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ICANN75 | AGM – GAC Communique Drafting (1 of 5)
Tuesday, September 20, 2022 – 16:30 to 17:30 KUL

[THIS SESSION IS BEING RECORDED]

[RECORDING IN PROGRESS]

JULIA CHARVOLEN: Hello, everyone. If you can please take your seats, we will be starting shortly.

Thank you. Hello and welcome to the GAC ICANN75 GAC communique drafting session on Tuesday 20 September at 8:30 UTC. Please note that this session is being recorded and is governed by the ICANN expected standards of behavior. During the session, questions or comments submitted in the chat will be read aloud if put in the proper form. If you're remote, please wait until you're called upon and unmute your Zoom microphone. For those of you in the GAC room, please remember to raise your hand in the Zoom room. For the benefit of other participants, please state your name for the record and speak at a reasonable pace. You may access all available features for the session on the Zoom toolbar.

And with that, I will hand the floor to Manal Ismail, GAC Chair. Manal, over to you, please.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Julia. Welcome back, everyone. This is our first Communiqué Drafting Session. During the coming hour, we will quickly review the process and skim into the communiqué. Again, to review the structure for new GAC colleagues and also see the parts that are already filled by support staff. These are administrative and straightforward parts.

We will identify the missing parts, which are basically substantial issues and try to identify pen holders and see how far we can achieve during this session.

So, do we have you, Fabien online?

FABIEN BETREMIEUX: Yes, Manal. This is Fabien. Can you see me on the screen?

MANAL ISMAIL, GAC CHAIR: Only myself. Okay. I can see you now. Would you like to take us quickly through the process on the screen or would you like me to do it?

FABIEN BETREMIEUX: It is up you to, Manal.

MANAL ISMAIL, GAC CHAIR: Let me go through the document on the screen quickly. Fabien has already circulated the link to the communiqué over the e-mail. As advised, please don't share the link in public chat. It becomes available with writing privileges to everyone who can get access to the link.

So, as you might have all received prior to ICANN75, we have sent an e-mail for GAC members and observers to start suggesting potential topics for the communiqué and advice parts and this is mainly an early heads up for everyone to get ready and start discussing and maybe consult nationally or consult with support staff for any certain precedence so we can facilitate our drafting exercise here at the meeting.

So, yeah. On day one of -- during the Opening Plenary, we highlighted areas for possible advice, which is basically potential topics of interest to the GAC that we have discussed.

We, of course, the -- the preparation period does not exclude anyone from suggesting topics during the meeting itself. Today

is our first session on this. We have five hours dedicated over five sessions.

And, as I said, today we need to identify the missing parts and see who is holding a pen for which part.

If we can scroll down, normally we used to issue the communiqué after the meeting but now allow a 72-hour review so people can review the communiqué in their time zone.

Again, bearing in mind that this is not for reopening any discussions that has already been concluded, but rather to spot out or point out mistakes or typos or things that may have been overlooked.

We work in a Google doc. It allows collaborative drafting. And as you can see, this helpful graph shows that -- the different steps. First, you need to make sure you are in a suggesting mode so that you do not completely erase things proposed by other colleagues so please use the suggesting mode.

Then propose your text where appropriate, of course.

Make sure that you are properly identified so other colleagues know who is proposing which text. Then you have, of course, to

hit reply so that your edits could be saved. So, Fabien, anything that I overlooked in the process?

FABIEN BETREMIEUX: I don't think so. Thank you.

MANAL ISMAIL, GAC CHAIR: Okay. Great. One more thing. Maybe as we advance in the communiqué, we may ask that you stop editing in the Google doc itself and start sending your suggestions through GAC support staff. But, of course, we will let you know in advance.

So, scrolling down, as I said, we have parts that are normally filled by support staff based on GAC leadership directions, of course.

And parts you can see highlighted are parts that we are going to fine tune once the communiqué is finalized and has to do with dates and exact number of participants and that no objections were received.

So, they are just highlighted so that we are not preempting the outcome of our discussions. So, if we can scroll down just to see the structure of the communiqué, first, we have the introduction.

Again, reporting on numbers of those who attended and reporting on the meeting itself. Then we have the section under constituency activities and community engagement. This basically reports on our bilateral meetings with the Board, with ALAC, with GNSO and with ccNSO and also with community discussions that is basically the plenary that is to be held tomorrow, I think.

Then internal matters, this is where we report on any new members who joined and report on GAC elections and any other internal matters that warrant to be reflected in the communiqué. So, we have GAC membership, and we have GAC elections.

We have GAC leadership and GAC Working Groups and here, also, we report, or we put the reporting from the Working Groups. Either done orally during the meetings or shared in writing over the mailing list.

Scrolling down, we have also GAC operational matters that is under the internal issues and finally we get to substance. First, we have issues of importance to the GAC.

This is where we report on the substantial discussions that we had on topics of interest. So, basically subsequent procedures, WHOIS and data protection and DNS abuse and so on.

Then we get to the GAC consensus advice to the ICANN Board.

This is where we put our GAC advice to the Board, so things we have discussed or agreed on by consensus and would like to share with the Board as a GAC advice to the Board, which should be duly taken into consideration. If not, it triggers the ICANN bylaws.

And oblige the Board to start a consultation process with the GAC to find a mutually acceptable way forward. We normally write the GAC advice to the Board with a rationale. Why are we advising the Board to do so?

And finally, a less used section, which is also GAC advice to the Board, it is a follow-up on previous advice.

So, it just happened a few times that we -- we wanted to reiterate that we are still pending response on a certain advice, but it's not something that we do regularly.

And last section, again, is straightforward. Reporting on where and when we are meeting next. So, with that, Fabien, can you help me to know where we have to -- I see already we have subsequent procedures. If we have any other things in the

pipeline; otherwise, I can do a quick read what we have now and as we go, I can identify parts missing and try to agree on pen holders.

FABIEN BETREMIEUX: Right now, I have no information about upcoming text regarding issues of importance or advice, [inaudible] advice, so we have started to fill our sections, the ones that the GAC's support team complete, and might be indeed worth going through those while our members consider text in the other sections.

MANAL ISMAIL, GAC CHAIR: Okay. Perfect. Let's start from the beginning. I will go through the readings so we can get this out of our way, and we can focus on substance afterwards.

At the very end, we do one last reading of the communiqué. For now, I think the filled parts are straightforward. I hope we can do them once now and get them out of our way and focus on substantial issues.

So, this is GAC communiqué, Kuala Lumpur, Malaysia. The Kuala Lumpur communique was drafted and agreed in a hybrid setting during the ICANN75 Annual General Meeting with some GAC participants in Kuala Lumpur, Malaysia and others remotely.

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The communiqué 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 hybrid meeting.

Then no objections were raised during the agreed timeframe before publication. This is just the placeholder until this happens.

Under introduction, the Governmental Advisory Committee -- GAC -- of the Internet Corporation for Assigned Names and Numbers -- ICANN -- met in Kuala Lumpur, Malaysia in a hybrid setting including remote participation from 17 to 22 of September of 2022.

X number of GAC members and X number of observers attended the meeting. We will fill the numbers at the very end of the meeting. Support staff, they normally do the count across all sessions.

And even the number that comes out in the communiqué, sometimes it is a little bit refined in the minutes of meeting that we receive later. So, the most accurate is the minutes.

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It comes a couple of weeks after the meeting, but we have a pretty accurate number as well in the communiqué, plus or minus just one or two.

The GAC meeting was concluded as part of the ICANN75 Annual General Meeting. All GAC plenary and Working Group sessions were conducted as open meetings.

Then the session under interconstituency activities and community engagement, first our meeting with ICANN Board. Here, it is a simple listing of the agenda that we have just discussed.

The GAC met with the ICANN Board and discussed collaborative - - collaborative actions the community, Board and Org should be undertaking to further progress achieving strategic priorities.

GAC advice, global Internet access and connectivity, WHOIS disclosure system and proof of concept design paper, DNS abuse mitigation and compliance enforcement.

And, I think, Fabien that we are missing a footnote saying that the transcripts will be attached to the communiqué. Do we normally put it here?

FABIEN BETREMIEUX: Thank you. We have been doing it the last few meetings. If we are doing it for this meeting as well, we would add the text. I think we add a sentence below as well. I will double check.

MANAL ISMAIL, GAC CHAIR: Okay. Thank you very much. So, we have been doing this for a couple of meetings based on suggestions by a GAC colleague.
It is up to us to decide whether we attach the transcript of our meeting with the Board in specific or not. But for now, we are putting the regular text that we have.
Then we have our meeting with the At-Large Advisory Committee. Again, this will take place tomorrow morning.

And we are having here the agenda that will be discussed tomorrow. So, the GAC met with members of the ALAC and discussed Internet fragmentation, the DNS, and ICANN.

I'm sorry. Internet fragmentation and the DNS and ICANN.

This is the topic of the plenary that we decided to discuss also at the ALAC meeting and subsequent rounds of new gTLDs and closed generics including participation in the facilitated dialogue with the GNSO Council and local cross-community cooperation. Then meeting with Genetic Names Supporting Organization, the GNSO, the GAC met with members of the GNSO Council and

discussed WHOIS disclosure system, subsequent rounds of new gTLDs, including the Operational Design Phase, the GNSO guidance process on applicant support and closed generics, DNS abuse and accuracy. This is our bilateral with the GNSO that took place yesterday.

Scrolling down, it is the ccNSO bilateral with the GAC. The GAC met with members of the ccNSO and discussed ccPDP3 on review mechanisms and ccPDP4 on internationalized domain names -- IDNs -- and ccNSO Domain Name System Abuse Standing Committee.

This is the one that we held earlier today.

Then cross community discussions. We are reporting here what will be happening tomorrow and GAC members participated in relevant cross-community sessions scheduled as part of ICANN75, including an Internet fragmentation -- including on Internet fragmentation, the DNS and ICANN.

On internal matters, the GAC welcomed the Kingdom of Saudi Arabia as a member. There are currently 180 GAC member states and territories and 38 GAC observer organizations. Then on GAC elections, the GAC elected Nicolas Caballero from Paraguay as Chair for the term starting after ICANN76 March 2023 and ending

at the close of ICANN82, March 2025 and the GAC elected as Vice Chairs for the term starting at ICANN76 March 2023 and ending at the close of ICANN79 for March 2024 -- and this is because the term of the Vice Chair is only one year and the GAC chair is two – Francis Olivier from Burundi, Shi Young, Republic of Korea, Zeina Bou Harb, Lebanon, Nigel Hickson, United Kingdom, and and Ola Bergstrom, Sweden. Now, we have the GAC Working Groups.

If we can -- yeah. Thank you. So, I understand that we will be receiving reporting from the GAC Public Safety Working Group and GAC underserved region Working Group. Is this accurate understanding?

So, Karel, Trinidad and Tobago, go ahead.

TRINIDAD AND TOBAGO: Hello. Yes. This is Karel Douglas from Trinidad and Tobago for the record. Yes, that is accurate, and we will have to work on that, of course, together with the good support from [inaudible] GAC staff, Rob included. But definitely, yes, it will be done. Thank you so much.

MANAL ISMAIL, GAC CHAIR: Rob, and then Chris.

ROB HOGGARTH: Finding the time and expectation doing it at end of the board prep session and that obviously didn't take place and the wrap-up session is an option. As you know, the Wrap-Up Session comes after the communiqué is scheduled to be done and can work on very brief language with Karel, who the intention is you will focus on a report regarding capacity building weekend and is the focus not a much more broad ranging report, and thank you, and, Fabien, while I have the microphone, I don't know if you expect a separate Public Safety Working Group report. And if that is coming, we will insert it as appropriate. Thank you.

MANAL ISMAIL, GAC CHAIR: We have Chris's hand up. So, probably speaking to this as well. Chris, please go ahead.

SPEAKER: Yeah. We are working on this on the record we are working on this in different time zones and will have something at one of the next sessions to review. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Chris. Rob, please go ahead.

ROBERT HOGGARTH: Thank you. The key, Manal, is just finding the time, because the expectation was to do it at the end of the Board prep session. Obviously, that didn't take place. The wrap-up session is an option. As you know, the wrap-up session comes after the communique is scheduled to be done. So we could work on some very brief language with Karel. I think the intention, Karel, is that you're going to be focusing on a report regarding the capacity building weekend. So that's the focus. It's not a much more broad-ranging report. Thank you. And Fabien, while I have the microphone, I don't know if you expect a separate Public Safety Working Group report. Obviously, if that's coming, we'll insert it as appropriate. Thank you.

MANAL ISMAIL, GAC CHAIR: Yeah, and we have Chris's hand up, so probably speaking to this as well. Chris, please go ahead.

CHRIS LEWIS-EWANS: Thank you, Manal. Chris Lewis-Evans for the record. Yeah, we're working on this, just fighting different time zones. So hopefully, get something for one of the next sessions for you to review.

MANAL ISMAIL, GAC CHAIR: Yes. Thank you, Chris. Rob, please go ahead.

ROBERT HOGGARTH: Thank you, Manal. Just a point of order to clarify in the past what has been done is the communiqué is reporting on what has been done at the meeting.

So, again, we can set aside time potentially during the wrap-up session for Chris, Laureen and maybe Cathrin to provide that report. Otherwise, if they're just going to provide it in writing, we treat it similarly to the HRIL Working Group and the report from the GOPE working group which were just shared via email with the GAC. So I think it is really a preference. But I think given the fact there will be time during the wrap-up session, it will be great to hear from the groups if they're able to do so. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much. I was going to suggest we can maybe allow like five or 10 minutes at the very beginning of the communiqué session tomorrow. Would this be -- I mean, so that we do not delay it until the wrap-up since we will report on it in the communiqué. Does this make sense?

ROBERT HOGGARTH: This is Rob again. Yes. It does. And I know Karel is prepared. The only issue would be is, as Chris noted, the time zones and whether they would be in a position to report on it. Then again, you could

pick whichever Communiqué Drafting Session you would like. I think we'd want to provide a little bit of notice to folks, but again, that is really how quickly Working Groups can get their information together. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Rob. Yeah. The earlier the better, but I leave it up to the drafters.

We have different time zones, so whenever ready, we can dedicate like five or 10 minutes at the beginning of the session and we receive the reporting, and then we include it in the communiqué.

And I see Karel nodding and hope this is okay with you too, Chris.

Thank you for the confirmation. Thumb up in the Zoom. So, do we have anything else under this section? Anything in specific that will be reported under GAC operational matters?
Yes, please, Rob.

ROBERT HOGGARTH: Thank you. I will let Fabien correct me. Usually, we would have the elections here since they are in another section. We might not

have operational matters to report. You and I still have to coordinate on the agenda for the wrap-up session.

I mean, there is always something that could be put there but don't think you want us to create anything for just extra text. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Rob. Then we have issues of importance to the GAC. We have the subsequent rounds of new gTLD part already in. I will read through it. First, do we expect text on other parts that we have discussed? We have DNS abuse, I think, and WHOIS data protection and I see Brazil requesting the floor.

BRAZIL: Yes. Would try to insert something on the discussions we had about digital inclusion and also a broader program of connectivity, Internet access. I'm not sure where we'd try to put something like this, but we will bring a text suggestion and we can discuss then perhaps with Rob the best place to locate it.

MANAL ISMAIL, GAC CHAIR: Thank you.

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BRAZIL: Something brief, not that long, so --

MANAL ISMAIL, GAC CHAIR: Thank you very much, Brazil. So -- and Rob and Fabien, please help me. I think we can create a title under issues of importance to the GAC?

It fits here. We have discussed it during the prep session for the Board. I know the transcripts of the Board session will be attached. I think you have to reflect the discussion itself or is it okay that we will attach the transcripts?

BRAZIL: I would rather have something [in the text itself.]

MANAL ISMAIL, GAC CHAIR: Okay. So, I think it fits under issues of importance to the GAC; right?

ROBERT HOGGARTH: This is Rob. It would be great to see some sample text, if you would like to work on that this evening. Manal, if I may too, I recall there have been a number of e-mails back and forth and don't know if Tracy or Jorge would like to share any thoughts about some of the conversations that they have been having via e-mail about another issue or whether that is resolving itself.

The sense there with respect to applicant support was that there potentially was going to be at least a general statement about the importance of the issue to governments or to the GAC. I don't know if there is contemplation for potential language for that as well. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Rob. Indeed, there was an initial proposal to have something on the Applicant Support Program here in the communiqué.
I know there are discussions.

As Rob mentioned, maybe the situation is resolving itself. So, I'm just asking whether you would still like to put something in the communiqué. I see Tracy's hand up, so please.

EUROPEAN COMMISSION: Yes. That last paragraph of that block of text reflects the general statement and is up for discussion but that came from Jorge, topic lead, so if he wants to add anything further but think it is sufficient at this point.

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MANAL ISMAIL, GAC CHAIR: Perfect. Thanks very much. It is incorporated in the text we received under SubPro.

EUROPEAN COMMISSION: Great.

MANAL ISMAIL, GAC CHAIR: Abdalmonem, please, Egypt, go ahead.

ABDALMONEM GALILA: I see here that you included digital inclusion and Internet connectivity. Why not add universal acceptance as well?

MANAL ISMAIL, GAC CHAIR: We are trying to reflect here things we already discussed in our sessions. I don't think we have discussed this topic so that we can include it in the communiqué, but I stand to be corrected and don't think we have had this discussion here.

So WHOIS and data protection and DNS abuse, shall we expect text on this or not? Sorry. Susan, please go ahead, with the US.

UNITED STATES: Thank you, Chair. Yes. I do think we should expect text on both of these topics right now.

There are a few discussions that are going on. But it is -- we just don't have that text quite yet to propose.

MANAL ISMAIL, GAC CHAIR: Yeah. Sure. We are not asking for text right now but identifying the topics and pen holders. So -- we will be receiving text on both; right?

Okay. Noted. Thank you. I see US and European Commission nodding. And shall I put you as the pen holders? Okay, for both topics? Okay. Noted.

So, now is digital inclusion and Internet connectivity. We have Brazil as our pen holder on this, WHOIS and data protection, U.S. and European Commission, DNS abuse, again, U.S. and European Commission. And we have text under SubPro. Thank you for the prompt submission. Let's go through the text before proceeding forward. I see Velimira's hand up. Please go ahead.

EUROPEAN COMMISSION: Yes. One question. Probably, it would be worth also to put Chris as also a topic lead from DNS abuse. I guess this will be drafted together with members of the PSWG. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Velimira.   Indeed, I'm sure you will be working on -- in a group.   I'm just trying to identify point of contacts.   Thank you.

So, yeah.   On Sub Pro or subsequent rounds of new gTLDs, the text reads the GAC discussed recent developments pertaining to subsequent rounds of new gTLDs, including the ongoing operational design phase -- ODP – the upcoming launch of GNSO guidance process -- GGP – on applicant support as well as the upcoming GAC and GNSO Council dialogue on closed generics, including a status update from ICANN Org on the latter. The GAC confirmed its commitment to engage with the GNSO Council as well as ALAC in seeking a mutually agreeable solution on closed generic applications in next round of new gTLDs in keeping with the GAC Beijing advice on the matter whereby, quote, exclusive registry access should serve a public interest goal, end quote. GAC positions on closed gneerics will be guided by said advice as well as prior GAC consensus inputs to the subsequent procedures for new gTLDs policy development process, SubPro PDP. Regular exchanges between the six GAC designated representatives to the facilitated dialogue and the GAC are envisaged to take place intersessionally. In preparation for the next round of new gTLDs, GAC members strongly encouraged ICANN Org to share an analysis of changes between the rules applicable to the 2012

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round and the forthcoming rules derived from the 2021 policy recommendations as set forth in the final report of the SubPro PDP. Such analysis would help GAC and members and the wider community prepare for the upcoming round of new gTLDs in an effective manner. The GAC reaffirmed its continued interest in the improvement of applicant support for next round of new gTLDs, noting the importance of active GAC participation in the upcoming GGP.

In this regard, the GAC calls on GNSO Council to allow broader participation from interested GAC participants as well as other members of the community beyond the single member per advisory committee that is presently envisioned by the call for volunteers communicated to the GAC.

So, thank you very much, Jorge, Tracy, and everyone who participated to the text. Thank you for the text and for early sharing of the text. Any immediate comments? If not, we will still be revisiting this tomorrow in terms of substance.

And seeing no comments, maybe we can scroll down to GAC Consensus Advice. We have nothing here at the moment. Any expected GAC advice to the Board? Okay. I am seeing none. I don't think we have any follow up on previous GAC advice either.

Just to scroll down to the very last part on next meeting, the GAC is scheduled to meet next during the ICANN76 community forum in Cancun, Mexico, scheduled for 11 to 16 March 2023.

So, again, this is the structure of the communiqué. We have identified missing parts and pen holders and thank you for volunteers and with the understanding that interested GAC members would enjoy the drafting as well, I'm sure.

So, anything else? Shall we conclude early for once? Fabien, have I overlooked anything that we can discuss at this point in time?

FABIEN BETREMIEUX: No, Manal, I don't think. We are expecting -- you pointed to a piece of text we are expecting, so I think we wrote what we could at the moment.

MANAL ISMAIL, GAC CHAIR: Perfect. Anything, Rob, that needs to be added? Yes, please, Argentina, go ahead.

ARGENTINA: Yes. Thank you. I don't know if it will be proper to introduce or mention the capacity building weekend in the communiqué. I'm just suggesting it. Thank you.

MANAL ISMAIL, GAC CHAIR: Certainly. Certainly. We have been here for too long. We start forgetting what we have done.

So, yeah. Certainly something. It is also expected in the reporting back of the Working Group. Do we need to put it twice? Would this be enough? Gulten, please.

GULTEN TEPE: Manal, I believe that Fabien has a comment to make.

MANAL ISMAIL, GAC CHAIR: Sorry to overlook your hand.

FABIEN BETREMIEUX: No problem. I just wanted to point to Tracy's comments in the chat who discussed that exact issue, and I believe that the understanding is that the report of the capacity building weekend will be inserted under the underserved region working report. That is in section internal matters subsection 3.

MANAL ISMAIL, GAC CHAIR: Perfect. Thank you. I see Argentina nodding, so makes perfect sense that this will be reported through the Working Group, and I

would like to grasp the opportunity to thank everyone who contributed to the capacity building workshop. I have been hearing positive comments throughout the week from GAC members who attended whether longstanding members or new members and even beyond the GAC, I have been hearing also, receiving positive feedback from members of the community who also attended the GAC capacity building workshop and found it very informative. I see the Netherlands suggesting a round of applause, indeed, to everyone who participated. Thank you very much.

So, if there is nothing more to discuss, then I think we can set you free for today.

And just checking tomorrow we will be meeting, of course, at 9:00 local time and this is to meet with the ALAC, and we are expecting the reporting from the Public Safety Working Group and underserved regions Working Group as well as the text for the digital divide and the DNS abuse and WHOIS and data protection. Again, thank you very much, everyone. Yeah. The Netherlands, please go ahead.

NETHERLANDS: Sorry. This is Alisa Heaver for the record from the Netherlands. If in the ALAC group the underserved regions group will be talking,

to what extent might the IDNs be more discussed or fully discussed to the extent that it makes sense to give it like a different heading?

We -- we could check that tomorrow, I think, after the discussion because I do feel that we have been discussing it in different groupings and in different settings, but not comprehensively in one area. So, maybe to grasp all those different mentionings, it might be nice to give it its own heading topic.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Alisa and this aligns with what Abdalmonem from Egypt suggested. So let's keep this in mind and keep a placeholder and see whether we can gather topics from the different sessions we discussed it at and come up with something separate to reflect the weight of the topic. Thank you very much.

So, the Netherlands, would you be willing to help with the drafting if we end up deciding to –

NETHERLANDS: I will give it a try and look backwards to my Egypt -- yeah, yeah. My colleague. So yeah.

MANAL ISMAIL, GAC CHAIR: Okay. Yeah. We will decide tomorrow. I will be willing to help if need be. So -- so, I think with that, I would like -- yeah. To thank you all and give you back 15 minutes.

Have a good rest of your days.

Please be prompt tomorrow so that we can start our meeting with the ALAC at 9:00 local time, 1:00 UTC. Thank you very much, everyone.

[END OF TRANSCRIPTION]

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