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JOHN LAPRISE:	Good afternoon everyone, my name is John Laprise and I am the Vice Chair for Policy of ALAC. This session is At-Large Workshop on Consumer Safeguards Issues. We are pleased once again to have Jamie Hedlund here from Contractual Compliance, and also Bryan Schilling, the Consumer Safeguards Director. They have a lot to tell us about consumer safeguards today. This is an ongoing series at At-Large, because we recognize that many people in At-Large are often confused about who to go to or what to do with respect to different issues of consumer protection. So, this is a session in the hopes of trying to clarify issues and help end users and help us understand the situation better. So, I will turn this over to Jamie and Bryan, at this point.
JAMIE HEDLUND:	Thank you John, I'm Jamie Hedlund, SVP for Contractual Compliance & Consumer Safeguards. I want to thank you John and everyone for having us here. In a second I will turn it over to Bryan to go over some of the interesting things happening in the community that we are hopingto facilitate in discussions on consumer safeguards issues, particularly DNS Abuse. I encourage everyone to not only ask whatever questions you

might have, but to please participate in the community dialogue that is starting to take off on DNS Abuse.

DNS Abuse is an issue that has gotten a lot more attention of late, it's not a new issue, but since the new gTLD program included a provision in the base agreement for the second time establishing obligations on registries with respect to DNS Abuse, and contractual compliance is also in the midst of wrapping up an audit of registries on DNS Abuse. So there is a lot going on and Bryan is in large part because ALAC wanted this position created. ALAC and the GAC both encouraged organization in the Board to hire Bryan and I'm really happy he's here. So with that, I'll turn it over to Bryan. Thank you.

BRYAN SCHILLING: Thank you Jamie, and I'd also like to express my gratitude for hosting us this afternoon. If we could go to our slides please, thanks. Just advance a couple. Jamie just highlighted the ALAC and the GAC were very instrumental in having the Consumer Safeguards department created at ICANN and my position and it's now been two years since I've been at ICANN. So I wanted to start off initially with a little bit of a level set about the role and update on what we've been doing the past couple of years. First of all, this department and role is separate and apart from Compliance. We tend to work or partnership a little bit closer

with the Office of the Chief Technology Office, and kind of partnering up discussions around abuse with their technical expertise, and we'll get into that a little bit further.

We've also been participating in some activities outside of ICANN that are nonetheless impacting or looking at abuse within the domain ecosystem. One such example is the internet and jurisdiction project, which is a different multistakeholder environment that is examining three issues. One is data access and jurisdiction so low enforcement cross border data access to such things as email subscriber information or customer records.

A second prong is content and jurisdiction which is looking at some of the emerging issues around some of the more controversial content that gets published and promoted through different platforms. And then there is also a domains and jurisdiction tract that is the tone that kind of observe and participate in, and that is looking at issues around technical abuse of the domain system, as well as some of the areas outside of ICANN's remit, such as how to address potentially abusive content at the domain level. There are a number of ICANN community members in the internet and jurisdiction project we do certainly iteration multiple times that anything happening in that internet and jurisdiction project that relates

to domains would have to come in to ICANN's community for anything there to become a part of any future ICANN policy or contractual amendments if it reaches that phase.

The other thing as we see on this last slide here, this role is primarily for facilitating community discussions around DNS Abuse. And we started that off a few months after I joined in September 2017, where we held an open community side webinar and we kicked off a discussion with some of these questions that you see here in front of you now, in terms of what is ICANN's remit, what are some of the abuses that are being discussed and talked about. We also published a summary of the safeguards that are currently existing within ICANN's contracts and bylaws and articles of incorporation, and asked for some feedback from the community in respect to that summary in terms of looking at gaps and what things may be sufficient or potentially insufficient. Unfortunately, around the same time is when everyone got extremely busy the GDPR and WHOIS. Si, I think overall the community was just overwhelmed with those issues, and so the discussions around abuse slowed down a bit. If we could go on to the next slide.

As Jamie mentioned, it started picking up some momentum. We have had some discussions with the community starting earlier this year, including some ALAC participation around what are

some of the issues with DNS Abuse and kind of getting into the question about systematic DNS Abuse, kind of we know from the domain abuse and activity reporting data, as well as some other discussion and conversations out there that a large portion of abuse, the type of abuse that is referenced in the public interest commitments that Jamie mentioned, are in a small number, a handful of contracted parties. So, the question is what can we do to zero in on those entities that seem to be behind the higher levels of abuse within their TLDs. And we're also looking at some of these other questions about what are contracted parties doing to address abuse?   What are some of their voluntary efforts? What more might we do as a community and more might ICANN Org be able to do if we focused in on systemic DNS Abuse issues. Next slide, please.

So you have these questions in the agenda, and I wanted to put them back up here, really instead of a presentation, we'd like to get to discussion. We have certainly had across the community this open ended question of really what is DNS Abuse? There is subjective and potentially objective definition for what it is and what is within ICANN's remit and what is outside of ICANN's remit. If there is something outside of ICANN's remit, what are the voluntary measures that are beneficial to the overall ecosystem and are things that the contracted parties or all of us could collectively do to reduce and mitigate DNS Abuse. And we

are certainly needing and requesting ALAC's response to some of these questions in terms of what does the definition look like, what can be done. There has been some discussion over the past few months about potential contract amendments. We had a productive DNS Abuse session with the contracted parties at the global domains division summit in Bangkok earlier this year, and that was where potential contract modifications were raised. There was also a policy development process around DNS Abuse has also been floated. So we are looking for feedback and input on that. If we go to the next slide.

I think there is a fair amount of momentum that I'm very optimistic about, is that we may end up with a cross community public session in Montreal around DNS Abuse. And again, we would welcome input on what that might look like, as well as if ALAC, who might be a sponsor at such a session, or a cosponsor.

This really concludes the slide deck, it would be great to just kind of open it up for discussion, maybe if we want to go back up a couple slides and have the ALAC input, maybe have those questions, but we can bounce around if we want to use these questions as kicking off points for discussion or John, you kind of mentioned some questions about where do consumers go and what is ICANN's role in that, so we can answer questions in

that regard. Thank you for the time for introduction and again for having us here this afternoon.

JOHN LAPRISE: Thank you, Jamie and Bryan. Thank you for the great presentation. So, at this point if we could bring the agenda up, let's go with a 2-minute timer please. We have all the questions there that Bryan is interested in. So rather than tackling these one at a time, because I think there is a lot of different ideas about this, I want to see if there is interest on the floor. I see Alan has got his card up.   I will start taking a queue for interventions. So at this point the floor is open. Alan?

ALAN GREENBERG: Thank you very much. With the advent of GDPR and the temporary spec and now the EPDP, we're in a new era of domain abuse, DNS Abuse, because most of the tools or at least many of the important tools which people use to both track it, remedy it, and predict it, are gone. That is, that ability to correlate across different domain registrations, show me all the domain registrations that have the same email address, or something like that. Those weren't offered by ICANN, but there were capabilities that the third parties could offer them; they're gone. In the RDS review the law enforcement said that had a major

effect on them. It's clearly having a major effect on the independent security researchers. ICANN can't fix it.

But it might be really useful if ICANN could do some level of survey or collection of information and try to assess the problem. Nobody is doing that right now, and that could be a really valuable piece of the contribution of how do we fix the problem, whether the fixing is by changing laws or other mechanisms, I don't know, but without information, we're never going to fix that, and I think that's really a crucial part of ICANN doing its role in maintaining a safe and trusted DNS. Thank you.

JAMIE HEDLUND: Thanks Alan, those are both excellent points. On the research, that's something that's right in the wheelhouse of OCTO, David Conrad's organization. They work with law enforcement closely, they obviously do a lot to see what's going on with abuse, and I could see how that would be a useful input. But the other thing is when you say they're gone, the rules are not in place yet. I think there is recognition among many, anyway, who are participating in phase II of the EPDP that access to nonpublic WHOIS data is critically important and they're trying to come up with means of ensuring that data isn't gone, but it is accessible. Alan?

ALAN GREENBERG: The data that's usable for the kind of research we're talking about is gone. I mean, we still have the historical databases. There is no ability in RDAP and certainly the EPDP is not about to grant the ability to do a search and show me all of the domains that have a certain email address or telephone number, or something like that. The capability isn't there and the will is not there to do that kind of thing. So, that's gone.

JOHN LAPRISE: So, I guess I'll make a few interventions here. So, with respect to the questions, in terms of the remit and DNS Abuse and also I guess what ICANN can do, and this goes actually to the third question which is PDP, DNS Abuse is core to ICANN and so ICANN should have contractual latitude to enforce that. In my mind, initiating a PDP to enable ICANN to enforce more significant contractual rules to combat DNS Abuse is some that I know I would support and I would speak to the rest of ALAC about that, something that is definitely in our interest.

Also, I think the suggestion of a cross community session for DNS Abuse in Montreal is also a good suggestion. It's a topic definitely worthy of discussion through the broader community, it affects everyone. It may not be a "hot topic" here right now,

but it is a topic we see come up over and over again when we talk to end users, when they're not talking about EPDP or ATRT or any of the really big top level issues, the underlying theme across the community is this growing problem of DNS Abuse. And so I think it has a lot of legs.

JAMIE HEDLUND: Thanks for that. From the perspective of the registry audit which we are completing now, a couple things have come out and there will be a public report on this in July summarizing the audit. But some of the things that became clear are that, like WHOIS,   there   is   no DNS Abuse policy. There was GAC advice that was incorporated into the contracts through Specification 11 in the Public Interest Commitments and it's better than nothing, but as Bryan alluded to earlier, it doesn't help us in contractual compliance to go after systematic abuse. We have no teeth and there are two ways of achieving that; one is through consensus policy, which then gets incorporated in the contract, the other is through contractual amendments.

We're constantly in discussions with the contracted parties, as well, and what I would say, another thing we've learned from the registry audit, is that the vast majority of registries, and this is true, DAAR shows this for registrars as well, the vast majority of

them, while there may be instances of names that are abusive, they do what they can to combat the abuse. They take action against abusive names. They have sophisticated security threat monitoring in place. And so they can come up and they can probably do a better job communicating all the great things that they do, but that's not going to help us to go after where the real "bad guys" are, most of whom never come to ICANN meetings or care about ICANN or the multistakeholder model, or anything else, they're out to make money by any means. So, ALAC's participation in these discussions in support for either doing policy development or contractual amendments, is very helpful. Thanks.

JOHN LAPRISE: We have the beginning of a queue but I'm going to add one thing that occurred to me as you were talking about this, and that is that whatever protections or policies that we start talking about should probably filter into the sub-pro design, because if there will be a new round of gTLDs, personally I would like that round to have these protections baked into perhaps the call, so, the requirements for submission.

JAMIE HEDLUND: Sorry, just one last thing, another thing that became very apparent, which is a lot of the legacy TLDs have 0 abuse requirements. That's not because they're bad, VeriSign does a tremendous job with .com in going after abuse. They just don't do it under contractual requirement. So, a leveling of the playing field both for SAPRO as well as an existing legacy in the new Gs. Thanks.

JOHN LAPRISE: Okay, I have Hadia and then Holly in the queue at the moment. I have a gentleman over here in the blue striped shirt, if I can get a name from Staff, and also if you are not sitting at the table, you can feel free, we have a standing mic out there, so please, you may feel free to move over there and queue up. So, at this point, Hadia?

HADIA ELMINIAWI: Hadia Elminiawi for the record. Thank you for being with us today. I would like to respond to the last question with regard to what would ALAC like to see if we have a session on DNS Abuse. I think one of the things that we would like to see is the impact of DNS Abuse on simple internet users, supported by examples and true cases. This will enable us and the audience to understand that this is something that really impacts not only

big institutes, companies, but it impacts any simple internet user on the net. Thank you.

BRYAN SCHILLING: Hadia, thank you for that input. It's Bryan Schilling for the record. That certainly is somewhat that, well, first of all, at the AGM, also usually in the Spring meeting, OCTO, and I've given it once or twice, do a basic DNS Abuse understanding presentation and in that they have compiled and they talk through some larger malware disruptions and some botnet takedowns. Certainly in other space, in the GAC, a gentleman from the FBI gave a presentation about some impacts of botnets on end users, the business email compromises that are going on, there are a number of examples that we could certainly give some real life scenarios of the types of abuse that occurring and its impact on the DNS, such as malware and botnet distributions and how certain domains, like was explained yesterday, are manipulated for things like email, business compromise email cases.

JOHN LAPRISE: Holly?

HOLLY RAICHE: On the competition, consumer trust, consumer choice had a number of recommendations. One of them, well, I think you may have seen all of them. One of particular interest was to publish not only the statistically important recalcitrant registrars, but their resellers, to tie up the name of the reseller, because in fact it may be that the reseller is the culprit, as it were, and to publish the statistics, if nothing else, to shame people, but also to allow whatever action you can take, just as a start. And I guess my next question is have you looked at the [inaudible] there are several recommendation about DNS Abuse in that report. Thank you.

JAMIE HEDLUND: I had the honor of being on that review team. It was a parting gift from our last CEO, but I thought that section of the report was probably the strongest of the entire report, not that the other parts were not, but it was particularly good, and that's a personal opinion, not a Staff or org opinion. My understanding is the Board is still considering those handful of recommendations dealing with DNS Abuse and separate from that, OCTO is doing a number of things. One of the things that they're doing is trying to figure out how to make DAAR as effective for registrar as it is for registry, and it's not, because of

the challenges of associating domain names with registrars as a result of rate limiting.

So that work continues, in the meantime we're doing a registry audit, we'll start a registrar audit in September, we're trying to figure out how to do that now, given the limitations, but we will do a robust audit and the Board will continue considering those recommendations working with the review team, costing out, making sure that the right definitions are in place. No one is ignoring it.

JOHN LAPRISE: Before we go on to the next person in the queue, and again, if you're in the audience and you want to ask a question, please get in line with the mic. Jamie, I know that the last time we spoke, on the website, when ICANN publishes enforcement actions, there is a list. But at that time there was not, sort of a comprehensive one place to list all the enforcement actions in one place in an easily viewable kind of format, because it was sort of like in a queue format. Has that been, have we addressed that yet?

JAMIE HEDLUND: We have not addressed it, we are talking about it, we know it's a problem, and I mean not just for that, but one of the things we

found is with a lot of reports that we do publish, there is not a lot of interest. Some of them are like there are 6 viewers and 4 of them are Staff. We want to put out data and reports that are useful for the community. So, going forward, ALAC had a discussion with Alan about this earlier about the kind of data that might be helpful, please share with us and we'll figure out a way to publish it if we can.

JOHN LAPRISE: Dr. Haji?

NASSER HAJI: Thank you very much. I present myself, professor Nasser Haji, professor in the university. I was previously president of the IQ PPO2 conference here in Marrakech in 2002. My question is how do you solve the problem when the operator of the registry is not clearly determined? I give you an example. If you have Europe and the domain .eu, you have an operator, the European Union. But if you take Africa for instance, if you take .ma we have Morocco and we have an authority regulation, but if you take Africa, we have not an authority regulation of the registration domain in Africa. So don't you think that it will be a problem for applying?

JAMIE HEDLUND: As I'm sure you're aware, we're not a regulator. We have contractual agreements with registries and registrars, much of which incorporate consensus policies into them, and become requirements for registries and registrars, and then there is a contractual compliance department at ICANN which enforces those and makes sure that the contracted parties are abiding by the policies adopted by the community. There is always an ongoing discussion about what those obligations should be, sometimes they are amended through contractual amendments or the polices have become incorporated into the agreements. So, those are with the operators, registries and registrars, regardless of where they are located. So if there are registries or registrars in Africa, which there are, we have agreements with them, they abide by them, just as they do in North America, Europe, Latin America, or Asia. So I don't know if that answers your question, but it is a different model than a regulatory model.

NASSER HAJI: I understand what you say, but European Union is an institution, an organization. This is what I said at the IQ, but Africa, I don't think that the African as an organization or an institution dedicated to this.

JAMIE HEDLUND:	Yeah, so that question is way above my pay grade. That's a political question and that's one for the GAC and people a lot smarter than me.
JOHN LAPRISE:	I think for government regulation, we're not government regulation. All we are doing is enforcing contractual rules. This is all contract law.
	John Laprise for the record again. So, Jamie you commented on something previously that you want input on, and now I've lost it. Yes, thank you, data reports. So, as you know, At-Large is subdivided into RALOs and RALO level reporting might be of use to the specific RALOs, and that would be something, I put on my hat as a social media manager, that would be something we could post out and share. RALO level reporting would also be of use to the different secretariat of ICANN At-Large. So that might be one way of looking at segmentation for the reporting that would be useful to At-Large.
JAMIE HEDLUND:	So, right now we do regional reporting based on the ICANN regions. One interesting thing that is in progress is the development of the Open Data Project and what that will do is we will dump all of our data into that and then people can go in

and make custom reports. So we see that as a great way for people to slice and data however they may see fit. At the same time when that happens we're also interested in feedback and what kind of reports compliance should still put out regularly, even though people could construct it on their own.

HOLLY RAICHE: I had a short memory, now that I've remembered, I think you've answered it. In time past what we've done is had in front of us a report and looked at it and had an opportunity to ask a lot of questions as to what's happening, what are your timeframes, how much leeway do you allow? All those sorts of things. It's the sort of data that actually is very helpful, if nothing else, because then we could make your life miserable. I'd love to see that data again. Thank you.

JAMIE HEDLUND: Sure, so this is a policy meeting and it's a little different, but we're happy to put that together. The approach that we have taken recently is pulling together all that data before the meeting and doing a webinar, and then so we get into a session like this and it's more interactive and less just regurgitating what is on the slides. But we'll pull that together for Montreal.

JOHN LAPRISE: At this point I would like to get the attention of the ALAC members on the floor, because we have 1, 2, 3, 4, 5, this is not a quorum call, by the way, I just want to get a sense of the ALAC members who are here, regarding point D on the agenda, which is if you think that cross community session on this topic on DNS Abuse would be something that ALAC should be supporting at the next meeting. I see nods.

HOLLY RAICHE: Take up Alan's point, Alan was the one who was saying what is possible now, or maybe address the very much larger question. Given that there is a loss of information to the people who are involved in fighting DNS Abuse. Not only in appreciation of the impact of that, but is there a role you can play? And if so, what, in actually addressing those issues.

JOHN LAPRISE: So at least I'm seeing general agreement on that, so we can take that forward as at least it's not quorum consensus.

JAMIE HEDLUND: To the extent it's helpful, we did a presentation earlier this week with the GAC and the GAC is also interested so we could coordinate and will be there to support it.

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ALAN GREENBERG: Yeah, I think a little bit brainstorming we'll come up with something like domain abuse, the changing scenery, or whatever, because the whole changed landscape, sorry, is the word I was looking for. The whole landscape is changing because of the issues associated with GDPR and of course the people abusing domains also find interesting things. I just read the other day that people are now using DNS text records for what they used to use domain names for, that is to distribute instructions to their botnets. The world changes, but I think something like that would be certainly worthwhile from our perspective, I'm sure the GAC would support it. We need to probably do a little bit of beating of the ground, because there probably are some groups that will strongly oppose it.

JOHN LAPRISE: Are there any other questions on the floor at this point or in the audience? We have an open mic. Alright, in that case, I would like to ask one question on the floor here, and that is, this is I think to help the folks up here at the table. So, this is an At-Large meeting and if any of you have direct experience of DNS Abuse, I would like you to go ahead and speak up and describe your experience. You're giving me a quizzical look there, Alan. Go ahead Eduardo.

EDUARDO DIAZ: This is Eduardo Diaz.   The problem is what is DNS Abuse. Because for me, for example, having a company keeping names for reselling at a higher price, that to me is DNS Abuse, because it's not available, it's there just for monetizing, that's one way of looking at it.

JAMIE HEDLUND: Well one place to start maybe with the GAC, what's in Specification
11-3B, which is phishing, farming, which is not really a DNS issue, it's a browser issue, but phishing, malware, and command and control botnets.   We sometimes call it DNS infrastructure abuse, even though that's not entirely accurate either, but it's to distinguish from content abuse, I think what you're talking about, which is potential economic...

EDUARDO DIAZ: That's from my perspective.   But type of squatting will also be as part of DNS Abuse?

ALAN GREENBERG: Perhaps, but a different kind.

EDUARDO DIAZ: We need to define what we mean by this.

JOHN LAPRISE: You make a really good point, so the question here is if we're talking to At-Large which is global end users and you ask them, what is DNS Abuse, it's like, oh, someone is gouging me for a price, that's DNS Abuse to them. And we may have a more technical definition in terms of technical actions that are taken with respect to the DNS, but for many people in the world it may simply be, oh, someone is messing with me online.

JAMIE HEDLUND: So it's important to keep in mind that this is ICANN and we have a bylaw limited remit. So going after people for warehousing or speculation is probably outside our remit, those kinds of things. But we do have a technical coordination role and certainly things like phishing, malware and CNC botnet distribution, those kinds of things clearly fall in. So the question is first of all, is it agreement that those do fall within our remit, are there other forms of abuse that might also fall within our remit, are there ways of attacking other forms of abuse like the trusted notifier that are outside of ICANN's remit but ICANN can play a role in facilitating discussions about those, those kinds of things.

JOHN LAPRISE: This is John Laprise for the record, we have a remote question. Evan, if you can hear me, you can unmute, I believe, or we will unmute.

EVAN LEIBOVITCH: Hi John, hello everybody in the room, this is Evan, miss most of you guys. My question is about, we're in the room, we're floundering about with trying to figure out what constitutes abuse and where people are running into abuse. Does any research actually exist along these lines? Has ICANN ever gone into actually doing a survey, getting some professional research into the level of abuse that is there. The level of abuse can take many forms, it can be people that have been subject to fraud by throw-away domains. There is all sorts of things that constitute abuse, has there ever been any kind of actual research so it's not just us in the room that are sort of asking each other, hey, have you come across abuse but actually something that goes out there and finds out what the extent of it is so we can actually do this based on an informed discussion. Having ICANN people sitting in a room and trying to figure out what constitutes and user abuse isn't going to come up with the answers that you need. I really, really think we're missing some good indicators of what kind of abuse is out there. Can we possibly get something

like that done so we're not just totally working on guesswork. Thank you.

JAMIE HEDLUND: So, just quickly, for the CCT review team report, there was a study that was sanctioned and they came up with a lot of interesting data. In addition, there is the ongoing DAAR report which a lot of if, it should be pointed out, it does track phishing malware and botnets, it also tracks spam and it might be worthwhile having a discussion within the community about is spam abuse, it is speech, is there a way of distinguishing between types of spam? It's kind of been lurking in the background but this might be a great vehicle for having that discussion once again, because the volume of spam is enormous and even though I delete all those emails, I never buy of those things. Joanna?

JOANNA KULESZA: Thank you, I want to build on that question, you've provoked me into it, so I'm just going to ask it. I understand this might be somewhat of a political question, but provide me with the best answer that is politically feasible in that context. We had a session this afternoon in cybersecurity and Patrick Jones was indicating that there is a fine line between DNS Abuse, content

regulation, societal threats, it's not me, he had examples here indicating recent cases that make us think about that picket fence that ICANN has been upholding with all its might. I think part of your responses also refers to that. So it's just DNS, technical management, we don't go into content in any aspect that might come up.

I wanted to hear your opinion. I'm going to frame the question more generally, I wanted to hear your opinion whether that line is moving, what are the threats to keeping that picket fence in its place? It was already said by John, I believe, we are working together with the GAC, I know you guys are, as well, and GAC's biggest concern in terms of security and cybersecurity is not so much the DNS and the technical stuff, at least equally the technical stuff, as content regulation, where ICANN doesn't fit in. So, I wanted to hear your response on whether that picket fence is being moved, what are the threats, and can we do to keep it in its place, to keep that content discussion?

JAMIE HEDLUND: I think what keeps the discussion in its place and what I don't think moves is ICANN's bylaw mandated remit, and our technical coordination role. I think what does keep moving is awareness of all the types of abuse that are out there and this sort of realization that if somebody doesn't deal with it, governments

are going to step in and deal with it. So there is an opportunity even if it's not within ICANN's remit, for there to be discussions for how to solve content abuse in a way that's outside of ICANN but involves many of the stakeholders here. So it makes sense that the universe of abuse is expanding, but I don't think our remit is, and so part of the discussion is what is abuse and then secondly, what is abuse that fits within ICANN's bylaws that we can combat either through contractual amendments or through policy? Alan?

ALAN GREENBERG: Thank you. I was going to respond to Evan and Jamie did part of it, saying CCTs has certainly done some. We have reports going back a long time, when fast flux, fast flux, is where you have a large number of domain name and you continually change what domain names are pointing to what addresses at a very high rate, talking about perhaps several times a second, and when that became common 10 years ago, 12 years ago, there was an awful lot of work done on that.

I suspect if we look at distribution of malware and the various other cyber security issues, we have one of the largest centers of innovation in the world. These things are changing almost by the minute and people are very innovative. So yes, there have been reports, the report from five years ago is not necessarily

relevant today, although it makes interesting reading. So, the answer is yes, we have plenty of reports and there will continue to be until we just give up and shrug our shoulders, and say too bad, we're going to have to live with it.

JOHN LAPRISE: John Laprise for the record, and again, if there is anyone who wants to speak, I invite you to the mic. Jamie, one of the points you raised here is about voluntary measures, and I know that at the registry level they've got the manners initiative, right? I wonder if something like that to combat DNS Abuse might have some legs, to have discussions with the registrars and registries to implement something, a DNS-focused manners program.

BRYAN SCHILLING: Thanks, John, this is Bryan Schilling. I'm personally not familiar with the manners and that, but I think there is some discussion, in particular this was a fair number of ICANN community members who participated in the internet and jurisdiction project, are talking whether they're manners or best practices, or ideas that could potentially voluntarily be adopted by gTLDs and CCTLDs, and there are a CCs that also participate in that. There has also been around for a few years within the domain name association an effort, and they actually put out a

document a few years ago, The Healthy Domain Initiative, to again kind of establish some better practices.

I think one of the other ideas that has been floated a bit, and Jamie alluded to this already, is that a lot of contracted parties are doing things about abuse and to have them talk about it gives us something also for other contracted parties who aren't addressing properly, maybe it's an education thing, looking at it from an optimistic side of things. So if there is more out there that's being talked about of how we're doing this and how other contracted parties are addressing it, we might able to use that to educate others or point them in a direction.

PIRs made a statement a couple weeks about running a QPI, it's Quality something Index, that is how they're going to measure certain registrar activity in the .org space. So there is manners, ongoing discussions. I think there are some good things that are happening within the internet and jurisdiction project that if some community members were to say yeah, we want to bring this into the ICANN community, it could be great for us to be discussing within our community.

JOHN LAPRISE: Okay, we have Hadia and we have Satish in the queue. Hadia?

HADIA ELMINIAWI: Hadia Elminiawi for the record. So, to Joanna's point, I think we need to keep a distinction between the terms used and not to mix them up. So, DNS Abuse is just DNS Abuse, then we could have internet abuse, we could have fraud, keeping distinction between terms is essential. Thank you.

JOHN LAPRISE: Satish?

SATISH BABU: Thank you John, Satish for the record. During this meeting of ICANN, two new technologies that were showcased were DOH and DOT. Any direct impact of the widespread adoption of these technologies vis-à-vis DNS Abuse?

JAMIE HEDLUND: I don't know if there is data on that, and I'm not really technical enough to speculate. I know people have concerns with both of those technologies for reasons other than DNS Abuse. They also hold promise for providing more security as well. I encourage you to talk to David Conrad and people from the offices, the chief technology officer, they are much more closely following those developments.

JOHN LAPRISE: Alright, so I want to bring this to the third question which is the question on internet in a PDP on DNS Abuse. This is something that Jamie and Bryan have raised as a potential option. Personally I think it's probably due, because in order to get something implemented within the contractual framework, we're going to have to make policy so that it can be implemented. Are there any thoughts on the floor regarding this? Alan?

ALAN GREENBERG: I guess as the person who has initiated the request of two different PDPs, I have a little bit of knowledge. I'll just remind you of the rules.   The ALAC can request that a PDP be considered.   It goes to the GNSO to decide whether it will actually launch one or not. If you are going to do that you would really want to make sure ahead of time that you had support of at least the registry or registries in supporting that, because two of them together can veto anything. The Board on the other hand can initiate a PDP and the GNSO can't say no. So just a reminder of the mechanics. But if we were to do initiate one, number one, we would have to think about the politics and getting support, and number two, we would have to put together a strong case that this is somewhat that can be

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addressed b a PDP effectively. So it's not someone writing a paragraph, we would have work to do.

JOHN LAPRISE: Yeah, I would say that is food for thought for you two. When you're asking about the PDP, did you have ideas about which road towards a PDP you were sort of inclined towards?

JAMIE HEDLUND: No, I mean the discussions that I've heard so far have really been whether or not there should be not how to accomplish it, but how to initiate it. And those are decisions for the community or the Board, and I would like to speak for the Board, but they don't like me to do that, so I'm not going to.

HOLLY RAICHE: I take Alan's point that a PDP would be really difficult. I think we'd have to convince the Board because from Alan has said, the registrars and registries are not necessarily comfortable. Are there other mechanisms that could achieve same thing?

JAMIE HEDLUND: The other mechanism that I'm aware of is through amendments to the contracts. That's what we saw with the new gTLD

program with Specification 11-3B, the public interest commitment on DNS Abuse and that can accomplish a lot, some of the downsides for going that way is first we have to go through contractual negotiations, and then secondly it doesn't enjoy the same sort of universal consensus support that a policy would have, which means it may not have shared understanding about whatever those commitments really mean, and we have run into that with the registry audit. But that is the other way of doing this.

ALAN GREENBERG: An interesting early step if one is considering this kind of thing is pretend you're king or queen, seriously, absolute monarchy, and you can put whatever contractual terms you want in the contract, registries and registrars. Exactly what contractual terms are you going to propose to address this? The terms you might have put in three years ago are different than today because of GDPR and the privacy implications that come along with it. I'm not saying there aren't such terms, I'm not sure exactly what they are, though. So I think before you propose a PDP or contractual negotiations to address the problem, what kind of solutions can we propose to toss into that mix? There may well be some obvious ones, nothing comes to my mind

right now, but I'm sort of tired. But I think that's one of the exercises you have to go through first.

JOHN LAPRISE: I guess I have another question which Alan's comment brings to mind, which is the ccNSOs don't operate under the same contractual framework, and is there any discussion with them regarding, you suggested voluntary measures, has there been any outreach on that front to build some voluntary measures among the ccNSOs?

JAMIE HEDLUND: I don't know that there has been any sort of programmatic solutions that have been discussed. I do know that some of the CCs have shown interest in DAAR in getting that same kind of reporting for their CCs. So that's a positive development, and there are CCs that have all programs on their own. But we do think that it would be great for the ccNSO to be part of this discussion, as well.

HOLLY RAICHE: I would think after the Christchurch Call , there are going to be at least several countries that signed the Christchurch Call, you know, we've got to do something and I don't think they

understood what they were saying when they said they've got to do something. But it would be really useful, I think, if we actually said for a start to ccNSO to help you actually do what you said you were going to do, which is address the issues, these are some of the things you can do, and I think there would be a fair bit of reception on that one, just because suddenly the governments are going what can we do.

JOHN LAPRISE: Are there any other questions on the floor that you would like to put to Jamie and Bryan today? Olivier, of course, please.

OLIVIER CREPIN-LEBLOND: Thank you very much, Mr. Chair, Olivier Crepin-Leblond speaking. Often when one speaks about DNS Abuse, and I'm sorry to have missed the presentation, but I have gone through the slides and so on, one of course looks at the use of the DNS for malicious purposes, and that obviously includes content of email messages and websites, and the malware, things like this, basically, that you would get from abused DNS type of squatting, all of the stuff that we know about. We know that ICANN doesn't deal with content, or at least this is what is being said quite repeatedly. So, what aspects of DNS Abuse are not related to content? Because you are mentioning here launching

a PDP, could a PDP just be completely cut short or reduced to the thinnest of PDPs by just saying well, this is content, that's content, that's content, or just have a thing of saying is the PDP finished? Yes. Thank you.

JAMIE HEDLUND: Thanks, that's obviously discussion that would have to happen defining what is DNS Abuse and identifying how to address it. The GAC took a stab at that with Specification 11-3B, phishing, malware, botnets. There may be others that are uncontroversial or not as controversial as content. So, I don't think that at least for phishing botnets and malware, I don't think there is a whole lot of controversy that those are things within ICANN's remit. The question is, are there others that would appropriately fit within policy or contracts. That's a community discussion that has to happen. And one of the things we talked about earlier was spam. There are different views on that.

JOHN LAPRISE: Okay, this is John Laprise for the record. So, Olivier, please go ahead.

OLIVIER CREPIN-LEBLOND: Thank you very much, John, Olivier Crepin-Leblond speaking. Sorry I've got a pipeline of questions coming in. So the next question comes to this, what would the aim be when it comes down to the PDP? Would the aim be to achieve? Because we've seen earlier a slide with all of the different contracts and in theory everything is covered by contracts. You've got the ICANN registrar and registry contracts, and you've got registrars and registries that then talk over, well, it goes from the registry to the registrar, to resellers, so they've got the contracts with the resellers, et cetera, et cetera, and we see the end user being pretty far down to the right side of the slide.

That being said, we know that 99% of the good players out there are actually respecting all these contracts. But there are some that are not, and many of these are outside the remit of ICANN because they are in the reseller space, which ICANN doesn't have a direct relationship with. So, how far does ICANN's reach go, and is it worth exploring?

JAMIE HEDLUND: So, the last thing, registrar obligations flow through to the reseller, so we don't have an agreement with the reseller, so we can't go after the reseller directly. But we can go after the registrar for violations that are carried out by their resellers, they are responsible for them. So, that's one. And I think that with

the other thing that you mention is actually a real opportunity, most of the problem is fairly well concentrated in a handful of registrars and registries. Registrars and registries, who don't participate a lot at ICANN, but whose activities harm the reputation of those who do. So, there should be an opportunity to define at least systemic abuse and get everyone behind it and without creating concern among the contracted parties that compliance is going to go crazy and have all kinds of enforcement power that we didn't have before. But that's my own sort of personal opinion of where the real low hanging fruit lies.

HOLLY RAICHE: I appreciate that you're not directly connected contractually to resellers, but the RAA is pretty clear that the registrars are responsible for resellers, so can you actually kind of hang out some registrars out to dry if they don't deal with their resellers?

JAMIE HEDLUND: We can, we do, we investigate, we have them answer for activities of the resellers and registrars take remediating steps to make sure that the resellers are complying with the allegations that the registrars have.

ALAN GREENBERG: Thank you. Alan Greenberg. Resellers are an interesting phenomenon until the more recent RAAs, the responsibilities were not passed down from reseller or not passed up from resellers to registrars, but that be as it may, there are all sorts of implications. Remember, there are resellers, and resellers can have resellers, and the chain goes very far. There are GDPR implications. A registrar with a reseller has no knowledge whatsoever of what countries their data is processed in. Because although the registrar knows who their resellers are, they have no clue what is below that in the chain. There are a whole host of reasons why it would make complete sense that the reseller chains need to be documented. Good luck.

JOHN LAPRISE: This is John Laprise for the record. I am seeing no additional calls for interventions. So at this point I am going to close interventions and you can tell it's a Wednesday afternoon because I have a highly competent but much reduced staff here supporting the meeting. So as action items, I think going forward we should take to the ALAC the idea of supporting a cross community meeting in Montreal on DNS Abuse or some title to be named later, but related to this and then we'll take a vote to add support to that, and see where that goes. But I think the topic definitely has merit and needs to be given just a little bit more push up to be more public, and we're happy to support that.

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So, if there is nothing else, then I would like everyone to thank our interpretation and our technical support for all the help they give us. And with that, I will close today's meeting. I will remind everyone that you have about 20 minutes before this evening's networking cocktail out in the hall. Have a great evening and we will see you back bright and early, and oh, my apologies, thank you very much to Jamie and Bryan for coming and speaking with us, it's been a long day.

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