ICANN77 | PF – Joint Meeting: GAC and GNSO
Tuesday, June 13 2023 – 09:00 to 10:15 DCA

JULIA CHARVOLEN: Hello, and welcome to the ICANN77 GAC Meeting with the GNSO on Tuesday 13th June at 13 UTC. Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior. During the session, questions or comments submitted in the chat would be read aloud and put in the proper form. Remember to state your name in the language you will speak, in case you will be speaking a language other than English. Speak clearly at an unreasonable 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, Nicholas Caballero. Nicholas, please.

NICOLAS CABALLERO: Thank you, Julia. Good morning, good afternoon, good evening. Welcome to the GAC Meeting with the GNSO Council session. We'll be covering very interesting topics today, the first being the new gTLD Program Next Round, and there's four, as you can see, sub-items. Then we'll do DNS abuse mitigation and registration data service, RDRS, in other words, formerly known as WHOIS Disclosure System.

This session will run for 75 minutes. We'll try to make sure that we'll have enough time at the end at least, let's say 20 minutes at least for questions. When you ask questions, I beg you to be brief and to get to the point, both for in-person participants and for whatever online

questions we might have for the sake of time. Otherwise, we won't be able to cover all the topics we're supposed to cover today. So, welcome again. And with that, let me give the floor to Sebastien. Sebastien, please go ahead.

SEBASTIEN DUCOS: Thank you very much, Nicholas. So, my name is Sebastien Ducos. I'm the chair of the GNSO, and I know for a fact that I haven't introduced myself to any of you in a long time because this is my first in-person ICANN in four years. I'm here on stage with my two vice chairs, Greg DiBiase and John McElwaine. We've invited also for part of the presentation, our colleague, Paul McGrady, who will be talking with you about the next rounds and our progress there. And obviously, Jeff Newman, the liaison, who you should all know. I think you wanted to switch something in the agenda, so maybe you should go ahead.

NICOLAS CABALLERO: Exactly. I was going to mention that. Thank you, Sebastien. So, for the sake of time again, we're going to start on topic three, DNS Abuse Mitigation, then we'll go to topic number four, RDRS. And only then, we'll go to the new gTLD Program Next Round in order to make sure that we'll have enough time for discussions, questions and comments and everything else. So, thank you again, Sebastien. Back to you.

SEBASTIEN DUCOS: So, to this extent, I will ask Greg DiBiase to present on DNS abuse. Go ahead.

GREG DIBIASE: Sure. So, as you may have seen, the amendment to the registry agreement and registrar agreement with ICANN are out for public comment. It contains a number of revisions to strengthen abuse mitigation contractual tools. It is out. I think, comment closes July 13th. We strongly encourage all the community to comment and get your feedback, and that certainly includes the GAC. Then after that comment, the vote is expected to happen between October and December of 2023 this year.

So, from the Council's perspective, we're really excited about this development. If you recall, the impetus for this discussion came from Small Team within the GNSO that was comprised of all SGs across the GNSO. So, from our perspective, we think this is a great development, and we encourage feedback to make sure we're considering all views in the community as this process goes forward. So, I think that's pretty much it from our perspective, and I guess we'd want to know if you had further follow-up questions or comments on that work.

NICOLAS CABALLERO: Gulten, do we have any questions, any comments in the chat room? No? So, if that is not the case, back to you, Greg.

GREG DIBIASE: Sure. So, I see the next question here from the GAC. Does the GNSO have a sense of what subject areas would be appropriate for subsequent PDPs on DNS abuse? So, we received comments on our initial feedback that any PDP would be narrowly targeted and likely address malware or

phishing, something that's very clearly in the realm of DNS abuse. However, this work if it happens will likely happen after the amendments are needed so we can see what the impact of these contractual amendments are and make sure, we're being as efficient as possible with community resources and the landscape may change based on this amendment. So, after that amendment is completed, we will go back and reconsider some of these comments we got from GAC as well as others on the possibility of a targeted PDP on something like malware or phishing.

In the meantime, because those amendments may take a little while, we're going to consider alternative methods to keep this dialogue and discussion alive, right, to continue talking about what the community is doing, what registries and registrars are doing and soliciting feedback. So, that's upcoming in our meetings to just decide what those are. That's on the next meeting's agenda. But yeah, that's the plan going forward, but we feel like there's a lot of progress, and we have a pretty clear plan. Nico?

NICOLAS CABALLERO: Yeah, Greg. Thank you. We do have a question or comment from Laureen. Laureen, the floor is yours.

LAUREEN KAPIN: Thank you. And this is Laureen Kapin, and I'm speaking in my capacity as a member of the Public Safety Working Group. And just very quickly, I'm curious you mentioned the topics of phishing and malware which of course are key elements of DNS abuse. Can you get into any more specifics about what you think a PDP might be examining? For example,

is it how best to respond to these issues or something else? I'm just curious for a little more flesh on the bones.

GREG DIBIASE: I don't think we have that detail at this time, unfortunately, a more referencing kind of the feedback that we got that these are topics that should be addressed. And I think usually the process the first step would be to define the problem, right, and then scope how a PDP or a GNSO process could address it. So, maybe speaking in my personal capacity, I think the first step would be defining, can we sufficiently put our arms around this to make policy that would be effective in mitigating harms?

NICOLAS CABALLERO: Thank you, Greg, again. Do you have any other talking points? Is there anything else you would like to mention before we take questions? So, in order to make sure that we'll have enough time for the remaining part of the session.

GREG DIBIASE: I guess I'll just and that last bullet point, how can GAC best support and participate? I think GAC provided great feedback to our initial outreach. And I'm sure in the future as this group evolves, we'll be coming back for more outreach and, we appreciate the participation.

NICOLAS CABALLERO: Thank you again, Greg. Any questions, any comment from the floor or the chat room? Gulten, are we okay? No comments. No questions. Anybody? No? If that is not the case.

GULTEN TEPE: Nico, this is Gulten speaking. We have Kavouss Arasteh from Iran delegation would like to take the floor.

NICOLAS CABALLERO: Okay. Iran, good morning or good evening. Go ahead, please.

KAVOUSS ARASTEH: Thank you very much. Good morning to you. Good evening to others and so on and so forth. Just a question about this participation. Is it the traditional policy development process that already many of them has been in the ICANN establish and so on and so forth? As you know, we in the GAC here, we are always having some difficulties for participation because of other engagement because of a need to national coordination and so on and so forth. So, is it different from the previous PDP or is exactly the same? Thank you.

NICOLAS CABALLERO: Thank you, Iran. Sebastien, Greg, would you like to take that?

GREG DIBIASE: Sure. There is the traditional PDP mechanism, but I think as shown with the Small Team's work, this last time around, we also reached out for comments outside the traditional PDP to make sure we got input. So, I think it would be both with my answer as we looked at the traditional PDP, but alternative ways to gather feedback, more encouraged as well.

NICOLAS CABALLERO: Perfect. Thank you. Any other question, comments? Seeing none, back to you, Sebastien.

SEBASTIEN DUCOS: Thank you. I guess next slide will shift to the next topic, which was the RDRS. Thank you. So, as you know, the Org staff has started the development of the RDRS tool or the system. There was a presentation or a couple of webinars given two weeks ago presenting, essentially, the two interfaces of the system, the requester interface and the interface that the registrars will be using to receive the information and review it. All that has been reviewed by the different groups, including actively by you guys through the PSWG. I see Laureen at the table. We met yesterday with other members also for the review, and that's very good and very active.

There was in the last communication between you and the Board, if I understand well, but at least passed on by the Board to us, asking us to focus on some means, if not to enforce, but to strongly encourage participation. We looked at this. So, reading between the line, there was a suggestion that maybe there could have been some policy enforcement here on participation. And we looked at it in details and had discussed this, by the way, before last year on how to promote the usage, particularly on the registrar side. But given that this is still a pilot project, given the fact that any policy development takes a long time and possibly longer than the project, the pilot project itself, we decided to keep it a voluntary participation. Indeed, encourage as much as we can through communication, through explaining, through all the encouragement that we can find on the pieces that we control and in this community that is very much on the registrar side.

For those of you who would have yesterday had time to participate both in the Registrar Stakeholder Group presentation and in the presentation of the IDRS, you will have seen that there's already efforts ongoing there, internally, externally, to discuss this. Org also presented to the beginnings of the communication tools that they will be sharing with us to go and pass the message on to the community.

We also heard from the request of community trying to gauge from them what they will need also to help. A community is a bit more diverse and obviously global, so we'll need to find tools there to ensure that they are also encouraged to use the tool. Reminding, of course, that already today, we don't need the tool for request to go to registers and that the current channels even though we would like to encourage as much as possible the use of the centralized tool, but the current channels remain open and people today already and will always be able to request data directly from registrars as they've been doing it for years. With this, if anybody has any questions, I'd be more than happy to answer.

NICOLAS CABALLERO: Thank you very much, Sebastien. We do have a question from Dr. Gopal from India, but it's related to DNS abuse. I don't know, Greg, if you would like to take that and then we go back to Sebastien? The question says DNS abuse is one of DNS facilitated-- Sorry. DNS abuse is one, DNS facilitated abuse is another, well, something like that. Are there any specifications for deploying code patches to check this? Any on having an upper bound on the frequency of deploying the patches. This is from India.

GREG DIBIASE: No, I don't think we have policy with that specificity at this time.

NICOLAS CABALLERO: Thank you, Greg. So, back to you, Sebastien. And we have a request for the floor from Iran. Iran, go ahead, please.

KAVOUSS ARASTEH: Thank you very much. The same question yesterday, we discussed this issue of confidentiality and discussed issue of the request, urgent request. Is that something that now currently being discussed between the PSWG and the GNSO small group?   Are we satisfied? I'm just requesting distinguished colleague from GAC. Laureen, are you happy with this arrangement now or? Because yesterday, you were pushing for an expedited arrangement for this complete reality. Thank you.

LAUREEN KAPIN: Thank you, Kavouss. This is Laureen speaking in my capacity as co-chair of the Public Safety Working Group. As we mentioned yesterday and I appreciate the question, we've had very positive and collaborative discussions with ICANN Org on the issue of making sure there's a mechanism to request confidentiality. So, I would say I'm very optimistic that that will get resolved in a way that everyone is comfortable with. All signs point to that thus far.

                           There's a separate topic that doesn't involve the RDRS small group, but rather involve the proposed implementation of the Phase 1 specifications, and that is where the urgent 24-hour request period comes in. Currently, Org's determination based on public comments was

to have a 24-hour time period to respond to urgent requests based on the public comments and yet, however, that issue is still going to be discussed in an upcoming meeting of the IRT and we are hoping that Org's determination will stand. But since we haven't had that meeting yet, I don't know the outcome and our guidance to the GAC is to keep an eye on that, and of course, the Public Safety Working Group will inform the GAC of the outcome of those conversations.

So, it's two separate topics and on the first one, we're again thinking that things are going to work out in a positive way for everyone. Thank you, Kavouss.

NICOLAS CABALLERO: Thank you, Laureen, and thank you, Iran, for the question. Any other question or comment from the floor or online? And, Gulten, again, please help me out with the queue. Okay. So, if that is the case, we'll move on to the next topic, which is actually topic number two on our agenda, new gTLD Program Next Round. Sebastien, back to you.

SEBASTIEN DUCOS: So, thank you. I think the first topic on this will be taken by Paul McGrady. Go ahead.

PAUL MCGRADY: Paul McGrady here. Thank you for this. We got a lot of work to do, we've been doing a lot of work, and I would just like to talk about a few things with regard to where we are. And so, I'm working off this list here in regard to certain elements regarding the SPIRT, PICs and RVCs, things of

that nature. And so, if it's okay with you, I'll just work down the bullet point list.

And we'll start with the issue with regard to the SPIRT and the desire for the GAC to be able to work within the SPIRT on equal footing. The good news is on that question that you raised is the general principle found in the SubPro final report, is that the SPIRT should be open to all interested parties but may not necessarily be representative of the ICANN community as actual participation may depend on the interest and relevance of that particular new gTLD process. In other words, the issues drive who's recruited for the SPIRT rather than a broad sense of head counting within the community. But, of course, expressions of interest by GAC members will be very welcome should the work that SPIRT is taking up at that time should interest individual members.

So, in other words, it's not going to be this free ranging working group. It's going to be nearly focused on a particular task, and of course, GAC members are welcome to express their interest and participate. It's not going to be a GNSO-only process. So, I hope that is helpful in addressing that concern.

The next concern has to do with PICs and RVCs and the GAC advice related to that, that they need to be enforceable through clear contractual obligations or the proposed GAC advice and that the failure to meet those obligations should be specified in relevant agreements. There appears to be alignment between the GAC and the GNSO on this particular point. And in fact, the Board has come back to the GNSO and asked us to provide in a clarification statement that the PICs and RVCs that are found in the final report are meant to be those PICs and RVCs that are enforceable.

And with that clarification, the Board, they're signaling at least that they intend to move forward with those recommendations that contain PICs and RVCs, while also opening a community-wide discussion about enforceability, how we ensure that those things are enforceable, that there's details in the PICs and RVCs so that at the end of the day, ICANN Compliance is able to act on those. So, again, another area of alignment between the GNSO, the GAC and I believe the Board.

With regard to Applicant Support, there is I understand proposed GAC advice that the Board should take steps to substantially reduce or eliminate ongoing registry fees to expand financial support for underrepresented regions. I hate to be the bearer of good news, constant good news, but I think that there is alignment there again, between the GAC and the GNSO. We also would like for the ICANN Board to be as generous as possible for the Applicant Support Program.

One of our recommendations was that the ICANN Board actually provide some funds to those applicants to support their application writing. We have received pushback from that on the Board, and so we expect to have to put together a supplemental recommendation, it's called, on that issue to try to find some other ways to find dollars for these applicants. But we thank the GAC for their continued support of GNSO efforts to make the Applicant Support Program as meaningful as possible for as many applicants as possible. It is a shared value between the GAC and GNSO.

On the next issue, about GAC Consensus Advice and GAC Early Warnings, there is some indication from the Board that they will not be accepting some of the recommendations made by the GNSO Council in the SubPro final report and a minimum need to be some further discussion on those items. And so those are in what we're called we have different landing

spots or buckets. So, this sits in a landing spot that we describe as further conversation necessary. But we've been told by the Board that conversation at least at the beginning will be between the Board and the GAC and that the GNSO might be invited into a trilateral discussion at some point when the Board believes that's appropriate, but that timing does not appear to be now.

However, they have encouraged us to continue our dialogue with you on the issue of the effect of GAC Advice and GAC Early Warnings and so we will be respectful, stay in our lane until we're invited into the discussion, I think, between the Board and the GAC. But in the meantime, we have another lane, which is conversation with all of you. And so, I expect that there will be more on that in the days ahead. So, don't be surprised if we reach out to engage in dialogue directly with the GAC on that.

The last thing is Auctions and specifically Mechanisms of Last Resorts and Private Resolutions of Contention Sets. We understand there's proposed GAC advice to the Board to encourage them to ensure that auctions of last resort are not used in contentions between commercial and non-commercial applicants, and that to ban or strongly disincentivize private auctions.

So, on this one, there was significant discussion of options within the PDP Working Group. Ultimately, there was not consensus to either ban private auctions or to essentially approve them. In fact, the Board has come back to us because we do mention the word private auction in a couple of those recommendations and the Board has asked us to provide a clarifying statement indicating that by us mentioning the phrase private auctions, we did not need to either speak them into or out of policy. There is no policy on private auctions and so to the extent that there is

this thought from the GAC that they should be banned or strongly disincentivized, we will have to take that back.

In relationship to the first part where the GAC is considering advice, indicating that the current ICANN last resort mechanism, the contention set should not be resolved between commercial and non-commercial applicants using that contention set. That is also something that we will have to take back and think about. That concept is not found in the PDP final recommendations and it's not clear to us how that would work, specifically how would a contention set be resolved. And so, we on this particular one, I won't say there's disalignment, but I will say that some of the concepts on this particular issue are not necessarily on the thinking tracks that we have been thinking.

And I can leave it there for now. So, I think those were the questions that presented. I expect there will be lots of questions about my response to these particular questions and also generally questions about where things sit between the GNSO Council and Board right now or the program generally, and I am happy to be in the hot seat.

NICOLAS CABALLERO: Thank you very much, Paul. And certainly, looking forward to engaging in conversations with the GNSO and obviously with the Board. We'll be very happy to do that. Before I open the floor for questions, let me read a comment from Switzerland. Jorge says, please know that the draft advice summary texts on screen are just that, draft text. That still need to be discussed in-depth by the GAC. Please also consider that these are summaries of the actual draft advice we will discuss this week, just to make sure we're on the same page. Jason, any of the topic leads, vice

chairs, would you like to chime in? Any comment? Or you want me to open the floor for questions. I'm in your hands. Would you like to go ahead, Jason?

JASON MERRITT: No comment, but a question, but you can open the floor. I'm in your hands. How you'd like to--?

NICOLAS CABALLERO: Okay. So, questions, comments? Gulten, help me with the chat room.

GULTEN TEPE: Of course, Nico. We have Jorge Cancio from Swiss delegation and then Iran would like to take the floor.

NICO CABALLERO: Okay, Switzerland. Please go ahead.

JORGE CANCIO: Hello, everyone. I hope you hear me okay. I'm in transit in a train, so maybe it's a bit noisy. But yeah, Jorge Cancio, Swiss government. First of all, thanks very much to Paul and to the rest of the team who have come up with responses, with preliminary responses to all questions or to our draft pieces of GAC advice. And I think we are taking notes very carefully of what you've been saying in order to absorb that for our communique discussions and also for the second session we have on SubPro in the GAC itself. So, thanks very much for those reactions.

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And maybe a follow-up question, and of course we have prejudice to internal GAC conversation and final decision on what we put into the advice. But if you could, I don't know, score the different pieces of GAC advice we have shown to you, which is a primer in a way for these kinds of dialogues, from 1 to 10, with 1 being least helpful or not helpful at all, and 10 helpful. How would you score the different pieces we have shown you today? Does it make sense?

It's just to get a sense on where we would be hitting really a stumbling block if we go forward and where we might even be aligned. You have hinted to that, but maybe with this scoring system. Again, 1 very unhelpful, 10 very helpful, what would be your reaction? Thank you.

PAUL MCGRADY: Thanks. This is Paul McGrady again. I will never say I'm happy to be in the hot seat again to Jorge. Jorge, great questions. So, at this point, I have to say, this is Paul McGrady only. This isn't the Small Team, this isn't GNSO Council. But I'll do my best to give you a reaction. So, 1 being very helpful, 10 being not very helpful.

On the first one with relationship to the GAC participating on equal footing in the SPIRT, I would give that a 3. And the only reason I would give that a 3 instead of a 1 is because the SPIRT is meant to tackle specific problems, and that particular problem that the SPIRT is tackling may be of zero interest to anybody in the GAC. It may just not be a topic that you have an interest in. Or the problem that the SPIRT is attempting to tackle is a really important issue for the GAC, and it may be very technical, definitely in your lane and you want more than just equal footing for that particular iteration of the SPIRT.

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And so, I would say equal footing implies some sort of mathematical formula that may not fit every situation, but I think the general concept that the GAC should be part of the process, I think, is anticipated by the SubPro outputs and so when you say you want to participate, then I say, that's a good idea. The people who actually chair the GNSO, if you guys think I'm wrong about something, interrupt me or make a face and I'll do my best try to catch up on that.

On the PICs and RVCs, I think that, so this is the proposed GAC advice. And, again, not looking at the details of the proposed language. The idea behind this particular proposed GAC advice is that PICs should be enforceable through clear contractual obligations and there should be consequences if parties don't live up to them and that the mandatory and voluntary PICs should remain possible in order to address emerging public policy concerns. I mean, I think on that one, that's a 1. I think that's very helpful. I think that's what the Board would like to see. I think that's what the Council would like to see. Nobody wants to see a PIC or an RVC that's not enforceable. It doesn't do anybody any good. It causes confusion, it causes unnecessary disputes. So, I think that there is there's strong alignment so I'll give that one a 1.

On Applicant Support, the proposed GAC advice is to take steps to substantially reduce or eliminate ongoing ICANN, registry fees to expand financial support for underrepresented regions. I'll give that one a 3. The reason why I'm not giving it a 1 is because I think that simply reducing fees, that's one good idea and that is part of what the GNSO has been thinking about, but I think that there may be more ways to support applicants than just reducing their fees. And so, I'll give that a 3 so that we can retain some room to get creative around this subject. But on the

principle behind this draft GAC advice, I think it's a strong one, and I think there's strong alignment.

Moving on to the next one, which was related to GAC Consensus Advice and Early Warning. I don't think that this is one that I can rate on a scale of 1 to 10. I think this has to do with the Board's relationship with the GAC and the GNSO's relationship with the GAC more than anything else. And so, I don't think that this one is-- this isn't just one that can be rated. This is a relationship issue. This isn't any particular proposed way forward. It's a complex problem that needs to be worked out. So, Jorge, I'll take a pass on this one if that's okay.

And then the last one for Mechanisms of Last Resort and Private Auctions, I'll say that this one's probably an 8. Just because these are two. The first one is a new idea that really, I didn't-- at least if it did have much conversation in this SubPro working group which took years and years, I don't recall us talking much about that and new ideas at this late stage in the game will slow down the program even more than it has been slowed down. There's a general principal in the GNSO that we don't relitigate things and so I don't think at this point, that would be a terribly helpful suggestion.

And then to ban or strongly disincentivizes private auctions. Again, this was one, what to do with private auctions was a topic that we spent hours and hours and hours and hours on, and we ultimately didn't come to any policy conclusions to endorse private auctions or to ban them. And so, I won't give this one an 8, but I might give it 7 in terms of at this point, that would require additional-- If the GAC gave that consensus advice, then that would set us up, I think, for additional policy work. And again, we're

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at a late stage in this process and that could delay significantly. And so, I hope that's helpful. I know Jeff has his hand up. Jeff, go ahead.

JEFF NEWMAN: Thanks. It's Jeff Neman to help you out of the hot seat a little bit. So, on the auction mechanisms of last resort. It's our understanding, and you're going to be meeting with the Board and ICANN staff, so you can ask for confirmation from them, but it's our understanding that they are in the process of retaining auction experts to help them with implementation and in doing so in a way that minimizes or disincentivizes the private auctions.

So, I think that ICANN Org is taking steps to already address that because I believe at least as to what they've said to us and the Board has said to us that it is certainly an issue for them. So, it's not an issue that's in front of the GNSO at the moment. It's really now being discussed at the Board level and I'm sure they'll appreciate any input that the GAC has on those issues.

On the first point of that, which is contention between commercial and non-commercial applications. The only thing I could say is that SubPro did discuss that because it was filed in. I believe, it was your original comments. It was either to the initial report or the certainly in the draft final report. So, the SubPro Working Group just wasn't able to get consensus on that subject, so there was nothing in, as Paul said, there's nothing in the SubPro final report that indicates one way or another on that issue. And so that again is probably something that you will and should discuss with the ICANN Board. But, of course, if there is traction on that, then that would be something that comes back to the GNSO to

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NICOLAS CABALLERO: Thank you very much, Jeff, Paul. Thank you, Switzerland for the questions and thank you, Paul, for the very detailed answers. Thank you, Jeff. Certainly, we're very happy with the grades. Looks like we'll have our allowances. I have Iran and then Canada. Iran, please go ahead.

KAVOUSS ARASTEH: Thank you very much, Chairman. I think maybe you give the floor to Canada and Switzerland, perhaps they cover the point I want to raise. If not, then I'll raise it after. Thank you.

NICOLAS CABALLERO: Thank you kindly, Iran. Canada, please, go ahead.

JASON MERRITT: Thank you so much. I really appreciate the feedback from up here, I think that that type of clarification on these issues is extremely helpful for us as we're kind of working through some of these things within the GAC. I just wanted to go back very quickly and I think in your follow-up, you may have answered my question, but I just wanted to get some perhaps clarification in my mind around the SPIRT piece that was there.

So, understanding that there's issues that are specific and may or may not be of interest to the GAC. Should there be one of those that an individual GAC member was interested in, I think the express interest to

participate, is that to be taken as if there is an interest to participate that that's a given or is that a process that has to unfold? And are there things in place that would guarantee or ensure that if there was an expression of interest that they could participate?   That was my only minor clarification. So, thank you.

PAUL MCGRADY: Thank you. Paul McGrady again. So, I pulled up the part of the final report and there are some givens. The only givens are at least one participant from the original PDP Working Group and one from the PDP Implementation Review Team. So those are the only two givens. Those PDP Working Group members or IRT review team members could themselves be GAC members. They don't have to be GNSO people. They could be GAC people. After that, there is to be a GNSO Council liaison to the SPIRT.

And after that, it says the SPIRT should be open to all interested parties but may not necessarily be representative of the ICANN community as actual participation may depend on interests and relevance of the new gTLD process, and membership criteria should identify knowledge, experience, responsibilities to their respective organization, rules of engagement, and a statement of participation, etc. So, in other words, there is nothing in the SubPro final report that says if a GAC member expresses an interest in participating on that particular iteration of the SPIRT that they it is for sure a given.

That having been said, having seen the success of Work Track 5 out of the SubPro PDP and the importance of the involvement of GAC members on that and also the great contributions that GAC members have made

generally to the SubPro PDP and other PDPs. All I can tell you is I would be very surprised if at the end of the day after the expressions of interests are in, if GAC members expressed an interest in participating, and we ended up with zero GAC members on the SPIRT, that would greatly surprise me, and I think it would be a mistake.

NICOLAS CABALLERO: Thank again, Paul. Canada, is that a good answer? Are you okay with--?

JASON MERRITT: Yeah. No. I appreciate that. Thank you very much.

NICOLAS CABALLERO: Thank you, Canada. I have Switzerland. Jorge, please go ahead.

JORGE CANCIO: Sorry. That was an old hand.

NICOLAS CABALLERO: An old hand. I'm sorry. Iran, you have the floor.

KAVOUSS ARASTEH: Thank you very much. Am I or do I understand that the number of the participants in the SPIRT would be from IRT and from the people preparing or prepared already the PDP on the new gTLD, and from GAC, only three entities? And if that is the case, would it be that means we have three persons only? Just a question. This is after I heard the comment from the distinguished colleagues from the small group, but my

initial question, with all of these explanations given today, do we still retain our draft GAC advice to the Board or with some of these explanations that language and terms in those would be modified? Thank you. Two questions.

NICOLAS CABALLERO: Before I give the floor to the GNSO, so, Iran, maybe that's something we need to discuss during the communique drafting session, but anyways, up to you, Paul.

PAUL MCGRADY: Thanks. Paul McGrady again. Thank you, Kavouss for the question. So, know that the SPIRT will be much larger than just the three. There will be at least one PDP member, at least one IRT member, and a Council liaison, but after that, it'll be open and based upon expressions and experience and those kinds of things. The PDP itself and Jeff, correct me if I'm wrong, but the PDP recommendations themselves don't put any particular numbers cap on the SPIRT, and so I don't think that we are going to create false scarcity and cause ourselves problems in that regard.

So Kavouss, just to assure you that it won't be a small numbers game designed to exclude folks. It'll be the SPIRT or the SPIRT is solving problems and how you solve problems is you get as many people in the community with the experience necessary to help you solve those problems. Thanks.

NICOLAS CABALLERO: Thank you again, Paul. Jeff, would you like to chime in or? Okay. Thank you. Any other question or comment? Do we have any other request for the floor, Gulten?

GULTENTEPE: Not at the moment, Nico. Thank you.

NICOLAS CABALLERO: Okay. So, for my distinguished GAC colleagues, I just want to make sure that we don't have any further questions regarding predictability or RVCs and PICs or Applicant Support, GAC consensus advice and GAC early warnings or auctions. Are we okay? And just to make sure, you can ask your questions in Russian, in Arabic, in Chinese, in Portuguese, French, Spanish and English. So, please feel free. We do have translation services. Just let me know. I'm in your hands. Any other question or comment? And I have Iran again. Please, go ahead.

KAVOUSS ARASTEH: Thank you. Thank you very much, Chairman. I think perhaps yourself on behalf of all of us kindly convey or express our sincere appreciation for this explanation, this description and so on and so forth. It was very helpful. And in some area for some people like me, it was instructive. Thank you.

NICOLAS CABALLERO: Thank you again, Iran. Comments, questions? Seeing none. I understand United Kingdom, Nigel, you had some suggestions or comments. Is that for any other business or is it on this topic?

NIGEL HICKSON: Thank you, Mr. Chairman. Nigel Hickson, UK.

NICOLAS CABALLERO: Go ahead.

NIGEL HICKSON: I've got something on any other business, but we'll come to that. But just very briefly as we're going off, perhaps, on topic 2. I just wanted to express our thanks for the collegiate work that we do with the GNSO, both on closed generics, which of course we've touched on before in this GAC session and yesterday in the group. It's been really good to work with GNSO colleagues on that. And also on the Implementation Review Team, which Jason and I, Jason is the main GAC representative on that, and I'm assisting. And it's very good working with colleagues on that as well.

NICOLAS CABALLERO: Thank you, UK. And if there are no other questions or comments, let's move on. We still have one topic to cover if I'm not mistaken. Sebastien, the floor is yours.

SEBASTIEN DUCOS: Yeah. I had more than one topic, but anyway, I would like to move to the topic of closed generics and I'll ask John McElwaine to guide us through this.

JOHN MCELWAINE: Thanks, Sebastien. John McElwaine, for the record here. I guess, before I get into talking a little bit about the closed generics and answering the questions, I would like to take this opportunity to thank the six GAC colleagues who worked very, very hard and diligently sacrificed a weekend or at least three days of their time to be here in Washington, DC, in January. Spent many nights and days and time working on this, framework to deliver something to the community, which is outside the normal course of putting together policy in in solving problems. And I'm really excited that the framework was able to come out for this meeting, and, hopefully, it is getting discussed at the GAC. So, again, thank you to all of them.

On the question, the first one is assuming that an agreed framework can be reached with Facilitated Dialogue and amongst the respective broader communities, what would be the expected policy process of the GNSO, and the timelines for the GNSO Council to complete this work? Again, as I mentioned, everybody had, hopefully, has had a chance to see the draft framework which came out just before ICANN77. Right now, that framework is in a comment period, not a traditional policy comment period, but an opportunity for the various groups in the community to review the framework and submit their points, their comments to ICANN staff.

The group will then take those comments and produce a final report. After that final report is prepared, we anticipate that each participating group will then use their own internal processes to approve that framework. Essentially, what we're hoping is for that not to be a lengthy formal process, but that each group can provide guidance, approval, endorsement, however you want to refer to it. That the framework,

again, not the policy that will be developed, but the framework is something that that could possibly work, and that we could put policy around.

Policy work will start after that approval. The policy work is likely to be through an EPDP model. And we are starting, in fact, right now at the GNSO Council level, some initial charter drafting. Nothing that is official, but we just want to get the background pieces of information in place so that we can work quickly and efficiently once all of the decisions and approvals are made. Along with that, we'll probably also start the initial process of a call for volunteers.

The policy work through an EPDP is expected to take 36 weeks. The public comment, the review of those comments, and the process of producing a final report and approving it at the council level is expected to take another 36 weeks. So, all told that process of going from the draft report, and then a final report to an implementation phase, it's likely to be around 96 weeks.

All right. I'm going to move on to the second question sort of interrelated, which is the GAC is keen to continue with similar arrangements in terms of fair representation of the GAC, GNSO and ALAC during the potential subsequent policy development phase, and would be interested in the Council's views thereon. So as I mentioned, we're still in early stages. It will likely be an EPDP, and it's likely to be a group that will need to work quickly and efficiently. This charter for the CPDP work is likely to be scoped narrowly, so that we avoid problems of re-litigation while at the same time taking the great work that was done by the facilitated dialogue group and utilize that for some of the policy work.

You'll note in the framework there's a number of places in it where there is some discussion of what I would refer to as policy guidance and maybe even some implementation guidance. So, it's hoped that again, that charter can be done narrowly with input from the community, and done in a very collaborative way. So, with that, I can turn it back over for any questions.

NICOLAS CABALLERO: Thank you, John. Questions, comments? And I have Iran. Iran, go ahead, please.

KAVOUSS ARASTEH: Thank you very much. Very briefly, discuss among ourselves yesterday, this issue of closed generic, and I raised some points and said that there are many questions yet to be answered. There are many open questions. I understood from the discussion of today that we will be able or you will be able, in fact, a bit 96 weeks to reply all of that. Is that sort of the, I would say, estimate or guesstimate? Because there are many of these questions still to be to be discussed, and I raise some of them. For instance, the evaluation team, the enforcement, and many other, 28 questions and issues plus some sub questions. Just this is a request that whether you could guesstimate or estimate 96 weeks or whether it takes more than that. Thank you.

JOHN MCELAINE: Thank you. John McElwaine, for the record. So, yes, Kavouss, it is estimated to be 96 weeks. And, yes, we recognize there are a number of policy issues still to be determined, but we think that 96 weeks was not

developed just pulling it out of thin air. We compared it to other previous work streams and working groups, and believe that to be an accurate estimate given the number of issues that this working group could tackle. Again, particularly if we can scope those questions in a narrow way so that we are avoiding readdressing issues that were already discussed by the group and scope creep for lack of a better word.

NICOLAS CABALLERO: Thank you, John. Any other question or comment? If not, and for the sake of time, Sebastien, would you like to go ahead with the next topic or would you like touch up on timeline of GNSO Council work?

SEBASTIEN DUCOS: Absolutely. So, we've heard from Paul on all the work that was done in the last three months to identify the 38 remaining questions recommendations, and what will need to be done there to-- As you all understand, this is a moving piece. We spent the day on Sunday reviewing these once again with the Board after their own retreat. So, whilst we have a path to resolution for most of them, all of them, at least in the line of sight, timelines are yet to be defined on those. It'll take a few months to resolve all this.

The longer timelines that we're looking at and what is crucial at this stage because this is the work that is going to take the most time and dictates mechanically where a next round will be able to set are the work that is being done on the IDN and EPDP, and obviously, the works that John just referenced that will need to be done on closed generics. At this stage, and things are moving probably favorably to within in a reduction of time, but we need to be very careful to allow for that work to exist and take

the time that it needs to take. At this stage, we hear from the IDN, EPDP that they will have a final report in November 2025. There is then mechanically a period of four months after that for the report to be fitted in the IRT work, the implementation work.

That is, at this stage, on our map, the longest stretch of work that, again, dictates what happens afterwards. 96 weeks, I had to do the math simply because we're talking dates, we're talking numbers of years, 96 weeks is 18 months, roughly, 18, 19 months. That will bring us very, very close to that same timeline, I mean, 12 months, but as a Kavouss hinted, there is a lot of work here, and as John said, indeed, this is our best guess. We do need to work that in finer details. The framework is still very fresh, not yet finalized, by the way, and before any substantial work happens, we can do all the prep we want, but before work happens, it needs to be finalized.

So, we have those two timelines right now that are basically dictating how long we'll need to work. There's a lot of other work that needs to happen, but all that is really seen as happening way before. Obviously, and maybe I can-- No. Maybe I'll pause here for questions and we'll talk about the IRT. Sure. Sure. Go ahead, Paul.

PAUL MCGRADY: And just to supplement a little bit on the timeline of the remaining work from the Small Team, we have a couple of different buckets. One, are the buckets of the clarifying statements that the Board are looking to us to provide to them. That has to do with applications assessed in rounds, registry pre-evaluation, some issues around the PICs and RVCs, some issues around terms and conditions, security stability, aim, collision,

objections, community applications, some things around auctions. Those are fairly narrow. Those will move fairly quickly.

With regard to things that the Board are signaling as non-adoption. Those have to do with the Applicant Support. We've all talked about that a little bit. Some things regarding the terms and conditions and registrar protections, those have been moved into the further discussion bucket. And then some issues around string of a similar evaluations, those are going to require, we think, as supplemental recommendation. Developing those will take a bit longer than the clarifying statements. And, of course, the things like GAC advice and GAC early warnings and the registrant protections where there's going to be ongoing conversation either between the Council and the Board or the Board and the GAC with maybe the Council being involved in that. Those have less of a less fuzzy timeline on them.

That having been said, I do believe that the Board is expecting the Small Team and the Council to do its work over the summer and to get them something as soon as possible because I understand they would like to get the final recommendations off their plate and out the door in December. And if I'm getting that timeline wrong, I apologize. So, the remaining work of the Small Team will move quickly. And then Seb talked about the overarching timeline that are dependencies on the IDN and the closed generics issues, those are longer time periods. So, two different time periods, one moving swiftly and one taking the time or two, taking the time that they need. Thanks.

SEBASTIEN DUCOS: Thank you, Paul. Any questions on this topic? I don't want chair for the chair. So, if you want --

NICOLAS CABALLERO: No, it's all right. Let's move on

SEBASTIEN DUCOS: Let's move on. Okay. Good. Now if only by counting my time, you will have understood that Paul sitting next to me has been a busy boy for the last few months. And now moving on to a completely different topic of the GGP on Applicant Support. Paul also happens to be a liaison there, so I'll pass on the mic again to him.

PAUL MCGRADY: Thank you. Paul McGrady again. I volunteered to be the Counsel liaison to the GGP on Applicant Support before I was voluntold to be the team lead in the Small Team. I don't know that I would have done both. The good news is that the GGP and Applicant Support is nearing completion of its work. We expect to have the report, at least the initial report of that group in the upcoming weeks. It is focusing on, right now, we're focusing on how we measure success in relationship to numbers of applicants, number of outreach, things of that nature.

The GGP was fairly narrowly scoped and so it's done a good job doing its work and there has been broad support throughout the community on that GGP. And we've had great chair and great staff support. So that is on track. So, there's sort of a dual thing. One is dealing with the issues of how we know whether or not the Applicant Support Program was

successful. That's the primary idea behind this GGP, but also it's a test run for the for the GGP as a model of solving problems, and I'm happy to say so far so good. Happy to take questions.

NICOLAS CABALLERO: Any comments, any questions? Gulten, are we okay? Chat room, no questions so far?

GULTEN TEPE: Thank you, Nico. Not at the moment.

NICOLAS CABALLERO: Seeing none, let's move on.

SEBASTIEN DUCOS: Okay. Thank you, Nico. So, we'll talk now about the Implementation Review Team. So, essentially, the review team had just started. We've had three meetings so far, there's a fourth coming this week. So, it's still early days. We still are figuring out a bit who's who around the table, making sure that we have the right eyes, the right minds around it.

There's been some timelines given and frankly, right now, it's taking a substantial time in our discussion, how valid are those timelines, how efficiently is this been forecasted, and etc. I'm of the view, and it's my own personal view, not the majority, that we should probably start the work now in earnest at least to gauge our speed and our capacity to work together instead of debating if the plan is good. I'd like to see at least a

month or two of work down our belt before we can judge that, but that's my own personal view on this.

Obviously, for those who have been following this and looking at the wiki site that has been organized for the IRT, there is a long list of participants. It's completely unsurprising in the sense that there was a very, very long list of participants in SubPro to start with and a lot of familiar faces around the room, a lot of new ones too. So, I suspect I expect that we will be able to piecemeal the work, maybe divvy up the work, and find efficiencies there. But again, I don't want to preempt any of that.

As a strong reminder here, IRT is a task that is not a GNSO task, it's not a GAC task, but it's staff that runs this with all our support together. And we will give him all the support that we need, but we do need to on this in let him drive, and particularly in the beginning. Again, I'd like to see the work starting. So, I will personally let him drive this at least for the first few weeks and months.

On the specific question of SPIRT, I don't know that we need to go into much more details. If only to say that, actually, that was the first effective decision made by the IRT, which was to turn to our two GNSO Counsel liaisons and ask them to send that as a question to Counsel. And the decision hasn't been finalized, it will this week, I assume, but basically, the Council is agreeing that chartering the SPIRT team is indeed going to be something that the Council will do. So, we're taking this off the IRT table for now.

It's a task that is not probably of utmost emergency in the sense that the SPIRT will only be activated much later in the process, so we have a bit of time to look at it. It is another stream again that will be added to the

amount of stuff that the GNSO has to do, but from all I understand and everybody's evaluation, it's, again, not a piece of work that will delay us. It's something that we can take on board and manage fairly easily. Are there any questions on timelines?

NICOLAS CABALLERO: Yes. Iran, is that an old hand. Iran, would you like to take the floor?

KAVOUSS ARASTEH: Yes. Excuse me. I raised up. Include my question in the chat. Thank you.

NICOLAS CABALLERO: Let me read the chat. It's already been answered, Kavouss. It says 96 weeks does not include implementation which would include the AGB work, but Sebastien will--

SEBASTIEN DUCOS: So, yeah, I need to clarify. John said it, the work that we are right now forecasting on the closed generics is 96 weeks end to end, within which there will be 36 weeks that are earmarked for actual discussions. The rest is everything that is ramping up to this discussion, building the team, chartering, all these things. And then afterwards, public comments, going back finalizing the report and etc. So, 96 is a product end to end, 36 weeks is what we have earmarked for the debates.

NICOLAS CABALLERO: Thank you, Iran. Thank you, Sebastien. And we're running out of time. We still have three topics to cover. Would you like to go ahead a little bit fast?

SEBASTIEN DUCOS: So, I don't see three topics because we've covered them before. As far as I can see, we are jumping directly into AOB now. So, no panic.

NICOLAS CABALLERO: All right. Good. Thank you, Sebastien. Yeah. We covered them before. Yeah. So, go ahead.

SEBASTIEN DUCOS: So, this one actually came from a question from us. The last time in Cancun was the first time that we, on top of advice, were able to look at issues of importance. I think it was something that the GAC had been asking for a while, at least, for Jeff, our liaison. We had been hearing that you were interested in having our feedback on those. For several reasons, it hadn't been done formally and particularly because we wanted to make sure that we remain on two different tracks between advice that had a certain amount of form-- well, having amount of formalism, because it involved the Board too in discussions in the broader community, and have a different channel for those bilateral questions and answers on the issues of importance.

So, I hope that you received our answers and that they fit in what you were looking for. My question is a bit broader is on a single iteration of the process, but is this a process that works for you? It certainly seems

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to for us. We just want to make sure that we keep on doing with this, going with this, or if that we need to review and look at it in a slightly different way. Open question.

NICOLAS CABALLERO: So, thank you again, Sebastian. Let me pass that question on to the GAC in general. Any comment? Any reaction? Anything you would like to say? And I don't see any hands so far. Gulten, do we have any hands raised?

GULTEN TEPE: We don't. Thank you, Nico.

NICOLAS CABALLERO: Okay. So, if that is the case, then we need to wrap up. Sorry. Sebastien, go ahead.

SEBASTIEN DUCOS: Then maybe briefly on this specific of our answer last time. One of them was the fact that we understood that GAC was looking at capacitation number of questions in order to build your own capacity to answer the problems of this community, and we offered our help. We offered to come and send presenters, send topic experts. I haven't received any requests so far, but I'd like to reiterate again this week, off weeks, all the time, we're ready and are ready for you guys.

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NICOLAS CABALLERO: Thank you, Sebastien. And we do have a request for the floor from the United Kingdom. Nigel, go ahead, please. And the US right after the UK.

NIGE HICKSONL: Thanks very much. Nigel Hickson, UK GAC. Well, just in answer to your very gracious questions, sir. I think I can't speak for the GAC of course, but I'm sure there will be some topics that we might well welcome your detail briefing on. Clearly, we're dealing with such a broad array of issues in the GAC, as you say, and the expertise which the others in the community have is always very welcome.

I just had two very brief questions. The first one was, as you recall in the GAC meeting, in the last GAC meeting, the GAC raised statements of interests and we know the GNSO was doing some work on updating statements, SOIs, and I just wondered what the status of that was. And also, I just wanted to flag that in our discussions yesterday on WHOIS and RDRS, and we had excellent discussion, not least because we were led by many different experts from your community and other communities, also the accuracy issue was discussed and the small group on that and whether the six-month moratorium would now be lifted and some further work could take place in that regard. Thank you very much.

SEBASTIEN DUCOS: So, very briefly in the interest of time. On the-- Sorry. The term escapes me. On the disclosure, statement of interest is the word I was looking for, so we have received the input from the working group. It's backed into one of our working groups, the CCOICI. We have looked at it. The comments on it are now not completely finalized. We should finalize this week, later this week. Orally, at this stage, other than we're looking into

it, I don't have any answer, but I'm happy to formulate one in writing if need be.

On the subject of accuracy, as a reminder, we had to pause the work for a number of reasons, including the fact that we needed some input from Org. There was also some pending discussions due to the agreement between the contracted parties and Org. All these things are still pending. We are actually suggesting to postpone, not stop, but postpone this work for another six months as we did late last year. This will need a vote as far as I can understand it. So, it might not happen this time. It will happen probably in July. But this is where we're at. We keep on monitoring and following and working with Org on ensuring that the deliverables are being worked on, but we don't have the material to start working again at this stage.

NICOLAS CABALLERO: Thank you again, Sebastien, United States, please.

SUSANCHALMERS: Thank you. Susan Chalmers. Very briefly. In Cancun, the GAC had a discussion on the importance of transparency and participation that ICANN. We're just wondering if there are any updates on that work from within the GNSO task force on the statement of interest policy. Thank you.

SEBASTIEN DUCOS: So, again, this is the same answer that I gave before. It came back to Council to our own group, and we are finalizing a formulation of it. I know

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that it's a question of the high importance, so I'm again happy to take pen to paper and answer this in writing, but I can't do it today.

NICOLAS CABALLERO: So, thank you again, Sebastien. Thank you, US, for the question. Any other questions or comments? We're running out of time. We need to wrap up the session. Any final comment or question? If that is not the case, then thank you so much Greg, Jeff, John, Paul, and Sebastien and the GNSO Council. Thank you, Canada. Thank you to the topic leads. And just some housekeeping details. We have a break now and we reconvene at 1:45 pm. We reconvene at 1:45 pm. Thank you so much.

SEBASTIEN DUCOS: Thank you, all.

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