ICANN78 | AGM – Joint Session GAC and GNSO
Monday, October 23, 2023 – 3:00 to 4:00 HAM

GULTEN TEPE OKSUZOGLU: Hello, and welcome to the ICANN78 GAC meeting with the GNSO session being held on Monday, 23rd of October at 13:00 UTC and 3 p.m. local time.   My name is Gulten Tepe Oksuzoglu and I'm the remote participation manager for this session.   Please note that the session is being recorded and is governed by the ICANN expected standards of behavior.   During this session, questions or comments submitted in the chat will only be read aloud if put in the proper form.   Interpretation for this session will include six UN languages and Portuguese.   Click on the interpretation icon in Zoom and select the language you will listen to during this session.   If you wish to speak, please raise your hand in the Zoom room.   And once the session facilitator calls upon your name, kindly unmute your microphone and take the floor.

Before speaking, ensure you have selected the language you will speak from the interpretation menu.   Please state your name for the record and the language you will speak if speaking a language other than English.   When speaking, be sure to mute all other devices and notifications.   Please speak clearly and at a reasonable pace to allow for accurate interpretation.   To view the real-time transcription, click on the close caption button in the Zoom toolbar.   To ensure transparency of participation in ICANN's multi-stakeholder model, we ask you to sign into Zoom sessions using your full name.   With that, I will hand the floor over to GAC Chair, Nicolas Caballero.   Nico?

NICOLAS CABALLERO: Thank you very much, Gulten. Welcome, everyone. Welcome to our second session of the day, the session being the GAC meeting with the GNSO Council, and I see Sebastian, Jeff, Greg, Mason, and John, welcome. We also have our topic leads here, Jorge Cancio from Switzerland and Jason from Canada, as well as my Vice Chairs, Wang Lang, Zaina Bou Harb, and Nigel. So the agenda for today will be a very short introduction, and then we'll discuss the new gTLD program next round. I won't get into the details for the sake of time.

Then we'll discuss IGO implementation and curative rights, DNS abuse. We'll have an update on DNS abuse. Right after that, we'll discuss WHOIS in data protection, and finally, transparency in GNSO. We were talking about this a little bit before, a discussion about the SOI issue, and then any other business, AOB. So with that, let me welcome again the GNSO. Jeff, let me give the floor to you or to Sebastian, whatever is better. So please go ahead.

SEBASTIEN DUCOS: I am Sebastian Ducos, and for two more days, the Chair of the GNSO. We'll talk about that towards the end. I don't need to make much of an introduction, but indeed, we came, I can see many GNSO faces in the room, particularly right in front, if you haven't met them yet. And I am here with Jeff, who you should know well because he's our liaison. My two Vice Chairs, John and Greg, and Paul McGrady at the end of the table, who will present. And we have Manju sitting in front, but she will come to the table in a minute or a bit later to present too. With this, and of course, our agendas have pretty much the same thing, but not in the

same order. So let me find very quickly, the first topic that we're talking about is the next round of gTLDs, and particularly the closed GNX, and that is going to be a subject that John is going to present.

NICOLAS CABALLERO: So before I give the floor to John, let me give some background to the GAC. Basically, the aim of this session is to from the GAC and the GNSO Council to provide a status update on the joint communications submitted from the ALAC and GAC Chairs, and the expected letter from the GNSO Council, we'll have news about that directly from them, to the Board pertaining to their decisions concerning the facilitated dialogue on closed generics, as stated to the facilitated dialogue group on their joint correspondence submitted on 7 August 2023. So that's more or less the background. So with that, let me give the floor to John. Please go ahead, John.

JOHN MCELWAINE: Thanks, John McElwaine for the record. To provide a little bit more background on the facilitated dialogue on closed generics, I know that there's not a lot of detail that needs to be provided because the GAC was so involved in this. In fact, many people sitting up here on the stage were heavily involved in the facilitated dialogue and the GNSO Council thanks the GAC for its significant involvement in that project. As many of you all know, unfortunately that group, when it came to putting together the final report, was put out for comment, and actually due to some insight provided by the GAC members that assisted with the drafting of the GAC's comments, it was really at that point realized and

then decided upon that the framework that had been developed was just not at a point where it would be acceptable to the community.

There's still too many questions and new issues were raised by those comments that just really hadn't been fully thought about and developed by the facilitated dialogue. So at that point, there was a decision made to cease the work, but make sure that the report was duly finished up, that comments were taken into account and really fleshed out in that document in case there would be future work on closed generics in the future. And a letter was initially prepared to be a joint letter from the GAC, ALAC and GNSO chairs when that was discussed at the council level. There was just one point that was not fully agreed upon at the council. So the three points of the letter essentially were that the firstly, the work should be stopped. Second was that everybody was thanked for their significant involvement.

But the third point was what the GNSO council did not want to advise what the next steps ought to be. We felt that that was going to be a policy decision. And therefore, that's why you saw a separate letter written by Sebastian as the GNSO chair. And so that really kind of gets us up to speed. I expect shortly that the facility dialogue will finish up its work. Again, hopefully to have use in the future if any policy is decided to be made with respect to closed generics. And that is my update. Thanks.

NICOLAS CABALLERO: Thank you, John. I would like to give the floor to my topic leads, the GAC topic leads. And then we'll open the floor for questions. But before that, let me give the floor to Switzerland. Jorge, go ahead, please.

JORGE CANCIO: Yes, thank you very much, Jorge Cancio, Switzerland for the record. GAC point of contact to the GNSO council and also one of the topic leads on new gTLDs. Basically, there's not very much to add to what John just explained. Of course, it would have been great to have a joint correspondence, at least for us, the joint correspondence that we had initially from the three chairs to the facilitated group is what explains why the work was halted. But we understand that in the council, you had also other considerations. And we will take up this also with the board in our communication with them in the bilateral with them. And maybe there's some language also in the communique. So I think that's more or less what I can say from my side. Thank you.

NICOLAS CABALLERO: Thank you very much, Switzerland. Sebastian, John, go ahead.

SEBASTIEN DUCOS: Just one last little detail that we have sent our letter. I think it went over the weekend, so it will be on the correspondence website shortly.

NICOLAS CABALLERO: Thank you for that, Sebastian. Jeff, John, Greg, would you like to take the floor? It's up to you. If that is not the case, let me. John, are you okay? So questions, questions or comments in this regard? And Gulten, help me out with the queue online. Any question online? No. Any question from the floor? If that is not the case, then let's move on to our

next topic, which is the new gTLD program next round. Again, Jeff, Sebastian, all yours.

SEBASTIEN DUCOS: So this topic is going to be presented by Paul McGrady, who has been masterfully shepherding a small team dedicated to that work.

PAUL MCGRADY: Thanks, Seb. This is Paul McGrady. Just want to give you a very brief update on the work of the small team. We have already accomplished a great deal of work and of the 38 pending recommendations that the board sent back to us, the majority of them are no longer pending. A number of them were adopted in September, as is or with a clarifying statement from the board.   Several others, including the recommendations on picks and RBCs. We believe we're in a position to be adopted by the board because we did a specific clarifying statement on those which went into the board recently. We are now focusing on the recommendations that remain that that have been rejected.

The board has provided a statement to the GNSO Council, which the small team has carefully reviewed, and we have decided to keep on pressing anyways. And so we expect that we will be doing more work on those non-adopted recommendations to see if we can put them in shape for reconsideration by the board at a meeting soon. The next step is for the council to have a conversation with the board regarding their statement on why these particular items were non-adopted. And that is going to take place here in Hamburg. And then the remaining work that needs to be done, we will continue to do. We are going to be

changing our organization just a little bit. We're very aware of the high interest of the community in the remaining recommendations and especially recommendations surrounding applicant support.

And so we thought to ourselves, well, how can we make sure we have a sort of a broader input process from the community? And so we are rolling everything's branding. So we're rolling out. It was the small team and now it's small team plus. And what that means is that we will be inviting the very best folks from each AC and constituency and stakeholder group to come and to help us get these handful of remaining recommendations in place. Although I don't know this for sure, I suspect it's the topic leads from the GAC that I've already taken an interest in these particular items that will likely show up from the GAC.

One of the things we're doing with staff now is hammering out the work plan so that those who have an interest in a particular topic will know approximately what weeks those will be discussed so that they can show up for the parts that they care about and maybe not and then send a colleague for the ones that other colleague has an interest in if they want to, where they can show up for the whole time, the more the merrier. But that's the idea behind the workflow. So you'll hear more about that in the coming weeks. In terms of the next steps, the small team will begin working on supplemental recommendation drafts for consideration. And like I said, hopefully put them in a position where the board can adopt them with some of those supplemental recommendations, for example, applicant support.

We expect there'll be a good deal of implementation guidance that are part of that. So it's not just tweaking a few words, there's a bit of work to do to get them ready. But we are moving forward. The small team plus is meant to be seeded by the last week of November, and we'll begin our work at that time. And we are hoping to be done within a few short months and get these back to the board so that they can hopefully make a speedy decision. And we will then be on our way and everything will then rest with implementation. So that's it at thirty thousand feet. I have confused my colleague, Jeff, so he's going to ask a question. Go ahead.

JEFF NEUMAN: Hi, this is Jeff Neuman. I just want to clarify just so it's it's clear. So when Paul says that we're inviting people to be on the small team plus, what we're doing is we're inviting the GAC to name people to be on the small team plus. It's not that we are picking who we want on this. It's basically an invitation for the GAC and the ALAC and the constituencies and stakeholder groups to name who they whoever they believe is appropriate for those particular issues. And it can be different for different issues. So a topic lead, for example, for applicant support, may want to participate in that discussion, but may have no interest in an appeals mechanism. But someone else from the GAC may have that interest. So there'll be room to have different people join.

NICOLAS CABALLERO: Thank you for that clarification, Jeff. Thank you, Paul. Before we move on to applicant support, any question, any comment about PICS and

RVCs PICS being public interest commitments, just in case, and RVCs registry, voluntary commitments?

GULTEN TEPE OKSUZOGLU: Thank you, Nico. We have Brazil and then US in the queue.

NICOLAS CABALLERO: Brazil, go ahead, please.

LUCIANO MAZZA: Thank you. Thank you very much for the information. It's just a more general question, a couple, actually. When you mentioned that just a few issues to be resolved, I just want to be clear, how many recommendations are talking about if you have the precise number?

PAUL MCGRADY: So I don't have the precise number I should, but essentially it boils down to four or five big themes and a couple of things that are what I would consider to be not big themes because they're more contractual tweaks related -- they're related to the contractual tweaks. So not we're down from 38 to, I don't know, five, six or seven, something like that.

LUCIANO MAZZA: And direct on the law of them somehow have dependencies or for their very nature, they're necessary to be solved before the program go ahead or somehow they could be left alone, a few of them.

PAUL MCGRADY: So right now, they're on the cutting floor. So what the council is doing is picking them off the cutting floor and asking the board to consider them again. In theory, if none of them are resolved, the board believes they weren't necessary for the program to move forward. Or else they would have said, we reject these recommendations and the program's dead. That's not what they said. They said we don't like these recommendations and they're continuing implementation work on the program.

So I don't think anything that's dead on the floor is a contingency to get the for the program to keep going. It's just that the council believes that a lot of work went into these recommendations, that they reflect the will of the broader community as it came out of the working group. And we're trying to find a way to make them easier for the board to get on board with. Is that helpful?

LUCIANO MAZZA: Yes, thank you very much. Just finally, when you refer to supplemental recommendations, they're essentially trying to clarify the issues that are presented by the board or they imply perhaps possibly new issues or new aspects of those issues. Thank you. That's my last.

PAUL MCGRADY: Great question. They're more the former than the latter. It's not new issues, new great big ideas. Some of them really are maybe cutting off a dependent clause that was causing some kind of heartburn from the

ICANN legal department or things like that. So they are the recommendation themselves are tweaks where we're going to be getting into new and interesting ideas are on applicant support and the implementation guidance that the small team plus may send the board.

There's a lot of good ideas out there and we need to find a way to sort of gather them up and make sure that if the board then adopts a revised recommendation that allows them to open their wallet a bit bigger than they did in the last round, that the community has been able to pass on some of the implementation ideas on how to do that. But as for the recommendations themselves, the changes will be small.

LUCIANO MAZZA: Thank you.

NICOLAS CABALLERO: Brazil. Are you okay with the with the answers? Thank you for that. And for the record, that's not Sebastian Ducos speaking. That's Paul McGrady, actually, for the record, should have said I have the United States and then I have Switzerland. US, please go ahead.

SUSAN CHALMERS: Thank you, Susan Chalmers, United States for the record. Thank you for the update. We look forward to reviewing the letter on closed generics. Haven't had the opportunity to review that yet. I was just hoping that you could expand, if possible, on the status of the picks and RVCs recommendation. I understand we have limited time and you get

the thirty-thousand-foot update. But if you could just unpack that a little bit more, that would be helpful. Thank you.

PAUL MCGRADY: Thank you. So this is Paul McGrady. Again, I should have said that last time. So the bottom line is that the board was concerned that the way the recommendation was written, it could be interpreted that both sides needn't agree, especially in relationship to the registry voluntary commitments, that there are that they would be enforceable. And so they wanted us to clarify that, at least in relationship to picks, that ICANN believes they're enforceable and in relationship to RVCs that both parties believe they're enforceable and enforceable not only as a legal matter, but as a practicable matter is how it turns out. That's the word we ended up we spent a week talking about practical versus practicable.

But at the end of the day, the bottom line is what the concept that our clarifying statement tries to get to is that these RVCs just can't be something that that an applicant throws in to try to get whoever is unhappy about their application to back off. But rather, it really needs to be something that both ICANN and the applicant believes enforceable and they intend to enforce it so that it's a real thing that sticks, if that makes sense. And so that's that was kind of what that was all about. And our clarifying statement basically told the board that we are in alignment with them. We want these things to be enforceable.

SUSAN CHALMERS: Thanks. Just a few follow up questions. So is the clarifying statement available to read?

PAUL MCGRADY: It is. It has been sent on to the to the board and we can find a way to get that into a link for you.

SUSAN CHALMERS: And procedurally, where does this issue stand? If you wouldn't mind just offering a few words around that.

PAUL MCGRADY: You bet. So now it sits with the board. They will read our clarifying statement. And if they agree that we accomplished what what they needed for us to accomplish, which was to say that these are really going to be enforceable. If they believe that, then the next thing up for them is to vote, then to accept that recommendation around the picks and RVCs. And so all the recommendations that were sort of held up by that by that issue, that topic will then move forward. We have been told also by the board that they intend to open more of a community wide dialogue on picks and RVCs and content generally. That sits with them, thankfully, and not with the council to do. So that's another follow on thing that they've said is coming down the pike, but that that is a board thing, not a council thing.

NICOLAS CABALLERO: Jeff, is it on the point? Otherwise, I have Switzerland and then you. Is it on the point? Go ahead.

JEFF NEUMAN: And also, just to answer the question as well. Sorry, this is Jeff Neuman. I want to make it clear that certainly the GNSO Council has seen the GAC advice and the GAC talking points about both this issue as well as applicant support and predictability. And I'm happy to say that on this issue, as well as applicant support, I truly believe GNSO and GAC are completely aligned.   I think we're all pushing for public interest commitments and RVCs registry voluntary commitments that are contractually enforceable, that are placed into the contracts and that have ramifications if those contractual provisions aren't met.

So I think that's really important to point out that this is one of those areas, just as applicant support, where we are completely aligned with the GAC that for applicant support. It's that support needs to be not just financial support, but support in other areas of both the application and the operation of a top-level domain.

NICOLAS CABALLERO: USA, is that okay? I have Switzerland. Go ahead, please, Jorge.

JORGE CANCIO: Yes, thank you. And perhaps with my double hat as liaison to the GNSO Council and also as topic lead for new gTLDs, I just wanted to highlight these issues that Jeff just mentioned. And first of all, also thank Paul for the invitation, for announcing the invitation to join the small team plus.

So that's very welcome. And I'm looking forward to seeing the invitation, to reacting to that, to naming volunteers from the GAC on the issues that will be discussed there. As Jeff pointed out, there's material already on the table from the GAC in the form of GAC advice to the board, especially on applicant support. If there is need also to find some common language on RVC speaks, I think that's something that we can work on. And as Jeff said, we are broadly aligned on that, on the spirit issue.

I think there's also your intention, as far as I understand, to have an open charter that really makes sure that there is fair representation of all parts of the community. So there we also have, I think, pretty much room for agreement. And finally, the other issue where maybe there's need also to have a dialogue with the board is, of course, the question of auctions and other means of resolution of conflicts when there are different applications, where our GAC advice of Washington, as far as I understand, is not completely compatible with the recommendations you made. And probably the small team is not big enough to resolve those differences. But there will be some interaction also with the board to find some kind of solution to that, because they after all have to react to our advice. Thank you.

NICOLAS CABALLERO: Thank you, Switzerland. Any other question or comment regarding PICS, RVCs appeals or applicant support before...

GULTEN TEPE OKSUZOGLU: Nico, we have India in the queue?

NICOLAS CABALLERO: India, go ahead, please.

PRADEEP KUMAR VERMA: Just wanted to clarify has the consequences for the violation of the contractual obligation been spelled out? Oh, we just say that there shall be consequences to the violations.

PAUL MCGRADY: Thank you. Paul McGrady again. It's a great question. I think the board definitely intends to spell out what the consequences will be.

PRADEEP KUMAR VERMA: Are they intended to be pecuniary only or…?

PAUL MCGRADY: Sorry, sir, I'm Paul McGrady again. Now you're above my pay grade. So I don't know exactly what those will look like. But the but what the but the board was asking from the council is for us to agree that those the voluntary the registry voluntary commitments, that there should be teeth if a registry violates them. But the board has to decide what the teeth are. What they were asking for us was agreement that they should be enforceable. I don't know ultimately what the consequences will be. That's for the board and ICANN compliance.

PRADEEP KUMAR VERMA:	So again, what the US was asking, would we get to see as to what is the board thought process to formulate that? Or I don't know. Would GAC have a chance to look at that contractual draft contracts?
PAUL MCGRADY:	Thanks. Paul McGrady here again. So that I think is a question for the IRT staff as they as they implement this and whether or not those will those consequences will be baked into like the base registry agreement or if there'll be individual consequences, depending on the nature of the registry voluntary commitments. I just don't know the answer to that, but the IRT staff should at some point soon. Thanks.
NICOLAS CABALLERO:	India, are you okay with the answers? Anything to add? Any other questions on this topic?
GULTEN TEPE OKSUZOGLU:	Thank you, Nico. We have UK Rosalind Kennebirch next on the line, followed by Indonesia and China.
NICOLAS CABALLERO:	Go ahead, please, UK.
ROSALIND KENNYBIRCH:	Thank you, Rose Kennebirch, UK. I just really wanted to thank you for the update on the small team plus effort. I think it will be really useful to include GAC subject matter expertise in these efforts. So thank you

very much for that. Just a practical question as a follow up on that. Do you know when we can expect to receive these invitations and a timeline of what issues might be discussed on which week so we can keep an eye out? Thanks very much.

PAUL MCGRADY: Thanks. Paul McGrady here again. So the answer to that is very soon. We are working on that draft timeline and we should have that done in a week or two. And then once we have that draft timeline, the invitations will go out so that you will know how to staff each set of weeks with the particular issues. And again, the goal is for the small team plus to be seated by the third week of November so that we get underway. So it's all in terms of ICANN terms, it's all moving very fast.

NICOLAS CABALLERO: UK?

SEBASTIEN DUCOS: I have.

NICOLAS CABALLERO: Sure. Go ahead.

SEBASTIEN DUCOS: Sebastian Ducos here I just wanted to add also because it's moving fast in terms of ICANN timelines. It is also envisaged to be short term tasks and we're not hiring people for to embark them in five-year PDPs. We're

talking about a week or two of work. And so don't get scared and do raise your hand if you have opinions.

NICOLAS CABALLERO: Thank you for that, Sebastian. I have Indonesia and China. Indonesia, go ahead, please.

ASHWIN SASTROSUBROTO: Thank you, Nico. Aswin for the record. In the previous gTLD program, we already have experienced some problems like .spa for geographical names and then we have protection for geographical names. But then we also have the use of sensitive words like .Islam, .halal and so on that takes a lot of time, both in the GAC and also in the OIC and also in the board meeting. I just want to know whether for those sensitive issues, the team also discussed as how to protect those sensitive names that may be proposed by whoever. The sensitive names can be connected with many countries like .Islam and .halal for OIC countries, but it can be connected only to one or two countries.

For example, in Indonesia .batic, for example, batic is a special closed culture in Indonesia and perhaps other countries would like to use it. Perhaps like in Australia, perhaps .Kangaroo might be interesting for another country to another company to produce that and that kind of words might be sensitive or maybe not at all. But is there any process of protection for those kinds of sensitive words? Thank you.

PAUL MCGRADY:	Thanks, this is Paul McGrady here. I'm going to do the cowards thing and say that we have a co-chair of the actual PDP here at our table, Jeff Neuman. And so, Jeff, do you mind taking that one?
JEFF NEUMAN:	Thanks, Paul. This is Jeff Neuman. The processes that we're going to follow or that we've proposed to follow and the board has accepted these recommendations is very similar to the last round. So the GAC and individual governments will have the opportunity to file what are called early warnings. And those are statements that the individual government or maybe even the GAC as a whole may object to a particular application. And that objection may be based on exactly the types of things that you have stated. And so those processes are in place to ensure ample time for the governments to provide feedback, as well as the rest of the community to provide that kind of feedback.
PAUL MCGRADY:	It's Paul McGrady again, which is why the registry volunteers. commitments need to be enforceable. Because if they're put in place because of a GAC early warning, then those need to be enforceable, or else it's not a great method to resolve the kind of concerns that were just raised. So, and Jeff, thanks for letting me chicken out. I appreciate it.

NICOLAS CABALLERO: Thank you for that, Paul. Jeff, Indonesia, are you okay? China lower, so no more requests for the floor. For the sake of time, let's move on to the next topic, which is...

PAUL MCGRADY: This is Paul McGrady. I'm leaving the table, but not because I'm upset or offended, but I need to cede my seat to Manju. So thank you all.

NICOLAS CABALLERO: Go ahead, please. Go ahead. So, Sebastian, let me give the floor to you.

SEBASTIEN DUCOS: So this is Sebastian Ducos again, and the topic that I will present myself. So this is the topic. It's a topic basically of Doc Quebec. We're not calling it Doc Quebec because we're looking at it on a more holistic view. But as you may or may not know, the result of the roots and generation rules in Latin script, so in all languages that use Latin script from English all the way to most European language, but all the way also to places like Vietnam and others that use that script. It was the decided that there were no variants in those scripts, people that did the research and decide it's not exactly accurate.

There are variants, but all the variants are blocked in these scripts. And so the rules that have been developed and agreed, we are on phase one of the IDN, PDP, we're getting to the very end of it. Those rules are not applicable to a Dot Quebec because there's no variation. And I'm not going to get into the technicality of it. I'd be more than happy to come

back for another session to have a long discussion about it. It's a fascinating topic.

This set, we are now and we had similar conversations with ALAC in front of a problem where most people looking at it say, this is an open and shut case. It makes absolute sense that the owner of a TLD that doesn't have the accent because wanting to stick to ASCII and wanting to simplify, but now that IDNs are a lot more easy to operate and easy to find, wants to obtain the accent on its name and there's no confusion and it's the same operator and the two TLDs can be run in parallel and so on and so forth, which is essentially the conditions that we're imposing on variant and variation at the top level.

We should be able to do that also for those that are not variants in this case. Now the discussion and we will have that discussion within the GNSO this week and I don't want to preempt it, but the discussion basically is do we find a mechanism to resolve this between the IRT and, Jeff you're absolutely right, we're not using acronyms so it's the implementation review team and us to resolve this problem in order to be able to help TLDs like Quebec, but there's a few others for example from the previous round and I can imagine as a Frenchman a number of particularly French brands, I'm thinking I don't want to, well sorry, I don't want to name, maybe a previous applicant because they exist, but for example Hermes which applied for a TLD without the accent just to make it more simple for usage, but today may want to also get that TLD with accent to run in parallel, so we would want to be able to do this.

The full option normally that we have in our toolbox is to go through a policy development process, but we all know that policy development

takes a very long time and it's not just the time that it will take which today means that it's not for the next round it won't be for the future, but it's also the amount of effort from the GNSO, from the community, from staff to go and man these sorts of projects, the IDN PDP that we're trying to speed up and deliver in the next year is only a proof of that.

It's an enormous amount of time, so we're trying to and we will discuss that on Wednesday to balance what we can do and find in order to possibly resolve this situation which again seems to most, I don't want to trivialize a bit to be a no-brainer, but at the same time do it according to the book and the way we need to do it. I'm happy to answer any questions, I don't think that I have to go into more details on this now.

NICOLAS CABALLERO: Thank you so much for that, Sebastian. Before I give the floor to Canada though, we need to go back one page and I'm very sorry about this, but we skip talking about applicant support. Any question, anything you would like to comment in that regard before we go back to?

SEBASTIEN DUCOS: It's Sebastian Ducos and I would like to recognize Paul that moved into the first row, but he's going to be there because he was the liaison to that work.

NICOLAS CABALLERO: Please go ahead, Paul.

PAUL MCGRADY:

Thanks. Paul McGrady here again from the front row this time. So on applicant support, as I mentioned, the recommendations themselves, the changes are going to be somewhat narrow. On that particular recommendation, the board had some concerns about how prescriptive it was and so we're going to be making those kinds of changes, but in the process essentially what we're doing is pushing on the idea that we do want the board to open its wallet and to commit significant resources to applicant support and we will be gathering ideas from your topic leads, from the ALAC which has a proposal that they're floating around, from the NCSG which has a proposal that they're floating around, and putting together those ideas in a package as implementation guidance that the board can then send on to the IRT staff.

The IRT is the implementation team that will actually take these board recommendations and turn them into a program. They're already hard at work. We will also hear from the IRT team. It's a staff team itself. They're going to come and talk to the Small Team Plus with their ideas and so we're hoping through the process we'll find alignments on some of the bigger ideas that we can then pass on to the board. In terms of the Small Team Plus, we're hoping that your topic leads will come with their very best ideas and to help us refine those and refine those of others in the community and find where we're aligned so that we can have a nice strong voice to the board on what we'd like for them to do.

NICOLAS CABALLERO:

Thank you for that, Paul. Let me open the floor here for questions on this topic and my apologies again for skipping this accidentally. I don't

see any question online. I don't see any hand up so let's move on. Sebastian, thank you for that introduction. Let's move on to page six. Am sorry. Go ahead, UK.

NIGEL HICKSON: Yes, thank you very much, Nigel Hickson, UK GAC. I think we had a page back in B. I know we were flicking through the various issues but we had one on contention sets on auctions where the GAC has issued some concerns in the past on the use of private auctions and I just wondered whether Virginia had a view on this. The GAC is talking to ALAC later in the week, our colleagues from ALAC in the week and ALAC, as you know have also raised some concerns on private auctions. Thank you.

JEFF NEUMAN: Thanks. Oh, sorry. This is Jeff Neuman. Thanks, Nigel. I think this is one of the areas that was addressed by the subsequent procedures final report, which was that all contention sets ultimately, if they could not be worked out, would be decided by an auction of last resort that was run by ICANN. We obviously are aware of the GAC's advice to the ICANN board on doing a different process when you have a non-commercial applicant or a non-profit applicant. Right now, that is not an issue that the GNSO is discussing because the GNSO has already submitted its recommendations to the board and that particular recommendation, I believe, at least with respect to auctions of last resort, was adopted.

There are some questions on how those auctions are conducted and how parties can work out contention sets prior to an auction of last resort, but the particular issue that, that GAC advice relates to, that has

already been forwarded to the board and approved by the board, and it's not currently an issue before the GNSO.

NICOLAS CABALLERO: Thank you for that, Jeff. UK. Are you okay with the answer? So then, let's move on, and now we go back to Sebastian's introduction regarding the Latin script, the .Quebec, which is not .Quebec anymore. That's not the issue. I'm sorry about that. It's diacritics in Latin script. Canada, would you like to take the floor on that? Please go ahead.

JASON MERRITT: So, Jason Merritt, GAC Canada, for the record. Just speaking in my capacity as the GAC representative from Canada and not as the SubPro and topic lead. So .Quebec, as this issue has been endearingly dubbed, Canada would like to make a couple of remarks and perhaps ask a question. I think what Sebastian has articulated very well here is, the .Quebec issue has brought to light a gap in policy that should be addressed, and even though it's an acute example, I think it can speak to some of the broader issues that could stem from this, and I think you mentioned a couple.

So, as a Canadian government, we've been tracking it closely and trying to get a better understanding of the GNSO discussions and how things are evolving, and I actually would like to offer my appreciation to the GNSO Council and other parts of the community that have advanced these discussions in my eyes over the past several months because it is a difficult issue to come to grips with.

It can be very technical. Are we talking about variants? Are we talking about string similarity? It gets in the weeds very quickly, so I appreciate the discussions that have been advanced there. I would like to perhaps pick up on something that you said, Sebastian, and you sort of preempted my question, I think. I'm curious what the potential next steps could be for this. What sort of tools the GNSO Council has to look at this issue, and in the discussion on Wednesday, are there any decision points that may or may not be taken, or what are we looking at? That was my question, so thank you.

SEBASTIEN DUCOS: Thank you, Jason. This is Sebastian Ducos for the record. So, for those of you who've ever seen that Z grant that we use in the GNSO to explain our processes, the very top of the letter is an issues report, and without preempting any result from the discussion, I'd like to chance it, but my ambition, my assumption, is that we will agree to at least work on that. That issues report will be a paper that will describe in details the problem that we're trying to resolve, and may offer guidance as to how to resolve it, and then we will take it step by step after that. But the issues report, I'm assuming, we will be able to agree to have produced on Wednesday.

NICOLAS CABALLERO: Thank you, Sebastian. Any other questions, comments, thoughts on this topic? Seeing none, let's move on to the next page. IGO acronyms and the status of board discussions with the GAC. Greg?

GREG DIBIASE: This is Greg DiBiase. Does GAC want to describe the status of the board discussions, or should I kind of explain the issue from our perspective first? The recommendations related to the PDP on curative rights protections for international government organizations have been adopted by the board and are in the implementation stage.

We're eager for ICANN to start that work because we believe that once the recommendations have been implemented and the notification has been established and whatever potential inconsistencies with existing GAC advice can be resolved, then we could move forward with removing the temporary protections on IGO acronyms. I think we'd like confirmation that that is correct from the GAC perspective, and then if you have an update on resolving any potential inconsistencies, I think we'd appreciate that as well.

NICOLAS CABALLERO: Thank you, Greg. Comments, questions, thoughts on this? Switzerland, go ahead, please.

JORGE CANCIO: Thank you. Jorge Cancio, Switzerland, for the record, and of course, Brian, you can correct me if I say anything wrong, but basically you have it on the screen. We issued advice to the board very recently at ICANN76, and basically, we asked the board to proceed with the approval of the recommendations and also to implement them as speedily as possible, the curative protections, where we reached, I think, a historic agreement in that EPDP on curative protections after many years of disagreement or misunderstandings.

And of course, for us, it is fundamental that whilst those curative protections are not really operational, that we maintain the moratorium with the current preliminary protections we have been having for so many years. So it's in our interest also that there's a speedy implementation, but as long as that is not operational, we need this moratorium to be maintained. But I don't know, Brian, if you want to expand.

BRIAN BECKHAM:	Thank you, Jorge. Brian Beckham, for the record. Nothing to add except to affirm that IGOs remain ready to implement the good work, the good compromise outcome from the EPDP. I know the Council is keen to move that forward. So again, just to affirm our willingness to move to implementation. Thank you.

NICOLAS CABALLERO:	Thank you, Brian. Jeff?

JEFF NEUMAN:	Thanks, Jeff Neuman. This is another one of those areas that I am convinced that the GNSO and the GAC are completely aligned. I know that the GNSO had an update. I can't remember yesterday or the day before now. Days kind of go, they all blend together, but we had an update from ICANN org on the status of implementation. And so our understanding is that they are moving forward.

But the GNSO has asked ICANN org to provide more concrete dates and milestones because the update was very general. And I'm hoping, I

don't know if you have a session with GDS staff to discuss this, but it is certainly, well, if you see them around, maybe they can give you the same update. I know the slides are available. And if you don't, I can provide those to you from ICANN org. But again, this is like a number of the issues we've discussed today, something that we're completely aligned on.

NICOLAS CABALLERO: Thank you so much, Jeff. Brian, are you okay with that? Any other questions or comments? And I have a lady over there. Please go ahead. Please just state your name for the record and your country. Go ahead, please.

NANAYAA PREMPEH: Thank you very much. My name is Reverend Doctor Nanayaa Prempeh from Ghana. I'm the board chair for the Ghana Domain Name Registry and representing Ghana on the GAC. And I want to apologize for a while now, no one was representing Ghana. I want to thank the African rep for ICANN, Pierre, for facilitating this. So now the presence of Ghana must be identified at the GAC meeting. Thank you very much.

NICOLAS CABALLERO: Indeed. Thank you. So we're good to move on. So again, for the sake of time, the next slides on page 9, 10, and 11 are all about IGOs, unless you tell me there's all the questions. We have already discussed this. So we'll move on to page 16, Gulten. Is that the one? 14? Is that good? And one more, Gulten? 17? Is that the one? 16. So this is DNS abuse

mitigation on page, sorry, is that page 15? Page 16. Yes. DNS abuse mitigation. Let me give the floor to Greg DiBiase. Please go ahead.

GREG DIBIASE: Thank you. This is Greg DiBiase for the record. just a quick update here that the contractual amendments to the registrar accreditation agreement and the registry accreditation agreement, which seek to strengthen abuse provisions are out for a vote currently. I think they've been out for a vote for two weeks and I believe that period should end in December. So the GNSO Council is waiting on the outcome of that. In the event they do pass, we've discussed keeping close track and potentially measuring the impact, doing things like talking to ICANN compliance to try to gather what data we can and use that data to inform future work.

I think that would be the next step. Continue engaging with the community where we can. The contracted party house has plans to open up some of their abuse sessions to get input from other parts of the community and we'll use those inputs as well as any data we're able to gather from the changes post amendment should it pass. And then we will use those inputs to consider what future policy work may be necessary.

NICOLAS CABALLERO: Thank you, Greg. Any question in this regard? Any comment? And as usual, we're running out of time. So if there are no questions or comments, let's move on. Unless you want to mention something about future policy, Sebastian, are we okay to move on? So on page 17,

WHOIS in data protection? You have some topics there. Any comment? If that is not the case. We have basically urgent requests. I don't know if you would like to give an update, Sebastian, on urgent requests.

SEBASTIEN DUCOS: So on urgent requests, my understanding and as I've been informed this week, the IRT, the implementation review team that had prepared a document that was ready for publication in August, end of August, and has been held back since because of urgent requests. I think that the proposal today on the table is to remove from the documentation the urgent requests out of the implementation to allow a speedy implementation and I should remind that once the document is published, the recommendations were for an 18-month implementation. And so I understand that with the help of the PSWG, we arrived to that conclusion. I think that everybody agrees, of course, that there is work immediately to be done on urgent requests, but it will not stall this IRT and we will look forward to publishing that revised document as soon as possible.

NICOLAS CABALLERO: Thank you for that, Sebastian. And we only have three more minutes. I just wanted to make sure that any possible question or comment about urgent requests was made here. Are we okay to move on? Seeing no requests for the floor, let's try to cover the next topic. We'll run out of time in two minutes. Accuracy issue, DPA status, anything to add in that regard? Greg, Jeff, Sebastian?

PAUL MCGRADY:	I'll do that too and we'll do it quickly. We sent a letter in early August and just got a reply two weeks ago, both to ICANN org and to our colleagues from the registries and registrars, so the three parties that are negotiating this DPA. And they have answered to us that they're still working on it. They haven't given us a date for the completion of the work, but at least the ICANN side is committed to having finished their review of the latest comments on the last few points of discussion by the end of the year.
	And in any case, and this is why I repeated the 18-month timeline on the IRT, on the implementation of the data, sorry, I'm losing my words here, but that the agreement will be in place by the time the policy is actually fully rolled out. The agreement you will find, it's actually not a DPA, but it's a DPS as in specification, because it will actually be integrated as an additional specification in the contracts of the registries and the registrars.
NICOLAS CABALLERO:	Thank you so much again, Sebastian. Questions, comments? We might have time to very briefly discuss SOI if you give me five additional minutes. Is that the case? All right, so let's move on to page 19. Transparency in GNSO participation, in other words, SOI statements of interest for the record. Jeff? Sorry, Sebastian, go ahead.
SEBASTIEN DUCOS:	Yes, this is Sebastian Ducos for the record, but I would like to recognize Manju Chen who's been shipping this for us and will present.

MANJU CHEN: Thank you, Seb. Manju Chen for the record. So about this issue, our Council is GNSO Council is going to vote on the update of SOI on this Wednesday during our Council meeting and we wonder if GAC has any opinion on this issue. We would like to hear from you.

NICOLAS CABALLERO: Thank you for that. So with that, the floor is open. Switzerland, go ahead, please.

JORGE CANCIO: Thank you and Jorge Cancio for the record. Switzerland, basically recalling the community language you have on the screen that is from ICANN76. So we haven't had the opportunity of looking into the final text. You are going to vote during your Council meeting, but just to recall that it is very important for the GAC to really have transparency in what interests are being represented in meetings. It is part of the credibility and the legitimacy of the multi-stakeholder process we have here in ICANN and we are really concerned about vague definition or broad definition of the lawyer-client privilege, which is not consistent with the practice in other organizations. So without prejudice to looking into the final text you are considering, I just want to share these points with you. Thank you.

NICOLAS CABALLERO: Thank you, Switzerland. Would you like to take that one or back to you?

SEBASTIEN DUCOS: This is Sebastian Ducos for the record. Thank you for the comment noted. Again, we have a vote on our text this week and we will keep the GAC up to date with the results on our work.

NICOLAS CABALLERO: Thank you very much. We have two other under AOB auction proceeds and GNSO Council changes in leadership and members, but we don't have any more time for that. Maybe we can do that intercessionally in a call or something unless you can go ahead into this.

SEBASTIEN DUCOS: This is Sebastian Ducos for the record, I'm not going to go into the deep end of that in two minutes, but I will say that I am term limited. Nothing is wrong. Term limited at the end of this HEM and I will step down from the GNSO chair on Wednesday. We will have an election, but let's say that we have a single candidate that happens to be a fantastic candidate, my colleague and friend Greg DiBiase here, and so going forward you will be receiving these updates by Greg and his new team because John is also term limited and will be stepping down. We have already the vice chairs, but in any case, thank you very much for your welcoming us today.

NICOLAS CABALLERO: Thank you so much, Sebastian. Before we leave, let me remind you, I'm sorry, UK, go ahead.

NIGEL HICKSON: No, sorry, Mr. Chairman, I didn't want to. Just to thank Sebastian for the cooperation with the GAC, not just in this meeting, but in many different areas as well where we interact with the GNSO in policy development processes or whatever. It's been a privilege to work with you and your team, so thank you.

NICOLAS CABALLERO: Thank you very much. Thank you, Sebastian, Jeff, Greg, John, Paul. Thank you to the GNSO team. We'll reconvene here at 4:30. Let's break. Thank you so much.

[END OF TRANSCRIPTION]