
ICANN78 | AGM – Joint Session: ALAC and GNSO Council
Saturday, October 21, 2023 – 1:15 to 2:30 HAM

YESIM SAGLAM:

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surname. You may be removed from the session if you do not sign in using your full name. With that, I will hand the floor over to Justine Chew, ALAC liaison to the GNSO. Thank you.

JUSTINE CHEW:

Thank you, Yesim. So I'm Justine. Welcome everyone to this session between the At-Large Advisory Committee and the GNSO Council. We try to do this at every meeting, but it doesn't always happen. But we always end up doing one at the AGM of the ICANN cycle of meetings. So I'm just going to start off by asking the ALAC chair, Jonathan Zuck, if he could kindly sort of just give us an introduction of who's coming in and who's going out because this is the AGM, so we're going to have a change of the leaderships on both sides. Jonathan?

JONATHAN ZUCK:

I didn't realize I'd be going first, Justine. Thank you very much. We have people coming and going, as you might imagine. And let me just open up the list so that I don't leave somebody out. Maybe let the GNSO go first.

JUSTINE CHEW:

All right then, we'll skip over you. Sebastien, please go ahead.

SEBASTIEN DUCOS:

So thank you, Justine. My name is Sebastien Ducos, and I'm the chair of the GNSO for just a couple more days. And so the first, we have four incoming councilors, three of which I believe are in the room. So we have a councilor incoming for the BC, for the IPC, if you could raise your

hand, for the registries, and one for the noncommercial who wasn't able to join us in person. I don't know, Peter, if you're there remotely. We also have a change of guard in the leadership because I'm termed out, and so is John McElwaine, who's the vice chair for the noncontracted. And so we have two new vice chairs stepping in, and a chair to be elected. Now, I shouldn't presume because the election hasn't yet happened, but Greg DeBiase, apart from being an excellent candidate, is our only candidate standing against none of the above, and I should hope that he will make it later this week. And so with Greg, we have two new vice chairs. We're trying something completely different this year. We're going for beardless vice chairs, very innovative. And so we have Nacho Amadoz, who I haven't seen yet today, and Tomslin Samme-Nlar, who I have seen, but I haven't seen in this room. If he is here, he can raise his hand. So that's the change on our end.

SEBASTIEN DUCOS:

Thank you. We have a number of incoming ALAC members, including Aziz Hilali from AFRALO, Shah Rahman from APRALO, Pari Esfandari from the EURALO, Lilian Bruges from LACRALO, and then there were some that came as a result of, we have a special situation like the board that some people come to the ALAC via the nominating committee as well. And here we have Bukola Oronti and Justine Chew and Claire Craig, who are joining the ALAC at the end of this meeting from the NomCom. And my computer is still refreshing on the people that are leaving us. But are they really leaving us? That's really the question. Does anybody ever get to leave?

Yes, so and then departing is Raymond Mamattah, Dave Kiskoondoyal, Maureen Hilyard, Naveed Bin-Rais, Mathias Hudobnik, who's now joining the SSAC as our liaison, and Laura Margolis, who will be joining, becoming the ccNSO liaison as well. So thank you and welcome to all of you.

JUSTINE CHEW:

Thank you for that, Sebastien and Jonathan. I hope you take the opportunity to actually go up to the relevant people and say hello. It's important that you have the opportunity to say, meet the person, put the face to the name. I always try to do that anyway. Okay, so let's move on to the substance of the call, or the meeting, sorry. We have three items on the agenda, so I'm gonna try and time it in such a way that they have equal attention. And how we're gonna do this is we typically have a speaker from both side. In this case, most of the three items is going to be, GNSO will come up with the, will start the issue, and then there will be a commenter, typically from the ALAC side, and I will try to reserve some time for questions from the floor. So starting off with the Quebec issue. So maybe I hand it over to Sebastien straight away.

SEBASTIEN DUCOS:

Yeah, happy to. So as everybody would know, earlier this year, the beginning of the summer, Northern Hemisphere, we had the close of the comment period on phase one of the IDN EPDP. And in these comments came the issue of .Quebec, who was not seeing any answers to their request. Their request being they have a .Quebec without an accent, and wanted to be able to apply for .Quebec with an accent, knowing that without any particular solution to this issue, given that it's

not a variant, and I'll get into the, maybe the nitty-gritty in a second, but basically it was a TLD that would be refused because confusingly similar to an existing TLD.

We have looked first at this problem through the prism of the EPDP itself, who looked at it, looked at the problem, and I had a number of interactions with them. Looked at the problem and said, well, that it was technically not a problem of variants. In Latin scripts, there are only two recognized variants, and accents in general are not, or rather they are technically listed as variants, but they're listed as blocked variants. So whatever the EPDP produced to allow variants at the top level and now working on for variation at the second level doesn't apply because these are blocked variants, and so we can't use what they've done. And for that reason, they pushed back and said, this is not part of our task. If you wanna deal with it, go and deal with it somewhere else.

And so it's back on the council's table. I wanna be a bit careful because we haven't had time to have that discussion. We will have that discussion later this week. Please follow our session if you are interested. I don't wanna speak to it in too many details before I've heard my fellow councilors on it. I've already heard a few voices in either direction. One of them would be possibly to run a PDP that is as narrowly defined as possible to resolve not the Quebec problem, but the issue of diacritics in Latin languages, or sorry, in languages that are written in Latin script, which goes from Latin languages all the way to, most European languages all the way to Vietnamese, for example. And having that problem, finding a solution that is parallel and very similar to the one of variants because we don't wanna surprise the market with different solutions to the same problem because there's a huge amount

of work that's already been done in finding a solutions for the variants. And we wanna be able to surf on that, be able to limit the amount of additional reinvented work to make sure that we're there. That's a solution, a path, a policy path.

Now, policy path in our language means years. I think that we went through the exercise earlier this year of seeing what the shortest possible policy path would be on the theme of closed generics that I won't discuss here. And that in itself was already a year and a half, two years, the shortest path. That is with discussions where we walk into the room, discuss for two weeks because everything is pre-agreed and then go through the motion of public comments, of re-digesting the public comments, the different votes, different levels. Things don't happen overnight. Which means that by definition, this is not a problem that is gonna be resolved for the next round. And that's a decision that's already been taken at council level. If we look at it, it will be for a future round. If we look at it in a policy way, it will be for a future round.

The second opinion that has been floated on this is that it possibly doesn't need a policy in itself. That these are very narrow cases that could be resolved either through implementation and particularly implementation or resolution of the, sorry, string similarity panels, that sort of idea. We need to discuss that. I know for a fact that the current— an EPDP, again, sorry, an IRT is not in the hands of council. The IRT is in the hands of ICANN org. And I know that the IRT team doesn't see this as being their problem to resolve. They see it as a policy problem. So discussions to be had again on this. We're looking at it. We will have a session later this week, I believe on Wednesday, where I will go deep diving into the technical reasons behind it, or some of the technical

reasons behind it to explain that it's not an open and shut case. And that's where we are. I hope and I'm looking around my fellow councilors, I hope that I'm not misrepresenting the different views, but we still have to discuss that. Now, I see Olivier that you're the [co] on this one. So if you had questions or comments, please go ahead.

OLIVIER CRÉPIN-LEBLOND: Yeah, thank you very much, Olivier Crépin-Leblond speaking. And I find myself in this strange position that I have to ask a question for an answer that's already been provided. So I'm not quite sure what else I can add to this. Thank you for taking us through this. The At-Large community has been involved with IDNs for an extremely long time. First, advocating for IDNs before the concept was even in people's heads. And of course, afterwards being involved with the label generation panels, the LGR panels, etc., for many, many scripts. And of course, acknowledging all the great work that has been done in ICANN by across all of ICANN's communities.

When it comes down to the case that we have in hand here with the Latin-based, Latin script, accented characters, etc., there is one thing which I had a discussion with a colleague of mine a couple of days ago. And one of the things that did come out was that the label generation roles are usually, they're script specific, they're not language specific. And looking at the European languages and non-European languages that use the Latin character set, one complication is that in some languages, the accents make a very, very big difference and in others, they don't. So my personal view, and I haven't discussed it with any colleagues and At-Large, is that it's gonna be very difficult to have a one

size fits all scenario where we say, well, here's the policy that covers all of the Latin-based languages based on the script. And therefore, what you are presenting at the moment as to what the GNSO might explore as options to resolve this it seemed to be very viable avenues. So thank you very much.

SEBASTIEN DUCOS: Thank you. Do I see any other hand or question?

JUSTINE CHEW: So I guess one extra comment about this issue in the diacritics is currently where council stands, if I believe it's correct, is that the potential is that there's going to be a request for an issues report to study the issue, right? So we take a holistic view at the issue and see whether there can be, well, number one, whether there's a problem to be solved, and number two, how wide that problem is and how we go about solving it. Is that still the correct understanding or is this something we're gonna be discussing at council on Wednesday?

SEBASTIEN DUCOS: So yes, it's basically the position. For those who've enjoyed our many presentations where we had that Z graph of the process, it's basically square one. That's where we are. The discussion on Wednesday is gonna be on that, but try to open a bit the intricacies of it. I don't propose to present an issues report because it has to be drafted, but try to unveil a bit what's behind it to explain that indeed, as you've said, it's not a simple problem. It's quite a vast topic to discuss.

JUSTINE CHEW:

And I guess for the benefit of people in the room, when it comes to issues report, it's actually ICANN Org that generates it, is my understanding. So the question then would be, is there opportunity for the community to provide input into that process somehow to make sure that we are comfortable with the issues that are being raised and we're not leaving anything out that may possibly be left out? So that's an open question. I don't expect an answer right now. So I'm gonna go to Mark.

MARK DATYSGELD:

In this particular case, it might be that Quebec is a unique artifact of the previous round. That is one of the things that I've been trying to suss out currently with the other councilors. If anybody knows of other cases that would apply of this, it would be very helpful to revert to us because as far as my research so far has been going, maybe that Quebec really is a little bit unique and it's something that we would benefit from having information even right now. Seb.

SEBASTIEN DUCOS:

Yeah, very briefly, there are, I don't have them all by heart and some of them are in German. I'm not gonna butcher it here, but there's about five strings that were applied in the previous round that could benefit from this. My French native language, there are [inaudible] for example, also two brands that would have the same thing. What the difference is with Quebec is that we've heard them asking for it. I haven't heard of anybody else asking for that.

JUSTINE CHEW: Okay, I'm just gonna recognize the hands in the Zoom room. Susan?

SUSAN PAYNE: Hi, thanks, it's Susan Payne here. I'm one of the GNSO councilors. Obviously I'm speaking personally here. I'm not speaking for the council. But I think it's important to bear in mind and just in terms of managing of expectations, an issue report is shown on that Z as the sort of first stage, if you like, in the policy development process, but the point of an issues report is to determine whether there is an issue that requires policy work. So it's very much a kind of gathering of data and information and scoping. And it's quite possible that that exercise would identify that there is not an issue that justifies policy work. I'm not prejudging this, I'm just saying that that could be the case. If this, for example, were a situation where it's literally a situation of one or a couple of potential strings, we don't make policy for the edge cases and for a single applicant or a couple of applicants. That's, I don't think what we're here for and not a good use of our time.

And also, there are string similarity rules for a reason, it's because it's been determined that certain strings are confusingly similar to each other and that raises security and stability issues and issues of confusion of the public. And so it's important to also bear in mind that those rules are there for a reason and not everyone gets the string that they want just because they want it. If it's already similar to something that pre-exists, they maybe have to go with their second choice. Again, I'm not prejudging, I'm just pointing out that string similarity is not

there just to block someone getting what they want, there is a reason for it.

JUSTINE CHEW: Thank you, Susan. I see Desiree, I see Louis and I'm gonna stop the queue at Sebastien. So, Desiree?

DESIREE MILOSHEVIC: Yes, thank you. So my opinion is somewhat similar to what Susan has said and others that the council has not started going, like having a proper discussion of where we are at the moment, so we are at the beginning. We would also like to hear what ALAC take on this is, I think that would be also an important input. But also I'd like to add a little bit of a personal color to this problem because in my opinion, I believe that some of these LGR rules have been made back in 2012 and there might be some policy work, we don't know. For example, if .Quebec is the same registry that already has the same top level domain name without an accent, to me it makes perfect sense that such domain names, which are called as technical variants, actually belong to the same registry holder. So I think there are some smaller things that we could look at how to change this and how to propose some rules for possibly next round so we do not end up in the same place where we are today. Thanks.

JUSTINE CHEW: Thank you, Desiree. Louis?

LOUIS HOULE:

Thank you very much guys for all the comments that I've heard today. It's very interesting to see that we're working on the Latin script because there's a couple of problems still remain. The first one of course is the nicest one, it's the accent on .Quebec. Maybe it's a unique case, maybe it's a short case solution that's possible with .Quebec. Maybe we don't need policies that will be going on and be adopted in four or five or six years. Maybe it's not an approach that would be appropriate for .Quebec that has been asking since 2012 for a name with an accent because the name with an accent is in French the official language of the guys who represent .Quebec and the Quebec nation. So there's some thinking around this that I wanted to share with you guys. Maybe there's a shortcut, maybe that we can work it all together and maybe it could be very helpful to see that if there's no other cases that are asked for like [inaudible] or those guys, maybe we can work on .Quebec and have a solution in the short term and we'd be very glad if it could be possible and our government also. Thank you.

JONATHAN ZUCK:

Thank you, Louis. Noted, I have Sebastien first and then Olivier. I'll let you have the last word.

SÉBASTIEN:

Since we are talking about the .Quebec, I would feel like it's quite normal to speak in French. I do not have the accent and I will not do it today but I wanted to say many things. Thank you so much to the GNSO to focus on this issue. I do think that we spent a lot of time on a very easy topic. The registries received an application for a name that we should be using but because of the universal acceptance, we could not

have used it and I don't think we are at the same stage as in 2012. I think we could move on right now. When I hear that it's similar, well, the truth is that with and without the accent, it is not the same. For example, in English, car and cars are two different things. So if people decide that things are similar in one language in a way of pronouncing it, maybe in other languages, it is different. So if in English you say car and car in the plural form is the same thing, well, for me in my language, it is exactly the same. So if we could stop this discussion, let's just give the .Quebec with an accent and I think we do have more things to be working on right now. Thank you very much.

JUSTINE CHEW: Olivier, you have the last say.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Justine. I was gonna say the exact opposite of what my colleague just said. So this is really terrible. You see, the French don't agree with each other. They never do. No, just to say thank you first for taking the time on this topic. And to the point that Susan made regarding this only affecting a handful of top-level domains, don't write policy for the past, write policy for the future. And we do have another round coming up. So if we want to avoid headaches in the future, we might need to look at this as soon as possible. Thank you.

JUSTINE CHEW: Thank you, everyone. I personally believe that is why we need the issues report to actually study the depth and the breadth of the issues or the problems, so to speak. And sorry, just in relation to Desiree's question,

ALAC did send a correspondence to Sebastien on this issue, so you might want to look that up in terms of what ALAC's position is. Okay, so let's move on to the next topic. Time's running. And this is on SubPro, subsequent procedures, my favorite topic.

Okay, so just by way of background for Paul, because he's going to be the speaker for GNSO. I have, in earnest, tried to keep the At-Large folks, and especially through the Consolidated Policy Working Group of At-Large, up to speed as to what's happening with the 38 pending recommendations that the board marked as pending, so not approved yet. I've gone through the motions of explaining the batch that has been approved now through the GNSO Council's first clarifying statement. I've also mentioned the fact that GNSO Council has now settled on the second clarifying statement to deal with the batch of 10 on RVCs, PICs and RVCs. So I think the question, and at some point in time, I'm gonna invite my colleague to pose some questions as well. I suppose if you could provide us just a very high-level update on where you see the work of council and the work of the small group on SubPro, small team on SubPro, going ahead with the rest of the other ones that have not yet been approved or has not been adopted by the board. Thank you.

PAUL MCGRADY:

Thank you, Justine. Paul McGrady here. Hello, everybody. I'm glad that my work doesn't require me to be a linguist or a political scientist after having listened to this last discussion on .Quebec. Thank you, Justine, for catching everybody up on the various clarifying statements. So that leaves us with just a handful of remaining issues that the small team will be focusing on. And you're gonna be hearing a new phrase called a

small team plus. And so I'll step back. It's, everything's branding, right? First of all, we'd like to get rid of the SubPro trademark. Nobody knows what that means. So we're gonna start calling it next round in spite of ourselves. So the next round small team is going to be morphing into the small team plus. And just let me talk about that for two seconds so that if I use small team, I'm really, in terms of the future, referring to small team plus.

What that means is that this work so far that has been done by a small team of the council, but we're now at the point where we've essentially triaged these. We have worked with the board to get them the clarifying statements that they need to get the vast majority of these things on their way. There are a handful of things that remain, some of them quite technical, having to do with contract issues, some of them quite interesting to the broader community, for example, applicant support, which everybody in the community seems to be for. And so we're trying to get the board to open the purse strings a little bit. But we're definitely at the point where the council believes that its work can better be done by morphing this team into the small team plus, which means that ALAC and others in the community will be invited to send their very best people who are interested and up to date on this topic and to join that work. That work also will ultimately, we believe, include more public input, so likely a public comment period, perhaps webinars and all those things. We have the next meeting of the small team shortly after this meeting where we're gonna be working on our approach document to finalize that and then shortly after that you'll be hearing more from the council about how to send your folks in. So that's the background. So as we think about that small team plus getting together, we have a

handful of things that remain and we are going to be looking, as I said, specifically at several of these topics. I don't wanna bore you with too much detail, but at a very high level, there remains some questions about waivers from some of the contractual requirements related to the PICS that have to do with single registrant TLDs. As I mentioned, applicant support, everybody's favorite topic. We're looking at, essentially, how do we get more earlier to encourage applications from those who need the assistance and we'll be taking a look at some string of similar evaluation questions as well.

So what does that mean in terms of next steps? Well, as I said, the next steps will be for us to sort of, not reconstitute, but expand a bit to have more input from the community and so some of you in this room will likely be joining us because I know you guys love the next round and all these little details that we've gotta work out and also some of the big details, especially around applicant support. Justine, is that too high level or do you want me to get into some of the nuts and bolts? I hope you say no.

JUSTINE CHEW:

No, I think that's fine. I think that's fine. We might have questions on the floor for you for more specifics. So I think I'll invite Tijani first as our ALAC rep on this topic. Comments, question?

TIJANI BEN JEMAA:

Thank you, Paul. So those small teams, there are tracks now in these small teams and the applicant support program track is very hugely populated, a lot of people in it. I hope that there are not people who are

against the support because in 2012, our group was populated also by people who didn't want this program to succeed and we put very tough criteria, very tough procedure so that no one was supported. I hope that this time with this very huge group of people who will work on that, I hope we will try to find the best way to have the most number of people who are supported and really supported, not applying to support and at the end, not supported. Thank you.

PAUL MCGRADY:

So there's a phrase in the US, it's amen, brother. So I think that we have a lot of alignment on this as a community. I even think that, and I'm not a member of the board, not speaking for them, but I even think from what I understand, most people on the board are trying to find a way to do more here. They've told us that they're cooking up their own ideas. The ICANN staff, the IRT staff say they're cooking up their ideas, they're gonna come and talk to the small team plus about what those ideas are. I think that in terms of the small team, now I've heard nothing but support for the idea that we need more and different. There is the ongoing work of the GGP on applicant support, which is sort of different than the substance of the dollars. And in that work, they're looking at how to publicize the applicant support program, the metrics involved, how do we increase the numbers from zero to something sizable. And so I think there's a lot of community inertia towards fixing this problem. We just have to come up with something that the board says they can do without running into legal problems. So we're gonna get creative. So send your best people.

JONATHAN ZUCK:

I think it was one, not zero, when all was said and done, .kids. But with a lot of shepherding and handholding by .asia. And so I mean, they deserve a lot of credit for really carrying the support well past the application process. And I think it's a real indicator of the type of support that's necessary to make this kind of a program a success.

JUSTINE CHEW:

Okay, before I go to Jeff, I just want to interject and say that in terms of applicant support, we have to do a little bit of distinction between what's the work in the implementation review team that's implementing the applicant support program and waiting on results of the GGP, the GNSO guidance process in terms of implementation guidance, and what the GNSO next round small team is doing, which is dealing with the pending recommendations that have not been approved by the board yet. So there's a slight distinction. There is immense overlap, obviously. So we just have to be mindful.

In terms of the small team that's working off the council, with applicant support, I understand we're going to be discussing in more depth when we bring on the, I want to call SMEs, but you're calling the plus people. So we, the ALAC, as you know, have put forward a proposal on how we should look at making sure that there is sufficient applicant support resources to make the program what it's meant to do in the first place. So I personally, I'm on the small team, so I personally am looking forward to having a few more colleagues on small team plus to discuss that proposition that we have. Jeff, thank you.

JEFF NEUMAN:

Ditto, Jeff Neuman. That was my comment. You took exactly what I was gonna say there. We should probably produce a document or something that's discussing the different paths. You know, right now, there's been a number of applicant support recommendations that have already been approved that are being implemented. And then there's only a small but hugely important issue that the small team is looking at. So I think we should probably do a better job as a whole of explaining to the community which issue is where. But you basically said it, Justine, thanks.

PAUL MCGRADY:

So Justine, thank you. Paul McGrady again. So yes, right, there is the ALAC proposal. There is a proposal coming from the noncommercial folks through Tomslin. There is the work of the IRT staff that they would like to present to us in the hopes that maybe that solves our problems. That would be great. We are definitely at the point with the small team plus that all ideas are gonna be onboarded. And so yeah, thank you for that, Justine, to just remind everybody that there's a lot of different inputs coming from different folks. I will say, if I were a betting man, which I am not, that the applicant support is going to be the bulk of the work of the small team plus because the issues that remain are somewhat technical. And related to contracts and other things like that. So like I said, send the folks that are the most informed, the most interested in this topic, the most willing to work because I do think that it's one of those rare kumbaya moments for the community where it seems like everybody's aligned on this particular issue. So I'd love to get a great result, thanks.

JUSTINE CHEW:

I don't see any hands up in the room. There's no hands in the Zoom room either. Anyone else wants to say anything before we move on? Or are we just gearing up for this small team plus to start? Come on, let's go. Okay, if that's the case, then thank you for the discussion on that topic. We can move on to the last topic, which is on the registration data request service, RDRS. I'm not gonna go into which iteration that name is. I'm hoping that my colleagues from GNSO take care of that. So do I have Greg or Sebastien?

GREG DIBIASE:

Sure. Thank you, Justine. This is Greg DiBiase for the record. So if you'll recall, the council sent recommendations to the board regarding a standardized access and disclosure system. There was an ODA which determined that this would be prohibitively or very expensive. And before proceeding with such a system, the board needed more information, right? Needed more information on demand for such a system, for example. So the idea was to create a more lightweight system, which became the registration data request service. And now it's RDRS, it's on a pin now, so we can't change the acronym anymore. So the idea is just to have a centralized place where people requesting data that has been redacted can request, and those requests are routed to the appropriate registrar. And then the registrar can evaluate the request and decide whether to disclose. The small team has been working on this for a year and a half, kind of defining what the system looks like, what the metrics that they're gonna gather are, how these metrics can be given back to the community. And so now we're, I think,

at a pretty exciting place in which the registrar onboarding or pre-onboarding has begun. I think I might get these stats slightly wrong, but from this morning's session, they said about, I can't remember the number of registrars, but it was about 10% of domains under management. If you equate the number of domains all the registrars had were signed up. So it seems like good early progress considering there's still a sign up, or there's still some runway until the expected launch, which is due for the end of next month, or certainly by the end of the year, to launch the system and actually start receiving requests. The registrars have been doing a pretty aggressive outreach to get people on board because at the moment, this system is voluntary because it's not policy. It is a pilot to inform recommendations that are pending. So yeah, the team has done great work so far getting this very close to up and running. The registrars are signing up and then we will run this pilot, I think, for an estimated two years. And at the end of that period, it'll be reconsidered again. And maybe they'll find data that warrants the full SSAD. Maybe they'll say this current system works. We'll have to see on that. And then the last note, the small team that has been working on the design is gonna transition into a standing committee that will kind of address issues as they arise. Things like metrics, reporting, and addressing other issues as they come up. So that's the status update there.

JUSTINE CHEW:

Thanks, Greg. Sebastien, you wanna add anything?

SEBASTIEN DUCOS: Yeah, I just wanted to add one point. So as Greg said, indeed, staff informed us this morning that the registrars that had on boarded represented about 10% of the DUMs, the domains under management, which seems like a good start, but it's only a start. I just wanted to note that there's a number of registrars that pledged to participate that haven't for different reasons, including the fact that, for example, the T's and C's are not completely finalized, haven't yet technically [inaudible]. But if we hear the pledge of all those registrars, we're already encompassing about 45%, I think is what they said, 45% of the DUMs. And that's also all the registrars that we haven't yet heard from, but that the Registries Stakeholder Group is trying to onboard as fast as possible. Thanks.

JUSTINE CHEW: Can I call upon Alan?

ALAN GREENBERG: Yeah. I've been involved in ICANN for 17 years, and I found an almost infinite number of things to get upset about and hot and bothered about. This isn't one of them. The RDRS is almost exactly what the ICANN, what the ALAC gave advice to the board to do. The ICANN team that's been working on it has been a delight to work with. It's going as well as I can imagine. May everything else go like this. Thank you.

JUSTINE CHEW: Oh dear. Nice and short. So we may have run out of things to say. Any comments? I don't see any hands. Olivier, please go ahead.

OLIVIER CRÉPIN-LEBLOND: Yeah, thank you very much, Justine. I might be asking the question a bit prematurely, but is this new system likely to be less costly than the other one? And do we have figures or not yet?

SEBASTIEN DUCOS: So no, I don't have any figure to share with you. All I know is that it fits amply in the contingency budgets that ICANN has. It wasn't marked as a new line on the budget, but significantly less. Again, from memory, we're talking about over \$100 million. It's significantly less.

ALAN GREENBERG: And there's no charge to the users.

JUSTINE CHEW: Anyone else have a comment? Are we all happy, as happy as Alan with the RDRS? Well, it seems so. Yes, Jonathan.

JONATHAN ZUCK: I think one of the open questions is about the type of data that it stores and in what form it'll be made available to the community. And so I think that's part of the ongoing discussion so that we can do a real analysis as opposed to just reading reports that ICANN generates. So I feel like that's still part of the conversation that's ongoing, is turning this into a data, a public data exercise and what the implications of that are so that we can really perform surreal analysis on how things went.

SEBASTIEN DUCOS:

So I'm happy to answer that. This is Sebastien Ducos. I just happened, Greg presented, but to have chaired this group over the last year and a half. So we have agreed in the exercise of designing this on the type of data that we would be reported on, reported to, whatever, whatever article. We spoke about it yesterday evening. Jonathan speaks English probably a lot better than I do. But so we've discussed that and in general, it's aggregate data. In general, we are not reporting on private data. The system will obviously collect a portion of personal information and that's personal information of the requester or of the requestor, or the person that the requester is representing if that is also included. Potentially if a domain name has personal information in it, the personal information contained in the domain name, all that is gonna be in the system. The response, if a response is given, is not gonna be in the system. The response is given directly from the registrar to the requester outside of the RDRS. That is not stored. The information that is stored is the information that is relevant to the request that will be presented to the registrar. In discussions this morning, I confirmed that this would be stored for a period of time that is limited to strict necessary. But my understanding from what I heard this morning is basically the time of the exercise. So one to two years. This is not to say that this is information that we will be able to browse through and research and play with. Again, we've all agreed to do the studies and work on the reports, which is aggregate data. But the data will be stored for that period of time simply because legally we have to. Legally we have to not keep it forever, but we have to keep it for a certain period of time. So, and this is under advice of Ike and Legal who's been writing the Ts and Cs for this. So again, there will be storage of data. There will be information in there. But we're all clear on the fact

that this is not data for us to play with. We will be receiving and analyzing aggregate data on the usage. Thanks.

JUSTINE CHEW:

You guys pretty much stuck your hand up at the same time. So I'm gonna go with Thomas first and then Greg.

THOMAS RICKERT:

Thanks so much, Thomas Rickert for the record and I'm on the GNSO Council and also on the EPDP small team. And I think that it's great that Alan is so enthusiastic about this product, but this is just the beginning. And I think we should all be cognizant of that. We've designed this or we've been forced to design this in a way that is very basic so that we can afford it. But the SSAD or the related policy recommendations out of the EPDP had much more features that would make it much nicer, much more useful for both the requestor side as well as the contracted parties. So we want this to be successful so that we can then take the next step in the evolution and make it even more useful. But for that to happen, we need to make sure that we have happy requestors and happy disclosers. So both parties won't be in it if there's nothing in it for them. And this is something that I think we can all help try evangelize. So the benefit for the contracted parties can be that, those who've been working on disclosure requests will know that many of them are very poor quality. So you need to spend a lot of time going back and forth, even with trademark attorneys to tease the correct information out of them that allow for you to make a legal determination to then disclose data. And if this tool helps organize that better, the contracted parties get better quality data in the first place, and that helps for them to use

their resources more efficiently. It might expedite the process, and it might make the requestor side of things also more happy because they might get data more swiftly and less cumbersome than they otherwise would. So talk to your registrars that have not yet onboarded. You know, our ALAC friends, you all know registrar folks. Ask them to look into that, to onboard. The more join at the beginning, the better the chances of success are, because if it's only a small portion of the marketplace that joins this, it will not get the sufficient market penetration. So it's something that we can all benefit from. Let's try to advertise for it. And if you have ideas on how we can be better in promoting this, by all means, let us know.

GERG SHATAN:

This is very exciting. All of this is yet another kumbaya moment, and Thomas gave us a great sense of what could be in the future. I think this is an example of how starting by looking at the art of the possible rather than the \$100 million project can get you to a real result. And then you can build on that, and maybe it will never cost \$100 million, even with all the bells and whistles. But my question is about the data, or rather the participants, whether there has been any discussion yet of having privacy and proxy providers, and that would be both captive privacy proxy providers that are affiliated with registrars, as well as standalone privacy proxy providers, if there are any of those left. Because that's a lot of, if you will, the real data is in their hands, and not necessarily in the hands of the registrars themselves. Thank you.

SEBASTIEN DUCOS:

So this is Sebastien Ducos, and I'm very much speaking in my very own very small capacity here. So the exercise here is based on policy work, but it's not implemented policy, so it's all voluntary, we all agree. As you rightly pointed, if they're not one-to-one, there is a number of relationship between registrars and privacy proxy, but these are not the same entities. So we have discussed this, and indeed we find here an issue that we recognize and we acknowledge, and that is that there's a large number, particularly recently in the last few years, of registrations that go directly through privacy and proxy. And if this system is only there to reveal the fact that the large majority of new domains are privacy proxy, we don't even need to do it. So in the same way this is a voluntary exercise, I would, in my own capacity here, encourage those that have a link with a privacy proxy to try to work together on this. Not policy, it's purely voluntary, but I think that it would help the problem. Because indeed, if we very quickly fall into a wall and decide that there is nothing, we might as well close shop. It doesn't take two years to come to that conclusion. But again, this is my personal opinion. I happen not to be a lawyer, and I happen not to know what I'm talking about.

UNIDENTIFIED SPEAKER:

It's redacted data which is within scope because there are existing policy recommendations that have a mechanism to reveal that redacted data. Currently, there are not existing policy mechanisms to reveal privacy proxy. So perhaps down the line, or as Sebastien said, there can be voluntary efforts, but that is work that is in the future, I think, largely.

JUSTINE CHEW: Marie?

MARIE PATTULLO: Thank you. Marie Pattullo for the BC, the Business Constituency. Firstly, I'd like to answer Paul's question in chat. Nominate Paul to do the rebranding for the DUMs because he's good at branding. But back to this, I would like to follow up on something Thomas said, where you're talking about having better quality requests and thus better quality responses, which I think we all agree is what we need. But something else that I hear very often from the contracted side of the world is that the guys with the good guys are the ones who show up to ICANN and get involved in the process. And the bad guys, we know some of who they are, are not here. Now, my concern going forward here is the guys that are for want of a better term, that are for want of a better terminology, the not good guys, the baddies, if they do not sign up to whatever the acronym of choice is today, RDRS. Let's just take an example. Let's say that you get 10,000 requests, all to do with domains managed by a baddie, but the baddie's not there. So what happens to those requests? My understanding is they just disappear into the ether, but I'm not seeing how that helps us because it would help the contracted parties as well as the noncontracted to know who we should be targeting that we can actually get to. I hope that makes sense. Thank you.

JUSTINE CHEW: Yeah, this is Sebastien again. A very good question because it was fresh, discussed this morning. And many of these things went in iterations, but

we discussed it again this morning. So two cases. The first, so the process will be I enter a domain name that I'm seeking information on. The system will immediately, through the open part of WHOIS or RDAP, be able to identify the sponsoring registrar. And at that point, they will decide is the registrar part of the system or not. And the user will be informed of the fact that the registrar is or is not, but in your case is not. At which point, they will be invited to still fill in all the information because the template of the information, the form that we're using, has all the information that Thomas was referring to that would be helpful for that. And then you can basically print a PDF and send it to yourself to the registrar. The information is not stored on the system. It is only there temporary to produce the PDF, but it helps you sending to that registrar something that is still fully compliant with what the registrars think is the model form. That's first thing.

The second thing that came into discussion this morning is the fact that actually we are gonna have some data on that. So we are gonna keep at least, the system is gonna keep at least the domain name, or is currently keeping the domain name and the relevant registrar, the sponsoring registrar. It's important to not just have the domain name because obviously the domain name can move then, and then we would have the registrar six months later when we're looking at it. No, we'll have the registrar at the time. Right now, because there was a bit of confusion on it, I think that ICANN Legal is still looking at this, so I don't wanna promise it, but right now the way the system is designed, it's keeping both, and we'll be able to report on both. What we don't wanna get into a situation of is name and shame nonparticipating registrars. I don't wanna disincentivize the ones that are ready to play by playing that

game. So that's very important. But we do believe that there might be something indeed in there to go and knock on the door of those that are not yet playing and say, "Hey, I've got a number of requests here. You might be receiving them through PDF. Why don't you come and play with us and we'll have that?" So we wanna keep that, but again, there was discussion this morning that was, I think that ICANN Legal wanted to make sure that it was all done within the borders because there was a bit of a disconnect there between what they understood and the technical implementation as is today. But yeah, been discussed and it's a good point. We wanna be able to have that. Again, no naming and shaming, that's absolutely out of the question that we'll be shooting ourselves in the foot.

JUSTINE CHEW:

Alan.

ALAN GREENBERG:

Yeah, thanks for killing my euphoria. Two quick comments. In terms of the requiring registrars to use this system, in theory, if we had an easy way to enact quick policy that everyone agrees with, we could make a policy saying that we could make a policy saying the RDRS, like the SSAD, must be used. It's even conceivable the GNSO Council without policy action could decide that the relevant recommendation about the SSAD applies to RDRS, but that's a bit iffy. In terms of the privacy proxy, it's interesting that several large registrars decided very recently to make privacy proxy services free and applied them to everyone. That clearly exacerbated the problem, but fixing the problem is a real policy issue, and I don't think we can get around that, and it's not one we're

likely to address very quickly. So it does affect the impact and the benefit, the positive benefits of RDRS, that a large amount of data which might have been revealed by it or the SSAD, now are gonna go unknown. Thank you.

JUSTINE CHEW: Thanks, Alan. Any last words in response? Olivier, yeah.

OLIVIER CRÉPIN-LEBLOND: Thank you, Justine. Forgive my ignorance, but what is the basic default if one does not participate in the new RDRS? Does a query revert back to WHOIS, or will who is be taken out of service?

SEBASTIEN DUCOS: So again, RDAP still exists, WHOIS still exists for a few years, but there are means for you to go directly to the information that will stay. The system as it's designed, you put your domain name. If the registrar is not participating, all you can do is to fill in that form to go and print it, and you're on your own. There is no then automated or anything like that. There might be a link in there, a quick link to the RDAP and the system, but it doesn't ... We had to implement a system that could be designing and done in the timeframe. We had nine months to do it because ICANN wanted their developing forces back as soon as possible to work on SubPro. So we were limited in the scope of things that we could be doing. Again, as Thomas said, if we can demonstrate quickly that this is a success, we might have more resources to go for bells and whistles, but that was a bell and a whistle.

OLIVIER CRÉPIN-LEBLOND: So if WHOIS gets taken out of service a few years down the line, there will be less information available online than there currently is, I guess. Because at the moment, even GDPR masked domains that you do get registry information and so on, which is useful—

SEBASTIEN DUCOS: RDAP has been working already.

OLIVIER CRÉPIN-LEBLOND: And that remains, okay, cool, thank you.

JUSTINE CHEW: Let's do Alan first and then Eduardo, yes.

ALAN GREENBERG: Yeah, to be clear, Olivier, RDRS, like SSAD, was designed to reveal the information which is redacted in WHOIS or RDAP. So they're two different levels. It's the information which due to privacy, due to GDPR was suddenly redacted. So it's not an issue of who RDRS or WHOIS, RDRS adds to WHOIS. If a registrar doesn't participate, that registrar is still required to respond to a direct request, but you can't do it through a common portal. You have to go back, go to that specific registrar.

JUSTINE CHEW: Eduardo.

EDUARDO DIAZ: Thank you. Do we know how many registrars have signed up for the system percentage-wise? That's the first question. The second one, are those that sign up have been, I mean, do you have it in terms of how big they are or smaller?

SEBASTIEN DUCOS: I would say the second question first, all I have is the number, the percentage of domains under management over the overall domains under management for GTLDs, and that was 10% today. We're looking at 45% by the time it launches because that's the pledge made by those registrars. I don't have the number. There's one thing about registrars is that you can count registrar accreditations, but it doesn't represent registrars. There's many bigger registrars that have many accreditations. You have those that do drop-catch and have hundreds of accreditations that represent only one. So it's hard, the DUM count is an easier evaluation. Right now, 10%, 45% by the time we launch, and we hope more.

JUSTINE CHEW: I'm gonna recognize Mark as the last speaker, and then we're gonna wrap up. Thanks, Mark.

MARK DATYSGELD: When we were talking about adoption, when we were talking about adoption of RDRS, what exactly would be the impediments to adoption? What are we talking about here? Is it just I don't like the system, or are there technical constraints and actual barriers that would befall upon the adoption of the system? When we say some will

adopt and some will not, what exactly would be the impediment there? Are we aware of potential impediments, or is it more of a posture type of thing? What is that? What does that look like?

GREG DIBIASE:

So I think, this is Greg DiBiase for the record, I think that's registrar-specific, but in terms of a technical reason, I think I recall some registrars explaining they have, for example, an existing ticketing system for this, and moving to this system creates operational problems. I think there's some people just trying to figure out the process behind it. So I think it's registrar-specific, and there are individual reasons, but there could be operational or even legal reasons for each. But hopefully we can find compelling reasons to overcome those.

SEBASTIEN DUCOS:

Just briefly. The base system is you go onto the portal and go and check what is incoming for you, and you answer. There is already one bell and whistle, for example, that's been added to it, a bell or a whistle, maybe, because it's one. The system will also, for those that request, send an encrypted email with all the information directly to the registrar, so the registrar, for example, can incorporate that with their existing ticketing system. That step we did. The step that we didn't do is the actual full API with all that, to be able to exchange, because it was too complicated. So again, those impediments might be today, if we see that the system actually has enough usage, we might go back to ICANN and say, hey, can we talk about the API again, because it's gonna make

sense, and it's gonna bring another 20% of registrars that are not participating, for example. But we're not there yet.

JUSTINE CHEW:

All right, I think time's up, really. So just by way of summing up, I'm not gonna take five minutes, but obviously the discussions on all the three topics have still life, there's still room for discussions, and I believe there's room for more close collaboration between GNSO and ALAC. I think we need to speak more, maybe, not just through me, maybe, have intersessional calls might work for topic-specific things. So I think that's possibly one of the avenues I might try and encourage in future. But I'm gonna give a little bit of time to Sebastien, one minute left, sorry, because he asked for it.

SEBASTIEN DUCOS:

Yeah, and I'll ask to say exactly what you just said. Thank you for nicking my idea. No, I've said that many times on the mic in the last year, thanking the board for the collaboration with the GNSO because it's been fantastic. On those topics that we discussed today, I was participating, I wanna talk also about DNS abuse. Yours truly here is absolutely fantastic, has been participating in all discussion, has been absolutely immensely valuable, so I'd like to thank her, and thank you on her behalf. Alan Greenberg has been doing the same thing on the IDRS, and same thing, thank you very much. All of those contributions are very important, and we welcome them.

JUSTINE CHEW: Thank you, Sebastien. Greg—Jonathan, you wanna have a last word as chair?

JONATHAN ZUCK: Greg is very insulted right now. But thanks so much, Justine. Other than just that last statement, you've done a marvelous job as being our liaison to the GNSO, and we couldn't have chosen a better one. And the fact that you've been able to get along with all these people, I think is really a miracle. So I think that really speaks a lot to your patience and dedication to the issue, and we all appreciate you very much. Thank you.

JUSTINE CHEW: You're very welcome, and I'd like to say to the incoming council, you have me for one more year.

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