
MONTREAL – GAC: GAC and Meeting with the At-Large Advisory Committee (ALAC)
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MANAL ISMAIL, GAC CHAIR: And for GAC colleagues, we are proceed being our meeting with ALAC, so please remain seated. Thank you.

So welcome, everyone, to the GAC ALAC meeting. We're happy to have this at every ICANN meeting. We already have our points of contact as well, and they are doing a great job inter-sessionally in preparing for those meetings and compiling the agenda for this meeting but also there have being areas of common interest between consider the governments and end users, so I thank very much Ana from Portugal and Yrjo Lansipro. And will hand it over for Maureen so you can introduce your colleagues from ALAC, and we can get started with the agenda. Thank you.

MAUREEN HILYARD: Thank you very much, Manal. The ALAC is very pleased to be able to be here today. I'm Maureen Hilyard, the chair of course, I have [indiscernible] our liaison to the GAC, does a brilliant job and we are going to have presentations from three of our leads in the area of policy in relation to capacity building, sub pro, and the EPDP. I

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will start going down this way. Joanna Kulesza is part of as outreach and engagement teach and in charge of capacity building and is very keen to be working with our capacity building program with the GAC. So [indiscernible] able to be here and we are engaging in inter-sessional meeting with Ana and others, so we are very keen to look forward to that.

Next is Hadia Elminiawi, one of our leads in the [indiscernible] policy development program, and she's part of has been part of Phase 1 and of course in Phase 2, and then the third member of our team is Justine Chew who has a real strength in GNSO policy as our sub pro expert. She doesn't think she is, but -- trust me. So I will pass it over to the ladies to do their presentations and then go back to [indiscernible] who will look at next steps for how we move on from here. Thank you. Joanna.

JOANNA KULESZA:

Thank you for having us here and allowing to us share experiences on capacity building. I will just briefly report on progress that has been made in terms of capacity building as reported during the previous meeting thanks to Yrjo Lansipro's input working together with [indiscernible] we have mentioned [indiscernible] collaboration on the capacity building for the newcomers, since Yrjo always says the two advisory committees work globally, it made natural sense to ensure that those newcomers or those who

want to increase their understanding of the DNS system should work together.

GAC has been successful in reinstating serious training for newcomers when it comes to the basic technicalities of the DNS and thanks to Pua and Yrjo -- as of now, it has been confirmed that 2-3 at large members will participate in the pre events that focus on capacity building when it comes to understanding the technical side of the domain name system during the two following ICANN meetings.

So we will have 2-3 members funding by large three events focus on capacity building and giving those newcomers a better understanding of the DNS system, and that would be the most substantial development of this collaboration. All of the avenues reported on previously also being explored, so all the of the resources provided by at large capacity building including webinars that had led us to the Atlas 3. And speaking of Atlas three, we perceive this event as also a capacity building exercise, so we have gathered at large members from around the globe. We want to make sure that they are active participants of the community and we are using the opportunity to host them here during the Atlas 3 summit to provide information on how to do that. So how to be an active and supportive member of the community.

Again, since at large and the GAC are present globally, we perceive that as a capacity building exercise that will benefit the community also in the regions. I'm going to stop here and hand the floor over to Hadia and happy to answer questions in terms of capacity building if those might come up. Thank you.

HADIA ELMINIAWI:

Hello, everyone, this is Hadia Elminiawi. So basically today I won't be giving an update about the EPDP, but rather I will be trying to point out the points of common interest between the ALAC and the GAC with regard to the expedited process for gTLD registration data. So the topics -- possible topics of mutual interest, first definitely complying with GDPR and other relevant data protection laws. Having a standardized system for access/disclosure automation, accuracy of generic top level domain registration data and a distinction between natural and legal persons. And let me try to elaborate on each of those points.

So when what we think about as ALAC, we think about the generic top level domain registration data in light of the GDPR, we have to two main objectives, the first is compliance with GDPR and protecting the personal information of the data subjects. And the second equally important objective is to allow for the disclosure of nonpublic generic top level domain registration data to those with a legitimate interest and lawful basis. And in thinking about

this objective, our goal is to have a system, a standardized system for access/ disclosure. The benefits of having a standard system, first, it allows for having a transparent and predictable system for both data subjects as well as the requesters. It also addresses the problem of fragmentation of accessing the data which was created after the [indiscernible] was adopted.

So those are the main two objectives and a standardized system, we see as essential. The second issue that maybe we have not talked about it before with the GAC is automation. How much of automation could exist in such a system. And our view in this regard is as much as possibly technically possible and legally permissible, automation should be allowed. Automation allows for a consistent system to exist in addition of course to a quicker response to those with legitimate interests, lawful basis and those who depend on quick access to information. Having said so, we haven't discussed in details yet the automation block at the EPDP sessions.

The other topic we talked about before during the GAC previous sessions is accuracy. And actually when we talk about compliance with GDPR, article 5d of the GDPR says personal data needs to be accurate and every reasonable step must be taken to ensure that personal data that are inaccurate having regard to the purposes for which they are processed are erased or rectified.

And again, we see that more work needs to be done in this regard. Also accuracy is really important in such a system because processing purposes include providing the contact information of the domain name holder and having insufficient or non-accurate information does not serve this regard.

Another distinction between natural and legal persons. As we all know, GDPR allows for the distinction between natural and legal, but up until now in our work at the EPDP, we have not been able to make this distinction, and this is due to issues brought up with regard to the impracticality of implementation, we rate this as particularly important and one of the use cases in developing our work at EPDP Phase 2, we started with use cases from different stakeholders to present the possible users of the system and one of the use cases we actually presented did not have to exist at all because under GDPR Internet users were entitled to that information belonging to legal persons. So again, we need to work more on this. Of course also that kind of distinction will reduce the load on the system for standardized access similar disclosure. Again, more work needs to be done in that regard. A study is going to be launched and then after we get the results we will see where we go. So thank you so much, and I'm open to questions.

BELGIUM: Just a question on the study. What is the timing for the results you just mentioned?

HADIA ELMINIAWI: Actually, I don't know, because we had just discussed the study during our meetings in Montreal.

MAUREEN HILYARD: If there are questions, perhaps if we leave it until the end of the presentations and then I might ask Manal to sort of monitor it, please.

JUSTINE CHEW: I am an incoming member of ALAC and currently serving as the ALAC liaison for subsequent procedures. In terms of at large and ALAC, we have been following the work of the subsequent procedures EPDP working group quite closely. In fact ALAC has contributed substantial comments via our statements to the initial report and also two supplementary reports for sub pro -- if I could just use the abbreviation sub pro -- and in recent months we have been monitoring the public comments that have been received through the public comments call for both the full initial report and also the two supplementary initial report, and at this juncture I would note and I'm sure you know that the Work Track

5 which deals with geographic names on the top level, that Work Track has completed its work and submitted its final report to the full subsequent procedures working group so that would be considered as part of the full working group's work going into producing a final report.

So in terms of the work moving forward, in recent months we've been concentrating on monitoring the possible recommendations that are being developed by subsequent procedures working group, particularly on topics that are of concern to ALAC and at large which typically impacts on end users, interests end users, and in no particular priority order, those topics include global public interest which actually translates to public interest commitments both the mandatory type which goes into the registry agreements, as well as voluntary public interest commitments, how that is going to play in the next round when it comes about. Because as we know, we had some challenges with voluntary PICs in the previous rounds.

Also certain safeguards to remain in place and these safeguards are similar to the ones championed by GAC, including verified TLDs and registration restrictions for highly regulated sectors, so we are interested in making sure those remain in place. Also the string of CCT review recommendations to do with DNS abuse, that's very high on our agenda. Further topics includes closed

generics, objections, and a new topic related to objections which is the appeals mechanism. Also changes to how in the next round change request is going to work as a way to deal with objections.

I have had the benefit of the subsequent procedures working group chair coming and speaking to GAC earlier this morning, so I believe you are up to date as to where we are in terms of the some of the topic sets being considered in sub pro. So Jeff Neuman mentioned the concept of facilitating dialogue for applications which raise concerns, so that would lead to possibly a reduction in objections or a resolution of objections, and that feeds into change requests, pertains to any changes that the applicant might make to their applications. Another topic would be applicant support. ALAC has been quite vocal about making sure that applicant support program continues and we are certainly one party who has been advocating for the nonforfeiture of applications if the applicant would not qualify for applicant support so to allow the applicant to still be part of the application process and to turn it into a standard application rather than be knocked out if they don't qualify for applicant support.

Also community priority evaluation, something we have grave concerns about and will be working through those and also auctions as a mechanism of last resort for resolving contention sets. We are looking at possibly some version of a [indiscernible]

auction as some way of moving forward, preferred mechanism and also the overarching question which remains unanswered which is what is actually the benefit of expanding the domain name space in terms of allowing more applications for new gTLD.

So at this juncture, that's a slew of topics that the at large and ALAC are working through and in terms of -- if I can draw a comparison with the GAC focus group that has been instituted established, we in the at large constituency, we have the at-large consolidated policy working group, so that is a forum which at large and ALAC uses to deliberate on policy issues, so that is the [indiscernible] that has been looking at subsequent procedures in terms of where we would like to make interventions, and I believe ALAC is still open to working with GAC in a way that GAC is comfortable with, to see if there are common grounds on some of these topics or topics that GAC wants to put forward in terms of comments moving forward. Thank you.

MAUREEN HILYARD:

Thank you. At this time, if you have any questions on any of these topics, please feel free, this is before we move on to the next steps. And Manal, I just thought you might have a better idea if people are being a little bit reluctant.

MANAL ISMAIL, GAC CHAIR: Thank you very much Maureen, and thanks everyone. I think you have really presented on three important topics to the GAC, the capacity building, the EPDP, and the subsequent procedures, and I can already see a lot of common interests synergies on thinking whether topics under subsequent procedures or the EPDP and of course capacity building always the priority here within the GAC. So I will stop here to see if there are any questions or comments on any of three topics, either capacity building, EPDP, or subsequent procedures. Yes, Switzerland, please.

SWITZERLAND: Hello, good afternoon. Jorge Cancio, Switzerland, for the record. First of all, thank you very much for being here. I think that there are a lot of shared issues, issues of shared interest. I would like to make reference to the third point to subsequent procedures. I think that we are there a bit in delay of something that we had discussed in Marrakech. Perhaps I have missed any emails or exchanges, but my thinking is that we had more or less agreed that we would try to find synergies between your group and the focal group. I hope that this will still be done. If you attended the meeting, we had this morning, you will have seen that at least some of us have called for some urgency in tackling the issues that are crystallizing in the PDP working group.

I hope that we can work together on this and perhaps one interesting instrument, and I propose it here and I hope it's also taken up -- is that we share with you at least the scorecard that we are going to update with the issues that are of concern or of interest to us, comparing the state of agreement or the state of discussion in the PDP working group and GAC opinions we have issued in the past. And if I remember the scorecard, at least the last version correctly, the list that Justine just read is 95 percent there. So it would be a shame if we didn't work together on this because our resources, yours and ours, are very limited.

And something more substantive is a question to you, I don't know if you are in a position to answer, but I would be interested in knowing what are your views on the results of Work Track 5. So I leave it by that, and thank you very much again.

MAUREEN HILYARD: We hadn't prepared for Work Track 5, but with regards the next steps for the sub pro, I know that there has been some work that's being prepared, and I will pass this over to Yrjo.

YRJO LANSIPURO: Thank you. Well, trying answer the last question, I was also a member of the Work Track 5, and I like you, we both have in the consensus call, we have accepted the results, and in a situation

like this, realistically nobody will get everything they want and in the end it was a compromise.

The other thing is thank you very much for your suggestion for sharing the scorecard. I think that as we already actually intended to have after Marrakech to have a small group of people from both sides from the GAC and the ALAC to talk about these matters because as you said, it's urgent now. It's either the framework could be your focus group when now moving from the capacity building mode to discussed mode or just an informal group, two, three people from each side. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Yrjo. And I see Luisa seeking the floor.

LUISA PAEZ, GAC VICE-CHAIR: Thank you. Luisa with the Canadian government I wanted to perhaps provide some responses and I also had a question for ALAC. I guess I will start with my question which was I think for the benefit of GAC members here, we would be interested to know what types of practices or working methods you are using to inform or build capacity within ALAC. You mentioned -- particularly to enable ALAC to follow and have discussion on the PDP sub pro working group. We did have a call

inter-sessionally between ALAC and GAC leadership. We did discuss that a little bit, but I think it will be beneficial for all of us here, and perhaps some best practices that we can exchange in terms of how we can better navigate this process, that's the first question. And then in terms of the comment of the engagement with ALAC as Switzerland mentioned, we do have a lot of synergies, absolutely, and I think we can plan for an inter-sessional call between the GAC focal group and ALAC.

And then finally regarding the GAC scorecard, it's still in the process to be updated so we want to ensure accuracy in the information and want to give GAC members an opportunity to review it first and then we can discuss among them if it's a good opportunity to exchange, to share it or perhaps what parts of it we can share. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Luisa. So any other comments or questions, again, on any of the three topics before we move to the next steps? Yes, please, Joanna.

JOANNA KULESZA: Thank you. I'm happy to answer the capacity building related question, and thank you for asking is it, it gives me an opportunity

to speak a little bit more about the ways we tackle that challenge. All the information available to the at large community is available online and with that open to the entire ICANN community. We have exchanged information with Pua and the capacity building team within GAC on where to find those resources, if there are any more specific questions, I'm happy to work with Pua to provide that resource. I believe this was shared during our last meeting, we indicated where specifically the questionnaires could be found. The overall reference is the wiki page that At-Large maintains and theme report we are looking to have that resource better organized, made more transparent. What we are working on now is what we are temporarily referring to as a policy platform. So we would like to have all the resources that pertain to both, capacity building but also the at-large position when it comes to general policy issues, so that being includes, privacy, including subsequent procedures, including Work Track 5, to be organized in a more transparent and comprehensive way.

Again, I'm happy to speak about the details, we had a session where Jonathan is coordinating the [indiscernible] working group together with Olivia, and we had explained what the platform is, so we're looking for ways to have the information better organized and made more comprehensive and accessible. With that, we welcome the information transparency initiative also

presented to us, and I believe it has been or will be presented to the GAC that is being run by the ICANN communications time.

So there is an overall narrative within ICANN to make the capacity building resources more approaching, at large falls in that bandwidth, temporarily being referred to as the policy platform. We welcome specific collaboration on how to make the resources available in a transparent and comprehensive way to the entire community. For us for now it's building the policy platform within the wiki space but looking for opportunities to make this more comprehensive within the already mentioned information transparency initiative.

In that sense the wiki space, the ICANN learn of course would be our primary resources. Again, I'm happy to provide more specific data i data, but if there's a will to support the ICANN communications team information and transparency initiative, I'm deeply convinced that the at large community will be willing to participate in that and work together to provide more comprehensive resource.

Final note, let me emphasize one thing having the resources there in a transparent and comprehensive way and the other is to have people actually use them. And I understand it's an overall challenge that the community faces -- is it better to encourage people to use the resources, oblige them? It's a challenge that

both communities face and again, a challenge we could face together, thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Joanna, for sharing those thoughts and this information. I have Portugal next. Ana, please.

PORTUGAL:

Going to the next steps, I think maybe we are lagging behind a little bit because it's for two years, Yrjo, that we started this process to make giant efforts to discuss policy developments here, and I don't think that we achieved so much. Well, in capacity building I think it was an easy thing perhaps because it was something that was more for the ALAC and the GAC does not ask to give so much but when we are talking about the policy development, so thing is totally different, and we are a government, we are here to represent governments. ALAC is at large and representing consumers and users, and I insist that we should be much more active on this partnership because, well, the scorecard that Jorge mentioned is a very good idea, because in that way we can compare ideas and we can compare where we are in our thoughts. But I think that this movement has to be energized and not to be passive and to be much more active in

order to get the most we can from this partnership as I mentioned before. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Ana, and I cannot agree more. We need more participation and more active engagement. So anything else before we go to next steps? If not, then Maureen -- sorry, Yrjo.

YRJO LANSIPURO: Thank you. Thank you very much for your words about the need for more active cooperation. I realize that ALAC and the GAC are very different animals, but actually you represent the citizens, we try to defend the interests of the end users, individual end users of the Internet, and actually they are pretty much the same people. And I also -- thank you very much, Luisa, for what you said about our coming contact within the group that you are leading, the focus group. So I think that that's they come to next steps, I think that is one of the most important next steps for us. Thank you.

MAUREEN HILYARD: I would just like to add my thanks for inviting us here today and I would also support the fact that -- we're very keen to get this group up and running. As Yrjo mentioned, we have common

needs and there's definitely opportunity for, as Jorge says, the synergies. And so just name the time, and we will have a meeting, that's not a problem for us. We meet for all sorts of reasons. And yeah, just keep in touch.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Maureen, and thank you everyone for making the time to discuss with us here and definitely we shouldn't rely only on our face-to-face meetings, we should be doing more work inter-sessionally, and we look forward to having this active engagement between now and Cancun. So thank you again and we look forward to further progress together. Thanks. Okay. So one more item under any other business? Go ahead.

SPEAKER: My name is Ricardo [indiscernible] ALAC member. I will read. I think one of the next steps for this is to have a joint statement between ALAC and the GAC, encouraging the coherence and willingness to speak to each other at country level. We speak now at this level. Sometimes we speak at a regional level but in such countries, we don't speak at local level. In order to develop local -- we are talking about capacity here but not local level where we need them, both the [indiscernible] and the government that allow countries to better understand and be prepared to have

positions to or to develop policies related to ICANN and of course development of a better Internet in our countries. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much. I think this is an interesting idea, and maybe we can work on this more inter-sessionally, it could be a good basis for a start as well. So thank you very much. Thank you everyone. Thank you again for making the time. And for GAC colleagues, we will be meeting with the board at 15 past, so please be sharp. Thank you.

[END OF TRANSCRIPT]