
MARRAKECH - GAC Opening Plenary
Monday, June 24, 2019 - 10:30 to 11:30 WET
ICANN65 | Marrakech, Morocco

MANAL ISMAIL, GAC CHAIR: Good morning, everyone, and welcome to the opening plenary of our GAC meetings here in Marrakech. We normally start with the ‘tour de table’ but I will now give the floor to Redouane Houssaini

REDOUANE HOUSSAINE: The country of Morocco is pleased to welcome you to Marrakech. I welcome you and hope this is a useful meeting to all of you. I would like to thank the leaders of ICANN for trusting our kingdom with the responsibility of hosting you and, and I wish you a fruitful meeting and discussions so the multi stakeholder model can continue to be useful.

I would like to thank the government of Morocco and the ICANN leadership team. I was honored to represent my country in several GAC meetings before I had to take over my new position, so pleased to be able to be back in the GAC to meet again with old friends and also reaffirm the strengths of the multi stakeholder model at ICANN.

Ladies and gentlemen, governments are true players in governance and has to be active participants in the new

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mechanisms. The Internet governance is dynamic, it evolves, not fixed, and we as government representatives within the GAC have the responsibility to make contributions to the digitized world.

Our role in this committee is crucial for the governments of the world and also for our citizens. We will continue to make added value contributions but GAC needs resources in order to live up to the expectations everybody has from this community. That is why GAC needs to focus its attention on the need to raise more resources. We hope that African countries can continue to make a significant contribution to the policy making mechanisms at ICANN. On behalf of Morocco, I would like to say that we were pleased to participate yesterday in a capacity building workshop that was held. Would like to thank all the members here for their participation. I hope you can have fruitful discussions, I would like to thank all GAC members for deploying all the efforts in order to have a successful workshop.

All of us need to be actively engaged in these activities in order to reinforce the capacities of African countries and therefore reinforce and strengthen the multi stakeholder model. I wish you success during this week. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Redouane, and most importantly for hosting us here for the third time and it's always a pleasure to be

back. So thank you very much. So with this, allow me to start the 'tour de table'. And if I could start here to my left.

('tour de table')

MANAL ISMAIL, GAC CHAIR: Thank you, everyone. Do we have any other members or observers who haven't introduced themselves? Yes, go ahead.

('tour de table')

MANAL ISMAIL, GAC CHAIR: Yes, please? Go ahead.

('tour de table')

MANAL ISMAIL, GAC CHAIR: So if we haven't missed anyone, then we can get started. And please excuse me if I don't recognize you from a distance or if I'm not able to recall the seating properly. I try to take notes, but I hope you understand, and you will introduce yourselves for the transcripts.

With this, first I would like to welcome everyone again, especially new GAC members and observers. I understand we have around 10 new or first comers. I hope the session this morning for the first timers will be useful to you and help you find the setup

comfortable and encourage you to engage. I will try to spare you the things that already Rob touched upon this morning for the first timers because I know the rest of the room of course already knows this very well, so this is a policy forum. It's a shorter meeting than other meetings. It's actually four days and actually we need to get our communique out by Wednesday evening.

So with this, I will go quickly over the GAC agenda for the week. So after this session we have one hour dedicated to the two-character country code and I think Brazil, Thiago, and Olga from Argentina will lead the discussions on this and then we have the lunch break and then 45 minutes for the human rights and international law working group followed by -- and this is co-chaired by Jorge from Switzerland and [indiscernible] from Bosnia and Herzegovina. And then we have the GAC underserved regions working group, chaired by Pua from Cook Islands and [indiscernible] from Trinidad and Tobago. And then a coffee break followed by new gTLD subsequent procedures and we have the new GAC lead on this from Canada and we will be having the co-chairs of the subsequent procedures working group at the beginning of the session but also, we have invited Cyrus from ICANN org to discuss the paper that was circulated on the GAC mailing list on some assumptions regarding the preparations for the new gTLD round. Then there is the GAC operating principles evolution working group and this group is led by China. Then

there's a transition break, 15-minute transition break where we will have time to move to the welcome and multi-stakeholder award session at the end each day there will be a community and networking event, a good opportunity for everyone to get introduced and to mingle.

On Tuesday we will be starting at 8:30 with DNS abuse mitigation discussion with the public safety working group for 60 minutes followed by a session on dot Amazon for 45 minutes. Then the morning coffee break, 15 minutes followed by our bilateral meetings with the GNSO for 30 minutes with the [indiscernible] and the action working group. We have reserved 30 minutes for the communique review. It's a tight week for meeting so we need to try to accomplish on the communique as much as we can during the week. So we will be having stops to review the GAC communique. But I would also appreciate at the end of each session if we can conclude whether this is something that needs to go into the communique, whether there is an interest in someone holding a pen on the language for the communique and also hopefully coordinating with other interested countries or observers, of course.

After the lunch break we had reserved a one-hour slot for IGO protections discussion. We were trying to see if we can have a facilitated board discussion so that the board can facilitate a GAC GNSO discussion. We have just received a letter from the board

yesterday, I believe, I shared it on the GAC mailing list. I know of course not everyone had the chance to see the letter but basically, they are saying that they still need to gather more information on the topic, and they would like to postpone any intervention for now. So they are creating a caucus group, a board caucus group on IGO protections, and they will put the recommendations that were approved by the GNSO will be put for public comments, so this will be another opportunity for the board as well to gather more information on the topic.

So given this, we will be releasing this one hour from the GAC agenda, so you are free to do whatever you want, maybe work on the communique. But meanwhile I'm still reaching out to Keith and trying to solve matters in parallel until the board finishes its work.

As this is a policy forum, you will find cross-community sessions as well. So the evenings will be dedicated to the cross-community sessions, you know Tuesday we have the DNS over HTTP, for 90 minutes and then the future of the multi-stakeholder model of Internet governance for 90 minutes as well and I will update you on the evolution of this process after we finish going over the schedule. And then ending with a one-hour community networking as well.

Wednesday we're starting at 9:00 with the WHOIS and data protection policy for 60 minutes. Then after the morning coffee break we will be meeting the ALAC for 30 minutes and then our meeting with the board for 60 minutes. Am I looking at the right schedule? Because I think I haven't seen a session for preparations for our meeting with the board? Not maybe, I'm sure it's my fault, but I don't want to give wrong information.

ROBERT HOGGARTH: Thank you, Manal, it's also in block 7, block 7.2, so that will be a long lunch, I guess for some members of the GAC tomorrow, but you will want people back here in the room for that session. Because again, given the compressed time frame of the week, that's the one opportunity to prepare. Then as you will probably also note, the yellow cross-community sessions that are taking place in the afternoon, those are taking place in this room. So a number of you will already be seated and be happy to have seats already claimed.

MANAL ISMAIL, GAC CHAIR: Thank you, Rob, it is in front of me. I spoke about the IGO protections and then skipped to the cross-community sessions, apologies. So on Wednesday after our meeting with the board, again, we have reserved a 30-minute slot for a quick review of the communique and then we have communique drafting until the

end of the day and another community networking event at the end of the day. On Thursday we try to keep things that don't really need to be reflected in the communique, so we will have a discussion on ICANN reviews update and then the GAC operating principles working group will be meeting the GAC and plenary followed by GAC operational matters for 30 minutes and then we will be meeting the GCSC for another 30 minutes. After the lunch break we will be meeting with the universal acceptance steering committee for half an hour and then another 60 minutes on subsequent procedures.

After the afternoon break there is a cross-community session on impact of GDPR and EPDP Phase I and then another cross-community session on universal acceptance. We have tried to schedule the cross-community session on EPDP earlier because this is something I'm sure will need to be reflected in our communique but unfortunately, we couldn't change the schedule. So this is something that we also need to see how we can anticipate reflect in the communique or even maybe delay the posting of the communique until Thursday after the session. I will stop here and invite any comments on the agenda? Iran, please, Kavouss.

KAVOUSS ARASTEH: Thank you, Manal, distinguished colleagues, and friends. Good morning. Very pleased to see all of you and also newcomers, new blood into the GAC that we need. Coming from the counsel of [indiscernible] considering the number of newcomers, young generation, dynamic, with many good ideas, and promising, they need to maintain and keep the successions. Having said that, chair, at some appropriate moment I wish to talk about two things, one is the GAC vice chair and the other is GAC advice. I would be very happy if you can allow me at some time to say this issue.

MANAL ISMAIL, GAC CHAIR: Can you say your intervention on the GAC advice?

KAVOUSS ARASTEH: I was asked by somebody outside the ICANN how you communicate with the ICANN board and I said [indiscernible] I said you put in the communique and they said how do you select the topic for advice and I said I don't know. He says who initiates that? I said I don't know, it's coming from the meeting. At what time you initiate that? And it was asked that many follow-up actions on GAC advice but what is this issue you repeat [indiscernible] does it mean your advice is not well taken into account? I said yes, it has been taken into account but perhaps we need to comment on that.

Now, coming to that, I wish very much to know at some time tomorrow, I don't know what time, we need to decide what are the topics on which we would like to have GAC advice, and number two, follow-up actions, should be a letter from the chair of the GAC drawing to the attention of the ICANN board that these are previous advice and if something is yet to be done or not properly taken, you can submit that. It is a risk if we have another GAC advice on the previous advice because there might be some wording that unintentionally contradicts what we have said before -- however, on the new advice we have to decide on the topics and we have to know before somebody puts the finger to the computer or paper what are the topics on which we need to have GAC advice and do we need in every communicate and every meeting have necessarily GAC advice? Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss. And I think as you rightly mentioned in the beginning, the advice is the decision we take after our discussions so basically comes out of our discussions. And I was inviting everyone that we try to agree at the end of each session whether this is a specific GAC advice we need to take from the session. So do you want us to agree upfront on the topics?

KAVOUSS ARASTEH: Yes, Madame. I have seen before that we have zero draft. This zero draft, has two parts. One that meeting with each [indiscernible] but the other is GAC advice. From the time we are starting any draft GAC advice do you have decided beforehand on the subject, that's all. So depends at what time you start to have a draft. If draft relating to the meeting with constituencies and so on no problem but if you start to say GAC advice, we need to know what is the subject and whether we agree on those subjects.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss, point taken and normally the zero draft is just to get out the template quickly with what you rightly mentioned as our bilateral meetings and other things that are in the communique just for the info but again, regarding any GAC advice I invite any GAC colleague if we're going to start the drafting of any GAC advice that this is known either during the session or over the mailing list so that other interested parties can participate. Any comments on this from other colleagues? Yes, Indonesia.

INDONESIA: I think one thing you mentioned about the GAC and the [indiscernible] more time for discussion about the topics because currently you have so many say quote unquote hot topics to discuss with the board and you point you mentioned is the time

allocated for the preparation for the meeting with the [indiscernible] should be enough to accommodate all the topics.

MANAL ISMAIL, GAC CHAIR: Just to make sure I understand, we have a 30-minute preparatory session and a one-hour for meeting with the board and we have four questions? So any problem with this? Do you feel we need more time?

INDONESIA: Just in case there are more topics to be accommodated, we should allow [indiscernible] time when we discuss the topics to be discussed with the board. I don't know, okay, I still have ten topics but due to the short time --

MANAL ISMAIL, GAC CHAIR: Fair enough. We try to do this to our best and that's why we try to know how much time we need and also to give the board to be prepared and share the questions in advance. Any other comments before we move on? So as you have noticed we have several topics on our agenda, the WHOIS in data protection policy and EPDP Phase II, the IGO protections, the n TLD subsequent procedures, the dot Amazon and also ATR3. The other topics we have been discussing for a while, so I would like to share more information specifically on atr3, the accountability and

transparency review team. So the team agreed to conduct its work through four working parties, one on the board, one on the GAC, one on the reviews and the fourth on the community. So they have the sub group dedicated to consideration of the GAC will be discussing its relationship with the board and relationship with other communities. The group is co-chaired by GAC appointee Liu Yue from China and also co-chaired by Maarten Botterman from the board or maybe just a member, but we have Maarten in this group from the board. So we will be meeting the ATR3 team on Thursday, but the team is also interested in connecting with individual GAC members and discussing issues particularly that they are looking into case studies, the case studies I heard of are all very interesting discussions among the GAC, it's the two-character code, IGO's, dot Amazon, so I hope you can avail yourself for those discussions.

The team has developed concrete questions, and those were shared on the GAC mailing list as well. I think Rob very help fully shared the questions so please be ready on Thursday for discussion and any interviews. One topic I am bringing to our attention the IDNs and universal acceptance, it's been a cross-community session for two meetings now. I understand there are discussions in other SO AC's so wondering whether we may need at some point in time to consider a working group on the IDNs and universal acceptance, especially it may be a bit sophisticated

topic so it maybe it needs people who are more aware of the issues, so they can lead us in our discussions.

So again, on the high-level governmental meeting planning, I'm just bringing to your attention that this happens every other year, so we had our last meeting in Barcelona. We don't have one this year, so we should look forward to having one sometime between 2020 or early 2021. So I invite you to look at the meeting venues and also invite our future hosts to consider the high-level governmental meeting in their countries.

And I'm sorry, I have several different notes. They might not be all related but I'm trying to provide as much information as I have. Before reporting on the SO AC chairs roundtable yesterday, I just want to bring to your attention again the process we're following in considering public policy comments. So I think you have been receiving emails from Benedetta compiling all PDPs that are open for public comment period. I invite you to please look into the topics that are posted for public comments and weigh in your views whether we would have collective GAC input on this topic or not. Of course in all cases individual GAC members are much welcome to submit their individual input or feedback as well but I'm talking from a collective GAC perspective whether a certain topic is of interest so that we can start drafting and submit a timely input.

It's also important to note that shortly after the meeting here the nomination period for GAC vice chairs will be open. So as you know, the term of a vice chair is one year for a maximum of two consecutive terms, and we have three vice chairs, unfortunately, are term limited so we will be having -- we should be having at least three vice chairs replacing Brazil, Senegal, and Norway. I hope that Argentina and Canada will be willing to serve their second terms because they still have a second term.

So just bringing this to your attention so stay tuned to an email from Rob announcing that we are calling for nominations. Yes, so we had our SO AC chairs meeting yesterday with Goran, Cherine and Chris. The meeting is held under Chatham House rules. I will be sharing without any attribution. First, there was a proposal for fiscal year 20 SO AC [indiscernible] after ICANN completes the other for fiscal year 19, if the other chose that they have a small excess our surplus, they're considering a pilot project referring to as SO AC flexibility fund availing the surplus to SO AC chairs for community collaborative work efforts. So this is still an idea. It was welcomed in principle, although it doesn't have a concrete process yet, so everyone said we need to think more about it but just flagging it and bringing it to your attention and sharing with you the initial reaction feedback.

Another thing brought up was the independent review process and the need to repopulate the standing panel. So again, we

should be expecting an announcement soon announcing this and sharing the required calibers and also the deadlines for nominations. For this and consider volunteering if you see yourself matching the required calibers which I believe would be understanding of arbitration and legal process and so on. There was a 'tour de table' for all SO's and AC's sharing their priorities. So a global theme was the reviews be it organization reviews or - even the streamlining reviews in general. Also evolving ICANN multi-stakeholder's process was mentioned by several, EPDP Phase I implementation and Phase II IGO protections subsequent procedures, but also name collision project, [indiscernible] and its enter dependency with subsequent procedures. IDN's and -- need for consistent policy for [indiscernible] variance and what should be in the contracts and what should be in the policy.

The cross-community working group auction proceeds progress was also mentioned by several and also noting that the process took more than expected and that we are now in a situation to choose of the three proposed models to define the process for allocation of funds and just to remind everyone that the GAC is a chartering organization, so we will be receiving the final report and we will have to react to this. The evolving governance of the root servers this is a proposal for subject comments, I think the deadline sometime in August. Still have time, we're trying to understand and bring ourselves of selves up to speed as GAC

leadership on the issue and we will be getting back to you with more information but just bringing it to your attention. And a common theme on interventions was the word [indiscernible] there were other topics that were mentioned maybe once, and again, depends on the SO and AC, so the DNS and Internet of things, DNA over https, implementation of the 3D P3 .0, retirement of ccTLD and other things related to SO or AC. ICANN strategic plan was also discussed. It has been posted for public comments last December. It has been adopted by the board at this meeting, so the board passed basically three resolutions, one to adopt the plan, another one for revisiting the plan at the end of the year from a cost and affordability perspective, and a third resolution for allowing future changes and keeping this as a living document that can be updated reflecting any trends or with also a process for community input. So on the strategic plan -- I'm sorry -- on the evolution of ICANN's multi-stakeholder model -- and please feel free if you have any questions so stop me at any point. Iran, please.

KAVOUSS ARASTEH:

Thank you, Manal. When you discuss the physical presence of GAC at the meeting, I was [indiscernible] distinguished colleagues mentioned what happened. ITU facing the same situations, sometimes the number of members -- in ITU establish a small group to look at the situation and find out why this has happened

and try to take remedial actions. However, here is more important than ITU for the following reasons. Most of the decisions of the GAC will be taken when we are physically in session. For GAC due to certain reasons, it would be difficult when not in session to decide if the number of the participants are reduced it is some alarm for us and we have to really take necessary action. So if you agree and if all the distinguished colleagues agree, you may assign one of your vice chairs to look into the matter, email and so on to find out what were the reasons that this number instead of increasing is decreased. So that is important issue and in fact we have to take action. I think it is one of the important issues if at one day if empower the community action, we need physical meeting. If at the physical meeting, we are not well represented. It will be a problem so perhaps you may kindly look to see in what aspects we may investigate the situation or find out and take any possible necessary remedial actions so increase the number and avoid the decrease the number of physical participants at the meeting.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss and we have only one-minute left and only one thing to add on the evolution of ICANN multi-stakeholder model. We have received the 21 issues compiled. We were notified that five fell off the list and this is because some of them are more of a description of a symptom like the volunteer burnout

but also others addressed elsewhere like the accountability and transparency being addressed by [indiscernible] and also work stream one and two. So five were not included in this exercise and the remaining consolidated into 11 issues that will be discussed in this cross-community session I think on Tuesday. And the goal of the session will be filling out a work plan, sort of a matrix with the issues and who is the owner of each owner, whether this is an AC/SO community board or more than one owner and try to estimate the time and resources for each.

I will stop here because of the time. I hope you find it a bit informative for our discussions during the week. Sorry if it sounded somehow boring but we will now move -- let me check the agenda quickly. So yeah, it's the two-character country code discussion.

[END OF TRANSCRIPT]