
ICANN84 | AGM – Get to Know ICANN Community: IPC and GAC
Sunday, October 26, 2025 – 15:00 to 16:00 IST

SIRANUSH VARDANYAN

Thank you. Welcome back to the last session today as part of Get to Know ICANN Community and we will learn about two more constituencies within ICANN community, which are IPC, which is the Intellectual Property Constituency, and the GAC, the Governmental Advisory Committee. But before I introduce our speakers today, let me give the floor to my colleague, Fernanda, to read the script. Fernanda.

FERNANDA IUNES

Here we go again. Welcome back everyone. As Siranush mentioned, we're here for the Get to Know the ICANN community IPC and GAC session. My name is Fernanda Iunes. I'm a participation manager for the session. Please note that it's being recorded and is governed by the ICANN Participant Code of Conduct, ICANN Expected Standards of Behavior, and the ICANN Community Anti-Harassment Policy.

Please observe the following guidelines to participate in the session. I'll also post them in the chat for your reference. During the session, questions will only be read aloud if submitted within the Q&A pod. Interpretation for the session will include English, French, and Spanish. If you'd like to speak during the session,

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SIRANUSH VARDANYAN

Thank you, Fernanda. Yes, we now will learn about the Intellectual Property Constituency, and it's my pleasure to introduce you our speakers, David Hughes, am I right in pronunciation, as IPC Vice President, and Simon Knoll, who is the IPC Communications Committee Chair.

We welcome both of you here, and I just learned today that one of my fellows, ICANN Fellows, submitted an application for IPC, so we are here to learn more and get more people to your community. And the floor is yours, David.

DAVID HUGHES

Thank you very much, Siranush. David Hughes, for the record, if there is one, and I'm very happy to be here.

SIRANUSH VARDANYAN

And if I can request to speak closer to the mic.

DAVID HUGHES

I'm going to speak closer to the microphone. So, thank you for having us. We have 30 minutes. I don't know that we will take all of it, but we'll have plenty of time for questions. So, please, if you have questions, I think I'm quite comfortable if I need to be interrupted. But let's save most of the questions for the end, and then maybe we can have more of a discussion. That would be great.

So, I'm going to talk about who we are. I'm going to talk about what we do. I'll talk about my background first. Simon will tell you about his background. It's representative of our membership. And then I'll go through what IPC does, our relationship with other groups. And I'll even give you a few hints on how to get up to speed on parts of ICANN, if you're new to ICANN.

So, maybe I'll start with introducing myself. My name is David Hughes. I'm the vice president. Actually, I think this year we're changing the title to vice chair. I don't know why. It's a bylaws thing. Vice chair of the Intellectual Property Constituency. Intellectual Property Constituency is part of GNSO, and I will explain that more in detail in a minute. But I'll tell you my background.

I spent my career in the motion picture and music industry for many years. I worked first with Sony Pictures, but most of my career I worked with Sony Music. And then I worked for our trade organization, the Recording Industry Association of America, which represent the major record companies, Sony Music, Universal Music, Warner Music, the ones that you've probably heard of. And about 15 years ago, we started to become involved in ICANN, because as we'll see, these issues of trademark and copyright abuse that happens on the system, on the DNS system, became of interest to my members, so I started to attend.

And I became a member of many of the Working Groups here, Privacy and Proxy Working Groups, and different groups, and I don't know. How many people in the room are new to ICANN? Less than one year is new. Okay, pretty much everybody. Okay, so I will try to at least give you context and explanation when I use one of the many hundreds of acronyms that we use.

So, I started to attend and became involved. When I left the Recording Industry Association, I became a consultant. So, I consult for many record companies and motion picture studios like Disney or NBC Universal, something like that. And we created a coalition. It's called the Coalition for Online Accountability. And that is a coalition that has members of the major motion picture studios, the major record companies, and the major entertainment, I'm sorry, major gaming companies.

So, Nintendo and PlayStation and those. And we are one of the members of IPC, and we'll talk about some of our other members in a minute. But that's how I got involved. That's what I do. And my last disclaimer is that I think I may be the only member of IPC leadership, at least, and maybe IPC, who is not an intellectual property lawyer. I was not trained as a lawyer, although I have pretended to be one for at least 15 years now.

SIMON KNOLL

Test, test. Hello, this is Simon. I will spare you my last name, because apart from Siranush, probably nobody will be able to pronounce it here unless he's German. The short introduction is I'm a German attorney based in Frankfurt, Maine. So, the only real Frankfurt in Germany. There's two.

The reason why I'm here with the IPC requires a little bit of a more detailed introduction. I work for a for a boutique law firm specialized in intellectual property and unfair competition law. That means we are doing mainly soft IP, so everything apart from patents, basically, because you need to be smart to do patents. That means trademarks, designs, geographical indications, you name it.

Where domains come into play in my case, or in the case of my firm, is basically trademark law, besides some copyright law. And usually, as an attorney or as a lawyer, that means UDRP proceedings. I don't know if that rings a bell already. The uniform

domain name dispute resolution policy by ICANN was implemented in 1999, I believe.

An example would be, that basically leads me to my next point. It's a dispute resolution policy allowing for trademark owners to pursue their rights in domain names that are registered, that are similar to one's trademark. So, Coca-Cola would be able to pursue their rights in another domain name, Coca-Cila, on a different Top-Level Domain. So, the issue in my case, because I know there's a lot of members at the IPC, fellow attorneys that are doing UDRP proceedings on a regular basis.

In my case, I decided, I had to decide to get involved with ICANN, because we are facing problems that cannot be pursued by means of the UDRP, because it is not applicable. Meaning, that you have a domain name xyz.com, which is used for the operation of a website that is, I'm sorry, that is basically copying to a large extent copyrighted content or trademarks, in order to use it to deceive human beings of all kinds, internet users, for the sake of Ponzi schemes. Meaning, abuse to get money out of it, basically. And you cannot use the UDRP to do that.

So, at a certain point, you will face problems dealing with contracted parties of all kinds as well. Can be registrars, can be registries. So, attorneys tend to be quite emotional when it comes to that, because they want to pursue their clients' rights. However, that doesn't lead to anything. And that is something where ICANN and especially the work at IPC comes into play, because you have

the chance to get involved with people who are basically sitting on the other side of the table.

And you will start to recognize that despite you cannot do what you were trained as an attorney, meaning looking into a book, like arguing on the basis of existing law, you basically have to approach people telling them there's something happening, you can do something about it. It's not in your interest that this is happening to you.

And this is basically something that you learn here when talking to people, talking to registrars, registries, you understand how it works, you understand how to push certain buttons, so that you can reach a solution on an amicable basis without having to go to court. And that is basically something where we at the IPC also can help each other. Everybody knows people, you have a problem with a certain registrar, the representatives are here, and you can get involved.

And that is basically what led me here. I hope I was not too brief. If there's any questions, feel free to ask me afterwards. But I got literally dragged here on short notice a couple of hours ago. So, I believe that should be sufficient for now.

SIRANUSH VARDANYAN

That's the beauty of ICANN, on short notice, you can do everything. Yes.

DAVID HUGHES

Except the PDP. It takes seven years, apparently, because I was in the-- Yes. And the EPDP, do we know what an EPDP is? Expedited PDP. Yeah. It only takes three and a half years. But thank you. I know that was a little bit detailed, but Simon is representative of our membership in one way, I'm representative of another.

You can imagine some of the issues that a company like Universal Music or Disney might have. Could be their trademark, could be their copyright, whatever. So, I'm going to go through here and then you're going to have questions. I'm sure you have many questions at the end, but let me go through my slides quickly. So, do they understand how the constituency system works inside ICANN?

SIRANUSH VARDANYAN

Yes, we already have the GNSO presented. So, the structure, and they also had the online course, what is ICANN? So, multi-stakeholder model.

DAVID HUGHES

So, in order for multi-stakeholder to work, each group has to be represented. And one of those groups is Intellectual Property Constituency. If you think of it in terms of things like trademarks, of course, domain names itself, and the copyrighted material on the websites, then you can kind of understand what IPC's main

concerns are. We focus on trademark, copyright, and those related issues. And then it's our job as IPC to basically ensure that our views are understood, expressed to and understood by all the other constituencies, because it's multi-stakeholder.

We have to come together. We have to have consensus or nothing really happens. And that ideally, that our views and our concerns are reflected in the policymaking process. Sometimes we are successful. Often, we're not. I'm not here to complain, but Intellectual Property Constituency is not the largest group in ICANN.

So, when you're outnumbered, sometimes you feel a little like a Goliath. I mean, sort of feel a little bit like David against Goliath. Yes. But having said that, we participate in all of the ICANN meetings. So, we come three times a year to the in-person meetings. And of course, we participate on many calls. And even sometimes we have those groups that meet between meetings.

We elect councilors to the GNSO. That's happening right now as we, not as we speak, but we're in the midst of all the councilors' elections. And then we engage in the Working Groups. So, RDRS or the Privacy and Proxy, or there's a number of Working Groups. And I'm going to come back to DNS Abuse because we have lots of work to do in that area. And then we provide Public Comments on ICANN policy, both sort of for the ICANN multi-stakeholder process. But there are other parties that are very concerned with what we do.

For example, the European Commission has some new sets of regulations and recommendations.

One of them is NIS 2, which is, what is NIS? Remember? Somebody give me the NIS. I'll tell you what it is. I don't remember. Yeah. So, that has to do with new laws about what information has to be retained. A part of it has to do with ICANN. And that part that does is what information has to be retained for the purposes, for example, of law enforcement and others. So, there's outside issues that affect ICANN and ICANN affects outside issues. So, there's Public Comments.

And then we advocate those policies and we send letters and we meet with the GAC, who you're going to learn more about in a few minutes, and other constituencies. And we try to find common ground and common interests. And we also select a representative to the ICANN nominating committee to help keep the whole party running. Okay. Next slide, Siranush. Thank you.

SIRANUSH VARDANYAN

NIS is Network Information System.

DAVID HUGHES

Information System, yes. So, Network Information System. So, this is a recommendation made by European Commission to the 27 countries of the EU to basically raise the bar a little bit on certain cybersecurity related issues. I'm not going to get into that, but I will

talk about some of the key issues that we have within, key issues we have within ICANN.

So, the main one has to do with what we historically called WHOIS data. So, when somebody registers a domain, who are they? What's their name? Where are they? And so on. Now it's challenging because we have privacy laws, especially the EU GDPR laws that restrict how that information can be handled and revealed. And that's caused a lot of complications inside ICANN, but we are trying to work through those always.

Our main concern is that that data is collected and that it is accurate and made available when applicable. And we have another thing called Privacy and Proxies, which are when somebody registers a website for various reasons. I'll give you one example. If somebody wanted to post some things that were politically sensitive in their country, for example, they might want to be behind a privacy or proxy service because they don't want to have to deal with the oppression of their government. And we think of that in the third world countries, but I'm a Canadian, but I live in the United States now. So, it could apply in any country soon, I think. Anyway, that was a joke for anybody who really cares.

So, the other areas that we care about are sort of some of the RPMs. So, these are Rights Protection Mechanisms. So these are things like the trademark clearinghouse, UDRP, which Simon talked about, which is a way to have a domain that is infringing on your

trademark, for example. And the other areas we're particularly interested now are DNS Abuse.

I don't know if this has come up in any other sessions, but the amount of abuse that's happening on the internet as a whole, but of course also on the DNS system, is increasing very quickly. And there's a big pressure now inside of ICANN to help the whole community to deal with DNS Abuse. In our last meeting, in this meeting, I think we've had. In the old days, there was usually one meeting about DNS Abuse, and I think in our meeting in Prague, there were 12 of them. So, it's clearly become a top priority. Historically, DNS Abuse has very much been focused on abuse to the DNS system itself.

I think now people are expanding that to include abuse that happens as a result of misusing the DNS system. I think phishing, malware, if you can think of things like that, those are the best examples. We as IPC also believe that when our trademarks and copyright are abused as a result of an abuse of the DNS, we think that that should be part of it. That's not always agreed by all parties, and that's part of what we sort of talk about and try to negotiate with the other constituencies. And then we're always interested also in the new rounds of top-level domain names.

So, we're interested for two reasons. When the top-level domain names come out, it's an opportunity, and I think not just for IPC, but there are other constituencies who believe this, it's an opportunity for ICANN to look back, learn from our mistakes, and

improve the system by implementing new rules for the new round of top-level domains. So, when they start selling the new domains in, I want to say April, Brenda, April? gTLD is going to go in April? It opens in April, right? Yeah.

So, we're hoping that every time we do a new round in ICANN, that that's an opportunity to raise the bar and try to deal with some of our problems, including DNS Abuse. Okay. Next slide, please.

So I want to talk very quickly now about the kinds of DNS Abuse that you might see. So, we talked about phishing attacks, for example. Well, more than half of the phishing attacks are using malicious links that contain brand names. And you can imagine why. If it has Disney or Marvel or Star Wars, then, you know, Disney clearly, it's not just infringement on their IP and their copyright, but they're being used to trick people into phishing scams and Ponzi schemes and all kinds of things. So, we would very much like to see a focus on that.

And the other one is the maliciously registered domains, where the domain itself is specifically intended to deceive the end user. And I put up just two, you know, AppleSupportLogin.com. If you saw that, would you think that's legitimate? It looks pretty legitimate, but it's not Apple.com. And people who don't understand how the TLDs work wouldn't understand that that's not Apple.com. And Microsoft.net is very different from MicrosoftUpdate.net. And so, we are trying very hard to deal with those kinds of DNS Abuse in the gTLD space. Okay.

And then the last one is that cyber criminals really like to use popular culture and trending and, of course, popular music and movies are in some ways the best ways to create things like fake promotions or sell fake tickets for concerts and things like that, and lure victims into these malicious links and then deceive them. So, those are the kind of things that we are historically dealing with. Okay, ast slide.

Maybe there's two more. So, where does IPC fit into the GNSO and all of that stuff? I'm going to go to the next slide because of a graphical representation. And I would recommend that you take a picture of this if you're really interested in how ICANN works, because I think that when we first made this slide, I thought, oh, that's really great. Now I can imagine how everything fits together.

So, the purpose of this slide is to show how inside the GNSO, you know, the Generic Name Supporting Organization, yes, has both sides of the, we call CPH, Contracted Party House, and NCPH on the right. And so, registries and registrars, maybe that's fairly self-explanatory. The right-hand side is a little more complicated, but we have the Business Constituency we call the BC, and then we have the IPC for the Intellectual Property, and we have the ISPs, I-S-P-C-P, and that is the ISPs. And together we make up the Commercial Constituency, and we're called a CSG, Commercial Stakeholders Group. And then we have the Non-Commercial Stakeholders as well. And I forget these acronyms, so I actually put

them at the bottom. That's the Non-Commercial Users Constituency.

So, that's sort of the end users who are the typical man and woman on the street who's using the domain name system. Not companies, not registries, registrars, just the person who gets a domain maybe with their own name dot something. And then the NPOC, which is the Not-for-Profit Organizations Constituency. And together we make up the Non-Contracted Party House, and we get to have nominating committee appointees, should be plural, I guess, at the bottom. And then that's how we vote for and send representatives to the GNSO council, so that all the constituencies can be represented in the multi-stakeholder group.

And last slide is, if you're interested in joining the IPC, we have a QR code, thanks to Simon here, and you can go from the QR code, it'll take you there, it'll give you, take you to our website and show you how to join if you're interested or get more information. If nothing else, you can send an email to our chair, John McElwaine, right there at that email address. And we would love to have you join if you're interested.

SIRANUSH VARDANYAN

Thank you, David. Thank you, Simon, for the great introduction and presentation of IPC. We have time for one or two questions. Yes, Dipsy, please go ahead. And Andrei, get ready.

DIPSY DESAI

Hi, I'm Dipsy Desai, current ICANN fellow. I was wondering if you could talk more about your role in string evaluation for the Next Round of gTLDs.

DAVID HUGHES

So, we're always looking at the opportunity to implement safeguards, shall we say, in the contracts. And that's what we're most interested in. And we can talk offline about the very specifics if you want. But we've learned that when a TLD has a, when the registries and registrars have a contractual obligation to do certain things like authenticate the applicant, that DNS Abuse goes way down.

So we're trying to push for more authentication of users, things like that. Do you, you know, we don't have time to get into all the issues, but I'm happy to speak afterwards if you want. Yeah.

ANDREY ALEJNIKOV

Andrey Aleynikov, ICANN84 fellow. I completed my bachelor, master's and postgraduate studies in the field of intellectual property. But I'm also not a lawyer, by the way. I have a couple of questions for you. And the first question is about problems which may arise with providing legal protection to trademark owners in the context of decentralized domain name system as blockchain-based domains.

And my second question about IPC collaboration with the World Intellectual Property Organization; does the IPC work with WIPO on matters related to domain name dispute and something like this?

SIMON KNOLL

So, starting with the second one. Yes, we do cooperate. I mean, obviously, the UDRP is one example. It's the result of that cooperation. There're even some people here that are mainly responsible for the draft of that policy. There's also one representative. I have not seen him yet, but Michael Beckham, Nick, Brian, Brian Beckham. Sorry. Thank you. He's probably here as well. And in March or in April, there was the 25th birthday conference of the UDRP in Geneva at the WIPO headquarters. And there were a lot of people that are here now that were also speaking there. So, yes.

DAVID HUGHES

Your first question about blockchain. I'm not sure I can answer that, honestly, because if you come to me afterwards, I can try to find somebody who can answer it for you. Yeah.

SIRANUSH VARDANYAN

Sorry. Thank you. I have Omir [ph] there. Please, go ahead. Come closer to the mic. Yes.

OMIR [ph]

Hello and a very good day, everyone. Thank you, David, for your presentation. When looking into the presentation, you mentioned about DNS Abuse. And out of curiosity, I believe that there's a definition produced by INTA, the International Trademark Association, regarding DNS Abuse, which is very broad. So, I'm wondering whether and INTA has any relationship?

DAVID HUGHES

Thank you for the question. I failed to mention, and this should be on our slides really. We'll update them for next time. Inside of IPC, we have some core constituents. I don't know, I guess, meta constituents or something, constituents of a constituency. And INTA is one of them, as well as COA. So, that's the Coalition for Online Accountability. That's the record industry, recorded music industry, and the motion picture studios, for example. And then we have a lot of IP law firms and others and individual attorneys that make up our constituency, but INTA, yes. And as I said, our aspirational definition of DNS Abuse does not necessarily match with everybody in ICANN.

And just to go for one minute, there are some people that are at one end of the spectrum who really believe, and I don't agree with them, but they believe that DNS Abuse should just be any abuse that does damage to the DNS system. But I don't think that that really helps our community. Then there's the middle group that agrees that things like phishing and malware, botnets and so on, are damaging to the community and the network as a whole.

And most people, I think, are in this space now. And then we're a little bit further on the spectrum saying that those issues, including intellectual property and copyright, should also be considered. But at this point, we spend about half of our energy just trying to support the fight against DNS Abuse in the middle, because that also helps our constituents. It helps everybody. And my concern is that if ICANN doesn't do more about DNS Abuse, that governments will start to step in.

And in a sense, the multi-stakeholder model may be threatened if ICANN does not do more. Now, I know that the GAC members and the Board members all understand the threat, but I'm hoping that the whole community will step up.

SIRANUSH VARDANYAN

Thank you. And we'll take the last question from Filimoni, please.

FILIMONI PELENATO

Greetings, Filimoni Pelenato for the record. Thank you for the very interesting presentation. My question is based on the fact that you had WHOIS data challenges as one of your important issues. Considering that GDPR was initiated a while back, my question is, WHOIS data? It's become more limited, which makes it a big challenge for IPC. My question of curiosity is, are there any ongoing discussions to solve that or resolve that challenge with WHOIS data?

DAVID HUGHES

I think the biggest development we've seen is the NIS2, which is the European Commission Cybersecurity Initiative. And the experts in cybersecurity, as well as the experts in law enforcement, all agree that without accurate and accessible WHOIS data, in many cases, it is almost impossible to fight the cybercrime.

So, I think we're going to see more and more. We've started to see the NIS2 laws implemented in some countries, and some countries such as Belgium and others have implemented quite strict laws. And we will see what the impact of that is over time. But I suspect that there will be lawsuits in Belgium in the coming years that will force the courts, let's say the court of public opinion and the actual courts, to balance somewhere between privacy and GDPR and the need for--

So, GDPR was never intended for criminals to hide their identity. That's not the intention. But in many cases, that's the result that we ended up with. So, I think that there will be a rebalancing. That's my personal opinion, just me.

SIRANUSH VARDANYAN

And just last comment, Susan Anthony is asking if you can put those slides in IPC webpage on ICANN.Org, that would be great, the slides you were showing to us. I can do that. Thank you, Susan. Thank you. On ICANN.Org, IPC webpage? No, the slides are just new. So, your team will be able to do this. Thank you. Yes, thank you. Thank

you very much, David, Simon. It's really appreciated. And there are more questions coming, but due to time limitation, if you can stay here till the end, it's good. If not, then people know whom to approach and ask questions.

DAVID HUGHES

You can stay and learn about GAC.

SIRANUSH VARDANYAN

Yes. And we will now move to the last presentation for today. And my great pleasure to introduce you one of the fellows with whom we together were fellows back in 2009. Yes, Tracy Hackshaw, who is from Trinidad and Tobasco. He's part of the GAC, and he will tell us what is GAC and how he became part of the GAC and how any one of us can be a part of GAC. Tracy, the floor is yours.

TRACY HACKSHAW

Thank you very much, Siranush. I think it's very serendipitous that the IPC is here. In 2009, I first started in ICANN as a fellow. I first went to the GAC room and it was locked. It was closed. I couldn't get in. The GAC meetings were closed in those days. So, well, I tried again later, but until then, the next room I went to was the IPC.

And I don't know what it was. I just sat in the room and I said, I'm just here. And everybody looked at me like, what? And I said, I'm an ICANN fellow. They said, oh, great. And they all welcomed me. And they actually wanted to know what I was doing here, where I'm

from, and all that stuff. So, yeah, that was my first experience with the IPC. And actually, after the 7 a.m. meetings, that was the first place I landed, which was interesting. So, very serendipitous that I'm here. Thank you.

So, no matter where you are in the GAC world, you can land somewhere else if you wanted to. So, my name is Tracy Hackshaw. As Siranush said, I'm currently in the GAC. I represent the Universal Postal Union, which is the, for those who don't know what that is, it's the, if you know the ITU, think of the ITU sister or brother. A bit younger, only 150 years old. The ITU is 160 years old. So, just a bit younger. And I handle the cyber resilience portfolio there. And I also run a registry, actually, called North Post. And the only UN agency to run a registry.

So actually, I'm in the GNSO as well, with the registry stakeholder group. So, you can, I'm a multi-stakeholder by default in ICANN. I've also been a member At-Large. I'm a member of NCUC. And I was a member of the At-Large LACRALO, and also was on NomCom representing At-Large some time ago. So, I've been around. And I'm fellowship mentor now, yes. So, full circle. I want to leave time for questions. A lot of questions here. So, I'm going to do a bit of different things with the presentation. So, Siranush, maybe just skip past this. Right.

So, what is the GAC? So, we're not the UN, just in case you wanted to figure that out. The GAC is made up of only 184 countries so far, only. And only 41 observers. I'm saying that facetiously because

it's quite large. And as a GAC member, you have voting rights, country rights. As an observer like me, you don't. But everything else, you can participate in. So, you can write things in a communiqué. You can speak. All you can do is vote.

And the GAC doesn't really vote in anything except for the leadership positions. So, that's pretty much all the GAC does with voting. And everything else is based on consensus. And that's very important. So, the members and observers participate equally in all decisions. I think that's quite unusual for a group like this. And one question I wanted to ask you. Do you know who your GAC rep is in your country? Hands up for those who know who is their GAC rep.

One, two, three. Not that many. Four. So, less than 10 for sure. So, I would encourage you to go on the website, the GAC website. Look to see who is, because all the members are listed there. Or you could just pop into the room. I came from under the curtain. And it's right there. You can pop across and see us. And find your GAC rep. And just ask if I'm from PNG. I'm from Botswana. I'm from wherever. I want to know who you are. And they may be here. And ask and meet them. So, GAC people are very friendly. And they're humans. So, they can talk to them.

SIRANUSH VARDANYAN

GAC chair is a fellow.

TRACY HACKSHAW

GAC chair is a former fellow. Yes, exactly, Nico. There are five vice chairs. I was one of them at one time in my past. And there's one chair, literally. And let's see what the slide. And collectively, they refer to us as GAC leadership. We call ourselves leadership. And they work generally as a team. And leadership tends to, you know, drive the meetings. But it's one of the I guess it's a different organization in that the members truly drive the discussions.

And leadership sort of just coordinates. And countries are the ones who have the real say. As well as sometimes observers. That's our support staff. Very good team. A few from ICANN. And you can talk to them about all the things that you talked about. GAC issues. They're very willing to talk to anybody who wants to ask. And they're right, again, in the room next to you. This room.

So, I mentioned consensus. Who understands what consensus is? Anybody? Give me an idea what consensus is. Yes? You want to say something? Yeah.

MACIEK PIASECKI

So, I'm a fellow. So, when a group comes to a mutual understanding and a statement, usually when it's uniform, they can be abstainers sometimes.

TRACY HACKSHAW

Exactly. So, consensus is general agreement amongst the members. But I like to think of it slightly differently. Most people don't agree on everything. Right? So, consensus, in my opinion, and I'm trying to be very down to earth here, is kind of like what you can live with. You know, what we can all live with. So, it's not what everybody wants at all times. And in governments, when you come to consensus, it's like a negotiation.

And everybody has to leave feeling that they've lost. Not that they've won. And that's consensus. So, if you leave feeling that you've won, then something is wrong, right? So, it's basically everybody's equally unhappy. That's how we look at it. We're equally unhappy. That's good consensus, right? So everybody's, ah, I didn't get what I... ah, okay. So, that's how we look at it.

And one of the things about consensus is that in the GAC, one member can break consensus, right? So, we're coming up to the next round. And you'll probably see that in action if you follow the GAC discussions. And because of the peculiarity of the next round, like if you do the history and look at 2012, what happened, you can see that when a country does not want something to move forward, it can stop something from moving forward. And there'll be no consensus. Even if everybody else wants it to move forward.

So, without calling any one country's name or one string name, we've seen that a few times. And a group of countries can stop a string from moving forward. And you can look at it in the other way

as well. That if a country does not want this to move by simply saying, I do not join the consensus, consensus is broken.

On the other hand, you can have something called a rough consensus where, you know, some countries will say, I'm not joining it, but I'm okay if you go ahead with it. I'm just going to be like a minority report. So, I'm not going to say anything. I'm just not going to join the consensus. So, different flavors, but again, equal and happy. Think of that and you can see it. And you can see from this list of issues here, the GAC has a communiqué that is drafted at the end of every meeting. And you can see advice, which is bylaws specific, and you'll see later on. And the issue with advice that the GAC has is that it's bylaws specific.

And if you were involved in ICANN recently, you would have seen another recent issue of the Board not accepting GAC advice, which is one of those times in recent history. And it was something that I was leading. So, I was the one who was involved in that on applicant support. And when you don't have the Board accepting GAC advice, it goes into a bylaws process where you have to have a compromise position with the Board, or discussion with the Board, or you don't agree with the Board and then it's rejected.

So, all kinds of things that happen there. Luckily, in the last, the compromise is reached. Also, in the GAC, you have Working Groups and the co-chair of the working group and the other Working Groups that you'll see if we have time on the slide. Yes.

So, as I mentioned, this GAC advice issue is a bylaws-driven process. You can go and read the pretty long paragraphs under section 12.2AX-XI, the ICANN bylaws. But as I said, it's really a situation where there's a particular majority that the Board can say we have to accept or reject GAC advice by a certain majority. And it's consensus GAC advice.

So, the GAC has to say, we have issued consensus GAC advice on topic X, and the Board receives it. They normally look at it and say, okay, let's discuss it with you first. And then they kind of start indicating to you as the GAC, we intend to accept, we intend to, we are planning to reject it, or we would like to modify, ask you, not modify, we'd like to discuss further with you. So, that's how it works.

And this is the long thingamajig here. You can read that. And this is the very detailed process of GAC advice. We're not going to spend today going into that. This is very late in the evening. So, you can ask some questions about that after. But as you can see in the slides, it's a pretty convoluted process. But it does have an end, as you can see. It's called end. That thing has an end. It has an end. It has an end. And it does not take seven years.

All right. With operating principles, we have sort of our own bylaws, I'm going to call it that. We have rules of procedure we use. And that's all on our website. You can have a look at that. Vice chairs were just recently amended so that we are now aligned with the ICANN AGM process before it was, for some reason, behind. So,

now it's aligned properly. And the terms are also aligned. Next slide.

All right. GAC meets in person as the IPC three times a year, but also intercessionally. And you can imagine, 184 governments and 41 observers trying to call a meeting with them regularly is not easy. So, it's generally better to have an on-site meeting. And in between meetings, you tend to have versions of the GAC meeting to discuss certain things like the bylaws, advice issues, or planning for the meetings, or trying to issue letters, as the case may be, or talking to the Board, generally, which is what we do quite often.

And intercessionally, we also talk to other stakeholders, other constituency members as well. What's useful with the GAC is that we have a real-time interpretation, all six UN languages. I think it's the only entity that has six languages plus Portuguese. So, good luck for the GAC for that. And all GAC meetings are now open by default. That was changed from when I started over time.

When I was vice chair, we actually did the opening of all the meetings, including communiqué drafting, which, if you're interested in politics and consensus building, drop by in a communiqué drafting session. You'll see sometimes some very interesting politics happening, especially with governments who have positions that they would like to make sure they don't get shifted, because things in the GAC are linked to WSIS, IGF, a lot of things that are linked that you'd be surprised that people are tested

here in a less stressful environment, but you can't break the country's position.

So, you see countries all negotiating to ensure that their position isn't broken here. So, when they go to the UN in December or wherever they're going, that they have the same position throughout. So, it's very interesting. You can skip this one, Siranush. Every so often, there's a high-level governmental meeting. It's supposed to be every two years, but since the pandemic, it kind of broke that schedule. So, the last one was held in 2024.

One is due next year. I haven't heard anybody say anything yet about 2026. And that meeting, you actually get ministers and high-level officials coming in like a summit, you know, called a summit, and the GAC members support the high-level officials at those meetings, including the IGOs like myself. Working Groups went through that already. You can skip this one.

Yeah, these are just groups that you can't join, unfortunately, but they're there. You can know who they are. You can skip this. This is important for questions. So, the general principles of GAC participation. We would like to think that we hold the public policy purse strings and the icon. That's our job. You know, we are the GAC where people are elected by the people, and therefore, they've come to ICANN representing the people and the public interest, right? That may be debated within the community, but that's what

the GAC represents, public policy, international law, public interest.

And in doing that, they look at everything that happens in ICANN through that lens, and including the private sector, how it's dealing with things in the Next Round, DNS Abuse, as you mentioned. I heard the IPC vice-chair mention about the GAC and becoming more involved in DNS Abuse, which is happening as we speak. It's called law enforcement. That's what the government side of this looks like.

And as you get, as the private sector does not act, i.e. through ICANN, governments will get more antsy and decide they will need to act and act. When they say they act, they enforce. And that is not what the model is promoting. But if you don't work together, that will be happening next. And you can skip all this. I'm not trying to know all that stuff.

All right. So, let me go back one slide. Yeah, the hot topics, yes. So, we have a hot topics thing. DNS Abuse is consistent with the GAC. The GAC is the one who raised it and created this DNS Abuse train. It's left the station. It's gotten down the road. Yeah. So, that's good. IDN is very big in the GAC. Back in the past, a big thing for the GAC. The WHOIS and RDRS and RDS issues and the next round.

So, those are the things that the GAC wants to discuss. And we also have a planning discussion going on about how we, as the GAC, internally improve ourselves and look at review of reviews, all

those things that are going on. And my drink is done. And another big thing that we try to do as well.

All right. So, you can get involved as a government. So, if you don't have a GAC member, there are about maybe nine governments or so who are not in nine UN members who are not GAC members right now. If they're not GAC members, please reach out to your government to get involved and ask them to join the GAC.

There's a lot of information on this website to help. And on that website, you can also find all the communiqués of the past, all the advice, all the Board community correspondence, and very interesting stuff there that will help you understand, let's say, the politics of ICANN. All right. With that, maybe I can take some questions if you have.

SIRANUSH VARDANYAN

Thank you, Tracy. Yes, we might go and have one or two questions to be taken. Ignacio, please, first, and then Om will come to you.

IGNACIO SÁNCHEZ

Well, thank you very much. My question is, this is Ignacio, ICANN84 fellow. I understand that the key role of the GAC is advising the Board if the ICANN mission or ICANN activities affects laws or international treaties.

But my question is, what happens or who is the actor? Is it GAC the actor when it's the other way around? For example, if I've seen that

ICANN is monitoring the WSIS process, the Global Digital Compact process. In those monitoring process, were you the key or one of the actors that provided input in this kind of international processes?

And I'm thinking about other international negotiations that I haven't seen that ICANN has said something about it. For example, the negotiation of the e-commerce agreement within the World Trade Organization or some countries' activities regarding imposing tariffs on electronic transmissions. And that would affect, for example, internet architecture and internet principles. Key question is, what happens the other way around? Thank you. All right.

TRACY HACKSHAW

So, I'm going to give a government response. Maybe we should ask ICANN about it, about why they're not involved in it. But I can give you an appreciation of what ICANN does, having been around for a bit. ICANN perceives itself as it has a very narrow limit. They handle DNS and they're technical. So, as far as ICANN is concerned, although you wouldn't think so from attending all the meetings that they attend and so on, they only focus on the DNS names and numbers.

So, everything else that circles around that, especially content, is not part of their remit. But as DNS Abuse emerges as a topic, they are involved in that. They're kicking and screaming. We bring ICANN into the loop because DNS abuses, they are contracted

parties here. But other issues I think they would stay away from unless it involves a DNS. And that's what ICANN will respond, how they respond. I imagine if you ask them, they will say ICANN's role has a very narrow remit and we stay in our lane basically. That's why I think you won't see them in those discussions.

SIRANUSH VARDANYAN

Om, please go ahead.

OM PRAKASH SHARMA

Hi, I'm Om from Nepal with NextGen. I have two questions. Number one, GAC members, how are the capacity building within the GAC members done in terms of technical knowledges? I believe these members play a significant role going back to their countries and forming similar kind of laws regarding internet ecosystem. And number two, I have been hearing the GAC real meetings happen in the coffee breaks. Is it true? Thank you.

TRACY HACKSHAW

The second question is probably yes. The real stuff happens in the coffee breaks, the decisions and text. I was late to this meeting, not late, but I was running a bit late because I was having a sidebar with another country about communicating text. Just discussing that, not in a meeting, just discussing that. So, you do have that happening. So, that's probably true. But of course, you actually

see the communicate text drafted live. If you go to sessions, you'll see it and it'll be interesting if you follow up that kind of thing.

In terms of the first question, but capacity building, we try, I'm the leading the capacity building effort in the GAC along my colleague Karel, and we try our best to do both technical and policy tech capacity building. For example, we just had today an AI session, very brief, but AI in a DNS. We recently had a blockchain alternative DNS session as well, and so on and so forth.

We can't predict what will happen when GAC members go home. We deliver, try to ensure that they understand and hope that when they go return to their countries, they pass that knowledge on to their ministries and their constituents and so on, but you can't force someone to do that. So, that's a short answer, but we try our best to reach everyone and get them to understand, at the very least. Yeah.

SIRANUSH VARDANYAN

And one more question from here.

UNKNOWN SPEAKER

Is it all right if I ask this to the people from IPC? It's kind of related, but I reckon people from IPC would be able to answer it better.

SIRANUSH VARDANYAN

I think we are closing the session soon, so you will be having the chance to ask them directly. If it's not to GAC, then let's wait for the break. Any last question for the GAC representative? Yes, Filimoni, please.

FILIMONI PELENATO

Thank you for that awesome presentation about GAC. So, much of a question and a comment. I'm just surprised on your hot topics that GAC isn't focusing on the Artificial Intelligence governance as a hot topic, government being afraid of robots and the increased usage of Artificial Intelligence. Thank you.

TRACY HACKSHAW

So, as I just mentioned, I guess that's happening as we speak, so that kicked off today. But again, the GAC sort of follows the ICANN topics. So, if AI is not within the ICANN remit, as ICANN is concerned, then the GAC would not cover it. To be honest, the GAC has tried to cover other things before and has been advised that that is not within the GAC's remit at ICANN, so maybe you should stay away from that topic. But the GAC will continue to pursue.

DNS Abuse, again, that was not on the radar long ago. Now it's, as you say, that's a GAC-driven thing with IPC and so on as well. So, it's, the community drives things sometimes. When I say ICANN, I mean the org. The org is the sentence, the org tells you. This is not within our remit. You should not be discussing that here. You can go to the UN and discuss that if you want. And so on. But that's

how it works. But it will happen. I would not be beaten. I shall not be beaten.

DAVID HUGHS

Because ICANN sometimes takes time. Expedited PDP, three and a half years, yeah.

SIRANUSH VARDANYAN

Thank you. And thank you, Tracy, for being here and explaining How GAC works. I appreciate all the efforts for both constituencies to be here, and I would like to also extend my thanks to our interpreters and our technical team for supporting the entire day to translate all the presenters and all the questions coming from us. Thank you very much, and this session is adjourned. Thank you very much.

[END OF TRANSCRIPTION]