ICANN73 | Virtual Community Forum - GAC Communique Drafting Session (2 of 4)
Wednesday, March 9, 2022 - 14:30 to 16:00 AST

GULTEN TEPE: Welcome Back. Over to you, Manal.

MANAL ISMAIL, GAC Chair: Thank you very much, Gulten, and welcome back, everyone. Thank you for your efforts during this long break. I can see we have the remaining text under EPDP phase 1, implementation and accuracy. So, Fabien, anything before that that we need to go through, or shall we scroll directly to issues of importance to the GAC?

So let's scroll down to see the new text? And okay, thank you. So thanks to Velimira and anyone else involved. We received the Communique language under accuracy of registration data and the text reads, as stressed in its ICANN72 Communique the GAC remains committed to working within the accuracy scoping team launched by the GNSO and reiterates that maintaining accurate domain name registration data is an important element in the prevention and mitigation of DNS Abuse.

The GAC also notes that maintaining accuracy must be considered along with any policy's -- along with any policy's impact on the privacy needs of all registrants, including those registrants with enhanced privacy needs. The GAC has actively contributed to the exercises linked to GNSO assignments 1 and 2 within the scoping team, including contributions to the team's gap analysis, accuracy measurement and accuracy working definition discussions.

In these discussions the GAC emphasized the importance of holding contracted parties accountable for their compliance with the existing accuracy requirements as well as the importance of increasing transparency about compliance in order to inform evidence-based analysis of these issues.

The GAC welcomes further discussion regarding whether and how accuracy, accountability and transparency can be increased, including through potentially re-starting ICANN org's accuracy reporting system or in developing new programs. In addition, the GAC maintains that when trying to capture a working definition of accuracy the registrar contract's WHOIS program specification requirements are not the only consideration, rather the totality of current contractual requirements should be taken into account as well as guidance from ICANN compliance.

The latter has provided input suggesting that accuracy is not limited to syntactical and operational accuracy but could also include examples where registration data such as registrant's name, are patently inaccurate. A domain name that is syntactically accurate and operable is necessary but not sufficient to defining accuracy. Accuracy should also include consideration of the recent EPDP identified purposes for which the data are collected such as "the ability to a sign a domain to its owner", and "to contribute to the maintenance of the security, stability, and resilience of the Domain Name System".

In accordance with ICANN's mission the GAC remains committed to helping deliver on all four GNSO assignments in a timely and effective manner, however, in the scoping team -- if the scoping team is unable to agree on a definition of accuracy, and what needs to be measured, at the very least the scoping team could study what constraints, example, legal, financial, or practical -- what constraints exist to measuring and checking accuracy, and produce a report recommending further policy development for accuracy policies that would overcome these constraints.

So, I'm pausing to see if there are any comments or questions? Again, with thanks to Velimira and everyone else who was involved. Seeing no requests for the floor, so I think we can

accept the text and move on, reading Gemma in the chat. One small remark to our own text, it is resilience and not resiliency. Thank you very much.

Let's reflect this -- I think it was towards the end. Yeah. It's already fixed or is there another occurrence -- I think -- okay, thank you, Gemma.

Any other comments? Nigel, please, go ahead. U.K.

UNITED KINGDOM: Yes, thank you, and good evening to all.

In the second paragraph I think on the -- sorry, the third paragraph -- I do apologize -- about six lines down it says where it starts registration data such as registrant's name -- I think it should be such as the registrant's name. That might --

MANAL ISMAIL, GAC Chair: Thank you very much, Nigel.

UNITED KINGDOM: Thank you.

MANAL ISMAIL, GAC Chair: Yeah. Okay. Any further enhancements? Yes, Fabien, please go ahead.

FABIEN BETREMIEUX: Just an interrogation in relation to the change we made to resilience. I just want to make sure, because we are editing a quote here so is it -- are we fixing the copy of the quote or is it -- was this -- I just want to make sure. We can verify those purposes from the EPDP phase 1 and confirm.

GEMMA CAROLILLO (EC):   Indeed, now I don't want to -- I think it's always been resilience. This is in ICANN mission, and this is the word that is used however, you know, just to be 100% sure since we are quoting, we rather double check. But I am -- would be quite confident that it's resilience.

FABIEN BETREMIEUX: Okay. Great, thank you. And we can --

GEMMA CAROLILLO (EC):   We can check.

FABIEN BETREMIEUX: We'll do it.

MANAL ISMAIL, GAC Chair: Thank you very much, Fabien, and Gemma, indeed it should be resilience, but I think it is a common mistake within the community to sometimes use resiliency so with your permission, Gemma, if the original text is with a Y we might need to stick to --

GEMMA CAROLILLO (EC):   Absolutely. Absolutely, no problem. Thank you.

MANAL ISMAIL, GAC Chair: Thank you. Perfect. Thank you. So, Fabien, we'd appreciate if you check the original text and let's stick to whatever has been since we're quoting here.

FABIEN BETREMIEUX: No problem.

MANAL ISMAIL, GAC Chair: Thank you. So, moving on to EPDP Phase 1 recommendations implementation, again with thanks to Chris and everyone else who may be involved, the GAC recalls its previous advice with the ICANN66 Montreal Communique and the follow-up on previous advice in the ICANN71 -- ICANN70, 71 and 72 Communiques with regards to Phase 1 of the EPDP on gTLD registration data, and the

request for "a detailed Work Plan identifying and updating realistic schedule to complete its work".

The GAC welcomes the detailed Work Plan provided by the IRT during the ICANN73 pre-week. With regards to the schedule the GAC notes item 5, which states "potential items that we are unable to provide, an estimated time-line as there are differing interpretation of the policy recommendation, which may lead to an impasse are, A, new data protection agreements DPA per Phase 1 regions number 19. The DPA is a newly introduced agreement between the contracted parties and ICANN org. As such the agreement has been undergoing time consuming negotiations".

As finalized DPA seems to be on the critical path. The ICANN asks -- the GAC asks the ICANN Board to support the org in getting this item completed to support the timely conclusion of the Phase 1 IRC.

And I'm pausing to see if there are any comments. Yes, Jorge, please go ahead.

JORGE CANCIO: Thank you, Manal. Just more linguistic ones. We have in the last sentence two times, to support, to support perhaps to support

the org in getting this item completed. To facilitate or to enable the timely conclusion, that would read better perhaps -- thank you.

MANAL ISMAIL, GAC Chair: Thank you very much, Jorge. I hope Chris, this is fine with you?

And I'm reading Jamaica in the chat, should there be a full stop after pre-week to signal the start of a new sentence? So the sentence is the GAC welcomes the detailed Work Plan provided by the IRT during the ICANN73 pre-week. Yeah, it didn't read smoothly with me. It didn't read well so, yeah, I think we were missing a full stop, indeed remains to be confirmed okay. And I see the confirmation timely in the chat. Thank you very much Chris, and thank you very much of course Jamaica and Nigel, U.K.

So anything? I see a suggestion for a comma after past from Zeina, Lebanon if we can get the curser there. Okay, it's the sentence before the last as finalized DPA seems to be on the critical path comma? The GAC asks the ICANN Board to support. Okay, thank you very much, Zeina.

Any further enhancements? So with that thank you very much, Chris, and thank you everyone for the suggestions. Fabien, anything else, or shall we make one quick read of the whole

thing? We're now pending one thing which is the Universal Acceptance pending tomorrow's session with the -- tomorrow's bilateral with the ALAC.

FABIEN BETREMIEUX: And in the meantime we -- there was an activity on the last paragraph of DNS Abuse initial report.

MANAL ISMAIL, GAC Chair: Okay. So let me read -- yeah, this. Finally, the GAC notes the ICANN73 community plenary on evolving the DNS Abuse conversation, which focused on malicious versus compromised domain names. It was universally agreed that the distinction is important, and the GAC supports the community exploring the opportunities highlighted in the session for further work.

Thank you very much, Fabien. I see Susan's hand up as well. U.S., please go ahead.

UNITED STATES: Yes, thank you, Chair, and welcome the views of colleagues as well.

We just made some slight edits here, and I've provided a rationale in the margins. First we wanted to make sure as following on

what Velimira had mentioned earlier to further distinguish this session from the proper GAC session, and then it was our mistake earlier for saying that the session focused on malicious domains versus compromised websites, so we made that very important correction there.

We hope those edits are okay but welcome, of course, the views of GAC colleagues. Thank you.

MANAL ISMAIL, GAC Chair: Thank you very much, Susan. Frankly, I thought it was malicious domains versus compromised websites so interesting to know it's not, and frankly, I think the text reads better, and links smoothly with the above GAC text. So thank you for the enhancements, and seeing also Nigel supporting, and Ian, Australia supportive of linking this back to GAC positions on the issue rather than a generic statement -- a generic statement. Indeed.

And Gemma also, European Commission, supporting the new text. So if Susan's hand is an old one then I can go directly to Chris.

UNITED STATES: Yes, it is an old one, sorry.

MANAL ISMAIL, GAC Chair: No worries. Chris, please go ahead.

CHRIS LEWIS-EVANS: Thanks, Manal. Chris Lewis-Evans, for the record. Yeah, I think this reads better. I just wonder if we could add right at the end, so for further work, and impact in on DNS Abuse or further work to impact DNS Abuse. That enhances the linkage. Thank you.

MANAL ISMAIL, GAC Chair: Thank you very much, Chris. Would this be okay, Susan, and everyone of course? Thank you for confirming in the chat.

Any further comments? Okay, if not then I think we can make one full read of the Communique, and maybe conclude early today, and pending spending a few minutes in the morning confirming the text on Universal Acceptance after our bilateral with the ALAC. So just a sec. Sorry, was just clearing my throat for a long read.

So GAC Communique ICANN73 Virtual Community Forum. The GAC the GAC ICANN73 Communique was drafted and agreed remotely during the ICANN73 Virtual Community Forum. The Communique was circulated to the GAC immediately after the meeting to provide an opportunity for all GAC members and

observers to consider it before publication bearing in mind the special circumstances of a virtual meeting. No objections were raised during the agreed time-frame before publication.

The GAC as noted, of course, this will be the highlight will go once this is a fact. Under introduction the Governmental advisory Committee GAC of the Internet corporation for assigned names and numbers. ICANN, met via remote participation from 7 to 10 March 2022. Per ICANN Board resolution on November -- on 4 November 2021 in response to the public health emergency of international concern caused by the global outbreak of COVID-19 ICANN73 was transitioned from an in-person meeting in San Juan, Puerto Rico to a remote participation only ICANN meeting.

X number of GAC members and X number of observers attended the meeting, and we will insert the right number once we finish the counts.

The GAC meeting was conducted as part of the ICANN73 Virtual Community forum. All GAC plenary and working group sessions were conducted as open meetings. The GAC would like to reference the statements made by GAC members on the action taken by Russia against Ukraine during the GAC Opening Plenary session, and we have footnote with a link to the transcripts.

Moving to inter-constituency activities and community engagement, first on our meeting with ICANN Board the GAC met with the ICANN Board and discussed GAC 2022 priorities, GAC suggestions for enhancing the implementation of recommendations from policy development processes and independent reviews, SSR2 review recommendations, global public interest GPI framework, registration data, including the system for standardized access and disclosure SSAD, data protection agreements between ICANN and contracted parties, and accuracy of registration data.

ICANN Board responses to the GAC's questions and statements presented during the meeting are available in the transcript of the ICANN -- of the GAC ICANN Board meeting annexed to this document.

Next is meeting with the ALAC Advisory Committee, and here we are preempting what will happen tomorrow first session of the day, the GAC met with members of the ALAC and discussed public interest processes, Universal Acceptance and internationalized domain names, the proposed system for standardized access and disclosure of registration data, SSAD, ALAC and GAC coordination at the national level.

FABIEN BETREMIEUX: Manal, if I may --

MANAL ISMAIL, GAC Chair: Yes, please.

FABIEN BETREMIEUX: Between those subsections we have a -- we have Gemma in the queue. I don't know if this was in relation to text you read previously. I just wanted to make sure you are aware.

MANAL ISMAIL, GAC Chair: Okay. Thank you, for noting this. I see Gemma's hand as well. European Commission, go ahead.

EUROPEAN COMMISSION: Thank you, Manal. Very quick comment from my side in relation to the introduction where we refer to the statements that were made by several of the members, just quick question, I mean because here we refer on the action taken by Russia against Ukraine. Shall we refer to the request from Ukraine to ICANN because this was the context of the statement?

So there has been the letter from Ukraine to ICANN forwarded to the GAC asking for a discussion. We don't need to account for all of this. But I think that the [inaudible] were in the context and, in fact, the Ukraine was the first one to intervene in the discussion so perhaps we could say that the statements made by the GAC members on the action taken by Russia against Ukraine, and the related request -- this is just improvising.

MANAL ISMAIL, GAC Chair: Yes.

EUROPEAN COMMISSION: The related request from Ukraine towards ICANN. And you could link in the footnote both the letter -- I mean the link to the letter and the link to the reply from ICANN, if it makes sense. I'm not making a big issue out of it, but it was the context.

MANAL ISMAIL, GAC Chair: Thank you very much, Gemma, and it makes perfect sense. In fact, the original wording. The original language we had referenced the letter -- it was not the letter indeed but was the request made to the GAC, but then this was changed during the previous session, but maybe including now the action taken by Russia against Ukraine, so maybe it's a good idea to have both.

I was thinking the other way around, that maybe we can bring the old language, which I cannot recall right now but the GAC would like to reference the statements made by GAC members and then the reference to the letter in light of the actions taken by Russia against Ukraine.

EUROPEAN COMMISSION: Apologies if it was already discussed I was not aware, but I thought of bringing this, this argument because it seems a bit in the abstract like this but there has been an important request to the GAC to act in terms of [having this meeting.]

MANAL ISMAIL, GAC Chair: No, indeed it makes sense, and we can definitely reference both. Thank you for bringing this up. So the GAC would like to reference the statements made by GAC members on the action taken by Russia against Ukraine, and the related request from -- so, yeah, I was trying to suggest -- yes, thank you for bringing the old language.

Maybe we can say the GAC would like to reference the statements made by GAC members following Ukraine's request for an emergency meeting of the GAC in light of the action taken by Russia against Ukraine, if this reads well. But, yeah, I think here

we're not referencing the letter itself. So can we say following Ukraine's letter to ICANN CEO?

I'm sorry, I already see many hands up. Apologies for overlooking, so I have Nigel, U.K. and then Vincent, France. So please, Nigel, go ahead.

UNITED KINGDOM: Yes, thank you very much, Manal. I don't think it quite works if you say in light of the action taken by Russia against Ukraine. I mean, the essence of this was to -- so that the reader could understand that the statements made by GAC members, you know, mention the action taken by Russia against Ukraine, so I think that sentence has to be restored, but I agree with the European Union that we should add in that at the end following Ukraine's request for an emergency meeting of the GAC. That could be added at the end. Thank you.

MANAL ISMAIL, GAC Chair: Thank you, Nigel, so we are keeping the words you suggested earlier, which is Russia -- the action taken by Russia against Ukraine. This was not deleted. We were just trying to link both together. The action taken by Russia against Ukraine, and the related request from Ukraine to ICANN. So if, if what Fabien helpfully formulated on the screen is okay, or maybe even

Benedetta, I'm not sure -- please comment on the text on the screen as well. France, please go ahead.

FRANCE: Thank you very much, Manal, and apologies because I wasn't present at the preceding session. The preceding Communique drafting session. But I would like to support the inclusion of wording referring to the request of Ukraine to ICANN, so I think we have to work little bit on this but indeed I think in the light of the action taken by Russia against Ukraine in the light of maybe that's not the best wording because it would perhaps imply that we have taken guidance from this, this action, and I don't think that is the spirit of this snippet.

But anyway, I think we still have to work on it but perhaps the current wording could -- yes, I think that could be acceptable, and the related request from Ukraine to ICANN. But anyway, we definitely support the inclusion of, of this request.

I wanted to ask you something else also. Will the text of Ambassador Verdier in the name of the EU and its member states be attached to the GAC Communique? Because I, I have scrolled down -- well I've had a quick look at the whole Google doc in its present form and I haven't seen it attached, so that is something

that is really important for us in France, and I think also for our European colleagues to have this document attached.

I have already sent to Gulten the French and the English versions, so we would be really in favor of attaches it as Ambassador Verdier asked during his intervention on Monday. Thank you very much, and sorry for being a bit long.

MANAL ISMAIL, GAC Chair: Not at all, Vincent. So let me try to clarify the plan again. So the plan was to link -- provide a link to the transcripts from the Communique, which is the current footnote and then have the statements annexed to the minutes of the meeting, which is what you have communicated with Gulten.

Currently, Julia has already compiled all the statements and we are missing translation of two statements. Once we receive the translations the file will be ready to be annexed to the minutes but as said, the Minutes takes a little bit longer than the Communique so it will not be out as soon as the Communique will. And it will include everything that you have already shared, so Vincent, does this address your concern?

FRANCE: Well, to be honest, Manal, we had hoped that the, the speech of Ambassador Verdier could be directly attached to the Communique as I think that it has already been the case that some declaration made by GAC members during ICANN meetings had been attached to directly to the Communique.

I do realize that many statements have been made during the Opening Plenary so it's either non -- I mean, either all are just referenced or attached in the minutes, or all are attached to the Communique, and I realize that that would be a bit heavy. So it may not be what we had hoped but I realize we have to be realistic, so I guess that attached to the minutes that would be acceptable.

MANAL ISMAIL, GAC Chair: Thank you for your flexibility, Vincent, so we are having the transcripts in the Communique, and the statements with the minutes of the meeting.

Any other comments on this specific issue? And then we can go back to the wording okay, then I take it as everyone agreeing to link the transcripts to the Communique and then the full statements translated in English, into -- with the minutes, which come a little bit later. So back to the wording, Vincent, is this an old hand?

FRANCE: Old hand, sorry. I'm raising -- putting it down.

MANAL ISMAIL, GAC Chair: Thank you. Fabien, please go ahead.

FABIEN BETREMIEUX: Clerical suggestion as we brought back that portion of the language that was removed which refers to Ukraine's request for emergency meeting with the GAC. May I suggest that we add the request from Ukraine to ICANN and the GAC and then we document all these requests in addition to a transcript in the footnote. So it's really just a clerical suggestion to.

MANAL ISMAIL, GAC Chair: Thank you, Fabien. In fact, I was thinking along the same lines that we list the three things, so made by GAC members on the action taken by Russia against Ukraine, and the related request from Ukraine comma, the related request from Ukraine to ICANN and following Ukraine's request for an emergency -- but again, if yours is shorter or neater we can go with your suggestion of course.

So let me read this one more time for everyone's confirmation.

(Audio interruption)

Thank you for muting. The GAC would like to reference the statements made by GAC members on the action taken by Russia against Ukraine, and the related requests from Ukraine to ICANN and the GAC during the GAC Opening Plenary session. And I saw a suggestion from CTU in the chat. Also move during the GAC Opening Plenary session, upward to immediately after statements made by GAC members. Yup, reads better. Thank you, CTU, and thank you, Trinidad and Tobago.

So the GAC would like to reference the statements made by GAC members during the GAC Opening Plenary session on the action taken by Russia against Ukraine and the related requests from Ukraine to ICANN and the GAC. Is this good by everyone? And Fabien, is this a new hand?

FABIEN BETREMIEUX: Sorry. Old hand.

MANAL ISMAIL, GAC Chair: Okay. And let's please make sure we will have footnotes to everything that is referenced here, and thank you, Gemma, for confirming in the chat.

So once we are done, we can then -- thank you, Vincent, for confirming also in the chat, and Burundi, many thanks, Francis.

FABIEN BETREMIEUX: So, Manal, we will work on the footnote on the exact wording to make sure we reflect provide links to both requests to ICANN and the GAC.

MANAL ISMAIL, GAC Chair: Thank you for having a place holder for now, and if we can scroll back to where we stopped I think we have gone through, yeah it's the GNSO meeting, and also thanks to Canada for confirming in the chat that the text new looks good for them too.

Now, so meeting with Generic Names Supporting Organization the GNSO. The GAC met with members of the GNSO and discussed SSAD operational design phase, subsequent rounds of new gTLDs operational design phase, DNS Abuse, EPDP on specific curative rights protections for IGOs, accuracy of registration data, and closed generics.

Now the ccNSO bilateral. Meeting with the Country Code Names Supporting Organization ccNSO the GAC met with members of the ccNSO and discussed ccPDP3 on review mechanisms update to the GAC. CcPDP4 on IDNs update to the GAC. CcNSO activities related to DNS Abuse. So just seeking clarity. Is it ccPDP4 on IDNs or IDNs deselection. So yeah, whatever, yeah if we can just check if it is just IDNs okay if we need to insert deselection, let's do this.

And now on cross-community discussions GAC members participated in relevant cross-community sessions scheduled as part of are ICANN73 including regarding ICANN's Global Public Interest Framework and DNS Abuse.

Now, under internal matters we have GAC membership, there are currently 179 GAC member states and territories, and 38 observer organizations. Under GAC leadership the GAC thanks its outgoing vice-chairs Jorge Cancio, Switzerland, Jacques Rodrigue, Burkina Faso and Pua Hunter, Cook Islands for their valuable support and contribution to the GAC during two, one-year terms and indeed sincere thanks to all outgoing vice-chairs. I'm echoing Susan in the chat.

The end of the ICANN73 meeting marks the start of a new term for the incoming GAC vice chairs as part of the GAC leadership team composed as follows. Manal Ismail, Egypt, chair, Par Brumark,

Niue, Francis Olivier Cubahro, Burundi, Shi Young Chang, Republic of Korea, Jaideep Kumar, India and Ola Bergström, Sweden. GAC working groups, so under GAC Public Safety Working Group we have 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, 1 representation from one of the authors of a recent released study on DNS Abuse commissioned by the European Commission. 2, updates on various initiatives from ICANN org, the GNSO, and private entities to research, assess and mitigate DNS Abuse. And 3, a follow-up presentation by Japan regarding malicious domain name registrants, and the strategies they use to avoid detection and responsibility. The PSWG also pointed out its continued focus on DNS Abuse discussing possible steps forward, which include assessing how contract provisions may be improved to respond to DNS Abuse.

The PSWG continued its active participation to support the GAC's small group through participation in the Phase 1 implementation review team. The GNSO accuracy scoping team, and the GNSO small team discussing ICANN org's operational design phase of EPDP Phase 2 recommendations.

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The PSWG emphasized the importance of accurate registration data to better investigate DNS Abuse. The PSWG highlighted that the ODA raised many questions about anticipated usage and costs and noted the possibility that a pilot program could be a valuable addition that could "reduce overall risk through the use of a prototype to reduce the unknowns for specific technical and operational concerns".

During ICANN73 the PSWG held discussions with ICANN org including representatives of the office of the chief technology officer. The security stability, resilience team, global domains and strategy and contractual compliance. The Security and Stability Advisory Committee, SSAC. The Registries and Registrar Stakeholder Groups, and the Commercial Stakeholder Group composed of the Intellectual Property, and Business Constituencies IPC and BC and Internet Service Providers and Connectivity Providers, ISPCP.

And I see Fabien's hand up. Please go ahead.

FABIEN BETREMIEUX: Yes, Manal, thank you. So this is our attempt at solving the issue of punctuation we had in the parenthesis in this part of the text. I will note in the past the PSWG text did not necessarily clarify who was part of this CSG so the text would also be -- could also stop

after the Commercial stakeholder Group, CSG, and that would make it shorter, but did I not know if -- because... wanting to specifically reference each of the groups that are part of the CSG so this is why I took this approach but again we have two options here, either keep the entire text or maybe another option is to stop, have a full stop after CSG.

MANAL ISMAIL, GAC Chair: So, any opinions from PSWG whether we should elaborate on the Commercial Stakeholder group or not? Yes, Chris, please go ahead.

CHRIS LEWIS-EVANS: Thank you. And Christopher Lewis-Evans, for the record. I think in that case maybe shorter is better. They were bilateral, so I think just stick with the CSG. Thank you.

MANAL ISMAIL, GAC Chair: Thank you very much, Chris, so I think we can, yeah, delete the elaboration and stop after CSG. And one more thing I found the -- the part is that PSWG discussed with sometimes separate with a comma and sometimes with a semicolon so I was a bit confused so if, if we can maybe -- I thought they are different but if they are all the same then maybe we can use the same separator but it's a minor issue. Yes, Laureen, please.

LAUREEN KAPIN: Just to clarify, the first group all relates to ICANN org. That's why those were separated by commas, and the rest are semicolons because they are a list with different entities.

MANAL ISMAIL, GAC Chair: Perfect then. There is a good basis for this. Thank you. This would facilitate my reading as well, so thank you, Laureen.

I think we're good now with this text if we can accept changes and move forward to the GAC working group on Human Rights and International Law. The working group reviewed the GAC prospective proposal document on Work Stream 2 recommendation 1.1 on the definition of diversity and particularly on each of the seven elements of diversity identified in the report.

The working group took into account the additional element proposed by the GAC in regard to diversity in views and will share the document with the newly-formed community coordination group CCG, for future community-wide discussion. GAC Operating Principles working group the GAC was briefed on recent activities carried out by the GOPE Working Group including its updated Work Plan and the updated framework for GAC

Working Group Guidelines. GAC members provided preliminary comments on these guidelines with further comments invited.

The Work Plan for 2022, 2023 was adopted by the GAC, setting the working group's priorities to first finalize the framework for GAC Working Group guidelines prior to commencing the review of GAC Operating Principles. GOPE Working Group members will meet inter-sessionally and share relevant developments with the GAC membership prior to ICANN74.

Now, moving to issues of importance to the GAC. First, we have the Global Public Interest Framework, and the text reads, the GAC recognizes the importance of incorporating global public interest. GPI, considerations into policy development and decision making at ICANN. The GPI is of particular importance to the GAC, which serves to consider and provide advice on public policy matters within ICANN's remit. The GAC thus welcomes the development of a tool that could help ensure the GPI is imbedded into policy at ICANN, and the GPI framework, discussions during ICANN73 were a good first step towards that goal.

The GPI framework could be adapted and applied by all advisory committees and supporting organizations in their work, including for example through the process of developing and endorsing policy recommendations, decisions and public

comments. The requirements of inclusiveness established in the articles of incorporation should be explicitly enshrined in the GPI framework.

The GAC notes that the initial application of the GPI to the SSAD ODA appears to have been limited. It is important that public interest -- that public interest concerns are not only considered but effectively addressed. For example, one public interest concern identified during the EPDP Phase 2, SSAD deliberations concerned the classification of cybersecurity threats (including threats to consumer protection), as priority and then -- which is between brackets -- the lowest priorities. The GAC, and several other stakeholder groups noted that this low priority "may be insufficient to address the reality of serious online threats as well as too slow to deliver data at speeds to satisfy operational security needs".

Despite concerns, the ODA concluded that the community "considered and addressed public interest considerations" in the rationale for the SSAD recommendations. Going forward the GAC would encourage a more exhaustive application of the GPI framework in the ODA for the new gTLD subsequent procedures operational design phase. The GAC will closely follow the development of the GPI framework going forward. Now moving on to subsequent rounds of new gTLDs. And the text reads the

GAC discussed subsequent rounds of new gTLDs --- and I'm sorry, just I got distracted by the chat -- sorry for the delay. I have a question from the Ukrainian community. Are you going to mention Russia's decision to disconnect from global Internet? It's not about recent information in media. It's about 2019 legislation.

So, nothing regarding this in the Communique as it was not discussed during our GAC meetings, so Oksana, any -- I hope this answers your question.

Okay, so I forgot where we stopped. Maybe I'll start again under subsequent round of new gTLDs. The GAC discussed subsequent round of new gTLDs and addressed -- and received an update from ICANN org about the current state of work of the operational design phase, ODP. Relative to policy regions in the final report of the GNSO policy development process working group on subsequent procedures for new gTLDs.

The GAC will continue to maintain open communication channels with ICANN org throughout the ODP providing input as appropriate during community consultation phases. Following the ICANN Board invitation for a GAC and GNSO facilitated dialogue aimed to explore a mutually-agreeable way forward on

closed generics the GAC intend to respond favorably noting its willingness to contribute to this effort.

The GAC will continue to engage in seeking a compromise solution relative to closed generic applications in the next round of new gTLDs, in keeping with the GAC Beijing Communique whereby "exclusive registry access should serve the public interest goal".

Now moving to the accuracy of registration data, and the text reads, as stressed in its ICANN72 Communique, the GAC remains committed to working within the accuracy scoping team launched by the GNSO and reiterates that maintaining accuracy domain name registration data is an important -- I'm sorry and reiterates that maintain accurate domain name registration data is an important element in the prevention and mitigation of DNS Abuse.

The GAC also notes that maintaining accuracy must be considered along with any policy's impact on the privacy needs of all registrants including those registrants with enhanced privacy needs. The GAC has actively contributed to the exercises linked to GNSO, assignments one and two within the scoping team including contributions to the team's gap analysis.

Accuracy measurement and accuracy working definition discussions.

In these discussions the GAC has emphasized the importance of holding contracted parties accountable for their compliance with the existing accuracy requirement as well as the importance of increasing transparency about compliance in order to inform an evidence-based analysis of these issues. The GAC welcomes further discussion regarding whether, and how accuracy accountability and transparency can be increased, including through potentially re-starting ICANN org's accuracy reporting system or in developing new programs.

In addition, the GAC maintains that, when trying to capture a working definition of accuracy, the registrar contract's who WHOIS accuracy program specification requirements are not the only consideration. Rather, the totality of current contractual requirements should be taken into account as well as guidance from ICANN compliance.

The latter has provided input suggesting that accuracy is not limited to syntactical and operational accuracy but could also include examples where registration data such as the registrant's name, are patently inaccurate.

A domain name that is syntactically accurate and operable is necessary but not sufficient to defining accuracy. Accuracy should also include consideration of the recent EPDP identified purposes for which the data are collected such as "the ability to assign a domain to its owner", and "to contribute to maintenance of the security stability and resilience of Domain Name System", in accordance with ICANN's mission.

The GAC remains committed to helping deliver and all four GNSO, assignments in a timely and effective manner however if the scoping team is unable to agree on a definition of accuracy, and what needs to be measured, at the very least the scoping team could study what constraints -- example legal, financial or practical -- what constraints exist to measuring and checking accuracy and produce a report recommending further policy development for accuracy policies that would overcome the constraints.

So, anything I should attend to in the chat? I'm sorry, I see an active chat, and I was not keeping an eye. So Gemma just to mention there was no intention to disregard the important point raised by Oksana, but as Manal explained this was not discussed in the GAC meetings hence it's not mentioned in the Communique. Indeed, thank you, Gemma, so we normally reflect our discussions in the Communique, and this was not discussed

during our GAC meeting, so thank you for understanding, Oksana. And it could indeed rather be resiliency having run a quick check.

EUROPEAN COMMISSION: We were referring to the quote, the sentence, which is highlighted, and I ran a quick check and I mean it seems it was resiliency in the book so it's better to revert it back. Apologies if I created some confusion with that.

MANAL ISMAIL, GAC Chair: Not at all, Gemma. It's okay. And as said sometimes it's used alternatively within the community which might not be the best thing, but it happens. Reading Finn, Denmark, in the chat. Does -- that could also include examples of registration data such as the registrant's name are -- apparently inaccurate with the first part of the sentence?

So, can we highlight the referenced part here? So I'm trying to find the referenced text that -- yeah, okay so, the latter has provided input suggesting that accuracy is not limited to syntactical and operational accuracy but could also include examples where registration data such as the registrant's name are patently inaccurate. And Finn is wondering whether this fits within the first part of the sentence, so any comments? I hope from Velimira or pen holder on this part?

GEMMA CAROLILLO (EC):   Velimira is not present at the moment but I'm not sure I understand. So it's a matter of moving the paragraph?

MANAL ISMAIL, GAC Chair: So Finn, do you mind elaborating and maybe if we are not able to confirm now we can highlight it, and get back to you?

DENMARK: Thank you, Manal. I was just reading the first part of it. The latter, I think that is refer to ICANN compliance has provided input suggesting that accuracy is not limited to syntactical and operational accuracy. Then I think the next part, do not fit with the first part, and for my part it could be deleted if it is another example but it do not fit in the sentence as far as I read.

MANAL ISMAIL, GAC Chair: Thank you Finn. Makes sense to me, and I also see Susan's hand up. Please, Susan, and then --

UNITED STATES: Thank you, Chair. Finn makes a good point. Would support deletion as suggested, but an alternative -- I'm just trying to -- an alternative could be to end that first part of the sentence with a full stop, and to start the second sentence with the word "inaccuracy" could include examples. It's a bit awkward but -- so, I'm happy for suggestions or to -- it's not the prettiest wording but I think it addresses Finn's point but defer to others who may be able to more elegantly address the sentence. Thank you.

MANAL ISMAIL, GAC Chair: Thank you very much, Susan, for trying to help, and I see Gemma's hand up too, so European Commission, please.

EUROPEAN COMMISSION: And now I see perfectly Finn's point and he's right, of course, this is a case of inaccuracy, not of accuracy.

I mean, either the proposal from Susan it's fine, or otherwise I was thinking that you know, we could rephrase it that the latter has provided input suggesting the requirements of accuracy is not limited to syntactical and operational accuracy but should also address examples where the registration data are inaccurate because also elsewhere I think later in the text we refer to the fact that the registrars should take action in the case that there is a clear case of inaccuracy and this is another possibility.

MANAL ISMAIL, GAC Chair: Thank you. Can you confirm that what you said is what is on the screen, and if not can you repeat with a dictation speed, would be appreciated?

EUROPEAN COMMISSION: Yes. The requirement is not limited to, but should be also address. I think this is, I mean the meaning we are aiming at. I don't know if linguistically it's fantastic but that was the aim.

MANAL ISMAIL, GAC Chair: Okay. So, it now reads the latter, which is ICANN compliance, has provided input suggesting that the requirement of accuracy is not limited to syntactical and operational accuracy, but should also address examples where registration data such as the registrant's name are patently inaccurate.

So Susan, is this a new hand?

UNITED STATES: Well, it's a legacy hand but I think it could also serve as a present new hand. Just to note that since we are references ICANN compliance here, I think it might be more prudent instead to

retain the word could instead of the word should if Gemma is okay with that.

EUROPEAN COMMISSION: I mean, I think it's okay to go ahead with the could. I remember having read the specific examples from the ICANN compliance and I think they were quite, you know, firm on that but I think it's fine in the context of our discussion to refer to could.

MANAL ISMAIL, GAC Chair: Okay, then, let's change it to could. I see it's already reflected on the screen. So I think we are now done with this part of the text? Any other comments? I am assuming that Susan's hand is an old one? And if this is right, which seems to be, I this I we can move on. CTU, Nigel, please, go ahead.

CTU: Thank you, yes, just before you leave here just to English edit, the latter provided input suggesting that the requirements of accuracy are not limited so that's plural. And then I'm wondering if that reference to ICANN compliance should have a capital C. Is that a. Is that meant to be a proper name? Is that a name of a department or something? I'm wondering. If so it should have a capital C.

EUROPEAN COMMISSION: Absolutely. I think it makes perfect sense.

MANAL ISMAIL, GAC Chair: Thank you, Nigel, and thank you Gemma for confirming. Compliance in C this is to your second point I think I missed your first point, Nigel. Has it been addressed?

CTU: Yeah, it is the requirements of accuracy, that's a plural, so it should be a --

MANAL ISMAIL, GAC Chair: Indeed. Perfect. Thank you. Good to have so many eyes confirming because when one is reading I miss many things. So thank you very much everybody. Anything else before we move on?

Okay then, then thank you, Gulten, for the heads up. I'm going to slow down. Apologies. Sincere apologies to our interpreters. Yeah, they are pretty long sentences, and I should bear this in mind. Apologies.

I think we are good to scroll down. Now, on EPDP Phase 1 recommendations implementation. The GAC recalls its previous advice within the ICANN66 Montreal Communique, and the follow-up on previous advice in the ICANN70, 71, and 72 Communiques, with regard to Phase 1 of the EPDP on gTLD registration data, and the request for "a detailed Work Plan identifying an updated realistic schedule to complete its work".

The GAC welcomes the detailed Work Plan provided by the IRT during the ICANN73 pre-week with regards to the schedule -- I'm sorry, we have a full stop here. So, again, the GAC welcomes the detailed Work Plan provided by the IRT during the ICANN73 pre-week. With regards to the schedule, the GAC notes item 5, which states "potential items that are unable to provide an estimated time-line are there -- as there are differing interpretations of the policy recommendation, which may lead to an impasse are, A, new data protection agreements, DPA per phase one recommendation 19, the DPA is a newly introduced agreement between the contracted parties and ICANN org. As such, the agreement has been undergoing time-consuming negotiations".

As finalized, DPA's as finalized DPA's seem to be -- sorry. As finalized DPA's seem to be on the critical path. The GAC asks the ICANN Board to support the org in getting this item completed to

enable the timely conclusion of the Phase 1 IRT, and, yeah, I keep getting confused with this part of the text and thank you, Fabien, for providing the source of the document in the chat. On -- under, yeah, please.

FABIEN BETREMIEUX: Manal, if I may, you know we are facing the same challenge as we try to proofread this section, and in particular because of, you know, Nigel's comment, relating to the quote itself. There seems to be missing words in the quote itself so that really doesn't facilitate the understanding of this text or the fluidity. So I, I'm in touch with [proponents of] the text to suggest a different slightly revised approach to the quote just to make sure it's fluid and understandable so we will see once we are able to connect if we can suggest a slight improvement.

MANAL ISMAIL, GAC Chair: Thank you very much, Fabien. Every time I fail to read it fluently and I thought it was only me, so thank you for checking out for us.

And now moving to DNS Abuse Mitigation, the GAC discussed recent study on DNS Abuse provided by the European Commission. That study provides many valuable case studies, clarifies the different actors in the Internet ecosystem, and provides recommendations on how the different actors example

registries, registrars, resellers, hosting providers registrants, etcetera, can respond to DNS Abuse that takes place within the different layers of the DNS system.

While not all harmful or illegal activities covered by the study fall into ICANN's remit, the GAC is an important venue for governments to discuss DNS Abuse and work towards solutions that can be accomplished both within and outside ICANN.

Additionally, the GAC expressed appreciation for the DNS security facilitation initiative technical study group's final report. Commissioned by the ICANN CEO, which addressed real world security incidents, targeting DNS infrastructure and recommended actions for ICANN org to facilitate and promote security.

The GAC notes the news pertaining to the forthcoming launch of a centralized abuse reporting tool CART as developed by the DNS abuse institute and expressed interest in receiving more detailed information about this tool as it becomes available.

Building upon ICANN72 discussions on the topic of registrar hopping, where registrants avoid consequences for DNS abuse by transferring their domain names to a different registrar, the GAC discussed the scenario whereby the registrant who seems to be

the same is involved in multiple different abusive domain name registrations with the same registrar.

Registration data accuracy, as well as effective and continuous auditing of registrars by ICANN compliance could help reduce this type of DNS abuse. The GAC believes that co-operation with other groups and trusted notifier programs amongst the many options currently under discussion, within the ICANN community are worth further consideration.

Finally, the GAC notes the ICANN73 community plenary session on "evolving the DNS abuse conversation" which focusses on malicious versus compromised domain names. It was universally agreed that the distinction is important and the GAC supports the community exploring the opportunities highlighted in the session for further work to disrupt DNS abuse.

So thank you for, Nigel, agreeing with disrupt and Fabien reflected an edit suggested by Chris. So thank you Fabien, Chris and Nigel. And I think nothing else to read at this point in time.

So we have Universal Acceptance for tomorrow, and, yeah, so we don't have anything under consensus, and we have one sentence for the plan for next meeting if we can scroll down until the very end. And the sentence reads the following -- I'm sorry, the

sentence reads the GAC is scheduled to meet next during the ICANN74 policy forum on 13 to 16 June 2022.

So, I was just wondering before we conclude, we have 9 minutes for this session, whether we should have -- I mean welcomed the ICANN Board resolution on the support to Ukraine. Is this something that we can acknowledge somewhere in the Communique? I see Gemma is agreeing. Thank you, European Commission.

Any other support or objection? And thank you, Jorge. So, we have support also of Switzerland. Denmark.

Okay, so if this is not something that we can draft on the fly, then maybe something to draft for tomorrow. Any ready suggestions or should we sleep over it and have some text tomorrow? And I think it should be at the very beginning, in the introduction or is this -- is there a better place -- I mean any suggestions on where to place this text?

I think it makes sense after maybe the -- after referencing the statements, would this make sense, thank you, Gemma, for confirming that the introduction seems to be the right place. Yeah, these are the news. So if there are no immediate suggestions for text, I think we can work on some text, a sentence

or two for tomorrow to be approved along with text under Universal Acceptance. And I'm reading Oksana in the chat, thank you so much. So thanks Oksana. Very much appreciate your understanding and flexibility, and we sympathize with everything that's going on.

So any other requests for the floor before we conclude, and I'm giving everyone back after we take Fabien's request for the floor --

FABIEN BETREMIEUX: Manal, I apologize because indeed I was going to just mention we have edits to the text on EPDP phase one so we could reserve discussion of that text for the next session as opposed to now so it's really -- we are in your hands.

MANAL ISMAIL, GAC Chair: So you already have the right text now?

FABIEN BETREMIEUX: Right, it's been reflected. I've been in touch with Chris to whom I reflect the suggestion in the text.

MANAL ISMAIL, GAC Chair: Yeah, so let's, let's proofread it now. We still have six minutes. So the text now reads, the GAC welcomes the detailed Work Plan

provided, provided to the IRT prior to the ICANN73, and notes that the expected data protection agreements, DPAs between ICANN org and contracted parties, have been undergoing time consuming negotiations, and are part of discussions which may lead to an impasse.

Since finalized DPAs seem to be on the critical path to completing the implementation of EPDP Phase 1 policy recommendations, the GAC asks the ICANN Board to support the org in getting this item completed to enable the timely conclusions of the Phase 1 IRT. Yeah. Thank you very much. This makes more sense I hope to everyone like myself.

So pausing to see if there are any requests for the floor? Any comments? Nigel, please, U.K., go ahead.

UNITED KINGDOM: Yes, thank you, Manal. In the first line the GAC welcomes the detailed Work Plan provided to the IRT or -- is it by the -- I just was not sure. I thought the Work Plan was of the IRT but -- perhaps I've just got this wrong.

MANAL ISMAIL, GAC Chair: So Fabien, if there is clarification, and I see Chris's hand up and Susan too, so Fabien, please.

FABIEN BETREMIEUX: Yeah, I was just going to mention this is an ICANN org document that was circulated to the IRT so I believe this is why it would be to the IRT.

UNITED KINGDOM: Right, thanks. Yeah.

MANAL ISMAIL, GAC Chair: So maybe provided by ICANN org to the IRT could be self-explanatory. I see Chris's hand went down. So if your point was covered then I go directly to Susan. U.S., please go ahead.

UNITED STATES: Thanks, Chair. Just a question, does this seem to -- I'm not sure if it contradicts some of the -- what we had discussed with the Board earlier this morning. I thought the discussion was a bit more positive, but I'll just leave that there, and I'll defer to those who really closely tracked this issue.

MANAL ISMAIL, GAC Chair: I'm sorry, Susan, if you can repeat please. I got distracted for a second. I'm sorry.

UNITED STATES: Oh, no, I was just saying I thought that the discussion with the Board this morning was a bit more positive on this, but I -- I'll defer to the proponents of the text. Thanks.

MANAL ISMAIL, GAC Chair: Thank you very much, Susan. So Chris, please, yeah, go ahead.

CHRIS LEWIS-EVANS: Yeah, thanks. And Christopher Lewis-Evans for the record. And just for some clarity here because it will probably help all GAC members out, yeah, my understanding of the discussion earlier today was that you know this item is being worked upon. Obviously it was an item under a number of our previous Communiques. But within the text its only shown as still being on the critical path, and even in the meeting with the Board Göran wasn't particularly sure why we were so interested in DPAs being completed, so I think this goes to answer some of those reasons why we are interested in the DPAs being finalized as it is realistically the part that's holding up completion of the Phase 1 IRT. Thanks.

MANAL ISMAIL, GAC Chair: Thank you very much, Chris. Also reading Gemma in the chat, today I only understood the impasse is continuing. I think the word is good.   Thank you Susan.   Does this address your clarification, your sought clarification?

Okay. Thank you for confirming in the chat, and assuming Nigel's hand is an old one? I'm just confirming. And please, support staff, let me know if there is anything else that we can discuss in the coming session or shall we release this session.   My understanding is that we are only missing the Universal Acceptance text, and this is not going to be clear until we meet the ALAC tomorrow, but I always stand to be corrected by Fabien.

FABIEN BETREMIEUX: Absolutely. No need to correct you, Manal. And you know, we have noted a number of clerical items for us to look at in terms of references and footnotes.   Addition of some footnotes in particular to the text on Global Public Interest framework, so we will be working on that in the meantime, and that can be you know, double checked during our next session when you decide that is.

MANAL ISMAIL, GAC Chair: So I think we already have a session tomorrow after the ALAC that we were planning to give 60 minutes to the Communique and then 30 minutes to the wrap-up. I think we will not need the 60 minutes for the Communique. I hope it's going to be much shorter. Just things that got fixed overnight, Universal Acceptance text. And a sentence to welcome the resolution by ICANN Board.

So it shouldn't take much, and this will allow a longer wrap-up session where we can take stock and plan our forward working. Any suggestions by GAC colleagues or any reminders by support staff? Does this make sense? Yes, Rob, please go ahead.

ROBERT HOGGARTH: Hello, Manal. Thank you. This is Robert Hoggarth, for the record. I want to confirm and clarify for everybody on the call and for any announcements you want us to provide back to the meetings team, so we are going to then cancel the next drafting session of one hour that's GAC Communique session 3 of 4, and the GAC will reconvene tomorrow publicly for the GAC meeting with the ALAC and privately with the various update sessions; is that correct?

MANAL ISMAIL, GAC Chair: Correct. Correct, Rob.

ROBERT HOGGARTH: Thank you very much, thank you.

MANAL ISMAIL, GAC Chair: I was trying just to be a bit democratic and ask everyone for confirmation before the explicit announcement. But yes indeed. So we are releasing GAC Communique session 3 of 4, so we are concluding now, and I hope to see everyone tomorrow at 9:00 San Juan time, 13:00 UTC for the ALAC session, and before that we will have the daily update as we do every day. So happy to give you back an hour and a half and thank you everyone. See you all tomorrow, and until then, stay safe. Bye.

[END OF TRANSCRIPT]