice in order to trigger a formalized dialogue on those matters with the Board. So any questions? Yes, Kavouss, please go ahead.

KAVOUSS ARASTEH: If you accept distinguished chair, I think the first bullet, second line, I would like to suggest that we replaced considered by taken into account, because when you consider something, you are free to say, yes, I accept, no, I don't accept, taken into account is something else. So I suggest that we will do that one.

And for the previous slide, you are very quick when we are talking about DNS abuse and WHOIS and so on and so forth. Perhaps we should put something before that saying that follow up action or further development, because DNS abuse, we have mentioned many, many time, we would like to have further development or follow up action, but not taken as a fresh issue is for a long time if you agree. And that is the two things that I would like to suggest. Thank you.

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MANAL ISMAIL: Thank you very much, Kavouss. I can see your first comment already taken into account, so thank you. And I missed the second comment from-- so if you can please elaborate on the second co-- is it on this slide or on the --

KAVOUSS ARASTEH: The previous slide.

MANAL ISMAIL: The previous slide.

KAVOUSS ARASTEH: I'm sorry, I was late a little bit.

MANAL ISMAIL: It's okay.

KAVOUSS ARASTEH: Excuse me, I apologize for that.

MANAL ISMAIL: No, no, it's okay.

ICANN|76
CANCÚN

KAVOUSS ARASTEH: Go to the DNS abuse and go to the WHOIS, and we will add something before that saying that further action or further development of the DNS abuse mitigation and so on, and so forth. Thank you.

MANAL ISMAIL: Okay. So the topic itself. Okay, thank you, Kavouss. Noted. Okay, if we can go to-- so any comments on the questions other than the wordsmithing? Is there a question that we can delete, or? I'm looking for shortening the list of questions, so please be mindful of that and see-- I'm sorry Nigel, please, UK, go ahead.

NIGEL HICKSON: Yes, thank you very much, Manal. I do wonder whether question one is actually needed because we know from what we heard earlier today that the Board have considered these different issues, they're in that paper that we discussed. Some of these issues are going to come back to us, so to speak, or we hope they're going to come back to us through the process that the GNSO will put in place.

But I think we know that they have been looked at by the Board. So rather than spending a lot of time on those topics, I think the following questions are more important as we discussed earlier today about how the GAC is going to be involved in these processes. And to an extent, these questions will obviously be informed by our discussions with the GNSO as well. So, I think we have to be a bit agile here. Yes, thanks.

MANAL ISMAIL: Thank you very much, Nigel. I see Jorge, and then Anna. So Switzerland, please go ahead.

JORGE CANCIO: Yes, thank you so much. Just a quick reaction to Nigel's proposal. The intent of the first question is really to remind the Board that we have already provided them with positions on all of these open and unresolved issues as the collective comment is from June 1st, 2021. I just wanted to make sure that they are really aware that also the new Board is aware of that comment and that it's important and that it relates to these open and unresolved questions. But maybe we can formulate it in a different way, or we just can recall it before presenting them with the questions.

And regarding the questions, and this has to do with the discussion we had before. As we have seen, there is a lot of things unfolding in the last 10 or 15 days around how the Board is going to address the recommendations and how they are going to treat the Operational Design Assessment, and it appears that there's dialogue going to start with the GNSO Council first, and what questions to, and in general, all these questions try to do is to really tell the Board, Hey, we want to be part of that dialogue, we need to be part of it.

And we have had very important things to say in the past, and probably we have important things to say also during the forthcoming conversations in order that the final resolutions of all these unresolved topics are not contradictory with GAC positions. So that's a bit the gist of all of it. Thank you.

ICANN|76
CANCÚN

MANAL ISMAIL:	Thank you very much, Jorge. And see Nigel agreeing in the chat. And I have Portugal next. Anna, please go ahead.
ANA CRISTINA:	Thanks, Manal. So in the same vein as Jorge, so I think that the first question is good to stay. So as Jorge said, I think that we have to underline that GAC has already some comments, I'm sure that the Board should say something about them and not ignore it.
	And on the second one, I think that I would like to see it to be rephrased, because it's very, very, very polite, whether the GAC is going to be given an opportunity to be involved, oh, my God, we are being so polite. So we can continue to be very polite, but maybe we can be more direct how GAC is going to be involved in the forthcoming dialogue on these issues. So I'm assuming that, of course, GAC will be involved. So not, please give us an opportunity to be included in the process. So just that. Thank you.
MANAL ISMAIL:	Thank you very much, Ana. And as Jorge mentioned in the chat, we're always polite, and I like your formulation as well. It's still polite. So how are we going to be engaged? And I see Rob already reflecting this. Kavouss, and then we need to move on. We don't necessarily have to delete one question from this one, maybe from other topics. So please go ahead.

ICANN|76
CANCÚN

KAVOUSS ARASTEH: Thank you. Actually, the action is already done, because I don't want to say whether, I want to take the action that's done. And I tend to agree with Jorge, still the question are valid, not objecting to my distinguished colleague, Nigel, but I think it is worth to mention that, whether the theory is right or something else, but it is worth to mention that. Thank you.

MANAL ISMAIL: Thank you very much. And Nigel is also in agreement. He confirmed in the chat, so good we're all on the same page. Then, let's move on to the following topic. If we can can go to the next slide, please. And this is on further developments regarding DNS abuse mitigation.

And we have CCT review recommendations, and background quickly reads, "The GAC appreciates more regular reporting updates from ICANN Org regarding implementation of CCT review recommendations with the reference, and the question reads person to the GAC Montreal advise not to proceed with a new round of gTLDs until after the complete implementation of the CCT review recommendations identified as prerequisites or as high priority, including recommendation pertaining to on DNS abuse. Can the Board share its view of the role of ongoing ICANN Org negotiations with contracted parties with respect to CCT review recommendations 14 and 15?   And whether the negotiations will satisfy these recommendations?”

And second, also, "When can implementation be expected to start on CCT review recommendation 22, which requires engagement with stakeholders to discuss best practices implemented to offer appropriate security measures when dealing with sensitive information such as

health or financial matters, again, with references? So any comments on any of the questions on the screen? Yes, US, please go ahead.

US: Thank you Chair. Just a proposal for consideration to our colleagues from the UK since our colleagues did offer these questions, fully support question five. But in light of the fact that the US has recommended a question later on, it could be that perhaps the response to that question could be instructive to number four. So just a proposal to see if the UK may be willing to reconsider, but yes, that's all. Thank you.

MANAL ISMAIL: So, any comments from the UK on this? Yes, please, Nigel, go ahead.

NIGEL HICKSON: Thank you very much. Sorry, I didn't hear all of the US comments unfortunately. Was it in relation to five or four as well? So you've highlighted four. Sorry, I'm lost.

MANAL ISMAIL: I think the comment was that response to five may inform four as well, but yes, US, please, you will be more capable to explain your comment. Please go ahead.

UNKNWON SPEAKER: So the suggestion, and it's not a strong suggestion, but just thinking in the interest of brevity and the overall mission to free up the agenda a little bit would be to retain five, but to forego question four.

MANAL ISMAIL: So yes, this was my understanding that when we respond to five, this would make us-- we don't need four if UK agrees.

NIGEL HICKSON: Yes, perhaps I'm not. Thank you so much.

MANAL ISMAIL: I'm sorry, I'm being corrected by Rob. There is another question later on that-- so maybe when-- let's leave this marked, and when we reach the other question, maybe we can get back to the UK and seek their confirmation on this. So if there are no further comments, then let's keep four highlighted, and we will park it for now and come back to it later.

And let's go to the following slide. And this is on contract negotiations, and the background reads, "ICANN and contracted parties have been negotiating improved DNS abuse contractual provisions. The GAC understands that ICANN plans to publish proposed changes to community review and public comment before ICANN77. In the Hague communique, the GAC recalled that ICANN Org is particularly well placed to receive public policy input from the ICANN community and negotiate updates to the standard registry and registrar agreements. So ICANN Org may avail of timely community input, and to promote transparency, the Board could hold a listening session on the contract negotiations prior to the publication of proposed changes for public comment.

Such session would focus on matters within the scope of the negotiations as agreed between ICANN and the contracted parties." And the question reads, "Will the Board consider organizing a listening session on the DNS abuse negotiations are within one month of the conclusion of ICANN76." So my understanding is that there will be a session, but I'm not sure of the timing, so maybe we can keep the question. I think it's a short-- it should be a short answer, so. Any comments or questions? Okay, if not, then let's move on.

And next, we are now on the third topic on WHOSI Disclosure System, and Kavouss suggested that this be a further follow up or we need to be consistent. I leave this to you, Rob. First on ensuring proper data protection and background in the ICANN75 Kuala Lumpur communique, the GAC noted the proposed WHOIS Disclosure System is a useful first step which should facilitate the collection of useful data to possibly shed light on usage rates, timeliness, for response and percentages of requests granted or denied.

The question reads, "Given the importance of gathering robust data to inform building a more comprehensive system, if the GNSO does not pursue a PDP narrowly tied to the mandatory use of the WHOIS data system to ensure proper data collection to inform the project, would the board consider initiating a PDP per its prerogatives in the ICANN bylaws?" So any comment. So yes, Kavouss, please go ahead.

KAVOUSS ARASTEH: Yes, I think in the fourth line when we say when the Board consider initiating a PDP, I suggest that we put it in the passive voice whether a PDP needs to be initiated, but not asking whether the Board initiates

that. So putting it that way slightly, Rob, maybe you change that or someone else saying that would be put a PDP --

MANAL ISMAIL: The very last line. Yes, the line before the last.

ROBERT HOGGARTH: Can you repeat, please?

KAVOUSS ARASTEH: Whether a PDP needs to be initiated in this regard without asking whether the Board initiate it, we just go to the issue that we initiated. Who initiated it, we give it in a passive voice. Thank you. Line four. Thank you.

MANAL ISMAIL: But I think we will need to-- this changes the whole formulation. If we do this, we will need to revisit the whole question.   Because the question initially reads, "Given so and so, would the Board consider?" It will not read properly if we-- so, given so and so, the GAC would like to know or the GAC is seeking confirmation whether a PDP will be initiated. And I see Kavouss nodding. I will try. I think I said the GAC is seeking confirmation whether a PDP would be initiated

KAVOUSS ARASTEH: Whether a PDP need to be initiated in this regard or something like that, need to be initiated, yes.

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MANAL ISMAIL: If we want it to be initiated, maybe we can leave it would be, it's stronger, but I see a hand up from Brian. So, WIPO, please go ahead.

BRIAN BECKHAM: Yes, thank you. So, I'm not sure I have a textual suggestion, but before getting there, just to raise a comment and a question. So in the last meeting in Kuala Lumpur, during our dialogue with the Board, I had raised the question to Becky about, we already have the phase two consensus recommendation that this should be mandatory.

And so the question was, "What does the board need to get that across?" Then we have in the run up to this meeting, the letter from the board where they're advising the Council to consider initiating PDP. So I just want to make sure that we're aware of those two historical points, if that's useful too. I don't know if it overtakes this question, but just to make sure that we're aware of those in formulating this question.

MANAL ISMAIL: Thank you very much, Brian. And meanwhile, as I give the floor to Brazil, if please you think of Brian's comments and whether we need the question. Luciano, please go ahead.

LUCIANO MAZZA: Yes, just more or less along the same lines, because as far as I remember from the last meeting, the whole discussion was, well, it was not supposed to be mandatory, as the last concept was on the table.

ICANN|76
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And questions were reasoned about the need to be mandatory. It seems that this question is assuming certain amount of information that is not there.

So I think that's the issue, because the less information we had more formally was that while in principle, what was on the table is not mandatory, and you're concerned that it might have to be and just think, perhaps a matter of adjusting it. And of course, we have a session tomorrow to get more information on where we stand, but thank you.

MANAL ISMAIL: Thank you, Brazil. And I see why. So, please, Brian.

BRIAN BECKHAM: So just thinking out loud, I wonder if it should be something along the lines of in light of those two historical points of if the council didn't, and I think somewhere in this question, it should be made clear that if the council didn't timely pursue a PDP narrowly tied to this question in light of the Board's suggestion to the council to initiate a PDP and in light of the phase two recommendations, whether the Board would-- I guess it's whether the board would either initiate a PDP on its own prerogative or whether the board would see another path to the mandatory application of this request system to registrars. Sorry, I know that's more wordy than lends itself to the to the question, but that's the concept.

MANAL ISMAIL:
Thank you. Thank you very much, WIPO. And I see nodding around the room. And I think, yes, please, Rob. So if we can offline confirm the language, but in essence, I think it makes perfect sense. And thank you for your input.

And seeing no further requests for the floor, maybe we can move on to the law enforcement requests. And quickly the background here reads, "The Board's recent resolution from 27th February on WHOIS Disclosure System implementation included a reference to law enforcement requests that raises questions, whereas the ICANN Board encourages the GNSO Council to consider how best to promote and secure comprehensive use of the system by ICANN accredited registrars for all data access requests other than those submitted by law enforcement, or as otherwise required by applicable law, including through consensus policy development undertaken in parallel with system development."

And the question is this could be read to suggest that law enforcement requests are excluded from the WHOIS Disclosure System, was that the Board's intent? If it was not, we suggest that the board issue a written clarification so that there is no unintended confusion about law enforcement ability to use the WHOIS Disclosure System. Any comments on this? And I have to say that already, the Board confirmed that this was not the intent. But anyway, I leave the questions so that it's conveyed here, officially, and if there is a needed written response to be there. And seeing no comments, then, let's move on.

ROBERT HOGGARTH:
Twelve minutes and about 10 more questions.

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MANAL ISMAIL: Yes. So we have 12 minutes and we have 10 more questions. So this is the third sub topic, which has features to be built into the WHOIS Disclosure System. The GAC also deemed important to properly log information about approvals or denials of requests, timing of the response and reasons for denial, and to include a mechanism to allow for confidential law enforcement requests. Will these features be built into the system? And then question number 10.

The rationale of the ICANN Board resolution on the WHOIS Disclosure System states that ICANN Org is prepared to incorporate the following requests from the community into the system. Additional system logging functionality to log data associated with requests attempted for non-participating registrars that have been identified as low risk to data subjects and system security. Does this mean this additional logging functionality will be incorporated in the WHOIS Disclosure System once it becomes operational in 11 months? Any comments on any of the two questions? Okay. Seeing none, let's move on.

We have, I think, two more slides. And this is the ICANN's Emergency Assistance Program Framework for Continued Internet Access. And the questions are first, the GAC would appreciate further information regarding expected dates and Emergency Assistant Program Design developments with the goal of better GAC understanding of the initiative, its scope, and implications.

Second question, who or what entities will be eligible to apply for the program? Third question, what particular assistance does ICANN Org anticipate could be provided to re-establish connection for those disconnected during emergency circumstances?

ICANN|76
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Fourth, does ICANN have any carrier and or infrastructure to provide such assistance. And fifth and last, during ICANN75 In Malaysia, the possibility of ICANN developing a more structured assistance or cooperation program was suggested, does the anticipated Emergency Assistance Program include this concept? So these are the five questions on the Emergency Assistance Program? And I'm looking to see if there are any questions, comments. Yes, Kavouss, please, go ahead.

KAVOUSS ARASTEH: Yes, Manal. I think I have raised this question of emergency assistance. Do we know that what do you mean by emergency? What are the scope of that emergency, If one expect something is considered to be an emergency request.

So I think maybe we need to ask the Board to further develop that to see what you mean by emergency assistance, in what respect the emergency assistance, in case of a catastrophic situation instead of what, instead of somebody was denied to continue to have access to a DNS or what is that; we need a little bit further clarification, this emergency. Thank you.

MANAL ISMAIL: Thank you very much, Kavouss. So we need to know if there is criteria for someone to applying and criteria for the emergency. How do they define emergency? So I see Brazil, and then Rob. Okay. Luciano?

ICANN|76
CANCÚN

LUCIANO MAZZA: Yes. Thank you, Manal. Just perhaps, I think the first question, in my view, the first and the last questions are the most important here. Perhaps redraft a little bit the first one would cover some of the issues that are covered by the following question, and also, perhaps, what Kavouss had raised?

I didn't know if something like well, the GAC would appreciate further information regarding expected dates and the app design, development, the goal of better GAC understanding of the EAP initiative, its scope, implications, and modalities of implementation, including potential partners, something along those lines.

I think some of the other questions, perhaps mentioned, because I think there was a question about which emergent circumstances would be covered. I think the scope might be a way of ensuring that we have better information on this. And I think it's essential to have an idea of what the board is envisaged for the future, considering our suggestion that a more structured program was considered might be possible to reduce a little bit the number of questions in this case, but just suggestion.

MANAL ISMAIL: Thank you very much, Luciano. Very helpful suggestions. And Rob, please, go ahead.

ROB GARTH: Thank you, Manal. Rob Garth from GAC support staff. One of the strategies that the GAC artfully employs with respect to the questions to the Board is that by submitting so many at the start, you never get to all

ICANN|76
CANCÚN

of them, but you put the board on notice, and in many respects, Manal can speak to this more, when the GAC sends in those questions, Herculean efforts are undertaken to respond and answer to them.

Since a number of these questions do seem to be more informational in nature as opposed to policy related, there may be, as Luciano suggests, this nice balance, where we remove, and I've noted potential strike through that his edits have incorporated, and then perhaps there could be an agreement with the board just to say, great, you've prepared this information, can you just share more of it?

I do know based on some of the information I've shared with you all in my consolidated emails, that there have been subsequent announcements that have come out about the program that may also answer some of these questions already. So I think Luciano's recommendations here help you eliminate three questions, and still get you where you want to be. Thank you.

MANAL ISMAIL: Thank you very much, Rob. Thank you very much, Luciano. Any other comments? Okay, yes, Kavouss, please.

KAVOUSS ARASTEH: Yes, Manal, if you allow me, maybe come back to the paragraph with putting a square bracket to look at that one later, because of the mention that it is covered under other questions, and so on, and so forth. We would like to know, which are those other questions. If it is already covered, we don't want to repeat that, but if it is not still valid point, we should retain that. So I just like to be clear, they're not

deleting something in a rush, which is not covered elsewhere, because that is the important issue. Thank you.

MANAL ISMAIL:

Thank you very much, Kavouss. So as we go through the last slide, I would ask the US to please identify the question that we said it's going to come later. But you can take your time until we go through the last slide for the sake of time as well, because we have three minutes left.

So the last topic is the curative rights protections for inter-governmental organizations. And the Board recently received the summary of the public comments on the EPDP specific curative rights protections, which stated that while some commentators expressed support, a few notably the BC and ICA noted specific concerns, including with the potential consequence of registrants should IGO not be required to submit to a court jurisdiction.

In reviewing the staff summary of public comments on the final report, is the Board aware that the recommendations specifically state that a complaint must also include a notice informing the respondent of its right to challenge a UDRP or URD decision by filing a claim in court? Then B, the BC ICA participated in the EPDP, and the recommendations received a full consensus designation. And C, the GNSO Council's vote to approve the EPDP recommendations was unanimous.

And the last question reads, "Noting that there was full consensus for each of the five recommendations of the EPDP on specific curative rights protections for international governmental organizations, how can the GAC support timely implementation of these recommendations? Yes, WIPO please go ahead.

ICANN|76
CANCÚN

BRIAN BECKHAM: Just two small clarifications, we can drop that at A, the first that, and then in 17, it should say inter-governmental, not international governmental.

MANAL ISMAIL: Okay, well noted. Thank you, Brian. Any other comments or questions? And if not, US, if you can help us identify the question that-- yes, please go ahead.

UNKNWON SPEAKER: Yes, thank you, Manal. The suggestion to forego question forwards based upon the fact that we're asking on the listening session for discussion whether recommendations, the CCT recommendations are within the scope of current negotiations, I think it's not well understood.

So with the overarching consideration of timing, and again, having more questions than the Board might be able to answer, we thought that perhaps question four could be addressed more effectively elsewhere in some of the many discussions that we're having this week on DNS abuse. I hope that's more clear. Thank you.

MANAL ISMAIL: Thank you, US. UK, any-- yes, I'm sorry. Kavouss, go ahead. Yes, go ahead.

KAVOUSS ARASTEH: Thank you, Manal. Two things. I just want a small clarification in number 17, second line, at the end, "How can the GAC support timely implementation?" I'm not sure of the text, what we are saying here. We are asking how we can support that, we are asking the Board how we can support that?

What do we expect from the Board to say that you can support that in this way or that way. If we need to support, we have to develop the way to support that. So I think maybe Brian or someone, clarify the situation here and not asking the floor again with respect to the dropping or deleting that question by our distinguished colleague from USA.

I don't know where we have covered that, but still if she agreed that we retained that part without deleting, because it's important. I'm not opposing, but I said that if there is no major issue, we retain the question as it was in number which was supposed to be deleted. So these are the two things. Last, that one line, what we mean by that, how GAC support timely answer also for, how can GAC support. I don't know the substance of question, what we are asking the board to do, to say, thank you.

MANAL ISMAIL: Thank you, Kavouss. We are three minutes after the hour, and I see Brian's hand up, so please.

BRIAN BECKHAM: Thank you. Quickly just to explain, it's fine to drop the question. The intent of it being there was because we understand there's pressure

from the community, because we have some names which are reserved in new gTLDs pending the completion of this work, so it was really a signal to say, with support, drawing a conclusion on this work. But I think it's understood, so the question could be dropped.

MANAL ISMAIL: We can put it as a statement that the GAC is willing to support. I mean, it doesn't have to be a question if it is-- so Rob, have you crossed this? Thank you. And I think then let's keep the questions since we are running out of time and there is no exact reference how it's going to be covered, so let's keep it. And thank you very much everyone. Sorry again for exceeding the time by four minutes. We now have 30 minutes break, and after the break we are meeting with the contracted party's house. So please be prompt. Thank you.

[END OF TRANSCRIPTION]

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