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ICANN74 | Policy Forum – Joint Session: ccNSO and GNSO Councils  
Tuesday, June 14, 2022 – 09:00 to 10:00 AMS

ALEJANDRA REYNOSO: Good morning, everyone, and welcome to the Joint GNSO and ccNSO Council sessions. We are going to start. And let me tell you that it is very nice to see you. Even though we have to wear the facemasks and everything, it's a pleasure to have you in person here today. And for all our remote participants also, very welcome.

Philippe, would you like to say something?

PHILIPPE FOUQUART: Sure, thank you. This is Philippe Fouquart speaking here. Glad to be here with everyone. Although that's slightly oversized, I would say. But thanks again for having us. I think it's going to be...we have a number of common topics together including one that we just talked about that's not on the agenda. We'll come on to it later on. I think you can see the agenda on the screen. Moving forward, I hope the speakers would do as they see fit, I think, with the mic or even come up on the podium if they so wish. So I'm looking forward to that. Thank you. Alejandra?

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ALEJANDRA REYNOSO: Thank you. So let's go to our very first item. It's what happens after PDP recommendations are accepted by either council? To start on this one, I would like to say that it's been a very long time since ccPDP has been presented to the Board. And now we have presented one on retirement of ccTLDs, and we have two in progress that are on the review mechanisms and the IDNs. So far, we will receive an update on the Board consideration in our council call on Thursday from Patricio Poblete. And that's where we are.

PHILIPPE FOUQUART: Thank you, Alejandra. Well, certainly on this, councilors should feel free to intervene. There would be a lot to say on this from the GNSO Council's perspective. Both contextually given the period of time that we went through but also in principle given the rule of the GNSO Council. And it's even difficult to know where to start.

As you would know, the GNSO Council role is essentially to look over the policy development process. And also make sure that as in what I'd like to call the after [sales] or those conclusions from the working groups, try and work with all interested parties generally speaking to make sure that the intent of those recommendations are well understood and potentially clarified whenever that's necessary. So that could apply to staff with the IRTs, for instance or with the newly created ODP process or with the Board. So that's as a principle.

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With this, and also I would say given the context of the last two years where the informal exchanges have been more difficult for the reasons we know, time zones, etc., we've had several cases where the way we conduct this work has been suboptimal, let's say, in terms of results. And it appeared that there would be benefit for council to put some effort into thinking how we can improve this after [sales] of the PDP, as it were.

So councilors have put some effort for about 18 months, about a year, into thinking how we can engage with the various parties that I was referring to, to improve how the policies that all the recommendations—generally speaking, small “r”—can be further taken into account. And there are several avenues that have been looked into and I can mention.

And that sort of improvement is certainly not new. Council has always done that. You might remember that there has been a number of iterations with the policy development process. The last one of which is called PDP 3.0 which was approved two years ago. With some leftovers, by the way, which could be included in what I'm talking about here.

But since the, let's say, what we call the strategic planning session which is a sort of seminar that we put together with every new council, we've been thinking about how we can streamline that process both in terms of working methods but also with concrete examples of how those can be implemented. So engaged with

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some Board members in their individual capacity to see and brainstorm as of recently on how we can improve our relationship with the Board. The sort of comings and goings that we have, sometimes [inaudible] correspondence to make sure that the recommendations are properly, I wouldn't say understood, but the questions that Board members may have generally speaking can be addressed as quickly as possible, let's say, and regardless of how difficult the topic is.

There are two examples that come to mind from the EPDP Phase 1, for instance. One very specific case of transfer of registration data between the registry and the registrar which took some time to look into with Board members. As well as other recommendations such as one which was all embracing and trying to see the impact of personal data legislation on policy recommendations across the board.

So we've been working on this. And examples of how that translates into concrete actions are the SSAD now called WHOIS Disclosure System, a proof of concept discussion that we had yesterday and that we've been having for about two months now. We also have a dialogue with staff on a paper that they put together which is called Modifying Consensus Policies.

We also work extensively with the ODP team through our liaisons. First with the one that was devoted to the SSAD and then now on SubPro. And for this and the role of council here is to answer any

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potential questions that the ODP team may have. And as I said, there's a couple of leftovers from PDP 3.0 that we may consider in that process.

So council is continuing to review how we can improve. Again, we work with those who take over once those recommendations or final reports are approved by council.

And in addition to that, just in terms of tools and how we monitor those various improvements which may range to very simple incremental changes to more thorough improvements to the PDP potentially, although that's a bit early to say that, then we put together a tracker to see how we can both identify those changes and make sure that they are implemented.

That's quite trivial but it's important given, also just as you within the ccNSO Council, given the [rota] of members and leadership I think it's important both from a project management perspective but also a tracking perspective that we have these tools in place to make sure that it's easy for those who will be taking over in a few months to have that information at hand.

So I'm sorry. I've been speaking for maybe too long. But that's in a nutshell how we approach that task. Again, that's not something new, but it's sort of—and I'm coming back to the first item—those sort of informal exchanges have become really important given the way we've been working for two years now. And moving forward I think that's something that will benefit to

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the whole ICANN in terms of especially to the outsider, let's say, for whom all that matters is the end result. I keep saying that, but recommendations are only relevant to them if they are implemented or at least considered I mean and discarded for good reasons. That's what I mean.

So with this, I'll just conclude here. And if councilors would like to chime in, feel free to. Thank you, Alejandra.

ALEJANDRA REYNOSO: Thank you very much, Philippe. I see that Sebastien has his hand up. Please, Sebastien.

SEBASTIEN DUCOS: Thank you, Alejandra. This is Sebastien Ducos. I'm not only a councilor but I'm the liaison between the GNSO Council and the ccNSO Council and came up with that theme with my co-liaison. And thank you, Philippe, for taking all the points that I had in mind for that.

I just wanted to note and acknowledge [inaudible] because it's something that came during [inaudible] and early in this cycle in October/November at the council. There was some feeling that once EPDP and PDPs were completed, it went a bit into the never-never. And just wanted to reiterate what Philippe said that there is quite a bit of work at the council at different levels. Indeed, interaction with other groups in the planning and the tracking

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that we do in all these things to make sure that we get on top of it and to make sure that decisions taken by and with the community actually end up being live policy. Thank you.

ALEJANDRA REYNOSO: Thank you, Sebastien. And so for everyone in the floor, if you want to say something, please go to the microphones that are in front. I see Stephen.

STEPHEN DEERHAKE: I'd like to refer you both to Annex B, Section 15, Subsections A and B. they refer to what happens, what the Board's responsibility is when they receive a PDP from SO. Section A0 says that they "shall consider promptly" and use of the word "shall" says they really don't have a choice. They have to look at it and look at it promptly. And here we have a situation with retirement PDP where it's coming up on six months and it's gone into a blackhole.

This brings up a larger question which it looks to me as though the Board is not in compliance with the bylaw and they are in effect selectively, shall we say, adhering to the bylaws. And if we allow them to selectively adhere to a bylaw, I think we're going down a slippery slope and we're going to have bigger problems going forward. So I bring that to your consideration. Thank you.

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ALEJANDRA REYNOSO: Thank you, Stephen. Regarding that, I will give you a preview of what we may hear on our council call on Thursday. I've been talking to Patricio regarding how they are handling our ccPDP, and even though we did end our job in September this is only the initial part of the process. Implementation requires the Board to take other actions afterward, and they do take time. For example, they need to go to a public comment period. And they need to consult with the GAC. And they need to do other things that take time. And I've been assured that it has not gone into any blackhole and that it's being addressed. And Patricio will tell us more on our next council call. Yes?

STEPHEN DEERHAKE: Keep in mind that the GAC consultation was...the public Board consultation was performed. The GAC weighed in with formal approval. And again, I go back to what Section A says, they shall promptly consider it, and they have not promptly considered it. It's six months and counting, and I don't see that they have an excuse for not doing an up or down vote on it. That's all.

ALEJANDRA REYNOSO: Thank you, Stephen. Anyone else?

PHILIPPE FOUQUART: I just have a....

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ALEJANDRA REYNOSO: Yes, please, Philippe.

PHILIPPE FOUQUART: Thank you, Alejandra. And thanks, Stephen. I think what you're saying is unquestionable. There's a "shall" in the bylaws. There's also the fact that, in all fairness, for the last three years we've completed major PDPs and the fact that there's a bottleneck there whether that's through Board consideration or with implementations is pretty much unquestionable. I just want to throw a couple of elements in the equation.

I think that [inaudible] having looked and having to consider some of those recommendations they're not...I can appreciate that from a distance it takes...there's a learning curve. Say, if we take Rec 27 from Phase 1 which was sort of all embracing, it certainly...and that's why we at our level within the GNSO Council, we engage with the Board and with others as I said and as Sebastien and I said earlier. But the fact that...but I certainly subscribe to the idea that, again, to the outsider all that matters is what happens afterwards. And there's certainly...and that's the reason why we're doing all these things. But there are improvements that can be introduced. Possibly changes in the way we work.

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But I just want to throw into that equation the fact that, really, we've delivered over the last two years the results of something like a five-year effort with SubPro. Curative rights have been going on for years as well. The three phases of the personal data legislation impacts. On substance you can understand what this, taking all of this into account plus the ODP plus, may take some time.

Now what you've just said is unquestionable. That's bylaw language, and we have to adhere to those. But from a GNSO Council perspective, that's exactly the reason why we're engaged in those various improvements in the hope that this will at least as far as the Board is concerned help them in their consideration of those recommendations. But thanks, Stephen. Thank you, Alejandra.

ALEJANDRA REYNOSO: Any other comments on this topic? If not, then we will move to our next topic. That is on DNS abuse. We will have updates from both groups. Maybe you will start?

PHILIPPE FOUQUART: Thank you, Alejandra. I will just turn to either Mark or Paul. I see Mark coming up, thank you, as the co-convener of our small team on DNS abuse to give us an update on where we are. Including those elements that I think the CC have shared on this. Mark?

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MARK DATYSGELD:

This is Mark Datysgeld speaking. Good morning, ccNSO and GNSO members. Alejandra, so glad to be joining again in person with you. My apologies to those who saw my presentation yesterday at the GAC. There will be a little bit of repetition, but I feel it's important that we communicate a steady message across the community.

So the group on DNS abuse, the small team on DNS abuse from the GNSO Council came together from a need that the council felt to address this question given that so many of our different constituents were carrying out these discussions as subgroups, as individuals, and there was a lack of communication between the different parts that would actually bring these discussions together.

So the group started less with a specific mandate of achieving this one goal but rather to discuss what does it mean to address abuse which is a very consistent request from the community. But from the perspective of ICANN's limited remit, what does it mean for the GNSO to address this by a policy or to recommend actions for our community?

So within those constraints we were assembled. And ever since we carried a community outreach effort, which was very well accepted I should say, we received some strong contributions with many different ideas from the community. And we have

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carried out that review process over the course of the last three months or so and achieved a few preliminary results, should we say.

And just to outline them very briefly, the community feels that no matter what direction this goes in we should be doing something that's tight, that's very well scoped, that really addresses something concrete. I don't feel that any part of the community has said to our group that they want something that's super comprehensive and goes over every subject. They want something that is clear and addresses the issue directly.

So this is very well heard, and this is complemented by I think the following point that we arrived at which is that in some sense the entire community feels this is an issue. We didn't receive any answer of this is not a priority or this is being addressed entirely or we feel that it is sufficient as it is. Every group to some degree feels that this is an issue that needs to be addressed a step further.

And this is very positive because as we went into our discussions, we were starting from the same point. The point that we need to achieve something. We need to get somewhere. Our recommendations need to actually address the [inaudible] which was also very good.

So going over the entirety of the feedback, we arrived at a point where we felt the need to talk to ICANN Compliance directly. And

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our staff members who support this group were very kind to arrange this meeting. We carried out that conversation and emerged from it with a few conclusions that we are still going through. But I would say, just again to summarize briefly, that from the perspective of their understanding of the contracts as they are laid out those provisions are being enforced in their understanding.

And if we as a community want them to understand that differently, we need to address those points, bring a fresh perspective to what those different clauses mean, or engage in a policymaking process that would actually change them.

So where the group stands currently is finding that sweet spot in which we divide very neatly our recommendations into the perspectives that emerge from the work of the group. So fresh perspective. There is some work that could be addressed by a PDP. Tightly scoped PDP utilizing the best that PDP 3.0 has to offer. Something that really faces the challenges head on. That's one point.

A second point would be that we currently seem to lack communication between all stakeholder groups in ICANN. And this emerged very clearly during our meetings as we found out that we understood different pieces of the puzzle but not necessarily all of it. This is not ideal. It would be better that the entire community understands the process and that we are able

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to talk about it with a single understanding. That would be more of an outreach part of our effort.

And finally as far as contracts are concerned, ICANN Compliance has its understanding of the contracts. Maybe the community has a different expectation of what those contracts mean. And if those aren't aligned, how do we discuss what should be aligned? Where should we get with this? Are there any concrete steps that could be taken? How do we actually work with that?

So the next few months will be spent crafting these recommendations. We have a very clear goal of addressing this between ICANN74 and ICANN75. Again, we do not decide anything. We are people who are very engaged with the subject. Have been going back and forth with our stakeholders to try to bring the best of the knowledge that each group has. And ultimately, we will relay that to the GNSO Council for them to deliberate and try to bring what they feel is best for the community.

But right now we are just very focused on working hard and going through that outreach, listening to people on the ground here. Many members of the community have come to address this. It's very welcome. You can come talk to me individually, both me, my co-chair Paul McGrady—many of you should know him—or team members. We want to hear what the community has to say in order to make a policy that's...recommendation that actually

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addresses the issue that most of us seem to feel is there. So while I do not have any concrete steps to give you right now, I can definitely say that by ICANN75 we will have something of substance to forward to the community. And look forward to your inputs.

So I'll hand it back over to Philippe. Or to Alejandra rather. And I will also open the possibility of fielding any questions you might have or carrying out any discussion that you feel would be pertinent. Thank you.

ALEJANDRA REYNOSO: Thank you very much, Mark, for the update. I think it would be best if we hear the update from the ccNSO as well so we can compare where we are and then have comments from the floor. So may I invite Tatiana to come up here. And also, I believe Nick is online, so we'll have Tatiana to speak first. And, Nick, if you would like to add anything, just let me know or raise your hand please in the Zoom room. Tatiana?

TATIANA TROPINA: Thank you, Alejandra. Hi, everybody. Hello to my former fellow GNSO councilors. Nice to be here on the other side of the TLDs. So the update from the ccNSO and ccTLD managers on DNS abuse. So the [laser] focus on the DNS started around ICANN72 for us where there was a workshop. Is it okay if I take the mask off?

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Because I feel like my breathing is like Darth Vader. So the focus on the DNS abuse started at ICANN72 where there was a session where the input from the ccTLD managers. Like how to deal with DNS abuse, what ccNSO can actually do, ccNSO as a community and ccNSO as the council.

And based on this, there was a workshop following ICANN72 where this information was fine tuned and more input from the managers was collected. And then there was a small working group within the ccNSO Council which decided on further steps, decided on further roadmap. And we created—I say we because I was a part of this small working group—so we created some sort of metrics because not every effort on DNS abuse which was coined in a way during the consultations with the ccTLD managers was worthwhile. So some of them were even considered too much effort with too much damage at then end. And also what ccNSO can do because it was clear for everybody that there would not be a policy development process because policy on DNS abuse is outside of the remit of the ccNSO.

So what was decided, the ccNSO is a great coordination but it is a body for coordination. It's a body for cooperation. So based on the analysis of cost and benefit, we came up with four pillars on what ccNSO can do in this area. And this first of all, enhanced information sharing. I think everybody knows but I will say ccTLDs are very rich in their expertise. There is a lot of effort to fight DNS abuse, to tackle this problem that is going on all around the globe

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within the several ccTLD managers. So we thought it would be beneficial, not only thought, we confirmed that it would be beneficial to have information sharing channels.

Then we also realized that what is the right thing to do is to create proper messaging. For example, to explain yet again that ccTLDs are not gTLDs. And the policies are different, the steps taken are different. Then we decided it would be beneficial to create metrics for collection of information and its analysis. And last but not least, to create the DNS abuse standing committee which will be a body where ccTLD managers can participate voluntarily but which can be responsible for this coordination for messaging, for creation of information.

So that was discussed and wrapped up at the last ICANN meeting at ICANN73. And then this DNS abuse standing committee mailing list was created. The committee was created. And we aim to make it fully functional in the short and long term with several steps taken by next summer. By ICANN meeting next summer.

And I will stop here. Alejandra, if you have anything to add. Or any member of the standing committee has something to add. Or small group if I missed something, please go ahead. Thank you.

ALEJANDRA REYNOSO: Thank you very much, Tatiana. That was an excellent summary. I was wondering if Nick has...yes, he has his hand up. Please, Nick.

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NICK WENBAN-SMITH: Hi. Sorry I couldn't make it to The Hague in person but, you know, COVID is a thing. Thank you very much. Thank you, Tatiana, for the overview, the summary to date. I think it was a perfect summary, so I don't need to say very much apart from my perspective was that the ccNSO was the only part of the community which was not "talking" or socializing [inaudible] DNS abuse because, as has been correctly observed, we don't have that same sort of policy formulating part of our remit.

So I think my strong support for all of these initiatives is [inaudible] as a councilor has arisen because I thought it was really important to demo to the community that the CCs do care about DNS abuse. And in fact some of the best examples of mitigating, preventing, and dealing with DNS abuse can be found within the CCs community.

And therefore, we need to do a better job to explain that and not to leave a perception that the DNS abuse topic was a sort of vacuum which CCs were not engaging or talking or actively doing anything and that that vacuum would be susceptible to other people coming in and telling us what we could and should do in relation to DNS abuse when actually there are loads of activities already ongoing. So I'm really pleased, and I think it's been within a space of quite a short period of time we've achieved a lot.

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And I suppose my final point would be to put a plug in for the session on Thursday morning when we're having a DNS abuse sort of as plenary as it gets I guess for the CCs in that we're getting one ccTLD from each of the ICANN geographic regions to give a short presentation on exactly how they look at DNS abuse from their individual perspectives around the globe. I think it will be a super interesting sort of comparative session, and I encourage everybody to come along for that. Thanks.

ALEJANDRA REYNOSO: Thank you very much, Nick. I see there is a question in the chat from Maxim Alzoba, "Has ccNSO considered the possibility of creation of a nonbinding anti-abuse security framework, kind of best practice and common ideas?"

Yes, it has been considered, but what we try to avoid is to tell other ccTLDs how they should run their own business or how they should deal with their own issues. That is why instead of having these best practices we do like to share the experiences that all ccTLDs may have around the world. And those should be considered for inspiration for other ccTLDs to consider and see what of that part that has been shared might actually feed their own environment.

Because ccTLDs do operate under their local circumstances and to their local community. So having one size fitting all is not an option. We are too diverse. But that's the objective of having

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these standing committees to gather different approaches to DNS abuse so others can see ideas on how to address this.

Exactly, Maxim. It's more about how can it be done. Okay, no problem. Any other comment? Yes, Philippe.

PHILIPPE FOUQUART: Yes. Thank you. More a question than a comment. As Mark alluded to just a moment ago, the small team approached the issue from a very pragmatic where reaching out to various parties and trying to identify rather than embracing the DNS abuse topic altogether specific cases of abuse.

How did you...? While I appreciate that part, the work of the small team has also been to reach out to the compliance team within ICANN which is just by definition out of scope for the work that you do. But on that part of how you approach the remit of the problem, did you reach out to external parties other than the CC operators to figure out what specific cases of abuse you may want to address or provide recommendations on—small “R”? Or how did you from a purely working method perspective, how did you approach that?

TATIANA TROPINA: So I...okay, I'll try to do it in a mask. And, Alejandra, correct me if I'm wrong. I think the idea here is that we first want to see the order in our own house in a way. You know, what we can do. And

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of course, some of the ccTLDs actually, you know, we have people like Verisign, for example, which are both gTLDs and ccTLDs and they know both sides.

But the focus right now was strictly on the ccTLDs for many reasons. Well, first of all, ccTLDs are sovereign right so all of them have different practices. All of them have different...well, some policies might be the same, but for example even DAAR for one ccTLD might be a no go, for another it might be a go. So we saw that the first thing is to get aligned within our group.

And of course, that would be external communication. Of course, that would be external coordination. But I do think that it is important for the ccNSO community right now. Also, due to...I think that external pressure indeed was a factor too. Because somebody like [inaudible] saying what is going on with the DNS abuse but ccTLDs are dealing with this a lot, and some policies are aligned.

So I would say, indeed, external communication, reaching out to other parties would be important for the DNS abuse standing committee. But at its core, what lies at its core is the communication coordination between ccTLDs while also preserving a nonintervention. And I think for ccTLDs this nonintervention is very important too, neither from ICANN nor from external pressure. Except the ccTLDs are, of course, the subject of local laws.

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And ccTLDs [inaudible] please feel free, correct me if I'm wrong, but I think the understanding for us that at its core we are, first of all, taking care of ccTLDs and then liaising with others and then collecting best practice from the outside. It might be a bit different because I'm coming from the side of GNSO.

And I know how divisive, I know how controversial this topic is for the gTLDs. But we have to understand here again that ccTLDs are not gTLDs. ccTLDs are functioning in their country, and this is very different compared to policies from ICANN and coordination that you guys require.

So I don't know if I answered your question, but I think that we need to understand here this core of the task. This desire for nonintervention. I think for us it's very important to preserve how we function first of all and then everything else. Sorry.

ALEJANDRA REYNOSO: Thank you very much, Tatiana. I think that was very complete. I just wanted to add a little bit that also when in ICANN72 we had our first outreach, it was an open outreach for the ICANN community. And all our sessions are still open. And again, I would like to invite everyone to join our session on Thursday because what we want to showcase there is how different ccTLDs approach DNS abuse and also how what ccTLDs consider DNS abuse themselves. So we cannot even have a conversation

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regarding defining DNS abuse for all ccTLDs because it will be dependent on local conditions.

And I see we have someone at the microphone. I cannot see your face, sorry.

PIERRE BONIS:

Thank you, Alejandra. For the record, Pierre Bonis, .fr. So first of all, thank you very much for this presentation and for the very clear presentation from the ccNSO on the necessity to avoid the one size fits all approach when it comes to DNS abuse. Just wanted very quickly to remind that the session on Thursday on DNS abuse has been also co-organized with the IGLC which is the Internet Governance Liaison Committee. This is not to do some advertisement for you for the ccNSO but just to remind us all that maybe this question is not only a question for ccNSO or for GNSO. It's a more global Internet governance question. And the outreach that we need to have may be also outside of DNS community because when we talk about DNS abuse, the people in front of us they are talking about Internet abuse. And we really need to interact with these other players. Thank you.

ALEJANDRA REYNOSO:

Thank you very much. Yes, Tatiana.

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TATIANA TROPINA: Yeah, I just wanted to say that despite my clear standard, hey, we want to take care about ccNSO first, I want to say that, of course, there is one important element that I perhaps missed in all this. I think that clear messaging is one of the tasks of the DNS standing abuse committee. Some sort of coordination activities. They, of course, include outreach. Messaging is outreach. Communication is outreach. And of course, while being very sovereign we...why do I keep saying we? So ccNSO—this sense of belonging already—so ccNSO is a part of this community and, of course, information exchange is important.

ALEJANDRA REYNOSO: Thank you, Tatiana. Yes, Mark?

MARK DATYSGELD: So very briefly to add to that respecting our individual remits. If relevant data points are arrived at by the committee, please feel free to relay them back to us. It would be a pleasure to stay in touch in terms of what we are finding out and what our [inaudible] situation is, aiming to always build toward something that benefits the entire community. Thank you.

ALEJANDRA REYNOSO: Thank you very much, Mark. One more and then we move on.

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THOMAS RICKERT:

Thomas Rickert, ECO Association and ISPCP. I would just like to make one small comment. And that is that I think at this stage given the pressure at the regulatory level, we can't just say that the problem needs to be resolved elsewhere. So I think we need to explain what the DNS industry is doing, but also we need to offer solutions like cooperating with other parts of the Internet infrastructure industry such as hosting companies to show that we do care.

And I think that particularly for the gTLDs there is sometimes the impression because we have this discussion at ICANN that the gTLD operators are not willing to help. And I think it's upon all of us not to be perceived as just stubborn but we also have to explain, and I explicitly offer this as a piece of not advice but information to the ccTLD community, that ICANN has its limitations.

So when we are having these discussions around the breadth of the definition of DNS abuse and what should be "governed" in the ICANN world, that's just because we have a very limited mandate as all of you know in the ICANN world. And we must not allow for ICANN to go beyond what it should be doing because, as you know and we heard Steve earlier and Steve knows what the Empowered Community can do better than anyone else, so we need to be sure that ICANN is limited to its narrow technical mandate.

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Having said that, I think it's also important that we work with local domestic law enforcement. Because at the moment there's no deterrent whatsoever against engaging in DNS abuse because the conviction rates are like zero. So I think that, again, this is not to push responsibility elsewhere. But if we can work with law enforcement at the domestic level to offer what information can be exchanged between registries, registrars, and law enforcement maybe to help them get some cases successfully resolved, I guess that's also part of a solution. Thank you so much.

ALEJANDRA REYNOSO: Thank you very much. Okay, shall we move on to the next item.

PHILIPPE FOUQUART: Sure.

ALEJANDRA REYNOSO: Okay, so the next item is EPDP Phase 2 SSAD and ODA. Lots of acronyms. Please, Philippe.

PHILIPPE FOUQUART: Thank you, Alejandra. For this I'll hand over to Sebastien who is chairing or convening the small team on the SSAD and the operational design assessment that was associated with it and who had a meeting earlier this week on this very topic and on the development of a proof of concept for this. Sebastien?

SEBASTIEN DUCOS:

Yes, I am here. Thank you, Philippe. As Philippe has said, I've been leading a team for the past few months since early February to review the ODA. This is the document that ICANN staff prepared last year, delivered in January, to study the operational impact of the recommendation voted by the council last year on the standardized system of access and disclosures. This is a centralized system to be run by ICANN to receive requests for data disclosure in gTLDs and route them to the relevant contracted parties for disclosure or not depending on the quality and the relevance of the request.

I just wanted to make this short because obviously this is a very [pale] concern for the ccNSO. You run that part of the business on a completely different legal basis based, obviously, on local laws and ccTLDs have a completely different mandate than we do as gTLDs. But I wanted to share a few points that could be of interest.

The first one is that ODA basically assessed that the recommended tool would be extremely costly, more [inaudible] million dollars to design and operate. And so at the request of ICANN but also to have the very fact that it seemed very, very expensive for what was required, we attempted to redesign a lighter version of it and are working with ICANN staff to review this ODA to rescope this. This is work that hopefully will be underway in the course of this summer, in the course of July, August,

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September, for Australia and [inaudible] France or southern France.

We discussed it a bit before with the what happens after accepted by the council. It has led to a number of discussions directly with the Board and other part of the community too outside of the GNSO. Quite interesting discussions to make sure that we weren't trespassing on what had been recommended by the EPDP and all the policy development work that had been done. We kept more of an operational view and helping finding solutions in order to have a tool that would fulfill, in not all of the recommendations, at least the more urgent ones in our view. And in order to have a tool that is actually more sustainable financially than what was originally envisioned.

Apart from that, again, I invite anybody from the ccNSO who is interested to reach out and to see if there's anything that we can do [in sharing]. But it is more informational, understanding very well that your operating modes are completely different than what is required in gTLD world. Thank you.

ALEJANDRA REYNOSO: Thank you very much, Sebastien. And thank you for leaving the door open for reaching out in case any CC is interested in this. I'm looking at the time now, so I think we should move on to cover our agenda. Shall we go to our next item that is on IDN? For this,

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we have from the ccNSO Dennis and Anil. I'm not sure if they are here or online.

ANIL JAIN: Yes, Alejandra, I am here.

ALEJANDRA REYNOSO: Ah, go ahead, Anil.

ANIL JAIN: Thank you. Thank you, Alejandra, for this. There are two PDP processes going on. One is IDN ccPDP Working Group 4 and a similar PDP going on in gTLD. That is IDN PDP EPDP. So because both of them are dealing in variant management and they are also dealing with confusing similarity. So as liaison officer, I keep on attending [both].

First of all, I would like to thank both the chair of EPDP, Donna, as well as chair of ccPDP Working Group 4, Kenny, who always keep a provision in every meeting to get an update from the other group. Because of these efforts, the recommendations, the discussions which are going on in both the groups are quite consistent.

I would like to inform the community that there are certain decisions which have been taken which are consistent with both groups as far as the variant management is concerned. The first

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one is the [inaudible] is taken a common requirement by both variant management groups, ccTLDs and the gTLDs, to decide a valid variant.

The second decision which has been taken by both the groups is that for deciding the number of variants there should not be any ceiling defined by the policy. But at the same time because of the security reasons, they should be limited. So in ccTLD [that limitation] has already automatically [done] when we are talking about the definition of the territory and also a designated language.

The third thing which has been agreed together by both parties is the same entity should be given the variant as their [inaudible] originally which they have [won], they have [inaudible] so that it remains consistent between both the parties.

Then the process of evaluation, rejection, blocking of variants remains the same as the original [script] which has been agreed for either an allocation of ccNSO or of gTLD [GNSO].

So these are a few things because there is a big list. I just want to inform that the discussions which are going on in both groups are quite consistent. We are talking on a regular basis because EPDP is happening every week, and ccTLD there is an IDN ccPDP Working Group 4 whether it is a full group or subgroups on confusing similarity or variant management or deselection are happening on an every fortnight basis.

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So these are the updates from both the groups as the liaison officer from my side. Thank you, Alejandra.

ALEJANDRA REYNOSO: Thank you very much, Anil. And now I see that the list is right in front of me. So please, Dennis, if you would like to give us an update either by the microphone there or up here, your choice.

DENNIS TAN: Thank you. I'm a member of the IDN but both to the GNSO IDN EPDP and the ccNSO PDP 4, so I just want to agree with the update that Anil gave and give [inaudible] what he said. He mentioned we talk about the commonalities between the two groups. We know that ccNSO PDP 4 and the GNSO IDN EPDP have different items on their agenda, but the overlap is basically these two items, right? The variant management and the how do you define variants.

At the core is how these variant names labels are supposed to be the same by a community [script], how they are defined and how they are managed. And this has not been...variant labels have not been able to be eligible for delegation before. So this will allow open opportunity to apply for those.

I just want to add on Anil's point about what is not common between the two set of [work] so that there is understanding of what can be done, what cannot be done. As, Tatiana, you and

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Alejandra said before, gTLD policy process and ccNSO policy process are not the same as far as the outcomes are not going to be the same.

As a way of example, the IDN guidance for second-level implementation, there's a set of guidelines that [live] outside for every registry operator but they are enforced by contract for gTLDs but they remain guidance for ccTLDs. That just as a way of example how [work] and different outputs of the community can [affect] different ways.

So in that sense, ccPDP4 is focusing on how these recommendations are going to affect the top-level labels, the eligibility criteria for IDN ccTLD strings. And as far as implications, so without going into the weeds, if you have top-level labels, of course you will have second-level registrations.

But ccPDP4 will not go as far as to issue policy recommendations. It is considering the implications of introducing variants at the top level, how does that [have] operational, technical, and potentially end user experience to farther down the root. But as far as the outcomes going to be, a structure is not going to be policy but a different, we don't have a name yet, but let me just say guidelines or guidance or advice or what have you. But it's not going to be policy because of the way ccNSO policy process works.

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On the GNSO side though there is some more work on second level. We do have, for example, the IDN guidance that provides certain requirements of how second-level registrations need to be performed. And therefore, the GNSO EPDP will look at how this variant management framework, the same entity principle that [inaudible] talk about. Which is basically if you have two domain names that [ought] to be the same, they need to go to the same entity. At the top level a registry operator, at the second level a registrant. But we need to talk about what “registrant” means. So this work will be deliberated within the GNSO EPDP and what’s the implication on the lifecycle of the domain name [it will have].

So I just wanted to provide the other side of what does not overlap and what are the other implications. But happy to take any questions. Thank you.

ALEJANDRA REYNOSO:

Thank you. Thank you very much, Dennis. I do see that we are overrunning a little bit on our meeting. But I just want to address one AOB. It’s regarding the approval of the CSC full slate. It’s a homework that we have together. So we put the ideal to have that by August if possible, early September. We will mandate our selection committee to do so, and we invite the GNSO to take a similar approach.

And with that, I hand it over to, Philippe.

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PHILIPPE FOUQUART: Thank you, Alejandra. And thanks for the kind reminder. The second of that nature for that matter. I think we missed the CSC [in fact] in this review almost. Or we didn't miss it, thank you, because we had a similar reminder last year. So, yes, we'll make sure that we provide that in due time over the summer. And our thanks again for the opportunity. I think that was a good exchange and good discussion. And again, looking forward to the following steps. Thank you, Alejandra.

ALEJANDRA REYNOSO: Thank you very much. And thank you, everyone, for attending. This meeting is adjourned. It was so nice to see you. Bye.

**[END OF TRANSCRIPTION]**