ICANN78 | AGM – GAC Communique Drafting (1 of 5)
Tuesday, October 24, 2023 – 4:30 to 5:30 HAM

GULTEN TEPE: Hello, and welcome to the ICANN78 GAC Communique Drafting session being held on Tuesday, 24th of October at 14:30 UTC. Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior. During this session, questions or comments submitted in the chat will only be read aloud if put in the proper form. Interpretation for this session will include 6 UN languages and Portuguese. Please click on the interpretation icon in Zoom and select the language you will listen to during this session.

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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 that you sign into Zoom sessions using your full name. With that, I will hand the floor over to GAC Chair Nicolas Caballero. Over to you, Nico.

NICOLAS CABALLERO: Thank you very much, Gulten. Welcome back, everyone. The main purpose of this session is to identify the main topics we would like to include in the communique. I understand we already have identified one or two topics, so I'll be reading, like we did back in Washington, each section. And then we can start populating the different sections with whatever language we decide to include. So with that, Fabien, can you put on the slides?

FABIEN BETREMIEUX: And so maybe, Nico, we can. This is Fabien from the GAC support team. So maybe before we get into the text of the communique, we can remind everybody of the process and the fact that we're going to be considering the communique over the next three days. This is the first session. There will be other sessions tomorrow and then on Thursday.

We generally try to, in this session, the first one, identify potential topics for advice and issues of importance and identify who the potential pen holders for these issues are so that that can help with collaboration within the GAC on those topics, on the text to be provided on those topics. So that's the main objective of this session. By tomorrow, we expect to have the entirety of the non-advice and non-issues of important sections to be populated. That's what we do. And we work with the working groups to do as well.

There's already activity currently in the communique to fill those sections. And by Thursday, the last day of our drafting, which is missing here on this slide, I apologize for that, we will need to complete the

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drafting of the communique. And this is when we move into the communique review period. Once the communique is adopted, once the draft is complete and it is adopted, we move into the 72-hour review period, which explains that the date of the communique is not going to be Thursday's date, but it's going to be the next Monday after that 72-hour review period.

So that's a reminder. We can maybe go through each section of the communique to remind everyone of the structure of the communique. And then quickly, without necessarily reading the text yet, but moving then to the advice and issues of importance to identify what is being considered at the moment and take it from there.

NICOLAS CABALLERO: Thank you so much, Fabien. You read my mind. That was going to be my suggestion. So again, identify key topics. That's the aim for today, identify the key topics, the potential pen holders, and ideally some draft text. As Fabien pointed out, this is just the first session. We'll have almost eight hours. Hopefully not, but hopefully we'll be able to do it in six hours or less. But in any case, we allocated plenty of time for the communique drafting.

So this is the first, as I said before, identify key topics, pen holders, and draft text. During this first session tomorrow, as you already know, we'll have two sessions in the morning, session number nine having to do with the second session of the new gTLD program, then a break, and then the gag discussions on DNS abuse, then the lunch break, and right after that, as you can see, we'll have the GAC communique drafting for

two hours tomorrow, then a 30-minute break, and then again a 90-minute session for the communique drafting.

Same thing, well, not the same thing, but another 60-minute session on Thursday morning, and then if needed be at 10.30 a.m., a final communique session that eventually might be running in parallel with the ICANN public forum. So at this point, the idea, as you pointed out, Fabien, and I'll give the floor back to you so that you can walk us through the different sections.

Again, if need be, I can read each section, but the main idea is to identify the different sections identify the key topics, and if there's already any pre-agreed text or anything you would like to include at this point, we can do that, or not, or we can do it tomorrow. So again, we're in your hands. Any questions so far, any suggestion? If you have a better idea, we're more than welcome to listen to it. If not, then I'll give the floor back to you, Fabien. Please go ahead. And I see a hand from Iran. So before I give you the floor, Fabien, let's listen to Mr. Arasteh. Please go ahead, Iran.

KAVOUSS ARASTEH: Thank you very much. I don't think that I have a better idea, but I want to say that among the three main subjects, the follow-up action issue is important for GAC and GAC consensus advice. Perhaps, as you mentioned, we have to remind ourselves that is there any topic for the GAC consensus advice? We meet three times a year, and there has been many, many other subjects, but is there any pressing point to think of that between now and tomorrow on the GAC consensus advice? I'll only put my finger on that topic. Thank you.

NICOLAS CABALLERO: Thank you, Iran. I couldn't agree more with you. That topic or any other topic any other GAC member suggests. So again, the floor is open. We're just going to give a short review to the structure itself, and then we'll cover the details, if you don't mind. Fabien, go ahead, please.

FABIEN BETREMIEUX: Thank you, Nico. So let's slowly scroll down. The communique has several sections. The first one is introduction. We take care of updating the numbers, obviously, of members and observer attending the meeting. It describes the meeting itself. Then we have the inter-constituency activities and community engagement, where we reflect the GAC's engagement with other community groups. So you see that this is already being populated. Then we have internal matters. This is where we report on the membership of the GAC, elections, and the activities of the working groups. And you see that the underserved regions working group has already provided text, as well as the GAC operating principles evolution working group.

Then finally, we are getting into the more substantive parts of the communique, including the issues of importance to the GAC. You see here that one issue has been a flag for now, which is the future rounds of new gTLDs. And as far as GAC consensus advice to the ICANN board, section five, we do not have in the text right now topics identified. And finally, the last section of the communique is the substantive section, is the follow-up on previous advice, where we have a suggestion here that there is follow-up on the contention sets and auctions as it relates to future rounds of new gTLDs. With that, Nico, maybe we can go back to

the consensus advice section, as Iran was suggesting, to see if there is any interest on what topics at the moment.

NICOLAS CABALLERO: Thank you for that, Fabien. Indeed, let's go back to consensus advice. We're already there. So at this point, do we have any suggested text for this section?

FABIEN BETREMIEUX: There isn't that we're aware of. So if there isn't, maybe we can move to issues of importance and see what our thoughts are.

NICOLAS CABALLERO: Unless any distinguished colleague has any text at this moment to share. Is that the case? And I don't see any hand up. So let's move on.

FABIEN BETREMIEUX: And I think we should recognize that there are other substantive conversations to happen in the GAC, including tomorrow and other sections on subsequent rounds, then DNS abuse as well. So there might be additional activities that could lead to considerations of advice. So in the meantime, on issues of importance, we currently have one suggestion in the text on future rounds of new gTLDs. I understand that there may be consideration of topics for issues of importance as it relates to registration data. And I believe Laureen, as part of the presenters in the previous sessions on who is in data protection, suggested that if we have the time, we could maybe consider the last

slide of that session that we did not have time to consider fully. That could be discussed now as part of the consideration of those topics.

NICOLAS CABALLERO: Thank you, Fabian. Laureen, is that the way you would like to proceed?

LAUREEN KAPIN: I'm in your hands. We'll just note that we did have in our ideal scenario, we would have had this wonderful discussion about it with the GAC to see if they wanted to flag issues of importance or other issues having to do with those issues. So it's really just a springboard for discussion if it's appropriate. Now, that's fine, but it's really up to you.

NICOLAS CABALLERO: It is. So let's go ahead. Give me just one second, Laureen. We're going to bring the slides. Sorry to keep you waiting, US. We're working on the slides. Give me just one minute. And here we go. Laureen, the floor is yours. Please go ahead.

LAUREEN KAPIN: Sure, and actually, I'm hoping that the floor is for all my GAC colleagues. These are just some of the issues that were discussed during the last presentation, some questions about how the Phase 1 and Phase 2A policies are going to be implemented. We certainly had a lot of discussion on urgent requests, privacy proxy services, and how that relates to our DRS usage and satisfaction.

And just to be clear, we're not talking about any policy requirements there. It's more a concrete, practical perspective about how the service will work and whether it's going to be providing information that requesters find the most useful. And then there was also, I think, an abbreviated policies discussion about registration data accuracy. So this is just identifying some of the topics discussed and then inviting the GAC to consider whether any of these should be included in issues of importance. So it's a springboard for discussion.

NICOLAS CABALLERO: Thank you for that, US. And I have Iran. Go ahead, Kavouss.

KAVOUSS ARASTEH: Thank you very much, Laureen. I think the question you raised, how Phase 1 and Phase 2 to be implemented is too general. I think perhaps we should concentrate on some of the issue in that to be followed. But that would be a very general question. How should it be implemented? I don't think that at this stage should be formulated as such. Maybe you kindly put your views on some very specific area within the phase 1 and phase 2 and put that one. However, having the floor, I just want to ask Canada and Switzerland, they represented seven issues. Whether among these seven issues, any of them requires to be issues for important for GAC or issues as a follow-up GAC advice consensus? Just asking them whether they have anything to contribute to these two areas. Thank you.

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NICOLAS CABALLERO: Thank you, Iran. Switzerland, Canada, would you like to answer to that or?

JORGE CANCIO: Thank you, Nico. And I will defer to Jason to correct me. Jorge Cancio, Switzerland, for the record.   Kavouss was referring to new gTLDs, correct?

NICOLAS CABALLERO: I guess so.

JORGE CANCIO: So there is some language that will be prepared for issues of importance. Of course, we are in the hands of the committee. I was just noting or trying to recap things that might be interesting. The question of diacritics, the Quebec issue, that could be something, at least to welcome further work and involvement of the GAC. Of course, I think that also our advice on auctions, we have had a reaction from the board informing us that they are looking into the issue with an expert. So maybe also welcoming, being informed on the issue, and also on the findings of this expert. And to follow up on that, there might be appetite for some text on GAC consensus advice, the topic 30.4. I sensed at least some common ground on highlighting the political dimension beyond the legal dimension.

Of course, there is text being discussed by different colleagues on close generics and how we react on the current situation. I also took note of the comment from Denmark that probably we should ask ourselves or

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ask ICANN org where we stand with this cost-benefit analysis, whether they consider this has been done, and if so, where. And I'll stop there. But of course, there might be also other points where to add further aspects under new gTLDs. And tomorrow, of course, we have the second session where we will be continuing the discussion on applicant support program, what has been the work so far of the GGP, close generics again, and of course, the IRT. So there's plenty of material there.

NICOLAS CABALLERO: Thank you very much. Switzerland, I have Japan, I have India, and then Brazil. Japan, go ahead, please.

NISHIGATA NOBUHISA: Thanks. Can we go back to the slide about the data protection and those kind of issues on the communique? I understand that Kavouss' question and the address by the whole here is fine. So let me go back to the slide. And then Japan has a couple of comments on it. And then first, since the RDRS is launching very shortly, so then it's worth it to mention about the launch and, of course, as appropriate and then when appropriate and necessary, then the GAC members should do some help about the outreach in those new RDRS.

And Japan, particularly in the community of the industry and the internet community, is having a very big expectation for the new system. Then they were wondering how far we can dig into using this time during this session, and how far we should go about the privacy proxy services. Just Gabe mentioned it.

This could be a big issue, but on the other hand, we don't have much time to solve before the launch. So maybe if we could do this, then it's going to be very helpful to the Japanese community to see what's going to happen in this new system. So happy to hear from other colleagues. Thank you.

NICOLAS CABALLERO: Thank you, Japan. I was just taking notes. Thank you, Japan. Well noted, I have India. Please go ahead.

T. SANTHOSH: Thank you, Chair. On this particular slide, thanks to the team which made a very detailed presentation, but our understanding is that this proposed RDRS system, I think if other members agree, there should be consensus that this is a very interim management, and this is not actually even a true pilot of the SSAD. We are not testing any of the problem statement, which SSAD highlights.

This is a very ad hoc and interim arrangement, and rather than shifting the goalpost for the two years, we should try to close the target too much earlier, if possible, because whether we do this or we don't do this, I don't see any value in spending so much of time and effort and energy into this kind of a system, because I don't get any value out of it. Maybe for other members, I would like to listen to the views of other members as well.

And apart from this, I also feel that there should be a clear-cut consensus. The different agreements, RAA and RRA, these three

agreements should clearly prescribe, and we should highlight the urgency of finalizing these agreements as soon as possible, because without that, I think that's the operational thing. I think the system can be devised once we have agreements in place.

And the third one is that DNS abuse. DNS abuse, I think, is another topic, I think, which we must highlight in the communique. Given the amount of cyber-attacks we keep getting as a country, especially when certain events arise, certain events are taking place. I have one more question maybe for the House as such.

By the way, I'm a new member, so pardon me if I might be sounding ignorant somewhere. We have so much of a question about the privacy data when it comes to providing the WHOIS data. But there are many domain names where the WHOIS data is not even available. Why can immediate action not be taken in those cases where the WHOIS data is not even available? I still understand there should be some time taken, 24 hours or whatever depending upon what board approves, where the WHOIS data is available.

But we have so many domain names from which the attacks, which are utilized for the botnets and so different kind of attacks, for which there is no KYC that's what we call in India, but there is no verification or validation data available. Can they not be blocked by system immediately? That would be a huge help to the various countries, I'm sure. These are our concerns. We'll maybe work on the language tomorrow as the communique moves forward. Thank you so much.

NICOLAS CABALLERO: Thank you very much, India, indeed. That's the idea, identifying the key topics. So thank you for that. I have Brazil and then Iran and then Egypt. Brazil, go ahead, please.

LUCIANO MAZZA: Thank you, Nico. Just to flag that we, along the lines of what Jorge mentioned, we are thinking about possible language for this more political discussion that we had before. It's still in the ideation phase, so I'm not sure how we will approach it. I just have to think it through. But I think that's something that we can liaise with the discussion of the consensus advice that we had earlier on today.

NICOLAS CABALLERO: Excuse me, Luciano, about which topic exactly?

LUCIANO MAZZA: No, we had this more political discussion on how, I don't remember the word, there's recommendation 30.2, I think.

NICOLAS CABALLERO: 30.4, you mean?

LUCIANO MAZZA   It's not .4, I think it's .2.4.

NICOLAS CABALLERO: 30.4, yes.

LUCIANO MAZZA: About the elimination of the language on the strong presumption and so on. So we're just, I think we can connect this to this more broader discussion about the role that the GAC should have in the system. Thinking this through and see if there's some way to raise this issue. And on the RDRS topic, just to, I think we had some progress just to remembering what we were before and I think that's, had to recall that this is being devised as a proof of concept system. It's not something that's entering itself. It's entering the sense that we can take lessons out of it. So it's supposed to be useful somehow and I think that the whole discussion before was that, let's the original proposal was too heavy and perhaps too costly and so alternatives might have to, had to be considered somehow and that proof of concept comes in this, filling this gap.

So I think it's important to bear in mind it's not only something that's transitory in time but should bring some ideas on how to move forward and there are concerns about costs, about how the system may work in a lighter way than the originally presented. So I don't know if it's too early to move on certain recommendations as we don't have the system yet in place. So I think perhaps later on when this RDRS is working, we have more elements to make sorts of recommendations. Thank you.

NICOLAS CABALLERO: Thank you, Brazil. Well noted. I have Iran. Iran, please go ahead.

KAVOUSS ARASTEH: I'm sorry. Thank you very much, Nico. We should be quite careful to distinguish between issues of importance for GAC and the follow-up action. Normally, issues of importance for GAC may not be in the issues that have follow-up actions because those has already gone one step further because follow-up action mostly are either the issue very important or issue of GAC advice. So this one. However, in identifying these particular issues on follow-up action, we have to see what were the main policy, sorry, GAC advice, and what was the reply, but not repeating.

We have to see whether the question that has been raised in previous advice and answer has been given or satisfactory or not, if not remaining the element which yet to be further developed, but not repeating the same question. This is very important. Now, to the question one that raised by Laureen, I think it has been done for the last four years. I don't think that there is any answer for natural versus legal. If you want to follow up that again, so I don't know what one to add to that one. There has been no reply clearly, and this is four years that we're repeating that. And I was in the phase one of the EPDP and there was no consensus on that. So if you want to repeat that, I don't know whether we have any success or not. Thank you.

NICOLAS CABALLERO: Thank you, Iran. I have Egypt and then US.

MANAL ISMAIL: Actually, I have put down my hand because it's on a separate issue. It's communique related, but not on WHOIS. So I'll wait until.

NICOLAS CABALLERO: Thank you, Egypt. I'll give the floor to the US and then get back to you. Laureen, please go ahead.

LAUREEN KAPIN: I just wanted to clarify for Kavouss. I very much appreciate his point. I think the more specific issue that was raised in our discussion was not about the general issue of whether to distinguish, but the Phase 2A implementation required functionality of a way to flag whether a domain relates to a natural entity or a legal entity. And I think the specific follow-up to that is an inquiry as to how that is being pursued. So it's not done in a very specific way. It doesn't necessarily have to go in the communique under issues of importance, but I did want to clarify that that's where the question mark is.

NICOLAS CABALLERO: Thank you for the clarification, US. Egypt.

MANAL ISMAIL: Thank you, Nico. As said, it's on a separate topic. I was just wondering whether the high-level governmental meeting is worth mentioning under a separate title under issues of importance to the GAC. I can see it already mentioned within the underserved regions working group reporting, but I think it's important enough to be flagged to the community as a topic of importance. Having said that, now I recognize this was during the capacity building, so it might be also worth bringing to the attention of the full GAC and the plenary so that those who are

NICOLAS CABALLERO: Thank you very much, Egypt, well noted. So far we have under issues of importance to the GAC. We have HLGM, number two, future rounds of new gTLDs, number three, diacritics in new gTLDs or the .Quebec, which is not .Quebec anymore, but anyways, just to help you identify what the topic was. Then we have GAC consensus advice and GAC early warnings on new gTLD applications, cost-benefit analysis of new gTLDs, new gTLD applicant support, RDRS, DNS abuse. Any other contribution? Any other idea? Switzerland? Go ahead, please. And then I have Lebanon. Thank you.

JORGE CANCIO: Jorge Cancio, Switzerland, for the record, and sorry to bring more things on the table, but it's just ideas, it's not for...

NICOLAS CABALLERO: That's exactly the idea, Jorge, so more than so just go ahead.

JORGE CANCIO: Maybe just a comment, maybe what I would do is put the issues that are under new gTLDs under a common header so that we don't have so many numbers, and one that was lost I think is options where we might have just a sentence welcoming this reflection process that the board has started, but beyond that, other things that at least to my mind

might be relevant for the communique. First in the excellent capacity development workshop of Sunday where I had the opportunity of participating, we had very good conversations about namespaces beyond the DNS and whether the GAC has something to say about those namespaces.

So I think maybe it would be worthwhile including something about that in the communique, saying something that we will be looking into that, that we think this is an area worth exploring because at least in the excellent workshop, there were many questions that are relevant for us as policymakers.

Another thing that we have been mentioning at the GNSO bilateral and the board bilateral is of course the question of transparency and SOIs and I know there's a text being produced and being discussed by several members, so that's another topic. I have a question and I'm not clear myself whether this is ripe for communique language, but perhaps as it affects bodies beyond the GAC, maybe we should say something about our initial reflections and discussions around NomCom participation.

Another issue finally, and I think I'm finishing with this, is we had at the ALAC bilateral this reference to our ancient advice about documentation, information, et cetera. So I don't know if we have a follow-up to GAC consensus advice under the category of historical advice, could be a new thing, but if we could unearth that old advice so that we can reference it properly, because the follow-up advice, at least what I would suggest is that we just ask ORC for a status report on where they are in the implementation of that advice because they accepted it as far as I recall. With that I stop, thank you.

NICOLAS CABALLERO: Thank you so much, Switzerland, greatly appreciated indeed. I have Lebanon, I have the European Commission and then Iran. Lebanon?

ZEINA BOU HARB: Yes, please, when I was reviewing the communique of Cancun, I noticed that on the fifth issue of importance there was the emergency assistance program and we were expecting more info about this program from the board. I don't remember receiving this information, probably if I'm not mistaken we should mention this issue again, otherwise if we receive the information maybe we should acknowledge receiving the requested data. So probably this is something to be kept on the issues of importance.

NICOLAS CABALLERO: Thank you very much, Lebanon, well noted. European Commission, please go ahead.

MARTINA BARBERO: This is Martina, European Commission for the Records and thank you very much, Nico, just sorry for adding more topics to this very, very long list and sorry for going back to something that we discussed earlier but I think since we have discussed quite a lot urgent requests with the board and with the other communities I think it would be great to acknowledge what's going on there and we were happy to come up with some maybe text that acknowledge the decision of the board at least

and suggest that we as a GAC are very much looking forward to engage in further discussions to solve this issue as well.

NICOLAS CABALLERO: Thank you very much, European Commission. I have Iran and then I have Papua New Guinea, Iran, go ahead please.

KAVOUSS ARASTEH: Thank you very much, Nico, I see 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 items has been pronounced by distinguished colleagues. I think if you agree, Chair, maybe we ask those people to provide one or two line scope of the proposal that they made, one, whether it is issue of importance of GAC with some one or two line explanation and second whether it is the follow-up actions and thirdly perhaps because it is 25 years of the anniversary of ICANN, people going 25 years before and want to add up all the issues. Chair, it is too much. It is too many issues. Thank you.

NICOLAS CABALLERO: Thank you very much, Iran. I have Papua New Guinea, Russell, go ahead please.

RUSSELL WORUBA: Thank you, Chair. Thank you everyone. I speak in support of my colleague from Switzerland for the capacity development workshop. Just nuance to the name as being alternative, as to being as compared to alternate so that it opens up possibilities and in support of Iran's

comments, we were suggesting areas around possibility of working groups with the other side. So, thank you.

NICOLAS CABALLERO: Thank you very much, Papua New Guinea. When you say alternate namespaces, and this is a question not only for you, but are we talking about blockchain-based DNS, just to clarify? Is that what you mean?

RUSSELL WORUBA: Yes, and the nuance, Chair, was that alternate as alternative, meaning there are more than one blockchain systems. Thank you.

NICOLAS CABALLERO: Thank you very much. Well noted. So, should we write alternative or alternate? Alternative namespaces. Thank you. I have Portugal, please go ahead.

ANA NEVES: I'm going to speak in Portuguese. Let me say in reference to what Manal from Egypt mentioned about the meetings, because this issue was discussed last Saturday and not during a regular GAC session. That is why in addition to this, I don't know if Rwanda's representative is here with us, because I tried to find him to talk to him, but I couldn't, because it is actually not very clear to me because I was not present at that session. I don't know. I think this should be an issue to be discussed in a former session of GAC.

NICOLAS CABALLERO: Sorry, I think it's Iran because I talked to him yesterday. But very good point. In any case, well noted. Thank you. Any other suggestion? Any other comment? Anything you would like to add at this point? So what we have at the moment is under issues of importance is the HLGM, and thank you again, Portugal, for your comments.

And then under future rounds of new gTLDs, we have diacritics in new gTLDs, GAC consensus advice and GAC early warnings on new gTLD applications, auctions, cost benefit analysis of new gTLDs, new gTLD applicant support. Then we have RDRS, urgent requests for disclosure of registration data, DNS abuse, alternative instead of alternate namespaces, transparency and GNSO statement, SOI statements of interest, participation in NomCom and emergency assistance program.

Regarding the NomCom, there's something very important I would like to point out at this moment, and that is that the GAC chair, whoever it is, unless it is Superman or, I don't know, Elon Musk or, I don't know, some it will be impossible for the GAC chair to allocate enough time to participate in the NomCom. Whatever our decision is now or in the future, and in case we agree that the GAC should take a more important role there or more active maybe, it's going to be one of the vice chairs by all means, because it will be impossible. It's impossible to participate in the board sessions and then at the same time be the GAC chair and at the same time have time to exist with your regular job. So I just want you to bear in mind that little detail. And I have Timor-Leste and then I have the Netherlands and then I have Portugal and then Iran. Timor-Leste, Jose Lay. Go ahead, please.

JOSE LAY: Thank you. Just a short comment on alternative namespace. There's an alternative to that is we can use Web 3 DNS. So, instead of creating the impressions of alternate or alternative, we're talking about the Web 3 DNS. Thank you.

NICOLAS CABALLERO: Thank you for the suggestion. I think we can discuss about the details later on, but the concept is clear for everyone. Blockchain-based or Web 3 or alternative namespaces. But anyways, thank you very much, Timor-Leste. I have the Netherlands.

ALISA HEAVER: Yes, thank you. This is Alisa Heaver for the record. I just wanted to point out that in the section of GAC working groups, GAC underserved regions working group, there is quite a bit of mentioning about the capacity building workshop of day one and day two, and day two where we covered the alternative naming spaces. I'm wondering if it's useful this mentioning in two sections, and maybe the same would count for WSIS+20, I think was up there as well. Or if we should, instead of under the section of GAC working groups have maybe an extra thing in the GAC communique on the capacity building workshops, just as a separate thing and not wanting to take it out of the GAC underserved regions working group or not recognizing their work.

But it seems it's becoming so important what is being discussed in those two capacity building days that it's not doing justice to the effort of everyone to leave it just under the GAC underserved regions working group, but I'm not sure if we should call it already a matter of

importance. What is it? The issue of importance. I'm not sure if we're there actually already, because we only had the basics on capacity building on this topic, and I fear we're jumping a bit too far or too fast. Well, we're not jumping too fast, but you get the point. Thanks.

NICOLAS CABALLERO: Or maybe both. Thank you so much for that, Netherlands. And that's precisely the idea. That's exactly the idea of the session, to brainstorm a little bit and to identify whatever issues we identified. Thank you so much for that. I have Portugal next. Please go ahead.

ANA NEVES: Thank you very much. And again, I'm going to speak in Portuguese. With regard to the NomCom, I am of this belief. The only person who makes a sense having at the NomCom, in our view, is the chair. Having said this, it is clear that is not logical. If there is an overlap in obsessions, it is quite logical and understandable that there is no time to do both things at the same time. As an observer, and this is what was being discussed in the GAC session on the NomCom, I think that the participants participation modes could also be discussed.

Based on what I perceived, Manal had said that this morning already, that activities are quite intense and there is an overlap in the typical dynamics of the NomCom. But this does not preclude the GAC chair from participating in the general NomCom work. I think we should not mix the NomCom dynamics issue with the participation as an observer from the GAC in the NomCom. I wanted to make this clarification, although I will say some things in English now.

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NICOLAS CABALLERO: Thank you very much. I have Iran. Iran, the floor is yours.

KAVOUSS ARASTEH: Thank you very much, Nico. I repeat what I said this morning. Let us deal with the NomCom in two steps. Step one, participation as an observer or non-voting. Once it is agreed, then we decide who will participate. I don't think that it is any urgency to discuss who will participate and so on and so forth. It depends on the situation. Maybe vice chair, maybe another person from the GAC, when everybody agreed with that. In other committees, we never had this problem. Let us not waste time on that.

First thing is that to participate either as an observer or as a non-voting. With respect to the others, we have to also, dear chair, to prioritize that. Some of them do not have any priority. A high-level government is a symbolic political. I don't think that we could say anything on that. Every X year, we have that one. I don't see any reaction or any feedback from that governmental meeting other than a political symbolic forum that the head of government or whoever would be attending. I don't think that that is so important or has such a priority or any pressing issue. We should see which one has a pressing. We cannot have all these in the same GAC advice, same GAC document or communique. Thank you.

NICOLAS CABALLERO: Thank you for that, Iran. If I understood correctly, you say we should not discuss the HLGM meeting in Kigali. Is that what you said or I got it wrong?

KAVOUSS ARASTEH: No. We will discuss it. We will discuss it, but it is not an issue. We spent time on that. The importance of that is well known to everybody. The only thing that we have to promote is encouraging government to participate in that high-level meeting, which is political and important as a good forum for the head of the government and so on and so forth. I never said it is not important. I said the approach how to develop that. Thank you.

NICOLAS CABALLERO: Thank you, Iran. Well noted. I have Germany.

WOLFGANG HOLZAPFEL: Thank you. Wolfgang form Germany. About the RDRS. I think it is highly important that we can get some clarification to the questions that were raised today about the privacy and proxy functions, because if we get a big registrar on board and we know already that he acts as a privacy function in place, then we need to know what happens when he responds over the RDRS. So I am not talking about third-party privacy functions in a second or third row, but if already in first place, we get no data that could be a big problem, especially if the system goes live now and we promote it, and I don't think we get good feedback from our, for example, law enforcement agencies. Thanks.

NICOLAS CABALLERO: Thank you, Germany. Well noted.

FABIEN BETREMIEUX: This is Fabien from the GAC support staff. I just want to clarify that we are capturing those suggestions on the document and you may see we create comments over the topics and that is where we capture those thoughts you have so that anybody considering those issues of importance can refer to those comments and hopefully that helps with the emergence of the text that will then be inserted in the communique.

NICOLAS CABALLERO: Thank you so much for that. Thank you, Germany. And again, we only have five more minutes, but the idea here was to brainstorm, and I have Hungary, the idea was to brainstorm possible topics. We can include all the topics or 50% of the topics or only two topics. It's up to us to decide. Hungary, go ahead.

PETER MAJOR: Thank you, Nico. Concerning point number one, the HLGM, I'm a bit confused because I heard that it's important and it's not important. It should be there. I think it's important. Number two, my conversation, I came to the conclusion that the GAC is chaired by a superman. Having said that.

NICOLAS CABALLERO: Thank you for that.

PETER MAJOR: Having said that, I fully understand that you can't be everywhere and your suggestion to nominate eventually one of the vice chairs brings up another issue. I think it goes a bit beyond. The vice chairs are representing at the same time their own countries and they are vice chairs as well. So unless they represent their own countries, probably I see it's a bit problematic to have them delegated to the NomCom. And I don't really think that the two issues, that is the issue of generally accepting to delegate from the GAC to the NomCom and the person who will be delegated can be separated. Thank you.

NICOLAS CABALLERO: Thank you so much for that, Hungary. Indeed, that's a very important detail. Extremely important detail. But again, we'll have enough time to discuss that tomorrow and the day after tomorrow and hopefully during the wrap up, hopefully before. So thank you again, Hungary. And thank you for the superman thing, which is not the case, of course. Do we have any other comment? We only have two minutes, so any other idea, any other suggestion? Fabien, go ahead.

FABIEN BETREMIEUX: Can I suggest we scroll down to follow up on previous advice where we've recorded two topics so far. So there is none in consensus advice, but in the section on follow up on previous advice, we have two topics identified. Contention sets auctions that I understand the UK flag that and there is some consideration of text. And then we've reflected Switzerland's suggestion here with the exact formulation that was used

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in this joint advice between the GAC, the joint GAC and ALAC advice to the board regarding the documentation that was enabling inclusive informed and meaningful participation at ICANN. And we have provided in the comments the link to the actual communique in which that was. And I believe we need to also unearth the joint statement, which for some reason was not appended to communique so we're working on that.

NICOLAS CABALLERO: And that will be the end of the session, basically. We're at the top of the hour. We won't have time for anything else today. So thank you very much for a very productive session. I will see you tomorrow at 9 a.m. for the second session on the new gTLD program next round. Thank you very much, enjoy the rest of the day. Enjoy your coffee and tea, of course. Thank you so much. See you tomorrow.

[END OF TRANSCRIPTION]