
ICANN82 | CF – GAC Communique Drafting (2 of 6)
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JULIA CHARVOLEN

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NICOLAS CABALLERO

Thank you very much, Julia. Welcome back, everyone. This is a 75-minute session, so it will be basically running till 2:30, then we'll have a coffee break for 30 minutes, and then two more Communiqué drafting sessions. Everybody's got the block schedule, so just to remind you that if we're efficient, we might be able to finish drafting today, as a matter of fact, and tomorrow you

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might have some extra golf time for the afternoon. Because in the morning we have the ICANN public forum and the geopolitical forum and so on and so forth. So just saying, depending on how efficient we are now, we might be able to finish a little bit sooner than expected, which I hope will be the case. So thank you very much. I hope you enjoyed your lunch.

And with that, let me give the floor to Fabien, who's going to walk us through the parts, the specific parts in which we'll be concentrating in order to apply that efficiency concept this afternoon. Fabien?

FABIEN BETREMIEUX

Thank you, Mr. Chair. So we are resuming drafting of the communiqué at the section V of the communiqué, consensus advice to the ICANN Board, to share that we're not aware of any text proposed or considered for advice at this stage. So we wanted to just provide an opportunity to confirm that this is the right understanding.

NICOLAS CABALLERO

It is indeed, Fabien, unless anybody in the room or online tells me otherwise. We have, as a matter of fact, we have not discussed so far any specific GAC consensus advice at this point. So again, this is another opportunity for you to speak up. If that is not the case, and again, that is for online participants as well as distinguished GAC delegates in the room. And I don't see any hand online. Again, there's still time. I mean, we have two more sessions today and

potentially two sessions tomorrow. But the idea is to identify any potential suggestion or proposal for consensus advice, which will necessarily require our discussion. That not being the case so far, and again, I don't see any hand online or in the room. Let's get back to you, Fabien.

FABIEN BETREMIEUX

So then we can go back to section VI, which is Issues Of Importance, always in the spirit of dealing with the substantive parts of the communiqué first. And so we've received input on domain name registration data which we understand is from a group of drafters, several GAC members. So the topic leads who consulted with several interested GAC members. So we have a portion on urgent requests for disclosure of registration data. There's also registration data request service, accuracy of registration data, and other policy concerns regarding registration data. So that's for domain name registration data, subsection 1.

So if we move to subsection 2, we have identified planned input on, again, issues of importance on next round of new gTLDs. I believe we're still waiting for the final proposed text on applicant support and application fees and refunds. And there is text proposed here on the topic of global outreach and promotion of ICANN in your language. Right, thanks. Thanks for mentioning that. Indeed, we're not sure who suggested that text as it is not identified. So if the proponent of that text would be willing to let us know, that would be useful information. So please add a comment to the title maybe if you would like to do that.

Then subsection 3, ICANN Community Participant Code of Conduct concerning statements of interest. I believe we had a first read of that text yesterday, if I'm not mistaken. And the final subsection in issues of importance is on DNS abuse. So we're aware that there is text being drafted and finalized on this, but we have not received it yet. So that's where we stand in terms of the substantive parts of the communiqué.

NICOLAS CABALLERO

Thank you very much for that, Fabien. So going back to your point, have we identified the country that proposed the, not yet, the text you mentioned in section, I think it was section 3?

FABIEN BETREMIEUX

Yeah, it's subsection 3, 2, next round of New gTLDs.

NICOLAS CABALLERO

That one?

FABIEN BETREMIEUX

Yes.

NICOLAS CABALLERO

So the GAC member who provided that text, if you could please identify yourself. No, now, maybe. Ah, it's the UK, okay, perfect, perfect. So that we can talk and see if everything's all right with the wording and the wordsmithing and so on. So with that, let's begin with the reading, Fabien. Where should we start? I recommend we

go all the way up to the beginning and identify the areas which we have already read and concentrate on the missing parts, so to say.

FABIEN BETREMIEUX

So we can probably start with section 1, Domain Name Registration Data. I mean, in issues of importance, this section here.

NICOLAS CABALLERO

So let's do just that. So this is section IV, issues of importance to the GAC. Number 1, domain name registration data. Please make it bigger, don't make it smaller. Remember, I'm nearsighted. So I'll do as we normally do, I'll do part of the reading and my vice chairs are also going to help me with other parts of the reading in order to make it less boring for you so that you can hear different voices, different accents, and so on.

So this is A, Urgent Request for Disclosure Of Registration Data. The GAC notes action is still pending on its advice in the ICANN79 San Juan communiqué and its follow up on previous advice in the ICANN80 Kigali communiqué. Is that a good speed for reading? This is for the interpreters. Good, show me some thumbs up or so far so good? Okay, thank you.

However, the GAC appreciates its productive trilateral discussions with the Board and the GNSO Council regarding the GAC's proposal to pursue two tracks of work in parallel. One on determining the appropriate response time to authenticated urgent requests and

another supporting PSWG efforts to develop a scalable authentication process for urgent requests.

I'll stop there just for a second in order to see if we need to specify what PSWG is. I do know what it is, but whoever is reading these five years from now, maybe we should include their public safety working group in parentheses or something, right next to PSWG, because it's the first time we're mentioning this at least in this paragraph, right? So, thank you. So I'll continue now.

The GAC appreciates its shared understanding with the Board and GNSO Council that the existing registration data policy IRT, and again, we would need to explain what an IRT is, Implementation Review Team in parentheses maybe, is the best venue to discuss the response timeline for authenticated urgent requests. The GAC urges the start of these IRT discussions as soon as possible and looks forward to a timeline from the GNSO. While the GAC recognizes that an agreed upon authentication solution must be in place to finalize the approach to urgent requests, the GAC also expects that starting IRT discussions in parallel will assist the community in advancing forward consensus on the response timeline. The GAC reiterates its previous position from ICANN77 Washington, communiqué that given the vital public safety interests related to urgent requests, responding to such requests within 24 hours is considered an appropriate timeline. It also notes the previous Board's statement that, "a timeline of minutes or hours rather than days seems to be more appropriate." Could you please scroll down a little bit?

The GAC supports the PSWG's establishment of a practitioners group to advance its technical work toward authentication solutions, which is focused initially on authenticating law enforcement requesters.

Should we scroll down or that's the end? Okay, okay. So I'll pause here in order to see if we have any reactions, comments regarding this paragraph. And I don't see any hand online or in the room. Everything seems to be okay with that paragraph, except for the clarifications in parentheses for the acronyms, I guess, at this point. Unless anybody tells me otherwise. And I see a hand, Switzerland.

JORGE CANCIO

Yes, sorry, Nico. Jorge Cancio for the record. I missed in the previous paragraph, there is a reference to the previous Board's statement. And I had commented where the source is because it's important to state clearly where that statement was made, if we can reference it, etc. So that we have no problems with that. So just wanted to raise that as a question of good practice. And just on the last paragraph, it's just a question to illuminate me or to educate me, why practitioners group in capitals, and has it a specific special meaning? I'm not sure. Thank you.

NICOLAS CABALLERO

Thank you for that, Switzerland. And for that, I will defer to my Shakespearean friend to my left in order to give us some light on the issue. Nigel.

NIGEL HICKSON

Yes, I mean, I suppose if it's an actual group that's being set up, as opposed to a group that we have to meet down the pub, so to speak, then yeah, practitioners group could have a capital, but it's up to-- yeah.

NICOLAS CABALLERO

So there you go, Switzerland. I'm not going to argue with my distinguished colleague from the UK in that regard. So it should be fine. Any other comment or question? European Commission, go ahead, please.

GEMMA CAROLILLO

Thank you, Nico. Gemma Carolillo from the European Commission. Just to say that the comment from Jorge is really appropriate. We should reference where the Board statement is coming from. It was in the slides. I think the precious work that Fabien did in preparing the background, it exactly says it's in one of the correspondence from the Board, but it is indeed appropriate that we reference that, thank you.

NICOLAS CABALLERO

Perfect, thank you very much. European Commission, well noted. So if we have no more comments or questions, maybe we can move on, Fabien?

FABIEN BETREMIEUX

So the next part of this section on domain name registration data is RDRS.

NICOLAS CABALLERO

Thank you, Fabien, and for that, I will kindly request our distinguished colleague from Colombia to help with the reading. Sorry, you're having a bilateral, no problems, no problems. So I'll read it, no worries.

B, Registration Data Request Service, RDRS. The GAC notes with interest the Board's support for maintaining and enhancing the RDRS. The GAC supports this concept and suggests that steps towards improving the pilot system should already be taken based on the results of the first year. Excuse me. The GAC sees substantial room for the RDRS to generate additional value, including for requester communities, especially if the system can be adequately enhanced based on users' feedback and usage metric reports. The GAC recommends taking steps, taking steps to make RDRS participation mandatory for all gTLD registrars.

The system's ability to address requests for data, underlying privacy and proxy registrations should be improved. The RDRS should incorporate APIs to better facilitate RDRS usage by requesters and-- oh, I'm sorry. All right, all right. By requesters and registrars to make it ready to incorporate future authentication solutions for law enforcement requesters.

The GAC reiterates its invitation to the Board and the ccNSO to explore ways to overcome the existing challenges to allow the

voluntary participation of ccTLDs in the system. In its engagement with the RDRS Standing Committee, the GAC will continue to follow the development of a final report to the GNSO Council to convey findings from the RDRS pilot. The GAC also continues to support efforts to promote awareness and usage of the RDRS and to identify further improvements that could be made to improve the system's usability.

And I'll stop there. I can tell you at this point that maybe we should choose another word for, because we have improvements and then improve, I don't know, it's just a detail. But anyway, this is where we are. Comments, questions? Any idea from our American and English friends as regarding how to improve that last sentence in order to avoid using improvements and improve in the same sentence? Or maybe that's not an issue and it's just me. And I have India.

SUSHIL PAL

Although unsolicited, not being an American or English, but maybe we can say that to identify further improvements in the system's usability, that's it.

NICOLAS CABALLERO

Thank you very much, India. So we would read, to identify further improvements in the system's usability.

SUSHIL PAL Is that? That, yeah. To further improvement that could be made that could be made in the system's usability, if that is okay.

NICOLAS CABALLERO Okay, so let me read that last sentence. So it would read, the GAC also continues to support efforts to promote awareness and usage of the RDRS and to identify further improvements that could be made, oops, and improve is still there, to improve the system's usability. But I remember you said something different, India.

SUSHIL PAL But either, that could be made for the system's usability. I said, what initially I said, to identify further improvements for system's usability. That is reading it straight, but if you, somebody wants to retain that could be made, then that's the alternative.

NICOLAS CABALLERO Australia, go ahead, please.

IAN SHELDON Thanks, thank you. Okay, Ian Sheldon here. Maybe just a simplification, identify further improvements to the system's usability.

NICOLAS CABALLERO Thank you so much, Australia. So, I'll read it. I'll read it again. The GAC also continues to support efforts to promote awareness and usage of the RDRS and to identify further improvements to the

system's usability. Sounds good to me. Anybody against? Any better idea? That's the beauty of having native speakers in the room. Thank you so much, Australia. Any other comment, edit, or question? I see Argentina, go ahead, please.

MARINA FLEGO EIRAS

I have suggested to enhance, but the simpler the better. I don't know, it's okay.

NICOLAS CABALLERO

Thank you, Argentina. Could you leave with the text as it is now? No problem, no hard feelings. Okay, thank you so much. So, okay, Fabien, let's move on.

FABIEN BETREMIEUX

So, next is Accuracy of Registration Data still under Domain Name Registration Data.

NICOLAS CABALLERO

And for this, I will ask the help of my distinguished English vice chair for the reading. Would you help me with that, please, Nigel?

NIGEL HICKSON

Sorry, Mr. Chairman, what bit was that? So many bits.

NICOLAS CABALLERO

The text on the screen, Accuracy of Registration Data.

NIGEL HICKSON Oh, yes, yes, of course, yes.

NICOLAS CABALLERO Just the reading, just the reading.

NIGEL HICKSON No, I do apologize. Accuracy of Registration Data. Accuracy of domain name registration data remains a pressing concern for the GAC who continues to urge greater progress on this issue at ICANN. The GAC remains particularly concerned about the pause in the work of the Accuracy Scoping Group since 2022. The GAC notes that the GNSO is considering possible next steps on this issue based on responses received to its recent threshold questions, including a submission from the GAC. The GAC also notes the importance of data and evidence guiding any discussions about policy changes.

In that respect, the GAC considers that it would be helpful to receive more information about the current levels of compliance with existing requirements related to accuracy in ICANN's Registrar Accreditation Agreement. The GAC also welcomes any ideas that may allow for an assessment of the effectiveness of the current practices in ensuring accuracy of the registration data. Furthermore, the GAC supports engagement with contracted parties, ccTLDs, and other stakeholders who could share good practice in relation to this issue.

NICOLAS CABALLERO

Let me stop you there, Nigel, in order to see if we have comments or edits. Are we okay with a paragraph as it is? And I'll give you some time to read it as well. Okay, so I don't see any requests for the floor, which means that we're okay with the text as it is. Thank you so much, everyone. Nigel, can we go on with D, Other Public Policy Concerns Regarding Registration Data?

NIGEL HICKSON

Yes, of course, Mr. Chairman. When reviewing its strategic plan, the GAC noted concerns related to one of its expected outcomes for 2024 to 2025, “to track developments related to the collection and publication of registration information related to legal entities.”

In particular, the GAC is concerned by the lack of any progress regarding the implementation of EPDP Phase 2A recommendations, which the Board adopted in 2022. The GAC reiterates its position expressed in the ICANN77 communiqué that “contracted parties should collect and make data of legal persons publicly available.”

Additionally, the GAC supports transparency regarding the entities involved in a domain name registration. Registration data is most useful when it accurately reflects the full reality of how a registration occurred. Hence the data should make clear the distinct roles, responsibilities, relationships, and contact information of the chain of entities involved, beginning with the registry, the registrar, and then identifying those additional

entities, if any, between the registrar and registrant, such as resellers.

The GAC emphasizes the need to require the collection and publication of reseller data. The latter is especially critical to identifying the parties responsible for selling domain names directly to registrants and to highlight an important point of contact that may be best positioned to provide meaningful data on these registrants and/or to investigate and mitigate abuse conducted by those registrants.

NICOLAS CABALLERO

Thank you again, Nigel. So I'll leave it there for you to take a final look before we move on. And if you have any edits, comments, or anything you would like to modify, please let us know. So, please take a look.

GULTEN TEPE

Nico, this is Gulden speaking. We have European Commission in the queue.

NICOLAS CABALLERO

Oh, I'm sorry, I'm sorry, I didn't see that. European Commission, and then I have Netherlands, and then Switzerland. European Commission, please.

GEMMA CAROLILLO

Thank you, Nico. Just to give a little bit of context, because when we discussed the possible topics for the communiqué, we did not initially mention this. However, all the issues that you have seen were, that's why we tried to make reference, were discussed when we did tackle the strategic planning. We have some specific actions that are challenged, and we wanted to account for those. And this concerns the legal entities and the resellers. And then, of course, before introducing the issue of resellers, we wanted to make a general point on the importance of transparency in the chain of registration. Thank you. Just a comment for context.

NICOLAS CABALLERO

Thank you very much for that, European Commission. I have the Netherlands, next.

MARCO HOGEWONING

Minor editorial on the last sentence, as Nigel actually corrected it as he spoke, and/or to investigate, thank you.

NICOLAS CABALLERO

Okay, very good catch, Netherlands. Thank you for that. I have Switzerland, next.

JORGE CANCIO

Yes, thank you. Nico Jorge Cancio for Switzerland for the record. A bit difficult as I'm multitasking. But, so on this last sentence that Marco just referred to, I was wondering whether investigate is the right word there, because we are talking about who's the active

person to investigate. The reseller, right? So I'm not sure whether it's appropriate that we talk about investigating in the case of a reseller, which is a private actor in the chain of registering a domain name. So I just wanted to highlight that. Don't know if address would be more neutral. So that's one point, but I don't have super strong feelings on this.

And the other thing is more editorial. When I read the first sentence, when reviewing its strategic plan, I really stumbled over the sentence, because it seems that we were reviewing the plan, so really changing the plan or looking into modifications to the plan. And what we were doing was reviewing the progress in the implementation of the strategic plan. And then we realized that there was something not really going on as we desire, and that's what we note, that there's some issue with that. So just wanted to note that as well. Thank you.

NICOLAS CABALLERO

Thank you, Switzerland. Very good catch again. European Commission.

GEMMA CAROLILLO

Thank you, Nico, and indeed Jorge, great job for spotting both. The first paragraph, I think it reads much better as it's proposed. On the last paragraph, the concept behind is to have a point of contact to provide meaningful data, and actually perhaps we should say support investigation, because the key of the paragraph is to have a contact point. And the actions are providing the data. This can

be done directly by the resolvers, but the resellers, apologies, but support the investigations, I would say.

NICOLAS CABALLERO

Okay, thank you for that, European Commission. So let me read that last sentence in order to see if it's okay for everyone. The latter is especially critical to identifying the parties responsible for selling domain names directly to registrants and to highlight an important point of contact that may be best positioned to provide meaningful data on these registrants and/or to support investigation and mitigation of abuse conducted by those registrants. And I'll pause here in order to see if we have reactions. I see Bangladesh, go ahead, please.

DR SHAMSUZZOHA

Thank you, Chair. This is Shamsuzzoha from Bangladesh. This is just a simple comment, and as I understand the domain business is running, the main legal responsibility, especially for registrants' data and preserving it and making it available is on the registrar. It's both for the gTLD and also for the ccTLD, and the resellers is too much distributed and they have very loose contract, and it's mainly a business commercial negotiation for the registrar, and these are thousands and thousands of registrars, and as per my experience, they have very low legal obligations.

So I am just having a feeling that mentioning them in three consecutive lines, I think we are maybe over-emphasizing the role of resellers. So I think we can make some general reference, like

intermediary actors or those type of wordings, but from legal viewpoint, I think the resellers, they have comparatively not that much critical role in making the data available. So I think we should rethink about the GAC in the need to record the collection and publication of data, and the subsequent sentence. The letter is especially critical to identify the parties. So that is just my comment. Thank you.

NICOLAS CABALLERO

Thank you, Bangladesh. So if I understand correctly, you would like to stop right after responsible? The latter is especially critical to identifying the parties responsible? And stop there? Full stop after responsible? I didn't understand very well your suggestion. Could you please be a little bit more specific?

DR SHAMSUZZOHA

So we are saying that beginning with the registry, the registrar, and then identifying those additional entities, if any, between the registrar and registrant, such as resellers. And then I think the subsequent two lines those lines are overemphasizing the role of resellers. And we can avoid that one, and we can simplify that one. That is my suggestion. Or instead of referring directly as resellers, we can mention like intermediary actors, those type of words.

NICOLAS CABALLERO

Thank you again, Bangladesh. Would you be willing to provide some ideas regarding the drafting of those two sentences you mentioned?

DR SHAMSUZZOHA

My suggestion is that we can, the GAC emphasizes the need to record the collection and publication of reseller data. I think we can avoid that sentence. And the next sentence, the latter is especially critical. The publication of the list of intermediary actors like resellers is sometimes critical. It's not always critical, but sometimes maybe critical. The collection and publication of list of intermediary actors like resellers, collection or publication of the list of intermediary actors is sometimes critical in identifying the responsible part, in identifying and critical to identify in identifying registrant or registrant -related data. So I think.

NICOLAS CABALLERO

Thank you, Bangladesh. I have India and the European Commission.

SUSHIL PAL

Just, thank you, Chair. I mean, the clarification from the colleague from Bangladesh, does he differ in substance with the issue or it's purely for editorial purpose? Because that language has been agreed by a few members. And that gives more clarity. So do you differ in substance or it's more of an editorial issue?

NICOLAS CABALLERO

Bangladesh?

DR SHAMSUZZOHA

It's not a literal issue. I think my feeling was that it was overemphasizing the role of resellers. So that's why I mentioned it.

NICOLAS CABALLERO

Thank you, Bangladesh. I have the European Commission and the UK.

GEMMA CAROLILLO

Thank you very much, Chair. And thanks to the colleague from Bangladesh for his comment. I just wanted to refer to the fact that we do have this topic on the agenda, the one of resellers, because this has been identified for a long time as a real issue. This has been the subject of several communiqué or statements from the GAC. And this is not to emphasize that resellers should be subject to specific legal obligation. This is not at all the case. But to emphasize the fact that given the distributed system in the registration of domain names, very often resellers are those who are the ultimate contact with the registrants. And hence, without this information, it is not possible at all to get to the registrants.

So it's not about putting additional burden on the resellers as such, but to provide information of who are the resellers who are ultimately in contact with the registrants. So perhaps, I don't know, if the text is seen as overemphasizing, we could make it shorter. But specifically, for example, the sentence that there is a

need to require the collection and the publication of reseller data, this comes from a previous GAC agreed text, previous communiqué, just for context.

NICOLAS CABALLERO

Thank you. So if I understand correctly, European Commission, you want to go back to the original text? Is that correct?

GEMMA CAROLILLO

From my point of view, the sentence which is really important to maintain is the one that has been deleted. On the following paragraph, if this is seen as overemphasis, we can perhaps make it shorter. Although in the following paragraph, we'll just explain why we believe that the collection of the resellers' data is important. But perhaps, we could make it shorter if that's too long.

NICOLAS CABALLERO

Thank you. I have UK and Netherlands.

NIGEL HICKSON

Yes, thank you, Mr. Chairman. It was a point Dara was going to make. There's many ways of drafting these issues, but I think the need to require the collection and publication of reseller data is something that needs to be there because it does seem to be something that's of increasing importance, given all these different ways of registering domain names.

NICOLAS CABALLERO

Thank you, UK. I have Netherlands and then India.

MARCO HOGEWONING

Thank you, Mr. Chairman. Marco, for the record. On the mechanics of publication of a list, I'm not sure that's helpful in relation to this paragraph refers to looking up registration data for a particular domain. I'm not sure whether having a list of resellers is going to help me very much, because then I just have a list of people and I need to know exactly which reseller is responsible for a domain name. That to the mechanics. The other part is that if we insist to maintain it, I would rather keep referring to the term resellers and not intermediary actors and stick as close to the usual language we provide here in ICANN. But I'm not sure about the addition of the list concept in this particular paragraph. Thank you.

NICOLAS CABALLERO

Thank you, Netherlands. UK, is that an old?

NIGEL HICKSON

Yeah, sorry.

NICOLAS CABALLERO

Okay, I have India next.

SUSHIL PAL

Thank you, Chair. Just to support the comments from the EU colleague and also support the comment from the Netherlands for

retention of the resellers rather than a new term as intermediary.

Thank you.

NICOLAS CABALLERO

Thank you, India. So then we'll keep the text or at least that part of the text, right? Can you do some cleaning there, Fabien, in order to give it a final read? Okay, so I'll just read that last sentence for the sake of clarity and time. So it reads, the GAC emphasizes the need to require the collection and publication of reseller data. The latter is especially critical to identifying the parties responsible for selling domain names directly to registrants and to highlight an important point of contact that may be best positioned to provide meaningful data on these registrants and/or to support investigation and mitigation of abuse conducted by those registrants.

And I'll stop there in order to see if we can agree on this text. Anybody against? And I don't see any hand up, which means that we have agreement here. So thank you so much for that. Fabien, can you please clean up the text? Okay, so there it is. Can you please take a final look before we move forward? Is everybody okay with it? Please go ahead.

LOURINO CHEMANE

Thank you. I would like to ask to speak in Portuguese, if it's possible. Thank you very much. I want to speak about the abuse because the DNS abuse are not always directly related to the registrants. So perhaps we may find some other way to explain this.

NICOLAS CABALLERO Thank you so much for that, Mozambique. Do you have a specific suggestion in that regard?

LOURINO CHEMANE I don't have any proposal, but perhaps those of you who speak English may help us saying those who may result in abuse. It may not be the registrant, maybe some other actors who benefit from this fraud.

NICOLAS CABALLERO Thank you for that, Mozambique. European Commission, please.

GEMMA CAROLILLO Thank you, Nico. If I understand correctly, the concern of the colleague from Mozambique is saying that registrants are not necessarily the source always of DNS abuse. And this is understood and clear. And again, what we are trying to say here is that why resellers are important is because you can get to the registrants. So in those cases where there is a need to get to the registrant in order to investigate and mitigate DNS abuse, resellers are important.

Perhaps, I don't know if it could help, but I'm just reflecting and speaking at the same time, which is not good practice. We could say mitigation of abuse that may be conducted by those registrants. But otherwise, if we have to explain that DNS abuse is not necessarily linked to activities from the registrants, we'll take

another three or four paragraph. I think we are trying to look at cases where there is a need to get to the registrant. Thank you.

NICOLAS CABALLERO Thank you. European Commission. Mozambique, do you think you can live with that version of the text?

LOURINO CHEMANE Yeah, there's no problem. But it was just a concern.

NICOLAS CABALLERO But would you like to change it?

LOURINO CHEMANE No, it's okay. I understand. I understood what you meant.

NICOLAS CABALLERO Okay, thank you very much. So there it is. Any other comments or questions? Seeing none, let's move on. Fabien, back to you.

FABIEN BETREMIEUX So I think next, we've received text on the new round of New gTLDs, but we have not included it yet. So we're working on it. So it should be next. Should we go back to ICANN Community Participant Code of Conduct concerning statements of interest and give it a final read? That was read once, but that was quite early in the process. So maybe we can just confirm and close that part.

NICOLAS CABALLERO

Yes, please. So let's get there. Okay, thank you so much. So we'll give it a read. ICANN Community Participant Code of Conduct Concerning Statements of Interest. And for this, I will ask, I will kindly ask the help of my distinguished vice chair from Egypt, Christine Arida. Would you please help me reading that paragraph?

CHRISTINE ARIDA

Yes, sure. Sure, Nico. So on number 3, ICANN Community Participant Code of Conduct concerning Statements of Interest. The GAC has addressed the matter of transparency and statements of interest (SOI) in prior GAC communiqués since ICANN76 and addressed-- I'm reading from the screen. Yeah, it's jumping.

FABIEN BETREMIEUX

Yeah, sorry. It's because there's editing ongoing right above. So we're going to try to stabilize that as much as possible. Sorry.

NICOLAS CABALLERO

Christine, would you please speak a little bit closer to the microphone? Yes, sure.

CHRISTINE ARIDA

Okay, so I'll go again. The GAC has addressed the matter of transparency and statements of interest (SOI) in prior GAC communiqués since ICANN76 and addressed a letter to the ICANN Board Chair on this subject. Since transparency in ICANN's multi-

stakeholder model remains a top priority for the committee. The GAC notably included language to this effect in both the ICANN80 Kigali communiqué and the ICANN 81Istanbul communiqué, recalling that ICANN bylaws require ICANN and its constituent bodies to “operate to the maximum extent feasible in an open and transparent manner and consistent with procedures designed to ensure fairness.”

The GAC firmly supports transparency within ICANN and considers it inconsistent with the ICANN bylaws if ICANN participants are permitted to decline disclosing who they represent. Therefore, the GAC recalls its input to the public comment process on the draft ICANN community participant code of conduct on statements of interest and reiterates that it welcomes the proposed draft as well as the approach to a general ethics policy that includes this code.

The GAC welcomes the cross-community discussion held on this matter during ICANN82.

Going forward, the GAC is of the view that the clear line approach contained in the draft code stating inter alia that “specifically all who participate in ICANN processes are required to disclose the interests influencing their participation” and “when disclosure cannot be made, the participant must not participate in ICANN processes on that issue,” must be maintained in the final version of the code.

Such simplicity and clarity is the cornerstone for a well-functioning and applicable framework. ICANN Org should support consistent implementation of the code by developing brief and simple

guidance on the application of the code by providing specific training and educational materials to community leaders and participants tasked with applying and respecting the code as well as by foreseeing adequate data collection points and periodic review tools on the practical application of the code.

The GAC intends to continue reviewing the progress of this process and engaging with the Board and community on the matter and looks forward to a speedy completion and adoption of the code.

NICOLAS CABALLERO

Thank you very much, Egypt. So I'll open the floor for comments or questions even though we have already read this on the one hand and we discussed a little bit during the first, correct me if I'm wrong, the first communiqué drafting session. So there it is. I'll give you 30 seconds, one minute or whatever time you need in order to take a final look and if everything seems to be okay to you, we can move forward. Okay, so thank you so much. I see no hands in the room or online which means that we can move forward at this point. Fabien?

FABIEN BETREMIEUX

So we've integrated the text we've received on next round of New gTLDs so we suggest that we start there, resume there, I mean.

NICOLAS CABALLERO Yes, good idea. So for this, I'll require, I will kindly require again the help of our distinguished vice chair elect from Australia, Mr. Ian, if he can. Nigel? Yes, you can.

NIGEL HICKSON No, sorry, Mr. Chairman, I don't want to interrupt, but this is text which has been drafted by a number of us. We've also recently received some valuable input from other colleagues so it might be best that we worked on this in due course. It might be best that we worked on this rather than going through it and just adding in a lot of text, that's what I'm saying but obviously we're in your hands.

NICOLAS CABALLERO UK, I don't understand very well. Do you want me to read, do you want us to read it or you prefer to continue doing some wordsmithing before actually reading? Ah, okay, is that it? Okay. Do you agree? And I see nodding in the room. Okay, perfect. So let's move on then. Fabien, back to you. Sorry, I have Switzerland. Yes, Switzerland, go ahead.

JORGE CANCIO Thank you, Nico. Jorge Cancio Switzerland, for the record, just to state a little bit of concern from my huge delegation that we are receiving very substantive text very late in the process, and I think this shouldn't be really a good practice or a practice that we should maintain especially when the discussion was held already I think a couple of days ago. So I would urge colleagues leading on this text

to stabilize it as soon as possible and avoid in the future delivering text so late. Thank you.

NICOLAS CABALLERO

Thank you, Switzerland. Any other comment? Okay, seeing none. Then, and following the UK's suggestion, Fabien, let's move forward, back to you.

FABIEN BETREMIEUX

Sorry, so then let's move down to, so section IV, DNS abuse, we're still waiting for text on that. We have text proposed on WSIS+20.

NICOLAS CABALLERO

And I'll read that. So this is section 4.5, if I'm not mistaken, right? WSIS+20. ICANN82 witnessed many exchanges between community members interested in the WSIS+20 process, including in bilaterals held between the GAC and other constituencies, as well as in a dedicated internal GAC session. The GAC welcomes the ongoing engagement program of ICANN Org on the WSIS+20 process. The GAC intends to continue facilitating exchanges on the matter between its members and other constituencies, showcasing the contributions of the multi-stakeholder approach to the development of our digital future.

And I'll stop there in order to see if there are any reactions. Everything seems to be okay. And I see nodding in the room. So maybe we can move forward. Again, back to you, Fabien.

FABIEN BETREMIEUX

Thank you, Nico. So then in terms of text ready for consideration, if we go back in internal matters, I believe yesterday we read, we may not have read GAC operational matters regarding the terms of the chair and vice chair. So we may want to read that section. We've read capacity development, but we still have some edits in it. So we might want to read that again and clear that text. And yeah, at the moment that would be probably the best.

NICOLAS CABALLERO

Yeah, let's do just that. Australia, could you please help me with the reading?

IAN SHELDON

Thanks, Nico. 4 GAC Operational Matters. Pursuant to GAC operating principle 53, GAC members agreed on a proposal to proceed with a process to revise the GAC operating principles regarding the timing of annual committee leadership elections and the terms of the GAC chair and the GAC vice chairs. GAC members in attendance agreed to revise GAC operating principle 31 to adjust the committee's annual election cycle to conclude during the second meeting of the calendar year. This revision will enable leadership transitions to take place at the end of the ICANN annual general meeting when the ICANN Board and other ICANN communities also begin their leadership terms.

GAC members in attendance also agreed to revise GAC operating principle 21 to adjust the term of the GAC chair to three consecutive

terms of two years and the terms of the GAC vice chairs to two consecutive terms of two years. Consistent with the GAC operating principles, the revision proposals will now be subject to a 60-day consultation period.

The committee plans to make a final decision about the proposed revisions during the GAC meeting at ICANN83 in Prague, Czech Republic. The GAC's operating principles evolution working group will develop any needed transition procedures to affect the changes if they are ultimately approved.

NICOLAS CABALLERO

Thank you very much for that, Australia. I see a few of the comments. Edits, anything you would like to modify? Okay. Seeing none, both online or in the room, maybe we can move forward to the next section. Fabien, back to you.

FABIEN BETREMIEUX

Capacity development.

Yes, and for this I will kindly ask our newly elected vice-chair as well from the Netherlands, Mr. Marco Hogewoning, to help us with the reading. Netherlands?

MARCO HOGEWONING

Thank you, Mr. Chairman. So section, 5. Capacity Development, currently reads, consistent with the decision to focus GAC capacity development efforts in the next round of New gTLDs for the coming

year, the GAC held during ICANN82, three capacity development sessions related to:

- Geographic gTLD (geogTLDs) to familiarize GAC members with the objectives and practices of these registries in preparation of expected applications to this nature in the next round of New gTLDs and the role governments may be called to play in the process.

- ICANN's Next Round Champions Toolkit, with the aim to encourage its use by GAC members to help raise awareness about the Applicant Support Program for the next round of new gTLDs;

- and the registrant's journey, during which GAC members learned about the lifecycle of domain registration and the various considerations, decisions and options a registrant may encounter in the domain name registration process.

The GAC thanks the geoTLD Group, the GNSO Registrar Stakeholders Group, as well as ICANN Org for their efforts in facilitating the capacity development sessions. The GAC leadership and Underserved Regions Working Group co-chairs will assess the results from the post-session survey for future programming on this effort.

NICOLAS CABALLERO

Thank you very much Netherlands. Any edits, any modifications, any comments in this regard? And I hope you don't mind assigning these reading tasks to the newly elected vice-chairs. You know, the idea is to warm them up a little bit before the actual work begins,

starting in Prague. So that's the reasoning behind. That doesn't mean that the current vice-chairs are not going to be working this afternoon. I see Netherlands, go ahead please.

MARCO HOGEWONING

I think I'm passing the buck here to my English colleague, but my feeling is that the opening sentence here, the GAC held during ICANN82 three capacity can be a bit improved on grammar, but I'm open to suggestions here. It's hard to read.

NICOLAS CABALLERO

Thank you for that Netherlands. Let me defer that to my distinguished English colleague right here. Nigel?

NIGEL HICKSON

It looks okay to me, but, I mean, it could be shortened, but I think it depends how you say it, consistent with the decision the GAC held. Yeah, perhaps you don't need to say during ICANN82, because it's obvious, I think, because we're dealing in a communiqué that's to do with 82. Three capacity development sessions related to, and then go into the bullets, yeah. But, yeah, I'm open to your view.

NICOLAS CABALLERO

Thank you for that. Nigel? Yes, Fabien?

FABIEN BETREMIEUX

And if I may suggest on behalf of the GAC support team, on the last bullet, the registrant journey, we had suggested removing the

reference to the Registrar's Stakeholder Group, which is made underneath, and also session, because that's mentioned in the opening sentence, but that made it hard to read, and so maybe we could remove during here and write, which enabled GAC members to learn, and so hopefully that makes it a bit more digestible.

NICOLAS CABALLERO

Thank you for that, Fabien. Even though stating that GAC members would learn about the life cycle-- I would say 99% of GAC members already know what the life cycle-- anyways, that's just my take. I will do whatever you tell me to do, but I wouldn't write learn there, but maybe learn more or update. I don't know, something of the sort. I have Egypt and Colombia. Egypt?

CHRISTINE ARIDA

Sorry, Chair. It's an old hand, I'm sorry.

THIAGO DAL-TOE

Oh, okay. Colombia? Thank you so much, Nico, Thiago Dal-Toe for the record. I think at this part we can actually make a reference that it was an interactive section, right? It wasn't as the regular format that we have. So perhaps we can say that which enabled GAC member, or the registrant journey, which enabled GAC members to engage in an interactive session to learn more about the life cycles of domain registration and so on and so forth. The idea is just to put that it was a bit more interactive than just a regular explanation. Thank you so much.

NICOLAS CABALLERO Thank you for that, Colombia. But still, I have a problem with learn. I would say to refine our understanding or something of the sort, because I find it a little bit insulting. Yeah, European Commission?

GEMMA CAROLILLO Sorry, I just wanted to support silently from the floor. Because if we are the same group who deals with post-quantum, and then we need to learn everything from scratch on the registration, I think it would be confusing messages.

NICOLAS CABALLERO Yes, I would put something, and again, I defer to the native speakers here, but I would say something like, yeah, refine our understanding or something a little bit more sophisticated. The floor is open. Colombia? Sorry, that was an old hand. So again, let me defer to the native speakers in the room. Would you be okay with updating. I don't know what word to use, refining. Netherlands?

MARCO HOGEWONING I see somebody editing, I was about to suggest if we insist on staying to interact, it should be interacting with and not interacting about. I'm struggling now with what the edits are being done. Let's wait until we have a full sentence again.

NICOLAS CABALLERO

Thank you. Netherlands. I have Canada next.

DAVID BEDARD

I'm wondering if we could just simplify it-- sorry, thank you, Nico. I'm wondering if we just simplify and say the registrant's journey, which-- sorry, and then delete it. So the registrant's journey about the life cycle of a domain registration and various considerations, decisions, and options. So take out the rest and just specify what the session was about.

NICOLAS CABALLERO

Thank you for that, Canada. And I wholeheartedly support that. In the interest of simplicity, I would go with that one, but again, I'm in your hands. So if everybody agrees, we can adopt this text. Let me read it, just that part again. So it would read, The "registrant's journey," about the life cycle of a domain registration and the various considerations, decisions, and options a registrant may encounter in the domain name registration process. But it lacks some-- doesn't make that much sense to me. There's something missing there. But again, I defer to the native speakers, of course.

FABIEN BETREMIEUX

Can I maybe suggest to move registrant's journey, which creates a difficulty and just start the bullet at the life cycle of a domain registration and maybe the registrant's journey in parenthesis, and then, and the various consideration, decision, and options a registrant may encounter.

NICOLAS CABALLERO Yeah, that would sound good. But you still need the action. So you're talking about the registrant's journey and the life cycle, domain name, consideration, blah, blah, blah. What? Sorry, Switzerland?

JORGE CANCIO Thank you, Nico. Jorge Cancio, Switzerland, for the record. Just in case it's helpful to put a verb there to have some action. We could have the registrant's journey showcasing the life cycle, blah, blah, blah, blah, blah. So we are showing that.

NICOLAS CABALLERO Thank you for that, Switzerland. Brazil?

BRAZIL Maybe we can go with the registrant's journey about the life cycle of domain registration and various considerations, enable GAC members to engage with all the decisions and options a registrant may encounter in the domain name registration process.

NICOLAS CABALLERO Okay. Thank you so much, Switzerland and Brazil. So I'll try to read that last paragraph again. It would be the registrant's journey showcasing the life cycle of a domain registration, enable GAC members to engage with all the decisions. The decisions and

options. Engage with decisions and options doesn't sound that logical to me. But again, I defer to the--

NICOLAS CABALLERO

Nigel?

NIGEL HICKSON

Yeah, I rather liked the simple approach, but-- Well, what Canada proposed initially. Or you said enhance the knowledge or enhance the-- You know, there was another word I had. But certainly not to learn. Not to learn about, but enhance the understanding or enhance the-- Yeah.

NICOLAS CABALLERO

Canada, would you be so kind as-- And I'll give you the floor, Netherlands. Would you be so kind as to repeat your suggestion? Sure.

DAVID BEDARD

I think I had originally suggested the registrant's journey about the life cycle of a domain registration. About domain registration decisions and options a registrant may encounter in the registration process. If we do want something a little bit more punchy, I do like Switzerland's suggestion of showcasing. I think that's a good addition, but otherwise I wouldn't complicate it too much.

NICOLAS CABALLERO

Thank you, Canada. Netherlands.

MARCO HOGEWONING

I would second Canada's suggestion for keeping it short and simple. If we insist sticking to the second version, maybe the word to use is familiarize. Familiarize themselves with the decisions. But I'm happy with Canada's suggestion.

NICOLAS CABALLERO

Thank you, Netherlands. So let's go back to Canada's proposal, which seems to have lots of track. Fabien, is there any way we can go back to Canada's? Okay. So it would read, The "Registrant's Journey" showcasing the life cycle of a domain registration about domain registration decisions and options a registrant may encounter in the-- Jesus Christ. Registrations everywhere. Let's forget about this. No, no, no, no, no, no, no, no, no. Let's forget about this. So let's do the following. Let's do the following. It's 4:30 already. Let's go grab some good cappuccino. We take a 30-minute break and then we come back a little bit more refreshed and with better ideas and more caffeine in the system so that we can think a little bit better. If you agree, right?

So let's stop here. We'll come back in 30 minutes. Let's get some coffee. We'll be back. Please be back at 3 p.m. Thank you.

[END OF TRANSCRIPTION]