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ICANN76 | CF – GAC Communique Drafting (2 of 6)
Tuesday, March 14 2023 – 16:30 to 17:30 CUN

JULIA CHARVOLEN: Hello and welcome to the ICANN76 GAC Drafting Session on Tuesday, 14 March at 16:30 local time. Please note that this session is being recorded and is governed by ICANN standards of behavior. During this session, questions or comments submitted in the chat will be read aloud if put into the proper form. If you wish to speak, please raise your hand in the Zoom room.

Remember to state your name and the language you will speak in case you will be speaking a language other than English. Speak clearly and at a reasonable pace to allow for accurate interpretation. Please make sure to mute all your other devices when you are speaking. You may access all available features for this session in the Zoom toolbar. With that, I will hand the floor over to the GAC chair, Manal Ismail. Manal, over to you. Thank you.

MANAL ISMAIL: Thank you very much, Julia, and welcome back, everyone. This is the second communique drafting session. I understand that yesterday, and apologies for not being able to chair the session yesterday. And many thanks to Francis, the vice chair, from Burundi, and to Nico, the incoming GAC chair, for filling in for me yesterday. So I understand you did a quick reading of the first part until the bilaterals.

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I suggest we start from the GAC working groups, as some colleagues will need to leave, and it's a straightforward part, I hope. And then thank you to all GAC colleagues who already contributed text to the communique. I can see that we already have substance to discuss it. So on the working groups, I can see first the GAC endorses the PSWG 2023-2024 work plan. And I'm wondering whether this should come under the PSWG section, or any reason for having it not under any of the titles. Thank you.

FABIEN BETREMIEUX: This is Fabien Betremieux speaking from the GAC support team. The last time the PSWG work plan was endorsed, that was the 2021-2022 work plan, I believe. This was the format. This is where we placed that endorsement. We've used this sort of preamble of the GAC working group section as a place where some participants of working group were recognized when they left the working group. And so we could still continue that practice of using the preamble for such matters that are sort of meta working group. Because the working group itself does not endorse the work plan. But we've also referred to work plans within the section. So it's a preference, I suppose, of the GAC.

MANAL ISMAIL: Thank you very much, Fabien, for the clarification. It makes sense. So it's under the working group section, but not necessarily a reporting from the relevant working group. And as far as we're consistent, I'm glad. So if you don't mind, we will start by the GAC universal acceptance and IDN working group, because some colleagues need to leave. And the text under this section reads, the new chair of the universal

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acceptance and internationalized domain names working group briefed the GAC on recent working group activities and plans for the coming calendar year. Regarding universal acceptance, GAC members were reminded of the upcoming UA day 2023 taking place in 53 locations throughout the world on 28 March 2023 to raise awareness and encourage UA adoption.

GAC members were encouraged to contribute and support such efforts in the region where possible. The working group intends to review experiences gained during that day and consider potential work efforts available to either the GAC or individual governments.

Regarding internationalized domain names, the latest update was presented to the GAC in a recent pre-ICANN76 GAC webinar. The ongoing GNSO expedited policy development processes on IDNs in which the UK and India representatives' contribution was acknowledged. Is expected to deliver an initial report around April 2023 and a final report before the end of the year. These will be considered by working group members in due course.

Some governments expressed appreciation for the newly resumed activities of the working group. GAC members were encouraged to join and contribute to the work of the universal acceptance and IDN working group, including exploring opportunities for future briefing of the committee. So any comments or questions? Yes, Kavouss please, Iran.

KAVOUSS ARASTEH: I'm sorry, I tried to connect to the internet and has not yet. The last part is that some country expressed appreciation. Whenever we use the

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word some, it means that some other did not. Put it in a passive way. Appreciations were expressed without some and some. Thank you.

MANAL ISMAIL: Fair enough. Thank you, Kavouss. We will work on the language to make sure it doesn't imply that others did not note it. Any other comments? If not, then we're good with this working group. If we can scroll up again to the GAC underserved regions working group and the reporting here reads the underserved regions working group collaborated with ICANN org teams to hold a capacity development workshop on Saturday, 11 March 2023. The topics discussed were suggested based on the pre-workshop survey of the GAC. First introduction to ICANN, to the role of the GAC and to the policy development process. Then policy topics of importance to the GAC, DNS abuse, subsequent rounds of new gTLDs and WHOIS.

A post-workshop survey was shared with the GAC participants in order to enhance future workshops. Going forward, the underserved regions working group plans to continue organizing capacity development activities including but not limited to additional workshops and webinars. Any comments or questions? Yes, UK, please. Nigel, go ahead.

NIGEL HICKSON: Thank you, Madam Chair, and apologies. I'm not on the Zoom. I just thought that at the end of this section we ought to say something to the effect that members appreciated or the GAC members appreciated this work which was very beneficial or something like that. Just to rather

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than, because we did discuss it and several members did say how appreciative they were for the organization of this session by Tracy and colleagues and et cetera. Thank you.

MANAL ISMAIL: Thank you very much, UK. Yes, Lebanon, please. Zeina, go ahead.

ZEINA BOU HARB: Thank you, Manal. Maybe just we can mention the number of people who participated in this workshop just in order to monitor in the coming workshops how many people are attending and if there is any interest in that workshop.

MANAL ISMAIL: Thank you, Lebanon. Do we have the number of attendees in the workshop?

JULIA CHARVOLEN: We don't have the exact number of participants. We don't have, we didn't make an attendance list or anything. We have an idea, but exactly.

MANAL ISMAIL: Okay, thank you, Julia. Maybe it's a point for consideration for next time that we maybe make sure we record the attendance so that we can compare or keep track of how we are doing. Thank you, Zeina. I have one comment to the bullets. Do we need a third bullet indicating that

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we've had this section talking to the region's interest? Or was this part of, yes, the regional perspective? I mean, does this warrant to be a third bullet or is it included somewhere? I meant under the...

FABIEN BETREMIEUX: It could be included in [inaudible - 00:10:17] in the regional perspective.

MANAL ISMAIL: Thank you, Fabien. Anything else? If not, then maybe we can go to the following working group. And next we have the GAC working group on human rights and international law. And the text reads, the human rights and international law working group updated the GAC on its activities regarding the implementation of work stream to recommendation one on diversity, including the work of the work stream to community coordination group CCG on developing tools to help the community implement a number of subset recommendations. Additionally, the working group reminded the GAC about the process and submission of the fiscal year 2024 additional budget request on sign language at ICANN meetings.

Any comments? Seeing none, then moving to the GAC operating principles evolution working group. The working group finalized its review of the preliminary analysis of GAC operating principles. This will be used as a basis to initiate discussions and prioritize the review of the GAC operating principles. Interested GAC members are invited to participate in the working group's upcoming discussions. The working group will resume its meeting post ICANN76 and update the GAC of their intersessional work at ICANN77. Any comments or questions? Seeing

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none, I think we're good with the working group's part. Then next, I believe we have issues of importance to the GAC.

So first, the subsequent rounds of new gTLDs. And the text reads, the GAC notes the results of the ODA as well as the upcoming ICANN board vote on most of the recommendations from the new gTLD subsequent procedures policy development process at ICANN76 with the view to initiating policy implementation required to prepare for subsequent rounds of new gTLDs. The GAC welcomes continued consideration of the ICANN board before a vote on the topics of registry voluntary commitments/public interest commitments, GAC advice and early warnings, auctions of last resort and private auctions, community applications, Closed Generics and applicant support. These topics continue to be a priority for the GAC.

The GAC recalls its previous input on these matters and underscores its willingness to engage with the board and the rest of the community in their resolution. So I'll pause here. I'll start pausing paragraph by paragraph to see if there are any requests for the floor. And I see Iran, please, Kavouss go ahead.

KAVOUSS ARASTEH: Thank you very much. You said but I wanted to say that even if you agree, maybe in a paragraph after a main sentence you stop and go because this is the most important part of our thing. I have one small comment here when we say that one, two, three, four lines from the bottom, auctions of last resort. I don't know whether we say auctions of last resort or auction as a last resort. Because what we mentioned yesterday or the day before, we said that auction should be used really

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on a case by case as a last resort but not of the last resort. So I just wanted to see we slightly modify that as a last resort but not of the last resort.

MANAL ISMAIL: Thank you, Kavouss. And I think maybe we can see how it is used in the report itself and then stick to the terminology so as not to cause any confusion. So we will double check if this is the way it's written in the report. I would suggest that we keep it as is. If not, then I mean let's be consistent with the report. So we will look into this. Thank you, Kavouss. Seeing no other requests for the floor. I'm sorry. I'm being told Jorge's hand is up. And for some reason I don't see it here. But please, Jorge, go ahead.

JORGE CANCIO: Oh, thank you, Manal. You really took it from what I was going to say because as you are going to check how this is written in the report and in our collective comment, I guess you will notice that if my recollection is correct, this is a technical term, so to say, because it's used in that sense or in that formulation of auctions of last resort, it's coming from the 2012 round, I think, or from the SAPPRO recommendations. But if you are going to check it, that's okay for me. Thank you.

MANAL ISMAIL: Thank you very much, Jorge. Yes, Iran, please go ahead.

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KAVOUSS ARASTEH: Thank you. If my colleague Jorge agrees, we do not need to pick up what was 2012. We are sitting in the GAC 76 and we are free to make any suggestion, corrections, amendment, and so on and so forth. We don't need to go to the report and we have to put it in the corrects. So I request him kindly to agree that if we have something and it is a more appropriate way to express that, but not saying that because it was said before, we have to repeat that. If he agrees. Thank you.

MANAL ISMAIL: Thank you very much, Iran. I think the point is that if we use the same terminology, people will understand what we are referring to. So the point is just being consistent with what is being used so that we can be understood. Please, go ahead.

KAVOUSS ARASTEH: In that case, put auction of last resort into the inverted comma, that means it is quotation from elsewhere. Thank you.

MANAL ISMAIL: But I think this will be the case with. It's reflected on the screen now. Thank you Kavouss. So yes, please, Benedetta, go ahead.

BENEDETTA ROSSI: Just a flag that I checked on the SubPro PDP final report, which I think is what is being referenced here in terms of the names of the topics. And for auctions, it was noted auctions, mechanisms of last resort/private

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resolution of contention sets. So I think this reflects partially what the title of the topic was.

MANAL ISMAIL:

So thank you very much, Benedetta. And Kavouss, we will be looking into the previous, and we will have another reading of this, so it will be taken care of subject to further review. So I'm going to go through the following paragraph. And it reads, in view of the initial outputs from the facilitated dialogue group on Closed Generics involving representatives from the GAC, GNSO, and At-Large, the GAC acknowledges the importance of this work, which still needs to address multiple challenges.

GAC members also noted that GAC's input on a potential framework for defining criteria and rules for Closed Generics gTLD applications should not be limited by the parameters in ICANN's framing paper for the facilitated dialogue. In particular, prohibiting closed generic gTLDs altogether should remain a policy option if no satisfactory approach is to be found. And I'm pausing here. And I think this may be a bit, I see Nigel's hand up. UK, please go ahead. And then we have Iran. Nigel, please go ahead. UK.

NIGEL HICKSON:

Yes. Thank you very much, Manal. No no great problems with this paragraph. But I just think it's worth clarifying. And I don't think the paragraph needs to be significantly changed. But the Closed Generics working group is working under a terms of reference, which essentially ask it to develop a framework which neither simply just repeats the GAC

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advice, which many people find problematical because it just mentions public interest and it doesn't define it, which is, and the other alternative which is to have just open, an open market for Closed Generics.

So clearly when the working group reports, as was mentioned, or if there is a draft framework emerging from this work, then the GAC will have to consider it, of course. And the advice might be to carry on with the existing GAC advice, if you like, although that, as I said that's problematical in itself, or to have some advice saying there shouldn't be any or there should be three a year or whatever. So I just want to put it in that context that nothing is, of course, ruled out.

And the only change I'd suggest to this paragraph, though I'm sure others will want to reflect on this, in the third line where it says this work which still needs to address multiple challenges. I think this work which is addressing multiple challenges or which is working on a number of different challenges or something like that, because that's what the working group is doing. Thank you.

MANAL ISMAIL: Thank you very much, Nigel. And two quick comments, and then I'm going to give the floor to Iran. First, we agreed to participate to this facilitated dialogue on the basis that we will try to look for a middle ground and avoid the extreme positions. So it's neither prohibition of all Closed Generics nor a very liberal policy of first come first serve. And this is what the facilitated dialogue is looking into. And second, I think, if, hopefully not, but if the group fails to reach an agreement, it's going

to go to the board to decide. So it's going to be a board decision. So with that, I'm giving the floor to Iran. Please go ahead.

KAVOUSS ARASTEH: Thank you, Manal. There is a lot of things in this paragraph which has not been discussed. The yellow part, I don't know where it's come from. But in any case, if Nigel allows me, I disagree with him. Still there are many challenges. I may name several of them. They said that public interest, they said that they should prove that they achieve the intended objectives. We don't know what is the criteria of that achieving. We don't know how to do that. There are discussions of going beyond ICANN mission, which is a difficult situation that we could not change the bylaw. The group could not suggest modification to the bylaw going outside or beyond ICANN mission.

The creation of the panel, the composition of that, there are many things. If you wish, I can take them one by one. But I suggest that you maintain what is still there are several points yet to be addressed. Not to facilitate that, there is a very sensitive. And I would like that we don't extend the paragraph as much. We try to be very brief. Maybe I don't know whether the second paragraph is needed or not. But at least first paragraph, the area which still needs to be to address multiple is important. Not that this is not enough. Which is still yet to address. They have done not addressing. They conclude that they could reach beyond the mission of ICANN. It is not correct. They said that achieving -- the initial sentence.

MANAL ISMAIL:	You're good.
KAVOUSS ARASTEH:	Please keep initial sentence. Thank you.
MANAL ISMAIL:	So Kavouss is good with the initial language. And I hope UK doesn't mind keeping this part of the sentence. For me, frankly, I would suggest deleting the second sentence if okay with everyone. I don't want us to preempt the dialogue that is currently taking place. And frankly, not abiding by what the board suggested doesn't sound right to me. Because this is the basis on which we agreed to participate in the facilitated dialogue. And I see Francis's hand up. So France, please go ahead.
FABIEN BETREMIEUX:	Thank you very much. I will take the floor in French. France speaking. Kavouss has just indicated that we hadn't had the chance of having deep discussions on this matter. And it is unfortunate. But perhaps we need to give time to each GAC member to express their views on this matter. But I did not understand in this exchange whether you wanted to delete the entire final part of the sentence, which still needs to address multiple challenges, or whether you wanted to keep the initial phrasing. Could you please clarify that? I'm not sure if I'm being clear. Thank you.

MANAL ISMAIL: Sure. So the suggestion is to keep the sentence until multiple challenges and delete the rest of the paragraph. So the first part says that we are acknowledging the importance and maybe looking forward to the multiple challenges to be addressed, which is okay. The second part already preempts the output of the group. First of all, we were invited to this facilitated dialogue by the board. And there was an agreement that we try to avoid the extreme positions. The GAC didn't want any Closed Generics at all. The GNSO wanted a very liberal approach, or parts of the GNSO, which is first come, first serve. And this dialogue is aiming at finding a middle ground.

So GAC members noted that GAC's input on a potential framework for defining criteria and rules for Closed Generics gTLD applications should not be limited by the parameters in ICANN's framing paper for the facilitated dialogue. In particular, prohibiting Closed Generics gTLDs altogether should remain a policy option if no satisfactory approach is to be found. And I think even if this is our position, maybe we shouldn't preempt the discussions. But France, and then I see a queue forming, so I'm sorry, France, go ahead.

FABIEN BETREMIEUX: France speaking. Thank you very much. I think it's important to put some consistency in this paragraph so as to understand our way ahead and to be pedagogic, so to speak. Otherwise, we may be thinking of eliminating the last portion when it said if no satisfactory approach is to be found and therefore will not be conditioned in this. The idea is to be consistent in what we said, try to explain something and try and be clear and brief, showing the challenges ahead. So if we stop after multiple

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challenges, you might be wondering what will happen next. And the community, I think is willing to know what will come in the future.

MANAL ISMAIL: Indeed. And we don't know what's going to come in the future because the discussion is still ongoing. So this was exactly my point. I have Switzerland in the queue and then Iran. Jorge, please go ahead.

JORGE CANCIO: Thank you, Manal. Well, here as one of the participants from the GAC in the facilitated dialogue, I think we can do two things. On the one side, we've heard in the plenary session about subsequent procedures that there are concerns, that there are serious concerns from a number of GAC members because the challenges that are involved in this discussion are huge and also the risks are important if the solution doesn't strike the right balance. So maybe there's a way of expressing these concerns without jumping into the conclusions because on the other side, we have to be consistent.

And I think that's also important what you said, Manal, with what we decided in previous meetings. And we decided in those meetings that we would engage in this dialogue based on the assumption that within that dialogue, we would try to find a middle solution. But of course, that commitment or that engagement only is contingent to finding a solution that is satisfactory to all of us. So it's implied that the GAC is not bound to a solution that is not satisfactory. So long story short, I think on the one side, we can express the concerns because of the risks involved without jumping to conclusions.

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And on the other side, we have to be consistent with our commitment to a dialogue which is just ongoing and still has a long way to go until we propose or we finalize hopefully a framework that will be then distributed to the community. I hope these two thoughts are helpful. Thank you.

MANAL ISMAIL: Thank you very much, Jorge. Very helpful and of course, we can freely express our concerns. And I agree we shouldn't preempt the discussion and hit the right balance between expressing our concerns but keeping our commitments. I have Iran and then Canada. Iran, please go ahead.

KAVOUSS ARASTEH: Thank you, Manal. First of all, I would like to make some general statement. Whatever I say or Iran said is or would be in the report, in the record of records and captioning. There is no need that someone tweets that, intensify that and put it highlighted, so on and so forth. I request all those Twitter, please kindly refrain to do something only with respect to what we say, Iran say. Kindly, it is an invitation and request. Leave the people to read what we say and get what they want from that. But they don't need any interpretations, signaling out or highlighting something.

Now, coming to the point, I'm very sorry the member of the GAC six people do not need to defend what they said. So I request those members kindly to allow others to express their opinion. The last part is not preempting. It's conditioning of the output. If the result is not

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satisfactory, there is no closed generic. That's all. So it is not preempting.

So we strongly maintain our position that the last portion is absolutely necessary if no satisfactory approach is to be found. Because this is a good signal for the people. They should look for a satisfactory solution. There are many, many things that they have to address. Why they go beyond the ICANN mission? What is the panel? What is the criteria that the applicant ensure that the objectives is achieving the public interest? What is the criteria of the commitment? What is the criteria of the enforcement?

There are many things to be answered. So please kindly distinguish member of the six people from GAC. Do not push too much on what you were said at that. And let us also express our views. Respect us. Thank kindly. So we maintain our position that the last portion is absolutely necessary and in no way is interpreting or preempting or prejudging anything at all. So we need to maintain that. Thank you.

MANAL ISMAIL: Thank you, Kavouss. And first of all, no member is prohibited from expressing any views. This has never happened and has not happened now and will not happen in the future, I hope. Second, we're trying to reflect what's being said. So if there is different inputs coming, we need to reflect this on the screen. I hope it's not confusing to everyone, but we need to reflect everything on the screen for the sake of our discussions. And finally, thank you for your input. Everything is still on the screen and the paragraph is still under discussion and we haven't finalized yet. So thank you. Well noted. And I have Canada next.

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JASON MERRITT: Thank you very much. Just in listening to this, trying to find perhaps a way forward to move on from this paragraph. I'm trying to wear two hats here. One as being part of the dialogue and one as being an independent member of the GAC. I think that if there is a way to reflect various GAC membership views on this issue within this paragraph, but also not preempt or prejudge the outcome, I think that was mentioned before.

I think that is a very reasonable solution to this. I also think perhaps that one of the issues might be that we are only mentioning one edge outcome that was discussed in this paragraph. And perhaps if there was a way to articulate that there are more than one edge, on the edges of the parameters that we were trying to discuss, and that gives a fulsome picture of essentially what is being discussed.

The middle ground being sought and the two edge outcomes. Perhaps if there is a way to articulate it that way that might help going forward here. But just to reiterate, I think it is important that GAC members have their views on this reflected in as many ways possible. And I think that is what we tried to convey during some of these sessions, is that there are mechanisms in place in order to have those views submitted and taken into consideration as the work continues. Thank you.

MANAL ISMAIL: Thank you very much, Canada. I have European Commission next and then Iran, and maybe we need to move on noting that we may come

back to this later if we don't have to conclude today. It's just the first session. So please, European Commission.

EUROPEAN COMMISSION: Thank you very much. I think that we should try to arrive to a conclusion because I think we're very close. One potential option, if the really the idea is to make it clear that the paragraph does not prevent anything, is that we mentioned it explicitly via modification of the last clause, and we put it in positive. So without preventing, instead of if not satisfactory approaches to be found, without preventing that a satisfactory approach is found. So this would hopefully make it very explicit because we even mentioned the word that we are all using, that that's really what this important signal wants to transmit. Thank you.

MANAL ISMAIL: Thank you, European Commission. I have Iran next.

KAVOUSS ARASTEH: Thank you. I'm sorry, I don't understand this language proposed without preventing and so on and so forth. The initial language is absolutely necessary. We're looking for a solution, and if the solution is not found, satisfactory solution, we don't proceed with that. I don't understand, first of all, some people they want to have various views dividing us, let us not to be divided, and I don't understand the sentence, I'm sorry, maybe my fault, without preventing a satisfactory approach. What does it mean without? Who prevents satisfactory

approach? We said that if the result of all these efforts is not satisfactory, there would be no closed generic, that's all.

So I think we have to maintain that. Why we turn around the sentence? I don't know why the people, six people, they're pushing for this text that they want. There's no preemption, this is condition. If you have a satisfactory solution, very good. If you don't have a satisfactory solution, it will be dropped. That is clear. But this gives you this encouragement to find a satisfactory solution. So I don't think that we need to change the sentence, putting this additional language, which has, in my view, does not make any sense. That is in my view, I don't want to disturb anybody, but I think that I strongly maintain the initial sentence. Thank you.

MANAL ISMAIL: Thank you, Kavouss, and let's keep the discussion going and not prohibit anyone from expressing their views. And I see UK next, please.

NIGEL HICKSON: Yes, I wondered if France were first in the queue or perhaps it was.

MANAL ISMAIL: I'm sorry, this is not the order I have here. But if France was first, I apologize.

FABIEN BETREMIEUX: Thank you. I want to respond to Kavouss. The end of the sentence, it's okay for France. I will keep it as it is. And I think that we should reach a

consensus. The idea is to give a positive message, to convey a positive message, to move forward. It's related to legitimacy. And I think that the last portion of the sentence is okay. The previous language is okay. I don't think we are giving a wrong message. The idea is to be constructive.

MANAL ISMAIL: Thank you very much, France. I'll give UK the floor and then US. And then I suggest moving on. We don't want to get stuck at this paragraph. We will iterate until we reach consensus. So it's not done yet. But it's good to flag all concerns at this session. So UK, please go ahead.

NIGEL HICKSON: Yes, thank you very much. And thank you for France for trying to find a way forward on this, which I'm sure we can do. Perhaps I could just sort of express a view about what our distinguished delegate from Iran said. Because I don't think it's correct to assume that the GAC will take any particular position. So if the work that is going into to try and develop a framework fails, which is always possible, then the GAC will need to consider advice. Or it might not want to consider advice. I mean there's lots of options.   Just because the closed group does not reach an agreement does not mean to say that the GAC will say there should be no Closed Generics, that there should only be green Closed Generics or whatever. It will be subject to a further discussion at the next meeting. Thank you.

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MANAL ISMAIL:	Thank you very much, UK. I have US and then Switzerland. And also bringing to your attention the language proposed by Switzerland in the Zoom chat. US, please go ahead.
SUSAN CHALMERS:	Thank you, Chair. Actually, I'm going to take a look at the language proposed in the chat. So I'm happy to pass the floor to Jorge.
MANAL ISMAIL:	Thank you, Susan. Switzerland, Jorge would you like to speak to the language you proposed?
JORGE CANCIO:	Yes, thank you Manal. Thank you for giving me the floor. And this is just trying to boil down the different elements to a more simple and also readable sentence. And this would be something like, while the GAC continues to be committed to the facilitated dialogue, no policy option, (including the prohibition of Closed Generics) should be excluded if no satisfactory solution is to be found. And I think this encapsulates what we are trying to say.
	On the one hand, we still participate in this facilitated dialogue. This is not a decision of the six people participating there, but a decision of the GAC. And at the same time, as there are concerns, and if no satisfactory solution is to be found, no policy option, including the prohibition, should be excluded. I think it's much more simple and more direct and also more constructive than the sentence we have now. Thank you.

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MANAL ISMAIL: Thank you very much, Jorge. Indeed, to me, it sounds more constructive. Thank you for trying to help us. I see the US nodding. Would you like please go ahead, Susan?

SUSAN CHALMERS: Thank you. Thank you, Chair. And just very briefly, when we did intervene on this during the session, it was specifically to be able to reserve the right, if you will, to be able to take or to support one of those edge outcome cases that were excluded by ICANN's framing paper. So I think, and also recognizing the comment of our colleague from Australia in the chat, and based upon Jorge's rationale, we think this would be a useful way to move forward the language that is proposed by Switzerland. Thank you.

MANAL ISMAIL: Thank you very much, US. I have Iran. Is this a new hand?

KAVOUSS ARASTEH: Thank you, Manal. I don't understand the round bracket. What does it mean? If you take round bracket and read the sentence, while the GAC continues to be committed to facilitate dialogue, also to facilitate the dialogue, I don't know, but it doesn't matter. No policy option, including without round bracket, including prohibition of closed generic should be excluded if no satisfactory solution is found, not is to be found, is found. Thank you.

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MANAL ISMAIL: Thank you, Kavouss. We have removed the brackets and just reading Jorge in the chat, confirming. Thank you, Jorge. Kavouss are you seeking the floor?

KAVOUSS ARASTEH: Is found, not is to be found. Thank you.

MANAL ISMAIL: We deleted to be. Yes. Thank you. So if we can just confirm. Jorge, this is proposed to replace the sentence that is highlighted, right?

JORGE CANCIO: Indeed, it's a way of simplifying things. Thank you.

MANAL ISMAIL: Thank you very much, Jorge. Any objections or any comments to the text as it stands on the screen now? Yes, Iran.

KAVOUSS ARASTEH: May I request Fabian kindly to reproduce a clean text below that we see what is it? Thank you.

MANAL ISMAIL: Thank you. So we try to do the deletion very last thing so that no one gets offended if we delete the text. But if we can, please have a clean --

FABIEN BETREMIEUX: [CROSSTALK] said it, the UK edit in the first sentence.

MANAL ISMAIL: I'm going to read the paragraph as it stands now and let's see if we can confirm it. In view of the initial outputs from the facilitated dialogue group on Closed Generics involving representatives from the GAC, GNSO and At-Large, the GAC acknowledges the importance of this work, which is addressing multiple challenges. While the GAC continues to be committed to the facilitated dialogue, no policy option, including the prohibition of Closed Generics, should be excluded if no satisfactory solution is found. Iran, please.

KAVOUSS ARASTEH: Thank you, Manal. No, that is not the case. They do not address everything that we said. They had already some conclusion I mentioned, going beyond the ICANN mission, having the commitment without any criteria, having the enforcement without criteria of enforcement, many things. So I retain my position that the initial sentence to be retained. It still needs to make the challenges or reply the challenges, but not proposal from UK. I'm very sorry, Nigel, you are a very good dear friend for me, but I can't agree with that. Thank you.

MANAL ISMAIL: So, Kavouss are you referring to the text highlighted in yellow?

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KAVOUSS ARASTEH: Yes, highlighted in yellow. I would like to go back to the initial sentence. It still needs to address multiple challenges.

MANAL ISMAIL: Okay, so if we can reject the changes and see if UK is okay with the initial text. So the GAC acknowledges the importance of this work, which still needs to address multiple challenges. Is this okay? Yes, UK, please. Can we say currently working to address multiple challenges? Would this be a middle ground? Sorry, UK, please, Nigel.

NIGEL HICKSON: No, sorry, Manal, you're probably best placed there to, my only suggestion earlier was to give the flavor that the actual, the group is working on these challenges. It's not as if, oh my God, we've got some challenges, we ought to work on them. We spent 72 hours addressing what the public interest means, what other criteria we should have. I'll shut up, sorry. But we are addressing these challenges that perhaps there's others we need to address as well, but anyway, thank you.

MANAL ISMAIL: So I have France next, and I suggest that we put which still needs to, between square brackets, and then introduce another square brackets saying currently being addressed, or, you work on the formatting. I have France, then Iran, and then we need to move on. We don't have to finalize at this moment. So people can talk to each other, sleep over it, and we will continue on this tomorrow. France, please.

FABIEN BETREMIEUX: Okay, thank you very much. Last proposal. Perhaps, we can simply delete the word still, that is somehow determining the discussions, or that may convey the idea that the main difficulties have not yet been overcome. So perhaps we can say which needs to address multiple challenges, because we know that great efforts are being made. So perhaps the term still would imply the contrary.

MANAL ISMAIL: [Foreign Language 00:56:52] You have nailed it down, I think. So, Fabien if we can delete currently being, and just put still under square brackets, the suggestion is to delete still, if this works for everyone. I think we will then have an agreed text. Iran, please.

KAVOUSS ARASTEH: Thank you, Manal. You can delete a still which needs to address. We don't need a still, which needs to address.

MANAL ISMAIL: Excellent. Thank you, Kavouss. Thank you, France. Thank you, everyone. The following paragraph reads, and thank you, Jorge, as well. The following paragraph reads, the GAC reaffirms its continued interest in increasing representation of underserved regions in future rounds of new gTLDs, applicant support, between brackets. The GAC reiterates its support to reduce or eliminate ongoing ICANN registry fees to expand financial support. GAC members will continue to engage in the GNSO guidance process on applicant support, with the aim of fostering gTLD applications from a diverse array of applicants from all

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regions, which could inter alia include regional and local authorities, and that every effort be made to increase the number of applications from underrepresented regions.

The GAC also reiterates the importance of extending the scope of the program beyond only economies classified by the UN as least developed, and also considering the middle applicant and struggling regions, as referenced in the subsequent procedures PDP final report. Finally, the GAC stresses the importance of raising awareness of the applicant support program, including providing applicants with comprehensive information and ample time to prepare to submit to the applicant support program. Any comments? Yes, please, Gabriela, go ahead, Argentina.

GABRIELA MATTAUSCH: Thank you, Manal. Just a question, maybe I can send a proposal, but for me it's perfect. Just I think we are using many different concepts for the targeted applicants. We are using underserved regions, we are using least developed, middle applicant, underrepresented, struggled regions to refer to targeted applicants. And for me, maybe I understand that we should respect the definition in the SubPro report and also, but maybe to be clear for us, what are we going to prioritize? And also, if the GAC agrees, I will be stressed the importance to expand financial support if more applicants qualify and it's not enough.

I think the GAC should pay more attention to this program, maybe, and also we as a group, we should stress the financial support for this program in comparison to others. For example, the emergency support program, which is already there with the budget and everything, and for

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this is still not budget, no timing, and not clear the targeted. Thank you very much.

MANAL ISMAIL: Thank you very much, Argentina, and I think we're at the scheduled end time, so if you can provide any enhancements to this part, it would be great, much appreciated. And please familiarize yourself with the text in the communiqué. We still have three sessions tomorrow and we will continue and hopefully finalize the discussions tomorrow, so please come ready to discuss. And we're starting tomorrow at 0900 Cancun time with our meeting with the GNSO. I'm just checking the schedule. Yes, so it's our meeting with the GNSO tomorrow at 0900 Cancun time. Please stay safe and have a good rest of your day. The meeting is adjourned. Thank you.

[END OF TRANSCRIPTION]

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