
ICANN77 | PF – GNSO: ISPCP Membership Meeting
Monday, June 12 2023 – 10:45 to 12:15 DCA

BRENDA BREWER:

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SEBASTIEN DUCOS:

Thank you, Brenda. Good morning, everyone. This is Philippe speaking here. Welcome to the ISPCP session for ICANN 77. The agenda was

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shared, I think it was on Friday, and we have it on the screen now. Any change that you would like to see on the agenda? I think we have an AOB, maybe, Christian?

CHRISTIAN DAWSON: A small AOB about a small outreach event that we have put together for tomorrow morning that will inform you about.

SEBASTIEN DUCOS: Thanks, Christian. Anything else? OK, so let's start with the agenda. Any updates to your statement of interest? Anyone? Okay, thank you. Seeing no hand, I'm going to try and manage the hands, both physical and virtual, at the same time. Now to item number two. Over the last, what was it, two months, I think we've had exchanges between the ISPCP and OCTO on how the ISPs could or we could collaborate on several items of interest, common interest. And Susan has been leading this, so would you mind helping us going through this? Susan?

SUSAN MOHR: Sure, you bet. Good morning, everyone. I want to just start by thanking Joe Catapano from the ICANN engagement team to help us bring in our speakers this morning. We have Matt Larson, Vice President of Research, who's here to speak about the OCTO white papers. We discussed previously that it would be helpful for us to stay on top of the white papers that are being published and, if possible, have some advanced learning on what papers might be coming up so that if there's an opportunity for us to weigh in or provide some feedback on those papers, we would have a chance to do that. We also have Adiel

Akplogan, Vice President of Technical Engagement from OCTO, and he is here to brief us on goal five of the CEO goals for 2023. And so we're excited for that. We may have one other speaker, but I'd like to, I think, start with Paul, would you like to introduce yourself?

PAUL HOFFMAN:

Hi, my name is Paul Hoffman. I'll be doing actually the OCTO document series introduction. I'm sort of the publisher of the document series. That is that as folks in OCTO have written a document or as it's going through the—I'm writing it, I want input and such, it comes through me. And then I have the wonderful job of trying to format it to the ICANN specifications at the end and get it up on the site.

So part of the question was how are we doing on the series and such? We actually have not been as active this year as we have in the past. And that's mostly due to other work commitments within OCTO. We just last week or the week before published a new document on round trip times between the L root and the resolvers so that people could get a feeling for what does it mean for me to have an average round trip time? You know, when I'm going to a root server, what does it mean for me to have like sort of like I'm at the 90th percentile sort of slow and things like that. But that was the last document we've had in almost a year.

To the question of how can ISPCP be helpful? We basically never have a community pre review of documents, partially because then there'll be expectation that review will be accepted and such like that. The flip side of that is we often do new versions of documents. If we've published a document and someone says, oh my gosh, I wish you would come and

ask me this, I know this or I would have wanted that. So we actually do have a fair number of V2s and V3s in the OCTO document series.

We are happy to take input for, for example, if the ISPCP wanted to see a document on such and such and was not going to produce it yourselves. I mean, of course, we're very happy when the community produces their own documents. SSAC has its document series. RSSAC has its document series. But if there was something that came where there was a topic that seemed of interest, that there was research that could be done and therefore published on it.

Let's put this way. OCTO is not allowed to publish policy documents. We're staff. We don't get to make policy. We can in our documents talk about things that ICANN believes and which are not policies. That is that they are things more like we see this out in the world or we would like to see more of this. But even that gets a bit dicey. We try not to do too much of that because we are somewhat research oriented. But if the research leads us to something like that, we can do it. And by the way, usually our interaction with the community is very informal. Someone says, oh, I saw you. Can you do this or whatever? We're happy to have that.

So I think that if there are questions on that, we are happy to hear it. But we, for example, on our recent document, which is about the root service system, we did not have RSSAC do a review of it first. We simply published it. And we hear comments afterwards. And like I say, if the comments are we really wish it had covered this or we think this is factually wrong, sure, we're happy to put out a new version and such like that. Does that help?

MATT LARSON:

Let me just add to what Paul was saying. There are times where the author of a document will work with folks outside OCTO. Like off the top of my head, I can think of Alain Durand's RPKI document. You know, he had some specific technical and policy issues he wanted to vet with the RIR. So he reached out to them. His document on new IP. You know, that would have been impossible without talking to the folks that develop the new IP standards.

So there are times where we collaborate, but it's usually at OCTO's initiation. That being said, now that we know the ISPCP's interest, that's good for us for future documents to know that you might be available as a resource if we have industry specific questions that we that we would want or even a document we would want to collaborate on.

And let me second what Paul said, that if there are specific documents that you'd like to see come out of OCTO specific research, please do let us know. Paul and I both have the same web page up that shows a gap between July 2022 and June 2023. So we did have kind of a dry spell there, and it's just how it worked out with what people were working on. But I think it's safe to say we're always looking for ideas for documents. And I guess we'd be happy to take any questions if you have them.

PAUL HOFFMAN:

And let me just amend what Matt just said. We're always looking for new ideas for research, so we don't always think of our research as turning into a document. We also have long lived sites with data and such like

that. So some of our research does turn into documents, but some of it turns into sites that are updated every day with data and such like that. So if there is something that the ISPCP just wants us to look at, we can help them decide, oh, should this be a one time document or a document that's updated regularly? Or it's new data that we should be publishing for the benefit of the community.

SUSAN MOHR: Thomas, it looks like you have a question. Go ahead.

THOMAS RICKERT: Thank you so much for the offer and the overview. As you know, there's a lot of pressure on the industry and ICANN specifically on the topic of DNS abuse. And so far, the spotlight is pretty much on registries and registrars. But we do know particularly from the DNS abuse study that has been commissioned by the European Commission and published early last year that they expect action to be taken by all players involved up and down the stack. So is there any appetite for an ICANN or with you in particular to look into abuse stats that that affects hosting companies and how that would relate to what registries and registrars have to offer? Because I think it's a challenging topic, but we think that it's appropriate for the entity closest to the perpetrator to take action first before we go closer and closer to the root with the risk of collateral damage when domain names are suspended.

PAUL HOFFMAN: Sure. We actually have sort of two research teams within OCTO. We have the one that I lead that's more general. And then we have the one

that Samaneh leads that tends to be more focused on security issues. And they're the group within OCTO that has done a lot of research on DNS abuse. So I guess I can't answer your question directly, but I know they're always looking for more data. And I would have to take that to Samaneh and say we have interest in an offer from the ISPCP. And is that something that she and her team could act on?

THOMAS RICKERT:

To be clear, this is something that I mentioned in personal capacity. So we can't present that as an ISPCP request unless you are not and say it's something that we're interested in. But I think that it would be very valuable because there's little study so far on what's happening at the ISP level.

PAUL HOFFMAN:

So I would I'd like to emphasize what I said a moment ago, which is we do documents and people read the document, but we also publish data. And certainly, Samaneh's team does a monthly report that that I forget the—what do we call those? The DAAR reports. Those are very data driven. And if the ISPCP could, not coordinate, but help us find a new source of data on a new part of the environment, I think that that would be interesting. I don't know that they can wrap that in or not, but I suspect they would want to try. So please do it if the ISPCP wants to consider that. Please do.

SUSAN MOHR:

Great. Are there any other questions? Philippe, go ahead.

SEBASTIEN DUCOS: Thanks, Susan. In that same spirit, a topic which is of interest, at least to me and my affiliation is one that you approached with the DNS resolvers in Europe paper published. When was that, two years ago? Something as a sort of response to probably the EC's RFP or something for DNS4EU. I think it's a topic which is associated with filtering, with that sort of questions. And I think it's certainly something that the ISPs would be interested in, whether there's an update or, I don't know, but just floating the idea that it's certainly—given the figures that were in the paper, it just shows that it is of importance for us.

PAUL HOFFMAN: So for those of you following along, that was OCTO 033. That was published in April a year ago. That was a very data driven paper. So us getting more data is great. And that data was from basically from one source. And if the ISPCP could offer additional sources or different additional ways to look at it—I'm not the author of that paper, but I can I feel happy to speak for him that a version two of that paper that's not just here's the data ground again two years later, but here are additional views and such. Yes, absolutely. That's the kind of thing that people look to OCTO papers for, is not just ground up data, but interpretation that might be useful for going forwards.

ADIEL AKPLOGAN: Yeah. And that is an example of paper that got come from OCTO that are not policy paper, but paper that are used by people who are talking or discussing policy to better understand it. And in fact, that paper had led

to more information in the ITHI project, where now you can have that data per country, per region. So to broaden the scope. If there is more data that can even improve another version or a more general view of that specific problem, looking at it from other region as well, or improving the publication of ITHI data in that regard. So the paper has led to more data available for people to look at.

SUSAN MOHR: Christian, go ahead.

CHRISTIAN DAWSON: Thank you. I wanted to talk for a minute about ISPCP outreach. There are a few different reasons why we see collaboration with OCTO as being very important. But as an organization who is seeking to grow and seeking to make more contributions within our own policy community, we feel as though we need to find more technical operators within our own midst, more people who are running networks who can come to the table and help us provide that lens in our policy work. And so to do that, we are trying to figure out how we can better understand the technical topics and then to be able to use them in order to show people who are running global networks why the work that we are doing here is relevant to them and that they should come to the table. Not only to assist us, but potentially go and do work with the RSSAC, SSAC, etc.

So with that goal in mind of us wanting to increase our own technical lens so that we can attract more technical operators in the ISP space, could you point us to any sort of outreach tips that we could use from your work or the work of the community that would assist us in that?

ADIEL AKPLOGAN:

Well, it will be part of the topic I will be talking about, which is talking about best practice and working more closely with the operator community. I think one thing that we also do as outcome of the research that Matt and Samaneh team does is to be able to take up information from there to reach out and use them in a day-to-day engagement. And we also published a document that our outcome of some of those engagements, like the guideline on how to deploy DNSSEC is a paper that we have published, which is the result of our engagement with the ISP community, registry community, and the struggle that they are having. Where are those struggles? How can we help them? And that led to a document that gave a step-by-step process on how to do this.

So in terms of engagement, we want to take some of the outcome of those papers in front of the ISP community, but basically we use generic venue like NOGs, like RIR events where many operators gather, or even exchange point events. My team attend all those events, but if we can have a more specific place where we can reach out to ISPs working with you and identifying topics that are of interest to them and link it back to what ICANN does, of course we'll be more than happy to do that.

CHRISTIAN DAWSON:

Very helpful. Thank you.

SUSAN MOHR:

Any other questions? Well, I don't see any. I'll just say thank you for coming and providing that feedback. I think the key takeaways are really, one, you're not writing policy papers, you're writing technical

papers to support policy. You're not looking for feedback in advance of them being written, but absolutely you're looking for feedback once they're published. And one way that we can support that work is either as individual companies or as an organization to bring feedback to you on new sources of data or ways to evolve the paper into a version two.

It sounds like we've got a couple of ideas here on the table. I think what we'll do is we will share with our membership a link to the OCTO publication website to make sure that everyone has access to the papers that are out there. Perhaps we'll look back to a year or so. Certainly the paper that Philippe mentioned goes back to I think about a year. So why don't we as an organization take a look at those papers? We'll include it as an agenda item if Philippe agrees in our next meeting and look for feedback from all of you on feedback that we can provide to the team. And we'll just continue to look for ways that we can work together on these technical papers.

And I also like Christian's idea. I think he's spot on as we're looking to expand and bring in new members. We really, I think, see ourselves as a technical organization. And to the extent we can have a strong partnership with you all, that really helps us with those efforts in bringing in new members. So any other comments?

JAHANGIR HOSSAIN:

We are representing the ISP Association of Bangladesh. We are more than 3,000 ISP members are members in this association. But sadly, to hear that not more than one person in this type of [inaudible] can reach out to our service provider.

So for type of new membership, our president, ISP Association president is here. More than 3,000 ISPs are already a member. We can reach out to them. We can influence them to become a member as this membership is free. I'm already a member of this community. But I think some sort of outreach and engagement to become a member is required.

If there is some sort of small type of basic content published in ISP site, then we can use this to outreach the membership. That will be helpful for us to become a new membership. Membership is not very easy task, but we have to reach them. What is the benefit for him to become membership?

At present, there is no cost in ISPCP membership. This will be very helpful for us to get engagement. But we need some sort of basic information, which is available in website. Thank you very much.

SUSAN MOHR: Thank you and welcome. Okay. So I think with that ...

SEBASTIEN DUCOS: Thank you, Susan. Just a very quick comment on what you just said. I think it's important for OCTO to understand that this constituency is, and our members are essentially, well, a number of them are interested. It's difficult to motivate people to get involved in ICANN. I guess that's what I'm saying. And if there is a way for them to get a hand on operational elements such as deployment of DNSSEC, that would sort of even more motivate them to further involvement. It's not a detail. I guess that's what I'm saying. And it's important that you bear that in

mind moving forward, the sort of relevance of what we produce to our members. Thank you.

ADIEL AKPLOGAN:

And quite frankly, we would love to work more with you on that and to bring them close to ICANN. But one place they can feel at ease is the ISPCP community. So how do we make that really relevant to them is something that we'll be more than happy to work with you on. In fact, in my team, we have actually nominated somebody to be the liaison to ISPCP to follow this and see how. And maybe we need to revive that to make sure that we take advantage of that.

SUSAN MOHR:

Okay, with that then, again, thank you. Appreciate all the input and thank you for taking the time today. And so perhaps we'll move to you, Adiel, to talk about goal five of the CEO's 2023 goals.

ADIEL AKPLOGAN:

So that's going to be quick. So the goal five is about improving ICANN engagement with the operators community on DNS operation, best practices in general. So this is a goal that part of it fell squarely in OCTO and particularly in technical engagement. We do that from several angles. One is documents that we publish, which talk sometime about best practices, about analyzing practices of DNS operation and coming up with guidelines or coming up with new trends in that area. The second aspect is our capacity development activity. Over the past 12 years, we have conducted about 200 training capacity building around DNS secure operation.

That goes from simple DNS training to DNSSEC and even to advanced DNS where we talk about Anycasting and all those aspects. So that's the second area where we promote those best practices. We help operators to do that. And one thing we are doing more in that area is that beyond the just capacity development training, we also provide more and more support to those operators in their journey to implement those things. Of course, we cannot be everywhere, but we are putting in place processes where operators can reach out to us and build a roadmap, for instance. They do, they come back, they check if it is okay. So that is another way we are helping those best practices to go to reach the operator.

The third element is one of the key projects that we have started a year or so ago, which is KINDNS. KINDNS is a framework that we have developed with the community to promote the DNS operation best practices. It covers a whole range of DNS components, from authoritative to resolver operators. And what that project help us do is to streamline what are the key best practices that can help strengthen the DNS ecosystem in general and categorize them in different tracks, I will say, where operators can voluntarily join and deploy those practices.

We have developed around those DNS KINDNS practice training as well, so that we can take authoritative server operators, and, I want to do the right thing. How do I do it? This is what KINDNS is saying. Can we help you implement them and check them one by one so that you are sure that you are implementing the best practices? So that has been successful so far. We have got almost 1,000 operators who went through the self-assessments that KINDNS offer. It allows operators to

self-assess themselves against those practices and see where they stand. And based on that, they can decide to join, they can decide to promote it. So that is the third element in that goal, where we want operators to be confident running their DNS and saying, yeah, we are running it. We probably don't have all the resources needed, but at least those five, seven practices, we are implementing them. And we can say publicly, because we went through the process, we went through the assessment, and we have been tested by the KINDNS team to say publicly that we are implementing this.

So KINDNS.org is the website where people can, operators can go self-assess themselves. And those who decide that, oh, I want to publicly say that I'm following KINDNS, they are listed there as KINDNS participants or ambassadors. And we want more operators to do that. And over the past six months, the OCTO team and the technical engagement team has been doing a lot of awareness around KINDNS, a lot of training. We have even designed a hackathon specifically for operators around KINDNS practices, and that has shown to be very successful.

So with all those components, we're trying to put more emphasis on those DNS operation best practices. DNSSEC is part of that. Of course, when we talk about DNS best practices in ICANN, people look at DNSSEC very, very quickly because that's where ICANN has been active over the past few years. So this is more wider DNS operation beyond DNSSEC. DNSSEC is one of the practices. But beyond that, there are a few other stuff that operator could do to run a secure DNS.

So basically that's how we are tackling that goal within OCTO. We are trying to use as much data as possible as well to tailor our messaging,

to tailor the way we deliver those training as much as we can as well. Of course, we have a limited team, so it's not scaling as fast as we want. But I mean, this audience is a possible avenue to work more in that specific area if needed and improve the uptake of those best practices. So I'll stop there and take questions and see how we can discuss this further.

SUSAN MOHR:

Great. Thank you for that. I'll open it up as we did last time. Any questions or comments from members on the phone or in the room? Go ahead.

[THOMAS RICKERT:]

Just a general comment. I've been reading OCTO documents for many years and I find them very, very useful. I think they are a very important reference for us in our work in several issues. So it would be very nice for us to cooperate and work with OCTO. Thank you.

SEBASTIEN DUCOS:

Thank you, Susan. Just a very dumb question probably on KINDNS. There's a growing interest in DNS security, but generally speaking, not DNSSEC, DNS security by cyber security companies. And there's a lot of recommendations in the framework that was put together. I was wondering whether you were aware of those, and one of our affiliates, but many others, vet infrastructures, say that this is good. This is the way to improve your robustness or whatever. Are you aware of those cyber security related companies taking on board those

recommendations as they relate to DNS and resolvers in particular, but more generally DNS?

ADIEL AKPLOGAN:

Yeah, I mean and that is in fact what we want to achieve, is that there are many framework, there are many practices out there. Some are published by specific vendors, some are specific community with very narrow, sometimes very narrow scope. What we have done with KINDNS is to look at those and see what are the most common denominator. Because what we want to avoid for the operators is to get lost in the thousand and myriad of practices that are out there and they don't know where to start from. And we see that a lot when we engage. So what we've done is to look at what is out there. What are the RFC out there that talk about best practices? What are other people doing? And summarize them in the most critical practices and highlight those practices because we are not expecting operators to do everything. But there are the 20% critical that can help them achieve the 80% goal.

So KINDNS is kind of the summary of all of that. It is a dynamic platform as well. There is a mailing list around that and our goal is to be able to evolve the practice. If there is any that come out, become more prominent, people agree that this is important, that can be taken into consideration in KINDNS if it is a consensus from the community and we evolve the practices as we go. But our goal is not to overwhelm the operators with thousands of practice, and every corner case, they have to do that, because not every operator runs a huge, massive infrastructure.

SEBASTIEN DUCOS: Thanks. Just to follow up, if I may. Process wise, the way the framework would evolve, how does that work? Is that community led or is it staff led? How do you do that?

ADIEL AKPLOGAN: Community led. There is a mailing list and in fact all the practices that we have now came out from the discussion on that mailing list. The staff facilitates, of course, the discussion. We come up with the different practices that we think are important. The community discuss and agree. Now, right now, I think we have two practices that are still open for discussion and that's probably going to make their way into the process. So the mailing list is the main area where discussion will happen.

SEBASTIEN DUCOS: And last question, if I may. And the participation to this mailing list is open.

ADIEL AKPLOGAN: It's open. From the website, you have the form. You can just join from there.

JAHANGIR HOSSAIN: I would like to put as a general comment regarding the DNS abuse. We are very much facing this type of situation from regulatory body. Please identify this domain. It is doing blah, blah, blah things. Take action within two days, within 24 days, and identify them and block them. So can we make the process to reporting ICANN, the DNS abuse from the

end user, service provider level, so they can report to ICANN regarding this type of abuse with some legal document? So the action can be, I think this action could be more faster. We will try to make the action faster because we are getting pressure from regulatory body. Take this action within two days, one day, five days. So sometimes we send a mail from service provider to abuse at the ICANN Org. Sometimes get reply, it takes time. So on behalf of service provider to minimize our smoothness—the faster smoothness, can we make some sort of process to minimize the process, a faster response, so then we can reply them to our regulatory body, yes, we are working on it, they are responding. So this kind of initiative can be taken in upcoming days to make it faster. I thought this might not be a relevant question, but as this DNS abuse is written on there, I share my experience on behalf of our service provider point of view. Thank you.

ADIEL AKPLOGAN:

Well, are you talking about take down within the ccTLD or on gTLD?

JAHANGIR HOSSAIN:

Actually it's both of them. The abuse actually means it's kind of basically on gTLD actually. The ccTLD, you can identify them easily, but gTLD, it's really hard to identify who is the domain associated in cloud. Even with response from cloud provider is dynamically allocated, we can't trace them. So we are facing pressure. So as we are this constituency, if any kind of mechanism, we can make it more faster. We can response get from ICANN, true, but sometimes it's very delayed. So as they are verifying the process, there are lots of processes going on in behind them. So how can we make it more faster?

ADIEL AKPLOGAN: I don't know, more faster, I don't think I can commit to that, because there is a need for due diligence for any request that you send because ICANN cannot take the responsibility. And ICANN does not even, it's the registrar to do that, right? So there is a whole process about that. We can talk about this offline. There is someone in my team, Carlos, that's really try to do that part of engagement and we can discuss. But I can already tell you that it would be hard here to commit to making it faster, because there is sometimes they are very complex issue and the due diligence is very critical. And that due diligence can take time, unfortunately.

SUSAN MOHR: Okay. Well, great. Okay. So any other questions or comments? I think it sounds like the takeaway on this one is how can the ISPCP community help you? And I think what we can do is share, we can coordinate with you, make sure we've got the right documents, share the best practice documents that are available with our membership to make sure they understand what's out there, and also share the information about the KINDNS program and encourage our membership to participate there. So I think that's everything that we have on with the OCTO team. Any final words?

ADIEL AKPLOGAN: I just want to introduce Nico. Nico is the liaison to the ISPCP from my team. So he's here. Nicholas Antonello.

SUSAN MOHR:

Great. Thank you for joining. Great to meet you. Okay. So I think we're going to move on to the next agenda item then. So thanks again to the OCTO team. And the next agenda item is very quick. We have been working to develop short policy statements on the policy activities that our membership is involved in. We've got a list of those. I think we have about 10. We are asking for feedback or at least an initial draft by last Friday. And not surprisingly, it's really challenging from a travel perspective to get those done in advance of an ICANN meeting. And so perhaps the timing was not ideal. So I think we'll go ahead and extend and ask everyone to go in. We'll send the link around so that folks who are identified as a policy [inaudible] maybe can get another month. And we'll ask folks to go in and develop a first draft of those before our next meeting in July. And I think that's everything we have. Thank you.

SEBASTIEN DUCOS:

Thank you, Susan. Any questions or comments on the item two on the policy effort? Please, maybe what we'll do is we'll just resend the email and pointers to the Google Doc so that people can start writing, including me, the elements in the policy paper. Thank you, Susan.

Next is our update on the GNSO Council activities, meeting. And is it on Thursday this week? Wednesday or Thursday? Wednesday. Thank you. And more generally on the small teams. Who would like to would like to do this? Thomas?

THOMAS RICKERT:

Osvaldo, you've been kind enough to give the last update so I can take the first crack at it and then you can add. Now, we've had a full day of

deliberations already yesterday. And you can be very happy that you weren't in the room. It was a pretty exhausting exercise. Now, as you can see on the screen in front of you, there will be no vote taken at the upcoming GNSO Council meeting. We have had and still have extensive discussions on SubPro. As you know, there are 38, I think, topics that are currently being worked on. And unfortunately, it shows that a lot of these topics need a lot of time to be resolved. And I guess the most unfortunate thing is that there are items that would actually hold up the train for the launch of the next round.

So we have closed generics as a topic. We have the IDNs as a topic. We have the GGP. And unfortunately, we do not have a tool as a GNSO to really come up with policy fast. So we are limited to PDPs or EPDPs. And it looks like we need to launch two of them, one for IDNs and one for SubPro. I'm saying this because I think that we can't really look at the non-objection to SubPro in isolation, because at the end of the day, until everything's done and dusted, we can't really proceed. That's the conundrum that we're in.

So we're currently looking at a 96-week duration for the EPDP. And we've asked staff to look at ways to cut that short wherever we can, because it looks like we have a couple of topics that are getting closer and closer to consensus, where we might be able to actually – we just need to transform a community-wide agreement into policy. And we can't do it via implementation, because that's something that created a lot of heat during the last round. Some of you might remember that we had the rights protection mechanisms that were discussed in the STI, and actually that was done in a matter of months. So ICANN has been very fast in producing what I thought were very good results. But

there was a lot of criticism, because that was deemed to be policymaking without involving the entire community and without the diligence of undergoing various public comment periods. And that actually sparked off the entire discussion about policy versus, as it was called at the time, implementation.

And we have a couple of tools where we can do work in the implementation phase, and I think these need to be carved out, these discussions, so that we limit the EPDPs to actually the questions that need policy development. And if we can be faster than 96 weeks, I think that would be a huge win. So that is a long precursor to saying that we should not object to the timelines that we're going to come up with in the GNSO Council. But rest assured that we're doing what we can in order to expedite things, so that we can move as expeditiously as possible. Rest assured we leave no stone unturned.

And the discussion even with the board members, which Avri and Becky have been with us for a considerable time yesterday, they are very constructive, they are very prepared, they are willing to listen to every argument that we present them with, they are willing to take innovative ways to make things as fast as possible. But we can expect non-approval for a couple of recommendations, we can expect that we issue clarifying statements on other topics. So it's all work in progress, all very fresh, so I can't give you a definitive answer. But if you could approve us not objecting to the timelines, that would be great.

SEBASTIEN DUCOS:

Sorry to interrupt, Thomas, just on this one, are there any questions? I have one. Especially for those of us who were not involved, would you

elaborate on the remit of the PDP effort as it would relate to those 38 items? Or are we talking about, for example, is the closed generic related effort separate from what you were referring to? How does that 56, did you say, week effort would relate to wealth spending?

THOMAS RICKERT:

I'm afraid I can't do that from the top of my head. There has been an overview. There are slides which we can dig out and circulate to this group, but basically they have created different buckets of recommendations. And there have been last-minute changes to that overview so that even the teams, the folks on the small team that does the triage exercise, hadn't seen or discussed them before we got them presented yesterday. So it's very much in motion because the board has decided very recently that some topics would not be appropriately dealt with with clarifications, but that they would rather expect them to be non-approved. So I can dig that out. I can't give you all the detail. But one thing's for sure, we only would require, as I see it now, we would require two EPDPs, one on the IDNs and one on closed generics, and no PDPs on other topics.

So on the DNS abuse topic, as you know, we do have the small team led by Mark and Paul, Paul McGrady and Mark Datysgeld, that is. And there was one topic that we've been discussing lately, which is the topic of bulk registrations. It looks like that is the favorite toy of ALAC in particular, if I remember correctly, that they frowned upon bulk registrations and thought that it would help a great deal if we could come up with more, if we would discuss in more detail and potentially do policy on bulk registrations.

So the small team or the council, based on a recommendation by the small team, has reached out to a couple of groups, ICANN Compliance, the DNS Abuse Institute, the registry and registrar stakeholder groups to provide input on that very topic. And it looks like no one really has a good definition for what makes a bulk registration. So is it like two domain names that make it fishy or five, ten, ten thousands, whatever the figure might be. So it looks like very arbitrary if you want to attach a number.

So everyone is struggling with the definition. And then the feedback that we got basically said there are other vectors that should be assessed. And it's not only the number of registrations and that you would need to look at account holder data, for example, and work with payment gateway provider to make sure that they don't use stolen credit card data for doing domain name registration.

So if I may humbly suggest to you, let's kill that. I think that the discussion based on the argument of bulk registrations was flawed when we started it. It sort of gets confirmed by the feedback that we got. And so I would suggest that we go into the council discussion and say, okay, let's end this and not do any further policy work on the subject of bulk registration. Any feedback from you guys? If you don't object, we would take that as a marching order, Osvaldo and myself, to request that this discussion is not going to pursue any further.

Okay, then accuracy. You might remember that the accuracy scoping team, the small team, has paused its work because it didn't really get anywhere. Particularly if ICANN should have a role in working on accuracy, ICANN would need to see data. And we don't yet have the

appropriate data protection arrangements in place between registries, registrars and ICANN. That's still a leftover from the EPDP phase one package of recommendations. In my view, it is unfortunate that this work could not be completed so far. It's not only relevant for the accuracy discussion, but it also holds up the train for other areas of work. And unless you instruct me not to do so, I will keep on pushing for completing that work. Because I think that part of it is ICANN's willingness to accept a role or any responsibility in the processing of registration data.

These discussions or contract negotiations on data processing agreements, or I would hope that that's not going to materialize, a joint controller arrangement. Those discussions are being held in confidence. So we do not know what the state of play is. But from what we hear through the grapevine, ICANN resists the use of the words controller and processor in these documents.

And that's sort of crazy. I mean, if you take a look at the GDPR, and I know that we have people from other jurisdictions, so I'm not claiming that the GDPR should govern the world, far from it. But since the EPDP work was sparked off with the kicking in of the GDPR, we can at least make reference to the GDPR if we want to find out what the legal requirements are. And if you look at Article 13 of the GDPR, which includes a catalogue of things that data subjects need to be informed about before their data is getting processed, first thing is you need to tell folks who the data controller is. And if we leave out that part, it doesn't promise to be something that could be compliant with applicable data protection laws. So that's unfortunate.

But I think that given that, it would be a good argument for continuing the suspension of the small teams' work for another six months, as currently suggested. But here comes the rub. I have asked for a small AOB during the last extraordinary GNSO Council call. I haven't asked you for permission to do that, and I hope you will forgive me for having done so.

But NIS2, the European Commission's new law, which includes requirements for registries and entities offering domain name registration services, as it's called in the law, which means registrars, resellers, and privacy and proxy service providers, requires those entities to maintain a database of registration data, WHOIS. It requires them to validate data elements. It requires them to publicize non-public registration data. It requires them to disclose within 72 hours non-public registration data to legitimate access seekers.

And if you look at the recital, the importance of accurate registration data is emphasized over and over again. And that's why we have the validation requirement in there. So data accuracy is of importance to the lawmakers. And this is a directive that needs to be translated into national law or transposed into national law.

And what we want to avoid is that we see different legal requirements in different EU member states, some of which might require post-validation, others might require pre-validation. We could have quite an unpleasant user experience of folks that want to go shopping for certain ccTLDs and gTLDs. And also it could be very unpleasant for registries and registrars, for that matter.

So since accuracy is so important and since we in ECO, we have submitted a comment on the NIS2 draft law, where we said, well, you're backstabbing the ICANN process because ICANN has been working on new approaches for dealing with registration data and now you come up with this law that sets the parameters for not only EU member states, but also for companies that want to do business with citizens of member states or individuals in the member states. So it's basically applicable to a lot of players around the globe.

And they actually, in the final version of NIS2, you now find a reference to global multi-stakeholder organizations that set policy and that these should be used by registries and registrars. Now, we don't have anything on accuracy, really. And this is why I've asked the Council to have a discussion on how to deal with that. And I'm not suggesting that the GNSO or the GNSO Council is the right place to have that discussion, because I doubt that we can come up with a policy soon enough before the national lawmakers come up with their laws, right? So the German lawmakers, for example, we have a draft of this new law on our hard drives already. So policy work is not possible. It will not be in time.

But ignoring the signal from the Commission saying that they would like the players to take on board the outcomes of global multi-stakeholder organizations, which is, they mean ICANN, right? So I think that we can't afford to say nothing. And therefore, I would like to make that same argument during the upcoming GNSO Council session and say we can't afford to miss the opportunity to respond to the European lawmakers.

And it can be the GNSO Council saying, well, we can't do anything about it, but we encourage a small team forming consisting of various

component parts of the ICANN community. It could be a small team that the Council sets up, so I don't know. But I think it would be good to have a document produced by the ICANN community and maybe put out for public comment, stating we acknowledge that ICANN's role has been alluded to in the recitals of NIS 2. We either have a suggestion on what we can do about accuracy or at least we could explain what's already been done because there was a huge accuracy discussion before the RAA 2013 was adopted. There were folks that were asking for much harsher validation, pre-validation of data before domain names could be used. And ultimately, the compromise that was found is what we now see in the AIA 2013. So we can't be too off because the governments have been at the table at that time as well.

So maybe we need to do a better job explaining what we do with the validation and what the impact of a failed validation is. And maybe we can then get away with continuing with the existing practice, or maybe we can come up with slight improvements on that that we could suggest as best practice, not binding policy in the meaning of a consensus policy, but maybe best practice recommendations.

So I want to throw this out there to you. I think it's important because many ISPs are falling under NIS 2 as well in their capacity as ISPs. Many of them also are registrars or resellers of registrars. So they might be addressees of this new law as well. So it's nothing that we can afford to ignore. So this has been quite wordy. I'm sorry for that.

SEBASTIEN DUCOS:

That was worth it. Thanks, Thomas. Just a quick note on your question. I think the question is timely. Maybe the council is not the right remit to

answer it. But I think it's good that we raise it there in my personal capacity. There was one thing that I might take exception with is the fact that down the road, you think that there may be variations across the national translations. Given the language and the directive, I would think that there's not that much room for interpretation. And I would think that the translations would be pretty much consistent, which does not answer the question, which makes it all the more relevant for ICANN. But I guess that contrary to other directives where the language was fuzzy, there are elements of it which are quite accurate. But it makes the question all the more relevant. I get that. That's what I'm saying.

THOMAS RICKERT:

If I may briefly respond, I think that we will learn more about the state of play with national governments since the GAC's Coordination Group has met in Lisbon in May. So we hope that some of their findings we will get to know during this week. But I guess the translation is not that much of an issue. The German lawmakers, they've pretty much just translated Article 28 into national law.

But the issue lies in the whereases, in the recitals, because the recitals explicitly say or include a menu to choose from. And whilst I hope that all the national laws will be agnostic and leave the door wide open and only regulate minimum requirements, it is possible that national governments are getting lobbied by whoever or that they see that their national ccTLD is something that they very much like and which requires certain steps that would take away that flexibility. It's probably unlikely, but it's not impossible that national lawmakers will prescribe

what needs to be done. And that would basically lead to that fragmentation that I mentioned earlier.

SEBASTIEN DUCOS: Thanks, Thomas. Fiona.

FIONA ASONGA: Good morning, everyone. Just a quick one to Thomas. When you say that ICANN is refusing to recognize the words controller or processor within the document, at what level is that happening? Because I think those are key principles. How data is handled has to be, it's important that it be identified who is handling what and how of the data. And those are very key principles in the data protection process, regardless of the GDPR in any data protection law and processes. So if that is not being recognized, then how is ICANN supposed to come up with a statement that will respond? Because I think for ICANN, therein is where the problem is. We need, as ICANN, to be very clear and to know that we may be playing dual roles. And as a result, that means that there is dual responsibility for ICANN being what it is, the way it's set up and the nature of what ICANN's mandate is. So in recognition of that, then ICANN has no choice. ICANN sort of has to accept the recognition of either a data controller or a data processor or both and come up with a statement that then goes out that gives guidance and direction on how all this interplays. Because in the absence of that, then there cannot be a response from ICANN. Then that means then we are left at—it's up to individual institutions, organizations, participants, stakeholders, staff, maybe of ICANN. It's really left to individuals to then be able to make a decision on how to incorporate any new adjustments within the GDPR,

within their systems in as far as handling of European data is concerned.
Thank you.

THOMAS RICKERT:

Fiona, excellent points. And how they do it, I do not know, because we haven't seen the drafts, or at least I haven't. But it is certainly unfortunate, to say the least, that we don't have these documents to take a look at until now. For those who have been following this discussion, I've been very vocal that I think that ICANN registries and registrars are joint controllers in this. And that's not just my personal view, but we had communication from the European Data Protection Board that clearly suggested, I mean, they didn't say it is, but they said, well, it's very likely a joint controller situation that we're in. But ICANN didn't really want to hear that. So that's where we are. But I agree.

SEBASTIEN DUCOS:

Yeah, we'll have to cut the conversation here, but there will be follow-up. If you could have some feedback of the conversation at Council, Thomas, that'd be great. Obviously, we're running out of time. We'll probably run over about five minutes. Just to say that we'll cover some of the items in one or two minutes, so that should be fine. Malcolm, you had a question.

MALCOLM HUTTY:

I did, if we have time. If we have time. No, well, it was going to be on a slightly different subject, and it might not be the thing. It's about the scope of accuracy scoping. Although I would say that on the last point, I entirely agree with Fiona. We need to tie ICANN down to actually

what's happening and then legal status is then a matter of legal interpretation. But regardless of what ICANN chooses to write in terms of words in their documents.

But the question I actually wanted to raise was about the scope of accuracy scoping and the meaning that is given to accuracy whether that's being refined or extended or anything, what accuracy actually means. I think there's definitely sensitivity in there. And there's an area that I would be particularly, or a couple of areas I'd be particularly sensitive about myself.

So when TLDs have a purpose for which they're created, is the compliance with that purpose considered a matter of accuracy? Or is there any discussion that it might be?

THOMAS RICKERT:

In the small team, we didn't have a discussion to that effect. And unfortunately, NIS 2 doesn't shed any light on what they think accuracy should be. So the NIS 2 directive requires a couple of data elements to be collected and further processed. And the validation of email address or the validation of at least one data element is required. So they are obviously not expecting the full set of data elements to be validated. Although they say that the data should be accurate, that's in the database.

I think when it comes to the general definition, there are two schools of thought. One is that the data elements need to be correct in a sense that if you identify as Malcolm Hutty and you have a typo in your name, that the contracted party should identify that error and be able to rectify it.

Because then your details wouldn't be accurate. And even worse, if you identify as Thomas Rickert, although you are Malcolm Hutty, that should also be identified during the process.

The other school of thought is that accuracy as far as technology providers is concerned is to ensure that the data as provided by the inputter is processed in an accurate way. So that it doesn't undergo any undesired changes due to flaws in the technical systems. So if I have a typo in my name, so be it as long as the contracted party accurately processes the data. It looks like the Commission is of the view that the first definition is the one that they seek to apply, i.e. that the individual or the entity registering a domain name is the one that actually is listed in the registration data.

I've been doing a little bit of research on that in legal literature, and it looks like the requirements are sort of fluid, that more diligence needs to be applied by the controller or processor, the more sensitive the data is that they are processing. So if you are dealing with health data, you need to apply higher standards to ensure that the data is accurate, or if you're doing scoring as an insurance provider that might impact your insurance policy.

MALCOLM HUTTY:

You mentioned healthcare. If there was a domain for doctors and I identify as a doctor, is it a matter of accuracy as to whether indeed I am not a qualified and licensed doctor?

THOMAS RICKERT:

Again, I can't recall. We had a discussion to that effect in the small team.

MALCOLM HUTTY: The feedback I would offer is that if the discussion does go in there, please wake us all up that aren't following so closely to that, because that is a potentially highly—opens some very sensitive doors if that becomes a matter of accuracy in terms of the authority that's being given to the accuracy whole work area, if it is enforcing those kinds of things, it's tantamount to the one where I would really have errors, which is compliance with PICs.

THOMAS RICKERT: That would be my take on it. I think it's a separate discussion. If a registry has eligibility requirements that are either totally apart from the ICANN processes or if there are registry voluntary commitments or PICs—

MALCOLM HUTTY: It might be written into the registry definition, yeah. Enforcing the registry definition through accuracy is a very sensitive area, because it brings into question the whole issue of the extent to which ICANN should be enforcing requirements on registrants that are not within the traditional areas in which ICANN has had direct authority over registrants. You know what I'm talking about.

SEBASTIEN DUCOS: Thank you. I'm afraid we'll have to cut the conversation. We'll have another 15 minutes. But just to summarize on your question, which was your initial comment, Thomas, I think it's timely, so feel free to use your

flexibility at council to do such things. Thanks for the update. Any other questions, by the way? No hands on Zoom. Osvaldo?

OSVALDO NOVOA: Just a small update to remember that there is a motion to commemorate Pam Little in the council. I think it's an important one.

SEBASTIEN DUCOS: Yes, absolutely. Thanks for the reminder. Osvaldo, I think there will be an opportunity during the Excellence Award ceremony to pay tribute to Pam. Off the top of my head, I don't know when that is planned this week, but please keep an eye on the schedule. I think there's going to be something at council as well on Wednesday with the motion. Thank you.

So moving on with the agenda, I think most of the other items are for information. But on number five, we just wanted to give you a brief outlook on preparation for the outreach event for ICANN 78. Lars, would you mind helping us do that?

LARS STEFFEN: Yeah, happy to give a brief update. So yes, we are already working on the preparation for the ICANN 78 meeting in Hamburg together with Chris, his team and the ICANN meetings team. So thank you very much for the very close collaboration on this. So we already addressed that we would like to have an ISPCP outreach event in Hamburg, also that we would like to have a room for this. There was the advice that we should go through the regular CSG processes for this also in terms of

scheduling, but the meetings team is already aware that we are planning to do something like this. I've also already shared a draft agenda proposal with Philippe that I would also be happy to share with the entire group after the meeting.

So with the meeting taking place in Hamburg, I think it would make sense to focus on some European topics like DNS4EU or also the NIS2 directive beyond Article 28. I think this is also relevant for ISPs and connectivity providers.

And as soon as I've shared the agenda proposal with the group, please feel free to add comments or suggest other topics that you think that are relevant so that we can put this together as early as possible and also that we can reach out to potential sponsors for this effort. If there are people in the room that are interested in taking that role, I'm happy to discuss this as well. But first, I think we should have a nice agenda proposal that we can use to address potential sponsors for this and then we can take the next steps. So thank you very much.

SEBASTIEN DUCOS:

Thank you, Lars. Any questions? Obviously, before you see the document, that's a bit premature, but it's already really well advanced, I found, in the comments I provided. So there's good work there. We need to reach out to potential speakers. I don't think it's going to be difficult to find speakers on those topics, especially in Europe, as you said. So it's in good hands. But maybe before the probably next week, we can share that you can share the draft agenda and people will be free to comment. Okay, seeing no hands. Thank you, Lars.

Moving on, on item six, not much to add to what we discussed this morning, which was the first session on closed generics. I shared the job framework, I think, yesterday, so we won't be discussing the substance of this. From my perspective, and I mentioned that during the public session, that was the ask from the board. It was such that the group would be mandated to find a sort of a balance between the, as I call them, liberal versus conservative approaches, which the group did. I think there was a lot of compromise put into the document.

There's certainly leeway for more policy work. There are, especially in the evaluation phase, if you look at the document, a lot of a number of Mays that will be spelled out in the policy phase that will come within a few weeks. But I think that that piece of work fully incorporates the ask from the GAC, although there's some frustration there, as usual, with this sort of effort, as well as some frustration on those within the GNSO who would like to see a totally liberal approach, say, without boundaries on applications. So that's why I'm saying that it's a good balance.

My goal in working on this was also to be as much as possible consistent with what was approved for SubPro, not to have a new track, but on a separate one. So that in terms of both public comments or review of applications in general, that's not a totally newfangled mechanism that we would produce for something that would be consistent with what has been had been approved already. I think it's again there, it strikes a balance.

So to cut it short, we have a few weeks, probably a month to provide our comments on this. I think we should put together a small team for

those of you who haven't, who wouldn't have read that, could provide your comments to the document and get back to the dialogue team for inputs. So we could, within the next few days, the interested members would express their interest on the list and we can put that place together. Because ultimately that will come to council as far as the next steps are concerned anyway. So we'll do that. And I would certainly encourage you to attend the session, which is planned tomorrow, I think. Any questions on this?

Okay. Moving on. NomCom rebalancing. That's just to restate that we want to respond to the board's question by the end of June. So we'll probably schedule a couple of calls between now and then to provide our feedback. As we said during the last call, those of you who sat on NomCom would be welcome in that group. Any questions? Yeah, Christian.

CHRISTIAN DAWSON:

Just having read the desire of the rebalancing, I just still think it's weird that ACs get votes. I don't know if there are other areas in the ICANN space in which advisory committees get votes. And I don't know if it really is weird, but to me it seems weird. And I'm hoping that as we move forward, we'll at least take a look at that. Like the GAC gets a vote. That's weird. I don't think the GAC votes anywhere else.

THOMAS RICKERT:

They can vote in the empowered community if they choose to be a voting participant. But that was quite a discussion because we wanted to avoid that they can take two bites of the apple by issuing consensus

advice and then, as the case may be, vote in the empowered community. But the point is a very good one. And I think that we should probably form a view on that at some point. Because I think that the topic might be equally relevant, particularly for the GAC. If they can chime in on the people that are sitting in certain committees and then still issue consensus advice to influence the policy outcomes, to put it that way.

CHRISTIAN DAWSON: Thank you.

SEBASTIEN DUCOS: Thanks. So we'll take that to the team. Let's close this. Before we adjourn, I just want to note that in the public comments section on the website, you may have noticed that there was one comment related to the ISPCP charter review. I think it reads like a somewhat generic comment that was provided. Maybe there are things that we can incorporate, but I don't think that's really tailored for this revision.

CHRISTIAN DAWSON: So there are 15 days left in the public comment period, and thus far we have only had one comment. I agree that it's relatively general sort of notes of caution. It does look like, I mean, he has specifically referenced a couple of things that we actually wrote within our documents. So I don't think it's completely boilerplate. But I don't think it's something that's going to be disruptive to our goal of getting things passed.

SEBASTIEN DUCOS: Thanks, Christian. That was also my impression. Thomas.

THOMAS RICKERT: Just before we adjourn, I just wanted to acknowledge Paul McGrady was sitting in the back of the room. He is the NomCom appointee for the Non-Contracted Parties House. And I think we all much appreciate that you take an interest in what we're discussing in the group that you're allocated to. Thank you so much.

SEBASTIEN DUCOS: Thanks, Thomas. And thanks, Paul, for sitting in our back. I didn't see Paul. AOB now. We had one. Christian.

CHRISTIAN DAWSON: We do. So Susan and I with Joe Catapano have been working for a few weeks now at trying to build an ISPCP outreach session here at ICANN for this meeting. And there is one happening and it is tomorrow at 9:00 AM in the Capitol/Congress room.

Now, let me give you one sort of note of caution. We've done a really cool job, I think, of pulling together a good target list and some good materials and agenda for tomorrow. But it took a long time for ICANN to get us a space. And so we didn't actually get the invites out to the end of last week. And I'm a little bit concerned that it's not going to be a packed house. We're getting the message out to a few people and I think it's probably going to be a casual sit down with a couple of people over coffee, which is fine, which is great, because if we are expanding the interest with people, even through the emails and them being invited is

a good thing. I'm still happy that we went to the effort of pulling things together. But there is an outreach event tomorrow at 9:00 in the Capitol/Congress room. I will send the note to the private list so that you can all be there if you want. That being said, with the expectation that there will be a couple to a few ISPs there, we probably don't want to overwhelm them with the entire team as well. It might be a little bit overwhelming, but know that the effort's been there. Lars, I look forward to your outreach event. My big recommendation there is to get a room really early.

SEBASTIEN DUCOS:

Thanks, Christian. Appreciating the tight schedule.

CHRISTIAN DAWSON:

And since Joe did a wonderful job helping us pull that together, is there anything else that you wanted to add or any characterization that you think is ...?

JOE CATAPANO:

Thank you, Christian. I think most of you know me, but I do see some new faces. So I'm Joe Catapano. I'm the senior manager for stakeholder engagement, mainly focused in the North America region, but happy to be invited now to these ISPCP monthly meetings and support where I can.

I guess on behalf of the organization, I'll just apologize that it took so long to get the room. We did have several illnesses over the past few weeks, which made it a little challenging. We were able to get a space.

We do have some coffee and tea and stuff there. So I think it'll be at a minimum just a nice place for you and your guests to have some informal conversation. And the only other thing I would say is I do think we're off to a good start in terms of just kind of the planning and sketching out of what this could look like.

Obviously, we have Hamburg coming up. But again, in my capacity on the North America side, we also have two more bites at the North America apple coming up, so to speak, if I can use kind of a U.S. term. It's obviously we have San Juan in March and then Seattle further down the line.

CHRISTIAN DAWSON:

Joe, I want to thank you for that. And I also wanted to make sure that people understood that Joe was ahead of the game and not only got us together right after the last meeting to build the infrastructure to help us come up with lists and target emails and things like that. And so Joe did a great job of helping build this infrastructure. And even if it's a small event tomorrow, you're right. All the things that we did are continue to be relevant for the things that we're going to do moving forward. So thank you for all your help.

SEBASTIEN DUCOS:

And thanks to you both. So I'll try and come up tomorrow. And that's just hopefully—I know that there are a couple of ISPs who would attend the ccNSO as well. Maybe they'll turn up tomorrow. Okay, anything else? We're two minutes late, but that's not too bad. We've been worse

than that. Any last comments? Okay, so with this, thanks very much.
And meeting closed. Thank you.

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