
MARRAKECH – GAC: DNS Abuse Mitigation and dot Amazon Discussions

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CATHRIN BAUER BULST: All right. Good morning everyone we are going to get started on the session of DNS abuse so please take your seats. Buckle up we are going to get started. So we are going to tell you a little bit about DNS abuse mitigation a topic that's keeps coming back at ICANN and has been a source of lots of discussion throughout the years. Next slide, please. Basically what we want to do in the next hour is give you a little update where we stand, and we are going to do it by trying to answer 5 questions. First of all what is DNS abuse. And why should we care. As the GAC why is it important to us?

We are going to take a quick look at the applicable ICANN policies and I'm glad we have with us Jaime Hedlund and Bryan Schilling who have given an update and what's going on at the moment in determines of DNS abuse mitigation. Then we will take a little look at what else might be needed. What else could be done to improve DNS abuse mitigation and what could be the role of ICANN Org in the community and when the GAC by extension could then do to foster that discussion and to help us all have a

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good approach to mitigation of DNS abuse. So first let's look at what we mean by DNS abuse and for this I'm going to turn over it my colleague Chris.

CHRIS:

One of the key points is the what is the definition of DNS abuse. And there's a number of areas that have complementary definitions and guidance around what is DNS abuse. So one of the first ones from ICANN Org was report on the new detail program for [inaudible] DNS abuse. And the definition there was where intentionally deceptive conniving or unsolicited activity is used to make use of DNS or the procedure to domain names. That was used to guide the CCT review and in the final report you know there was consensus on what is DNS abuse and the security abuse of the DNS and this infrastructure. I would say the CCT review has a lot of recommendations within it. But some of those are key on moving forward with effected ways to counter DNS abuse. And then also within the GAC safeguards and advice, I think the first time we mentioned it is the 2010 but then we have a link copy there for you to the Beijing communique in 2013. And I read out the whole of the next section but that concentrates and criminal activities and the security so farming, phishing and botnets so sharing the criminal nature behind the DNS abuse the harms it can cause .

CATHRIN BAUER BULST: Thank you very much Chris. So we find ourselves in an interesting situation. Once again, we are sort of testing the borders of what it means to be responsible for an infrastructure. Are we only responsible for the technical assignment... as the ICANN community and that is a little bit reflected in the fact that there are references to DNS abuse in the contracts. So there is a need to have for example abuse contact available it even used to be part of the WHOIS when it was available that each registrant needed to have abuse contact. There are also certain technical requirements on the registries to run technical checks of the abuse that might be happening on their space however nowhere do we have a set definition of what we mean when we talk about abuse and you find various definitions throughout reports and policy documents that range from the infrastructure abuse per se so malware phishing botnets that type of thing to abuse that is more content related.

So we are we actually find ourselves at an interesting point because we have been discussing this topic for a while but there still is no agreement within the community of how far or what the precise definition of abuse is. Now before we delve into what policy already exists beyond what is set out now. We want to give

you a little update from the field if we go to the next slide on why we as the GAC should care about this issue. It comes down to basic cyber security considerations. How do we maintain the clean infrastructure and to explain to you a little bit the impact of DNS abuse? I'm going to turn it over to my colleague, Gabe, who is going to give us some insights into the daily work of the police officer fighting DNS abuse in the field.

GABRIEL ANDREWS:

Hello, folks. So as was I'm a simple cop. I don't really understand the policy as well as my colleagues here but I'm hoping if I provide some real-world context to what we see on the streets it might be of benefit and this could become less of just an academic term. And perhaps something a little more real to us all. So I have 2 examples. I want to talk about DNS abuse and the botnet space and also if had the business compromise space so when we talk about the first your plain owed botnet you've probably heard the term before. All it is a collection of compromised machines that a bad guy controls. But the question is how?

There's always a command and control server that is connected to by the bad guy and that's used to control all the various infected machines out there. It could include your computer at home that's infected. How does your computer reach out to that command and control server? In the case of game over ZEUS this

is a banking technology, and a botnet that sits there and waits for you to perhaps years to log on your bank account then it steals the credentials and passes them on. In this case it wasn't an IP address that the malware reached you to the but this he employed the DNS system.

Go ahead and click. This is a series of DNS queries issued by the malware that sits on the machine at home. And you can see highlighted in red those are the URL it was reaching out to and this is a domain generational grim of these random strings of characters. Those various domains aren't necessarily registered but the malware will kind of use the time stamp on the computer and the bad guy that wrote it knows that for any given time in the future what the domain will be and he has only to wait until he wants to issue instructions to the botnet. Register the domain for that one time, and wait for everyone to connect to it. Single I use throw away.

So in this case this is what are obviously nonsense domains being utilized here. Here is a clever mechanism for sort of avoiding law enforcement scrutiny. It's hard for us to actually predict what the is going to be and it was a private sector that broke this open and allowed us to predict the domains for the next 6 months and let law enforcement register them all. The next case is I think something that I really want us to be aware of but the business email compromise scheme otherwise called BEC is a rampant

scheme the largest amount of fraud that's going on in the world today. I think we are all familiar with you for the benefit of any one that might be even slightly unfamiliar with I want to make sure all this is lying by e mail. And what happens very often is the bad actor the bad guy will impersonate the CEO or someone else in authority and send e mails to folks that have the authority to send wire transfers or send money. And they will rely upon the employee's good will and desire to do right and do their work quickly and abuse that. Much in this example it is a real BEC phishing, of we have the permission from the company to utilize this to show what you happened here.

You and your day to day life are never going to notice that when you receive an e mail from your boss the CEO that the domain there has a very slight change. It's should read fly jet edge but the bad guy sent one with a domain fly IET edge. And this is very common tactic that the bad guys will employ. A single character change and let's be honest we get so many e mails and responding so quickly we never take the time to stop and look at the headers of this. And this is exploited. It's exploited today the tune of 12 and a half billion dollars global loss to date which I'll hit on again. Go ahead.

We can see here that the IP address that of course fly IET edge goes to is going to be completely different than jet edge and some other common character changes might be like RN to

impersonate M. Good luck, or capital I versus L or 1 and wrote that and I can't remember which one is which. Just this is it's rampant. Every hour of every day these e mails are going out. One thing I learned go ahead. That's the attachment. We can leave it and look at it. I just have this attachment because it is what is included in the jet edge compatible. They are a commercial airline carrier and the scheme was to convince they are paying for 12 months prepaid. This varies by industries. They go one at a time and perfect the techniques. They target mom and pop businesses and real estate he is co services and intercept the life savings of folks that are thinking of putting a down payment on homes. They target everyone. And industry by industry. Go ahead.

I mentioned that it's 12 and a half billion dollars. We only started tracking this in October of 2013 and the numbers keep increasing. This is a system go ahead the next few slides are just news articles. You can click through until the last one is a French one. IC3 is the mechanism used to collect complaints on this and an on line fraud mechanism the FBI set up. It's only meant to take complaints from Americans but that's the last slide but this is a scheme is so rampant we've collected complaints from folks in 131 different countries and again 12.5 billion since 2013. That speaks to not only the prevalence of the scheme did you the desperation of the victims. They know the FBI can't investigate

for all the other countries and they report it anyway because the hurt. They need help. So that's what abuse means to me. And if you talk to the folks that you know have the life savings stolen or these philanthropies disappears because they lost everything these are the real-world repercussions and I thank you for your time.

CATHRIN BAUER BULST: Thank you, Gabe. Thank you very much that was really helpful. To contextualize a little bit. So we have some idea now of why we should care, and, of course, the inclusion to this issue to a better prevention of DNS abuse isn't necessarily only found in this space. The discussion we should be having here is what role can ICANN and the community play in the prevention of such frauds because while Gabe does a valuable job he only gets there once the criminals have been successful and ideally, we would reduce the crime by prevention. That prevention has to take part or take place on the side of the company that is being scammed or in the ways of botnets and the side of users who have to have proper security measures in place but we should also be asking the question of what this community can contribute on its side to better prevent these things. So if somebody is registering 10,000 completely randomly generated sets of strings you know that the question might beg itself, why anyone would do that and what kind of legitimate purpose might be behind that and that's one of

the instances of where we as a community can also take a closer look.

This is actually a close link to what is happening with the WHOIS. So you all have we are going to have a dedicated discussion on this tomorrow morning as the GAC but you all have you all are aware there is a policy development process going on and how access can be granted to the data of registrants that they submit when registering a domain name. This used to be publicly available but that is no longer the case for a large portion of the WHOIS data due to data protection concerns. And there were a number of actors basically fighting abuse, based on doing correlations with the help of WHOIS analysis where the information of WHOIS is behind website for example, if you take Gabe's example of the fly jet ways domain name if there is a possibility to verify who is behind that domain name and if the information is vetted it becomes harder for a company to for a bad actor to abuse a company's name that's similar to a company name because there is an accountability mechanism built in can you be if that accountability falls away the responsibility has to be shifted elsewhere and actors who as of now maybe haven't been doing much and the prevention side are basically forced to do more because the third parties who are helping us mitigate the abuse before do not have access to that resource anymore and we are starting to see the impacts of that.

Just to highlight to the WHOIS policy developments which in our view exacerbate the situation also when it comes to DNS abuse mitigation and which force us to rethink the ways in which we can prevent DNS abuse.

GABRIEL ANDREWS:

One thought when we look at the reverse or do a pivotal search you can think of that example. If I see the fly IET edge and I see that that domain is registered it's a very useful investigative technique to go back and say look, oh, okay that went to this IP address. What are or the other domains that were registered associated with that IP because chances are I'm going to see 5 or a dozen or 2 does homoglyphs for other potential victims and if I can do that quickly I might prevent hundreds of thousands of millions of dollars of loss that are going to happen in the coming days.

CATHRIN BAUER BULST:

By extension if that is not possible you have to stand there and wait until the company whose lookalike names were registered come to with you the reports of the money they've lost which is of course not the ideal situation. So with that being said we are glad to have the colleagues from ICANN Org here to tell us a little bit about where we stand with ICANN policies and in it particular where we stand with current audits going onto check what is

happening and contractual compliance and consumer safeguards within ICANN.

JAMIE HEDLUND:

Thank you, Cathrin. I'm Jaime Hedlund head of contractual compliance and consumer safeguards at ICANN and we are I'm happy to be here. This is a very timely discussion there's been a lot more talk recently about DNS abuse although it's an issue that dates back a long time I like the your reference or your link to WHOIS because in some ways there are similarities between DNS abuse and WHOIS just like before the EPDP and the GDPR there was no general community consensus policy on WHOIS. There were individual policies or contractual provisions of there was no holistic policy of the staple is true with WHOIS despite the fact that GAC and ALAC and others have identified DNS abuse for a while as an issue that the community should address.

So what we'll do so first Bryan who is head of consumer safeguards which is different from compliance will talk about some of his efforts to convene a community wide discussion particularly and DNS abuse and then I will talk about some of the things going on with the contracts and then audits and then would be happy to take questions.

BRYAN SCHILLER: Thank you, Jaime. It is good to be back.

(Foreign language).

BRYAN SCHILLER: Facilitate community discussions around DNS abuse. And we started that off in September of 2017 with a community wide webinar where we also published a summary of the safeguards that are existing within ICANN's bylaws and the contracts requesting feedback around the same time the GDPR and WHOIS discussion exploded and took a lot of attention. Jaime tries to continue to blame me for joining ICANN and the GDPR WHOIS correlation but I still don't see that one happening.

Unfortunately, there was a lot of energy and time and effort directed justify family elsewhere so within that time frame we still started to have some discussions around safeguards, I've had a few other webinars with some other SO AC groups upon invitation. Also took a look at some of the abuse complaints that have come into ICANN compliance to see if there was any valuable information there that could be extrapolated for future discussion or to provide some facts back to the community for any potential policy development. And next slide please.

Going back to September 2017 we started asking some questions out to the community, and to kind of touch upon what are the policies within ICANN around DNS abuse. The kind of the simple question is or response is there aren't any policies. We as you know, Cathrin alluded there is a moving definition of what is DNS abuse, and so these questions still remain. There's also you know as you can see here some areas of voluntary measures like the security framework that the GAC was involved in helping to promulgate, and with registry operators, but next slide, please.

But I think we've got some good momentum starting up earlier this year we've had a few in format discussion was the members of the SO AC heading towards a cross community session in Montreal at ICANN66. The we had a good discussion at the GDD summit in Bangkok with a large number of contracted parties where we kind of the idea of a PDP was floated in Bangkok. There was some lively discussion around that. What might a PDP around DNS abuse look like, or are there potentially other mechanisms that could help facilitate DNS abuse mitigation within the ICANN community, and are there gaps or things that ICANN compliance would need to go after really what the ultimate question is. The systemic DNS abuse problems. We there are a number of contracted parties who do have responsive abuse programs. We've been talking about how can they educate

the rest of the community a bit more or what they're doing to an address abuse.

Some discussions around possibly what are somber evidence or empirical evidence for reporters or sources to provide to contracted parties on being able to respond to DNS abuse complaints and there's also outside of the ICANN community I've been a bit involved in, as I know a number of folks in this room have as well. The Internet and jurisdiction project and there's been some good discussions within there around it's broken into 3 different topics. Data and jurisdiction, so you know cross border access to digital information such as you know somebody's e mail records or subscriber information.

Then a second prong around content and jurisdiction and a third prong we've been involved in which is around domains and jurisdiction and looking at the types of abuse mostly focused around what are the voluntary measures that are available out there. But one prong of that was starting to look at you know kind of is there a cross ecosystem standard that could come around abuse complaints, but you know again that's a conversation that is happening outside of the ICANN community so for anything that is being discussed within the Internet and jurisdiction project or any other entities outside there someone from the community would need to bring that into within our ecosystem to kind of discuss that within our community. But we I do think there's

some potential progress for a cross community session in Montreal, and we will welcome any input and discussions in that regard.

JAMIE HEDLUND:

Thanks, Bryan. From the perspective of contractual compliance one general comment is and this is confirmed by the data we've seen from the DARR system which is run by the office of the CTO, but there is you know the vast majority of registries and registrars are doing are expanding some effort in combating and mitigating DNS abuse at least the current definition that's in specification 11, 3B of the registry agreement. The vast majority of abuse is perpetrated by a handful a relative handful of contracted parties, and they are really they're often contracted parties who don't show up at ICANN. Who don't participate in policy discussions. Who are difficult can be difficult to reach, and so from a contractual compliance perspective what would help us the most are tools that would allow us to go after those handful, and the discussions in Bangkok is that Bryan alluded to is it seems a lot of the registries are not only doing the right thing and register stars are doing the right thing but they understand the reputational hit that they take as a result of these sort of proverbial few bad apples, and a number of them have

come up with announcements I'm sure you've seen on some of the incentives that they're using now with registrars to try to reduce DNS abuse.

So recently we launched our first audit specifically focused on DNS infrastructure abuse. It started last November. It is wrapping up now. We in the past the way we've done audits is we've taken a small number of contracted parties and audited them on their compliance with the entire contract at most once every 3 years. This time what we did is we audited virtually all the registries and we looked at their DNS abuse obligations and how they were complying with that. As many of you know, the in the base agreement of the new gTLD agreement there is one main DNS abuse obligation which is in specification 11, 3B which requires registries to scan their zones to monitor for DNS abuse, and to keep reports of that and then including any reports of any action that they may have taken.

That provision came directly from GAC advice. Again it did not come from any community policy discussion or anything else. The GAC provided the advice that I think you showed earlier in Beijing, and it applies to the almost all new it applies to all new gTLDs and almost all gTLDs. There is no provision for similar provision in many of the agreements with legacy top level domains. And while we did include them in the audit some of them declined to participate noting that they had no obligation

to do anything. That's not that does not mean they are not doing anything against DNS abuse they are just not doing anything against DNS abuse that compliance can check on and off that's an important distinction. So just quickly on the audit itself. The meat of it basically was we asked the recreational industries registries to provide a security threat report they compiled for a period of time which would typically indicate the abusive domains that they had identified and these again are limited to what's in spec 11, 3B so phishing malware command and control botnets and they could say for this period of time we had those domains and or however they there's no required format but they would provide whatever information was in the report on that period of time. We then leveraged DARR and the reputational blacklists underlying DARR to look at the same period of time and see what was covered what domain names may have been covered during that same period.

And then we made the comparison between the 2. And the comparison you know it widely varied. There were some where it was almost eye identical there was some with some gaps and others with an enormous gap and for a number of those we sat down with them and had really constructive discussions looks at the reputational blacklist the RBL they were using and the ones that we are using and the some of the deficiencies in both. Some

of the RBL's don't necessarily update their lists once a domain is no longer abusive.

Some leave them on even though the action was taken a long time ago so there's lots of lessons learned from both sides. We will so as we went through this we provided individual reports to each of the new gTLD all of the registries, and they there were you know there were a number of them that had abuse in their gTLD ago we talked about the observations from there. There were a number of them who had off in even registered any domain names and so they have no security threat monitoring in place. And we asked them to tell us when they would. If they do register domains. And then there were finally there were many who had no particularly for brands who had no abuse in their TLD's or in the own SDR's or our own. We will launch a similar audit for registrars in September. We don't yet have we haven't settled how we are going to do it because they have different obligations there. It's obviously many more of them than there are registries. But we hope that you will look at the public report in July. We hope that that will be helpful input in the community discussions on what obligations exist where there may be where there may be gaps and what tools would help us, and you know there's basically it comes down there's basically 2. There are there's consensus policy, and then there's amendments to the contracts. Consensus policy is done with the community.

Amendments to the contracts are done between the contracted parties and ICANN. Either way, you know we're agnostic but it would be great to have tools to go after systemic abuse. Thank you.

CATHRIN BAUER BULST: Thank you so much Jaime and Bryan. This was extremely helpful and before we open the floor are for questions allow me to contextualize this once more. A lot of you are new to this environment and just to explain the DARR tool is the domain activity abuse reporting tool. It basically seeks to create transparency around what sorts of abuse or what level of abuse might be going on at the current point in time it is not very granular. It provides a score for a generic top-level domain. So it only shows that a certain generic top level domain might be keeping a cleaner space than another one T does not show which domains under this generic top level domain might be the problem or which registrar it working with that gTLD might be the source of concern so at the mobile home it's high level and extremely abstract. Which has an impact on the usefulness. But that notwithstanding the tool is there, and it helps us create evidence-based policy and that was the purpose of the GAC also in supporting this. And my second point is just to say that, in fact, Jaime being here and this compliance being conducted shows that the GAC's concerns have had a serious impact and what is

happening. When the new gTLDs were launched the GAC had security concerns and said we need to do better and policing this this space.

It is understood by everyone that most of the contracted parties who attend these meetings are not the bad apples. In fact, we have reports from the from one of the recent review teams competition consumer trust and consumer choice thank you Jaime review team which basically found that something like 60% of phishing was being committed from within just 5 generic top level domains so a lot of the abuse is actually concentrated with a couple of really bad actors and a lot of the people who are here are actually doing a ton of work to keep a clean space I however we currently don't seem to have the right policies in place to go after the bad apples in the most effective way. And that's what is creating part of the challenge but the fact this audit is happening on 11, 3B is only because the GAC provided advice saying there needs to be a specifically requirement to do the security checks that Jaime was now auditing so just on to say your work is not in vein. We are seeing an impact and the conversations that Jaime and his colleagues are having in the context of this audit are also helping to flesh out the issues with the policy where there are misunderstandings. Where you know the different information feeds might not always line up for logical reasons and that can help us make informed choices and

particular when it comes to possible subsequent new gTLD rounds and to adapt the policy as is needed to make sure that we all have the means to have as clean a space as possible here at the this community. With that being said we would be glad to take your questions and I am going to turn over the discussion to be run by Greg.

GREG: So anybody questions so far? No? Okay. So sorry yes, sir.

INDONESIA: Just a short question for I am from, Cathrin, I wonder if in your working group your team you also discuss the basic, the basic philosophy about the security problem. We discussed this several times in the GAC since many years ago, that is security and comfort ability is always fighting you know, and the more you have security the left comfort ability you have. The more comfort ability the less security you have. That's basically now in many discussions we already discussed that, and for example our Mr. I forget Mr. policeman okay I always sorry, I always to talk with law enforcement people. They always talk straightforward, and I always mention to them that the security and comfort ability is just like law enforcement and justice you know. They always have problem one to another. Now, in many discussions we discuss about the possibility of having gTLD more security. It means that

they also have to check their end, what you call it they are registrar. They are users to today for example if a... can apply for DOC at Gmail.com they will not check you. Now to avoid this one in several group discussion if I can focus in many countries, we are talking about the possibilities of gTLD to be reviewed by ICANN and give some sort of security level, level 1, no requirement to register. If... can register for the gTLD. Number 2 you have to check the company. You have to check the whatever. Number 3 not only check you have to have CA authority. Number 4 you have something. And after that ICANN can say okay, DOTXYZ is level one. .ABC is level 2. .DEF is level 3 and based on that ICANN can always say okay if you don't have any security problem just use .XYZ free of charge.

A million gigabytes data center whatever. Nobody asks you were for you are. Level, you have to give your number of you have to pay for a CA I don't know how many dollars now that kind of level and so by doing that by giving the index security grid then we will know all those gTLD, and in Indonesia, of our socialism system is if you get something from .com be careful. It's really a complete .com or a company with I on are with Y. As you mentioned a company with I and Y might be a different company. A different person. And ninth... you somebody else meet the ASHWIN company. One is a good Ashwin one is the bad guy who try to make me bad you know. Things like that. And this can be done,

easily with gTLD which is not which give freedom to the user. And one of my associates in Indonesia says if you use .ID we can push the we can tell the .ID. Look you have to check who is your... these kinds of things weaning do but of course again you need the policy changes at ICANN and I would like to know whether in this the group you also discuss this basic philosophy of policy changes to get less comfortable. Higher security. But to reduce the, the comfortability properly just reducing the index security system. Thank you.

CATHRIN BAUER BULST: Thank you very much for that question. I'm going to give Jaime also and Bryan an opportunity to react but quickly, some context on this also. My husband and I have an ongoing discussion about two factor authentications. He is annoyed when he does his on line banking he has to provide additional information so to make sure that he can access his account right. It's as you say a comfort question. He wants quick access. He doesn't want to be bothered with an SMS or whatever the additional measure is. And the same of course is true for the I have a different perspective working and cybercrime. I try to convince him there is a point but the same is true for domain registrant. They want the domain quickly. Don't want to be bothered with any additional checks and so on so they were not happy if there is additional measures that they need it take to get a domain and it might cause them to go to another

provider are choose a domain under a different gTLD or with a different registry that does not conduct the same level of checks because it is faster and we understand that and I think as the GAC in the past this is the reason why we have been agnostic as to what security measures are taken.

We are not necessarily prescribing any measure over another but rather the GAC was focused on the end goal. There needs to be a clean are space and that could be done by ex anti checks that can be done by verifying that the registrant those registering a site is, in fact, who he or she pretend to be and there are top level domains to have built around this like the verified and there are some really good examples also of ccTLDs who keep a clean space which does a lot of verification. But there are also measures that can be taken based on statistical analysis or based on facts like if I'm register 10,000 totally random domain names you don't need to check who I am to have a suspicion about what I might be intend to do with those domain names much there's a lot of measures that can be taken that don't necessarily have to impact the comfort of the person registering. At the same time you have to balance things because if some discomfort for a person registering means you spare 10,000 owner individuals a lot of discomfort and lot of loss of money who are also citizens of our countries that need to be protected then of course that is

something to also put in the on the scales in terms of balancing what should happen and where. I don't know Jaime whether.

JAMIE HEDLUND:

So thank you for those. Those are all interesting ideas that normally would be part of a community discussion on policy development. Alternatively they could happen within the GAC and could lead to advice from the GAC that would theoretically conceivably apply to the in next round of new gTLDs and if the Board adopted them would be incorporated into the contracts just like what we have now. The down side of that is there are a couple of down side. First of all it's better than doing nothing and there's no question the spec 113B is on balance better that have that than not have that. The down side is because it comes from the adoption of GAC advice there's no they can often be a lack of common understanding about what it means so for example in the audit we've just done, there are lots of registries who saw our questions as looking at not just did you do a security threat report, but how did you do it? Is it effective? Are you, are there other reputational block lists you could use those kinds of things?

Because it's just a few lines in a contract, there is a possibility and we've seen of some other registries taking the opposite view. No, like all you can do is look to see that we have a report. You don't get to ask us any questions. And so that's kind of again it's better

than nothing but if it's just in a contract without community discussion and policy development behind it, then there isn't there's risk there's going to be divergent understanding as what the obligation means but which all mines I encourage you to continue to raising these ideas, and community wide discussions and obviously here with in the GAC.

DENMARK:

This is Finn, we think it's very important with this project, and look into the abuse and see what can be done, and I will hope that the contract condition will be much better in the future and if we can help with the community to get it the right. So it is clear, and it can be enforced we will very much support that. We have good examples in Denmark to look at the registration, if the registration data is correct, then at least what we call force Web shops which harms consumers, and violates intellectual property right will more or less vanish much there is a direct correlation between the accuracy and the ones who want to cheat customers. The project has been introduced in Denmark reduced the number of false Web shops with more than 75 times, so it's actually gone down to zero. And that is only by the using a risk-based system where you look at certain things and if, if it seems to be okay they get it. If there might be problems they have 30 days to come up with their identity, and the same way as banks and other are doing it, and if they are red because of many things

it could be because they register the domain names just after they have done they won't get it but they can send in their information and they will get it and this have actually functioned very good in this specific case. So we will very much support looking into tools and more clear contractual conditions, and enforcement possibility because if you don't have the enforcement possibility and you do it, nothing will happen, thank you.

SPEAKER: Thanks very much. Anybody question? Comment?

GREG: It's very important the GAC comes up... we had a number of exchanges with them and it's important to also take this into consideration. I think it's also important to promote fact-based policy making and in the last couple of years we have seen a number of academic studies that studied the space thoroughly with methodology and the findings are very interesting. You have issues with and that's on the slide. The pricing policy as a direct impact and abuse. We wouldn't be in the position to ask registrars and registrant to raise prices to fight abuse but we can look into financial incentive. If we had transparency and we were to push a bit more the of the DARR for instance, we have a little bit more concrete data on which operator might be a bit more

reason orient. Which domain is more abused you could come up with in severity of by which bad actors pay a higher ICANN fee.

That would be a direct economic incentive for registries to clean up their space and then you build we have a number of are innovative solutions to push. And yes, we need to continue the discussion with the broader ICANN community, we have also a number of connected issues such as RDS accuracy. As fin said this has a direct impact if you know your registrant then you can find abuse better. Privacy and... this is something we should be discussing. ICANN's position is currently that speakers of the ongoing EPDP discussion the current disclosure framework that the community has come up with as a consensus a few years ago has been stalled. We believe in the public safety working group we should look at it and potentially start implementing it again before we come to consensus in the EPDP policy us what impacting our investigations and it is impacting the security of the space. And again coming back to the transparency and fact-based policy making the DARR instrument is really essential. We had to discussion with the registry. They also like having more transparency but we need to look into the possibility of providing more concrete information. IE proper data for them to be able to act instead of just giving them a score where they have an idea of how good they're doing or not. But they are asking for transparency and they want to have more data and the same

goes for us so that's some issues we should be looking into.
Thank you.

CATHRIN BAUER BULST: Thank you, Greg. And thank you again to Jaime and Bryan. With all of that being said let's look at what we as the GAC can do to advance the discussion. And we want to propose to you a number of possible next steps to consider. You will also find them and more information listed in the very comprehensive briefing materials you have received on DNS abuse mitigation. Now the first thing that we might consider doing is to follow up on previous GAC advice. So we had some very specific follow up to basically allow the GAC to assess the implementation of new gTLD policies focusing on security of the TLD space in several communiques in the Copenhagen case where we started compiling a list of questions to allow the GAC to better assist where the implementation of the policy stands and to better assess the status quo that is now also coming to light through channels such as the current audit process that's going on. That was sort of foot and the back burner because we were so wrapped up in in what was happening on the WHOIS space which took a lot of band width for everyone in the GAC. And also for the public safety working group. But that is one piece of work that we would invite the GAC to pick up again. And to task us can following up and so we can continue the conversation and basically flush out

where there might be further areas that might need work that we can then work on together as the community.

As a second step we would also invite the GAC to consider follow up on the implementation of the consumer choice consumer trust and review team regions as you remember in Kobe we had a longer discussion on this because, in fact, there were some very detailed recommendations coming out of the CCT review team most of which were not accepted and deferred by the Board because there were concerns the community was not ready for these recommendations however there a number of them that at face value might be... there might be something we could do at the community at the present stage so that is something the GAC could keep a close eye on. And then finally picking up I think we have the same idea here that of course in starting a community discussion or in continuing the ongoing community conversation on abuse the best is to get everyone together and one trusted format that helped advance discussions in the past is to have a cross community session on these issues on the next meeting in Montreal. So those are the three things we invite you to consider at the present stage. I will stop here to see if there is any questions or comments on any of this?

And if not, then we will leave you with these considerations for your further reflection. Yes, please David go ahead.

DAVID TAYLOR:

You mentioned the CCT review team. I am a former member, or just a member of that CCT team and picking up on what out just said, I think is very useful with the recommendations and I would like to follow up with where we are talking about what can the GAC do and obviously the GAC had a real role. Jaime mentioned that before getting that specification in previous about you know reviewing his own files etcetera. And I think I just point the GAC to recommendation 15 which was listed up there are which is the DNS abuse one because that is one which we listed as a prerequisite before any gTLDs go into the route and we need to make sure we got things in the place in had the baseline contract as Jaime said so either the baseline contract or we suggested a DADRP dispute resolution policy as another mechanism if ever there isn't the right procedure or agreement in place in the baseline contract. So that's something we are happy to work with anybody on that. And again coming back to where you said, we've got to be careful Jaime said we've got to be careful what the GAC puts in if it doesn't come from a PDP or doesn't come from that let's try and get the language right and get the right thing in the baseline contract.

CATHRIN BAUER BULST: Thank you very much David and also for making the connection between again to the subsequent gTLD rounds. We need to make sure the policy the GAC thinks is in place works before we deploy it for a new set of round or new round so that's where we need to get a little bit more transparency and possibly look at developing a consensus-based community policy that works again to weed out the bad apples most of which aren't present in this space. So with this, oh there's please go ahead Fiona.

FIONA: I wanted to thank you for the presentation and thank Jaime and Bryan for the work and to satisfy the identify of yeah of a cross community session seems a strong and good possibility to have this conversation with the broader community and something very much the U.S. would support.

CATHRIN BAUER BULST: Wonderful. Thank you, Fiona. So if there are no further comments thank you all very much for your attention and showing up at this early hour for this technical and important topic and with this I hand the floor over its Manal, who will chair the next session. Thank you all.

[Applause]

[NEXT SESSION]

MANAL ISMAIL, GAC CHAIR: Thank you, Cathrin and thanks to all the public safety Working Group and everyone who spoke at this panel and to GAC colleagues who interacted actively. Please remain seated. We will proceed directly with the following session.

MANAL ISMAIL, GAC CHAIR: Good morning, again, everyone. This is the session on .AMAZON and we have received the request yesterday from ICANN Org to give a quick brief on the roadmap of the .AMAZON since there has been until to date. So we will start by this quick brief sorry, Laurent, if we can keep it 3 5 minutes so that we can proceed with our session which is a little bit limited, unfortunately, to 45 minutes. Thank you very much. Laurent, over to you.

LAURENT FERRALI: Thank you, Manal. I am waiting for my slides. So, good morning, everyone. My name is Laurent Ferrali. I will give you a brief review of the .AMAZON process since most of you were not present. I will keep it brief because you need some time to discuss this very important issue. Can you please remove the zoom chat I have in the middle of the partition? Thanks. OK. So I will start without my presentation. So, yeah, in Durbin the GAC decide to object to the .AMAZON application from Amazon corporation. Thank you.

Thank you very much. So, as part of the GDPR, Amazon applied for .AMAZON. It was applicants for the GDPR. The GAC advised the board to do not proceed with that .AMAZON delegation and according to the applicant guide book, the GAC had the opportunity to ask the board not to proceed and the board followed the GAC advice and directed ICANN to proceed with the application of .AMAZON. It was on 14th of May 2014. So at this moment, there was no delegation possible for .AMAZON and Amazon corporation tried to find a solution and send the solution to active countries in October of 2015. This proposal was supported by active countries. Amazon Corporation decided to begin the review process in March of 2016. Next slide please. I have this review process and in July of 2017, and the final panel stated that the board acted in the manner and consistent with the bylaws. Thank you. Can you please I was reading my slide please? Thank you very much. Yeah, so what the panel decision decided was that the board didn't have the didn't have the opportunity to reject the .AMAZON application and just without any rational. The fact that the GAC object to .AMAZON was not sufficient. The idea was that the board has to provide the rational but there was no rational in the GAC objection to Amazon and this is why it was not consistent to reject the .AMAZON application. Next slide please. So after this declaration, the board ask the GAC if the GAC have any rational to provide in order to reject the application. The GAC was not able to provide any rational to the board and ask the

board to help the two parties to find a mutually acceptable solution. Next slide please. So the process began after ICANN60 but after almost one year of discussion, there was no progress on this .AMAZON issue. The two parties were not able to find a mutual solution, so the board decided during ICANN64 in Kobe to allow both parties an additional four weeks to find a mutually agreeable execution regarding the .AMAZON application. This four-week period ended in April 7th and at this time, it was obvious that no solution was found, and so in April of '17, the Amazon corporation sent to ICANN some public interest commitments which, I mean, the aim of these is to address the concerns raised by actor countries. And then it is on proposal. Next slide please. And the last board decision was on the 5th of May, the Board asked ICANN to continue processing the .AMAZON application. According to the policies of the program, and asked ICANN to publish the commitments from Amazon Corporation. These commitments are not published because in the meantime the government of Colombia requested that the ICANN Board and ICANN Org try to help the two parties to find a mutually agreeable solution and yeah, but there was no solution on the table, so they decided to ask the ICANN Org to continue with the negotiation of the .AMAZON. Next slide please. The Board decide that the Amazon corporation proposal were not consistent with the GAC advice and there was no policy reason for why the Amazon application should not be allowed to proceed. The Board cannot

decide to [indiscernible] an application without any public policy reason, clear public policy reason. As I told you on May 15th, the Colombian government [indiscernible] this request. Thank you very much.

MANAL ISMAIL, GAC CHAIR: Sorry. Thank you very much, Laurent, for this overview. So with this, Thiago you want to go next, please.

THIAGO JARDIM: Thank you very much madam chair and Laurent. As we plan this session on the .AMAZON application it will serve for the GAC to have internal discussion, so we can prepare for future interactions with the ICANN organization and the ICANN Board and the community in general. I will first perhaps touch upon points that you already know representing the position of Brazil before giving the floor to the concerned countries and then we will open the floor for comments and views from the other GAC members before taking a decision or considering the possibility of adopting a decision on how to proceed. So as you know, the .AMAZON applications were applied in 2012. Under the rules of the applicant guidebook and the guidebook provided the GAC could object to any application in different ways. For example, the GAC could provide non consensus advice against an application. One specific example comes to mind. It is not

.AMAZON. It is the application for .Persian gov. In the case of these applications, after complaining by the relevant countries, the board was forced to draw the appropriate consequences from GAC non consensus advice and the consequence of the GAC non consensus advice against these applications was that the board should not delegate them until the concerns of the relevant countries had been properly addressed. The Board, which had authorized the delegation of the Persian Gov applications, despite the opposition of the relevant countries, the board was forced to walk back and stop the delegation. This was GAC non consensus advice. The .AMAZON applications as you know were subject to GAC consensus advice which as a stronger type of advice. The consequence of this, as it were in 2014, as the board accepted in 2014, were that the .AMAZON applications should not proceed, but as you know, the applicant decided to appeal against the board's decision to accept GAC advice. As a consequence, a review panel, only two years ago, recommended that the board should decide again whether or not the .AMAZON applications should proceed in the face of GAC consensus objection. So prompted by this recommendation, from a panel, composed of three judges, the board then asked the GAC if it had any more information and I quote regarding the GAC's advice that the .AMAZON should not proceed and that the GAC wish to share with the board. The GAC responded to that request one year ago in March 2018. And the information it provided regarding GAC's

advice that the .AMAZON application should not proceed was a mutually acceptable solution was necessary for the applications to move forward, specifically a solution that is acceptable for the applicant, company and to the eight South American countries that have public authority over the Amazon region. Unfortunately, a bit more than a month ago, the ICANN Board decided to accept delegation of the .AMAZON strings based on a solution that is not acceptable to Brazil or any other of the eight Amazon countries for that matter. As a matter of fact, the proposal that the board accepted is essentially the same and is in many respects also worse to the proposal that will applicant provided to the whole GAC in 2017. Many of you will remember that the GAC's reaction to that proposal was to encourage negotiations because as a matter of public policy in this case which involves an application raising political and policy concerns related to the use of the name matching the Amazon region and communities, a mutually acceptable solution for the countries in the region is necessary. Now, if the proposal of the company fell short for the GAC of what was needed at that time, how could delegation move forward now? Not only in the absence of a mutually acceptable solution as was called for by the GAC but also on the basis of a proposal that is essentially the same as the one the company put forward in 2017. As you may or may not know, the eight Amazon countries presented an interest that would allow delegation of the Amazon strings to the

company, and we offered to negotiate it further so that compare to the company's proposal, which did not change meaningfully since 2017, the parties could perhaps meet halfway. Whether or not there has been willingness on the other side to discuss and find alternatives that would satisfy the public policy concerns of the eight Amazon countries, the fact is, and this is deeply concerning, the fact is that the board chose to disregard the advice of the GAC and ignore the public policy of governments. It overturned GAC advice regarding why the .AMAZON applications should not move forward. Advice which made it clear that for the .AMAZON a mutually acceptable solution is necessary were the eight South American countries with public authority over the Amazon region. Also, the board overlooked that even within ICANN and I am quoting from one of ICANN's core values in the bylaws, I quote governments and public authorities are responsible for public policy. Governments and public authorities. Not the ICANN Board for as much as we like the ICANN Board. Now, let me quote to conclude the statement of Brazil's ministry of foreign affairs that we issued with respect to these ICANN Board decisions on the .AMAZON applications. And I quote, the ministry of foreign affairs of Brazil deplores the decision of the internet corporation for names and numbers published on May 17th, 2019 to authorize the assignment of the top-level domain name .AMAZON to the company, Amazon Inc, and in the absent of a mutually accepted agreement. The decision of ICANN, a private

law entity of which states are not members, does not take into account the public policy advice emanating from ICANN government advisory committee, GAC, which recognizes the public character and politically sensitive nature, and consider the assignment of these domain names should only occur on the basis of the solution acceptable to the countries of the Amazon region. It is troubling a decision by the entity fails to adequately consider to public interest identified by eight governments in particularly the need to safeguard the natural, cultural, and symbolic heritage of the countries and peoples of the Amazon region. Brazil has been a strong supporter of the multi stakeholder approach with all stakeholders and governments and private sectors. The ICANN decision undermines that approach and so far, as it is not based on the principle that sovereign states have rights and responsibilities for public policies and issues related it internet. Here in the GAC, we believe it would be appropriate that we state in our Communique that GAC advice on the .AMAZON applications has not been complied with. We regret that and that the board should restore the proposal so they can meet halfway as we have been offering to do. Thank you. This is the end of my intervention as representative of Brazil. I will proceed to give the floor to the other concerned countries who may wish to speak before opening the floor for the rest of the audience. I see Colombia.

COLUMBIA:

Thank you very much. For the record, I am from the digital economy and representative for Colombia.

I am going to do this in Spanish. The delegation under government of Colombia wishes to take the space to mention considerations related to the application of the .AMAZON. The eight countries that constitute the ACTO have stated our firm rejection to any partition so that third parties may list the names of the state. Without the consent of Amazonian countries. And so, there are different statements from foreign affairs ministers over the Amazonian countries and the Amazonian corporation council and the eight countries have also stated their willingness to engage in a dialogue so as to find a mutually acceptable solution as recommended by GAC. Lar Bolivia, Colombia, Ecuador and Peru issued a statement on May 25th and stated their concern of the recent decision of the ICANN Board to continue with the delegation of the .AMAZON domain even though there was opposition of the members and against the statements of the declaration of 2013, the result of the fourth ministers conference on the information society. The ministers of Latin America rejected at that time the appropriation of any the appropriation of this domain by any application without the consent of the countries of the region and against the recommendation this governmental advice has given to the ICANN Board in how to

proceed. We have the position of the Amazonian states and have to remember the GAC made two important recommendations. The first one in the Durbin Communique where it took into account the concerns of the Amazonian countries and so it conceived that the application of the Amazon corporation should not proceed and the second one in the Communique where it took into account the results based on an independent review panel and it determined and I put emphasize a mutually acceptable solution should be reached regarding the objections expressed by the member states of the Amazonian. In Abu Dhabi, based on the Communique, several members of GAC stated their concern about the proceeding that this application might generate. The essence under terms of the process of the domain where the tools for dispute resolution of the corporation have been used not only to put in doubt the fundamentals of the GAC recommendations but also to make them change. Of course, we should not emphasize the facilitation role of the CEO of the corporation was unfruitful. That we have to say that the purpose has not been to reach a commercial and economic agreement, but to protect and satisfy the needs and representation of the people we invited. Therefore in compliance of what has been indicated by the board started within the framework of the meeting direct conversations with the corporation and in many cases the countries send feasible solutions so as to reach a mutually agreeable solution and the Amazonian countries sent

over five public interest commitments and the answer was negative and the arguments of impossibility were received. Some of the proposals sent by the countries talked about having an independent system for dispute solution so as to generate a least of reserved names to create a committee in which the countries and the company would have voice and vote service to manage the least of reserved names and therefore they are used in registration as well to suggest a third party with expertise in cultural heritage may pronounce on the meaning of the cases where there may be discrepancies about the geographical name after the application. In conclusion, proposals to have a shared governance and domain in which the company would preserve the commercial interest and the state would preserve the cultural, economic, political, social and environmental interest of the Amazonian regions and their communities. As we have said in several communications sent to ICANN, all these efforts have been fruitless and they have been extremely frustrated for states. It is clear that the interest of the corporation has not been to establish a dialogue and to look for a potentially acceptable solution for both parties. The corporation wanted the countries to adhere to what was more convenient for the private interest. We should also say that this is not going to happen because we understand that that may be the role of a CEO of a corporation but it will never be the role of a government that has to think and stand up for the interest of its people. So we tried to find a

mutually acceptable solution, so the countries have become increasingly active trying to understand their particular characteristics of this process. That is why the government of Colombia has requested ICANN to grant access to the documents that supported the corporations' application through a DIDP. To our surprise, the corporation give a quick reply. The corporation denied/declined our request because it considered that that documentation was confidential. So we engaged in a task of research, trying to establish whether the specifications adhered to by the corporation are actually the adequate ones and whether they are meeting all of the necessary requirements. In the DIDP communication, those communications that marked the end of the conversations with the company, we requested the ICANN Board that there should be a decision made on this basis. And we could not get to any solution. In the days prior to this meeting, the government of Colombia filled a request for reconsideration and we hope that this will solve this substantial issue. We would like to take this opportunity to call upon all the countries that are part of this committee, for them to take into account, the legitimate concerns and interest of our states in the search for a solution. This is key to make sure we have a global governance system that will preserve adequately all these interests and will enable the internet to continue to be an interoperable network with equal opportunities for all. This discussion is based on the bylaws of the corporation in the section 1.2 paragraph 2 it indicates any

decision-making process taken by ICANN must reflect diversity and cultural diversity of the internet. We want ICANN to continue to serve as a global forum where reaches and solutions are built together with interested parties in order to reach a mutually acceptable outcome. This will benefit not only the participants involved but also the peoples and regions all over the world. However, this is not an isolated case. This could turn into a very serious precedent for future situations where there may be disputes for the assignment of geographical names. So we reaffirm our commitment to strengthen not just the GAC but also the role and defense of the interests of the States in this ICANN system. The multi stakeholder model has been working in an everchanging context but aspects related to the governance of internet must evolve avoiding and undermining of the role of the States. Therefore, we consider that processes within ICANN must strengthen inclusive decision making. By no means can these processes take place without the participation and support of the States. The States represent approximately 348 million people and we have expressed our trust that the .AMAZON process will constitute a decisive precedent about the good management of consensus among multi stakeholders. Finally, I would like to say that a mutually acceptable solution would be emblematic for the model that ICANN wants to reach but if we fail in this resolution, this would be a difficult blow to ICANN and especially to the GAC. It would be difficult to recovery from such a situation. Therefore,

we request that the support of the countries present here to support once again the GAC recommendation and also to provide support to the request for reconsideration of not to proceed with this delegation. Thank you very much.

Thank you. I give the floor to Peru.

PERU:

Peru speaking. Thank you, chair, for giving me the opportunity to present to you on the declaration signed by four presidents of the Indian community of nations. I will try to be as brief as possible. I will read out this declaration. This is a special declaration of the precedent of the Indian community of nations about the use of new technologies and the top-level domain .AMAZON. Dated May 26th, 2019. In our dual role as Indian countries and Amazonian countries, we would like to express our deep concern for the recent decision made by the ICANN Board for the assignment of names and numbers adopted last May the 17th that allows for the delegation of the .AMAZON top level domain to the Amazon Incorporation on an exclusive basis despite the opposition of the member countries of the Amazon corporation treaty organization, ACTO and against the recommendation of the governmental advisory committee of ICANN of achieving a mutually acceptable solution. With this decision, ICANN will not only be setting a serious precedent by giving priority to private

commercial interests over public policy considerations of the States, such as the rights of the Indigenous' peoples and the preservation of the Amazonian region for the benefit of humankind and against global warming. With this decision, ICANN would also be disregarding the 2013 Declaration of Montevideo that resulted from the fourth conference on the information society. In that declaration, the ministers of Latin America and the Caribbean rejected any attempt of appropriation without the dual consent of the countries of the region of the .AMAZON or the Amazonian reference in any language as well as any other top level domain related to geographical, historical, cultural, natural names which must be preserved as part of the cultural identity and heritage. Along these lines, we express our decision to join efforts to protect the interest of our countries as they relate to geographic or cultural names and to protect the right of the Indigenous' peoples to cultural identity which may be affected by new technologies such as the internet top level domains where internet governance as not been properly developed or implemented with spaces for the defense of public interest over private interest as a new area of action for the Indian community. This declaration is signed by the president of Bolivia, the president of Colombia, the president of Ecuador and the president of Peru. As you may have realized, the position stated by these Presidents is a position that shows their willingness to have negotiations and a dialogue. They want to

recognize the rights of the Amazonian countries as well as the interest of the Amazon corporation. We take a stake for dialogue negotiation. I have just spoken on behalf of the Amazonian and Indian countries but I would also like to speak on a different capacity. I would like to speak from the point of view of the Amazon Corporation because if you don't see both positions you cannot reach a mutually acceptable solution. Let me refer to an article that was published in a Moroccan newspaper. The article is in French so I am going to switch to French. This is a newspaper from Morocco. This is one of the newspapers that is most important in Morocco. Three days ago, this newspaper published an article with the following headline "Amazon imposes its supremacy". This is a very interesting article. I am going to circulate it among the GAC members so that you can have a look at it. Why do I present this? Because this article states that Amazon corporation has \$315.5 billion in turnover in 2018. And this year, it had \$108 billion profit in just one year. That is 52% more than in 2018. The article goes on to explain the current situation of Amazon Corporation and towards the end of the article, the following question is posed; is everything fine for Amazon? We shouldn't be so sure according to analysts, the company runs the risk of running into very difficult situation with the American authorities, the European authorities, and the American trade federation. It seems that everybody is now realizing quite late that Amazon poses a big threat. It is such a

huge company. It is so powerful. It is so ubiquitous that it is now posing a threat in terms of fair-trade policies that are prohibited under the antitrust law. Why am I saying that? I am trying to see things from the perspective of Amazon because this article has not been written by the Amazonian or the Indian countries speaking against Amazon. This is the vision of a specialized Moroccan newspaper. It is called Le Economist. They published this article about this topic. We call upon Amazon Corporation to reconsider its position to adopt the position of respect also for the position of the Indian and the Amazonian countries. I don't think it is good advertising for Amazon to have an article saying it is imposing its opinion over the Amazonian and Indian countries. The article says I think the situation for Amazon right now in the eyes of the general public, and the global, may change for the worst. I think that Amazon, as well as other multinational companies such as Nestle, should give proof that they are truly willing to engage in a dialogue and to find mutually acceptable solutions. So the best type of advertising for Amazon would be to have an article saying that although it could have imposed its supremacy, it is going to negotiate the domain name with the Amazonian countries. I think this would be an excellent opportunity for the Amazon corporation to tell the rest of the world that it is also considering the rest of the globe. So we call on the Amazon corporation to reconsider its position so that through dialogue and negotiations we can truly reach a mutually

acceptable solution. Amazonian and Indian countries don't want to impose our position on them. We want to reach a mutually acceptable solution. In that regard, we make a special call on the U.S. Government to support us here as well as on other countries that consider this is a fair request. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Peru. I have Venezuela next.

VENEZUELA:

Thank you, Manal. My government is pleased to see that during this 45 minutes of session we have held this session almost entirely in Spanish, so I feel at home as if I were in my region and speaking in my language with all my fellow delegates and the Venezuela Republic states the strong rejection of the decision made by the ICANN Board on May 15th, 2019 based on its resolution of 515 13 to continue with the delegation of .AMAZON for in favor of Amazon Inc, the U.S. based company without having reached a mutually acceptable solution for the company and Amazonian countries. That has been the main goal of GAC in this issue. The name Amazon and any of its variants in other languages is attributed to a geographical region that stands for cultural and heritage values for the countries that make up this region especially for its inhabitants mostly from Indigenous people. In this regard, there should be no room for ICANN as a

private, non-governmental organization to delegate to the company for profit the use of these domain names for its own interest especially when these compromises are the name of one of the regions with the greatest bio diversity in the planet and that stands for universal value for the entire humankind and the defense of the Amazonian people and the society of information can establish limits to public international law on the freedom of public and private stakeholders including ICANN for the possibility of delegating names with a cultural or geographical significance as gTLD except with the countries, the Venezuela government calls upon other Amazonian countries to leave aside political dispute in order to give priority to the need to bring together our forces to look for a satisfactory solution to this problem and to denounce any attempt to undermine the social and cultural rights of our people in favor of transnational interest. I conclude my statement. Thank you for giving me the floor.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Venezuela. So as I don't see any further requests for the floor from the active member states, I am now opening the floor for GAC colleagues and I can see Switzerland. Please go ahead.

SWITZERLAND:

Thank you, Manal. As we are already in a coffee break, I will try to be very brief. I think that the Abu Dhabi advice was quite clear both in the advice and in the rationale. We see the need for a mutually acceptable solution. This is something that has been expressed by the colleagues who have spoken before. I express my sympathy to their position and also especially to the willingness to find through dialogue a solution to this issue. I think that proceeding further with this application without giving really a chance to finding this solution would not be consistent with the GAC advice of Abu Dhabi which we have been recalling time and time again since the last three meetings. When we were in Kobe and after Kobe I would have expected from the Board whom we had given this advice that if the facilitation or the process to find that solution was not possible through the means that they had chosen until that moment, that they would have come to us with other solutions, with other means, to find that acceptable solution. And we have witnessed in other processes in ICANN that sometimes independent, international mediators have been engaged. I think this is such a serious issue that really it gets to the core of the multi stakeholder model embodied by ICANN that by every means to find that mutually acceptable solution should be explored. So I hope that we still are in time to avoid a mistake being committed. That we still have time to find a solution that is acceptable to everyone and I think that we should urge that steps are taken in that direction. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Switzerland. I am happy we had the discussion today. We are meeting the Board tomorrow and we already have a question to them on the topic, so I think we will be hearing from them tomorrow as well. I do apologize for going over the coffee break time but it is an important matter and I already have a queue. Uruguay, your time please.

URUGUAY: Uruguay supports the declaration of the Amazonian states. We think this situation is unfortunate for the multi stakeholder model. We understand there was a lack of previous advice and the reason stated by the Amazon countries. This resolution is a precedent that certainly is not what has been desired. We hope it would be a different solution in this public interest matter, as a committee, member of this community of multi stakeholder parties, we have to certainly streamline our efforts so that a mutually acceptable solution may be reached so as to fairly respect the interest of all parties. Thank you very much.

MANAL ISMAIL, GAC CHAIR: Thank you, Uruguay. I have European Commission next.

EUROPEAN COMMISSION: Thank you. First, I would like to thank the representatives of Brazil, Colombia, Peru and ICANN Org for reminding the history and the challenges of this case. In general, for geographic names that have specific public interest dimension, we think that a discussion should take place between the applicant and concerned public authorities with arriving at a mutually acceptable solution which is in a sense what the GAC said in the Abu Dhabi Communique. Such decisions should take place within a reasonable timeframe and that might require as was mentioned mediation services by ICANN or by third parties. I think it is clear that there is no mutually agreeable solution that has been reached in the current case, so at the minimum, we should stick to the Abu Dhabi Communique and ask the board to explain how they took it into account and how they in their view managed to facilitate the negotiation between Amazon the corporation and arrived at a mutual acceptable solution. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, European Commission. I have Argentina next.

ARGENTINA: Thank you. I will speak in Spanish given most of the session has been in Spanish which is interesting. I would like to express the desire of the Argentina delegation to find a mutually acceptable solution for the countries by means of dialogue. I also want to

express that the delegation of Argentina since 2013 has been doing ever so to strengthen this dialogue. We tried and coordinated the geographical names Working Group within GAC and tried to understand the various positions of the countries and the companies involved so as to avoid conflicts, try to generate rules for the future so that they may be clearer rules for the parties and in that endeavor to mitigate any difficulties that may be found by applicants and countries. The Argentina delegation has invested time and effort to strengthen this dialogue. We are now coordinating the Working Group regarding the work track on geographical names regarding the future rounds of gTLDs and certainly we have served that it is not clear to find a solution from different positions. All of them should be taken into account. The corporation's point of view and the countries and communities' point of view but we believe in dialogue and mutually acceptable solutions. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you. I have Portugal and then U.S.

PORTUGAL: Thank you and good morning. I am going to speak in Portuguese. This is a matter of public interest. These are policies that should not be adopted by private companies. It has been a great misunderstanding in ICANN about what's public policy is. That's

why I think international law should be reviewed and consulted further on but unfortunately for the Portuguese government, the multi stakeholder approach here has served private interests and not governments or public interests. We need something more democratic and higher level of commitment. These are effects that have been elected by the ICANN and we should not consider companies. On the other hand, .AMAZON is not a matter of principles. It was obvious that .AMAZON should not be delegated to a private company but .AMAZON is very strong, and this is a matter that should in which we should consider generic top-level domain. There are many discussions that have taken place throughout the years, many countries do not participate in the discussions because they say that this is a matter of ACTO but this is matter of principles. Today it is .AMAZON but tomorrow it may be another region from Asian, Europe. So, this is a matter of principles in which all governments should be involved. This is a moment in which we are discussing the publication of the high-level panel. This is matter that has always been pending. .AMAZON, I mean, in this discussion on a world level. We should always remember the multi stakeholder structure in which all governments should be involved. This is something I would like to remind you. Thank you.

MANAL ISMAIL, GAC CHAIR: I have the U.S. next.

U.S.:

Thank you very much. I have listened with great interests to the positions expressed by various colleagues. I have been involved in this issue for the last 7 8 years as the guidebook was being developed and subsequent to the Durbin advice. I think I find myself in a position that suggest GAC advice has not been followed. We would agree with Olga and colleagues from the European Commission that dialogue is important. We think the session with the board this week can provide clarity in terms of decisions the board has taken but at this point the United States can't support action or request that further delays the progress. We would encourage those who have concern to continue the process noting the government of Colombia filled a reconsideration. The public interest specification has to go out for public comment and we look forward to seeing that public comment process start. That is currently where we stand. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, U.S. And thanks to everyone who has participated and apologies for my going over time but I think it was an important matter and it was important to hear everyone. So with this, we conclude the discussion on .AMAZON and I would like to invite our GNSO colleagues to our panel for our joint GAC meet.

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