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ICANN72 | Virtual Annual General Meeting – GAC Opening Plenary
Monday, October 25, 2021 – 12:30 to 14:00 PDT

GULTEN TEPE:     Good morning, good afternoon, good evening. Welcome to the ICANN 72 GAC opening plenary session on 25th of October at 19:30 UTC.

Recognizing that these are public sessions and other members of the ICANN community may be in attendance, the GAC leadership and support staff encourage all of you who are GAC representatives to type your name and affiliation in the participation chat pod to keep accurate attendance records.

If you would like to ask a question or make a comment, please type it in the chat. The feature is located at the bot4otm of your Zoom window. By starting and ending your sentence with <question> or <comment> as indicated in the chat.

Interpretation for GAC sessions include all 6 UN languages and Portuguese. Participants can select the language they wish to speak or listen to by clicking on the interpretation icon located on the Zoom tool bar. If you wish to speak, please raise your hand. Once the session facilitator calls upon you, please unmute yourself and take the floor. Remember to state your name and the language you will speak in case you will be speaking a language other than English. Speak clearly and at a reasonable pace to allow for accurate interpretation. Please make sure to mute all other devices when you're speaking.

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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.*

Finally this session, like all other ICANN activities, is governed by the ICANN Expected Standards of Behavior. In case of disruption during the session, our technical support team will mute all participants. With that, I would like to leave the floor to GAC Chair, Manal Ismail. Manal, over to you.

MANAL ISMAIL:

Thank you very much, Gulten, and good morning, good afternoon, good evening to everyone. Welcome to the opening plenary of the GAC meeting held on the margins of ICANN72. I hope you all continue to be well, safe and in good health. We've been meeting online for almost two years now. This is the second virtual annual general meeting and I sincerely thank you all for your continued participation and active engagement despite the challenging circumstances and challenging time zones to some. And I really hope we are able to facilitate a smooth experience for everyone.

The ICANN72 meeting was launched earlier today, and you can find the recorded message from ICANN president and CEO and ICANN Board chair welcoming everyone to ICANN72. There was also an announcement that the 2021 Dr. Tarek Kamel award for capacity building was received by Satish Babu for his outstanding efforts in promoting the multistakeholder model of Internet governance and capacity building on a local and regional scale.

During the coming 90 minutes, we will go over the block schedule, review notable developments since ICANN71, including GAC priority

topics., intersessional GAC interaction with the community, GAC vice chairs election and other onboarding and engagement activities.

Then we will review the communique drafting process and go over the meeting logistics and review the available technical capabilities before we start preparing for three bilateral meetings. First with the GNSO which will take place later today, second with the ALAC taking place tomorrow, Tuesday, and finally, the one with the Board taking place on Wednesday. So I hope we would be able to dedicate enough time during the session for our bilateral preparations. So without any further ado, let's go to the next slide, please.

Our GAC meetings will take place from Monday 25th until Thursday 28th of October, and starting tomorrow, our working hours will be from 9:00 till 17:30 Seattle time, 16:00 till half past midnight UTC.

The GAC plenaries continue to focus on priority topics to the GAC, including future rounds of new gTLDs, RDS WHOIS registration data, DNS abuse, and IGO protections. We have four bilateral meetings with the Board, the GNSO, the ALAC, and the Universal Acceptance Steering Group.

There is one community panel which has been proposed by the GAC on designing hybrid ICANN meetings, so you are all encouraged to attend and participate to this community meeting. There is also an executive QQA session, the usual public forum, the ICANN Board annual general meeting, and all will be taking place throughout the week.

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We have dedicated some time to hear from three GAC working groups, the GAC operating principles evolution working group, GAC human rights and international law working group, and GAC underserved regions working group.

The GAC leadership will also provide 30-minute daily updates from 14:30 until 15:00UTC on the 26th, 27th and 28th of October, for GAC members and observers disadvantaged by the meeting time zone. And of course, we will continue to allow 30-minute breaks between consecutive sessions.

Worth noting the daily updates are outside the official working hours of the meeting, hence will not be considered part of the official records, will not be recorded, and will not benefit from language services or technical support, but of course will be supported by our great GAC support team.

Last but not least is the wrap-up session where we will announce the results of the GAC vice-chairs election and allow an opportunity for everyone to provide feedback on issues discussed throughout the course of the week. Next slide, please.

I will go through the four GAC priority topics displayed on the screen very briefly. As thanks to all topic leads, we have already done a deep dive into each of the topics during the oral GAC briefing a couple of weeks ago on the 12th. So if we go to the following slide, please.

Starting with the subsequent rounds of new gTLDs. I'll skip over the importance to the GAC and go directly to recent developments. GAC

members have participated very actively in the recent GNSO SubPro PDP process. The GNSO submitted the final report, and ICANN Board approved the relevant operational design phase.

During the relevant session, the GAC will review relevant materials and positions particularly in relation to GAC priority subtopics including clarity and predictability of application process, public interest commitments, DNS abuse mitigation, GAC early warnings and GAC advice, closed generics, and auctions.

We will also discuss input on key topics for potential GAC advice to the Board and review recent developments including the operational design phase status, and potential follow up on the GAC collective comment that we have filed on June [21st.]

And the relevant GAC session is scheduled for tomorrow at 19:30: UTC, and I will pause here if topic leads would like to add anything that I have overlooked. Seeing no hands, if we can go to the following slide, please, on RDS WHOIS and data protection.

Again, going directly to recent developments, phase 2A of the EPDP on gTLD registration data is concluded and the GAC has submitted a GAC minority statement on the final report. The GAC also responded to ICANN Board clarifying questions regarding the ICANN70 GAC advice, and a survey of GAC members on accreditation of government entities and users to a potential future SSAD, which, the survey is part of ICANN's operational design phase. The deadline for this survey was extended until the 31st of October. So please make sure you respond to the survey if you haven't already responded.

And during the relevant session, the GAC will consider public policy concerns related to recommendations of EPDP phases 2 and 2A, as well as public interest impact of the delay in implementation of EPDP phase 1 recommendations, and the continued suspension of the privacy proxy services accreditation policy implementation. And the relevant session will be held also tomorrow at 23:30UTC.

I'm pausing again if topic leads would like to add. And if not, we can move to DNS abuse mitigation, noting that ICANN released the results of its audit of registrars' compliance with DNS abuse obligations on the 24th of August, and on the 22nd of July, the ICANN Board took action on the SSR2 review team's 63 final recommendations that were released on the 25th of January. And it's worth noting that ICANN Org posted a blog summarizing all types of actions taken.

During the relevant session, the GAC will consider ICANN Board's resolution and scorecard on the recommendations of the security, stability and resiliency review and consider the results of ICANN's audit on registrars' compliance with DNS abuse obligations and consider developments following SSAD proposal for an interoperable approach to addressing abuse handling in DNS. This discussion will be taking place later today at 22:15 UTC.

And I'm pausing again for topic leads, if they would like to chime in. Otherwise, let's move to IGO protections. The GNSO EPDP on IGO delivered its initial report for public comment, and the GAC submitted a consensus comment on the 24th of October. The GAC is seeking to resolve longstanding issues created by the divergence of policy

recommendations provided to the ICANN Board by the GNSO and GAC advice regarding protections afforded to IGOs, where the GAC advised the ICANN Board to abstain from taking a decision on these recommendations inter alia to allow the parties sufficient time to explore possible ways forward. In response, the ICANN Board informed the GAC that it would form a Board caucus group for the GNSO's PDP working group recommendations, 1, 2, 3 and 4. So subsequently, a Board GAC consultation process on IGO protections was initiated and still underway.

During the relevant session, the GAC will review recent developments from the EPDP specific curative rights protections for IGOs including the publication of the initial report and GAC input to the EPDP. And we will also engage in discussions on the GAC ICANN Board consultation on IGO protections. This discussion is also taking place later today at 21:30UTC.

Now moving to intersessional activities if we can go to the following slide, please. And before that, also if topic leads on IGOs would like to chime in or add anything. Okay if not, then intersessional activities.

Community leadership meets regularly before ICANN public meetings to review matters of cross-community impact. Topics of recent roundtables included implementation of work stream 2 accountability recommendations, particularly those requiring collective efforts, and the idea of establishing a community coordination group for certain recommendations directed at the community was discussed including the scope of the group, which recommendations they should look at,

why the coordination is needed, the role of the group, the representation of the group and so on.

Community prioritization and planning framework was a second topic that was discussed during the roundtables, and how this framework can be used during the annual planning process where coordination is needed to come up with common priorities across the community. Again, we were presented the prioritization framework design elements, its scope, participants, and consultations that already started to take place on the elements, scope and participants, but would also include at later stages the techniques, reports, tools, and a pilot to test all this together.

Another hot topic was returning to in person or hybrid public meetings and how to best plan for those meetings. Also, the idea of ICANN Org working with the SO/AC chairs to develop communitywide guidelines for using monitoring and managing the Zoom chat was discussed, including having some guiding chat ethics to complement ICANN Expected Standards of Behavior.

Now, if we go to the following slide regarding the BGIG, the Board and GAC interaction group has proven to be an effective venue for discussions to ensure efficient Board and GAC collaboration and communication.

Recently the BGIG developed a streamlined approach for discussing issues of importance to the GAC. There has also been more active consideration of additional consultations, and this included our

discussions on IGO advice, and also the recent early warning regarding the [inaudible].

Most recently on the 5th of October, the group has discussed ICANN71 GAC communique, including IGO advice and issues of importance to the GAC and the need for process clarity with respect to Board GAC consultations including a suggestion to compile a flowchart describing the process which is currently under development. I mean the flow chart of course is currently under development, the process is already there. And of course, like other working groups, the BGIG membership is open to any interested GAC representative.

Moving to onboarding and engagement, many new faces have joined the GAC since ICANN66. Over 100 GAC delegates joined since November 2019, which is the start of our virtual meetings. GAC delegate count has rebounded to a pre-Pandemic high of 462, and the GAC leadership is working with support staff to improve onboarding and engagement of new members with continued emphasis on engagement resources. There is planned expansion of ICANN Learn curriculum for governments, and expectation is that future meetings will settle on being hybrid in format.

Finally, we are working on evolving pre meeting briefings such as the oral briefing that we held prior to our meeting today. There are also the written briefs and tools such as GAC action and decision radar, all of which are designed to facilitate your engagement and interaction, and we would very much appreciate your feedback in order to keep improving.

On GAC vice chair elections, if we can go to the following slide, balloting period will continue until 23:59 UTC on Tuesday, 26th of October. New or updated ballots can be submitted until the deadline, and results as I mentioned earlier, will be announced on Thursday, 28th of October, at the GAC wrap-up session.

The five elected vice-chairs will begin their one-year terms at the conclusion of ICANN73 but will start joining the GAC leadership meetings after ICANN72 to ensure a smooth transition. All election information is available on the GAC website at the shown URL, and I would like to thank all candidates for the prompt sharing of their background information and their willingness to serve, share their knowledge and dedicate time and effort to the work of the GAC. I would also urge anyone who hasn't voted yet to please do so before the deadline.

And now allow me to hand the floor to Fabien for the communique drafting process. May I, Fabien?

FABIEN BETREMIEUX:    Thank you, Manal. This is Fabien Betremieux from the GAC support team, and I will just take you through a short reminder of the process that the GAC has now adopted for a number of meetings in the virtual setting to ensure that all members are able to contribute and participate to the deliberations that go into drafting the communique and adopting the GAC communique for the meeting.

So as you see here the diagram and the screen, we show the three periods that the GAC now goes through to draft and adopt the communique. What you see in the middle, the red box is the ICANN virtual meeting week, which we are starting. So the GAC will deliberate and eventually draft the communique this week.

As you may be aware, as you have seen on the mailing list over the last two weeks, we were in the pre meeting preparation period during which GAC members were invited to consider and identify issues of interest for potential inclusion in the communique. Then last week we received a message that we entered into a communique preparation phase of that period in which GAC members were requested to share the text of potential key messages.

And as you will see, in the draft communique collaborative documents which we shared a little bit before this meeting on the GAC mailing list, there was one piece of input in the issues of importance to the GAC. So you will find there the theme and the text that is suggested already.

I think it's been made clear on several occasions by the GAC leadership that this process is not meant to preclude any of the GAC's discussions and deliberation during the week, but it is more an opportunity to facilitate discussions this week.

Once the GAC goes through its deliberations and the drafting of the communique, with the drafting starting on Wednesday and potentially ending on Thursday, we will enter the review period where for 72 hours, all GAC members will be provided an opportunity to review the communique that has been drafted. And should there be any objections

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to any substance in the communique, there would potentially then be a decision by the GAC leadership to resort to a review of that objection with GAC members before the communique is formally adopted.

This has never been needed so far in I believe the three meetings in which the process was implemented, so this has not yet been implemented.

Hoping that this is clear, I will then move to the next slide to remind you of your ability to contribute at any time any text in the communique. And in order for you to do so, you need to go on the link that was shared to the collaborative draft communique, and when you do insert text, we ask you to make sure that you select the suggesting mode so you can see here number one to the right of this screen.

Then you can enter your text, and in the box that will appear on the right-hand side of the document, we request that you identify yourself and possibly the group of drafters to whom you belong that suggested text. Then you make sure to hit "reply" on that box so that your identification does appear. It helps everybody know who authored and suggests the text that was entered in the communique. And that completes the reminder, Manal.

MANAL ISMAIL:          Thank you very much, Fabien. So, just to add quickly that again as Fabien mentioned, the communique will be up for review for 72 hours. The end of the 72 hours may differ depending on whether we finish the communique drafting on the Wednesday or Thursday, but in all cases,

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the Monday after the meeting week, GAC membership should be attuned to receive the formally adopted communique, or the unlikely case of receiving objections, the Monday message will be used to schedule a session within the same week to resolve the issue and formally adopt the communique to be published by the end of the same week.

One more thing I would like to bring to your attention is that we will try to use breakout rooms during the communique drafting if needed in order to allow for small group drafting of communique language of common interests. So I hope if we use the breakout rooms, you will find them beneficial.

With that, allow me to hand over now to Gulten for an overview of the meeting logistics and available technical capabilities. So may I, Gulten?

GULTEN TEPE:     Thank you, Manal. Hello again, everyone. I will provide a brief overview of meeting logistics and hoping that it will be a good refresher for you. Regarding the calendar invitations, if you recall, I already shared call in lines for each GAC session. You may want to check those calendar invitations. They will take you to the GAC website and ICANN meetings page for each respective session.

Just like previous virtual meetings for ICANN72, we didn't share any Zoom room link on those calendar invites. This was advised by our E&IT team, but I will be updating the calendar invitations 24 hours before the sessions. And you may also find those remote connection details on

ICANN meetings website as well. Again, only 24 hours before the session start time.

Let me quickly share my screen. First note would be, always remember to be logged in, otherwise you will not be able to see the documents since some of them aren't public and they will be released publicly after these sessions take place, especially session briefings.

You can see it says "Welcome, Gulten" over here. That means I'm logged in and able to see this sessions, briefings and presentations, which are only open to GAC members.

Taking a closer look at the ICANN72 agenda page, for that, you need to go to the top banner where it says meetings and records. Here it says select edition, so you may also be going back to previous meeting agendas and find the materials as well.

Under introduction part on the agenda, we already published valuable resources and materials. You may find the GAC schedule as a PDF file, and overall ICANN72 block schedule. To be able to view the full agenda, you need to be registered. Here, as you may, see it says Gulten Tepe. And a link to prep materials.

As our usual practice, we posted the briefings in a ZIP file, as a single PDF and additionally, under each relevant session. Rob sent you a notice when we posted these documents so you might want to review the session briefings to get an idea of the topics and details of what will be discussed. These documents are only visible to GAC members, so

again, please remember to log into the site with your website credentials.

We already published [inaudible] briefings in English as well as their translations, and if you missed a session, I would recommend you to check the ICANN meetings page. You might find the recordings and transcripts here. I can also quickly share this link in the chat box.

Our tech team will be posting the links when they're available, and after these sessions, I will be adding links to recordings and transcripts on GAC website under each session as well. And these documents will be turned into public mode.

So coming back to introduction part. You would find the other resource briefing documents including virtual meeting details one-stop shop document. This document provides you a meeting overview, some technical and logistical details, and more materials including GNSO briefing and policy outlook report.

With respect to Zoom room, you're already familiar by now, hand raise icon is located on the reactions tab. Please remember to add your affiliation, the country or organization you're representing nearby your name. You can do that by hovering over your name. More options will appear and you may click "rename." It will allow you to update your name and enter GAC into parentheses. If you can't manage how to do that, you can also request that from us through chat, and we would be happy to do that on your behalf.

You can help our interpreters by following simple guidelines. If you intend to speak in a language other than English, please notify the audience. This will provide a heads up for our interpreters. There's a brief switch over time when switching between interpretation from non-English language and back to English. Please be mindful of that, and state your name every time you take the floor. Please do not speak too close to the microphone and mute all additional devices. Your phone, iPad, so on. And remember to review your notification settings and turn them off please. If you intend to read a statement, please provide it to us in advance, and remember to speak at a reasonable pace.

Let me quickly share my screen again. Moving forward to remote simultaneous interpretation, there's an icon on Zoom toolbar that says "interpretation." You may click on this icon in order to select the language of your choice from the menu. We have 6 UN languages and Portuguese. Make sure that you have updated your version of Zoom and all features are available to you. If you are experiencing an issue that might be related to an outdated version of Zoom application, please remember to update your Zoom before the sessions, otherwise it will disrupt your connection to the sessions. And some of our participants aren't able to download the Zoom app so we will be providing the listen only MP3 streams, and CRN application is also available for your use.

Regarding the daily updates informal sessions, Manal already touched base during her remarks, and I already shared the invites of these sessions for Tuesday, Wednesday and Thursday, at 14:30 UTC. Manal

will be going over each session that took place the day before and provide a brief overview of what was discussed, decided and so on. GAC members who missed these sessions due to time zone difference are welcome to join these sessions.

And that concludes my part. If you have any questions, I would be happy to answer, or please share it in the chat box. Thank you, Manal.

MANAL ISMAIL: Thank you very much, Gulten. Any questions? If not, Kavouss, please, go ahead.

KAVOUSS ARASTEH: Good morning to colleagues in Seattle and the other area. Good morning, good afternoon, good evening to everyone. Manal, if you allow me, I have few comments to make. First comment that I have is with respect to the election of the vice chair. I don't have any comments for this meeting, but I suggest that we consider whether we need to change the operating principle for the GAC vice-chair, whether we need to have some criteria, and some qualifications.

Doesn't mean that colleagues, candidates are not qualified. They are very qualified, but we are not questioning that, but principle is different. Principle is that would like to know whether the people, candidate for GAC, if possible, be considered how many years they should have been participating in activities of GAC either continuously or intermittently.

And also, people that have been vice chair their last X years, whether they should be candidate for re-election. All of these things is to allow the new blood to come in as a vice chair, and to become in future GAC chair. I'm not suggesting any [fair] proposal, but I just whether we need to review those considerations and also whether we need to elect all five vice chair each year, or half of them each year, and having another half remaining in order to maintain the continuity of the experienced people, because the vice chairs are important element to assist the chair in the leadership group.

I don't go beyond that. That is just for your consideration. I have already proposed something, but due to the time limitation, it was left to the last day, but I have not been able to follow whether these suggestions have been any follow up actions. I request you kindly to consider them.

Second issue I want to raise—I have raised it before—we have three types of communication with the Board. One, the highest level, is GAC advice, very highest level. Second is follow up action of the GAC advice, and third is some sharing views with Board member in a communication. So we'd like to categorize that and not put everything under one single category as GAC advice.

So if we distinguish and discriminate between all three. We might have many issues to share with Board. It is not necessarily GAC advice, nor a category of follow up action, but communication for consideration and so on and so forth.

Last but not least, for the issue that Board has not yet considered, I believe there is no need, or it is not effective, to put any GAC advice on

that, because they have not been considered. If a recommendation of phase 2 or phase 2A has not yet been considered by the Board, we should not give any GAC advice. Nevertheless, in a communication, we could mention if you have a minority statement or any other thing. So these are simple things. I'm sorry at this earliest stage I raise this, but I just wanted to share with you, with your agreement and your allowance. Thank you.

MANAL ISMAIL:     Thank you very much, Kavouss, for your valuable remarks. All well noted and we will be channeled throughout the week during the appropriate discussions. But all well noted, and we will be having a discussion on the operating principles as well. So thank you for flagging your views.

With that, I think we will be starting our preparation for bilaterals, and we will start by the GAC GNSO bilateral. And for that, allow me to hand over the floor to Jorge, GAC point of contact with the GNSO, GAC vice-chair and GAC representative of Switzerland. So over to you, Jorge, please.

JORGE CANCIO:     Thank you so much, Manal, and hello everyone. This is obviously a picture, what I have in my background, because it's deep night now in Switzerland. So hello everyone, and very happy to be meeting you at least virtually.

On the GNSO bilateral we are having later tonight here in Europe, later this day, we have already agreed an agenda with the GNSO leadership, and if we go to the following slide, we see some of the talking points we have already agreed or at least we have consulted with the GAC and we have communicated these to the GNSO.

And I won't go into all the details of these talking points, as you have already received them, but we will be talking about the EPDP phase 2A related to the registry data and the so-called WHOIS, and today we will be sharing our opinion on the results of phase 2A. We will be noting this and also sharing the view that the multitude of minority statements in this EPDP phase 2A is something to reflect on.

Second topic we will be discussing will be accuracy, which is a follow-up topic flowing from the discussions about WHOIS, and where the GNSO has established a scoping team which has very recently started its work, so we will be sharing some views on the start of these works.

And if we go to the next slide, we will also be discussing on DNS abuse. As you know, this is a longstanding topic of interest for all of us, for the GAC, and which we have been discussing about with the GNSO Council for long, so we will be very happy to hear their thoughts on potential next steps. We have heard that they have already had some discussion, or they are having some discussion, so we hope to see some further information from their side on how they intend to approach this very important issue.

Finally, the fourth issue we will be having on our agenda is the EPDP on IGO curative protections. As you may know, yesterday the public

comment period on the initial report of this GNSO working group has finalized. We as GAC have provided an input to this public comment period, and we will be sharing the latest information we have on this with the GNSO. Also, regarding the discussions we are having with the ICANN Board.

Finally, if time permits, we may also share some information or ask the GNSO views on their opinion or potential input to the Board question on how the ICANN community or ICANN can improve its communication with governments all around the world, and maybe we may also discuss on the latest news regarding subsequent procedures as has been suggested on the list by Nigel Hickson from the UK.

Of course, people may chime in into discussions which will be moderated by our chair, and where topic leads will be participating on each of the agenda points I've mentioned. So that's it for the state of preparations of this bilateral. If there is any question or comment, I'm happy to also try to respond to them.

MANAL ISMAIL:     Thank you very much, Jorge, not only for the presentation but also for the intersessional coordination efforts with Jeff on behalf of the GAC. Any questions? Okay, if not, then thank you again, very much, Jorge. I'm handing it now to Shi Young, GAC of point of contact with the ALAC and GAC representative with the Republic of Korea. So over to you, Shi Young, please.

SHI YOUNG CHANG: Thank you, Malan. Thank you for giving me the chance to present the GAC-ALAC bilateral meeting preparations. So we will discuss about three important topics. The first topic about ICANN and government's role, which is related to Board chair question to GAC and also ALAC on how ICANN and Board could improve their engagement with governments. So we are going to discuss about these issues, including questions such as GAC and ALAC expanded role to the ICANN policymaking which is related to the geopolitical issues and so on.

Second item is about the DNS abuse and beyond. So for the second item, we will discuss about the issues which relate the discussions of the DNS abuse issues as an additional cross-community initiative to tackle continuous malicious registration and other issues such as maybe fraudulent website and other DNS nuisances which are outside the DNS abuse categories.

The final issue is reflection on public interest processes. As you may know ,as GAC and ALAC has achieved remarkable police cooperation on important issues such as SubPro, EPDP and so on. So this is a topic to reflect on their roles in public interest processes so we will try to [answer questions] such as to what extent the public interest has been reflected in recent ICANN policy outcomes and structural challenges and a way to strengthen our cooperation to promote public interest framework [figures] in ICANN decision making.

So for all these important topics, we are going to have active discussion from both sides by having our topic leads. So I ask all other colleagues

to active participation for those important issues to have active discussion. Thank you. Thank you, Manal. That's all.

MANAL ISMAIL:

Thank you very much, Shi, also for your efforts intersessionally and for the presentation. And to GAC colleagues, this is meant to be an interactive discussion with the ALAC, so please take some time to look at the proposed questions and be ready to engage in an active discussion with the ALAC.

And we have the ICANN and governments from ALAC. Joanna will be leading and Shi Young from our side for the DNS abuse and beyond, Jonathan Zuck from ALAC and Nigel volunteered from the GAC side. And on public interest, we have Justine, Alan, Hadia from ALAC and Jorge leading from the GAC side. But again, as said, this is meant to be interactive so please take your time and be ready to engage.

If we can go to the following slide, and this is to prepare for our meeting with the ICANN Board. So the session will be divided into two: half an hour for discussing a question that was shared by the Board to the whole community and not only to the GAC, and the second half for questions from the GAC to the Board. If we can go to the following slide.

The question that has been posed by the Board to the community as also mentioned earlier by Shi Young is asking for inputs or comments on how ICANN could efficiently identify and work more closely with governments globally as well as educate, train and interact whether it comes to geopolitical issues relating to ICANN's mission.

The points you see on the screen are those received so far from Switzerland and European Commission, so please let us know if you have any additional points to make. I'll go quickly through the points.

First, continue to constantly engage openly and constructively with the GAC. Second point is on maintaining a constructive relationship, showing that the GAC deliberations and output are duly considered as this would encourage governments to take part in the GAC and within community discussions.

Third, noting that formal exchanges are not very conducive to substantive and interactive dialogue and instead they can draw the GAC and Board into protracted discussions.

Fourth point, suggesting perhaps the need for more informal and substantive dialogue as an avenue to further explore especially when physical meetings are again possible.

Fifth point, noting that ICANN forms part of a wider Internet governance landscape, consequently ICANN has an interest in investing time and resources into a well-functioning Internet governance ecosystem, inter alia into the IGF and to maintain constructive relations with players like WIPO, ITU, etc.

Sixth, by continuing to play a constructive role in such fora, ICANN will be better placed to understand international and regional debates, interests and needs at stake, and contribute its fair share to potential approaches to address relevant geopolitical issues consistent with its mission and bylaws.

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Seventh, ICANN should further support the active participation of all governments in the GAC through dedicated trainings and support actions.

And last and eighth, ICANN should maintain and encourage multilingual interactions at ICANN meetings. So those are, with thanks to Switzerland and European Commission, the points received so far. I'm pausing here to see if there are any comments or any additions. I see Nigel, UK. Please go ahead.

NIGEL HICKSON:     Yes, thank you very much, Manal, and I'll be very brief. Good afternoon, good evening, everyone ,or good morning to some, I suppose. I just wanted to reflect on these points—I think they're really excellent by the way—in light of the discussion that took place earlier today between the ICANN Board and the NCSG, Noncommercial Stakeholder Group.

Some of you might have caught that, and apologies if you did, but it was a good discussion. What came across to me is that there is a certain amount of urgency in some of this work, and ICANN explained the excellent work they've done on education and awareness raising at the UN and elsewhere. But in the early parts of the meeting, Göran Marby raised the issue of the ITU plenipotentiary and what he saw as some concerns on the developments that might take place there.

So I did wonder whether in this meeting with the Board we ask the Board where ICANN is going to be engaging. Is it going to be primarily at the ITU in relation to the plenipotentiary, is it as a [SECTA] member,

of course now, ICANN? Is it going to be in the UN WSIS process in regards to the renewal of the WSIS mandate? And there might be some other questions as well. It's just a thought and, of course, we might not have time. Thank you.

MANAL ISMAIL: Thank you very much, Nigel. If there is no specific addition that you want to put in writing, please feel free to chime in during the session. I'll pause after going quickly through the points, still allowing any additions, but if there are any written additions, also please either mention them now, or if verbal, feel free to chime in during the session. I see Russia, please, go ahead.

VLACHESLAV EROKHIN: Good evening, colleagues. Russian Federation want to highlight one more issue related to interaction between ICANN Board and governments or cooperation between ICANN Board and governments. It's compliance with national regulation. For example GDPR, we see how much resources and ICANN is paying for implementation of a national regulation, but we don't see, for the time being, the strategy for that, how ICANN Board or ICANN Org [will continue this work. Will there be a global analysis or] some selection or I don't know. We want to receive feedback from ICANN Board how they see interaction with governments regarding national regulation compliance. Thank you.

MANAL ISMAIL:     Thank you very much, Slava. Rob, I hope you captured this one as well. Thank you for doing so for Nigel's and Slava's interventions. The good thing is that we haven't shared our answer to this question when we shared other questions to the Board, so we are still flexible here. And thank you for the additions. Rob, if we can share them on the GAC mailing list for any fine tuning if needed so that we can incorporate them on the slides for Wednesday when we meet with the Board.

Going to the following slide, and this is our questions to the Board, and they fall under 2 themes. DNS abuse mitigation and Board actions on SSR2 recommendations. The second is subsequent rounds of new gTLDs.

So we have three questions under DNS abuse and SSR2 recommendations if we go to the following slide. First question is regarding SSR2 recommendation 9.4, and I don't think I need to read background text you have on the screen, but going directly to the question. Is it the position of the Board that ICANN's compliance team cannot be asked to simply inform the community what tools they are missing from contracts to better address security threats which if negotiated for in future contracts might otherwise benefit ICANN in its mission to ensure the security and stability of the DNS?

And under this we have two sub questions. If so, can the Board please elaborate why ICANN negotiations strategy cannot be so informed? If not, might the Board consider clarifying its response to SSR2 9.4 to note that it does not object to ICANN Compliance making the requested reports in order to better inform ICANN's future contract negotiations?

And I'm stopping here to see if there are any comments or any questions regarding the questions we are posing to ICANN Board. I would like also to identify—and I will give you the floor immediately, Kavouss—interested members who may be engaging with the Board if further information is needed, because I understand during the preparations for this bilateral, I know the Board has been asking a few questions regarding our questions, so they may want to seek further clarification.

So while giving the floor to Kavouss, I hope we can identify topic leads as well. Kavouss, please go ahead.

KAVOUSS ARASTEH: Thank you, Manal. Let me share with you my reaction to all the meeting that we have with the Board. Generally speaking, when we meet with the Board, among the Board members, one is a, I would say, big or main role player. Before this Board, it was Chris Disspain. Always, he was the one replying to all questions, 90% of the questions. Now it's Becky Burr.

We appreciate both of them. My question is that the following. We raise the question, how far we are satisfied with the answer? Have we been given convincing answer? Or their understanding and their policy, without really answering our question, or totally answering our question?

It is many Board members as long as I am attending the meetings, [always they raise a] question. Always some question or answer. But there, these question—these answers were convincing? If yes, why we raise the same question again?

So we need to ensure that the answer given to us is convincing. Madam chair, when I chair a meeting, and someone raise a question and someone else answers, then I ask the person that raised the question, "Are you satisfied?"

Never this question has been raised in the GAC Board meeting. A GAC member raises a question, answer is given, never is he asked, "Distinguished GAC member, are you satisfied?" Never we ask this question. Just they, the distinguished Board member, which we are very appreciative of them, give their own way of thought, without asking whether we are happy or not, whether we are satisfied or not.

Maybe we have a different line of thinking, different culture, different background. But we have to have some reaction. Yes, to some extent, we are satisfied. Never this question has been raised. So I suggest that the distinguished chairman of the Board when is attending a meeting, and give the task to one of the Board members, high qualified like Becky Burr—although all of them are qualified—and he is the top key player answering our question, the chair of the Board ask that, "Mr. X, are you happy with the answer?" If not, further answer either at the same meeting or later meeting should be given. This is my difficulty from ICANN 43. Thank you.

MANAL ISMAIL:                Thank you very much, Kavouss. I fully agree with the principle that we should avoid back and forth questions again revolving around the same topic. On the Board members who respond to GAC questions, I have the privilege of attending some of the preparatory meetings, and I see how

they prepare for our meeting, and they normally take the subject matter experts on the question that is being asked, or the person who is leading this topic within the Board. So it is not fixing a certain person but rather choosing the subject matter expert or the topic lead, if I may say, within the Board.

And I think they normally ask, "Does this answer your question?" But again, we can stress the point that those who ask the questions are satisfied with the answers. But I hope if not, then people can speak up and we can try to find a mutual way forward. I see a question from US in the chat if we can consider rewording the question on recommendation 9.4. So, Susan, we have already shared the questions with the Board in order for them to be ready for our discussion. If it is something that is not substantial, we can definitely share a modified version. Of course, at your earliest convenience so that we can allow them some time to look at the modified question. So if there is any fine tuning, please feel free to do this and share it on the GAC mailing list.

So I hope that we will also have topic leads who can make sure the answer is satisfactory, as Kavouss said, but also can answer any further questions the Board may have. And if we can go to the following question, again under DNS abuse related to SSR2 recommendations 4.2, 7.4, 9.3, and recommendation groups 12, 13, 14, and 15.

Again, I don't think I need to read the background. I go directly to the questions for the sake of time. And the question reads, noting the need expressed by the Board for further analysis and consultation, and to the extent that GAC members may wish to follow or contribute to specific

security and/or DNS abuse topics addressed in the report, what are the processes and means through which the Board will facilitate to enable these actions? Might the Board clarify how the GAC, and the ICANN will be informed of ongoing work and developments regarding these recommendations? Might the Board clarify what opportunities will be available for the GAC to contribute to these discussions which relate to important public safety issues? And finally, could the Board share a timeline for the engagement with the SSR2 shepherds and eventual wider consultation of the ICANN community?

I'm pausing here again to see if there are any comments on any of these four questions. Seeing none, I'll move to the following question, and again I will call on topic leads to be ready if need be and we need a deeper discussion with the Board. Can we go to the following slide, please? Thank you.

This is on SSR2 recommendation 9.1, and I think here I need to read the background. There seems to be discrepancy in the perception in some of the issues raised in the SSR2 report in relation to compliance with DNS abuse contractual terms and enforcement of those. The Board appears to consider in its reaction to the SSR2 that the recommendation is fully enforced, while the SSR2 recommendations suggest that this is not the case. Question is, how does the Board intend to reconcile these contradictory outcomes? Any comments? I see none.

So if we can go to questions under subsequent rounds, please, and move to the following slide. We have 2 questions. First, do Board members have any relevant information about the operational design

phase they have just launched that they would like to share? With a link to the final report outputs. And second question reads, do Board members have any questions regarding the GAC consensus comments on the GNSO SubPro PDP final outputs that the committee delivered in June? Again, with a link to GAC comments.

I'm pausing again here to see if there are any comments or questions. I see Jorge in the chat saying that the questions on SubPro could, if need be, be answered later by the Board in writing. Let's see how the time goes. But thank you for the flexibility, Jorge, and the offer. Kavouss, please go ahead.

KAVOUSS ARASTEH:    Yes, Manal. I believe that perhaps if you agree or other people agree, I would like to take a slightly different question. Do Board members have any relevant information? Yes, they have some information. Which information we would like to have? They have given us already some information about ODP. When we say any, it is starting from zero. They have provided. Maybe further information, additional information. So have to remove "any" by something, and also "relevant." Yes, the information of Board always is relevant. They don't reply irrelevant information. So we don't need to put "relevant." Any additional information apart from what has already been provided.

Then the question two, do the Board member have any question? I suggest that we replace "question" by "comment." Any comments regarding GAC consensus? They should not ask question about a consensus advice or comments. If they have any comments, but not

question. We are not questioned by them. There is no such a question and answer, unless there is some ambiguity. If you are talking about ambiguity, yes.

But I would just say that the first question, they have already provided many information, so maybe additional information, up to date information, further information. This is a small suggestion that I've made. Whether you agree or not, I leave it to you. Thank you.

MANAL ISMAIL:     Thank you very much, Kavouss, for the enhancements, and both modifications make perfect sense to me. I see also agreements in the chat, Jorge saying "fair point." And when Board and GAC meet, the output is the decision or orientation—I'm sorry, I don't understand the question. If you would like to maybe elaborate more, either orally or in the chat. And CTU, feedback instead of comments. I see it already captured on the screen.

So, any fine tuning or enhancements to the language are welcomed and we will circulate them again to the Board, particularly that they will not change their already prepared answers. So it's nothing—we're fine tuning the language so this is very much welcomed. Kavouss, is this a new hand?

KAVOUSS ARASTEH:     Yes, it's a new hand. Do we have consensus comment? Please correct me if I'm wrong. We have consensus advice, whether it was full or non-full consensus. But consensus comment, what does it mean? Comment

is comment. For comments, we don't need consensus. But I don't know whether in a bylaw or somewhere on the GAC recently—maybe I have not been attending your meeting. I don't remember we have consensus comment. Thank you.

MANAL ISMAIL:              Thank you, Kavouss. And in avoidance of confusion, is it okay to replace consensus by collective comments? Any objections to collective comments? Jorge, please go ahead.

JORGE CANCIO:            Thank you. Thank you, Manal. Putting my topic lead hat on on subsequent procedures, what consensus implies there is the process whereby we reached or we drafted that comment. And it is a comment and not advice because it was delivered in a public comment consultation, and so it isn't consensus advice in the sense of the operating principles or the bylaws.

At the same time, it is not just a summary or a recollection or a compilation of different opinions from the GAC, but it is a written input which is based on a consensus, which was reached through a process we informed the whole GAC and which was accepted by implication by the GAC.

In this sense, it is consensus comment, but I don't mind qualifying this in a different manner. Thank you.

**EN**

MANAL ISMAIL:                    Thank you very much, Jorge. Kavouss, please go ahead.

KAVOUSS ARASTEH:                 Yes. Thanks, Jorge. Thank you very much. I would say collectively agreed comments. It's not consensus but collectively agreed that everybody agreed. Thank you.

MANAL ISMAIL:                    Thank you very much. Any objections to collectively agreed comments? So I think we all understand it has been collectively agreed through the consensus approach that we take, and it's not a consensus advice per se, that is it does not trigger the bylaws, but it has the weight that it is coming out of the GAC collectively. So if there are no objections to the wording as it stands on the screen, I think we are all set.

To the question in the chat, the output of the meeting—this is just a dialogue between the Board and the GAC so it's just to exchange views and have a common understanding of the issues, but nothing concrete in terms of output, though the transcripts of the meeting are normally attached to the communique at the end of the meeting.

So I think this was the last slide. Again, Susan, if there are any similar enhancements to the very first question, please feel free to share. As I said, if it is not a substantial change and will not affect the Board preparations, I think we will accommodate and share even if not a new version to the Board but at least a refined one that will be displayed on the screen, as Rob mentioned in the chat.

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So with this, if there are no further requests for the floor, we are two minutes to the hour, and this is the scheduled end time of our opening plenary.

I would like to thank you very much, everyone, for your active participation during the preparations to the bilaterals that are scheduled throughout our week.

It is now time for a 30-minute break. After the break, we will have our discussions on IGO protections and DNS abuse mitigation, so please be back in the GAC Zoom room at 14:30 Seattle time, 21:30UTC. The meeting is adjourned.

**[END OF TRANSCRIPTION]**