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ICANN80 | PF – GAC Communique Drafting (4 of 5)  
Thursday, June 13, 2024 – 10:45 to 12:15 KGL

**GULTEN TEPE ÖKSÜZOĞLU:** Hello, and welcome to the ICANN80 GAC Communiqué Drafting Session on Thursday, 13 June, at 8:45 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 be read aloud if put in the proper form. Please remember to state your name and the language you will speak in case you will be speaking a language other than English. Please speak clearly and at a reasonable pace to allow for accurate interpretation and 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 leave the floor over to GAC chair, Nicolás Caballero. Over to you, Nico.

**NICOLÁS CABALLERO:** Thank you very much, Gulden. Welcome, everyone, again. If I'm not mistaken, this is our fourth communiqué drafting session. This is a 90-minute session and will be running until 12:15 in time for some good lunch break. With that, let's get started. For that, let me give the floor to Fabien who's going to walk us through the exact process or situation in which we are at the moment.

**FABIEN BETREMIEUX:** Thank you, Nico. As a reminder, as you may recall, as part of the process of drafting and contributions in the document, the GAC chair has asked that we close contributions directly in the document.

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**Note:** *The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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Technically, if we change the status of the document so that no contributions can be added, you would not be able to see the changes that are still proposed. So in order for you to still see those, we have not technically closed corroboration on the document, but we request that you reserve your edits to your interventions on the floor or through communications to the GAC Support Team. This is in the interest of the stability of the text. It's quite developed at this point, and it can become unruly as we've experienced in prior meetings. Thanks for that.

In terms of content, I understand we have finalized text for advice on the auctions in new gTLDs. So maybe we can start there and then walk our way through text on the issues of importance.

NICOLÁS CABALLERO:

Thank you so much for that, Fabien. Again, just bear in mind that nothing precludes your additional inputs and edits just for the sake of clarity and order, so to say, we kindly ask you to give whatever edits you might have directly to the floor in general so that we can keep track of the changes and have more clarity on the way forward.

Going back to the reading, Egypt, maybe you can help me reading this part, topic two, which is auctions, mechanisms of last resort, private resolution of contention sets in new gTLDs. Over to you, Christine.

CHRISTINE ARIDA:

Thank you. Okay. It reads, "A. The GAC advises the Board: (i) to prohibit the use of private auctions in resolving contention sets in the next round of new gTLDs; (ii) to urgently initiate a focused community-wide discussion, including with GAC and ALAC on the resolution of contention sets, including finding alternatives to private auctions and

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ICANN auctions of last resort before the ICANN Board takes any action in a manner that may be inconsistent with the GAC consensus advice from ICANN77 Washington, D.C. Communiqué.” Do you want me to read the rationale again?

NICOLÁS CABALLERO:

Let me stop you there. Thank you so much, Egypt. Let me pause here in order to see if we have any immediate reactions before we read the rationale. Is everybody okay with the drafting so far? Floor is open. Okay, seeing no hands. Christine, back to you. Could you please read the rationale?

CHRISTINE ARIDA:

Sure. The rationale goes, “The GAC notes the Board resolution of 8 June 2024, as well as the update provided by the Board on its current thinking about resolution of contention sets in relation with the GAC Consensus Advice on the matter from ICANN77 Washington, D.C. Communiqué. (I) To take steps to avoid the use of auctions of last resort in contention between commercial and non-commercial applications. Alternative means for the resolution of such contention sets, such as drawing lots, may be explored. (II) To ban or strongly disincentivize private monetary means of resolution of contention sets, including private auctions. Pursuant to the GAC consensus advice, regarding the use of private auctions, noting the recent Board resolution and discussion between GAC, ALAC, and other parties during ICANN80, the GAC has concluded that private auctions should be prohibited for the next gTLD application round. The GAC particularly notes that according to its resolution...” Okay. We’ll go from this paragraph again. “The GAC particularly notes that according

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to its resolution, the Board intends to take an action that is potentially inconsistent with the above GAC Consensus Advice concerning auctions of last resort in contentions between commercial and non-commercial applications. In this regard, and with a view to identify alternative means to resolve such contention sets, the GAC advises that before taking a decision and engaging in a potential Bylaws-mandated process with the GAC, the Board initiates a focused community-wide discussion, including ALAC, GAC, and other parts of the community in order to identify inter alia possible ways forward consistent with the GAC Consensus Advice.” Back to you.

NICOLÁS CABALLERO: Thank you very much again, Egypt. Again, the floor is open for questions, comments, edits. I see Switzerland. Please go ahead.

JORGE CANCIO: Thank you, Nico. Jorge Cancio, Switzerland, for the record. I would like to thank especially also the UK and all other involved in improving the language. On the rationale, I would have a proposal which is just a friendly amendment on the para that starts the GAC, particularly notes. I would suggest that we exchange particularly further. Because in fact, what we are saying in this para is not a subset of the previous para. It’s a different question. It’s related but different. That’s my proposal. Thank you.

NICOLÁS CABALLERO: Thank you, Switzerland, for that. Any strong feelings against that? Can we leave with the text as it is? I see nodding in the room. That’s certainly positive. Thank you so much. Let’s move on. Fabien, back to you.

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FABIEN BETREMIEUX: I believe we're going back to issues of importance. We concluded discussion of DNS abuse and DNSSEC in the previous session. So now we are on to Registration Data Request Service, RDRS, number eight.

NICOLÁS CABALLERO: I'll give Egypt a break. Before I read Registration Data Request Service, RDRS, I have the CTU.

NIGEL CASSIMERE: Thank you very much, chair. I think we had not seen the not quite finished the one just before the RDRS. Where is it? We had DNSSEC. We introduced DNSSEC and the DNS Abuse section. Remember, the DNSSEC was initially a part of that. Once we created the new section, we never really finished going through the DNS abuse part of it. I had a question there on the last sentence of the first paragraph where it says, "GAC welcome such learning opportunities," and so on. I'm a little confused as to whether that sentence is meant as a complement for the section we had that focus in Africa or whether it is a sentence that is suggesting that for future ICANN meetings that we would welcome. I'm not sure what the intent was, so I think we should clarify that. If it's a future thing, it would be better to say the GAC would welcome such learning opportunities from other regions. But future ICANN meetings is not consistent with something that went before. So I'm thinking that if we're looking forward, we should say the GAC would welcome such learning opportunities rather than just say "GAC welcomes" because it's a future thing.

NICOLÁS CABALLERO: Are you done?

NIGEL CASSIMERE:

Yes.

NICOLÁS CABALLERO:

Okay. Thank you so much for that. The way I see it is obviously referred to the future. I wouldn't have a problem including "would welcome," but again, I'm in your hands. It depends on you. I have Japan next. Please, Nobu.

NOBUHISA NISHIGATA:

Thank you, Chair. Thank you for the comments from the CTU. Just as you mentioned, this means it's more a future opportunity that then—just recalling the preliminary session, then it was very much informative and helpful discussion we had. So maybe it's going to be a good idea to have some room for future to have such kind of things. It shouldn't be limited to the Africa. It could be European, it could be Asian, it could be American, or whatever. We decide as a colleague thing.

From the intention of the text, in the way that we're going to find ourselves by this, but still just recalling that how good it was in the preliminary session for the DNS abuse, and then just the proposing that we may have the similar type of sessions in the near future. Then I totally agree with having the "would" after the GAC. So thank you very much for the comment as well. Thank you.

NICOLÁS CABALLERO:

Thank you, Japan. Thank you, CTU, again. Any other comment or edit in this regard? I don't see any hand in the room. No hands online. That means that we're okay to move on. Thank you again for your contributions. Let's move on, Fabien, please, to the next. Registration

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Data Request Service, RDRS. I'm going to read the text as it is and then I'll pause in order to get reactions from the floor.

“The GAC appreciates ICANN Org’s efforts to enhance RDRS and provide regular reporting of usage metrics. Six months into the RDRS pilot, the GAC finds that the usage of the tool could be further increased and that the metrics have already shed light on potential improvements that could help the service meet its intended purpose. In this respect, the GAC recalls that several suggestions for improvement were already formulated in the San Juan communiqué and stands ready to continue its work on the RDRS Standing Committee to address challenges and maximize the utility of the system for both requesters and registrars. The GAC reiterates the importance of the continued promotion of and education about RDRS to ensure the community, including both requesters and registrars, are aware of the uses and limits of this pilot program as well as its intended purpose to inform work toward an eventual Standardized System for Access and Disclosure, SSAD.”

“When it comes to raising awareness amongst potential end users of the RDRS and SSAD, the GAC believes that providing a link to the RDRS via the ICANN registration data lookup tool could help in reaching potential RDRS users who may not be aware of the pilot.”

Am I doing okay in terms of more or less? I see some thumbs up and this is a question for the translators. I'll try to slow down a little bit then. Sorry about that.

“Where a registrar uses an affiliated proxy service provider, the GAC encourages registrars to consider making disclosure decisions in response to RDRS requests on behalf of their affiliated proxy service

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provider. Finally, the GAC notes that both requesters and registrars have identified challenges with regard to the RDRS and encourages all parties to work together in the spirit of consensus to achieve improvements.” Is that all?

FABIEN BETREMIEUX: There is an additional paragraph which was proposed by India.

NICOLÁS CABALLERO: Okay. I'll read the additional text proposed by India. “The GAC expressed concern over the low participation and response of registrars in the RDRS system. GAC further underlined that present RDRS system does not address the challenges as envisaged in SSAD ODA or SSAD Light design. Therefore, GAC is of the view that GNSO should assess whether RDRS system actually addresses the challenges of the SSAD process.”

So let me pause here. One important thing, is India in the room? Is the India delegation in the room? Or they have already left? Are they online?

PRADEEP VERMA: Yes. Hello. I'm Pradeep Verma and I'm advisor to the GAC representative from India.

NICOLÁS CABALLERO: Okay. Thank you so much, India. I just wanted to make sure that there was an Indian representative in order to discuss this. Thank you for the contribution. I'll pause here and see if we have any reactions, questions, comments, or edits at this point. The floor is open. I have the Netherlands and the UK and the US. Netherlands, UK and US. Netherlands, go ahead, please.



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MARCO HOGEWONING: Question for clarification. In terms of low participation, I'm under the impression that that's by design because it's still a pilot. But I'm happy to be corrected by colleagues here.

NICOLÁS CABALLERO: Netherlands, are you referring to the last paragraph provided by India?

MARCO HOGEWONING: Correct. That's the first bit of the Indian addition.

NICOLÁS CABALLERO: Okay. India, would you like to answer to that?

PRADEEP VERMA: Yes. In one of the sessions, it was placed that there is around 58% gTLD registrars are participating. That counts around 57% of the gTLDs. Since it is a pilot, more and more registrars may participate so they can get a good practice what's going on this ecosystem.

NICOLÁS CABALLERO: Thank you, India. Netherlands, does that address your question?

MARCO HOGEWONING: Partially. But we have other people in the queue.

NICOLÁS CABALLERO: Thank you, Netherlands. UK, please go ahead.

NIGEL HICKSON: Thank you very much, Mr. Chairman. I just wanted to, first of all, thank the contributors to this text because I think—and I'm talking about the overall text that we've seen and it's just been read out by yourself—I think it's an excellent text. I was just going to ask whether on the bit on proxy service providers, whether this language is clear to everyone. I

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think the language is fine, but perhaps in the rationale, there might be something that explains this situation. And perhaps it does because it's a fairly important area.

The second point on the text by India, the UK themselves have expressed concern over the low participation of registrars. Not all requesters are perhaps using it, but that's another issue. But I certainly don't think that the second part of this paragraph by India is correct. I don't think we can include it because I don't think we can say that GAC further understands that the present RDRS system does not address, etc., etc. I don't think we've discussed that. This is only a pilot. So I don't think we should be saying that. Thank you.

NICOLÁS CABALLERO:

Thank you for that, UK. As a matter of fact, you took my words. I was going to mention exactly that it wasn't discussed before and it came out of the blue, in my humble opinion. But again, I'm just the chair. I'm in your hands. I have the US and the European Commission next. US, please.

SUSAN CHALMERS:

Thank you, Chair. I'd like to just support the comments of my colleague from the UK on the second sentence of the text proposed. I also do not believe it is correct. The third sentence that flows from that second sentence is also worth examining a bit more.

I would like to note that we certainly agree with the intent expressed in the first sentence by our colleagues from India. We may recall that several meetings ago, we did have a discussion and I think it was perhaps in Cancun about potentially making the RDRS a mandatory participation. But unfortunately, because it wasn't consensus policy, it

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is voluntary participation. Just to acknowledge that I believe the GAC does have a very supportive view of that first point. I do believe it is duplicative, however, of the text that is above. We note that promotion about the RDRS, I think we're encouraging usage, but perhaps we can find a way to punch up the language, if you will, on the importance of registrar participation in the RDRS, then we can acknowledge the point in the text proposed by India within the other text. Thanks. I hope that makes sense.

NICOLÁS CABALLERO: Thank you very much for that, US. It totally makes sense to me, at least. I don't know if there is support in the room. Anybody against? Okay. Thank you for that. I have the European Commission next.

MARTINA BARBERO: Thank you very much, Chair. This is Martina Barbero, European Commission for the record. I agree with what my colleagues from the UK and the US just suggested. I think to just build on what my colleagues from the US just mentioned about strengthening the language, maybe on encouraging participation, I wanted to recall that in San Juan, we had a fairly good sentence that I just posted in the chat for everybody, that really encouraged where the GACs would support efforts to maximize participation. I don't know if some of that language could be useful, but just offering it as a reminder that we already made the statement that we need to encourage participation in the tool, both for registrars and the requesters. Because participation is what will lead to success of the tool, ultimately. So maybe we can recycle some of this wording, if that helps.

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NICOLÁS CABALLERO: Thank you, European Commission. Any other comment or edit? I don't see any hand in the room. No hands online. Which means that we're okay to move on, Fabien. Back to you.

FABIEN BETREMIEUX: I'm trying to catch up and reflect the latest suggestion by the European Commission. I don't know if further editing of the text is needed offline or if this is addressing the discussion so far. I'm not sure we've concluded or we can conclude at this point on this text.

NICOLÁS CABALLERO: Are you adding the wording from the San Juan communiqué and adapting it to the current?

FABIEN BETREMIEUX: All I've done is take the suggestion in the chat, the quote from the European Commission in the chat. I put in the text just as a placeholder.

NICOLÁS CABALLERO: And take it from there, right? Okay. Can you scroll up a little bit? Okay. Can you scroll down to the third paragraph? Let me read. This comes directly—thank you, European Commission, for this. This is basically coming from the San Juan communiqué, right? The one you copied from the chat room.

FABIEN BETREMIEUX: Right. Correct.

NICOLÁS CABALLERO: It would read, "The GAC continues to support efforts to maximize participation in the Registration Data Request Service, RDRS, and

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reiterates that widespread use of the pilot by both registrars and requesters will help the RDRS meet its intended purpose.”

I guess that by including that, we would address the problem. Correct me if I’m wrong, please. Would you be okay with the current wording? Can you scroll down please? So instead of using the text proposed by India, by adding this paragraph, we would be addressing the issue in a different way, obviously, and talking about different things. But would that serve the purpose? The floor is open. Okay. I don’t see any hand in the room. No hands online. Fabien?

FABIEN BETREMIEUX:

We’ve included another suggestion which comes from the US. This is a paragraph that I’m highlighting here. This is an additional suggestion regarding improvement of the RDRS as well. This is in addition to the European Commission proposal. I’m not exactly sure where it fits in the language. It may not be the ideal placement, so maybe we could get advice on that.

NICOLÁS CABALLERO:

Okay. US, please?

SUSAN CHALMERS:

We just offered this if it would be appropriate. But I believe the addition from the commission is sufficient to address the incorporation of two texts issue. So we’re happy to leave that proposal. Thank you.

NICOLÁS CABALLERO:

Thank you so much, US. So if you can scroll up a little bit. There we go. I’m not going to read the whole paragraph again. This is the way it will be including the proposal from the European Commission. I’ll read the

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last three paragraphs. “The GAC reiterates the importance of the continued promotion of an education about RDRS to ensure the community, including both requesters and registrars, are aware of the uses and limits of this pilot program as well as its intended purpose to inform work toward an eventual Standardized System for Access and Disclosure, SSAD. When it comes to raising awareness amongst potential end users of the RDRS and SSAD, the GAC believes that providing a link to the RDRS via the ICANN registration data lookup tool could help in reaching potential RDRS users who may not be aware of the pilot. The GAC continues to support efforts to maximize participation in the Registration Data Request Service, RDRS, and reiterates that widespread use of the pilot by both registrars and requesters will help the RDRS meet its intended purpose. Where a registrar uses an affiliated proxy service provider, the GAC encourages registrars to consider making disclosure decisions in response to RDRS requests on behalf of their affiliated proxy service provider. Finally, the GAC notes that both requesters and registrars have identified challenges with regard to the RDRS and encourages all parties to work together in the spirit of consensus to achieve improvements.”

I’ll pause here in order to see if we have reactions from the floor. I have the European Commission. Martina, please.

MARTINA BARBERO:

It’s a totally editorial question, and it’s more for GAC support. But since we don’t want to plagiarize ourselves, this is the sentence that comes directly from San Juan, should we put it as a quote and maybe say something like, “as already indicated in the San Juan

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communiqué” or something like that? Just to make clear that we’re not doing plagiarism of our own communiqués over and over again.

FABIEN BETREMIEUX: Thanks. Which might be fine if you plagiarize yourself, possibly.

MARTINA BARBERO: That comes from San Juan, though.

NICOLÁS CABALLERO: Okay. There we go. There it is. Would that address the issue? Can we leave with the wording as it is? Any strong opposition? Any strong feelings in this regard? Perfect. That means that we can move on. Thank you so much for your contribution. Fabien, back to you.

FABIEN BETREMIEUX: Next, still part of issues of importance, subsection nine, registration data accuracy, in which we have two pieces of text. One proposed by the European Commission, UK, and US, and one proposed by India.

NICOLÁS CABALLERO: For this, I will have again the help of my esteemed colleague from Egypt. Christine, the floor is yours.

CHRISTINE ARIDA: Thank you, Nico. On registration data accuracy, number nine, the first text proposed by the European Commission, UK, and US reads: “The GAC takes note of the GNSO’s decision to pause the work of the Accuracy Scoping Team, while the contracted parties and ICANN finalize their forthcoming data processing specification, DPS, and appreciates the GNSO’s update at ICANN80 on the status of these negotiations. The GAC stresses the importance of completing the DPS

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as soon as possible, so the community can resume efforts towards the accuracy scoping work on domain name registration data.”

The text proposed by India goes: “WHOIS data serves as a critical response mechanism for addressing DNS abuse. Hence, GAC underlines the importance of the accuracy of WHOIS data. GAC also underlined the importance of accuracy of WHOIS data as it identifies the owner of the domain name. Accuracy of WHOIS data would be critical in building trust for the Internet users. GAC considers that adding accountability, particularly for registrars and registrants in this process, would contribute towards building a safe, trusted, and accountable Internet. Therefore, GAC impresses upon Board and GNSO to expedite the process for WHOIS accuracy.” Back to you, Nico.

NICOLÁS CABALLERO:

Thank you for that, Egypt. I’ll pause here in order to see if we have reactions online or in the room. The basic question is, should we go with the text proposed by the European Commission, UK, and US? Should we go with the text proposed by India or should we combine them? In which case, I don’t know how easy that would be, given the fact that the India representatives are not here anymore. We have a representative online, but not sure how well we can deal with the issue. Anyway, the floor is open. I have the European Commission. Please, go ahead.

MARTINA BARBERO:

Thank you very much. Martina Barbero, European Commission, for the record. In the spirit of plagiarism and reusing language that was already agreed also because I think the spirit of what the Indian colleagues wanted to capture in the first at least two or three



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sentences of their paragraph is to underline the importance of accuracy. I think this is something that the GAC agreed with in previous communiqué. There is some text from San Juan that actually can be reused as an introduction to the paragraph that we suggested with the UK and the US. I can copy paste it in the chat, and then we can see whether this addresses at least the spirit of the initial part of the text from India.

NICOLÁS CABALLERO: Thank you very much for that. Do we have support for this? I see nodding in the room. Anybody against? I don't see any hands. No hands online. So we'll do just that. Thank you so much, European Commission. Fabien, let's do just that.

CHRISTINE ARIDA: Okay. I will read the text again. The text goes: "The GAC reiterates that registration data accuracy is an important element in law enforcement. Cybersecurity, investigations to enforce intellectual property rights, domain registration management, and other legitimate third-party interests. The GAC takes note of the GNSO decision to pause the work of the Accuracy Scoping Team, while the contracted parties and ICANN finalize their forthcoming data processing specification, DPS, and appreciates the GNSO's update at ICANN80 on the status of these negotiations. The GAC stresses the importance of completing the DPS as soon as possible so the community can resume efforts towards the accuracy scoping work on domain name registration data."

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NICOLÁS CABALLERO: Thank you very much, Egypt. Are we okay with the drafting? Any edit, comments, thoughts?

FABIEN BETREMIEUX: Just to make sure, am I understanding correctly that then the addition of this first paragraph in the text that was just read is in replacement of the text that was by India? Then we would strike that text?

NICOLÁS CABALLERO: Again, unless there's any strong opposition. Again, I would love to hear from the India representative. We would love to have them in the room or online. Would that be okay?

PRADEEP VERMA: Moral is okay, but I just want to add that this data accuracy add some accountability and trust in the Internet, so if that text can be included regarding the accountability and the trust somewhere in the first or second para, that will be useful. Thank you.

NICOLÁS CABALLERO: India, could you please repeat? I didn't understand very well. What exactly is that that you want to include?

PRADEEP VERMA: The data accuracy, which is very important to enable the trust for the Internet users, so that line can be inserted in the above text, that will be useful, the highlighted one. The accuracy of used data would be critical to building trust of the Internet users.

NICOLÁS CABALLERO: Thank you, India. Egypt?

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CHRISTINE ARIDA: Maybe if the Indian colleague agrees, we can put it in the first paragraph. We just add the word of building trust. The GAC reiterates that registration data accuracy is an important element... critical for building trust and then an important element in law enforcement, something like that. Is that what you mean?

PRADEEP VERMA: Yes, that can be done.

NICOLÁS CABALLERO: Perfect. Thank you so much, India. Thank you, Egypt, for the suggestion. In the very first sentence, Fabien. Okay. Can you give us a final read, Egypt, of the first two paragraphs, just to make sure we're all on the same page?

CHRISTINE ARIDA: Sure. The first paragraph will read: "The GAC reiterates that registration data accuracy is an important element in building trust for Internet users, as well as in law enforcement, cybersecurity, investigations to enforce intellectual property rights, domain registration management, and other legitimate third-party interests. The GAC takes note of the GNSO decision to pause the work of the Accuracy Scoping Team, while the contracted parties and ICANN finalize their forthcoming data processing specification, DPS, and appreciates the GNSO's update at ICANN80 on the status of these negotiations. The GAC stresses the importance of completing the DPS as soon as possible so the community can resume efforts towards the accuracy scoping work on domain name registration data."

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NICOLÁS CABALLERO: Thank you very much for that, Egypt. India, can we leave with the text as it is? Would you be okay with it?

PRADEEP VERMA: Yes. We are okay with that.

NICOLÁS CABALLERO: Thank you so much. Any objections in the room? I don't see any hand online. Is everybody okay with the text as it is? And I see nodding. Perfect. Thank you so very much for your contributions. Let's move on, Fabien. Thank you so much.

FABIEN BETREMIEUX: Next subsection is part of issues of importance. Support for the Privacy/Proxy Services Accreditation Implementation Review Team.

NICOLÁS CABALLERO: Thank you, Fabien. I'll read it as it is and then I'll pause to see if we have any reactions. The text would read: "The GAC appreciates ICANN Org's efforts to facilitate a process to explore options for the implementation of recommendations that are still relevant from the previous PDP on Privacy/Proxy Services Accreditation Issues, PPSAI. Doing so will ensure the community is able to produce evidence-based registration data policy, including on the use of privacy and proxy services."

I'll stop here in order to see any reaction. Everybody okay with the text? I see nodding and more nodding and more nodding. Anybody against? Perfect. Let's move on. Thank you again. Back to you, Fabien.

FABIEN BETREMIEUX: Okay. Let's go back to new text. There are just a few edits that we can review later. I believe we've completed the review of issues of

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importance if for high-level government meeting. Again, I understand there needs to be some reviews of a text that might be proposed here. We have two pieces of text that were brought in as part of internal matters. One is the report of the GAC Public Safety Working Group for this meeting. And then we have also suggested section on capacity development. We can start with any of those two. Public Safety Working Group report.

NICOLÁS CABALLERO: For this, I will kindly ask one of my vice chairs who's in the room. Colombia, would you help us with the reading of the GAC Public Safety Working Group, PSWG, report? Would you be able to do that? All right. No worries. Nigel? Okay, perfect.

NIGEL HICKSON: Thank you very much, Nico. This is GAC Public Safety Working Group (PSWG). "The GAC PSWG continued its work to advocate for improved measures to combat DNS abuse and promote lawful, effective access to domain name registration data. The PSWG participated in a session to brief the GAC on WHOIS and data protection policy developments that included topics of, one, ongoing discussions pertaining to urgent request scenarios for the request of registration data in circumstances that pose an imminent threat to life, serious bodily injury, critical infrastructure or child exploitation."  
"Two, a review of usage data generated by the first six months of the Registration Data Request Service, RDRS, the PSWG's ongoing work in the GNSO Standing Committee assigned to review such data and suggestions for raising awareness of RDRS by use of existing WHOIS/RDAP systems; and, three, the relevance of the newly restarted

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Privacy/Proxy Accreditation Implementation Review Team, with respect to the RDS and successor systems. Regarding DNS Abuse, the PSWG appreciated the perspectives provided by leaders from Africa and the Global South during a panel convened by the GAC topic leads on DNS Abuse, which highlighted regional experiences in the shared global fight against abuse categories such as phishing, botnets, and spam. In bilateral outreach, the PSWG met with multiple stakeholder groups within the ICANN community holding discussions on topics of shared interest in the week prior to ICANN80.”

“Finally, the PSWG wishes to express its profound gratitude to Cathrin Bauer-Bulst for her services and leadership of the Public Safety Working Group as she steps down from her role as its co-chair and welcomes in her footsteps, Janos Drienyovszki”—and I do apologize if I’ve got that pronunciation wrong—“as he rises to the occasion to succeed her in this role.” Thank you.

NICOLÁS CABALLERO: Thank you so much for that, UK. Comments, questions, any edit at this point? The floor is open. I have the UK. Ros?

ROSALIND KENNYBIRCH: Thank you, Chair. Just a small editorial suggestion that I’ve posted in the chat included the topics of, but the main point I wanted to make was there was a reference to the Global South in this section and we had a really valuable discussion in the GAC at a webinar a few weeks ago about some of the challenges with that terminology. So, I’d welcome suggestions, particularly from those in underserved regions, about the correct terminology here. I mean, perhaps we could just use the GAC’s usual term in this context, underserved regions. But again,

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would like to hear from my colleagues in those regions as to what language could be best used here. Thank you.

NICOLÁS CABALLERO: Thank you so much for that, UK. I would personally go with underserved regions, but again, it's up to the GAC to decide. I have the European Commission and then Argentina. Martina?

MARTINA BARBERO: Thank you very much. I agree with the UK comments. Actually, because some colleagues earlier said the shorter the better, since there were leaders from Africa, maybe we can just stop it at that.

NICOLÁS CABALLERO: Thank you, European Commission. I have Argentina next.

MARINA FLEGO EIRAS: Thank you, Chair. I was about to say what Ros has told about the terminology. Because in my opinion, there is no wide consensus on that term. So maybe opting for another alternative such as what she suggested could be okay.

NICOLÁS CABALLERO: That suggestion being underserved regions?

MARINA FLEGO EIRAS: Definitely.

NICOLÁS CABALLERO: Thank you, Argentina. Any other comment? I have the UK again and then the US.

ROSALIND KENNYBIRCH: Thank you, Chair. Just to support our colleague from the European Commission, I don't recall exactly all the individuals on the panel, but

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if all panelists were indeed from Africa, then I think it's appropriate to just stop the sentence there. Thank you.

NICOLÁS CABALLERO: Perfect. Thank you. I have nobody else. Sorry. Is that a new hand? Okay, go ahead, US. No problem.

SUSAN CHALMERS: Apologies. Just to say that we had the great honor to be joined by colleagues from AFTLD, the Rwandan National Cybersecurity Authority, and our colleague from Chad. I do agree that just referencing African leaders is appropriate. Thanks.

NICOLÁS CABALLERO: Perfect. I see wide consensus in that regard. So let's do just that, Fabien. Thank you, everyone, for your contributions. Greatly appreciated. Let's move on.

FABIEN BETREMIEUX: Next is capacity development, still as part of internal matters.

NICOLÁS CABALLERO: For that I will ask again my good friend from Egypt, Christine Arida. Please go ahead.

CHRISTINE ARIDA: Okay. Thank you, Nico. I understand this is a new addition. It's number five, capacity development. And it reads, "The ICANN80 GAC Capacity Development session provided ample information about what are ccTLDs, how they are managed, the role of the managers within their community, and relation with ICANN and IANA, as well as on the evaluation criteria for ccTLDs, managers, string eligibility, incumbent consent, public interest, local presence, stability, operational



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competency. The different forms of assessment for delegation, transfer, revocation, and retirement, and the evaluation and transfer process. The GAC would like to thank ICANN Org, IANA/PTI for their contribution and efforts for the success of this informative session.”

NICOLÁS CABALLERO: Thank you again, Egypt. Just an editorial comment on the third line where it says, right after ICANN and IANA, “as well as on the evaluation,” we don’t need capital letters in evaluation, I guess, unless my Shakespearean friends tell me otherwise. But other than that, I’m okay with the text. But the floor is open. Comments, edits, anything you would like to change? I see the CTU. Please, go ahead.

NIGEL CASSIMERE: Thank you, Chair. Just from a point of view of efficiency of the communiqué now, I’m wondering, wasn’t this already covered in the section on the session before on the underserved regions? Because they refer to the same activity. Capacity development was held in June 11<sup>th</sup>. The first session dealt with IANA’s role and transfer, ccTLDs, and so on. I’m wondering if maybe we shouldn’t just have it mentioned under one, rather than have an additional section, and I’ll put it out there. Thank you.

NICOLÁS CABALLERO: Thank you, CTU. I have Lebanon next and then Trinidad and Tobago.

ZEINA BOU HARB: Good morning, colleagues. Actually, I propose to add this text here. Because on the previous two last communiqués, we agreed to separate the content of the capacity development from the working group activities. Because you know that this working group has other

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activities than the capacity development. Maybe under section related to the group, we can add all their activities and in the capacity development, even if it's only one session but it was branded capacity development, I think it deserves to be kept in a separate section, especially if we have it as one of the outcomes of the strategic planning, I guess, on the 2.6. It's not only related to the working group, it's for the full GAC, and we also would like to express our thanks to IANA and PTI, not only the working group. I think it's written in a different concept. So it was just a proposal to highlight this important issue of capacity development. That's why I propose to add it in a separate section. Thank you.

NICOLÁS CABALLERO: Thank you, Lebanon. Well noted. I have Trinidad and Tobago and then the Netherlands. Karel?

KAREL DOUGLAS: Good morning, Nico. Good afternoon and good evening to everybody. Firstly, are you hearing me clearly?

NICOLÁS CABALLERO: Excuse me. Can you repeat, please, Karel?

KAREL DOUGLAS: I'm just trying to see if you're hearing me. Are you hearing my voice?

NICOLÁS CABALLERO: Yes, yes, yes. Loud and clear. Go ahead please.

KAREL DOUGLAS: Thank you, Nico. Let me thank Lebanon as well for the suggested text. It's greatly appreciated. I would say and I would concur with the CTU that it is repetitive in the sense that what the Underserved Regions

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Working Group does is on behalf of the GAC. So capacity development is actually a role that we as the working group performing on behalf of the GAC is doing, so you don't need to separate it. It is part and parcel of the activities of the GAC. In this case, I would concur that efficiency—because the communiqué is really about recording the events and activities of the meeting. And in this case, we do have this already captured in the working group session, the Underserved Regions Working Group. So, to maximize the issue, I would say that this part here could be, I say, maybe included in the working group's activities, which is capacity development. You do meet the same requirement of indicating that capacity development took place. You do meet the objective of it being recorded as per the strategic plan, but it was recorded under the activity of the Underserved Regions Working Group. So it would be a lot easier for persons in the future to read this if it was part and parcel of the region, the working group's contribution. I would say incorporate, if required, the substantive part so we don't have to repeat everything that this took place. Incorporate the substantive part of the meeting into the working group's contribution, and I believe that will be quite sufficient. That would be my humble recommendation, Nico.

NICOLÁS CABALLERO: Thank you very much for that, Trinidad and Tobago. Well noted. I have the Netherlands and then Egypt.

MARCO HOGEWONING: Thank you in response to previous interventions. This is Marco from the Netherlands for the record. No particular, not the text where it goes. I think it's fine here. I do think that ccTLD stretch a bit further

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than just developing world. I'm happy to keep it here as it is, one of the priority teams for the GAC, it seems.

But I raised my hand to two small editorial comments. I think in the last sentence where it says ICANN Org, IANA/PTI, I think it should say ICANN Org and IANA/PTI. Well, there's more for the secretary to comment. Because on the first sentence, we now say ICANN and IANA. And on the last one, we say ICANN Org and IANA/PTI. For consistency, I would suggest we pick either one of the suggested sentences.

NICOLÁS CABALLERO: Thank you, Netherlands. I have Egypt next.

CATHERINE ARIDA: Thank you, Chair. I also would like to thank Lebanon for the text provided. But I also concur with CTU and Trinidad and Tobago. Especially that if I may remind ourselves that we had a similar discussion on having duplication between those two sections in ICANN79. And we were actually trying to take text out of here and put it here. I believe that the section on capacity development was being drafted also by the Underserved Region Working Group because this is the activity that's being performed by this working group. While preparing, and we were part of the preparatory team for two sessions mentioned in the Underserved Regions Working Group, we actually took a conscious decision to have capacity development as an activity put into the text in order to avoid this duplication. Personally, Egypt believes that it is better to have it in the Underserved Regions Working Group text, especially that we say at its end that we are trying to look at new modalities for capacity development and engagement.

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Engagement is one of the biggest things in our strategic plan text.  
Thank you.

NICOLÁS CABALLERO: Thank you, Egypt. This is a question for Lebanon and for the Netherlands. Would you be okay with Egypt's suggestion? Not only Egypt, as a matter of fact, it was also proposed by Trinidad and Tobago and the Underserved Regions Working Group topic lead. Would you be okay with that, Zeina?

ZEINA BOU HARB: Actually, I'm flexible with that. But because it deserves to be on the strategic plan, I suppose it deserves to be on a separate section. But it's up to the committee to decide. Thank you, Nico.

FABIEN BETREMIEUX: The strategic plan, it's actually in the annual plan. Capacity development is part of strategic objective number two, effectiveness of the GAC. It's included to that extent as an expected outcome for '24-'25.

CATHERINE ARIDA: Just to clarify, is it also with an engagement or engagement is just another round?

NICOLÁS CABALLERO: We can check.

CATHERINE ARIDA: I think it's worth checking so that we can actually be consistent as well.

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- FABIEN BETREMIEUX: I'm double checking and bringing the annual plan here. Expected Outcome 2.6 reads, "GAC onboarding and capacity development." And 2.6.3 reads, "GAC capacity development, continue the deployment of capacity development initiatives through webinars and workshops regionally and during ICANN meetings with the assistance of the GAC Underserved Regions Working Group to assist GAC members in critical areas."
- ZEINA BOU HARB: This is what I meant. That's why I said it should be consistent with the strategic planning outcomes and with the previous communiqué and discussions. Thank you.
- NICOLÁS CABALLERO: Thank you very much for that, Lebanon. I have Trinidad and Tobago.
- KAREL DOUGLAS: Thank you, Nico. Of course, thank you, Lebanon. I think it's very useful conversations and discussions. Actually, I thought this would have supported what I was saying earlier that it does actually fall in some part under the Underserved Regions Working Group. So it is quite proper in the reporting of it to fall under where the working group would have performed the function on behalf of the GAC. Like I said, I think it's just more efficient to have it in one location. I would say as a recommendation to incorporate some of the text if required, because I do see the substantive text speaks to what was discussed. So you can even incorporate some of those words into the Underserved Regions Working Group's text. And to me, I think you would suffice in capturing the two points.

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NICOLÁS CABALLERO: Thank you, Trinidad and Tobago. I have Egypt next.

CATHERINE ARIDA: Thank you. I was just looking again at the annual plan, and 2.6 talks about capacity development, but also 2.5 talks about engagement, which is actually the combined activity that was done. Not sure if whether we should actually take each activity that was done and put it. Again, I probably would agree with Trinidad and Tobago that it fits quite well, especially that we're talking about the Underserved Region Working Group. But it's up to GAC colleagues.

NICOLÁS CABALLERO: Well, again, it's for us to decide. The floor is still open. I see the Netherlands. Go ahead, please.

MARCO HOGEWONING: Sorry to take floor again. As I said, I'm partially neutral on where this goes. But I think in light of the current discussion and then somebody earlier mentioned, we need to think about how this reads. And I think we should also take a step outside of the perspective of the GAC and people looking for "I have a problem with my ccTLD," or something might be drawn more attention to where it currently is than if we put it further down into the Underserved Regions Working Group. I greatly appreciate the work they've done. I know they carry this forward. But in terms of an outside reader looking for this, I think it's better in the current place.

NICOLÁS CABALLERO: Thank you, Netherlands. Do we have support for the Netherlands? Should we take it back to—I see the CTU. Go ahead, please.

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- NIGEL CASSIMERE:** Thank you, Chair. Egypt raised a question about engagement. Would that be dealt with under capacity development or would that be dealt with under somewhere else? Is it dealt with anywhere else is my question. If we are thinking about outside readers looking for stuff in the communiqué, I think we need to take a more comprehensive look at it.
- Another suggestion I might have is clearly, this is a matter in terms of the formatting of the communiqué now and going forward that maybe we want to review in the context of the new strategic plan and operational plan and so on. Given that that plan was only agreed at this meeting, maybe we could decide to take a deeper look at this and a decision for our communiqués going forward. Just a thought.
- NICOLÁS CABALLERO:** Thank you very much for that, CTU. The floor is still open. I don't see any hands in the chat room. Any other comment or question in the room? I have Niue. Go ahead, please.
- PÄR BRUMARK:** I'll keep it very short that I concur with the Netherlands. Maybe we could have both there. Just to mention, we thank IANA/PTI. And then this is a matter discussed within the Underserved Working Group under discussion so we can keep it short. Because this can be a novel, otherwise.
- NICOLÁS CABALLERO:** I don't quite understand, Niue. Do you concur with the Netherlands or you have a different suggestion?



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- PÄR BRUMARK:** I do concur with the Netherlands, yes. But I think also we could keep the first just to appreciate the IANA making the presentation. But in addition to that, put something about that this is work being done currently in the Underserved Working Group to keep it short.
- NICOLÁS CABALLERO:** Thank you for that, Niue. Floor is still open. Any other comment or question? Any other suggestion? I'm kind of lost, to tell the truth. I don't know if we should keep the text as it is under topic number five, capacity development, and leave it there. Go ahead, Egypt.
- CATHERINE ARIDA:** It seems to me what is more important here in this text is not the fact about capacity development, but rather the fact about ccTLDs. Because that's the essence more of the text here. Maybe we can put in issues of importance because this is actually in the session, it clearly was an issue of importance was quite—it had a lot of discussion. Nico, maybe you were not there in this session. But it took a lot of discussion about ccTLDs and the processes of delegation and that. Maybe we could, instead of having a section on capacity development, have something on ccTLDs as an issue of importance. That's just a suggestion. Maybe the Netherlands—
- MARCO HOGEWONING:** That's what I think too.
- NICOLÁS CABALLERO:** Then I see some traction here to the Netherland's suggestion supported by Egypt and Niue. Do we agree? Is it okay for Lebanon, though? Let me check with Lebanon. Zeina, would that be okay with you?

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**ZEINA BOU HARB:** I don't have a strong opposition to this, but you know, Nico, because this is a main topic for us, capacity development is a main section in our work. Why don't we want to highlight it? Why don't we want to present what we've done, even if it was only one session? This is my problem. We have had this session and we need to report on it. Probably the colleagues who worked on the engagement session should have also reported on the engagement section. But why do we want to remove the capacity development? But still it's not a strong opposition. It's up to the full committee and to you to decide. Thank you.

**NICOLÁS CABALLERO:** Thank you, Lebanon. Please go ahead.

**ISSAH YAHAYA:** I'm from Ghana and I'm speaking to support the Niue and Egypt proposal of the ccTLD.

**NICOLÁS CABALLERO:** Thank you, Ghana. The floor is still open. I don't see any hands online. Any other suggestions in the room? Because if that is not the case, then we'll just keep it as it is. Following the Netherland's suggestions, supported by Niue, Ghana, and Egypt. So we'll keep it there.

**FABIEN BETREMIEUX:** My understanding of the proposal that was emerging was to potentially move or adapt this section into an issue of importance, if I understand correctly.

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- CHRISTINE ARIDA: Maybe we can try to provide the text so as not to take further time and see if that works well.
- NICOLÁS CABALLERO: Yes, let's do just that for the sake of time. We'll do just that. Fabien will deal with that after lunch. What else do we have to cover at this point?
- FABIEN BETREMIEUX: I believe we've covered the entirety of substantive text that was provided. I'm scanning the communiqué quickly. There's this open question on HLGGM as part of issues of importance. There were a few edits in some discreet places in follow-up on previous advice that we can come back to, either now or eventually. But I believe we're close to completion of the text again, pending the finalization of this discussion on capacity development/ccTLD issues and additional HLGGM text.
- NICOLÁS CABALLERO: Okay. I suggest we stop here in order to have a clear mind. We have a lunch break. In case there are strong feelings, I would recommend the Underserved Regions Working Group and any other interested country to connect offline—well, actually online and try to reach an agreement on exactly where to put the text. Again, I'm neutral as well, just like the Netherlands mentioned. I don't have any kind of strong feelings against or in favor of putting the text here, there, or anywhere. I see Karel, Trinidad and Tobago. Go ahead, please.
- KAREL DOUGLAS: Karel Douglas, Trinidad and Tobago. I just wanted to thank you, of course, for the patience on the team there. And of course, the contributions from Lebanon and others who have a specific approach

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to this. The idea really is that we don't want to exclude anybody or anything. It's really just a matter of reporting. And the idea of the communiqué being a reporting tool is to ensure that it's captured well, at least, what takes place at the meeting. It may be somewhat of a misinterpretation of how best to capture events. So yes, in some regard, we have a working group, the working group that's in place. And there's another issue which is capacity development objectives. How it is going to be captured, I don't necessarily have a firm approach to it. I'm quite happy to include, where possible, it in the underserved regions. But if from the reasons of persons who believe it could be done in a different way, I'm on the same page. We're all on the same page. I think we agree that it has to be caught. Maybe how it's caught might be the issue. So I'm happy to work offline with my colleagues to ensure that we get the thing done. Thank you so much.

NICOLÁS CABALLERO:

Perfect. That would be a reasonable solution. Thank you so much for your patience, for your flexibility. For the time being, we need to close the session at this point. We're going to have a 90-minute lunch break, so please be back in the room at 1:45pm. Thank you so much. Enjoy your lunch.

**[END OF TRANSCRIPTION]**