
ICANN68 | Virtual Policy Forum – GAC Communique Drafting (1/5)
Wednesday, June 24, 2020 – 10:00 to 11:00 MYT

GULTEN TEPE:

Could you please start the recording? Good morning, good afternoon and good evening this is Gultan Tepe from ICANN GAC support and under remote participation manager of this session. Welcome to the ICANN68 virtual meeting with the GAC communique drafting session on Wednesday 24th of June at 200UTC. We will not be doing a roll call for the sake of time but GAC members attendance will be noted and available in the annex of the GAC communique and in the GAC minutes of this ICANN68 meeting. Due to unfortunate Zoom bombing which happened on the first date of the meeting ICANN68 is switched to webinar Zoom rooms and the GAC is now using these Zoom webinar format. As a reminder in a Zoom webinar, in order for GAC member to speak, you need to be identified as a panelist, in order for Zoom to do this automatically, GAC members need to either log in the Zoom room with their GAC mailing list e-mail address, or join the Zoom room with an individual link that was sent to them via e-mail from ICANN RP therefore please check your inboxes and refer to the e-mail already shared with you by ICANN RP with the title panelist for ICANN68 GAC sessions please attend the GAC sessions [click here to join tab](#) to it enter the Zoom room as a panelist directly. My colleague, Julia, will be displaying that e-mail. Thank you Julia. In case a GAC member does not have the ability to raise hand or see the names of other panelist the he or she may need to leave the room and join again using

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you will be given permission to unmute your microphone. Kindly unmute your microphone at this time and take the floor. When speaking make sure to mute all your other devices including the Congress Rental Network application. State your name for the record, and the language you will speak. If speaking a language other than English. Please also speak clearly and at a reasonable pace to allow for accurate interpretation. This session includes realtime transcription, to view realtime transcription please click on the closed caption button on the Zoom tool bar. Finally this session, like all other ICANN activities, is governed by the ICANN expected standards of behavior. You will find a link in the chat for your reference. With that it is now my pleasure to give the floor to GAC chair, Manal Ismail. Manal?

MANAL ISMAIL, GAC CHAIR:

Thank you very much. Gulden. And good morning, good afternoon and good evening everyone. Welcome to the third day of the GAC meeting, our first session today is the GAC communique drafting session scheduled for an hour. 100 Kuala Lumpur time. 200UTC. We have are 5 sessions scheduled for the communique drafting and this is the first. I hope by now you will all have looked at the Google doc that's currently also displayed on the screen, and we will use this document to collaboratively draft the GAC communique. I also hope the pen holders have had the time to start drafting their proposals for communique language. We have identified 3 topics yesterday for the communique subsequent procedures and EPDP, with a place holders

to be confirmed today regarding IGOs. We have also assigned pen holders for each yesterday basically the topic leads, and have confirmed the process that we will follow. Basically what we did at ICANN67 with the exception of giving everyone 48 hours for everyone's information and consideration until close of business on Saturday June 27th. Yeah I'm sorry, I'm not moving with the same sequence of the document, we will get to the document now, so apologies. Should no objections be filed during this time the communique will be considered adopted, and just to note that objections should have basis and rationale and good reasons as any controversy will affect the deletion of the controversial text so just to highlight that the communique text will be thoroughly discussed during the sessions, so the 48 hours should not be used to reopen discussions and rediscuss the text that has already been agreed during the sessions and over e-mail during the meeting days. So with this, and thank you Fabian for displaying and Gulden for displaying the communique on the screen. Maybe we can -- so we have the process at the beginning of the communique so please make sure you are aware of the process, and also how to use the Google doc, and how to insert your text without affecting the text of others who are also using the same document, so again, please make sure you use the suggestion mode, and propose your text under the appropriate session. Make sure your name is identified so that we know who is inserting which text, and finally, don't forget to hit reply if you're replying to a comment so that to make sure your edits will not be lost. So, maybe we can, yeah, move to -- we don't have ani... for the section the topics of importance to the GAC right? If not, then maybe we can start reading from from -- yeah,

so nothing yet. Okay then let's go sequentially, and so the -- I'll read and please let me know if you have any comments. The GAC ICANN68 communique was drafted and agreed remotely during the ICANN68 virtual policy forum. The communique was circulated to the GAC immediately after the meeting to provide an opportunity for all GAC members and observers to consider it before publication, bearing in mind the special circumstances of a virtual -- bearing in mind the special circumstances of a virtual meeting. And the text highlighted is just a place holder until we finalize our discussions so it reads no objections were raised during the agreed time-frame before publication. If we -- then it's the normal introduction, and again it reads, the governmental advisory committee, GAC, of the ICANN -- of the Internet corporation for assigned names and numbers ICANN met via remote participation from 22 to 25 June, 2020 Kuala Lumpur local time Par ICANN Board resolution on 8 April, 2020 in response to the public health emergency of international concern posed by the global outbreak of COVID-19, ICANN68 was transitioned from an in person meeting in Kuala Lumpur, Malaysia to a remote participation only ICANN meeting. And then we will be reporting the number of GAC members and GAC observers to attended the meeting. The GAC meeting was conducted as part of the ICANN68 virtual policy forum. All GAC plenary and working group sessions were conducted as open meetings. And I have highlighted, and working group, again for our discussion. I'm sorry Kavouss I just noticed your hand. I will give you the floor. Just to explain why this is highlighted I highlighted the text on working groups because I'm not sure we had working group sessions here, but again, maybe the Public Safety Working Group has

met as a working group. I'm not sure so I thought we may want to discuss this part, and Kavouss please go ahead. Sorry to keep you waiting. Can we unmute -- I think you can.

KAVOUSS ARASTEH: Yes.

MANAL ISMAIL, GAC CHAIR: I hear you now.

KAVOUSS ARASTEH: Yeah. Good morning, good afternoon, good evening. Just a suggestion for you, Manal. You may be exhausted to reading all of this, if you agree subject to agreement, someone else perhaps from the GAC ICANN support read the text, and then you run the meeting because you will be tired and, exhausted to read all of this. We would like to save your energy to come to some sort of agreement for if there is any comments. This is a suggestion because if you read them 3 times, 4 times, during this meeting it will be just exhausted of your energy so is it maybe a colleague, Rob or Fabian or anyone else could read the text and then stop on then you ask is there any comment? That's just a suggestion. Not to put you to a lot of energy and so on and so forth but you are free to agree. By the way you are the chair of the meeting. It is up to you to decide who is speaks. Who does not speaks. How long they speaks. Non-GAC member are not allowed to

say that whether someone speaking lengthy or non-lengthy. This is the interference to the process of the GAC. People are -- the observers outside the GAC from other community does not have any right to comment on the GAC member's saying that whether they are speaking lengthy or non-lengthy and so on and so forth. It is your prerogative. You are the chair of the meeting and these people should stop interference into the GAC meeting. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Kavouss. And I cannot agree more that it's the duty of the chair to give the floor to whoever requests it, and manage the time of the meeting, so well noted Kavouss. Thank you. So, I see Fabian typed in the Google doc PSWG met during a pre ICANN68 session on 19 June, so again, my question do we need the part highlighted in yellow? Did we have any working group sessions conducted as open meetings during the 4 day meeting we are having here from 22 to 25 June? Basically do we need this, or shall we delete it?

FABIEN BETREMIEUX: Manal, this is Fabian. I'm sorry, I'm not able to raise my hand as a co-host of the meeting, so --

MANAL ISMAIL, GAC CHAIR: It's okay.

FABIEN BETREMIEUX: I will have to -- I apologize. So we are we don't have any formal working group sessions during the 4 days of the meeting. So we probably could remove this text.

MANAL ISMAIL, GAC CHAIR: Okay. Then... okay if there are no objections then that's let's remove it and I see Jorge also in the chat agreeing. Sorry, just checking the Q and A pod. I see a question from our Korean colleague. As a GAC delegate I wonder if you could update me as a panelist? I'm sorry, I hope this is already done. If not, then please, thank you. And moving to the interconstituency opportunities and community engagement, and I take -- I thank you for the suggestion, Kavouss. I already lost my voice, but it's a small part we don't have a lot of text, and I hope the text agreed will not be bad again, so -- this is the interconstituency activities and community engagement and basically we only had will have today our meeting with ICANN Board, and also the reporting on cross-community discussions. So under meeting with the Board, it reads the back met with -- with the ICANN Board and discussed subsequent rounds of new gTLDs, DNS abuse mitigation and related issues associated with privacy proxy services, proactive anti-abuse measures. Accuracy of gTLD registration data, domain name registration directory services and data protection and finally upcoming topics of GAC interest. So, we had a discussion yesterday

and Kavouss you proposed to -- and I also see your hand up now so it's very timely, I give you the floor -- you have proposed to also insert responses of the Board to the GAC questions, and here they are listed as topics, and also we have the minutes of the meeting, and the transcripts of the session for reference. I'm saying this because it would be very challenging to extract short answers as we discussed yesterday, for the Board responses, and have them inserted, and if we do this we will need to run it by the Board so this would make the communique process even more lengthy, but that said, let me stop here and give you the floor Kavouss. Please go ahead.

KAVOUSS ARASTEH: Yes, if you hear me, please? Do you hear me.

MANAL ISMAIL, GAC CHAIR: Yes loud and clear Kavouss go ahead.

KAVOUSS ARASTEH: Thank you the reason I proposed that is when we say you raise this question, and at this issue what was the answer to the questions? There are two twice do that. Ask the Board themselves to provide written answer to the question as they like, and we put it here verbatim in italic. We don't discuss it or, add, here see minute of the GAC meeting number so on so. We give a reference, and that is quite possible to do that. This is two way. Otherwise say we raise the

question and then they asking okay so what. What was that? I suggest that in the previous meeting that the Board provide the answer as they wish, one paragraph, 2 paragraph, and we just put it here verbatim, without any change in italic form and in the way of quotation -- quote. The Board replied, with respect to subsequent round of so on and so forth, but it is up to you, and others distinguished colleagues to choose between the two, quite quickly but not putting a lot of discussions. Verbatim, they provide the answer or adhere, see minute of the GAC meeting and put the minute number, and possibly if possible the paragraph number. These are the two things that I propose in previous meeting it was not implemented and I don't want to complicate so it is up to colleagues to take any of these two options. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much Kavouss. So, I like your second proposal referencing the minutes, just to flag that the minutes are finalized after the meeting so support staff takes the time to compile the minutes of the whole meeting. They share it with the leadership, and they share it with the GAC membership for any comments before finalizing, so again, it might be difficult to put a concrete section or paragraph or reference at this time, but we can definitely put a reference to the minutes. The second option you provided, which is written, replies from the Board I think would obsolete the reason for having the face-to-face -- it's not face-to-face but I mean a bilateral dialogue with the Board because if we send the questions, and they

sent us written answers then why hold the meeting? So, I -- I personally am in favor of the option of referencing the minutes and thank you Fabian for taking care of this also [inaudible] please, back to you again.

KAVOUSS ARASTEH: Yes. I am unmuted, yes?

MANAL ISMAIL, GAC CHAIR: Yes, yes, I can hear you.

KAVOUSS ARASTEH: Yeah the text is okay, or we could say that the replies provided by ICANN Board are contained in the minute of so on and so forth. Just to cross reference thank you any of the --

MANAL ISMAIL, GAC CHAIR: Even.

KAVOUSS ARASTEH: Thank you.

MANAL ISMAIL, GAC CHAIR: Even if we have them as -- I mean we are listing them as topics, and not as questions.

KAVOUSS ARASTEH: No, no just at the end of that the reply provided by ICANN Board during the meeting are contained in the minutes of the GAC sessions. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss. So including responses by the Board. Is this okay, Kavouss?

KAVOUSS ARASTEH: Yes, thank you.

MANAL ISMAIL, GAC CHAIR: Excellent. Thank you. Then on community, cross-community discussions it's just a listing of our participation to the panel so GAC members participated in relevant cross-community sessions scheduled as part of ICANN68 including, DNS abuse and malicious Registrations during COVID-19 and the DNS and the Internet of things opportunities risks and challenges. And the one that will take place tomorrow, ICANN and COVID-19 advancing policy work in the current environment. Now moving to internal matters, this is again the normal part reporting on the current membership of the GAC, there

are currently 178 GAC member states and... and 38 observers organizations and then the GAC working groups, so the PSWG had its own activities during ICANN68 week so I understand they will be reporting on this -- under this section, I also believe the GAC underserved regions working group will be reporting to the GAC tomorrow and the universal acceptance and... working group will also be reporting to the GAC tomorrow both at the wrap-up session so I think this would be again a text provided by the relevant working groups just to reflect what will be taking place tomorrow. And Fabian please correct me if I'm not accurate. Then, the elections, and this part reads the 2020 election process for GAC leadership will be initiated shortly after the ICANN68 meeting. The initial nomination period will close on 2 September -- the 2nd of September 2020. If needed the voting process will be conducted until 20 -- October 2020 during the ICANN69 meeting at which time the election results will be announced. Then I see no hands up, so I will continue moving on to the BGIG we did not have a BGIG meeting right? So I'm just wondering okay thank you -- Kavouss, please go ahead.

KAVOUSS ARASTEH:

Yes, just the previous paragraph, if you kindly go back to the election? I think the leadership, the term leadership is something between us to facilitate understanding, but in the legal process there is no leadership. It says GAC chair and vice chair, are we electing or processing something more than that? If that is the case we could mention what type of election we are putting. We are looking for

election of the GAC chair, or election of the vice-chair, or election of both so we have to mention that otherwise leadership is not a clear term. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much Kavouss. So can we reflect this maybe in 2020 -- the 2020 election process for GAC chair and vice-chairs will be initiated.

KAVOUSS ARASTEH: Yeah, thank you.

MANAL ISMAIL, GAC CHAIR: Okay. Thank you, Kavouss. And there is a typo Fabien -- yeah thank you. Then moving to issues of importance to the GAC, again, the 3 issues identified yesterday, I hope we will be receiving proposed language from the relevant topic leads, and pen holders, so looking forward to this, sorry, just checking what Nigel wrote as records BGIG how about leaving it in and saying that the BGIG did not meet during ICANN68. So we've met inter-sessionally and again we did the same thing with other parts of the community as well, so frankly I'm not in favor of signalling this out, but Kavouss this is a new hand I believe.

KAVOUSS ARASTEH: Yes.

MANAL ISMAIL, GAC CHAIR: So please go ahead.

KAVOUSS ARASTEH: This is a new hand. Yesterday I mentioned and asked my distinguished colleague Jorge whether we want to also mention anything about the IGO or not, and I leave it to him. I said that he is following this process very closely, we as a government always, in fact, outside the ICANN also in particular in ITU the issue of the IGO when the ITU council meetings will be pursued followed, and I just ask whether we need to highlight that as a number 4 here. I asked Jorge, and I stand to be corrected, whether there is anything that we need to mention here as important for us. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Kavouss. And we agreed that between Jorge and Brian from WIPO we will finalize this today but it's wise to put a place holder, so if we can add the 4th topic Fabian please until we agree whether or not we will have text under this action. Just quickly, in the Q and A pod Nigel wrote, consistency is important one way or the other. So thank you, Nigel, for confirming and also Jorge in the chat confirming that language on subsequent procedures is in preparation pending our session today, so it's fully understood, yeah

because we still have the third session today. And agreeing to delete the part on BGIG and also Kavouss replying to you regarding IGO protections indicating that again we will have the meeting today, so it's wise to leave this to be finalized after today's meeting, so, thank you everyone, and apologies FINN for overlooking your chat comment as well. A link to the transcript from the Board GAC meeting which is more or less what we have done, but thank you Finn. So let's continue scrolling down, anything else? This is the part -- the section for consensus. GAC advice, again my collection from our discussion is that we do not have something that we need to put under consensus GAC advice, so please let me know if I got this wrong, and let's continue scrolling. Anything else? Again follow up on previous GAC advice, and finally, the next meeting, are and it reads the GAC is scheduled to meet next during the ICANN69 virtual annual general meeting on 17-22 October 2020. And, of course, this is because there was already a resolution by the Board that this meeting will take place virtually. So, anything on the communique? Just checking the time. So, we still have some time, anything that needs to be discussed? Then please Fabian if I overlooked anything that needs to be resolved let me know. Yes, please Fabian go ahead.

FABIEN BETREMIEUX:

Manal, another thing to be resolved at this point I just want to share information that we are aware of as ... in terms of drafting going on. So we understand that after the next GAC plenary on new gTLD subsequent rounds there -- the drafters of text also different rounds of

gTLD in issues of importance to the GAC, will be able to provide -- so the text will be ready then, so in a subsequent drafting communique drafting session we should be able to discuss that text. Regarding DNS abuse, I understand that there's also a group working on the text and we should be able to discuss this text during session that is are more -- that are happening at a time that is more favorable for Europe, as I understand as will be presented by European stakeholders. Text for the EPDP session I believe is also being drafted, I'm not exactly sure when that will be, and I think you mentioned -- pending consideration of the IGO protection topic or example.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Fabian, so I hope all pen holders know our expectations and are ready to provide the text in due time. So, any questions? Anything else? We still have 25 minutes. I'm willing to give them back to everybody if there is nothing more to be discussed during this session. Okay, so this -- I'm sorry, Kavouss, go ahead.

KAVOUSS ARASTEH: Yes, I hope in the following hours of discussions on the subsequent round we also address the issue of geographic names, what is happening there? I understood from the discussions that I followed that there are unresolved issues so I leave it to the team working on that to brief us on the matter, and if there is anything under this subsequent raised that questions, and also the result of some of the discussions of yesterday, we had and today meeting. So I draw to the

attention we need to raise any problems, difficulties, that we believe that should be indicated in the communique, and we should avoid, I emphasize avoid ani... subject of we have already contained in the previous communique but just saying as it was mentioned in previous communique, and continues so we refer to them but not repeating the same sentence, the same phrase. It would be not very nice, and it would be worrying so we try to raise the important issues, new to us which was raised during the meeting, but they could refer to the previous one as it was indicated in our previous communique, and then add whatever new, so we should be precise and very concise, thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss. Well noted. There is also a hand up from Nigel and apologies, Nigel, if you've been waiting. I didn't recognize your hand. I was keeping an eye more on the panelists so apologies for this. Can we give the floor to Nigel, please.

NIGIL CASSIMIRE: Yes. Thank you very much. Can you hear me?

MANAL ISMAIL, GAC CHAIR: Yes, Nigel, go ahead.

NIGIL CASSIMIRE: Okay, very good. Just for my clarification ... to understand how we are deciding on the content of the communique. When it was an in person meeting there were certain sessions planned for working groups in particular, now it's an on-line meeting. These sessions are limited, and arrangements were made for some of the working groups to meet prior to the on-line meeting. Is the the intention to update the communique with the outcomes of those prior meetings as well or what? I guess that's what I'm trying to get clear.

MANAL ISMAIL, GAC CHAIR: So, Manal speaking here. So Nigel you mean meetings that took place prior to the ICANN week?

NIGIL CASSIMIRE: Prior to this week, so for example, you mentioned one just now, I forget which one it was -- I forget which one it was. There was one as we went through the list -- I can't scroll the list right now, that a session was held prior to this week, all right.

MANAL ISMAIL, GAC CHAIR: You --

NIGIL CASSIMIRE: One of the ones, one of the working groups higher up. I don't recall which one it was. If we go to the section which deals with the GAC

working groups.

MANAL ISMAIL, GAC CHAIR: So this is Manal again. Are you talking about the BGIG.

NIGIL CASSIMIRE: No.

MANAL ISMAIL, GAC CHAIR: Which we deleted?

NIGIL CASSIMIRE: No.

MANAL ISMAIL, GAC CHAIR: Okay, I'm sorry.

NIGIL CASSIMIRE: Public Safety Working Group. I think it's Public Safety Working Group. That would have met sometime in the previous 2 weeks or thereabouts.

MANAL ISMAIL, GAC CHAIR: I think this part will report on the PSWG activities during the meeting week. Fabian mentioned they met on the 19th so we considered this out, out of the meeting week so that's why we actually deleted the part at the very beginning saying that the GAC plenary and working groups sessions were held as open. So we actually deleted the reference to working groups since there were no working group meetings during ICANN68 week.

NIGIL CASSIMIRE: I understand but is it appropriate for there to be some input from the PSWG even though they didn't have a meeting during the ICANN68 week? But they did work, wouldn't be be appropriate for them to update the full GAC at ICANN68 with, I don't know a progress report or some text in here related to the status of their work?

MANAL ISMAIL, GAC CHAIR: Okay, I see. So, you want the text to cover not only activities -- sort of reporting back to the GAC on all activities and not necessarily just activities during this week.

NIGIL CASSIMIRE: Well, I guess my question would -- is the Public Safety Working Group reporting anything at all to this GAC meeting? Is there a report that is submitted? As I said, they never... they didn't have a virtual meeting during the ICANN week but they can have submitted a report to the

GAC or something that could be recorded in the communique.

MANAL ISMAIL, GAC CHAIR: So, I think they had some bilateral meetings with the other parts of the community, I'm not sure I stand to be corrected -- Fabian please let me know what exactly will be reported by the PSWG in that respect. And meanwhile, as I try Nigel, to make my information more accurate, let me just give the floor to Kavouss.

KAVOUSS ARASTEH: Thank you, Manal. I think we are reporting what happened at this virtual meeting. Let's wait until we receive the part relating to the Public Safety Working Group and we will see what is there, and we will comment on that. I am not objecting to what Nigel mentioned but I think it is better to wait to see what they will be contained in their report and then we will comment on that basis. That would be something that to cover, thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss, for the practical way -- yeah, I was trying to seek information but it makes sense to wait and see what they provide. Is this okay, Nigel, that we can wait until we receive the text and then take it from there maybe.

NIGIL CASSIMIRE: Yes, that makes sense, but I'm just so your saying then you do expect to get some text from the PSWG to put in here?

MANAL ISMAIL, GAC CHAIR: Uh-huh. Yes, yes, unless they say otherwise so I check and get back you to on this Nigel.

NIGIL CASSIMIRE: Okay.

MANAL ISMAIL, GAC CHAIR: I can see Lina has a hand up, so Lina, go ahead, Lithuania.

LITHUANIA: Yes, I would like to weigh in and support the Kavouss's proposal. Actually I am here talking on behalf of the Human Rights and International Law working group as well, and in connection with the session that we will have today on the WorkStream 2 recommendations because it's also the topic which will be discussed but it's not the meeting of the working group on the Human Rights and International Law so I would say following the outcomes of the -- of these sessions then we will prepare certain emphasis and then we basically decide what and where to include in the communique literature so I would propose to wait as well on the outcomes of the sessions and decide whether we have some worthy to incorporate in

the text on the communique, thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Lina, for flagging this and, yeah, it makes sense since we didn't have our discussions yet but at least for the Public Safety Working Group, I understand they were having activities on DNS abuse, so again, I'll check and get back to everyone. Anything else? If not then Lina I am assuming this is an old hand so if there are no further requests for the floor then we can conclude our first communique session. We have 14 minutes remaining, happy to give them back with the 30 minute break, and please be back in the Zoom room for our next session on new gTLD subsequent rounds starting at 11:30 Kuala Lumpur time. Enjoy your breaks. Thank you.

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