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ICANN71 | Virtual Policy Forum - GAC Communique Drafting (1 of 4)  
Wednesday, June 16, 2021 - 12:30 to 14:00 CEST

DEVAN REED: May I ask the tech team to start the recording?

Welcome to the ICANN71 GAC communique drafting session  
Wednesday 16 June at 10:30 UTC.

We will not be doing a roll call for the sake of time, but members attendance will be available in the annex of the GAC communique and notes. May I remind representatives and attendants to indicate presence but updating the participants name to reflect the full name and affiliation. If you would like to ask a question or make a comment, please type it by starting and ending the sentence with question or comment to allow all participants to see the request.

Interpretation for GAC sessions includes all 6 U.N. languages and Portuguese. Participants can select the language they wish to speak or listen to by clicking on the interpretation icon on the Zoom tool bar. Your microphone will be muted unless you get into the queue to speak. If you wish to speak raise your hand. When speaking state your name for the record and the language

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you will speak if speaking a language other than English. Please speak clearly and at a reasonable pace to allow for accurate interpretation and also make sure to mute all auto devices.

Finally, this session like all other ICANN activities is governed by the ICANN expected standards of behavior. You will find the link in the chat for your reference.

With that I will leave the chair to the chair, Manal Ismail.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Devan, and welcome back everybody. Sorry, I got disconnected at the end of the last session and apologies for this. We are starting now the first session of our communique drafting this session is scheduled for 90 minutes. I hope you have all had the time to check the communique Google debuting in light of yesterday's initial discussions, and this is where we collaboratively draft the communique.

So -- and thank you for having the communique on the screen can we scroll down to see if there are -- if there is any new communique language insert -- I see support staff have already start filling under the interconstituency activities and obviously other parts that support staff helped with filling. Also internal matters. And under issues of importance to the GAC we have DNS

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abuse, so this is an addition. It was not there yesterday. I understand we are expecting something under subsequent procedures as well, and GAC consensus advice we have the CCT review recommendations that we are supposed to re-visit and see... in follow up to previous GAC advice, and I think we have also the IGOs, IGO protections.

Okay, that's it, right? Great. So let's start as we normally do with. We will start with issues of importance to the GAC and if we achieve, we will go to earlier sections. So under issues of importance to the GAC we now have DNS abuse, and it reads the GAC acknowledged the importance of ensuring that registries and registrars follow contractual compliances of ICANN rules including collection and verification of registrant information in order to improve data accuracy.

DNS abuse mitigation remains a priority of SSAC. The SSAC recognizes the collaborative efforts taking place within the ICANN community to develop voluntary mechanisms to address DNS abuse. Such as the framework on domain generating algorithms associated with malware and botnets. And appreciates the efforts from all parties within the multistakeholder community to identify opportunities for advancement on the topic of DNS abuse when and where possible.

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At the same time we continue to emphasize the importance of developing improved contract provisions with clear and enforceable obligations to better address DNS abuse before further expanding the root through any subsequent application round of new gTLDs. Improvements for the measurement attribution and reporting of abuse are all much needed and the GAC will continue to closely follow developments within the community related to any such improvements.

So any comments on this part? It's on DNS abuse under issues of importance to the GAC, and I see Denmark. Finn please, go ahead.

DENMARK:

Thank you, Manal. Perhaps a little amendment or tweak to the last section of this, and I will propose that it is formulated in the -- in this way. At the same time we continue to emphasize the need to develop and implement improved contract, and then continue.

MANAL ISMAIL, GAC CHAIR: Develop and implement. Okay, Finn, does this reflect your suggestion what you have seen on the screen?

DENMARK:

Develop and implement -- yes, thank you.

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MANAL ISMAIL, GAC CHAIR: Okay thanks. I see Christopher Lewis-Evans, please go ahead.

CHRIS LEWIS-EVANS: Thank you, Manal, Christopher Lewis-Evans for the record. Yeah, sorry, I've just joined a little late. Just going through the first sentence, could I maybe suggest that we change the sentence, so it reads the GAC acknowledges the importance ensuring registries and registrars comply with ICANN contractual obligations, rather than follow the rules.

MANAL ISMAIL, GAC CHAIR: Thank you, Chris. So it reads now the GAC acknowledge the importance of ensuring that registries and registrars comply with ICANN contractual obligations.

Any other comments on the DNS abuse part? Seeing none, then we can move to subsequent procedures, and many thanks Jorge, Luisa and Benedetta for inserting the text real time. I know we have just concluded the session and the text was not there a minute ago. So, so the text under subsequent procedures reads the GAC discussed subsequent rounds of new gTLDs focusing on key topics and messages raised by GAC members in the collective GAC comment to the subsequent procedures for new gTLD. SubPro final report -- final outputs to the ICANN Board public

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comment. Goran Marby provided an introduction on the next round of new gTLDs noting that enhancing competition and enhancing opportunities for all Internet users to have their own identifiers is part of ICANN's mission and duty.

The operational design phase was presented by ICANN org, and the expected ODP scope or SubPro which is in the process of being finalized by ICANN org prior to ICANN Board review. GAC members discussed potential next steps for the GAC to consider including, call for volunteers to serve on the operational design phase for SubPro as part of the community consultation process, and potential GAC consensus vice to the ICANN Board before it votes on the SubPro PDP final report.

Any comments? Okay, if not then let's scroll down to consensus advice to the Board. And Olivier, please, European Commission go ahead.

EUROPEAN COMMISSION: Thank you, Manal. Yes, Olivier Bringer, European Commission. Just to say that we would like to add the text -- I mean, there is still some text to be added so I don't know how you want to manage that. But for example, we would like to add the text on the accuracy. There is also text on the EPDP 2A, for example, so it

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will come a bit later so I guess we can come back to the point on issues of importance to the GAC when it detects these there?

MANAL ISMAIL, GAC CHAIR: Sure. Thank you, Olivier, for the heads up. We still have two more sessions today.

EUROPEAN COMMISSION: Okay.

MANAL ISMAIL, GAC CHAIR: I hope we can receive the text as early as possible, of course, but we still have time and thank you for flagging this.

EUROPEAN COMMISSION: Okay.

MANAL ISMAIL, GAC CHAIR: So under GAC consensus advice to ICANN Board we have first CCT review recommendations, and the text reads in light of discussions at ICANN71 the GAC advised from ICANN70, with reference to namely in paragraph 1 of section 6 and the scorecard. The GAC advises the Board to bring forward a tracker on the status of the CCT recommendations specified in the ICANN70 GAC advice namely, and the number of recommendations to

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specifically -- a second ask to the Board to specifically work with the ICANN org, and advisory committees and supporting organizations to ensure implementation of the following recommendations WLPT to existing gTLDs, and gTLDs introduced through any subsequent application process.

And the following recommendations are number 12 encourage... to meet user expectations. 4 incentives to build proactive anti-abuse measures. 15 preventing systemic use of specific registrars or registries for DNS security abuse. And recommendation 17 chain of parties responsible for gTLD domain name registrations. Recommendation 26 regular studies of cost required to protect trademarks in new gTLDs and number 29 set objectives and metrics for applications from the global south. And I see two hands up. Olivier, is this a new hand? I don't think so, so maybe Nigel go ahead, please.

UNITED KINGDOM:

Hello. Good afternoon, Manal, and colleagues. I apologize, I missed the first 5 minutes of this session, so I didn't see some of the previous text. So as, as noted, this draft will need to be revised to take account of discussions we had with the -- we had with the Board and the GNSO and I can certainly do that in the next, in the next few hours. I think it just need to respect the fact it needs to be more specific on some of the recommendations and also the



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language around the tracker probably needs to be amended slightly, so we're asking for what was identified in our discussions with the Board yesterday.

Yeah, so these revisions needed here. And I think there's wider point about whether there comes under GAC consensus advice to the ICANN Board or whether it comes under continued advice. I mean, the way the U.K. sees this, and I mean not obviously everything other -- welcome the views of GAC members. We see this as trying to be more -- as trying to be helpful in the following up from our previous GAC advice. We followed up and... noted some recommendations been accepted or worked on so I think we are trying to be helpful here in coming back and saying well these are some specific recommendations which we know, which we know we'd like to be taken forward because they've not been taken forward at the moment, or to that effect. And I think this is consistent with what the discussion was in the last session on the SubPro.

You know, there's a certain things need to be taken before the next round and others perhaps not so urgent. Thank you very much.

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MANAL ISMAIL, GAC CHAIR: Thank you very much, Nigel. I take note of all what you have said but frankly I still feel it belongs to follow up on previous GAC advice so please let me know if you agree or if you have some other argument that makes it fit under a new GAC advice.

UNITED KINGDOM: As I said, I think you're right. appearing under follow up would be appropriate but obviously others will have views.

MANAL ISMAIL, GAC CHAIR: Thank you, Nigel, and thank you for everything to work on the text in the coming hour or so, so that maybe we can review it during the coming session. So Fabian please go ahead.

FABIEN BETREMIEUX: Manal, a quick question. Should we move these draft text right now into follow up and previous GAC advice or leave it here for now for he had further editing and discussion.

MANAL ISMAIL, GAC CHAIR: Thank you, Fabian, for the question. I would say we can move it since Nigel is in agreement but Nigel if you can confirm can we move to text to -- okay, I see a thumb up. Thank you, Nigel, for the

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confirmation, and Susan. Susan, are you seeking the floor?  
Please go ahead.

UNITED STATES: Thank you, Manal, and just to agree that we would also support moving it to that section thanks.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Susan. And Nigel, so there is agreement to move it under follow up on previous GAC advice, so thank you Fabian for noting we can move the text, and I don't think -- do we normally provide a rationale on follow up on previous GAC advice? Excuse my bad memory.

FABIEN BETREMIEUX: Manal, this is Fabian. We do not generally but there can be some level of explanation. There's sometimes an explanation of why the GAC...

MANAL ISMAIL, GAC CHAIR: Okay. So it may be worth reading the text so that we can agree on how much to leave, and whether we need to leave it under the section on follow up, but Susan is this a new hand or an old one? Okay. Seems to be a previous one so if we can scroll to the

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rationale before leaving the text. Okay, there is no rationale -- okay, I'm sorry, my confusion, I'm sorry.

Okay. So now under GAC consensus advice to the Board, we have IGO protections, and the text reads while continuing to welcome work being undertaken by the GNSO in terms of a curative rights protection mechanism for IGOs the GAC wishes to clarify that the current moratorium on the registration of ICANN acronyms should remain in place pending a conclusion to such curative work track.

The GAC advises the Board to maintain the current moratorium on the registration of IGO acronym pending the conclusion of the IGO curative work track under way noting it is expected to conclude within the calendar year.

And the -- reads in the context of the above-mentioned curative rights work track, in the ICANN70 communique, the GAC had recalled, ICANN agreement on a moratorium for new registrations of IGO acronyms ahead of a final resolution of this curative rights protection issue, and "the GAC does not share the Board's view in its June 2nd, 2021 e-mail that quotes the GAC's concern about the need to protect the IGOs on a permanent basis is addressed by the Board's determination to provide IGO was a post registration notification service on a permanent ongoing basis".

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The GAC does not share the Board's assessment that such notification would allow an IGO to take appropriate action to protect the related action. In absence of assess to a curative rights protection mechanism the notification is of no real utility because an IGO has no current ability to arbitrate a domain name dispute.

The GAC previously has advised the the Board to maintain current protections of IGO in the Panama and San Juan communique. Noting in the San Juan communique that the removal of interim protections before a permanent decision on IGO acronym protection is taken, could result in irreparable harm to IGOs.

So thank you for the text. If we can scroll up again, and I'm pausing to see if there are any questions or comments on the IGO protections, and I'm glad we had the session on IGO a couple of hours ago, so good to have them back-to-back. Because as I said it provides some rationale why we have this here.

Thank you, Switzerland, I see Jorge supporting the language so thanks. And I see no further hands up so if we can -- anything else that we need to read under issues of importance for the GAC or GAC consensus advice or follow up. If not, we can start making a quick read from the beginning. Oh, yeah, we have CCT. This is the text we moved, okay? I'm sorry.

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So since I think we have the time, and awaiting more text to come in, maybe we can start from the beginning, this is the GAC communique of ICANN71 Virtual Policy Forum, and as I mentioned parts that are highlighted in yellow, are thoughts to will be updated or that we will remove the highlight as soon as they are valid when we get to issue the communique.

So the GAC ICANN 71 communique was drafted and agreed remotely during the ICANN71 Virtual Policy Forum of the communique was circulated to the GAC immediately after the meeting to provide an opportunity for all GAC members and observers to consider it before publication. Bearing in mind the special circumstances of a virtual meeting. No objections were raised during the agreed time-frame before publication. So again this is not to preempt but to have a place holder in case we will proceed with issuing it.

Under introduction and the text reads ... advisory meeting the ... Internet corporation for assigned names and numbers ICANN met via remote participation from 14 to 17 June 2021. Per ICANN Board resolution on 11 March 2021 in response to the public health emergency of international concern caused by the global outbreak of COVID-19 ICANN71 was transitioned from an in-person meeting to a remote participation only ICANN meeting.

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We will insert a number of GAC members and number of GAC observers attended this meeting. The GAC meeting was conducted as part of the ICANN71 Virtual Policy Forum. All GAC plenary and working group sessions were conducted as open to the -- moving to the interconstituency and community engagement as I don't see any hand up. First, on our meeting with the ICANN Board the GAC member are the ICANN Board on discussed subsequent rounds of new gTLD. DNS abuse CCT and SSR2 recommendations, registration data WHOIS GDPR matters. ICANN returned to in-person meetings. Board responses to GAC questions and statements presented during the meeting are available in the transcript of the GAC/ICANN Board meeting accompanying this document. So this is the agenda we've discussed, and the transcripts will be attached to the communique.

Moving to our meeting with the at large advisory committee. Taking space tomorrow morning UTC time the GAC met with members of the ALAC and discussed subsequent round and procedures for new gTLDs, registration data services, potential future committees including Internet governance. DNS abuse and ATRT. This is the pre-agreed agenda and any fine tuning will be reflected after we meet with the ALAC.

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Next is our meeting with the generic names supporting organization, the GNSO, which took place earlier today. The GAC met with members of the GNSO and discussed follow up to ICANN70 including EPDP SSAD and Phase 2A accuracy and DNS abuse, and also CCT review and GNSO take on pending recommendations. And finally, subsequent procedures of panel new gTLDs and other issues, I think issues coming out of GNSO council.

On cross-community discussions GAC members participated in relevant cross-community sessions scheduled as part of ICANN71 ... regulatory developments on ICANN policy topics which took place on day one. ICANN's multistakeholder model within the Internet governance ecosystem on day 2. Understanding representation block lists, and the post-pandemic future of ICANN public meetings both of which are taking place ... on day 4. Internal matters. GAC membership there are currently 179 GAC member states and territories and 38 observer organizations.

Under GAC elections the 2021 election process for vice chairs will be initiated shortly after the ICANN71 meeting. The initial nomination period will close on 9 September 2021. If needed a voting process will be conducted until 24th of October 2021 during the ICANN72 public meeting after which time the election results will be announced. And we will be explaining more about



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the election and the process tomorrow during the wrap-up session.

Under future GAC meetings GAC members discussed ICANN planning for a return to in person meetings, including the option of conducting a hybrid meeting combining in person and virtual participation at ICANN72. ICANN org staff reported on the preliminary results of recent survey of previous obstruction public meetings, attendees regarding the possibilities of the conditions under which the hybrid ICANN72 meeting could be conducted.

While there appears to be a substantial interest in a return to in-person meetings GAC members expressed the need to assure that any transition back to in-person meetings assure a level of safety for attendees from all around the globe and that considerations be made to assure ... virtual participation capabilities. It was considered that the virtual pandemic experience has forged positive meeting innovations and that all future ICANN public meetings will essentially being hybrid. I'm keeping an eye on the queue as well, so if you have any comments feel free to raise your hand.

Otherwise moving on to GAC working groups. And we have a place holder for back Public Safety Working Group. I understand

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the text will be coming. And GAC operational matters. The GAC was briefed on a number of operational matters designed to improve the effectiveness and efficiency of GAC operations including. 1, an update on implementation of the recently launched GAC action decision data tool which launched in May 2021. So additional gap introductory Web... and update to the GAC website scheduled for July 2021.

Then we are now at issues of importance to the GAC. We have the DNS abuse, but we have read earlier but I see Chris's hand up, so Chris please go ahead.

CHRIS LEWIS-EVANS: Thank you, Manal. And Chris Lewis-Evans for the record. Sorry, I just wanted to have a good read through this, and one thing that struck me was the first paragraph talks to the contractual obligations and as does the third paragraph, and I just wonder whether that he was a move of the first paragraph into the second position would make more sense than and make it read a little bit, thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much for the enhancement, Chris. I think it makes perfect sense and I hope that -- if it's okay with everyone I think the reason is that the text came from 2 different sources. So with

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thanks to Japan for providing text in this. I see Nigel and Olivier. Nigel, please go ahead.

UNITED KINGDOM:

Yes, thank you so much. I think the comment I had was a minor one on the previous, on the previous solo line so could we just scroll up a little bit. Before DNS abuse? Yes, I had a suggestion in the previous paragraph as well. But I'll look at that in more detail and come back to you with some wording, but it was only very minor.

On the GAC operational matters I just think it's helpful for people to understand. When we say the GAC was briefed, who they were briefed by, understand it was you know it was our discussion. So we might just want to put by the GAC was briefed by the GAC leadership and the secretariat or whatever. It's just I think it just -- you know for wider clarification it makes sense. I don't know why. And yeah. That's all I had. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much Nigel. Olivier?

EUROPEAN COMMISSION: Thank you, Manal. Just to say that yes, we will come with a small text on the accuracy, and we also point to contractual obligations

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that apply to registries and registrars so when we have the text I think we should consider merging the -- this paragraph that has been just moved inside the DNS abuse section with our text on accuracy. But let's first have the text to see what we want to do.

MANAL ISMAIL, GAC CHAIR: Sure. Thank you, Olivier, and indeed if we receive more related texts we will have to integrate chronologically. So thanks for the heads up, and suggestion. So support staff anything else that needs to be resolved as a first iteration, and if not, to pen holders anything that is coming really soon that we can wait for and read during this session? Because if not I -- we can conclude this session, giving time to pen holders to draft the text and then make the second read. I see Fabian and Yrjo, please.

FABIEN BETREMIEUX: Manal, to your question I believe we've covered the entirety of the text available right now. I will note that we expect further text in several places and note that had in comments. We also expect further work on the text regarding the three recommendations in the previous advice but that may be coming in further iterations, and I will note finally just one element in issues of importance to the GAC we have suggested that GAC support in connection with the GAC topic reads that the number 2 subsection here reads subsequent round of new gTLD, or subsequent procedures of new

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gTLDs and it is just for clarity that the section is about the wider initiative of a subsequent rounds as opposed to the PDP process, which is called subsequent procedures.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Fabian. Laureen?

LAUREEN KAPIN: Thanks, Manal. Just a head up, I think we have some text ready that several of us have worked on regarding both some follow up on prior advice, and some issues of importance to the GAC, and just procedurally I wasn't sure if we were able to insert it directly into the draft, given that it's on screen now, or whether we should do this during the break and then in a separate bucket we'll shortly have updated text available to for Public Safety Working Group update.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Laureen. I think we can insert it right away, and I already see Fabian has a hand up so--

FABIEN BETREMIEUX: To confirm that the document is indeed open for any insertions, any edits by GAC members.

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MANAL ISMAIL, GAC CHAIR: So maybe we can wait a couple of minutes for this new text to be inserted so that we can have a first read of it as well. So I appreciate everyone's patience.

I see text coming in so I'm just checking with support staff if we can start reading the text we have meanwhile as we receive any remaining thoughts.

FABIEN BETREMIEUX: Sorry, Manal, just to confirm that we are just moving some text that was inserted to the from previous GAC advice and maybe we can start there much that's ready to read. I understand this was text posted by Laureen, so I†--

MANAL ISMAIL, GAC CHAIR: Okay.

FABIEN BETREMIEUX: We can scroll down.

MANAL ISMAIL, GAC CHAIR: No worries, Fabian. I was just making sure that we are waiting for something to happen because I saw the text on the screen. The†--

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FABIEN BETREMIEUX: And we received also text on the -- in the issues of importance to the GAC so maybe while we proceed to the reading of the text in the previous advice then we can just edit quickly the text in the issues of importance and come back to being that right afterwards.

MANAL ISMAIL, GAC CHAIR: Okay, I'm in your hands. Whatever text you put and the screen I will be reading it.

FABIEN BETREMIEUX: So then let's scroll down to issues -- sorry, to the following GAC advice and subsection 2. We have two new subsections.

MANAL ISMAIL, GAC CHAIR: So thank you for inserting the text real time, and thanks for pen holders as well. We now have more text under follow up on previous GAC advice, we have EPDP phase 1 policy implementation, and the text reads the GAC notes its previous advice within the Montreal communique and the ICANN70 communique with regard to phase one of the EPDP on gTLD registration data and the request for a detailed work plan identifying and updated realistic scheduled to complete its work. The GAC observes with continued concern, that the phase one

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implementation review team lacks the current published implementation time-line.

And under privacy proxy services accreditation implementation the GAC previously advised the ICANN Board regarding the need to resume implementation. Example, Marrakesh and Montreal communique in light of the importance of implementing procedures that govern these services. The GAC notes that ongoing work between ICANN and the GNSO in starting to work and highlights the need to prioritize this implementation. And I'm pausing to see if there are any comments or remarks.

Okay, if not, then I'll stop here again Fabian and await your guidance on what's next in terms of a first reading.

FABIEN BETREMIEUX: We can now scroll to issues of importance to the GAC subsection 4 EPDP Phase 2 --

MANAL ISMAIL, GAC CHAIR: So issues of importance to the GAC, EPDP Phase 2 ODP and it reads regarding the critical issues of how to centrally handling requests for nonpublic registration data the GAC notes with interest the upcoming request for information RFI with operation at design phase. The ODP is an assessment intended to help



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inform the world deliberations and whether the phase 2 deliberations and system or standardized access and disclosure SSAD are in the best interests of the ICANN community.

The -- this assessment aims to determine the feasibility and associated risk costs be and associated risks, costs and resources required in the potential implementation of SSAD. The RFI will seek information in order to assess among other things, the range of costs related to identity and other verification services, and the level of effort for system design, development and operations of the SSAD.

The GAC welcomes this development because of the risk that the Phase 2 recommendations would create a system that is too expensive for the users for which it is intended including as said users that investigate on combat cybersecurity threats of the GAC could support a financial sustainability model which ensures the SSAD is accessible to all categories of users for which it is intended.

Any comments? Moving to EPDP Phase 2A the GAC welcomes the publication of the initial report of the temporary specification for gTLD registration data Phase 2A expedited policy development process and acknowledges the efforts of the policy team participants leadership and staff in developing these

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recommendations under a streamline schedule of under six months. This initial report contains useful guidance on the proposed methods and safeguards to publish.

One registration data from legal entities which is not protected under the GDPR and 2 anonymized registration or registrant based e-mail addresses, e-mail addresses. The GAC notes that voluntary nature of the proposed guidance may not sufficiently across the issues considered in the expedited policy development process of the GAC and... public comment on these important issues and looks forward to the continued work of the Phase 2A team.

Pausing for comments or remarks. Seeing none, so any, -- any other new text? Nigel, please go ahead.

UNITED KINGDOM:

Yes. Thank you, Manal. This looks positive. I just wondered at the end where we say the GAC ... submitting a public comment, etcetera, and looks forward to the continued work. Are we -- ought we say we look forward to being involved in the continued work, or because we are in the Phase 2 team, aren't we, but I mean the offers will have -- you know, I'm not trying to say that that is right. It just -- if we're continuing to be involved in it

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then perhaps, we should say and look forward to our involvement in the continued work or something like that. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Nigel. I think we first trying to ensure that the work will continue but I see Laureen's hand up, so she will be more capable to answer. Please, Laureen.

LAUREEN KAPIN: Just to clarify, Nigel is absolutely correct. The GAC small team will continue to be involved in the -- I don't want to use phase again because that word is overused but the continuation of evaluating the public comments and then driving towards the publication and the final recommendations. The GAC will continue to be involved with that. So I think the edit is fine, but I just wanted to clarify fact factually that the work will continue.

MANAL ISMAIL, GAC CHAIR: So, can someone -- concrete suggestion and looks forward to the continued work of Phase 2A.

LAUREEN KAPIN: Or maybe the GAC's participation in the continued work.

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MANAL ISMAIL, GAC CHAIR: Okay.

LAUREEN KAPIN: I leave it to Nigel also who initially made the suggestion.

NIGEL HICKSON: Yeah, I think it's thoroughly fine to the GAC's continued participation in this work. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Nigel, and Lauren of course. Any other comments? So, and apologies for this late update on the CCT-RT if we can go to this part, just a quick update on -- I followed up on our discussion yesterday with many -- I followed up after the meeting with Goran and with Maarten on the CCT review track tool, and I was trying to understand more what's the problem, so just sharing with everybody what I was told that as soon as the recommendations were passed on to the community, they, they came not any more in it the radar of the Board.

And they don't have ... mechanism to follow up on things that was passed onto the community, and there was a suggestion that this may be a good discussion taken so the Board governance interaction group, so again just bringing this to your attention as

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the BGIG works on improving clarity of are communication between the Board and the GAC.

So it looks like that they are lacking any sort of mechanism to follow up on recommendations that were already passed onto the community, so it doesn't show anywhere now within the Board. So good to know. Any other actions to this? And whether you know, this way also with the suggestion of Jeff, are remember we have a discussion on how the GNSO is handling CCT review recommendations, I think we have two discussions in the pipeline that may enlighten our next steps.

So I'm just wondering whether -- and I'm thinking out loud, frankly. I don't have a strong opinion -- whether we should keep this as a follow-up on previous GAC advice, which becomes a follow-up on a follow-up, or shall we wait to see what happens between now and ICANN72, and if discussions turn not to be satisfactory, we can definitely follow up or insert a new GAC advice. I'm not sure, according to where the discussions will stand. So apologies for this late reporting. I intended to do this at the beginning of the communique drafting session but for some reason I overlooked providing this update from my follow up with Goran and Maarten after the meeting yesterday.

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So, anything else? I mean, if there are immediate reactions to this, or if we need to think it over while we're reviewing the text as well, we still -- I'm just checking the time. We still have like 29 minutes for this, so you can -- are we finding any further text Fabian?

FABIEN BETREMIEUX: We do have, we have received text which is a report of the Public Safety Working Group.

MANAL ISMAIL, GAC CHAIR: Okay. Noted. And apologies, I missed the queue for a while. I have Laureen and I have Nigel. Very sorry. Laureen, please go ahead.

LAUREEN KAPIN: Just to follow up on your previous comment, Manal, it strikes me that these discussions have identified the very problem which exists in that the Board will pass on recommendations and then there is no system for accountability and transparency as to what happens to that either from the Board, with a direction to ICANN org to help or track or help organize the work to measurable results or within the GNSO to again track and provide transparency, and accountability as to what is happening with that work.

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So as you ask -- suggested, this could be a topic for new advice to provide some guidance to the Board and or the GNSO that it is unsatisfactory to simply pass on recommendations without sufficient follow up that provides information to and the greater community about what is then happening with those recommendations, and the follow-up work because right now we essentially have a black box.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Lauren. So, I, I agree, but I think we shouldn't rush into a new advice on this topic without going through the discussions with the BGIG and the GNSO to just understand the current process, and where we are on the identified recommendations as the CCT-RT recommendations so we can definitely keep this in mind for ICANN72, but frankly I wouldn't advise rushing into a new GAC advice on this sort of information, that's -- I mean, I think there is still miscommunication somewhere because frankly they feel that this is what was already mentioned to the GAC several times, but I haven't heard it that clear until yet when I was following up, and this was after the official meetings.

So despite agreeing with you I won't rush into a GAC advice at this meeting, but Nigel, sorry to keep you waiting. Please go ahead.

NIGEL HICKSON:

No, not at all, Manal. As I said earlier, I'll re-visit this text in the light of the discussions we had yesterday and what you've mentioned. I think on the, on the tracker I think we can describe it in a way which is takes into account what you've reported and what Jorge mentioned yesterday in discussions with the Board. We're not noting it is a specific Board responsibility, but we do think it is a useful instrument that can be taken forward through discussions between the community, the org and the Board.

On the specific recommendations, yes, I mean recommendations have been passed on to the GNSO, and as you said in the discussions and the useful discussion, we've had with the GNSO this morning identified perhaps a need for further discussions there on those specific recommendations. But there are a number of other recommendations which the Board accepted and passed onto the organization. And there's also three specific recommendations which the Board identified in the scorecard which append, and it said that the Board would continue to be -- to look at those recommendations, so on and so, so, yeah, so I think you know, we can craft this in a useful, in a useful way. Thank you very much.



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MANAL ISMAIL, GAC CHAIR: Thank you very much, Nigel, and I think the key word is accepted as you mentioned. So -- obviously it's not that the Board accepted the recommendations and then passed them on. It looks like they passed them on directly, and that's why they don't show on their radar. Again I think this needs to be discussed, and I share your confusion, and that is why I'm just proposing that -- and we, we're taking this as an action item from this meeting that we follow up on this with the Board through the BGIG, and with the GNSO since this also they invited us for this discussion and once we have the needed clarity, we can be on next steps which I envision for ICANN 72.

So, Nigel, is this a new hand? If not, then we can maybe move to the PSWG text that has not been read out loud yet. Okay. So GAC Public Safety Working Group PSWG. The GAC PSWG continued its work to combat DNS abuse and promote effective access to domain name registration data. The PSWG led a session to update the GAC on DNS abuse that included one, a detailed review of joint work by the PSWG and the registries stakeholder groups to develop a framework on domain registration algorithms associated with botnets and malware.

Do we need the ... sorry to stop suddenly. And 2, a presentation from the messaging malware and mobile anti-abuse -- on the

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results of a survey of cyber investigators and providers to understand how ICANN's application of the European Union's data protection, general data protection regulation GDPR has impacted access to domain name registration data and anti-abuse work, and 3, a presentation from Japan on complete steps for ICANN compliance.

The PSWG also highlighted its continued work on DNS abuse, discussing possible steps forward with all... assessing how contract provisions may be improved to respond to DNS abuse much the PSWG continued its active participation to support the... towards Phase 2A recommendations on the treatment of data from legal entities and pseudonymized e-mail addresses in the build registration data services.

The PSWG also signals it's intend to contribute to the scoping efforts on registration data case, and to support the GAC in ensuing policy development efforts. Members of the PSWG continue to support the GAC in the implementation review team, one of the EPDP. In addition the PSWG noted that selecting data and requiring the publication of the chain of parties responsible for gTLD domain name registrations per CCT recommendation number 17 would benefit -- and others that rely on the data for their investigations by move precisely identifying the entity WIPO -- the relevant registrant data.

During ICANN71 the PSWG held discussions with ICANN org including representation of the office of the chief technology officer, the security stability resiliency team strategic -- initiatives department, and contractual compliance. The security and stability advisory committee SSAC, the at large advisory committee ALAC, registry and registrar stakeholder groups and the GNSO commercial stakeholder group.

Any comments? Olivier, please go ahead.

OLIVIER BRINGER:

Thank you, Manal, for going through the description. I have a comment on the first paragraph about this study that is -- that has looked at the consequences of GDPR and says [inaudible] data and anti-abuse work. Can we confirm the title. Study but in my view, it is not GDPR that has had an impact on the accessibility domain name registration data. It's the temporary specifications. So of course the study says GDPR, I mean we simply report but in reality, it is the temporary specification that has led to the withdrawal of data including personal and nonpersonal data. That has an impact on those that are looking for access to do their anti-abuse work, so it's the reference to GDPR there that I am questioning.

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MANAL ISMAIL, GAC CHAIR: Thank you, Olivier. Noted, and let's confirm the title. I see -- in the chat typing ICANN GDPR and the WHOIS user surveyed three years later so this is the exact title. And Olivier, your hand is up? Would you like to comment on the exact title.

OLIVIER BRINGER: Sorry, I was lost in the -- I see yes, I'm looking at the document and I see that it's†--

MANAL ISMAIL, GAC CHAIR: It is not then we just need to know whether we keep the text as is. Obviously, there is already a reference to GDPR so we can either keep the Texas is or take the exact title and literally and maybe insert a --

OLIVIER BRINGER: Manal, can you hear me? Okay.

FABIEN BETREMIEUX: This is to confirm that we can hear you. If Manal can't hear you, she may have issues at the moment.

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OLIVIER BRINGER: Okay, I saw this was a copy based on the executive summary, when I read in the, in the link so I mean, I'm not too happy, but since it's what the study -- it's how the study described itself.

LAUREEN KAPIN: Just as a helpful intervention, I don't think it's that actually important that we have the exact title of the study. And since the gist of it was the impact of the temporary specifications, I'm not wed to having you know the exact title of, and perhaps we can tweak this because the injuries of the study was the impact of the temporary specification. So maybe we can suggest an edit here. That's helpful.

FABIEN BETREMIEUX: Laureen, I've marked with a comment so there could be further input on this, and I don't know, Olivier, if you have a suggestion to make already.

OLIVIER BRINGER: Not yet, but I see -- I welcome the suggestion of Laureen, and I see in the text that they refer in particular to the effect of the temporary specifications, so they refer to both. So we could find a wording that is acceptable to everybody, I think. And so thanks for the suggestion.

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FABIEN BETREMIEUX: Thank you. Laureen, you had your hand up. Is this a new hand?

LAUREEN KAPIN: Perhaps what we could say is how ICANN's implementation of the temporary specification has impacted -- I think that would still be accurate.

FABIEN BETREMIEUX: Well, Laureen, does the text on the screen match your suggestion?

LAUREEN KAPIN: That works for me. Why, like I would also invite other PSWG colleagues to weigh in if they disagree.

FABIEN BETREMIEUX: Thank you, Laureen. So while we -- I see in the chat that Chris says he is concurring with the edit. In the meantime it seems that we have we are now back on -- Manal, can you hear me? Are you ready to speak and to take over. Recover in the sense the sharing of the session.

MANAL ISMAIL, GAC CHAIR: I'm sorry, I'm back now. Can you hear me?

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FABIEN BETREMIEUX: We can hear you very well, Manal. Seems that we are still experiencing connection problems with Manal it was suggest that had we take a break considering that we are nearing the end of the initial session, so maybe Gulten, can you advise on when we would reconvene?

GULTEN TEPE: We will be back at 12:30 UTC. And we will use the same Zoom room, so thank you so much everyone.

FABIEN BETREMIEUX: Thank you. So then, yeah, I believe this will provide time for various contributors to maybe tweak the various pieces of text and which we can expecting input so we will reconvene for the next section at 12:30 UTC per the meeting invites you would have received as Gulten indicated in in the same Zoom room.

Manal, if you can hear me, we've followed your -- instructions to suggest that we close the session and reconvene at 12:30UTC do you want to say a few words.

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MANAL ISMAIL, GAC CHAIR: Just to apologize I keep dropping off. I'm very sorry. Thank you for having my back. Great support staff.

Thank you. See you all at 12:30 UTC. Thanks.

**[ END OF TRANSCRIPT ]**