ICANN67 | Virtual Community Forum – GAC: Follow up Discussions on New gTLD Subsequent Procedures
Tuesday, March 10, 2020 – 13:30 to 14:30 CUN

GULTEN TEPE:　　　　　　This is Gulten speaking. May I ask for the recording, please. Thank you. Good morning good afternoon and good evening. Welcome to the ICANN67 follow up discussions on new gTLD subsequent procedures session being held on 10th of March, 2020 at 18:30UTC. We will not be doing a roll call today but attendance will be noted in the annex of the ICANN67 GAC communique and the GAC minutes. Please note the following housekeeping to maximize participation. This GAC session will be available in English, French and Spanish. The zoom audio is in English only. And in order to access the French and Spanish audio please join the story streaming link on the main schedule on website. The link is available on the GAC agenda pages also. All details are sent out on the calendar with the relevant links. If would you like to ask a question or make a comment in English French or Spanish, please type it in the chat by starting and ending be sentence with question or comment.　 Please keep them short if possible. French and Spanish questions will be translated into English and read-out by the remote participation manager, Julia Charvolen. If you're in the zoom room and wish to speak you may also raise your hand. A kind reminder to please state your name when speaking not only for transcription purposes but also for the interpreters to identify you on the French and Spanish audio stream. Please speak clearly and at a reasonable speed to allow for accurate interpretation. With

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that I would like to leave the floor to Manal Ismail, GAC chair. Over you to, Manal.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Gulten, and good morning good afternoon and good evening everyone welcome back to the GAC zoom room. We will now start our GAC discussion on subsequent procedures.   The discussion is -- the session is scheduled for one hour. I hope you had the chance to attend the PDP working group session that has just concluded. I know some GAC colleagues were there, and participated actively, and I thank them for their participation.   We have been working on bringing everyone up to speed during the capacity building session and also our first plenary on the topic. I think it's now time to get more into substance and discuss GAC views on the different views mainly the 5 issues that the PDP working group will be concluding at this meeting. So without any further ado let me hand over to our topic leads. I'm not sure who will get us started so is it Luisa or Jorge?

GULTEN TEPE: Luisa, you might be on mute. Hello? We cannot hear you Luisa if you're speaking.

MANAL ISMAIL, GAC CHAIR: Luisa, we still cannot hear you.

LUISA PAEZ: Hi, Manal. Can you hear me?

MANAL ISMAIL, GAC CHAIR: Yes, now we can here you.

LUISA PAEZ: Perfect.

MANAL ISMAIL, GAC CHAIR: Over to you.

LUISA PAEZ: Perfect. Louise Paez, for the record. And thank you, Manal, for opening to essential also echoing your thank you remarks for those GAC members that not only attended but were also actively participating, and so the idea how we got the GAC leadership had a quick coordination call this morning in terms of how we can organize ourselves for the following GAC SubPro session and so how we will follow is that we will be in addition to sending an e-mail with the high level notes of the PDP SubPro working session and so yesterday the closed generic item one discussed and so through the GAC mailing list all GAC members should have received the high-level summary on closed generics and so today we will start by providing a quick summary on closed generics. The previous GAC -- and advice and then we have some prompting questions to get the discussion going, and then we'll have onto the second item. And so I will hand it over to Jorge Cancio from Switzerland. Thank you.

JORGE CANCIO: Hello. Do you hear me? Okay.

MANAL ISMAIL, GAC CHAIR: Yes, Jorge.

JORGE CANCIO: Hello, everyone. Good morning, good afternoon and good answering and this is Jorge Cancio for the record. I would like to shortly introduce the topic of generics. I hope you see the slide on your screen, closed generics are a top-level domain which corresponds to a generic string … or bank and where the second level domains registrations would be limited to a single person or entity, in 2012 there was now express policy from the GNSO or in the Applicant Guide Book on this topic, and only when the applications of that round were made public it was apparent that there was an issue with these so-called closed generics, and the GAC issued an advice, the GAC Beijing communique where it stated that such strings should serve a public interest goal. Otherwise implicitly the GAC were saying that they didn't serve a public interest goal they shouldn't be delegated. So the ICANN Board took action on this, and after a lot of internal deliberation in 2015 it is basically didn't allow closed generics as closed generics in the 2012 round. So if we go to the next slide. Yesterday we had a long discussion, almost 90 minutes of a discussion in the subsequent procedures PDP working group on this issue and basically this working group still has no consensus at this stage, and has tried to look into a possibilities how to develop a policy that could meet the requirements or the advice set by the GAC in 2013, so how a closed generic could really serve of public interest. So there have

been … in both directions and if we go to the next slide please, there was a lively discussion. I see my name on this list but there are also other participants who on one side tried to see ways, how to define public interests within this requirement set by the Beijing advice of the GAC, and others, and I was one manages them -- said perhaps it's too difficult to find the definition of what public interest is in general, but perhaps its better to try to define conduct which we want to avoid, and this was taken up also in the wider discussion in the working group, but the -- in the end at least yesterday, there was no clear consensus or compromise because there was discussion following that such closed generics should avoid anti-competitive behavior for instance. If you had a .CAR that not one single producer of cars should have the monopoly over that top-level domain but others didn't agree with this approach, so we didn't really come to any conclusion. So what we would like to do today really is if we go to the next slide, is to really try to discuss the substance of this issue, and on the slide you have on the screen we have included 2 main questions with some sub questions to direct this discussion, but I guess that maybe you have also different viewpoints, different questions, you want to tackle on this question of closed generics, but if this is agreeable for everyone we would begin with the first question recalling the Beijing advice which said that for strings representing generic terms exclusive registry access should serve a public interest goal, and ask the GAC membership if you think that this advice should still be the basis of our position as a GAC and whether you think that a closed registry model is compatible with require a public interest coal and also possibly if you can think about examples or used cases where this could be

possible. So I leave it by this, and I wonder whether Manal wants to steer the debate?

MANAL ISMAIL, GAC CHAIR: Thank you, Jorge. Happy to help moderating the discussion, and thank you for the very well structured presentation and thanks to support staff as well I have to say that everyone is working realtime and trying to bring input from the GNSO PDP working group as well so thank you everyone, and I think the questions are an excellent trigger for the discussion and I already see Kavouss's hand up so Kavouss please go ahead.

IRAN: Thanks very much, Jorge, and these are the hard work you have done for the action for the very good slide which is instructive. Which is informative, and I would say not increasing understanding or but I say increasing awareness, not understanding so everybody has a good understanding but I want to increase the awareness of the people. This is a term we have to use. Anyway, I think we have sufficiently given information of the situation. Now the next question is that what is the next step? What to do so I think now we need to see that what are the options before us. Not options which is in the document for options and so and so on. What we could do really to find a way and how quickly could be done, and how -- I mean the possibility to find some solution. I'm sorry, I have to say again that I am in favor of sort of flexibility tolerance, and latitude and so on so forth to see whether we are able to some extent have some solutions but not a black and white solution on that one so that is what I said yesterday. I repeat, so

I would be very happy if we received some thought from distinguished colleagues that what they believe to be a solution. I said yesterday as the first very first element are I situation would be to take the GAC advice but try to see what we mean by public interest. It is very difficult for information and I have been involved in the CICG and other accountability is very very difficult to define what is public interest so what we have to say that whether we could have some description and to say that the public interest is understood to cover or to mean something but not to define that because we don't want to close our hands in the public interest and it is also difficult to … then you have to see what are the options before us. Total close? Total open? Or something with some criteria and some solutions to meet that criteria, and also put some accountability if that public interest is not preserved even with the criteria what are the consequence of that. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much. Kavouss. I also see a comment from Jeff Neumann co-chair of the subsequent procedures PDP working group and again can't thank him and Cheryl enough for also attending our discussions, and participating. The comment says answering the second question would be incredibly helpful to us, right now we have lots of individuals and groups trying to interpret what it means to serve of a public interest goal. But as this was originally GAC advise your views would be very valuable to us so I see now Kavouss I believe this is an old hand so I will give the floor to Vernita. Please go ahead.

EN

UNITED STATES:	Good afternoon, good morning and good evening everyone so we've been studying and reviewing the closed generics in the U.S. and right now we are not prepared to take a position at this time due to concerns with about defining public interest goals and we are also looking at addressing a population for use in anti-competitive manners. These issues we think require more study, and should be the subject after in person meeting and not a virtual meeting. But and the closed generics itself we do believe that they should be allowed. Like I said previously we are questioning whether there should be any additional conditions demonstration of public interest or commitment to a cold of conduct. These areas we believe need further study and we prefer they be face-to-face. And so we recommend that this the -- no decision is made at this meeting and we have a discussion at our next meeting next face-to-face meeting. Thanks.
MANAL ISMAIL, GAC CHAIR:	Thank you very much, Vernita, for a very clearance to our discussion so there is a preference here to allow for closed generics, and also not to take any decisions during this remote meeting I think we still have some time to continue our discussions but let me see first if any objections to this, any Kavouss, please.
IRAN:	Manal, I did not get from Vernita what she said and what you said, there is objections, objection to what?

MANAL ISMAIL, GAC CHAIR: No, I'm asking --

IRAN: I don't -- I'm sorry, just one more minute. I think no doubt at this meeting I would don't have any ways and means to decide on either way, but if you say don't decide it now, leave it for the next physical meeting that's okay but we have to work within the 2 meetings. We have to prepare something because next you would have the same situations 2 or 3 sessions all of them discussing the issue that you have heard more than 10 times but without the solution so we have to establish the ways and means if possible how to review ... possible positions possible alternatives to address the issue one way or another in order to enable GAC at the next meeting or the subsequent to the next meeting to have a clear decisions so I don't think there's objections to the situation. Of we need more time but we need to work between now and the next meeting because this has been worked out, out but the GAC as I mentioned is efficient when they were in in session. No doubt physical session is more effective than the virtual session. But in any case you have to work it out. Otherwise we don't have anything and next meeting we come and some people prepare something and we have to scramble and we don't want that. We want to be open minded. We want to not be biased by any particular idea and so on so forth. Totally open to see ways and means pros and cons so I think we have to see whether Vernita the objection to what? Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Kavouss. And apologize for not being clear. So Vernita, didn't mention any objections. I was asking. And I was mainly talking on substance, which is allowing closed generics as for the process itself I fully agree with everybody that we should continue the discussion here at this meeting, a remote meeting but also inter-sessionally, and hopefully we can have the next meeting face-to-face of course, the GAC is more effective at face-to-face meetings. And I hope things will be contained quickly, are and we can reconvene our face-to-face meetings soon. Jorge please. Sorry to keep you waiting. Vernita, is there a old hand? I'm sorry.

JORGE CANCIO: Manal.

VINCENT GOUILLART: Yes, it is.

MANAL ISMAIL, GAC CHAIR: Okay. Jorge, please go ahead.

JORGE CANCIO: Hello, is it okay?

MANAL ISMAIL, GAC CHAIR: Yes, Jorge.

JORGE CANCIO: Thank you, Manal, and getting back to the substance of the discussion, I would understand the, the comment from Vernita as going into the direction that the Beijing advice is still a good bases,

and perhaps this is a direction we can use also for the inter-sessional work we have before us and also for preparing Kuala Lumpur but I think that as Kavouss mentioned before. It would be interesting to try get a little bit into the substance of these -- of this question, and whether it is possible to really square the circle of having closed generic with the public interest goal understand this sense the second part of the questions on the slide ask GAC members if you think that a positive definition of public interest goal is something we should explore, and here I recall what Kavouss said, that this is a really almost impossible task at least for me personally, or whether we could try to come up with some criteria of what conduct would be against the public interest in a closed generic. So I don't know whether fellow GAC members could give some guidance on this be it on the chat or raising their hands because at least I personally would have a, a preference for the second option if, if any. And finally, it would, of course be helpful if we have any fellow GAC member who was in Beijing who would be able to elaborate a little bit on what was the discussion there when we issued this advice. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Jorge, and thank you for providing more clarity on both questions. I don't think everyone was at the subsequent procedures working group discussion when you raised this point, so I think the clarity was needed here Kavouss, please go ahead.

IRAN: Yes, I was in Beijing meeting but I don't want to say my understanding, and I would say influence the views of others. I think there is a record

of that meeting, and there is a transcription of that meeting, perhaps at some time I may request colleagues of the ICANN support staff to look at that records and that transcription and try to take exact something, not with interpretation, but exact something from that to see what was the discussion. However we should be quite clear that the GAC Beijing advice was not prohibiting the use of the closed generics fitting under the conditions. But very general conditions. They used the word should but not shall. And they also said public interest but we should understand that we are not defining public interest in general. We try to see whether we could describe public interest in terms of using closed generics but not other area. Just in respect of the closed generic ... difficulties, are and then try to see what are the criteria, and the conditions that could be established that if these conditions are met and these accountability or the application of these conditions are clarified, then it could be, it could be -- not it should be -- it could be allowed under certain conditions, and still subject to further public comment, further community views and so on so forth. It's not totally even under the conditions so we have to see to the application. So we should see if the closed generic under the conditions under the criteria and so on so forth. Application by applications. We cannot have a general rules for everything. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much. Kavouss. I see Lina's hand up. So Lithuania, please go ahead.

ICANN 67
VIRTUAL COMMUNITY FORUM
7–12 March 2020

LITHUANIA: Thank you, Manal. Can you hear me well?

MANAL ISMAIL, GAC CHAIR: Yes, Lina.

LITHUANIA: I haven't been to Beijing, but basically fresh look into these two alternatives I would say those 2 do not seem to be contradicting, opposing each other. Rather the second one. The negative aspect is complementing or supplementing the positive definition of public interest goal, and since we see now this very difficult situation in describing the positively the public interest goal which is actually prioritizing something which the public would in comparison with something which is is private interest, so maybe we can think about a slightly changing our course not just deleting one and adding another but simply explain in addition but adding negative behaviors which should be avoided and which we might describe or name in sake of [inaudible] the public interest. So there might be some interim solution keeping previous GAC position and clarifying it in the course as we will be discussing. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Lina. Olivier, please.

EUROPEAN COMMISSION: I would have a question in a way, today how is it done, how is it done the evaluation of the public interest because it seems to me that none of the alternative we have in front of us is absolutely satisfactorily. It will be difficult to define exhaust actively the public interest but it will

also be difficult to define all the cases which are against the public interest, so necessarily there is a step after that which is what Kavouss was mentioning, the case by case assessments so there must be an assessment done to see whether the public interest is respected or whether it is against the public interest, so just to understand well how does it work today?

MANAL ISMAIL, GAC CHAIR: Thank you very much, Olivier. This is a fair question. So, Jorge, is your hand in response to Olivier as question?

JORGE CANCIO: It is.

MANAL ISMAIL, GAC CHAIR: So -- if I may just Giacomo I'll give you the floor but since Jorge is answering directly to this question so.

EBU: No problem. Jorge first.

MANAL ISMAIL, GAC CHAIR: Thank you, Jorge. Please go ahead.

JORGE CANCIO: Thank you, Manal, and thank you, Olivier, for the question. Actually, this is if you look at the what happened in 2012 this is the problem or this is the crux because the GAC gave this advice that closed generics could be allowed but only in reserved … public interest goes and the Board spent about 3 years discussing this. How to square that circle

and their conclusion at least for the 2012 round was to say we cannot square this circle and there won't be in think closed generics in this round. And they deferred or they directed the GNSO to develop policy on this aspect, on closed generics taking into account of course the GAC advice from Beijing. So now we are at that moment of time where the PDP working group which is chaired by Jeff and Cheryl are trying to define criteria which would meet this requirement as set out in the GAC advice of 2013 and they don't find an agreement either on -- whether this should be a positive definition or negative definition or how to square this circle so that's why it is important for us because the GAC in the end was the origin of that advice, that we think hard, and come up with examples, with use cases with criteria where this advice could be applicable to concrete applications in the new round, and where the Board could assess the applications on the basis of some criteria, which, which would give them guidance on what is in a public interest or not, so I hope that this explains a bit more the situation.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Jorge. So I know we need to move to the following topic but I don't want to interrupt this excellent discussion, so I have Giacomo and Kavouss, Olivier and then we can move on.

EBU: I participate in Beijing and as Jorge was remembering to this lengthy discussion on which we arrived to no unanimous conclusion. I think we need to know to think based on the experience of what went wrong in the first round, and based on the experience we can try to play a

role as GAC. For instance I think that a proactive approach would be if we do a consultation as GAC asking to all the community and people around us which could be the topics and the terms that they see as problematic if they go -- if they are not closed and if they are not protected in a certain way this could be something that the GAC can make because if the government -- not the government and the international organizations know what public interest is, then I think that we have a bigger problem than the question of the next gTLD.

MANAL ISMAIL, GAC CHAIR: Thank you, Giacomo. I think, Jorge, this is an old hand, so I'll go to Kavouss, please.

IRAN: Yes, I think we should avoid to give positive or negative view on that. We should just find -- we should content we could have some solutions. Assessment is one position. There have been several cases from the first round that or the closed generic, and they were told that either withdraw that or convert that to the open, but if the closed generic will be greeted again these cases could come and maybe -- they should be allowance to come or maybe saying no, however those cases will arrive with the closed generics. They have some scope of applications and so on so forth. It might be one idea good to look at those cases to see whether we could categorize them and based on the categorization we should have some criteria. Not all of them have the same nature and the same scope of application. That is one situation so still I am in favor of a -- say neither negative nor positive but more study to an establish some criteria and in order to have

criteria because there would not be criteria cover everything. At least we could review those cases and to see what are the nature and the scope of applications or expected application of those cases and whether there has been any back and forth discussions when it was agreed to be withdrawn and so on. So that is one way, but in that case, Manal, I suggest that if everybody agree that you and the other chair and the colleagues, the leadership group, I don't know perhaps we should have some inter-sessional activities to work on this matter to see what we can do. I'm sorry, I was not able to in the last 3 or 4 months because of the WRC but now the WRC is finished and then I am more available in time and so on so forth. Could we in the group that if we group is established could contribute to that one. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Kavouss, and thank you for offering to help. We can definitely hold GAC wide inter-sessional calls to further discuss. European Commission Olivier please go ahead.

EUROPEAN COMMISSION: So in any case, I think we cannot now define in 2 minutes what is the public interest if bright minds have not managed to do it in several years. Whether we do a positive definition or a negative definition, seems to me it will be as Kavouss says a set of criteria or set of examples that we can come up with, and then the next steps should be to have an assessment a case by case assessment. I think it would be difficult to say at the outset this is exactly what is -- whether an application exactly meets the public interest or not. There needs to be an assessment we we need to understand the most I was. The nature

ICANN67
VIRTUAL COMMUNITY FORUM
7–12 March 2020

of the use of the domain name, before we can take a decision so my impression is that indeed what we could try to do is inter-sessionally is to define these these criteria or these examples or framing conditions be it in a positive way or in a negative way but then have the idea that there would be a case by case assessment so that would be, that would be my proposal, yes.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Olivier, and in the interests of time I would end with the constructive comment from Luisa saying perhaps the GAC can start hashing out some preliminary considerations that we can take back to capital to consult in case the GAC would like to prepare only if there is consensus potential input into the upcoming draft final report of the PDP SubPro expected in June 2020. So let's try to work inter-sessionally and Jorge also confirming that we will be discussing the inter-sessional Work Plan later this week. There is a question to Olivier, are you proposing that the GAC would evaluate applications to determine if they meet the public interest criteria? Or someone else?

JORGE CANCIO: Can I speak?

MANAL ISMAIL, GAC CHAIR: Yes. Please go ahead.

EUROPEAN COMMISSION: No, yes, that was my idea because we are in charge of that is part of the mission of the GAC is to promote the public interest. I think we are best place I had to give an advice on this, but that's a proposal. That's

an idea I have.

MANAL ISMAIL, GAC CHAIR: Thank you, Olivier and Giacomo also in the chat learn from the past experiences that -- and try to derive from it concretely what public interest meant in those cases. This could be the way to go ahead. So again, I thank everyone for this very interesting discussion. Hope we keep the momentum and we keep the discussion going, and I think it's high time to move to the second issue. And Jeff, as you can see we cannot give you an clearance right away, but we are working on it, so can we move on the slides? And shall I hand back to our topic leads?

LUISA PAEZ: Hello, Manal. It's Luisa Paez for the record. Can you hear me well?

MANAL ISMAIL, GAC CHAIR: Yes, Luisa.

LUISA PAEZ: Thank you. Perfect. And I see we have 15 minutes left. However we do have another session tomorrow, Wednesday 11 March that the GAC will continue discussions on new gTLD subsequent procedures so I just wanted to note that, but we still -- so we can continue our discussions but we wanted still to take an opportunity to update all GAC members that weren't able to attended to's PDP SubPro working meeting where the PICs public interest commitment were discussed, but before we -- before I passed the -- the microphone to Jeff, one of the co-chairs of the PDP working group, I just wanted to give everyone a quick refresher in regards to what is the public interest commitment, and so

in a very high level way, it is a contractual mechanism between ICANN and registries to address and implement GAC advice, and at a high level there's two types of PICs that were created and I know that terminology is being changed a little bit in the current PDP but they've been considered as -- they've been entitled voluntary PICs so voluntary commitments by applicants ants other one is mandatory PICs consistent with GAC safeguard advice that was issued in the Beijing communique. So and then in regards to previous GAC views today that there's been some input regarding adoption and implementation of the PICs that defer in some aspects from previous GAC advice. There's also been input in the CCT review that there's difficulties with assessing the effectiveness of new gTLDs consumer safeguards particularly the PICs due to a lack of a reporting framework and associated data. That should be considered in the policy development as well as compliance with PICs should be effectively monitored by ICANN. And finally definition accessibility and evaluation of applicants PICs should be improved. So I will stop there, and pass it along to Jeff so you could give us an overview of what was discussed in today's session, and if we do run out of time we will continue that discussion because it is important to have at least a preliminary discussion get the brainstorming going, we can continue it tomorrow, in tomorrow's session but I will pass it onto you Jeff. Thank you.

JEFF NEUMANN: Yeah. Thank you, Luisa, and Cheryl is also on the call or at least on the chat so she can jump in as well. So, yeah, I can go over what we did

today and then also connect it to the GAC views if that will help. So what we talked about today was a recommendation from -- one recommendation from the working group to capture all of the mandatory PICs into the official policy, so those are the PICs that include the well not DNS abuse but some of the requirements to use ICANN accredited registrars, to have abuse point of contact. To require in the registry, registrar agreements that registrars take action against abusive practices, and so those would be now formalized into the policy, for the second recommendations or set of recommendations, we are also adopting the notion of voluntary PICs but because some of the voluntary commitments were not necessarily what some would call public interest commitments, some just thought of them more as just voluntary commitments, which helped the registry but may not necessarily be for the public interest, so we changing the names of those to call them registry voluntary commitments or RVCs, but for all purposes they would be subject to the dispute, the current dispute resolution policy and the current and improved enforcement capabilities that are developed for the subsequent rounds. So we also acknowledge that these voluntary commitments could come into place to resolve perhaps GAC early warning or GAC advice or any other objection or public comment from the community, so there's a recognition that these commitments after going out for public comment and being subject to review, would -- could be used to update the registry agreements, so that the disputes or or objections or early warnings could be revolved. Addressing the GAC views to date, the -- we still have further work to do on category 1 which are the highly sensitive -- sorry highly regulated and or sensitive

strings. There is certainly some recommendations from the CCT review team that talk about what some of us call validated or verified top-level domains, and so we, we are not at the point yet where there are recommendations on that. We are still discussing those. With respect to the sec bullet point we didn't talk about that today because that is more in the subject of contract compliance which we have covered, and you'll find that there are when the draft report comes out there are recommendation that is ask for more data, a better reporting framework, and more information to -- for future policy development, so I think there certainly in line, but that's in a different subject, not in the public interest commitment section, and finally on the definition accessibility and evaluation of the voluntary commitment, there are a bunch of recommendations that call for more transparency around the rationale for why registries are making these commitments to explain in detail if there's in any restrictions or limitations for example some of the existing commitments say that they're only in place for a couple of years, but in the future if someone wants to do that they need to explain up front why those restrictions are limited. The biggest issue today that garnered a lot of conversation and certainly would be something you will want to continue discussion on, there was a referral from the CCT review team for the GNSO to address DNS abuse, and the GNSO council gave that assignment to our group, the subsequent procedures PDP along with ICANN org looking at the issue of course SSRQ looking at the issue, and the registries working with ICANN. The recommendation from the working group that where there was a lot of discussion looks like its heading towards a place where it is likely to recommend that this

group -- that DNS abuse be looked at by a separate policy group that is able to address DNS abuse from a holistic standpoint. The subsequent procedures PDP only has jurisdiction over new TLDs that are introduced in subsequent round and the working group felt that that was too narrow, that this DNS abuse issue needs to be addressed by the community at large and applied not just to new TLDs in the future but to all existing and future TLDs and potentially ccTLDs so the working group looks like it's recommending that a community wide effort be under way to look at this issue as opposed to just being within our small narrow group. So I hope that provides a quick update.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Jeff, for this excellent update. I see already hands in the queue. Giacomo, is this a new hand. Giacomo, we cannot hear you if you're speaking. Okay, so let me move then to Kavouss. Kavouss, go ahead.

IRAN: Yes. Allow me to repeat what I said before. What we can do without you, Jeff? You are irreplaceable. Example, very in depth knowledge thank you very much. However, in your presentation you refer to such a such thing would not preserve public interest. That means you know what is public interest so if you know what is public interest, and how somebody or an entity commit itself or himself or herself to observe public interest, that means we know what is it? If we know was it we don't need to define that or sometimes we don't know what is is it but we use that. You don't need to define water. Water is water. H_2O

that's it. You don't need to define that. So I don't think that we should spend time to have the public interest definition and so on so forth. Now coming back to this one. I think that was a very useful discussion, and I don't see a major difficulty on this part compared with the first session of this we are talking about the closed generics so this is relatively for simple than that one, and thank you very much for this. So what I am conclude that we don't need to define public interest because these two issue are closed … to each other and both of of this e-mail talking about public interest. In one we want to define public interest. In the other one we don't want to define that. We say that you need to observe the public interest. So that means we have to be consistent. And we have to be coherent in our discussion. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank very much, Kavouss. And I see Jeff in the chat saying, sorry, I may have misspoken. We, the GNSO cannot define public interest so that is why we are avoiding that discussion hereby calling it registry voluntary commitment. So any further comments or views on this? We still have 4 minutes? So anything from our topic leads before we conclude? Kavouss is this a new hand? So if not then allow me to go to Luisa, please, go ahead.

IRAN: Excuse me. Jeff mentioned that they do not want to define public interest commitment. They said that registry voluntary commitment. Why not we use the same approach in the previous section instead of saying that public interest or closed generic and so on so forth but say that commitment of applicants with respect to to the use of the closed

generic system so we avoid the term public interest. We use the commitment of the applicant and the use of that so that may simplify. This is just food for thought. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much Kavouss. Luisa, please go ahead.

LUISA PAEZ: Thank you, Manal. It's Luisa Paez, for the record. I just wanted to thank both Jeff and Cheryl for participating in all of our GAC plenary session, and I did post the question in the chat just to verify which topic, and make it bring all GAC members into the loop of what the topic of the PDP SubPro will be discussed tomorrow, if you can please confirm I believe it's GAC advice and GAC early warning correct Jeff, or Cheryl.

JEFF NEUMANN: Yeah, this is -- sorry, it's -- I took me a second to get off mute. Yeah, so it's on Thursday. So it's not tomorrow. We actually get one day in in between. Although you may have a session tomorrow, but on the next session that we have on Thursday we will start with GAC early warnings and advice, and then get into applicant support.

LUISA PAEZ: Perfect. Thank you very much, Jeff. So at least that's all for now. And we do have 2 other sessions tomorrow within the GAC to present on GAC advice and GAC early warning as well to have some discussions on the other topics as applicant support program, and community application. And I do see in the chat we would like to know Jeff

whether community application, the topic will be addressed on Thursday or not along with applicant support and GAC early warning if you could just confirm and I know we have to close the session. Thank you.

JEFF NEUMANN: Yeah, thank you for the question. We're going to try. I know that these two subjects took up a lot of time. If we can go get to communities we are prepared for it. So we're going to try depending on time. But we do have an extra I think we have 2 hours on Thursday, so we probably will get to it.

LUISA PAEZ: So, thank you very much everyone. Thanks to Jeff and Cheryl and thanks to our topic leads as well. Jorge and for support staff for doing an excellent job compiling the material together. So this concludes our second plenary on subsequent procedures, we now have a 15 minute break before meeting with the Board at 19:45 UTC so please be back in the zoom room on time. Thank you.

[END OF TRANSCRIPTION]

ICANN 67
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