
ICANN68 | Virtual Policy Forum – GAC Subsequent Rounds Discussions (1/3)
Monday, June 22, 2020 – 16:30 to 17:30 MYT

JULIA CHARVOLEN: Tech support if you can start the recording please. Thank you. Good morning, good afternoon and good evening. This is Julia Charvolen from the GAC support team. We'll document the ICANN68 session on GAC subsequent rounds special and Monday 22 June, 2020 at 8:30UTC we will not be doing a roll call for this sake of time but GAC members attendance will be noted in the and weeks the GAC communique and in the GAC ICANN minutes as well. GAC representatives and delegates are encouraged to share attendees by sharing name and country and organization in the Zoom room chat. This will help us keep accuracy attendance record and facilitate the queue. I would like to ask if you would like to ask a question or make a comment please type in the chat by starting and ending your sentence which question or comments. And please keep it short if possible. Interpretation for GAC sessions which will include 6 UN languages and Portuguese and conducted using Zoom and the remote simultaneous interpretation platform operated by congress network. Our technical support team is monitoring the Zoom room closely and are the only ones with the ability to unmute speakers following GAC support do so. If you wish to speak raise your hand in the Zoom room while speaking be sure to mute your other devices including the CRN. Please speak clearly and at a reasonable pace to allow for accurate interpretation. Finally the session like all other ICANN activities is governed by the ICANN

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expected standards of behavior. You will find in the chat for reference.
It is my pleasure to hand the floor over to the GAC chair, Manal Ismail.

MANAL ISMAIL, GAC CHAIR: Thank you, Julia, and good morning good afternoon and good evening everyone, and welcome back to the GAC Zoom room. This is the first of 3 GAC sessions on new gTLD subsequent rounds. But our last session for today. The session will be led by our topic leads, Luisa Paez, Vice-chair from Canada and Jorge Cancio vice-chair from Switzerland and the session is scheduled for an hour. I'm glad also to welcome Jeff and Cheryl co-chairs of the question the procedures PDP working group and I thank them very much for always making themselves available for the GAC. I know the time zone was challenging for Cheryl at ICANN67 and now for Jeff at ICANN68, so I can't thank you both enough for your availability and keenness to help with any information, questions or updates. With this, allow me to hand over to Luisa whom I know will be kick starting us for this session so over to you, Luisa.

LUISA PAEZ: Thank you, Manal. And it's Luisa Paez with the Canadian government for the record, and echoing Manal's thank you to both Jeff and Cheryl for joining us today, and also for always making yourselves available during the inter-sessional exchanges we've had. And so for today's agenda, an agenda items we will start with giving you a quick update and the subsequent rounds since ICANN67, and so they will give you an quick overview of the GAC consultation, individual input, and then

we'll turn it over to the SubPro PDP working group co-chairs for a more detailed update in terms of the latest developments, also how they reviewed a GAC consultation with the individual input in their deliberations as well as next steps, and finally we will end the session with the discussion items that will be discussed in, I believe it's tomorrow, there will be 2 -- I think it's one session officially of the SubPro PDP working group and one that was already scheduled but that will all be clarified by the co-chairs of the PDP. And so if we can go to the next slide please. Wonderful. So I will just give you a very brief and high level update, as I mentioned both Jeff and Cheryl will provide a more detailed update on the latest developments of the SubPro PDP deliberations, so just so everyone is aware, the PDP working group has been working hard to finalize the recommendations, and they follow a strict -- well yeah, a strict Work Plan. Also to note that the final reports will be published -- or delivered sometime in July but again more details will be given by the both co-chairs, and so I think the expectation of the public comment period will be for 40 days. And then just to note that after the public comment period, there's still a few steps that will need to take place as the --, for example, the GNSO council will need to approve the final report of the SubPro PDP expected to be delivered in December 2020. Next slide please. And regarding -- so there was in April 2020 a GAC compilation of individual input that was conducted, so there were about -- there were 23 GAC members and GAC observers that participated in this individual consultation, and the consultation focussed on 5 priority topics for the GAC on public interest commitments on GAC early warnings and GAC advice, and applicant

support, on community applications, and on closed generics, and then the compilation of this individual GAC input was then submitted to the SubPro PDP. Both the co-chairs as well as the full working group. Also, to mention that this is a significant GAC early engagement as compared what took place in the 2012 round, so even though it's true that there could be much more engagement from GAC members obviously it is a complex PDP to follow, there's lots of as well competing priorities we will have to deal with but just wanted to take this opportunity to note that this time around there has been more GAC early engagement and a real effort to build capacity with GAC members in terms of the technical considerations and policy considerations around finalizing this policy review, improving it, addressing that, lessons learned from the 2012 round but of course much more can be done. And finally, also wanted to note that to ensure the GAC members were aware and to -- the time to review the GAC scorecard this is a document that has been prepared almost a year ago, and has been updated inter-sessionally with a great GAC support staff, and they've been working very closely with ICANN support staff of the GNSO secretariat of the SubPro PDP, and so this is a very very useful and comprehensive document. It might seem intimidating at first but you can start by focussing the top priorities of the GAC, and the document is very succinct and I believe there's one page Per topic and you will see on one side of the table then you can -- there's the previous GAC input advice and then on the other side of the document of the table you have the latest status of PDP working group deliberations. And so it's very useful to really get a sense of where the PDP working group is on the topic of interests of the GAC or

interests of the individual GAC member, versus any previous GAC input, GAC advice on this topic, and then also the color coding will give you a sense whether the PDP working group deliberations are more aligned or less aligned to previous GAC inputs, and this document has only been reviewed to date by the GAC leadership, but we encourage GAC members to review it, and, of course, provide comments as we move forward. On that note, if we can go to the next slide, and I believe it's now the item for the co-chairs. Next slide please. Wonderful and so I'll close it there and pass it along to Cheryl and Jeff to introduce and to give us a background of the latest status and deliberations of the SubPro PDP working group. Thank you very much.

CHERYL LANGDON-ORR:

Thank you, Cheryl, for the record and Jeff and I are always happy to come and interact with the GAC at your sessions in recognition of the keen interest and in subsequent procedures. To the next slide and the one after that slide. The one with writing. Perfect that's it. I'm going to take you through -- back one -- through some of the highlights on the matters of process,... that's it and Jeff is going to dig into the issues. We will split it up between the two of us. Here and I'm sure you all know this terribly well indeed. We won't go into greater details. It goes all the way back to 2007. Some of you are painfully aware of the history. Our work in the subsequent proceed ours was... there's links to the gory details if you have an urge for late night reading of the policy development process has a heroic amount of topics. We have 40 more than 40 separate topics that are identified in our charter. And

to try and deal with that we broke up into our 5 work tracks and a GAC of course has interests across all of them, but in particular the ones relating to community applications, applicant support and, of course, geographic names at the top level is where we've seen and welcomed the GAC input in particular. Next slide please. Current status. Our initial report was [inaudible] for public comment on 3 July, 2018. We've done a whole lot of supplemental and initial reports. Work Track 5 has put out its own supplemental initial report. You remember we have been out for a number of interactions with communities, both called for comments from the AC and the SOs but also twice, in fact, we did that that also of course our public comment periods and we've got the big one to come. We are nearly finished our draft recommendations. We are working incredibly hard, and your GAC colleagues who are knee deep in subsequent procedures will testify there's an awful lot going on. We are meeting twice a week no enable us to finish the draft final report shortly after this ICANN meeting. Next slide please. Thank you. I'll skip over the subsequent procedures time-line. In as much as you've already had ... taking us through a little of that. But this is by the way of making our set of slides for your ready reference later on. A complete set you'll note our commitment to the end of Q42020 for the completion of our work. And if you can be moving to slide -- the next slide. We're going to dive into to the particular interest you all have and that's the input in individual GAC members and with that back to -- or over to Jeff and I might come back for process a little later. If the urge takes him to pass the baton. Over to you, Jeff.

JEFF NEUMANN:

Thank you, Cheryl. Hopefully you can hear me. Sorry it took a second to get off mute. Yeah, so I want to thank the GAC and especially all of the members that have been working very hard and diligently on providing us with input since ICANN67, so we'll start with looking back a little bit and then we'll then look to working forward and what we're going to cover during our session a little bit later I guess we'll be tomorrow for most of you, for me it would be later tonight. So after ICANN67, you all worked incredibly hard and we're very again appreciative on 5 topics that we jointly designated as high priority topics and that was on the role of GAC advice, and GAC early warnings, public interest commitments. The applicant support program. Community applications and closed generics. In April or May sorry, it was early May -- we got 23 GAC members and observers provided input through correspondence that was sent to us, and again commend you on how thorough that input was. And we can say that we have considered each of those 5 topics again taking into account all of the input that we received, and we have incorporated the high level themes directly into our final report language, so even if we may not have revised a particular recommendation, we certainly have included a number of the materials or all of the materials in the rationale section for our recommendations. So we can go to the next slide. So more specifically, some of the changes that we've made include that we've added with respect to GAC advice, and GAC early warnings, we've added implementation guidance,... that for GAC consensus advice received after the release of the Applicant Guide

Book that such comments would be allowed, and we provided some more flexibility for the GAC, and its members during the early process, and we are also encouraging the Board to consider the rationale for advice for possible detrimental effects. With respect to public interest commitment, we haven't made any significant changes to the public interest commitment section, we noted that as you explained to us at ICANN67 that there was some concern and may still be concern on our approach to dealing with DNS abuse, namely that that is an issue that the working group felt was better handled by the GNSO in a new process that could look at not only the new gTLDs would eventually be launched in a couple of years time, but to look at this in a more holistic.

GULTEN TEPE: Jeff, I'm so sorry to interrupt you but our interpreters just reported a static on your line, we are happy to we are happy to dial out to you our self. Please provide me your phone number on private chat.

JEFF NEUMANN: Okay, I can do that. Okay, I can do that. Is it still there?

GULTEN TEPE: Better now. Please proceed, Jeff. Thank you and apologies.

JEFF NEUMANN: I've sent you my phone number just in case so if it gets worse you can just add me. So with public interest commitment on DNS abuse we --

you may have seen that we sent a letter to GNSO council letting them know that our recommendation was likely to be that the GNSO council should figure out a way to deal with this issue on a more holistic level, so that DNS abuse can be handled through the policy, a new policy process, so I'm being told that my sound is not great again. So if you want to call me on that number, and maybe Cheryl until I get back on do you want to just cover these?

CHERYL LANGDON-ORR:

As soon as I negotiate the unmuting process. Thanks, Jeff. Thanks very much for the tech people supporting us here. Yes, okay with the top 5 priorities since ICANN67 -- I'm hearing an echo. Probably means Jeff is back on-line? Jeff are you back on now? Perhaps not. Okay, the GAC consensus advice was of course as you all know, released after the applicant guide book. While we in subsequent procedures are trying to make sure that we address the ways things were acted on or implemented, we of course are key in looking for any modifications we may need to make to the Applicant Guide Book and to that end your contributions have been very very valuable as you can see. The public commitments, the -- yeah public interest commitments much the PICs from our perspective, the particular critical point that we saw that you're concerned with that affected us was to do in particular with a matter on the approach to domain name system abuse. This is one of the few times that your advice and influence has not particularly carried the day, and convinced the majority of the plenary of the subsequent procedures working group to shift direction, and this is something I think we may discuss a little later after we come to

Q and A I'm sure, and at this stage there are no intentions for us to make any particular solution as the new gTLD SubPro level. We have addressed what we can out of the CCRT report those things that were clearly within our mandate, but our view, and you've had a copy of our letter -- and our letter to the GNSO council is that the matter of DNS abuse, which is critical, and important, needs to be dealt with holistically. The applicant support program -- and have we got Jeff back because I'm happy to hand over to him when he is back -- we have added from the implementation guidance based on your influence on our deliberations, so as how to consider financial support if qualified applicants exceed funding. We've already [inaudible] implementation guidance must develop a plan, a little ad hoc and... I won't go as far as saying could have been planned better, but there you go I've said it now -- last time around and we all want to see it do better this time. I believe Jeff is still off yet, and to that extent I will continue on. If we can move to the next slide please. And we will take questions at the close of just a couple more slides. Community applications, we have, in fact, our response to your influence, we have revised our recommendation, we are continuing the allowance for clarifying questions but we have in the dialogue aspect letters of opposition must be considered in balance with documented support, and we have placed some limitations on how the panel may conduct independent research, so the panel needs to -- may, rely on research but it must disclose the results of the research to the applicant and we also in the recommendation guidance looking at cautions against assuming any advocacy role that some panelists may have been tempted to take and to that end we also need to make sure that any

decisions must be cited clearly in a published outcome. On the matter of closed generics, we are still working on this particular recommendation. So it's a little early for us to give you feedback on what influence your input has had on that proposed draft recommendation. At this stage there are several options that we're going to probably be seeking to evaluate in the closed -- as to see if a closed generic would serve the public interest. And the working group is considering a framework that we hope will aid in that evaluation. And Jeff is back so it looks like Jeff I'm sliding across to you with the transition slide.

JEFF NEUMANN: Sounds good. Okay.

GULTEN TEPE: Did we just lose Jeff, again, please? Jeff, we could hear you, but then last you --

JEFF NEWMAN: You can hear me.

GULTEN TEPE: Yes, please proceed.

JEFF NEUMANN: Sorry, I was waiting to be unmuted and waiting for the sign that says I was unmuted. Okay great. Thank you sorry about that. So we'll take I

on a little preview of our session that will be held a little bit -- well tomorrow, your time. So if we can go to the next slide. So there are really two issues that we're going to focus on during this session and they happen to be the last two issues that we have to finalize before coming out with our draft final report. The first one is on the notion of private resolution to contention sets. So in the, in the last round, so in 2012, the parties, if there were multiple applications for the same string, the parties that applied for those strings were encouraged to try to work out their contention sets privately, meaning that there was some time given to applicants to figure out a way to somehow get all of the other applicants to drop to only have one party left. Many of the contention sets were privately resolved through what became known as a private auction. So with private auctions, what happened was that the applicants for a certain string would go to a private auctioneer, they would auction off the string. The winner would keep their application in the queue. The loser -- and I'm putting that in quotes -- of the private auction would withdraw their application in exchange for a portion of the proceeds from that auction. In those cases ICANN saw none of the funds, and in those cases the winner of the private auction would then be the only application left in the queue, and therefore they would be the ones to keep the -- or move forward with the string. What happened -- what we saw happening was that a number of applicants actually that applied for a number of strings found it more profitable to lose in these auctions because they were paid a considerable amount of money in order to withdraw their applications, and we found that the largest of the companies that applied for multiple strings would use some of those proceeds to fund

other auctions for strings that they perhaps wanted some more. So we've gotten a number of comments saying that it was not a desirable outcome, that even the Board had sent a letter to the SubPro working group that, that we should look into whether this type of practice is legitimate, whether we wanted to accept that practice for future rounds or whether we wanted to potentially ban the use of private auctions. Within the working group there is a divergence of opinions on this issue. Some members of the working group feel that it's a marketplace works out how the string contention is decided, then we should let the marketplace decide. Other people feel that this is not something we want to encourage, that this may negatively impact the way that ICANN is perceived, and so, therefore we they do not want to so that continue. So this is one the topics we hope to discuss over the next couple of days. We've had a number of discussions within the working group but we'd really like to hear from other community members to help us to find a way where we can encourage certain types of private resolutions, meaning perhaps applicants joining their bids together in a new joint venture or other forms of private resolution where you don't necessarily have to go to an ICANN auction but whether there are also way that is we can potentially block the use of this private auction for financial gain. So we look forward to getting input on that particular issue, and then if we go to the next slide, this next slide is a just -- or the next issue is what we call the predictability framework so in 2012 because it was a very new process there were a number of issues that were not necessarily contemplated during the implementation of the program, and namely in the Applicant Guide Book. So when these issues came up, and one of those was closed

generics. Another issue was PICs these were issues that didn't -- weren't resolved prior to implementation but came up after applications were already in, for those there really was no predictable process and how to deal with those changes. While we don't expect problems or issues with respect to those specific things like closed generics and other issues, we've accounted for those. We certainly do expect that new things will always arise. But rather than having it dealt with on an ad hoc basis, we wanted to put into place a framework that was predictable so that both applicants as well as the community, would or could understand how those changes would be considered, and if accepted, would be rolled out to the applicants and or to the community. So the working group has worked very hard in coming up with the framework on how to deal with these issues, including most significantly, setting up a standing panel of experts, we call that the spirit team -- the standing predictability implementation review team -- to be their to consider issues that are raised, and really to funnel those issues to the appropriate place, so if those issues are purely ones that have to do with process, or especially internal ICANN execution of something like let's say, ICANN wanted to change its customer support system, or ICANN wanted to change its system for submitting application comments all though it might not need a new policy process to consider because those are more minor change that is don't necessarily involve changing policies but there may be changes where policies may need to be looked at again, and in those cases, the role of the spirit team would be to submit those issues to the community, to the GNSO, and to the rest of the community to use the existing policy processes to resolve those situations. So think of

the spirit team as kind of the body that works at the issues and tries to make sure, and figure out where the appropriate place for those issues to be resolved is. And so they're not there to solve the issues necessarily, but they're there to make sure that the appropriate level of community input and policy decisions are taken into consideration. So those are the really the two big topics that we are going to be talking about. And if there's any questions, I'd love to address them now and or after our session when we have I believe the sec second ever the 3 sessions with you all to go over what happened. If we can go to the next slide I think that's really it other than some -- yeah there you go. The slide for questions and answers. Thank you.

JULIA CHARVOLEN: This is Julia from GAC support. I see Jorge Cancio has his hand up tech support, if you can unmute Jorge, thank you.

JORGE CANCIO: Hello. Do you hear me okay?

JULIA CHARVOLEN: Yes, Jorge, we can hear you. Thank you.

JORGE CANCIO: Thank you so much, Julia, for giving me the floor unmuting me this is Jorge Cancio from Switzerland for the record. One of your topic leads on this question. Thanks first of all to Cheryl and to Jeff for this thorough explanation. Now we have still 24 minutes of this session 23

now to discuss the issue. So I -- because after this slide we just have a slide referring to the meeting tomorrow, so I would like to, to open the floor, if there is any one interested in making a comment, or a question, and please, be aware that we will give precedence to GAC participants first. I don't know if there is --

MANAL ISMAIL, GAC CHAIR: Kavouss -- I'm sorry.

[Voices speaking simultaneously]

JULIA CHARVOLEN: Thank you. No problem.

JORGE CANCIO: Okay. So Kavouss, please, if somebody could unmute him.

KAVOUSS ARASTEH: Thank you very much. I put my question to Jeff, and I put it again for you. I don't want to go to the different part of the text that's very very complex issue, but one thing I am very much afraid of is the private -- it is internationally, universally, agreed that two people could agree something between them provided that it does not have any adverse effect on the third party. So I and Jorge could agree on something, but if this agreement has impact on Jeff, this agreement is not valid, or vice versa, so I don't think that this private resolution is something that could be left as such because that is a very very sensitive issue. I

follow the discussion, and I know that is a very important, so it is something that yet to be worked out with the observance that any agreement that or arrangement under the name of private resolution shall in no way have any impact whatsoever, to the third party. Thank you.

JORGE CANCIO: Thank you so much, Kavouss. I think this is a very important point. And while we wait for anyone else from the GAC participants to raise his or her hand, and staff please advise me if that is the case -- I wonder whether Jeff or Cheryl want to react on this?

JEFF NEUMANN: Yeah, this is Jeff. Am I unmuted in I don't know because it doesn't say on the phone.

JULIA CHARVOLEN: We can hear you Jeff.

JEFF NEUMANN: The issue that Kavouss brought up and I believe I saw it from Paul as well there are many that believe exactly as the 2 of you believe, that you know, that this can have impacts on third parties, that certainly it did not make ICANN look great, and that there's more of a desire to have them participate in an ICANN auction as opposed to the private auction. I think before we get to that step, there's also though, perhaps some interest in seeing if the parties could join together in

some way to see if there was a way for them to jointly operate top-level domain as opposed to even getting to that auction. And if that is a desirable outcome, then we have to come up with some rules to make sure that not only would we allow that to happen, but that we make sure that there's opportunity for community input, for reevaluation, because you may have now things that need to be evaluated again. So there's lots of things to consider. I don't think outlawing all private resolutions is a bad thing. Or, I'm sorry, I don't think outlawing all private resolution may be the -- is not necessarily the answer because we might like the idea of applicants running these together but we just need to make sure that the rules are clear so that applicants can have some predictability and also the community has a chance to comment as well. Thank you.

JORGE CANCIO:

Thank you. Thank you Jeff for these points. I'm seeing on the chat that there is a comment from a GAC member I think. From SANTOOSH I think from India who mentions that the cost after new gTLD ... just the application fee to the cost of the application process as well as running a new gTLD. Most applicants in the 2012 found had no clear sense of the real costs involved in applying for or running a new gTLD, which acted as a deterrent to many. Interested applicants should be provided with a general estimation of fees and costs that would be required by the whole procedure before the filing of the gTLD application. So I guess this goes not only to the question of applicant support program, but also to the.

To the outreach and information action. I wonder whether Jeff or Cheryl could elaborate on this point, whether there are provisions in the recommendations they are working on.

JEFF NEUMANN:

This is Jeff. So on applicant support there are certainly recommendations that go to not only providing support for the financial obligations, meaning you know the application fee or the yearly registry fees, but also for the other services. So, absolutely there's lots of costs involved, including the cost of the technical services, the cost of an escrow provider, the cost of writing policies for your registry. So many cost that is are associated with it, and you know just because an applicant gets support for the application fee, that really is although may seem like a very large amount -- it really at the end of the day is one of the smallest components of operating a registry. So there are many recommendations dealing with education, outreach, the ability to provide other applicant support services other than just financial, and then there are some recommendations in the financial evaluation section that you talk about ICANN putting examples into the guide book or at least publishing with the guide book an understanding of what typical business models would look like including cost information and other things that may not generally be known by the community, so it's an excellent point, and by the GAC member from India and we're trying to provide those materials as best we can.

JORGE CANCIO:

Thank you, Jeff, for this information. So, as I expected, we have to look beyond the section of applicant support programs so this will be of course an important issue to watch in the final report when it comes for public comment. I see that there is a hand from Kavouss, I'm not sure whether it's a new hand or an old one.

KAVOUSS ARASTEH:

Yes, dear Jorge as it was discussed a few minutes ago or some ten minutes ago we are concerned about the public comment period. I repeat what I said. This is a result of my experience in ICG. My experience in CCWG, accountability first phase and second phase, and any others. Unfortunately,, due to the circumstances, GAC response to any inquiry or request for comment would be effective and possible and practical if it falls during the period that GAC has a session. More preferably a physical session but if not a virtual session. Between that it was difficult -- would be difficult, in particular for the very very appreciative and hard work that this group under the leadership of Jeff and Cheryl has done. Or have done. We would like that when we talk about the public comment to see that is there any reason that for this very very important topic which may last years, because 2012 is the first, and now we are 2020, or 2021 may start but whether we should not have more than one public comment. This is point one, and why we rush it. There is no way to push for rush. Even if there is no agreement because everything is based on consensus of more than one public comment. The public comment should be within the time limit that GAC would have the possibility to look at that, and decide on that or make a public comment when they are in session. This is

something that we have discussed previously in the question we raised or we will be raising with the Board. So that is one point that I would like to make, and the second point is this auctions, I think we had a cross-community working group on auctions, and I hope that in some area there must be or there have been or there would be some collaboration not to have contradicting outcome from this group, and from the cross-community. I know this group is a... nevertheless the end result is a community result so we have to be very, very careful that not to have something that. And the third point I would like to make is about now underserved countries. They want to change it to the U.N. definition. I have no problem. But please be aware that the U.N. definition is not the category of developed, developing, and least developed countries. Even the developing countries there are several categories and some of them are not subject to comment -- to support. Those that they -- annual revenue is below certain level or something. And another point is that an entity may use a least developed country to do something under that name of that least developed country will be benefit that have so we should be careful that the support goes to the actual use of that, to the government or entities in that country but not an outsider coming, using that country names and it has been the case -- I don't want to give a specific case -- that what happened to some of those TLDs in somewhat continent so these are the things that I would like to draw the attention my distinguished chairs or co-chairs of the PDP. Thank you very much.

JORGE CANCIO:

Thank you, thank you so much, Kavouss. In the interests of time, as we are running slowly a little bit late, I would quickly, also mention further comment from our colleagues from India who suggested in the comment on the chat that the applicant support program can be further extended to include aiding filing objections, support and post delegation operations, and transfer of capacity building skills. Various key areas required for running a registry. And commenting about this will help make the applicant support program more comprehensive, and result in applicants being provided an assistance in every step of the application procedure. So this was a comment from our colleagues in India, and then finally, I also see a comment from my colleague from the Swiss delegation saying -- or asking is it really reasonable to handle the PICs question through a new policy process when the abuse question is on everyone's lips, and needs to clarify -- to be clarified quickly in the contractual rules? So I suppose he's referring to the decision or the direction, the subsequent procedures working group is taking on the question of implementing the CCT recommendations on DNS abuse. So with these comments from India, from Kavouss, and from my colleague from Switzerland as I don't see any other hands up, and please correct me if there are from staff -- I would hand it over shortly, for 4 minutes to the -- to Jeff and Cheryl before we proceed to closing this session.

JEFF NEUMANN:

Yeah thanks Jorge. I want to start with the last question because it's come up a number of times on DNS abuse. Which is different than PICs. I mean DNS abuse is one area of PICs but there are a whole

bunch of others and if you were in the last session that the at large had you would hear about a whole host of different issues. But on DNS abuse there were a couple of reasons for why we felt that it was appropriate to refer to the GNSO for a more holistic approach. The first is that the abuse you're seeing now by definition is being caused by the existing operators, unfortunately, the subsequent procedures PDP has no jurisdiction over any of the current operators, so anything that any new recommendations that we came up with could only be applied to new registries that were selected in the next round, which you know, we don't think the next round could start until 2021, 22 which means you're not going to have a new registry signing a contract until 2023 and so now you're waiting at least 3 years to 4 years on implementing these DNS abuse solutions. The second thing is that in the working group, we discussed that one of the main goals of the new gTLD program is to encourage competition and if you're going to impose new obligations that make it tougher for new entrants coming into a market, to compete because they are their costs are higher and they need to comply with these things that the legacy the 1200 legacy gTLDs don't have to comply with you're actually making it harder to new entrants even if the new entrants come from the lesser developed developed nations or from underdeveloped nations. So it just doesn't seem fair to impose extra requirements on the new registries that we won't even see for 3 or 4 years without dealing with the root of the problem, which 99% of the registrations currently are not even in the last -- the TLDs from the last round but they are actually in the legacy TLD from 2004 so there are a number of reasons that it made more sense plus there are a number of community efforts

that are already under way talking about the DNS abuse, which would need to be leveraged in this new process. Thank you.

JORGE CANCIO:

Okay thank you Jeff. I guess that on the time-line, which was also on the comments made by Kavouss, we will have ample possibility to discuss tomorrow, and on Wednesday, on the second and third subsequent procedures sessions of the GAC. I wonder whether Cheryl wants to very briefly make an additional comment, also on the input made by India on the chat room?

CHERYL LANGDON-ORR:

Thank you very much. Cheryl, for the record. I wasn't going to particularly pull out the comment made by India, I have responded on behalf of Jeff and I in the chat section there, but one of the things I think that might be worthwhile mentioning just as we close is of course Jeff and I look forward to joining you at the next two of your sessions relating to subsequent procedures work and, of course, we remain at your call to interact inter-sessionally as GAC does its work on subsequent procedures and developing its score cards etcetera etcetera etcetera. But to that end, we have made a commitment to complete our subsequent procedures work, what will be a full 5 years after its chartering. This is not rushed. I know it feels rush but to some of us it feels rushed because of the large number of topics being looked at so we heard what you're saying about public comments. But our commitment is to have this a final report in the hands of the GNSO council by calendar years's end. So we've heard what you've

said. We are considering. We will listen. We will continue to work, and do what we can to work with the GAC in as co-operatively and positive way as possible. Jeff, anything from you?

JEFF NEUMANN: No, I think you've covered it. Thank you.

JORGE CANCIO: Okay, great. Thank you so much Cheryl and Jeff, for reacting so quickly to these comments and questions. But as said, time-line, public... I guess will be again a subject for our discussions, and here we go directly to AOB, we see that tomorrow in early morning hours in the Americas, and in Europe -- well in the Americas, it will be still in the evening of Monday, we have the session of the SubPro PDP working group at 00:30UTC whereas Jeff and Cheryl explained there will be at a discussion on predictability, and auctions, so I very much invite you to attend that. And there will be another session, a regular session of SubPro also on Thursday, 20UTC but before that we will have in our GAC sessions, 2 sessions on SubPro, the in next one is tomorrow, so I invite you to really dig deep into the GAC scorecard that Luisa introduced at the beginning of this session, and to come prepared for the discussions tomorrow. So, I will pass the floor now to Manal, our chair, for the closing. Thank you for your participation.

MANAL ISMAIL, GAC CHAIR: Thank you very much Cheryl, Jeff, Luisa and Jorge and thanks to everyone for your attendance and active participation. The GAC

leadership will make themselves available from 1600 to 1630UTC for those challenged by the time zone and would like to catch up on any of the sessions they missed. As Jorge mentioned, tomorrow we will start our GAC plenary at 1,000 Kuala Lumpur time ... but we encourage the GAC members to attend the GNSO SubPro working group session starting immediately before our plenary at 8:30 Kuala Lumpur time, half past midnight UTC, so this concludes our meetings for today. Thank you very much everyone, have a good rest of the day. The meeting is adjourned. Thank you.

[END OF TRANSCRIPTION]