ICANN77 | PF – GAC Wrap-Up
Thursday, June 15 2023 – 15:30 to 17:00 DCA

DANIEL CARLETTI: Hello, and welcome to the ICANN77 GAC Communiqué drafting session, and if time permits, the wrap-up session on Thursday, 15 June at 19:30 UTC. Please note this session is being recorded and is governed by the ICANN expected standards of behavior. During this session, questions or comments submitted in chat will be read aloud and if put in the proper form. Remember to state your name and the language you will speak in case you will be speaking in a language other than English. Speak clearly and at a reasonable pace to allow for accurate interpretation, and please make sure to mute all 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, Nico Caballero.

NICOLÁS CABALLERO: Thank you very much, Daniel. Welcome back. This is our last Communiqué drafting session, and hopefully the wrap-up session as well, if time permits, as you correctly pointed out, Daniel. Thank you so much. Please take your seats. We'll have 75 minutes. Let's see if we can do it in 75 minutes. I hope we will be able to do it. So we'll go straight to the second topic, which is RVCs and peaks. We have some cleaning to do there in the text. So I'll start reading, and then I'll pause for a second. This is fairly short, so it shouldn't be that much of a problem. Excuse me.

FABIEN BETREMIEUX: And this is just a reminder that this is subsection two of the issues of importance.

NICOLÁS CABALLERO: So I'll go ahead and read. During GAC discussions on the New gTLD program next round, the GAC noted that additional mandatory and voluntary peaks should remain, and we need to decide if it's available or possible. I'm okay with either option, but anyways, it's for you to decide. For future new gTLDs in order to address emerging public policy concerns. What should be the first step in the gTLD process to address these concerns? What should we put there? Available or possible? Comments, questions?

Daniel, help me out with the chat room. We're good? And I have the CTU suggesting possible for future New gTLDs. Any other comment? Are we okay with possible? And I see noding, and I see more noding. So maybe that's the way it should be. So I'll read it again, just that part. So noted that additional mandatory and voluntary peaks should remain possible for future New gTLDs in order to address emerging public policy concerns. Are we okay with that? Perfect. So let's move on.

So I'll read the whole thing right from the beginning. There are still some minor edits and some editorial things going on. But for the sake of clarity, I'll read the whole thing right from the beginning. And if there's anything substantial you would like to address, you're more than welcome to let me know. I'll pause. We'll discuss it. And then we'll

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move on. And I have Iran before I start reading. Iran, go ahead, please. Iran, go ahead, please. Iran, the floor is yours.

I'll start reading. GAC Communiqué, Washington, D.C, United States of America. The Washington, D.C, communiqué was drafted and agreed in a hybrid setting during the ICANN77 policy forum with some of the members of the GAC participants in Washington, D.C, United States, and others remotely, the communiqué was circulated to the GAC immediately after the meeting to provide an opportunity for all GAC members and observers to consider it before publication, bearing in mind the special circumstances of a hybrid meeting.

No objections were raised during the agreed time frame before publication. Can you scroll down, please, a little bit? So section one, this is an introduction. The governmental advisory committee, GAC of the Internet Corporation for Assigned Names and Numbers, ICANN, met in Washington, D.C, United States of America in a hybrid setting, including remote participation from 12 to 15 June, 2023. XXXX GAC numbers and X observers attended the meeting. We still need to confirm that because in person and online and so on, so we still need to confirm the exact numbers. The GAC meeting was conducted as part of the ICANN77 policy forum, all GAC plenary and working group sessions were conducted as open meetings. And this is for the translator. Is the speed okay or am I going too fast? Please let me know.

Slower, okay. Sorry about that. Section two, which is the inter-constituency activities and community engagement, meeting with the ICANN Board. The GAC met with the ICANN Board and discussed new gTLD subsequent rounds, including predictability, registry, voluntary

commitments, public interest commitments, applicant support, GAC consensus advice, and GAC early warnings, auctions, mechanisms of last resort, private resolutions of contention sets, and privacy proxy services accreditation implementation. Can you scroll down, please? Daniel?

DANIEL CARLETTI: Kavouss from Iran.

KAVOUSS ARASTEH: Thank you very much, Mr. Chairman. I ask for the floor. You advised that I speak, but unfortunately, my microphone was blocked remotely.

NICOLÁS CABALLERO: No problem. Go ahead, Iran.

KAVOUSS ARASTEH: No, no problem. That is past already. I don't want to waste the time. No problem. But please advise that not blocking the microphone when you authorize me to speak.

NICOLÁS CABALLERO: We'll go on. Meeting with the At-Large Advisory Committee, ALAC. In preparation for the ICANN77 Policy Forum, the GAC met with members of the ALAC and discussed New gTLD program next round, the 2017 joint advice on enabling inclusive, informed, and meaningful participation at ICANN and DNS abuse. As regarding the meeting with the generic

names supporting organization, the GNSO, the GAC met with members of the GNSO Council and discussed New gTLD program next round, DNS abuse mitigation, and registration data request service, RDRS. Cross-community discussions. GAC members participated in relevant cross-community sessions scheduled as part of ICANN77, including meetings of the GAC, ALAC, GNSO, facilitated dialogue on closed generics TLDs. Any comment, any question, anything you would like to add so far? Daniel?

DANIEL CARLETTI: Hand from Nigel of the CTU.

NICOLÁS CABALLERO: CTU, Nigel, go ahead, please.

NIGEL CASSIMIRE: Yes, Chair. I don't recall. Shouldn't we be saying when we met with these, the dates?

NICOLÁS CABALLERO: I don't understand your question, Nigel. What dates are you talking about, when the actual meetings happen? Is that what you mean?

NIGEL CASSIMIRE: Yes, that's what I mean. Because we've met between the 12th and the 15th of June, and we've had these various meetings. It just seems normal to me to say, well, we met this one on the 12th, this one on the

13th, and so on. But if it's not traditionally done in the Communiqué, I don't recall. But I'm just asking.

NICOLÁS CABALLERO: Thank you, Nigel. It's not traditional as far as I understand, because we have already mentioned the dates, the exact dates. And anyways, the blog schedule was published long ago. But I don't know. I don't have any strong feelings. I'm in your hands again. If you want to include that, we can do it.

NIGEL CASSIMIRE: I would take advice from the more experienced heads.

NICOLÁS CABALLERO: And I have the UK and then Iran. UK, go ahead, please.

ROSALIND KENNYBIRCH: Thank you, Chair. Just to note, and very happy to add the text in, but just another cross-community group that met was the applicant support GGP. So I was just going to suggest adding that. I can do so quickly. Thanks.

NICOLÁS CABALLERO: Thank you, UK. Give me just one second. UK, is that okay? Thank you. I have Iran. Go ahead, please.

KAVOUSS ARASTEH: Thank you, Chair. With respect to the Nigel's proposal to put the date of the meeting, maybe at the next GAC meeting when we set the agenda, you raised the question whether it is necessary or not. As you mentioned, it is not traditional. But there's nothing wrong with that. But let's do it at the next meeting. Thank you.

NICOLÁS CABALLERO: Perfect. Thank you very much, Iran. Any other question? Any other comment? And I have Canada. Go ahead, please, Jason.

JASON MERRITT: Thank you very much. Under cross-community discussions, I would also add the implementation review team on SubPro, if we can. Thanks.

FABIEN BETREMIEUX: This is Fabien Betremieux from the GAC support team, for the record. We generally don't refer to participation in meeting of IRTs. There's been many IRT processes for other policy processes, and we don't refer to them. This is more for cross-community discussions, such as plenary sessions. So that's the tradition.

DANIEL CARLETTI: That's fine, then. No problem. I just wanted to make sure we weren't overlooking it, but that's fine. Thank you, Fabien.

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NICOLÁS CABALLERO: Thank you, Canada. Any other question? Are we okay in the chat room, Daniel? So far, so good? So let's move on. Internal matters. Number one is GAC membership. There are currently 182 GAC member states and territories, and 38 observer organizations. Number two, GAC elections. The 2023 election process for GAC vice chairs will be initiated shortly after the ICANN77 meeting. The initial nomination period will close on 6 September 2023. If needed, a voting process will be conducted until 22 October 2023 during the ICANN78 public meeting, after which time the election results will be announced. Number three, can you scroll down, please? Thank you, Benedetta. Working groups. GAC Public Safety Working Group, PSWG. The GAC Public Safety Working Group, PSWG, continued its work to advocate for improved measures to combat DNS abuse and promote lawful, effective access to the main name registration data.

The PSWG participated in the capacity building workshop held just prior to ICANN77, helping to orient new GAC members to several topics, including the importance of the main name registration data and current efforts to combat DNS abuse. The PSWG also participated in a session to brief the GAC on DNS abuse mitigation that included presentations about, one, the proposed DNS abuse amendments to the RA and RAA contracts, two, EURid the registry operating .EU, abuse prediction, and early warning system to screen DNS violations, three, the underserved regions working group capacity building workshop, and four, issues to consider for the GAC public comment on the contract amendments. The PSWG continued its active participation to support the GAC small group that focuses on domain name registration issues, including by participating in the update on the GAC on this issue. The

representation included an update on the registration data request service, RDRS.

With regard to the RDRS, the PSWG thanked ICANN org for its efforts to support the ability to maintain the confidentiality of requests for law enforcement agencies. The PSWG also continued its outreach holding discussions with a number of constituent groups within ICANN and public safety bodies. Can you scroll down, please, Benedetta? So as regarding the GAC underserved regions working group, USRWG. The GAC underserved region working group, USRWG, in collaboration with the United States government, held a successful capacity building development workshop, CDW, on DNS abuse on 11 June, 2023.

This initiative was part of a wider GAC capacity development effort introduced by the working group during ICANN75. Thanks to the contributions of GAC and PSWG topic leads, as well as representatives from the ICANN global domains and strategy, GDS, ICANN compliance, and contracted parties. The workshop enabled GAC participants to understand and contribute to the public comment process regarding the proposed amendments to the registry agreement and registrar accreditation agreement.

Language-based breakouts provided an opportunity for many GAC participants to brainstorm in their native language on the ICANN public comment process and DNS abuse issues. One of the key outcomes of the workshop was that volunteers from a diversity of countries stepped forward to join a drafting group. This, "small group" will develop an initial draft of a GAC public comment for wider GAC review shortly after ICANN77. The GAC USRWG capacity development effort will continue

with subsequent workshops and webinars, and a post-workshop survey will be led to tailor capacity development initiatives on topics of GAC interest.

Number four, emerging technologies. The GAC briefly discussed emerging technologies, and in particular, artificial intelligence, alternative DNS routes, and blockchain, including an update from WIPO regarding rights protection in these spaces. Encouraged by the OCTO-034 report on, "challenges with alternative naming systems" the GAC agreed to have capacity building on this topic during ICANN78 in Hamburg. The GAC will reach out to the ICANN technical community and ICANN org for experts to present during the capacity building workshop. Before I move on, are we okay? Any comments, any questions, any edits? And we're running a little bit out of time, so just in case, please keep your comments right to the point. Hungary, go ahead, please.

PETER MAJOR: Thank you, Chair. The native languages. Probably it should be replaced by the seven official languages of the ICANN. In one of the...

NICOLÁS CABALLERO: Exactly. Thank you very much, Hungary. That totally makes sense. And if everybody agrees, we'll change that right now. And I see nodding, so go ahead, please, Fabien. Actually, six as far as I understand.

FABIEN BETREMIEUX: It was just a few of them.

MANAL ISMAIL:	I think we do. Sorry, Manal speaking. I think we do refer to them as the six UN languages plus Portuguese.
NICOLÁS CABALLERO:	Thank you so very much, Egypt. Fabien?
SUSAN CHALMERS:	Just to note that during the session, we only had four language groups, though, so it wouldn't be accurate. We met in Spanish, French, English, and Chinese.
NICOLÁS CABALLERO:	Thank you, US. So if you agree, maybe we can add those four -- five? Five in Arabic. It's okay. So maybe we can mention them specifically. So we'll list them. So again, for the sake of time, we'll just move on. But thank you for that, Hungary. And I have Iran. Please be brief. Go ahead.
KAVOUSS ARASTEH:	Thank you, Chairman. If we are finished with the activities of all working groups, I have a suggestion. Thank you.
NICOLÁS CABALLERO:	CTU, go ahead. And also, please be brief.

NIGEL CASSIMIRE: I just wanted to suggest that we say in the preferred language rather than try to spell them all out and remember what we used instead of native. Thanks.

NICOLÁS CABALLERO: You mean in their preferred language? Is that what you're suggesting?

NIGEL CASSIMIRE: Yes. We had language-based breakouts that allowed participants.

NICOLÁS CABALLERO: Well, but that would create a problem. Because Guarani, for example, which is a native language in my country, was not included. So I'm not sure that would address the issue. US, go ahead, please.

SUSAN CHALMERS: If I may, I might, in the interest of time, propose to retain the original text. We didn't qualify that. It was for many GAC participants to brainstorm in their native language. It's sufficiently flexible without being too exacting about who spoke their preferred language, et cetera.

NICOLÁS CABALLERO: Thank you for that, US. Any other comment? So we'll go back to the original text. So again, for the sake of time, I don't need to read the whole paragraph again unless you want me to. No. So let's move on. We have already read emerging technologies. So let's get to section.

There's a comment from Iran. Iran, would you like to take the floor again? Go ahead.

KAVOUSS ARASTEH: No, Chairman. I just said that whether you have finished with the work of the working group, I have a suggestion to make with respect to the activities that you have done, if the time permits. Thank you.

NICOLÁS CABALLERO: Thank you very much. So we'll go straight to topic number four, issues of importance to the GAC. Number one, close generic gTLDs. The GAC expresses its appreciation to GAC representatives who are collaborating with members of the GNSO and ALAC in the facilitated dialogue group and remains committed to continuing this work after ICANN77. Considering that the draft framework for close generic gTLDs, draft framework, has been circulated for review and input by the GAC GNSO ALAC facilitated dialogue group on close generic gTLDs. Just ahead of the start of ICANN77, the GAC conducted only a preliminary discussion on the proposed draft framework. By the way, can you do the cleaning now, Fabien, in order to thank you? Can you scroll down?

FABIEN BETREMIEUX: The reason I'm not doing it before you read is that so that you're reading it and you read it.

NICOLÁS CABALLERO: Please scroll down, Benedetta. Preliminary reactions from the GAC addressed various areas of the draft framework. The GAC raised concerns over the lack of convincing resolutions for the preliminary yet fundamental matters in the draft framework and discussed the need for further clarification on use cases contained. These pertain, among the others, to competition issues, the overall assessment of the value of closed generic gTLDs for the internet, their potential negative economic and social impacts, and also expressed doubts regarding the identification of compelling case studies or the lack of operational definitions of critical concepts, such as public interest. The GAC also discussed potential ways and means for governments to intervene during the evaluation of potential applications for closed generic gTLDs.

The GAC reiterates its commitment to further elaborate its position in the period set for community comments on the draft framework and seeks to address the above-mentioned questions and understands that a final framework, if one is agreed upon, could serve as a basis for future policy work to define criteria and rules for closed generic gTLD applications in the next round of New gTLDs. It further emphasizes that additional steps, including the possible initiation of a GNSO policy process, should only be undertaken if in the final draft specific solutions are proposed and the above-mentioned issues are adequately addressed.

Can you scroll down, please, Benedetta? The GAC recalls that no policy option, including the prohibition of closed generic gTLDs, should be excluded if a way forward that satisfies GAC concerns is not found. In any event, the framework will be subject to the GAC consensus

agreement. Please scroll down, Benedetta. So if there are no comments, and I have the UK and Egypt, go ahead, UK.

NIGEL HICKSON: Yes, Nigel Hickson, UK. I'm very sorry, because I know we're tight for time. But the middle paragraph just doesn't make sense in English, I'm afraid. So the third sentence, these pertain, among the others, to competition issues, the overall assessment of the value of closed generic gTLDs for the internet, their potential negative economic and social impacts, and also. And then it goes, and also express doubts. So that doesn't make any sense. So the only way to make it have sense is to put a full stop after impacts. And then we can say, the GAC also expressed doubts, or something like that. Or GAC members expressed doubts. I think it has to be a full stop. Sorry. Something like that. Thank you.

NICOLÁS CABALLERO: Thank you very much, UK. Egypt.

MANAL ISMAIL: Thank you, Chair. And the UK already covered my first point, also with the proposals. So thanks to UK. In the second paragraph, I think it should be closed generic gTLD applications. I'm sorry. It's the third. No. Can we scroll down? It's the following paragraph. The one that doesn't appear on the screen now. If we go up. Yes. I'm sorry. It's this one. Closed generic gTLD applications. I think we don't need an S after generics, unless it's the end of. But I defer to native speakers, of course.

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NICOLÁS CABALLERO: Thank you, Egypt. Daniel.

DANIEL CARLETTI: Yes. Kavouss of Iran in chat.

NICOLÁS CABALLERO: Iran, go ahead, please.

KAVOUSS ARASTEH: Thank you, Chairman. With respect to this long paragraph, at the meeting, two occasions we have mentioned also comments or concerns about the evaluation panel and the election or selection of the candidates. And the election or selection of its member or criteria for the election or selection of its member, as well as the membership of the panel. This we have indicated two times. And we would like that to be included in this big paragraph or long paragraph.

NICOLÁS CABALLERO: Thank you.

KAVOUSS ARASTEH: If you want, I can read it again.

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NICOLÁS CABALLERO: Thank you, Iran. And do you have any idea on how to do that? Would you be proposing some text now?

KAVOUSS ARASTEH: Yes, Chairman, if you allow me, I said that.

NICOLÁS CABALLERO: Yes, please go ahead.

KAVOUSS ARASTEH: Somewhere in the paragraph, also after a comma, said the evaluation panel. And the current...

NICOLÁS CABALLERO: You mean right after the period?

KAVOUSS ARASTEH: Right after the period, or somewhere when we put all of these internet, the potential negative and economic social impacts, maybe that's after that, after impact, we add this one. And the evaluation panel, including the criteria for its election or selection, any of the two is correct, as well as its membership. This we have mentioned that we need to also address that. Thank you.

NICOLÁS CABALLERO: Thank you, Iran. Let me read. So again, for the sake of time, I'm going to read only that part. So it would read like, this pertain among the

others, the competition issues, the overall assessment of the value of closed generic gTLDs for the internet, their potential negative economic and social impacts, and the evaluation panel, including the criteria for its selection as regards its membership. As regards to, should be.

KAVOUSS ARASTEH: As well as.

NICOLÁS CABALLERO: As well as.

KAVOUSS ARASTEH: As well as its membership. Thank you.

NICOLÁS CABALLERO: So I'll repeat only that part. And the evaluation panel, including the criteria for its selection, as well as its membership. The GAC also expressed doubts regarding the identification of compelling case studies, and so on and so forth. Do we have an agreement here? Is everybody happy with the wording? Any comments? Any questions? Any edits? Daniel, are we okay in the chat room? So seeing none, maybe we can move forward, unless you tell me otherwise. So let's get to RVCs and PICs. So number two, registry voluntary commitments, RVCs, public interest commitments, PICs in New gTLDs. During GAC discussions on the New gTLD program next round, the GAC noted that additional mandatory and voluntary PICs should remain possible for future New gTLDs in order to address emerging public policy concerns.

Questions, comments? Let's move on. Number three, GAC consensus advice and GAC early warnings in New gTLDs. The GAC welcomes engaging in a dialogue with the ICANN board on GAC consensus advice and GAC early warnings as discussed at ICANN77. The GAC reiterates that GAC early warnings and GAC advice are both important and useful instruments to identify applications that raise public policy concerns and should be an integral part of any future rounds.

The GAC remains open to increasing transparency and fairness of these, including giving applicants an opportunity for direct dialogue with the GAC. In this sense, the GAC sees value in the recommendations regarding specified time periods for early warnings, direct dialogue between the early warning issuing government and the applicant, and the opportunity for the applicant to amend its applications based on those consultations.

The GAC believes that GAC early warnings are a useful mechanism for beginning a discussion with an applicant on particular issues, questions, and potential sensitivities by one or more governments, where an application may potentially infringe national laws or raise sensitivities. Constructive dialogue through this process can help applicants better understand the concerns of governments and help governments better understand the planned operation of proposed gTLDs. GAC early warnings may help the applicant to know how it can mitigate concerns and find a mutually acceptable solution. The GAC hence considers a GAC early warning mechanism an essential element of any future round. However, the GAC does not consider that recommendations should constrain GAC activities, which are carried

out in accordance with the ICANN bylaws and the GAC's internal procedures.

In this regard, the GAC does not support the recommended limitation implementation guidance 30.2 regarding the timing of GAC consensus advice on future categories of TLDs and particular applications oriented to disincentivizing any such advice being submitted after the finalization and publication of the next applicant guidebook. Some GAC members disagree with recommendation guidance 30.4, which notes the removal of language regarding possible changes to section 3.1 of the 2012 applicant guidebook, which states that GAC consensus advice, "will create a strong presumption for the ICANN board that the application should not be approved." With a view to responding to the concerns that inform the recommendation to omit such language, some GAC members propose the following alternative wording to that specific part of section 3.1 of the future applicant guidebook -- sorry, that part was not clean. Or there's a parenthesis there, or I see there's a parenthesis, sorry.

So I'll repeat that part. So section 3.1 of the future applicant guidebook, "will create a strong presumption for the ICANN board that the application should not be approved without prejudice to the applicable provisions of the bylaws." The GAC welcomes the opportunity to engage in constructive dialogue with the board in order to explore alternatives which may offer a way forward and accommodate the different views existing on this matter. Regarding recommendation 30.6, the GAC agrees with the notion that a GAC early warning should be explained and that in order to ensure constructive dialogue at an early stage of the procedure and mitigate these concerns, it is important for

governments issuing early warnings or the GAC in its advice to provide a written explanation rationale.

However, the GAC wishes to recall the compromise language brought forward by the GAC as applications may not always be able to be remedied in the opinion of the governments issuing a GAC early warning. Therefore, the GAC proposes the adoption of an updated language to recommendation 30.6 as follows, "how the applicant may potentially address the GAC members concerns to the extent feasible." So before we move on, any questions, any edits, anything you would like to modify? Daniel, are we okay in the chat room? No request for the floor. And this is -- Iran, go ahead.

KAVOUSS ARASTEH: Thank you, Chairman. Could Fabien kindly go to the area we say alternative approach or alternative methods? Which may offer, so it says add somewhere here alternative approach, alternatives or other, consistent with the bylaw, because bylaw language address all of these issues and applicant guide we wanted to depart from that. So we say any alternative should be consistent with the bylaw. In order to explore alternative approach consistent with the bylaw. Thank you.

NICOLÁS CABALLERO: Thank you, Iran. Let me ask you something, though. wouldn't that be a redundance? Because we can't actually do anything that is not consistent with the bylaws, in my humble opinion. But again, I'm in your hands. I'll do whatever you tell me to do.

KAVOUSS ARASTEH: Chairman, what is discussed in the SubPro a little bit not in compliance and consistent with the bylaw? Because what they want, they want to applicant guide would override the bylaw. And we have discussed that extensively at the pro SubPro meetings that the bylaw provisions prevails. So we want to say that any alternative should be consistent with the bylaw. If you think or if everybody thinks that it is superfluous, but I think that is a constructive repetition. We have to mention that any alternative should be consistent with the bylaw. Thank you.

NICOLÁS CABALLERO: Thank you, Iran. I have Brazil next. Go ahead, Brazil, please.

LUCIANO MAZZA: No, I understand Iran's comments. But I think it is not very respectful. I don't think to the defining point to reopen this issue. Had a long discussion on this. The previous paragraph says, the suggestion made is without prejudice the applicable provisions of the bylaws.

NICOLÁS CABALLERO: Excuse me, Luciano. Sorry to interrupt. Can you speak up a little bit? Can you turn up your volume a little bit? Because I can't hear very well. Thank you. Sorry for the interruption. Luciano, we can't hear you. There's an issue with your microphone maybe.

LUCIANO MAZZA: Are you hearing me now? Are you hearing me?

NICOLÁS CABALLERO: More or less. Go ahead and we'll try to read the transcript. Go ahead, please.

LUCIANO MAZZA: No, I'm just saying that it does not seem to be the right time to reopen this point. We had a long discussion on this. And I think we came to the conclusion that the text was all right. And again, I think it is redundant because the suggestion that comes previously says without prejudice to the applicable provisions of the bylaws. So I really don't think that that's necessary.

NICOLÁS CABALLERO: Thank you very much, Brazil. And I see agreement from the United Kingdom. And I see nodding in the room. So for the sake of time, we'll just move on. Thank you very much. Iran, please get to the point. Go ahead.

KAVOUSS ARASTEH: Thank you, Chairman. What Brazil said is right. But I'm talking to the last paragraph, alternative approach. This should be consistent with the bylaw. What Brazil mentioned is right for the previous paragraph. But I'm talking of the paragraph saying that the GAC welcomed the opportunity to engage in constructive dialogue with the board in order to explore alternative consistent with the bylaw. That is for the alternative, not the previous paragraph. Thank you.

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NICOLÁS CABALLERO: Even though I'm not entirely sure that we'll have enough time for more edits. But again, I'm in your hands. Any other comment?

KAVOUSS ARASTEH: No problem.

NICOLÁS CABALLERO: Any support to Iran's suggestion?

KAVOUSS ARASTEH: Chairman, no problem. Take it out. No problem. You said no time? No time. Thank you.

NICOLÁS CABALLERO: Thank you, Iran. So I'll read topic number four, which is DNS abuse. Governments at ICANN are concerned by the negative impacts of DNS abuse. The GAC therefore appreciates the proactive and focused efforts of ICANN and the contracted parties to negotiate clear and enforceable contract amendments to disrupt or mitigate DNS abuse. The GAC welcomes the clarity provided during its DNS abuse session that in case of non-compliance, ICANN compliance would be able to suspend or revoke the agreement with the contracted party. And it encourages ICANN org and the negotiating team to ensure this is clear in this process under the amendment. The GAC further welcomes the elaboration in the ICANN advisory on the concept of, "actionable evidence, end quote." The GAC shares the advisory's encouragement for registrars, "to proactively monitor the register names that they

sponsor to identify potential DNS abuse." And stresses that registry operators should also obtain actionable evidence through their own proactive efforts.

Can you scroll down a little bit? Thank you. The GAC supports the increased contract obligations to raise the baseline in addressing DNS abuse and looks forward to contributing to the public comment process. The GAC also welcomes any further work the negotiating team can do to clarify forthcoming reporting obligations with a view to promote transparency of the contracted party's policies and how they respond to DNS abuse.

The GAC also reinforces its commitment to contribute to further work, including contract amendments, PDPs, and creation of best practices within the multi-stakeholder process that will be necessary in the continuing journey to address this threat to the security of the DNS, including before the next round of New gTLD applications. So I'll pause here and see if everything's okay with everybody. Are we all on the same page? And I see some agreement. Thank you, Daniel. We're good in the chat room.

So let's move on. Let's get to topic number five, which is registration data accuracy. The GAC remains committed to working within the accuracy scoping team to assess the current state of accuracy under ICANN's contracts. Accuracy of registration data is an important element in law enforcement and cybersecurity investigations, domain name registration management, and other legitimate third-party interests. At the same time, the GAC reiterates that maintaining accuracy must be considered along with any policies impact on the

privacy needs of full registrants, including those with enhanced privacy needs. The GAC welcomes ICANN's org completion of data protection and data protection impact assessment, DPIA, on a contractual compliance audit that could shed light on the current state of accuracy. In particular, the GAC is encouraged by ICANN's org determination that this audit would comply with the European Union General Data Protection Regulation, GDPR.

The GAC supports ICANN and contacted party's efforts to finalize its data protection agreement, DPA, and stresses the importance of finalizing these agreements expeditiously, which will support the scoping team's effort to move forward with its work. Completion of a DPA and DPIAs will help ensure ICANN org is best equipped to receive feedback from the relevant European data protection authorities regarding ICANN's legal basis to process registration data for the purposes of measuring accuracy.

Finally, the GAC notes that over six months have passed since the GNSO adopted a motion to pause the work of the scoping team. In light of the expiration of this pause, the GAC would welcome an update on plans to resume the scoping team's work, including on any progress toward selection of a new chair. The GAC also flags that it would be helpful to receive quarterly updates on the status of the DPAs and to give further consideration to activities that may be resumed by the accuracy scoping team in the interim.

And again, I'll pause here in order to see if there are comments or questions or any suggestion. Daniel, chat room is okay? Let's move on. Topic number six, registration data request service, or RDRS. The GAC

looks forward to the launch of the registration data request service, RDRS, and supports efforts to generate data that can inform further community discussion on how an access and disclosure system in line with phase two of the expedited policy development process can best meet the needs of the system's users and the public. The GAC notes the importance of maximizing voluntary participation in the system, including through effective outreach and potential incentive structures. Further, the GAC stresses the importance of providing users of the RDRS with easy access, step-by-step training, and guidance in the form of frequently asked questions, FAQs, and answers.

Questions, comments, edits? Any clarification? Let's move on to topic number seven, registration data consensus policy. The GAC welcomes implementation of the EPDP phase one recommendations and reiterates the importance of the consensus policy's ability to comply with existing data protection principles while allowing contracted parties to process data in line with relevant obligations within their jurisdictions. The GAC takes note of ICANN's summary of public comments on phase one implementation and supports the implementation project team's suggestion in line with the EPDP phase one recommendations. The GAC notes that the EPDP phase one implementation should be completed within 24 hours. Separately, the GAC notes that other public policy concerns remain unaddressed. The GAC recalls its initial comments, which retains in full that, "contacted parties should collect and make data of all legal persons publicly available."

Further, "additional safeguards may be considered for the case where the email address of a legal person contains personal data, in which

case a functional email address can be published instead." Additionally, the GAC highlights the need to require the collection and publication of reseller data. The latter is especially critical to identifying the parties responsible for selling domain names directly to registrants and to highlight an important point of contact that may be best positioned to provide meaningful data on these registrants and or investigate and mitigate abuse conducted by those registrants. So I'll pause there and see if there are any questions, any comments, any edits. Are we all happy the way it is?

And I see nodding again, which is always good. So let's move on to GAC consensus advice to ICANN board. The following items of advice from the GAC to the board have been reached on the basis of consensus as defined in the ICANN bylaws. Number one, predictability in New gTLD applications. A, the GAC advises the board, Roman I, to take steps to ensure equitable participation on the proposed standing predictability implementation review team, SPIRT, by all interested ICANN communities on an equal footing. And I'll read the rationale. Can you please scroll down? Thank you, Benedetta. And I have the United Kingdom. Go ahead, please.

NIGEL HICKSON: Sorry, Mr. Chairman. It should be participation in, not participation on. Thank you.

NICOLÁS CABALLERO: Thank you, Nigel. Where is that? In the proposed. Is that what you mentioned, Nigel? So it should be to take steps to ensure equitable

participation in the proposed standing. Is that what you mean? Thank you very much, UK. So I'll read the rationale. The GAC appreciates the efforts to create a predictability framework. GAC members note that further clarification on the implementation of the SPIRT is necessary. As well as on the role the GAC will play in it, especially in light of the implementation guidance 2.3 of the SubPro PDP working group final report, suggesting direct dialogue between the SPIRT, ICANN org, and the ICANN board on GAC consensus advice. In which the GAC expects to be included as well, as discussed with the board and GNSO council during ICANN77. Furthermore, GAC members emphasize the importance of the opportunity for equitable participation on an equal footing on the SPIRT by all interested ICANN communities.

Any comment? Any question? Is the grammar good? Is the vocabulary good? Can we move on? Number two, registry voluntary commitments, RVCs, public interest commitments, PICs, and New gTLDs. A, the GAC advises the board, Roman I, to ensure that any future registry voluntary commitments, RVCs, and public interest commitments, PICs, are enforceable through clear contractual obligations. And that consequences for the failure to meet those obligations should be specified in the relevant agreements with contracted parties. The rationale being, the GAC recalls persistent GAC concerns regarding both the weak implementation of PICs applicable to gTLDs in highly regulated sectors, and the lack of clarity and effectiveness of the mechanism to resolve disputes. The public interest commitments dispute resolution process, or PICDRP, and recommends that these issues are remedied in any subsequent rounds.

Questions, comments, any edit? Good to move forward? Thank you. Number three, applicant support in New gTLD applications. A, the GAC advises the board, Roman I, to specify ICANN's plans related to steps to expand financial support and engage with actors in underrepresented or underserved regions by ICANN78 in order to inform GAC deliberations on these matters. Roman II, to take steps to substantially reduce or eliminate the application fees and ongoing ICANN registry fees to expand financial support for applicants from underrepresented or underserved regions.

Roman III, to take timely steps to facilitate significant global diversification in the New gTLD program by ensuring increased engagement with a diverse array of people and organizations in underrepresented or underserved markets and regions, including by raising awareness of the applicant support program, providing training and assistance to potential applicants, exploring the potential to support the provision of back-end services, and providing adequate funding for the applicant support program consistent with diversification targets. Questions, comments? Are we okay with the grammar, with the vocabulary? Any edits? Any clarification? Seeing none, I'll read the rationale. The GAC reaffirms the importance of increasing the number and geographical distribution of applications from underrepresented or underserved regions in future rounds of New gTLDs through the applicant support program.

The GAC reiterates its, "support for proposals to substantially reduce or eliminate the application fees and ongoing ICANN registry fees to expand financial support", in order to sufficiently cover all such applications. Without a substantial reduction in or financial support for

the application and ongoing fees, many potential applicants in underrepresented or underserved regions would be unable to apply due to the status of their economies where available capital for ICT digital initiatives has been historically limited.

And I'll try to slow down a little bit, and I'm sorry, my apologies to the translators. The GAC highlights that non-financial support is also an important element of an applicant support program, for example, awareness raising, capacity development services, and training. Assisting in the provision of back-end services may also be appropriate in some cases. Questions, comments? France, go ahead.

JONAS ROULE: Thank you. I will take the floor in French. Maybe to have a better understanding of the text by the readers, we could refer to the footnote and have the quotation in between quotation marks. I hope it's okay.

NICOLÁS CABALLERO: Any other question, comment? Anything you would like to add or modify? If not, let's move on right to topic number four, auctions, mechanisms of last resort. I'm sorry, UK, go ahead.

ROSALIND KENNYBIRCH: Thank you, Chair, and thanks to our French colleague for making that important point. I do think it's worth noting just in the last session, I know we played with the language a bit, so I think it's still worth it to have the footnote, but understand that given there were some tweaks in the language, it might need to do a cross-check, and that would mean

the quotation marks removed, but the sentence doesn't change. Thank you.

NICOLÁS CABALLERO: Thank you, UK. So, you want to go back?

ROSALIND KENNYBIRCH: I'm saying one for the staff to sort out, like, based on if the language changed in the direct quote, if that makes sense, whether the quotation marks are needed or not. Thank you.

FABIEN BETREMIEUX: Just to make sure we understand, if we cannot find this exact quote in previous positions, you'd like us to remove the quote and keep the text as it is written?

NICOLÁS CABALLERO: Thank you, UK. So, topic number four, auctions, mechanisms of last resort, private resolution of contention sets in New gTLDs. The GAC advises the board, Roman I, to take steps to avoid the use of auctions of last resort in contentions between commercial and non-commercial applications. Alternative means for the resolution of such contention sets, such as drawing lots, may be explored. Roman II, to ban or strongly disincentivize private monetary means of resolution of contention sets, including private auctions. Can you scroll down, please? And I'll read the rationale now. While the GAC acknowledges that in an attempt to reduce potential gaming, recommendation 35.3 of

the SubPro PDP Working Group final report included the need for applications to be submitted with a bona fide intention to operate a TLD.

The GAC reiterates concerns regarding the implementation of this condition and notes that punitive measures for non-compliance with the condition of submission of a bona fide intention are not sufficiently defined. Regarding auctions of last resort, the GAC reaffirms its view that they should not be used in contentions between commercial and non-commercial applications. In addition, the GAC reiterates that private monetary means of resolution of contention sets should be banned or strongly disincentivized to prevent applications under false pretenses for monetary gain. Other means, like drawing lots, may be used to resolve contention sets. The GAC supports ALAC's view expressed in its advice to the ICANN Board, noting that they believe their quote should be a ban on private auctions, also by mandating ICANN-only auctions. The proceeds of any such ICANN auctions can at least be directed for uses in pursuit of public interest, such as was determined through the CCWG on auction proceeds." Questions, comments? Are we okay with this? And I have the UK. Go ahead, please.

NIGEL HICKSON: Yes, just a minor point, Mr. Chairman. Thank you. I think given that this is quite an important part of this argument, perhaps there could be a footnote just referencing where this ALAC advice can be found, so people can cross-check or something like that. Thank you.

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NICOLÁS CABALLERO: Thank you very much, UK. So if you all agree, then we'll move on to topic number six, which is follow-up on previous advice. The following items reflect matters related to the previous consensus advice provided to the Board. Number one, privacy and proxy services. And we'll do the cleaning of the text and everything else later, but let me just read first. The GAC thanks the Board for the re-prioritization of the privacy proxy services accreditation issues, PPSAI, policy recommendations as per the GAC's previous advice. In addition, the ICANN76 advice requested that the Board regularly update the GAC on the status of activities related to privacy and proxy services.   In that regard, the GAC appreciates the update from the Board during ICANN77 on the status of developments regarding privacy and proxy services, and the GAC would welcome continued updates, including providing detail in writing. And we can do the cleaning now. Any questions, any comments? Everything here? Daniel, are we okay in the chat room? So far, so good? And I have Iran. Iran, go ahead.

KAVOUSS ARASTEH: Thank you, Chairman. I missed the point that UK mentioned. I understand that UK mentioned the quotation of the ALAC be included in the footnote. Am I right or wrong?

NICOLÁS CABALLERO: UK, go ahead, please.

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NIGEL HICKSON: Thank you, Iran. No, Kavouss, I was just saying that I think there should be a footnote so people can go and find this particular text. So I don't think I'm suggesting deleting any text, just putting a footnote where we mention about the advice. Thank you.

KAVOUSS ARASTEH: So it is addressed to secretariat, right?

NICOLÁS CABALLERO: Yes, Iran. Yes. Thank you. You just missed an important part that was that you would pay for the drinks in Hamburg, but other than that, we're good. So Fabien, go ahead, please.

FABIEN BETREMIEUX: While we were on that quotation, we've noted for ourselves that to look if there is a solution to make this quotation a little easier to read, because there is in this quotation a period, two sentences, in fact, a fraction of one sentence and another one. And so we were thinking that may be beneficial for readability to break the quotation here and say, for instance, noting that they believe there should be a ban on private auction and that by mandating maybe, so we would fraction the quotation without changing the meaning, but just to make it a little more readable. So I just wanted to flag that and see if there is any objection to us doing that at this stage.

NICOLÁS CABALLERO: Thank you, Fabien. Is everybody with that? And sorry, Iran, that was a joke, just in case, that was a joke, obviously. Are we with the wording? So let's move on. Benedetta, can you please get to the last point, which is topic number seven, next meeting. The GAC is scheduled to meet next during the ICANN78 annual general meeting in Hamburg, Germany on 21st, 26th October, 2023. Everything with that?

I imagine that this would be a controversial topic, but just in case. So with that, let me give the floor to Mr. Rob Hoggarth for some housekeeping announcement. Before that, Fabien, go ahead. So we're officially done with the Communiqué, unless somebody has, and I see a hand from the US. Go ahead, Susan.

SUSAN CHALMERS: Just to thank you and congratulate you, Chair, on navigating the first Communiqué.

NICOLÁS CABALLERO: I will need some honey for my throat, though. Thank you, thank you, Susan. So we have some announcements. So with that, I would like to give the floor to Mr. Rob Hoggarth. Go ahead, please, Rob.

ROBERT HOGGARTH: Thank you very much, Nico. I will do this from the back of the room. Thank you very much for sharing in the reading of the Communiqué the announcement of the nomination period for the 2023 GAC vice chair election. The dates are existing in the Communiqué. The critical timeframes of the nomination period are that it will start tomorrow and

extend through the 6th of September at 23:59 UTC. Please all look for an email from me tomorrow making that announcement to the full GAC. Secondly, I'd like to flag for you another follow-up email I will be doing announcing volunteer opportunities. That would be slide 10, Julia. There are a number of open slots that have been or become available, and it would be wonderful to have GAC appointees in these various positions.

In terms of thanks, I wanted to recognize a couple of participants who have recently stepped forward. Rose Kenny-Birch and Aderonke Adeniyi are supporting the GAC's work on the planning and prioritization group for FY25. Nigel Hickson just stepped down, is stepping down at this meeting as the temporary point of contact to the At-Large, and we thank Kristina Hakobyan for stepping into that role. And finally, thanks to Kristina, who here at ICANN77 concludes several meetings of service as an ICANN fellowship mentor.

And then, Julia, if we can just go to slide 12. There are a number of key post-meeting dates for you all to be alert to. We're looking for the publication of the Communiqué, for which you just did all this excellent work, next Tuesday. And that's a product of ICANN org recognizing a US federal holiday on Monday. I don't know, Fabien, as we wrap up, you may want to say something about the 72-hour review period that's important for GAC members to note.

There will be a number of comment opportunities and other deadlines coming up over the next couple of months, including NOMCOM rebalancing, a GAC response to the board by the end of this month. You're aware of the other public comment opportunities that a number

of you already volunteered for. We hope to get the GAC minutes out, accompanied by various transcripts and the rest being available in early July. And while you're relaxing from or recovering from this ICANN77 meeting, a reminder that planning begins now for ICANN78, including thoughts you may have for topics, whether those be policy topics or working group updates or bilateral or joint sessions.

Those will likely be requested of you soon, with some responses by late July. The nomination period is listed there. Various GAC agenda-setting calls, as we now have more than one. We have two. Those will likely take place in the August and early September time frame. So please be prepared for announcements from that. And then, of course, we look forward to seeing you all in Hamburg at the end of October. So with that, Nico, keeping it brief, I will return it back to you with my thanks.

NICOLÁS CABALLERO: Thank you so much, Rob. Any final comments? And I have Germany. Rudy, go ahead, please.

RUDY NOLDE: Thank you. I'll keep it short. As a German GAC representative, I just wanted to take the opportunity to say that we are very excited to welcome you to Hamburg in October, and I hope you will all be able to come. I have to warn you that after all these meetings in Hamburg, it will be a little bit cooler, so keep some space in your luggage, but we're very excited to welcome you.

EN

NICOLÁS CABALLERO:	Thank you very much, Rudy, Germany. Any other comment? UK, go ahead, Nigel.

NIGEL HICKSON:	Yes, thank you, Mr. Chairman. Just to obviously thank our excellent secretariat, thank the interpreters as well. And perhaps in our planning, and while everyone is here, perhaps in our planning for the next ICANN meeting, we can include a party. I know it's not quite 25 years of the GAC, but it's pretty near. As other SOs and ACs will be having parties, I think the GAC deserves one as well, but subject to other views, of course. Thank you.

NICOLÁS CABALLERO:	Thank you so much, Nigel. In fact, we were talking about that with Germany and Denmark and some other GAC members. The idea is to throw a hail of a party in Hamburg, and I heard rumors that there are some musicians also getting together, doing some planning for it. So I heard there's going to be some sort of GAC music night or something along those lines, but those are only rumors, so don't take my word on that. That's what I heard anyways. I also heard that Rob is going to be paying for the drinks, by the way, along with Kavouss. Correct me if I'm wrong, Rob, Kavouss. Is that right?

KAVOUSS ARASTEH:	Please, would you repeat?

NICOLÁS CABALLERO: No, just to tell you that I heard some rumors that you and Rob Hoggarth would be paying for the drinks in Hamburg. Is that correct?

KAVOUSS ARASTEH: I have asked for the fellowship for Hamburg.

NICOLÁS CABALLERO: Thank you so much, Iran. Thank you, UK, and thank you all. Thank you. And my apologies to the translator. You are heroes, heroes.

KAVOUSS ARASTEH: Excuse me, Chair. Can I clarify the situation?

NICOLÁS CABALLERO: I have Japan. Go ahead, please.

NOBUHISA NISHIGATA: I'll be very quick, and let me congratulate the successful meeting. I can hear the appreciation to the US government, the US colleagues, and other people.   Then let me just announce one thing, that Japan is hosting the IGF 2023 at Kyoto in Japan, and as a hosting country government member, feel free to approach us if you need some assistance for the travel. Not money, though. We can help. We can help find the best place for restaurants. We can help you find a better place for the sight tour, or maybe help you to extend your term of mission so that we can arrange a bilateral meeting with the Japanese government, or let us know other than Japanese government, like private sectors, et

cetera. Just feel free to come to us tonight, or maybe just email. We are happy to help you guys. Hopefully at least some of you are sitting at Kyoto before the Hamburg meeting. Thank you.

NICOLÁS CABALLERO: Thank you very much, Japan. Any other comment? I have Iran. Go ahead, please.

KAVOUSS ARASTEH: Thank you, Chairman. First of all, normally the request for the fellowship is not publicly announced in GAC. However, I have applied, but I withdraw because of the very heavy workload during that period for WRC, World Radio Communication Conference. I have withdrawn the request. Thank you.

NICOLÁS CABALLERO: Thank you, Iran. Thank you. Any other comment? France, go ahead, please.

JONAS ROULE: Thank you. For the last time, I will take the floor in French. I would like to especially thank the interpreters. I hope that I didn't speak too fast. I wanted to congratulate Nico, and especially thank the US for welcoming us in this beautiful city. Thank you so much.

NICOLÁS CABALLERO: Thank you so much, France. Any other? We still have five minutes. Actually, seven minutes. I have Portugal. Go ahead, please, Anna.

ANA NEVES: And for you to listen a little of the -- I'll speak in Portuguese. I wanted to thank the US for being such fantastic hosts, and thank Germany for being the next host in the next ICANN meeting, and thank Japan for being the next host in the next IGF, and for the delegates of the Commission of Science and Development, we will have a meeting in Lisbon, November 6th and 7th. So I hope we all have an excellent fall next time. So are you going to place an invitation for all of us? Great. Thank you.

NICOLÁS CABALLERO: Anybody else? France, go ahead.

JONAS ROULE: Last time, I forgot to also thank the staff. That works for the GAC. They are part of the family, so maybe that's why I forgot them, but they are excellent. Thank you very much.

NICOLÁS CABALLERO: So again, thank you, Rob. Thank you, Julia. Thank you, Daniel. Thank you, Gulten. I don't see Gulten. Maybe she sneaked out and she went back to Istanbul or something. She did. Thank you, Benedetta and Fabien. I call them, well, everybody calls them the fabulous five. Thank

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you so much indeed, and thank you to the translators and to ICANN staff. And I have Iran. Go ahead, Iran.

KAVOUSS ARASTEH: Thank you very much. First of all, I echo all of the appreciation that my distinguished colleagues have expressed.   And personally, and on behalf of Iran, I would like, Mr. Chairman, to congratulate you for the very hard work you have done, for your devotion, for your energetic approach, and for diplomacy, and say that this GAC advice and GAC Communiqué was the most substantial one, and you have done it in the most possible way. And I congratulate you, and I wish you all the best for the future GAC. Thank you very much, and thanks to all of the staff of the ICANN and GAC and supporting and chairman of the, or leader of the groups, and all the distinguished colleagues for the kind appreciations that they have given to you, and also for the spirit of collaboration.   Mr. Chairman, thank you very much, sincerely, and wholeheartedly.

NICOLÁS CABALLERO: Thank you so much, Iran.   Thank you so much.   Well, ICANN77 is adjourned. I'll see you in Germany in October. Thank you so very much. Au Revoir, arrivederci, adios, goodbye.

[END OF TRANSCRIPTION]