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ICANN67 | Virtual Community Forum – GNSO - RrSG Meeting  
Monday, March 09, 2020 – 10:00 to 12:00 CUN

GRAEME BUNTON: So, I've got 11:01. We've got a boatload of people in the room already. A bunch of them I have no [inaudible]. We'll get going I guess in about ... I'll give it one more minute and then we'll start our call.

Okay. So, I've got 11:02. We've only got two hours and lots of ground to cover, so maybe let's get started. I think I heard the meeting being recorded already. Julie, is there anything else that you guys need to do?

TERRI AGNEW: Graeme, it's Terri. If we could just do our brief introduction, just to cover all bases. So, welcome, everyone. Good morning, good afternoon, and good evening and welcome to the RrSG meeting taking place on the 9<sup>th</sup> of March 2020. Today's meeting is being recorded. Please remember to state your name before speaking and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this, I'll turn it back over to Graeme Bunton. Please begin.

GRAEME BUNTON: Thank you very much, Terri. Welcome, everybody. Interestingly ... Boy, what a fun experiment we're all about to have trying to do this

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virtually. To as much as an extent as possible, we're trying to model this after our regular biweekly membership call, so this should be pretty familiar to everybody. It's just going to be an hour longer, so that we can get through some more content. It already does not feel like a great reproduction of an ICANN meeting to me. Mostly, I miss seeing all your beautiful faces. Certainly, as I run the meeting, it's hard to tell where everybody is at when I can't see you. So, the bit where everybody is face down in their computer cleaning out their inbox, I can't get a sense of that.

So, feedback. Always useful. Feel free to provide it in the chat. As always--and this is really important, especially at this meeting, which is we use these membership meetings to get feedback from everyone and it's super important for the Registrar Stakeholder Group's ExCom as well as members of our PDPs and GNSO councilors that we get feedback from everyone because we spend a lot of time trying our best to represent everybody's views. And if you're not sharing those with us, it makes that job a whole lot more difficult and we want to make sure we're doing that as best as we can. So, don't be shy to put up your hand or to ask a question in the chat. That will make this a lot better. Normally, we would go around the room and introduce ourselves. That I don't think makes any sense, but I have asked that everybody update their name in the Zoom room to include your full name and your affiliation.

I will say that this is an open meeting, so anyone from the ICANN community or elsewhere can join. There's no [inaudible] discussion here really. I will talk about some draft documents today. It would be

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really inappropriate for people to share those outside this community, as in the Registrar Stakeholder Group, for stuff that's not complete.

I will also say that, interestingly, we have way more people from outside the Registrar Stakeholder Group joining this meeting, I think because it's one of the few things on the agenda at the moment. So, there's lots of fun people in the room. That's great. You're welcome to join us and listen.

I will say I will prioritize I think questions and comments from stakeholder group members because this call is primarily for stakeholder group members. This is where we get together and coordinate how we feel about stuff and organize our work and get stuff done. So, we're going to go ahead and do that. Zoe, have I missed anything in my delightful intro? Bear with us as we try and figure all this remote stuff out. I'm sure we'll be fine.

ZOE BONYTHON: No, I think that's fine. Thanks.

GRAEME BUNTON: Cool. Okay. 61 people on board. This feels like really great attendance. So, let us get right into it, then. Thank you. So, I think that is my welcome. And I think we get to go right over to Michele, who I believe is in Cancun, Mexico, enjoying the sun. It may be a little early down there for a margarita, but he'll be giving us the update from the ground in Mexico.

MICHELE NEYLON:

Thanks, Graeme. Hopefully, you can all hear me. The Wi-Fi in this hotel is not exactly fantastic. So, good morning from sunny Mexico. There's a bunch of us here for a variety of reasons. A lot of people had non-refundable tickets and other things. It's never too early for a margarita, but I haven't had one yet.

So, on the GNSO Council side of things, as you can see on the slides, the main focus that we have at council at the moment was, in many respects, twofold. One, trying to deal with and manage the current PDPs that are ongoing. So, the big ones there would be subsequent procedures—in other words, new TLDs—and another one, which is very important, obviously, is the review of rights protection mechanisms—so, UDRP/URS. And obviously one which has been taking up a lot of time, energy, and effort for a lot of people is the EPDP.

The GNSO Council had a strategy meeting face to face in Los Angeles earlier this year. We spent quite a bit of time trying to look at how to get the council to work better, how to get the working groups and PDPs to work better. That's where a lot of our focus has been.

So, a couple of things that we're currently dealing with on the Council which I think we need input from members on is that, essentially, the EPDP group has asked Council for guidance on a particular topic. So, the question essentially is whether who is data accuracy is within scope of what the EPDP was chartered to cover.

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The Council will have to provide a response to that group within the next week or so. So, input from members would be appreciated. As Graeme said, it's very important for us, those of us who represent you in these various fora to have some idea of what you think we should be doing or what our views should be, because without that input, we're kind of flying blind at times. So, any kind of input is always helpful, and if there's anything that's unclear, you can always reach out to myself or Pam or Greg who are your three GNSO reps.

So, upcoming stuff that the GNSO Council is looking at. There's a separate work track on IGOs and INGOs. Graeme doesn't like us using acronyms. So, IGOs are international governmental organizations and INGOs are international non-governmental organizations. So, this has been an ongoing debacle for I don't know how many years at this stage, but a long time, where these organizations were seeking protection via the UDRP, URS, etc. and felt that they couldn't access it for a number of reasons. So this has been going on and on and on for a very long time. It keeps on coming back to council.

The other thing which is something would be very helpful to get input on is future work. So, if you've been following on the members list, on of the topics, for example, is around fixing or tweaking or whatever way you want to look at it, how transfers work in order to make sure that they align properly with changes due to GDPR and temp specs which now of course are output from EPDP. So, there's a bunch of those kinds of things that are in the pipeline for the GNSO Council to start some form of policy development work on, but we're very conscious that there's only so hours in the day and only a finite

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number of people available. So trying to prioritize those different things is very important. So, getting input, again, from people on that would be helpful. Next slide, please, Louis. Okay, so that's it.

That's basically I think pretty much everything from the GNSO Council side of things. I don't know if Pam or Greg have anything to add.

GRAEME BUNTON:

I can see a hand from Greg. Greg, please go ahead.

GREG SHATAN:

Hey. I think that's really the big picture. Just following up on a couple of things. In the slides, there is a link to a survey on prioritization. I don't think we received a lot of registrars responding. I think it might have been only ten or something in the first round. So, if you haven't filled that out, please do. The results so far are there's a clear emphasis that registrars want to evaluate the transfer policy, and then after that, it's kind of muddled. So, I think the direction we've received so far—and anyone can jump in to correct me if they disagree—is that if a new work item is available for prioritization without the GNSO, the registrars would prioritize the transfer policy above the other pending items on that list. But then after that, as regards for number two, it's pretty muddled. So, that's my point on the GNSO items.

Then, to provide a little more detail on the question regarding the EPDP, I think most of this group believes that there should not be ... Let me back up. And again, if you're more familiar with the EPDP than me, jump in. But there's members within the EPDP that believe that

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the GDPR requires reexamination of how accuracy is defined in the RAA and may need additional accuracy related policies.

I believe most registrars disagree with that assertion, that that is beyond the scope of the EPDP and this was not in the original charter, but that I guess is just some more specific information about what we're looking for to provide guidance back to the EPDP. I'll stop there.

GRAEME BUNTON: I see a hand from Pam.

MICHELE NEYLON: Perfect.

PAM LITTLE: Thank you, Graeme. Hi, everyone. I would also like just to add a bit of a context in relation to the future work that Council is considering at the moment. Council has been repeatedly told by ICANN support staff that, at the moment, the ongoing PDPs—the three major ones that's currently ongoing—are taking up about 130% of capacity. So, it's just a guess in terms of support from staff and community volunteer resources.

So, I just want to set the expectation in terms of what Council will be able to do. In the near future, it's unlikely we will be able to kick off a new PDP until one of the major PDPs is wrapped up. For example, the EPDP hopefully will conclude its phase two work in June. And then the other two—the subsequent procedures—is aiming to conclude their

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work by the end of this year and the review of all rights protection mechanisms PDP is aiming to conclude their work in October.

So, we really need to look at some of these things are staggered. In that survey list, there's about 12 items and some of them are really quite big. Even the transfer policy review is actually to me quite a large chunk of work to be done.

So, in terms of timeline, that's what we're looking at. Once we have one of the major PDPs wrapped up, then Council can probably look at kicking off another one.

But even though we, the registrars, see the transfer policy as our priority, but that ... Again, at the Council level, other councilors may see different work items as their priority, so there's going to be a bit of a competition going on there as to what should be done first. So, watch this space, and obviously we are taking the registrar's position to the Council to see what is most important and critical to us. But other groups would probably see those items differently. So that's all I have to say. Thank you, Graeme.

GRAEME BUNTON:

Thank you, Pam. And thank you, Michele and Greg. Those, by the way, everyone, are our three GNSO councilors. They do a heck of a lot of work for us and I have no idea what time it is for Pam right now but I'm pretty sure it's terrible and she sounded remarkably coherent. 2:00 AM, brutal. Thank you, Pam. It is appreciated. You can go back to bed and I'll send you an email if there's urgent stuff for you on this call.



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Thank you, everyone, for joining where this time zone thing is a real mess. One of the benefits of an ICANN meeting is that we're all typically jetlagged in some fashion. We're doing that collectively. So, this is pretty weird.

Thank you, councilors, for your work and for that update. My only question ... And sorry, this is Graeme talking. I'm the chair of the Registrar Stakeholder Group if I did not say that already.

My question for you guys is my sense is that there's going to be a bunch of unanswered questions from the EPDP and that the EPDP Phase 2 is going to run out of runway sometime around June which is coming up pretty quickly. Do you guys have a sense of what the Council might do when you get a bunch of hanging questions out of that EPDP? Do you say, well, we just didn't answer them? If there's some new thing spun up to try and answer them, is there any sense of what will happen there? I see a hand from Michele. Go ahead, please.

MICHELE NEYLON:

Thanks, Graeme. Michele for the record. Sorry, I didn't actually introduce myself earlier. My own take on this—and again, Greg or Pam might disagree with me. But I think it's very clear from the discussions we've been having on Council that we want to underline that our role is not to make policy, our role is to manage the policy process.

So, the question we're currently dealing with—is this data accuracy thing within scope or not? That's fine because we are the ones who

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chartered the group. We said this is what we are meant to look at. So, asking us, “Is X included in that?” makes perfect sense.

But if it comes to a question of us being asked to fill in blanks around a policy that we almost have to do with one of the recommendations in phase one, that’s not really our role. I don’t think it’s up to us at Council to do the work that’s meant to happen within a PDP. I mean, the work group, if they cannot reach consensus on something, then they have not reached consensus. It’s not for us to try and fix that problem if they can’t fix it themselves. It’s a different thing. It’s a structural issue or whatever.

But I don’t think it’s for us to answer those questions. Pam or Greg may disagree and other people who served on Council and everything else may have a different view on that. I think it would be up to us to take the output from a working group and, as long as we at Council are happy that it followed all the processes and everything else, then we’re meant to vote on that whether it’s accepted or not. But asking us to actually fix a problem that they couldn’t fix, I don’t think that’s appropriate.

GRAEME BUNTON:

Right. Thanks, Michele. I agree that’s the role of the Council is to ensure that process is followed and not get into the weeds on those issues. I think Matt Serlin is saying in the chat that the group will not end up answering or addressing all of the questions that it believe it should have covered. I guess it kind of sounds like to me those just don’t get addressed. The EPDP wraps up, report will include what it

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includes, and those questions will just get left behind. I see a hand from Greg. Greg, if you're talking, I can't hear you.

TERRI AGNEW: Greg, it looks like you may be muted, if you could please unmute.

GRAEME BUNTON: The window got really small which sometimes happens with the Zoom window and then it's impossible to find. Let's go to Volker and then we'll see if we can come back to Greg. Volker?

VOLKER GREIMANN: Maybe as a little bit more context, one thing that we've been told on the EPDP by ICANN staff is that come end of June there is no more money in the budget, and if we're not done with any questions by that time, then we're done without doing those questions. So, unless ICANN puts up another budget for another group that would have to be chartered, our work is done once the deadline arrives, which is also why we had to rush the final report.

GRAEME BUNTON: Gotcha. Thanks, Volker. Greg, did you figure out your mute situation? Got it. No Greg. We'll figure that out at some point. Volker, your hand is still up. And to Michele's point in the chat, PDPs have to wrap up. So it could be that [inaudible] and at some point, there might be an appropriate time to come back to an ideal, but I think that's probably a reality. I've got a hand from James, and then a new hand from

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Michele and then we'll probably move on from this because we certainly come back to the EPDP a whole bunch later on in this call. James?

JAMES BLADEL:

Yeah. Thanks, Graeme. Just to echo what Volker said. We've been very strongly advised that there is no tomorrow after June for this EPDP for budget purposes. We're also losing our chair to another assignment. So, Janis apparently is done one way or the other.

I do think it falls to Council not just to ... Or under the umbrella of making sure that the process is followed correctly to ensure that the PDP is functional and that it is not ... But all the participants are engaging in good faith towards a consensus goal. We'll get into this more in our PDP update from EPDP. But the EPDP is not making recommendations that undermine Council's future roles in this or other policies and I think that's important because one of the recommendations that's currently being discussed is a mechanism that could bypass the Council's role for making future changes or improvements to what's coming out of the EPDP. So that's just maybe a preview for what we're going to discuss later, but I think it does fall to the Council to guard its remit from changes, recommendations, for changes coming out of the EPDP. Thanks.

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GRAEME BUNTON:

Thanks, James. Right. I think we could probably keep going on this for a bit but let's save that for the EPDP section because we're actually already behind schedule, but only I think ten minutes.

Okay. Any last bits and pieces on GNSO before we move over to an update on compliance? Going once, going twice.

All right. So, for those who are not SG members—I can hear someone typing vigorously—the Registrar Stakeholder Group has a number of different what we call I guess sub-teams or subgroups or working groups that spend their time working on issues that are near and dear to our hearts and we're going to hear from two of them. One is compliance, so this is a team that focuses on compliance issues and is responsible for our interactions with compliance at ICANN meetings. We also have a DNS abuse subgroup which is relatively recent and pretty self-explanatory. We have a TechOps and policy and we have another one for RAA reviews because those are pretty frequent, too. So these are things that members participate in and do some of the work that then gets floated up to the entire SG.

So, in a meeting like this, we go through a bunch of those different groups where they've got stuff to share. Sometimes we're looking for feedback. Sometimes we're just doing an update to everybody. But that's what we're doing here today. So now it is time for an update from the Compliance group, and that is run by Kristian who is also the Registrar Stakeholder Group secretariat. It's also got Eric Rokobauer from Endurance who is our relatively new co-chair of Compliance. And I will turn it over to one of you two, who is I hope on the call.

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KRISTIAN ØRMEN: Hello. This is Kristian speaking.

GRAEME BUNTON: Hey, there we go. Go ahead.

KRISTIAN ØRMEN: The compliance subgroup had a meeting last week. So, this will basically be a short recap of this. We don't have time to go through everything in the archive, but I can tell you that ICANN Compliance recently sent us an RFI, request for information, I think it is, for the upcoming audit that we can comment on before the audit actually starts. We asked to get this archive before having a meeting with Compliance. And since it was not ready, it's also why we can't do the meeting with Compliance during this ICANN 67 virtual meeting week. But now we actually do have the RFI and we have discussed it at the subgroup and are almost ready to have a meeting with ICANN Compliance.

We also had a Doodle with new meeting dates for the compliance subgroup and we will hopefully also use that new meeting date to have a meeting with Compliance.

So, the new meeting date for the compliance subgroup in the future will be Mondays at 4:00 PM UTC. Someone will note it is the same meeting time as the RrSG membership meeting but it will be of course

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not in the same weeks as the membership meetings and it should be fairly easy to remember the meeting time in the future.

So, at the moment, I have one question also to the registrars here at this meeting. We are considering if we should have the meeting with Compliance already next week, if they have time. So, since this will be a meeting for all stakeholder group members, I would like to have your feedback maybe just in the chat or thumb's up or something if next week, Monday, would be fine or if people think it's too early and they need more time.

At the moment, we are waiting to hear from Compliance if it's too early for them. So, next proposed meeting date, if not next week, would be then March 30 ... March 23 will be our next membership meeting.

So, next. I think we will skip over to next slide with the draft RFI we have from Compliance. These are the questions and I will quickly go through some of the notes that we have from our meeting last week.

We don't have too much time for questions this meeting, so if someone has something really important, please do write it in the chat. Or if you have something you really think that it's very important that we should include in our email to ICANN Compliance before our meeting with them, I would request you to send an email directly to me or to [inaudible]. My mail address is kristian@larsendata.pk.

First of all, in the start of the RFI, ICANN Compliance mentioned that we should comply with local law, and because of that, we should

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redact any data in private. So, that's kind of nice to get out of the [question] already. So, for question one to four, the subgroup did not raise any major concerns. Basically, kind of skipped over pretty simple questions on where to find stuff on websites and stuff like that.

Questions five through six is that they would like a copy of five abuse reports or five cases. Five for law enforcement agencies and five normal cases. So, we've been discussing this quite a lot at our meeting. And while some registrars maybe have this totally [split out] in their system, many registrars have law enforcement agency cases and other cases mixed in their system, so it could be difficult to dig up five law enforcement cases. Hopefully, your registrar won't get many of these.

Also, many registrars would have abuse cases from hosting activities, ccTLDs, domain [inaudible], and all that kind of stuff mixed in the same abuse queue. So, it could also be difficult for some registrars to pick out five cases that would actually be domains under ICANN accreditation.

Also, we noted that records showing actions [inaudible]. In some cases, we would need to redact all of the cases. So, maybe ICANN Compliance wouldn't get so much out of question five or six that they really want to.

For question number seven, we think that this should really be a yes or no question and that we should only answer this if it's a no and give an explanation why we didn't follow our own policies. Next slide, please.



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So, for question eight and nine, we think that these questions could maybe be out of scope of the audit. It could be, for example, that we don't see that this would be a requirement in our contract.

Question 10 and 11, we think that this should be limited to a maximum of five domains. The problem is that for some registrars maybe a registry could have sent over thousands of domains on a list or the fee that ICANN gets, it could be 1000 domains. It could be a lot of work.

For question 12, we feel that this is completely unnecessary since ICANN already has the answer to this question in the naming services portal. So, while I have been going through all this, I haven't really been able to follow on the chat. I don't know if Zoe can maybe help me to see if we have something that we should urgently get to. Also, you're welcome to put your hand up if there's anything.

ZOE BONYTHON:

I was going to say there's no questions. There's a few comments in here. So, maybe I would probably give it another five minutes and see if people actually want to pose a question because we'll capture the comments in the chat for future. Michele's hand is up.

MICHELE NEYLON:

Thanks, Kristian. I think this is very helpful. Number 12 I think is a ridiculous question because they either have the information or they don't. It seems totally pointless.

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I also have concerns about some of the other questions in that I think they probably have a legitimate interest in understanding and clarifying that we are fulfilling contractual obligations around handling abuse reports. I'm just not particularly comfortable with us providing them with quite sensitive information. I don't think that's appropriate. I think [Reg] said about redacting it. But they're going to end up with essentially nothing, like all I'll be able to tell them is [inaudible] asked us for information, whether we provided it or not.

I think the way they're putting these questions, in some cases, is wrong. I think they need to look at getting to where they want to get but maybe using a different method. Thanks.

KRISTIAN ØRMEN:

Thank you, Michele. Just to follow-up, there will be a meeting with compliance for all registrars. The subgroup will send some question in advance, like we have done with meetings with compliance at many ICANN meetings and that would be the [inaudible] and our question would be the base for that meetings. But as all meetings with compliance, all registrars are welcome to attend and ask questions. So, [inaudible] when we have exact date will go out to the full membership list. It would probably be a Monday unless it's not possible for compliance to do Monday. Thank you.

GRAEME BUNTON:

Thanks, Kristian. Anybody else have questions or comments on compliance? And everybody is clear on what Kristian was just saying,

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that the compliance subgroup does the bulk of the interactions with ICANN Compliance but we do have larger meetings where everybody is invited, of course. But if you want to work on the details of how those interactions are happening, then reach out to Kristian or Eric and get yourself into the compliance sub-team. That, again, would be for registrars only.

We've got 106 current active participants in this meeting which is I think certainly a high score for the Registrar Stakeholder Group. Welcome, everyone.

Let's move right along then. What is next on our agenda? DNS abuse. Hooray! This is me.

So, DNS abuse. This is a sub-team that came out of discussions in Montreal in the fall—November—which coincidentally turned out to be [inaudible] we had. It was very mild [up here].

So, this sub-team since then has been spending a bit of time trying to find its feet, figure out how it's going to operate and work, establish some working methods and then begin to prioritize topics and start some substantive work.

So, we've got a mechanism now, how we run our calls, where we're looking at updates and priorities, and things like that. That seems to be going pretty well.

Those discussions so far have led us to the point where we are focused for the moment as a sub-team on external stakeholders which is we're trying to do a bunch of work to provide output to the ICANN and the

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larger Internet community that we think is helpful where we think we have valuable perspectives that not everyone else has access to. We think that's going to set some expectations in the community. We think it's going to provide some education to the community and be helpful.

There is lots of work to do for our own internal registrar stakeholders which is to say we can come up with our own best practices, resources for dealing with particular types of tickets, stuff like that which helps us inside our own businesses get better. And we will get to that, but it feels like right now we can spend some good time focusing on external stakeholders and make some real progress there.

To that end, we have one piece of work that I think is ready for the community and went out to the Registrar Stakeholder Group mailing list last week I think on Friday. So probably not everybody has had a ton of time with it. And that is a Guide to Registrar Abuse Reporting.

This document is pretty straightforward. I will say it's not wildly complicated and has been around in various forms within the stakeholder group for probably a couple of years. So, actually getting this out the door is before I term out as chair one of the things I have to get done because I think I started this before I came chair maybe four years ago.

What this is, is a list of requirements for a general abuse report that you would send to a registrar. So, what are the things—the pieces of information that we would need? What is the domain in question? Things like that.

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Then, the specific requirements for other types of abuse reporting that you're sending to a registrar and how they might be different. So, different between phishing, spam, and malware or trademark infringement or things like that. Again, none of this is rocket science but it doesn't seem to exist in any one place. So, we've tried to put that together and we'll share this document with the ICANN community hopefully this week. So, if you're a registrar and you haven't reviewed this, please go do so because we would very much like to get this out and published and available to the community.

It does not, to be clear, dictate what happens when someone submits a request with all of this information. So, registrars still can choose to respond in whatever way they feel is appropriate for these complaints and how they triage them, etc.

What it hopefully does is standardizes the information [inaudible] so that when people can send in an abuse complaint, they know all the information they need to submit with that complaint and that's going to increase the likelihood of a substantial response, because I know and probably many of the registrars on this call know, that we get abuse complaints all the time with nowhere near enough information to action, including sometimes not even the domain name. So, we're trying to help improve that ration of useful, actionable, abuse complaints with this document.

And it can also be a living document to a certain extent. We might find that we're asking for too much or we're asking for too little in some of these circumstances, so we'll try and keep this up-to-date over time

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and we'll post it on the Registrar Stakeholder Group website and I think try and provide a mechanism for feedback.

So, that's the first final product that we've got. Please review it. We are going to share it with the community this week. Please go take a look. We're obviously not going to go read through it on this call. But I think it's pretty important that people see this. Any questions or comments on that piece?

Not seeing any hands. Cool. Okay. So, go review. Expect that to go out to the larger community very shortly.

Next thing we're working on is kind of interesting and I like this because I started creating it, which is common phrase from registrars that you hear is that we're not the appropriate place to deal with a lot of issues that we see that come in. And it hasn't appeared that there is really guidance for people on where they should take their abuse complaints or complaints about something on the Internet, so this is becoming a project to have essentially a funnel for people—for anybody—where they think there is something wrong on the Internet, that they can work through this funnel and it's going to direct them to the correct place on the Internet to submit that abuse complaint.

The goal is for people at the registrar level to give them a place to take that or to make it clear to them where they should take those issues. So, to that extent, we have this draft—essentially flowchart—of a series of decision-making processes that we will ultimately turn into a website that walks people through these choices, and then when they land on a place—that is to say contact law enforcement or contact the

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platform—provides them with the details on how to do that as much as possible.

This particular version is organized by severity of harm, so that the very first things on the flow chart are the very worst sorts of issues that we could see. So, is there an immediate threat to human safety? Is it involving child sexual abuse materials? Things like that, so that the very first place is the very worst issues get dealt with first. Then as you get deeper into the flow chart, we ultimately get to content on a website.

So, where we're at right now is there's still some gaps in this flow chart. And if you scroll down a little bit further, Zoe, you can see that last box on the let where "is this issue related to content on a website?" If that says no, it could be spam, it could be some other protocol issue, and we haven't built that out yet. So we need to fill in some gaps here.

So, what we're working on right now is filling in those gaps and then we're going to actually start to build out this ... I think I'm going to try and set it up as a Wiki so that we can build out the content for each of these decision-making places, and then at some point we'll actually turn that into a website for people to consume the news.

You can see it clearly goes beyond just registrar-specific issues. I think that's okay. I think registrars in particular being pretty deep in the Internet ecosystem, in the infrastructure layer, have a really good view into the problems that we see and the appropriate places to deal with them. So I think this is a pretty good project for us to try and do.

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I will say it's quite ambitious and it's going to be quite a bit of work. I think it's fun and an interesting problem to me. Everybody has I think pretty good views on the way to organize this flowchart and a way to approach these problems. We're trying to make sure that we find a nice balance of getting something done and out there while also making sure it's the best it can be, which is an interesting challenge. I saw Luc in the chat saying that he liked his version of this better. And it doesn't have to be perfect. We can try and get this done and we can get feedback on v1, and if it's not doing what we think it should do, which is getting people to the right place, then we can try and reorganize our funnel. But the end details of who to contact for what and how to contact them I think are going to be applicable in any reorganization of this flow chart.

So, if this is an interesting problem to you and you're a registrar, you should feel free to join the DNS abuse sub-team. We meet every two weeks on Tuesdays and we spend some time digging into these things as well as trying to work on them not just in those meetings.

I can see that we're running a little bit past time but not too bad. Thanks, Frank. Tom Barrett makes a good point related to domain ownership. That is a very good input, Tom, as that hadn't crossed my mind as an issue that we needed to resolve. Benny has lots of ... Oh, good. Okay. I probably can't follow along the substantive comments in the chat but we'll capture that for later.

I think that's all I have on the abuse flowchart, unless people had specific questions on that. No? Okay.



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So, the last thing that has come up in related discussion on the mailing list over the past few days—and I think this is a really interesting one, which is out of the Security and Stability Review 2 recommendation 16.1 was pricing incentives. We had a little bit of discussion on the mailing list about this. I don't think we've had a lot of [inaudible] discussion about it.

In general, I personally—or Graeme from Tucows—think incentives for keeping your platform clean are a nice idea. But obviously the devil is in the details in how those programs are run because we certainly heard this at the November DNS abuse meeting, where the NCSG was raising concerns that some of these programs might go too far and would incentivize taking people offline who are maybe producing challenging content in some way and we want to make sure we don't do that.

So, I don't think there's been really robust discussion in the community or really a lot of thinking about how these things should work inside the community. And as far as I know, only PIR has implemented something like this where they have a ... I believe they call it the QPI index. And maybe when we get a little bit further into this work, we can invite them onto a call to talk about it. Everybody loves PIR these days, right? About how they implement that.

So, my sense is that we don't necessarily want this to be an ICANN PDP or an ICANN fee relief, but maybe there's room inside of our relationships with individual registries. And that's why I think probably what we should be doing as a DNS abuse team is taking some time to

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talk about this issue and produce something like a white paper where these are the considerations that we've got. We think these are important in an implementation of such a thing and, as a first offering into the community on how to think about these issues, so that we make sure there's checks and balances in those programs and they're treating people equally and we can shave off those rough edges of those real concerns about how these things might be implemented.

So, that's sort of on the list of things to do and again is another outward-facing piece of work from the DNS abuse group.

So, I think all of those ... That first piece I talked about DNS abuse is largely done. We're going to be sharing that with the community. I think that flow chart is going to take at least another few months' worth of work and discussion to get done—or at least as sort of a draft where it's going to be publicly available.

Then, getting to pricing incentives, we might be able to do over the next few months as well dedicate some calls to that.

So, that's probably the next, I would say, three to six months' worth of work for the DNS abuse sub-team. But it's fun and interesting stuff and if those are things you would like to participate as a registrar, feel free to email Zoe and myself and get on in there.

Any questions about any of those activities or the DNS abuse sub-team in general before we move on? Going once, going twice. Again, 108 people. Wow. Amazing. Just to reiterate, for those people who haven't joined us since the beginning of this call, this is the Registrar

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Stakeholder Group membership meeting. We would normally meet for something like six hours on a Tuesday. This is where we, the people running our sub-teams and our GNSO councilors and the stakeholder group, ExCom, and EPDP members all get our feedback from you. So, there's great stuff going on in the chat. Feel free to raise your hand. We really value this feedback and these interactions. It's super useful for people trying to run stuff and produce stuff. So, don't be shy. Please feel free to share those perspectives and help us do our work.

Okay. I'm not seeing any hands on that, so we're going to move on to the EPDP and an update on what's going on in there. This is still super important for all of us. I'm sure people and EPDP members have died 1000 deaths and are bored of this. It's been years now of super intense work and it's hard to maintain that level of focus on this issue. It is still very important. There are things that we are going to have to do and build coming out of this work, so it's really important that we all follow this pretty carefully.

Again, a huge thanks to our EPDP members. You guys have done a huge amount of work. You guys have put a crazy number of hours into this and I think immense amounts of frustration and emotional labor. So, you guys are heroes. Thank you so much. We owe them a beer every time we see them because they are just killing themselves for us.

So, with that, I will turn it over to someone on the EPDP team to walk us through what's going on in there. Do we know who that is?

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SARAH WYLD: Hi, Graeme. This is Sarah. I can start.

GRAEME BUNTON: Great.

SARAH WYLD: Hi, all. This is Sarah Wyld. I am lucky to work at Tucos with Graeme, and in this context I am also an alternate member in the EPDP. So, we, your EPDP team representatives, went through the current Phase 2 initial report which is right now out for public comment. I would encourage everybody who is in this meeting to read that report and consider if you have your own comments or questions that you'd like to submit. There is a form where you can respond to individual recommendations within the report or there's a general section at the end.

For those who are new, the way it works at a very high level is that a policy development team working group is convened and we work through a series of questions which are outlined in our charter and then come up with this report that contains a set of recommendations. And once the final report is accepted, I guess by the GNSO Council, then it will eventually go to implementation and we all have to do it.

So, what's in the recommendations is super important because it will become, as Graeme said, policy that we have to follow.

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So, we went through all of the recommendations and figured out what do we want input on from this really great group of people. And there are, as you can see, a few key items and the first one automation. So, what this recommendation says is that some parts of how this thing that we're developing will work is automated. I didn't say what we're creating.

Okay. So, really quickly, what is EPDP Phase 2 doing is figuring out how to make a system for standardizing access to and disclosure of non-public registration data. So, how do requests get made and responses get given when people need domain contact info that is not public?

So, this first recommendation that we want to talk about is automation. Under what circumstances should the response which would perhaps include disclosure of registration data be automated?

So, I'm focusing in this conversation specifically on the response which could be disclosure of data. In the recommendation, there are two general situations that the team envisions may be automated. The first one is when local jurisdiction law enforcement is requesting data and the second one is when a URS or UDRP provider needs that information so they can verify the domain info for an open dispute.

So, my question to this group, where we would like input is what kinds of disclosure requests can be automated? Are there any? The two that I just described, would those be okay with you? I know I personally would be okay with them, but I think not everybody would. So, can we please have some input? Thank you.

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GRAEME BUNTON: Thanks, Sarah. Well, we'll see if anyone responds to that.

SARAH WYLD: I think we were hoping to do a discussion within each question rather than one by one.

GRAEME BUNTON: I think that works. It keeps people focused. I see hands now from Matt and Michele. Let's go to Matt, who I'm not hearing if he's talking.

MATT SERLIN: Can you hear me?

GRAEME BUNTON: There we go.

MATT SERLIN: Sweet. Thanks, Graeme. For those of you that aren't aware, I participate on the EPDP team on behalf of the stakeholder group. Sarah laid out really perfectly really perfectly what we're looking to do to try to get some feedback, so I won't be too long because we do want to open it up to the floor.

But just to provide a little bit more context behind this first topic of automation, the two categories that Sarah mentioned are the ones that we think are most likely to be okay to be automated. But I should

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also point out that there is a strong view by some within the EPDP group that the majority of requests—or ultimately all of the requests—are handled in an automated fashion. So that’s why this topic is really, really important, to understand the comfort level of those in the group what you’re comfortable with in terms of an automated standpoint. As Sarah mentioned right now, UDRP, URS cases and local jurisdiction law enforcement are the ones we think are least problematic. But again there is this push for really a larger number of requests to be automated, ultimately. Thanks.

SARAH WYLD: Yeah. Plus one to Matt on that. Good clarification. Thank you.

GRAEME BUNTON: Michele?

MICHELE NEYLON: I have fundamental issues with the idea of automating disclosure. I don’t have an issue with automating the requests, if that makes sense. So, I think if we’re able to standardize what a request should look like and automate that part of it, sure. But I would always want to have a human being check it and make sure that the request is actually valid.

GRAEME BUNTON: Thanks, Michele. Sorry, just reading through the chat. I’m trying to get a set of where people are at on that question. My sense is we’re pretty

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skeptical about automation. If someone is not [inaudible]. Volker, please.

VOLKER GREIMANN:

Maybe just as another extension, we were also discussing options of allowing registrars and registries to automate. Obviously, the first and foremost question is whether they should be required to automate which is the problematic one. But I think it's unproblematic if we say that, beyond the categories that have to be automated, may those be none, may those be UDRPs, may those the law enforcement with proper authorization, registrars could also automate other categories that they feel comfortable in that would allow registrars in jurisdiction that have different data protection rules applying to [inaudible] to tailor the automation levels to their comfort level. So that would also be something that we are looking at and looking at approving. Thank you.

GRAEME BUNTON:

Thanks, Volker. And I suspect most of us like that sort of thing, where if someone wants to do it, they should be free to do so but not mandatory where those risks are pretty good. That generated quite a queue. I now see Theo and then Pam. Theo?

THEO GEURTS:

Thanks, Graeme. One thing that keeps popping up all the time is also how many requests are going to be processed through this SSAD. That's another thing because it's tied directly to the cost of this thing



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and what's currently being proposed is pretty complex, as Michele mentioned. So, it's going to be very costly to develop this one. And if it only gets a fraction of requests, what we are currently seeing, which is pretty flat in my opinion, that's another discussion all the time. But it needs to be discussed at some point to move into some direction. Thanks.

GRAEME BUNTON:

Thanks, Theo. And it sounds like we're going to get to those cost concerns pretty shortly. I'm enjoying just how many people are in our [inaudible] staff. There's people from all over the place. This is a hoot. Pam, go ahead, please.

PAM LITTLE:

Thank you, Graeme. Sarah, you mentioned two categories of potential candidates for automation. One is UDRP/URS. The other one is local law enforcement. So, in our case, I think the assumption is we all are going to be able to ... The user of this system I suppose is going to be just in English, but the local jurisdiction of my registrar is subject to their requests come in Chinese, so they won't ... One is the language issue. The other one is there's also confidentiality.

My experience with DAAR requests is they are supposed to be kept confidential, so I don't see how they will be able to use this system. So, I think the usefulness, or even practicality of this system, is questionable from my registrar's local jurisdiction perspective. And of course the cost of this is unknown. I'm not sure, even if it's an open

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system, it would justify if the cost is prohibitive for me to even open or whether it would be more cost-efficient for me to have people manually process those requests. Thank you.

SARAH WYLD:

If I could just respond to that real quick. Pam, you make as always excellent points. I don't think we've discussed language at all. If we have, there's been some discussion around there have been attempts to require certain language or certain text to be presented, and we're pushing back saying not everybody uses English, although I might be mixing that up with the IRT.

But related to whether you can ... I'm not sure I was understanding but it sounds like you were saying that your registrar might want to opt out of using this system entirely, since it makes so much more sense for the way you operate to have law enforcement come directly to you. I don't think we are able to opt out entirely.

Sure, law enforcement can and should still come right to you, but I think we still have to expect requests to come in through the SSAD as well, the system that we're making. Thank you.

GRAEME BUNTON:

Thanks for that, Sarah. Volker, is that a new hand? I'll go with no. Thank you. Great. Hopefully, that provided some input into the EPDP team. And maybe now it's time to move on to that next question. I'm guessing it's still you, Sarah.

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SARAH WYLD: No. Sorry. SLAs team. Who is up for SLAs, please?

ZOE BONYTHON: That's Volker, I believe.

SARAH WYLD: Thank you.

VOLKER GREIMANN: Yes, the SLAs. They're a bit of a doozie because they have been subject to a long discussion and where we ended up with is very difficult to explain but I'm going to try anyway.

Basically, the situation was as follows. That without coming to agreement to some form of SLA, the surveillance caucus will probably not agree to any of this, any of the work that we've been doing so far. That way, they can [inaudible] and [we're] probably right as well. We could just sit on the requests and never do anything, which they didn't like as a concept. And even though we ensured them that that probably wouldn't be the case, they insisted on some form of SLAs.

So, that said as an introduction, where we ended up with, it was a system of SLAs where there is basically three levels. There's the normal standard response time which is, I should say, calculated off all requests that a registrar or registry receives over a time period of I think three or six months. So, it always goes to the mean response

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time, not the response time of a single ticket, which should not go over five days on average for the first level, for the first stage, which does not trigger any compliance action. This is just basically the warning stage that tells the registrar, “Look, you’re a bit behind. Try to pick up the pace to get back under five days but we will not go after you for this.”

Then there’s the second average which is ten days response times on average over a certain time of all tickets, again, after which compliance becomes active. But even then, if you have good reasons to say why you are over time, why you’re taking so long for these tickets, then this will usually be acceptable.

For example, if you have a very high amount of tickets in a certain period of time, then that would be an excuse that should be acceptable.

So, basically, you should imagine it like a traffic light. There’s the green level, which is everything under five days. Then there’s the orange level which is five to ten days. You can still run the light at orange without fearing any penalty but you have been warned. And at red, you better have a very good explanation for running the light.

When I say on average mean of all tickets, this means that if you answer 99 tickets within four days and one ticket after a year, then you should probably still be in the mean average time that gives you the orange level, not the red level.

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So, that is a brief summary. I'm sure I confused everyone more than I should have, but it is a bit of a complex issue and the best thing that we could argue because we didn't want to be tied down to individual tickets on this. Any questions?

GRAEME BUNTON: Questions on SLAs?

VOLKER GREIMANN: I see already we lost Luc.

GRAEME BUNTON: I see a hand from James. James, please go ahead.

JAMES BLADEL: Thanks, Graeme. Not a question but I just wanted to thank Volker for his work on this. SLAs have been a very hot topic on the EPDP. We certainly have some groups that are pushing for very strict SLAs and very strict, very minimal, service-level exception levels and allowances for performance.

Our position has been until we know what the volume is and what the operational burden of addressing these requests ultimately turns out to be, we really can't commit to these super strict SLAs. And in fact, it may work against the folks pushing for strict SLAs because if we find ourselves up against a deadline where a response is required, then

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just to comply with the SLA, we would be incentivized just to deny the request.

I would just encourage everyone to take a look and to comment on these. This is going to be a very important part of the policy and something that we've spent a lot of time on. So, thanks.

GRAEME BUNTON: Thanks, James. And thank you guys for spending that effort. Sarah noted in the chat—and I've seen this a bit—that the SLAs on their face seem reasonable. They're just very poorly communicated, so we should all be capturing that in our comments that all of us are individually putting in on the EPDP, right? On that Phase 2 initial report. Yes. Good.

Costs I think is next. Who was teed up for cost?

JAMES BLADEL: I think that was mine, Graeme.

GRAEME BUNTON: Go ahead, James.

JAMES BLADEL: Thanks. I'll just be brief here I think. If you take a look at recommendation 15, we tried to break down the different types of costs associated with developing and implementing this SSAD system.

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First off, we have identified that there will be development in start-up costs that will most likely fall to ICANN or its contractor to build the system. And then it will fall to individual registrars and registries to integrate to this system and to connect it to their systems and their processes.

Secondly, there will be an ongoing maintenance and improvement cost. This could be mentioning just operational costs, maintenance, or improvement. This could be costs associated with the volume of use of the system and costs associated with functions like accrediting users, checking on their credentials and issuing them access to the system.

Our position has been I think fairly consistent, that the users of the system should—the beneficiaries of the system should bear the cost, particularly those costs associated with ongoing operation and accreditation. And that the data subjects, or our registrant customers, should not be subjected to the cost of the system.

That, at least initially, seemed to be a non-controversial position, but I think over time we have seen some ideas and proposals that would transfer more of the share of costs of development and operation of the SSAD to ICANN, which we all understand would then flow through our fees and then the fees that we would charge to registrants.

So, we have been very vocal in trying to hold the line on the concept that this should not be a burden to the data subjects whose information is contained in SSAD but rather to the beneficiaries of the system.

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So, there has been a cost .... I don't know if we'd call it—I see the chat here. I've got one eye on the chat about a feasibility study. I think ICANN has put together some cost estimates. We're still going through that. But I think, generally, would like registrar's opinions on if they believe that that division of cost categories is appropriate and if the allocation of those responsibilities is something you agree with, and if you have any other thoughts on what we've attempted to do up to this point, which is to hold the line on any proposals that would shift more and more of this burden onto ICANN because we recognize that flows through to our businesses and that flows through to our customers.

So, that's just a high-level summary of the financial sustainability recommendation. See if there's any questions.

GRAEME BUNTON:

James, that's great. Thank you. Boy, does that I think make people pretty bonkers that all this work can be done and people can think about putting all of these things in place without considering the cost and how these things are going to get paid for. But I'm glad you guys are holding that line. I'm sure that's not easy. I see a hand from Theo.

THEO GEURTS:

Yeah. Thanks, Graeme. And thanks, James. And as you mentioned, the development of this system is going to be paid by ICANN, and as we all know, the contracted parties are paying parties here and not the Tooth Fairy, in this case. And if we don't know what the costs are going to be—and they look like they're going to be massive—I think it is not



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in line with the recommendation. Definitely not in line with what we all thought some time ago when we sort of put on the record that the registrants wouldn't be paying for this, and it seems after all that the registrants are going to pay for a lot of stuff in the end and I'm not happy with it. So, that's going to be my input. Not happy. Thanks.

GRAEME BUNTON: Thanks, Theo. I've got Greg and then Tom in the queue. Greg?

GREG SHATAN: So, I had a follow-up question. If Tom's question is about the cost, then we can go back to that. While I had all the EPDP team here, I just wanted to get their quick opinion on the data accuracy issue and whether that is within scope of the EPDP, just for the edification of the group, I guess, because that's going to be considered by the Council. So, maybe Tom's question makes sense first. But then if someone can just say the general feeling about whether data accuracy is within scope, that would be great.

GRAEME BUNTON: Thanks, Greg. I'm seeing Matt in the chat saying, "We think not in scope." Anyone disagree with that?

SARAH WYLD: I think we're generally of the opinion that it's not in scope and that it's already properly addressed within existing policy and contractual requirements. Thank you.

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GRAEME BUNTON: Thank you, Sarah. Hopefully, that answers Greg’s question.

JAMES BLADEL: I agree with Sarah. I think that we need to be clear that the term accuracy is being used in two very different ways in the context of EPDP, the accuracy of the data, and that it’s verified and validated by the registries and registrars versus the registrant’s rights to correct mistakes or errors or make updates as it’s defined under GDPR and other data privacy regulations. I think those are being conflated sometimes to push ... The former is being conflated into the latter. I think I’ve got those backwards. But I agree that it is not in scope for this.

GRAEME BUNTON: Thank you. Okay. Hopefully, that’s kind of clear. Let’s go back to Tom.

[TOM DALE]: Thank you, Graeme. Well, I think that the one thing that really kind of makes me scratch my head is that we’re not debating details of a policy that is supposed to be imbedded into a technical system where we don’t even have any reference whether such a technical system can be built or not.

So, shouldn’t we, as a ... Well, involved parties probably [inaudible] type of implementation, like raise fear that we might come up with something that will never be feasible by the end of the day. So, I

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totally understand the policy making exercise but now we're already talking about financial sustainability. We're talking about logging and audits, all that. Automation. That's all great things we can talk about at length, but at some point in time, we need to figure out whether it's doable or not. We definitely need to raise red flags all around that, though the IP lawyers don't think we can do things that are just technically not feasible.

So, we need to have that discussion at some point in time or we will be either ignoring that whole policy, which I wouldn't find too bad, actually. But I assume be fighting for it for the next 20 years. So, flagging it as soon as possible should be something we definitely should be doing. Thanks.

GRAEME BUNTON:

Thanks, Tom. And I think everybody is pretty clear that implementation is going to be an issue. I've got Volker and then we should probably keep moving on because we need to talk about incorporation—and that's a big deal—before we wrap up. So, Volker, go ahead.

VOLKER GREIMANN:

A couple of points. First of all, financial sustainability. ICANN has access to various funds and coffers that are not necessarily coming through our fees, and one thing that we have been indicating, briefly suggesting, is that the auction funds would also probably be a very good pool to draw from to build this system because ultimately this is

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in the interest of the security and stability of the DNS and so on. So, it might be the case that we can find a pot of money that we haven't put in the Earth but ICANN has developed on its own that's then used for that.

The other point is, if the system can be built, I am confident that it can be. I have seen at the last ICANN meeting a presentation of at least one provider that has a system that could be adapted to fit the specs that we have created. And even if it cannot be created, well that's not on us—that's on ICANN. So, we shouldn't worry about that circumstance. That circumstance would be entirely on ICANN. So, that's all I wanted to say about this. Thank you.

GRAEME BUNTON: Thanks, Volker. Okay. Let's keep plowing on. Do we have more on EPDP to go through?

ZOE BONYTHON: Hi, Graeme. Yes. We've got Owen that's going to do logging and audits and then Matt will do the mechanism for the evolution of SSAD.

GRAEME BUNTON: Great. And they're going to do those nice and quick, right?

ZOE BONYTHON: Correct.

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GRAEME BUNTON: Great.

OWEN SMIGELSKI: Hey, Graeme. It's Owen. I'll be super quick and to the point, unlike the initial report part about logging and audits. It goes on and on. There's a lot of detail. It's very complicated and the position the registrar is going to take is that this could be really simplified. At least for audits, there's already things in the RAA, in the RA, regarding audits that we could probably leverage that wording as opposed to having to go through and create a whole new complicated process, as well as concerns about what would be logged, how it would be logged, and how it would be disclosed.

So, if you are interested in that, go take a look. Otherwise, I think we're all set. Thank you.

GRAEME BUNTON: Very quick. Thank you. Next?

MATT SERLIN: Hey, Graeme. It's Matt. I think I'm up last and I'll be super quick as well. Just to say don't sleep on rec 19, which basically is this mechanism for the evolution of the system.

So, really, what we want to focus on here is that any mechanism by which this allows for greater flexibility in the future, which I think is an important thing to consider, any mechanism that would get put in place should be an existing mechanism that exists today.

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So, either it's a PDP or something through the GNSO Council, but what we don't want to do is create this sort of side group that can change the policy at some point in the future without it going through the standard process.

So, if it's an implementation issue, that's one thing, but we really want to toe the line on any ability to change this policy in the future has to use existing mechanisms that are in place today. Thanks.

GRAEME BUNTON:

Thank you, Matt. That's super important. Also, a similar thing has come up in the RDAP-related RAA negotiations around you don't need new mechanisms to update stuff. We have our contractual negotiations and we have policy development processes and [inaudible]. We don't need to invent new stuff to make things mandatory.

With that, I think we wrap up our EPDP chunk unless anybody has any last thoughts or comments on the EPDP they wish to raise. Volker, last thought.

VOLKER GREIMANN:

Yeah. Just to reiterate again, please read the report. Please look at the questions that we've provided here and consider providing your own comments because we expect that there will be other comments from the other side. If we do not speak out and even support the parts that we like, we might be drowned out if we just have the [common report]. Thank you.

GRAEME BUNTON:

Thanks, Volker. So, the SG is putting [inaudible] collective comment. I know Tucows is working on its own comment. Everybody else should be as much as possible as well. More feedback here is important and our voice I think, as we just figured out, is pretty important on a lot of these issues—things like cost.

So, you don't have to comment on the whole thing, but go and read it, and if you've got a particular bit that bothers you, get that in there. That is crucial. And I think the comment period closes in like two weeks or so. 23rd of March. Thanks, Sarah.

Okay. Let's move on to the last thing on our agenda—or second to last, anyway. It's going to be about RrSG incorporation. This is fun. This is another piece that I've been trying to get done now for a few years. So far, unsuccessfully but we might be there today.

The Registrar Stakeholder Group does not actually legally exist in any way. This means we can't hold a bank account and this means we have a tough time employing our delightful secretariat, Zoe, who does a hug amount of work for us. We need to change that, so that we can have a bank account and pay for things and pay for Zoe and do that all reasonably and responsibly.

We also pay, to be clear—and you might be on the call, and no offense to him—John Berryhill and his team to operate our bank account right now a fair amount of money. I think it's [\$6 grand] a year. Boy, that adds up. That's six registrars worth of our annual fees going away and

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we can probably do that for a lot less money and have a lot more flexibility to control our own fate.

So, we have come at this problem a few different ways. We were looking at incorporating in the United States and the registries did that last year—maybe the year before—and that seemed to actually cause some friction for them. It had all of overhead that they were not enjoying. So, we have since then been working with Thomas Rickert and looking at formatting a not-for-profit in Germany because it seems to be pretty flexible. We can wind it up pretty easily. We can wind it down pretty easily. The overhead is pretty minimal. So, that's what we're trying to do.

Everybody should have seen numerous versions of all of this—or the statute—and how we're going about doing this. If you haven't, oh boy, I don't know how to help you. But I think Thomas Rickert should be on the call to walk us through at a very high level what it is we're doing. Then we can do a little bit of Q&A and then I think we can actually get this done for real on the call today. So, Thomas, I think over to you.

THOMAS RICKERT: Thanks very much, Graeme. Hi, everybody. Can I be heard?

GRAEME BUNTON: Loud and clear.



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THOMAS RICKERT:

Excellent. So, this is basically another meeting on this topic and I do hope that we get most of the questions that arose out of the way. I would suggest that we do the following. I will give you a very high-level overview of what we're trying to achieve. I would suggest that we take a couple of questions after that, and if there are no questions that would warrant for us to delay the process again, we would then convene [inaudible] members meeting of the Registrar Stakeholder Group Association, as it would be called.

There are some things that we can do today. So, the incorporation itself is quite [inaudible], but in order for the association to become a legal person, we will actually need to have it registered into the Register of Associations and there are also some formalities to abide by.

I know that many of you are great at multi-tasking, so I think that Zoe has circulated a couple of documents before this meeting and that is the Articles of Association which is a document that is formatted in a bilingual fashion. So, we're going to have the German version in one column and the English version in the other column.

Then, we also have a guide to incorporation where you find all the steps that need to be taken in order to get the association set up. And I'm going to walk you through those steps as well.

You're going to find the protocol, or the minutes, [inaudible] meeting of the members. Then there is another document which I'm not sure has been circulated and that is the actual letter with which the association is filed for.

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Now, as Graeme said, Registrar Stakeholder Group so far is not a legal entity. Let's forget about the fact that you are an incorporated association to be part of the empowered community, so for this very purpose, you are. But for other purposes, you are not.

The wish is that legal entity is formed that can hire Zoe, that can have its own bank account, that can pay its own money if you want to buy meals for the registrars and stuff like that.

So, those are the primary drivers for you guys wishing to set up an association. We've had a couple of discussions on where and how this could be done. And there was a proposal to get this set up in Germany because some of you had heard that there's a [inaudible] approach to it to associations and their formation and maintenance in Germany, and we basically built on that.

I should say that we had a couple of discussions about this that have been proposed to go elsewhere. I have not been asked, nor tasked, nor am I an expert in the best [inaudible] for associations at the global level. So I think we should not engage in a discussion about that. I do hope that we have moved beyond that point.

So, I would recommend that we take this as the proposal that's been made by leadership and that we work on the basis of incorporating this association in Germany.

Now, the steps are going to be as follows. We need to have two people—two representatives—of members who we are going to ask to volunteer later during this session and those two people—those two

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individuals—that can identify themselves in the chat, please, so we can take good note of that. They are the registering members, as we’ve called them. So, they need to adopt the articles and will also be the founding members that are going to elect the first board.

When it comes to the board, it’s very important for all of us to be very clear about two different boards that we are going to have. So, there is going to be the board that’s required under the civil code in Germany and that’s going to be sort of the permanent board, which is going to be named in the Register of Associations.

Since the real work is being done by the ExCom, we chose to make a distinction between this permanent board and the ExCom. So, the ExCom will do all the work. The ExCom will be responsible for all the associations, dealings, on a day-to-day basis. And the ExCom can be exchanged at your regular meetings on an annual basis without bigger formalities because those individuals don’t need to be entered into the Register of Associations. So, it’s going to be only the two board members for this permanent board that two are going to be entered into the Register of Associations to keep the most flexibility for the registrars and not being forced to go through cumbersome processes on an annual basis.

So, there was the suggestion that either two of my firm could be this permanent board, but also there were volunteers I guess from your group who said that they would be willing to be the permanent board which basically doesn’t have any other function than just being entered in the Register of Associations.

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So, again, to recap, we need two people at least to kick this off and do the incorporation. These two people will then do the voting of, the election of, the permanent board.

Then, between that and the filing, a couple of additional steps need to be taken. So, we need at least seven members in order to file for the association. And the two first board members also need to go through either a notarization, or if they're from aboard, it needs to be a signature with an [inaudible]—I hope I'm pronouncing this correctly. So, these are [inaudible] that can't be overcome but they need to be [inaudible].

Then we can make a decision whether we're going to have the ExCom elected today or we can also do that at a later stage.

So, let me just pause for a second and see whether there are any questions from you. Volker has a question. I hope that Volker is the—

VOLKER GREIMANN:

No question. Thomas, thank you very much for your presentation. Just volunteering to be one of the seven.

THOMAS RICKERT:

Okay. That's great. Does anybody have any questions with respect to the brief overview that I gave? We're going to go through the Articles of Association in a minute, so you will have more opportunity to ask questions if need be.

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GRAEME BUNTON:

Thanks, Thomas. I think there's a little bit of confusion still between the [inaudible] board that exists by law to have this association underneath it and the ExCom. Can you just do that one more time to make sure people are clear on ... There's a board that exists to ensure the association isn't going off the rails, but it really is not at all responsible for the work of the SG.

THOMAS RICKERT:

So, the starting point was that we wanted to make sure that we can have an association that can be maintained easily without preventing international ExCom members from being part of the ExCom or forcing them to go through cumbersome formalities that might take a lot of time and resources.

So, the idea was that we would split this function. So, we would have what I call the permanent board, or the board of directors, which by law needs to be one person, but since one is not really good for contingency planning, we said it should be two. Those two individuals would be entered into the Register of Associations. So, that would be to fulfill the formal legal requirements.

Next to that, we would have the ExCom which will not be entered into the Register of Associations, and therefore we can exchange the ExCom more easily than we would the permanent board members.

So, that is just to facilitate the procedural aspects of maintaining the association over time. So, the idea is that we would have two permanent board members which could be trusted members of your

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community and they would just put their names to it and be there for the next couple of years and stay totally in the background. Now, that is the operational part.

With respect to the responsibilities, yes, since the members of the board are an organ of the association, they are responsible for the association's dealings, as is any board member of an association.

The risk in this particular case I think is negligible because we are, number one, not managing big money or big budgets or doing different or challenging transactions. It's basically to support the functions that you, Graeme, and I outlined at the very beginning of this session. That's basically why I and one of my team would have gladly volunteered to assume that function if there's no volunteer from your community.

So, yes, there is a formal risk. I think, in practical terms, the risk for these individuals is negligible. I think what's more important is to discuss who is going to do the practical work, and for that, the answer is that it's going to be the ExCom, because as we will see from the Articles of Association in a minute, convening of AGMs and all that is on the to-do list for the ExCom.

GRAEME BUNTON:

Thanks, Thomas. So, we have a hard stop at the top of the hour which means I think we've got 19 minutes to get through as much of this as we can and I suspect that's going to be a bit of a challenge. But let's keep seeing how far we can go. We might need to figure out an

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appropriate place to pause this, to finish out this discussion—maybe it's going to make Zoe crazy—sometime as soon as we can. So, I'll give that back to you, Thomas. But keep in mind that someone else is going to need the Zoom room.

THOMAS RICKERT:

Okay, great So, I would suggest that we try to find out how far we can go today. Do we have two volunteers, two representatives of members, that are going to be these registering members as I've outlined earlier? As you will remember, we need two members in order to get this going. Would we have two individuals that are happy to do that? So, Volker already said that he is willing to volunteer for that. Is there a second one?

GRAEME BUNTON:

I think I saw Theo put his hand up on the mailing list. They don't have to be in Germany. I think what we're looking for are people who have been around the stakeholder group for a while. They have trust in the community and it's unlikely they're leaving the stakeholder group.

THOMAS RICKERT:

Okay. So, we need two people for two different things. In total, we might need four, but it can also be two. We need two representatives of members that are going to get the process started, and then these two individuals will elect the inaugural board, which again will be two people. So, if both Theo and Volker are okay with assuming both these tasks, we can do that. I'm just asking because, if we didn't have

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volunteers at this stage, we couldn't proceed with the formalities anyway. Can we just get confirmation from Volker and Theo that they would be okay with both being the registering members as well as serving as the permanent board members that are going to be entered into the Register of Associations?

While you do so, I suggest that I start with protocol of the inaugural meeting, just so that we are not running out of time. So, this is going to be the [inaudible] general assembly of the association of the Registrar Stakeholder Group. It's held on the 9<sup>th</sup> of March 2020. Zoe will please extract the representatives of RrSG members from the list of attendees which can be taken from the Zoom room, so that we know which RrSG members are present in the room.

I opened the meeting at quarter to 5:00 UTC and I welcomed all of you and I explained the purpose of the meeting. I also volunteered to be the chair of this meeting. So, people indicate in the Zoom chat if you are not okay with me being the chairman of the inaugural meeting. Otherwise, this is no formal road. It's going to be over in a few minutes anyway. But I think it just makes sense to proceed on that basis.

So, the agenda of this meeting is going to be going through the Articles of Association and then to elect the members of the board, and then we're going to talk about quickly the first annual contribution, and if there is more time to discuss more things, we might talk about other next steps.

Let's move to the first agenda item. I'm going to do this very briefly because we've been discussing these articles on several occasions. So,



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the articles again are drafted in [inaudible] fashion. You find the name seat, registrant office, and fiscal year in paragraph one. The purpose of the association is to support the Registrar Stakeholder Group and its work with ICANN and then the purpose is a little bit more broken down.

We have a clause on membership dues and what makes an eligible member, so that's basically what we find in your bylaws already. So, the eligibility for becoming a member of this association is tied to your eligibility to be a member of the RrSG and a voting member as well. So, that is pretty much unchanged from what we discussed earlier.

Let's move to paragraph ... Sorry, we're still in three. It also lists the duties of the ExCom. I've got to get my pages into the right order.

We have the [inaudible] of the association in paragraph four, so that's going to be the board of directors as well as the executive committee. So, you see there that we will get this two-pronged approach as well as the general assembly.

Then, paragraph five spells out the duties of the board of directors as well as the executive committee. We're going to have a provision on the general assembly and what's being done there. Then we're going to have a clause in paragraph seven which has recently been added for clarification purposes, so that we also know that online general assemblies, such as this one, can be carried out in a legal fashion.

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We have a cash audit, which is enshrined in paragraph eight. We have a procedure for amending these Articles of Association. Then there are some final provisions.

So, I think that this is a quick run through of what we have in the articles. Are there any questions from your side with respect to the draft Articles of Association?

I do not see any hands raised. Zoe and Graeme, did you see a confirmation from Theo and Volker to act as the inaugural [inaudible] registry members?

GRAEME BUNTON: Yep, they did that.

THOMAS RICKERT: They did that. So, let us please note Volker Greimann acting on behalf of Key-Systems GmbH to be one of the registering members. Then we have Theo Geurts from Realtime Register in the second inaugural member of this association. That's great.

So, both of you are fine with adopting the Articles of Association as presented. Can I please get a show of hands from you in the Zoom room? So, just pretend you are raising your hand as if you wanted to speak.

That's great. We have far more hands than that, so I trust that Zoe can take good note of that. Zoe, is it possible for you to capture this?

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ZOE BONYTHON: Thomas, do you mean the names or the number of hands?

THOMAS RICKERT: The names.

ZOE BONYTHON: I would need ... Just give me a little bit of time. I can but just give me a moment. Don't put your hands down, people.

THOMAS RICKERT: Keep your hands up. So, as a subset of all the names raised, we have Theo and Volker as the registering members adopting these articles and we also have the additional representatives of their respective Registrar Stakeholder Group members adopting these.

And what we will do after this meeting, just to get the formalities correct, we're going to send to all of those that have raised their hand now the articles with a signature line underneath and we would ask you to sign the articles and send the scanned version back to Zoe because then we need a minimum of seven founding members, but it looks like we have far more than that. So you will all have the privilege and the honor of being founding members of the association of the Registrar Stakeholder Group. So, let's record that.

For the time being, I just need Theo and Volker. So, Theo and Volker, we're going to move to the election of the first board. Maybe you can

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use your microphones now since we're using the queue of hands raised for different purposes. Volker and Theo, who of you would be willing to be the president of this association? We need a president and then a deputy. Since Volker raised his hand first, Volker are you okay with being the president?

VOLKER GREIMANN: Either way is good for me, so whatever the membership wants.

THOMAS RICKERT: Great. Volker and Theo, I now ask you whether you are in favor of electing Volker as president of the permanent board. Can you please both say yes?

THEO GEURTS: Yes.

VOLKER GREIMANN: Yes.

THOMAS RICKERT: So, we have both of you. Since we only have two votes to be cast for this purpose, there are no noes and no objections. So, congratulations, Volker. Will you accept this vote?

VOLKER GREIMANN: Yes.

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THOMAS RICKERT: Thanks very much. And Theo, are you willing to act as the vice president of the association?

THEO GEURTS: Yes.

THOMAS RICKERT: So, Volker and Theo, let me now ask you whether you're in favor of electing Theo Geurts as the vice president of the association. Please say yes.

THEO GEURTS: Yes.

VOLKER GREIMANN: Yes, I do.

THOMAS RICKERT: I heard two yeses. That's great. And since again we only have two votes to be cast, there are no noes and no abstentions. So, that makes Theo the vice president of the association. Theo, will you accept this election?

THEO GEURTS: Yes, I do.

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THOMAS RICKERT: Great. So, we now have almost done the job. I would suggest that we ... We can try to do a block vote of the ExCom. There's a little bit of risk with this because I'm not sure whether the court will accept a block vote but we don't have enough time for a one-by-one vote, so I would suggest that we do a block vote now, and record that in the minutes, because I think you do want to mirror the ExCom of the RrSG as the ExCom for this newly founded association.

Zoe, have you taken note of all the hands up?

ZOE BONYTHON: Yeah. I've got all the hands, so you can put them down if you need to do another vote.

THOMAS RICKERT: Okay, great. Zoe, do we know whether all ExCom members are present today?

ZOE BONYTHON: Just give me one moment. I will check the list of attendees to confirm that.

THOMAS RICKERT: I think we're four minutes ... I think we can't really conclude in a matter of four minutes, so I suggest that we do the election of the

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ExCom remotely. I'm sorry for that, but I do want to end the meeting on time.

GRAEME BUNTON: We're most of the way there.

THOMAS RICKERT: Say that again, Graeme.

GRAEME BUNTON: We're most of the way there but not quite.

THOMAS RICKERT: Well, we're good to go with filing. I'm going to take a couple of procedural steps with Volker and Theo offline, but we can proceed. I will let you know what the next steps are going to be for electing the ExCom, which we can do remotely as well.

So, I think we've come further than many of us would probably have hoped, so congratulations to all of you.

GRAEME BUNTON: Hooray! Thank you very much for that, Thomas. That's really appreciated.

THOMAS RICKERT: Note this meeting at four minutes to the top of the hour, so that we can have this properly minuted. The first annual contribution I think is

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going to be \$1000 US Dollars. So, Volker and Theo, can you just say yes to that? Because then we'll also have resolution on the membership dues. Volker and Theo, can you just confirm that you want the first annual contribution to be \$1000 USD per member? Because then we will have a resolution as well.

VOLKER GREIMANN: That is confirmed.

THEO GEURTS: Yeah, that is confirmed.

THOMAS RICKERT: Okay. Unanimously. Graeme, I yield the mic. Thanks so much. Over to you.

GRAEME BUNTON: Thank you. That wraps up the meeting. We have a minute and a half left of our regular meeting. With that, thank you, Thomas, again for your work. We will finish that procedure. That is all very exciting.

The last thing I want to say in our last one minute is that in June I term out and I believe Tobias terms out and we're going to have another set of elections and chair is going to be up for grabs. I keep pressing on this, but boy, we're going to have a bunch of roles to fill and you should all be thinking about how we run and lead the stakeholder group, and if you would like to participate in that. And Kristian terms



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out as secretary. So, we're going to have a bunch of roles to fill. They're important roles. And if you would like more insight or input or to see how this works, please reach out because, boy, these are important things.

So, take the time to reach out and think about running because we need you and I can't do this forever and I am very much looking for a break. I think that's it.

So, it's 1:00 PM. I think we need to get out of the room. Thank you, all, very much for your participation today. It's a new high score for people in the meeting and that seemed to go pretty smoothly. So, thank you, all. Have yourself a wonderful day. We'll see you over the course of the next week at the rest of this strange remote meeting. And I hope everybody has a wonderful rest of their day. Thank you, all. Have a great one. Thank you, Zoe. Thank you, everyone else from ICANN staff who help make this happen. Take care, all.

TERRI AGNEW:

Thank you, everyone. Once again, the meeting has been adjourned. All recordings will now be stopped. Please have a fabulous rest of your day.

**[END OF TRANSCRIPTION]**