ICANN81 | AGM – GNSO: BC Membership Work Session
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DEVAN REED: Thank you. Hello and welcome to the BC Membership Work Session. Please note this session is being recorded and is governed by the ICANN Expected Standards of Behavior and The ICANN Community Anti-Harassment Policy. If you would like to speak during this session, please raise your hand in Zoom. When called upon, virtual participants will be given permission to unmute in Zoom. On-site participants will use a physical microphone to speak. Please state your name for the record and speak at a reasonable pace. I will hand the floor back over to Mason.

MASON COLE: Thank you, Devan. Good morning again, everyone. Mason Cole here. Glad to have you all here in the room for our BC meeting. We have 90 minutes of meeting time today. You see the agenda on the screen. It's also in Zoom. If you have not logged into Zoom, please do that so we can manage the queue today. We have some guests with us, as you see on agenda items two and three, and then Steve will lead us through a quick policy calendar review, and then we'll have a moment of thanks for departing BC officers before we cover AOB, and we'll break it in noon. Any updates or additions to the agenda, please? Okay. Thank you all very much.

Our first presenter, we're going to dive right in. Our first presenter is Jason Keene from ICANN Org, who has generously joined us today to talk about where we stand on ICANN Review Support and ICANN Reviews and Accountability. Jason, I believe you have a presentation, and then you're available for Q&A.

JASON KEAN: That's correct, Mason.

MASON COLE: Okay. The floor is yours.

JASON KEAN: Great. Thank you so much, Mason. Thank you, everyone, for inviting me to speak about reviews today. I'm going to start off by going over the program in general, and then three of the main work streams that currently exist in reviews support and accountability. So, first, I'm going to speak about the Pilot Holistic Review, then the Continuous Improvement Program, followed by updates to the Operating Standards for Specific Reviews, which we're trying to accomplish in advance of ATRT4, and then just to highlight a couple of opportunities for participation and input throughout the process.

Okay. So, just a quick look at the ICANN Reviews Program. There're two major components. We have specific reviews, which are the four major reviews, Accountability and Transparency, Competition, Consumer Trust, And Consumer Choice, Registration Directory Service, Security,

Stability, And Resiliency. Those are the four main specific reviews. Then we have Organizational Reviews, which, for anyone that's been around a little while, has experienced those as well.

You can see a little construction icon here out of ATRT. ATRT3 issued a couple of very large recommendations. One, recommendation 3.6, was to evolve Organizational Reviews into a Continuous Improvement Program, and an accompanying review recommendation, rather, recommendation 3.5, called for the creation of a Holistic Review. And you can see the bottom right corner, there's arrows going back and forth between the Continuous Improvement Program and Holistic Review. Just like to highlight that although these were separate recommendations, they overlap significantly. So, we'll go into a little bit more detail on that. Yes?

STEVE DELBIANCO: One quick addition for historical purposes, which you probably know, but the Organizational Reviews have been in the bylaws for two decades. Basic part of, and the organizational review is at the level of the ACs and SOs and the lower. But the four specific reviews were created in 2009 as part of the affirmation of commitments, a bilateral agreement between ICANN and NTIA. And those were conducted, but then as IANA transitioned in 2016, there was less confidence that this bilateral agreement was a good way to go, that it shouldn't rather be an organizational-wide commitment to do the reviews.

So, those four specific reviews were brought into the bylaws, and the affirmation of commitments was extinguished. But while bringing them

over, the transition team, CCWG, we did our best to improve the representation on those teams and to give the ATRT the power to sunset any of the other three or start a new one.

JASON KEAN: Thank you very much for that additional context. Absolutely. So, again, for clarity purposes, specific reviews at a high level, it's about ICANN maintaining its commitments. That's accountability mechanism that is run by community-led review teams.

Quick update on the status of these reviews. So, actually, the Registration Directory Service Review has been deferred. Its future is to be determined by the fourth Accountability and Transparency Review. The same is true for the Security and Stability Resiliency Review, deferred future to be determined by ATRT4. The Competition Consumer Trust and Choice Review has not yet been started but will after the conclusion of the next round. And ATRT4 has been deferred, but the Board is set to initiate this no later than April of 2025. So, it is a fast approach.

And in response to the recommendation to evolve Organizational Reviews into a Continuous Improvement Program, all Organizational Reviews have been deferred. Now, the Board will reevaluate this decision and the status of the Continuous Improvement Program in June of 2025. So, if we break this down into three main work streams, we have the Continuous Improvement Program, which is actually going to be producing a framework for Public Comment close to the

conclusion of this meeting. And then the following input, the groups will start their work on their own Continuous Improvement programs.

The Pilot Holistic Review is actually underway. It's had its inaugural meeting, which I'll mention in a minute, in late September. And it is set to conclude and produce its final draft report, final report rather, in December of 2025. This will go out for Public Comment after that and Board consideration thereafter. And then finally, the last work stream I mentioned, we're looking at updates to the Operating Standards for Specific Reviews.

We're currently closing the draft period. We expect the Public Comment to open in December, so a lot of public comments going on. Board decision thereafter. And ideally, this would be wrapped up and in place prior to the initiation of ATRT4. I mentioned ATRT4 has pretty big scope looking at RDS and SSR. So, understanding that this process is going to be effective, efficient, transparent, and we resolve some of the ongoing challenges, we believe is paramount to do prior to the review team convening.

So, jumping right into the Pilot Holistic Review. As I mentioned, this is an ATRT3 recommendation. In the board's approval of this recommendation, it said it should proceed as a pilot. And essentially, this pilot is determining the scope and designing what a future Holistic Review could and would look like. This had a lot of community involvement, anyone that participated in Public Comment proceedings. There were two Public Comment proceedings on the draft terms of reference over the course of two years.

Lots of differing opinions, but they were resolved, and we were able to proceed and start the review. So, the Board did initiate this review with some specific directives. One of those being having bespoke operating standards just for this review and trying to resolve some community input in the terms of reference through OEC input. Yes, absolutely.

STEVE DELBIANCO: When you present to a group, a constituency, is it customary to go review what that constituency had written about that topic? I mean, were you aware that we had very strong feelings on that Holistic Review and it were ignored without response at every turn.

JASON KEAN: I was not aware of your specific. I was involved heavily in trying to understand and parcel out those, but feel free to please.

STEVE DELBIANCO: I mean, everyone in here knows, but you should understand that we said the Holistic Review may be the only way to fix some of the structural imbalances between contract parties and non-contract community, and we said that the Board, which has 15 voting seats right now, should have two voting seats for the non-contract party house and two for the contract party house, whereas it only has one of each today.

It would eliminate the insanity of figuring out how do we allocate Board seat 14 between the NCSG and the CSG, and it would help the GNSO, which represents 99% of the revenue and 98% of the work of ICANN to

have four votes on Board instead of two. I just say that to say that whenever we bring it up, everyone in GNSO loves the idea, but staff completely ignores us and has never addressed it.

JASON KEAN: So, just to elaborate on that a little bit, I do appreciate that additional context. As we went through the process in trying to determine scope for the Holistic Review, if you do look at the objectives of the review, they are far-reaching. They added additional components and objectives to what was existing in Organizational Reviews, which, as everyone participated in that, is a complete audit of every SO and AC. So, determining exactly what a Holistic Review would look at in terms of scope has yet to be determined, was not resolved into terms of reference. It was actually determined to be the objective of a Pilot Holistic Review. So, that continues to be a discussion that is open.

STEVE DELBIANCO: But you're saying that there's still a possibility that between now and the initiation of the Holistic Review, it could look at Board seat allocation?

JASON KEAN: I can say that definitively. ICANN is not participating in what those discussions are. It's facilitating conversations amongst all the nominated SO and AC representatives. So, Org doesn't have an official.

MARIE PATTULLO: Hi, thank you. This is Marie for the record. Sorry, Marie Pattullo from the business constituency. If I may add to what Steve said, there's also a concern within the GNSO that our last review of the GNSO, which was supposed to happen, I think, about a decade ago from memory, didn't. And this runs into, can you please, when you're thinking about the scope for the Holistic Review, bear in mind that there are issues. And this isn't a BC thing. This is a GNSO wide thing. And we don't see any other place it can be addressed because you didn't have, we didn't have our review. So, thank you. Please bear that in mind.

JASON KEAN: Yeah, absolutely noted. Again, just to take a step back from this conversation, I completely understand the concerns and the context that you're all providing. When we received the recommendation from ATRT3, there was a lot in there to unpack and understand. And this has been ongoing conversations with the ATRT3 shepherds to understand exactly what the intent was. And as I mentioned before, I don't have these slides in front of me in this presentation, but if you look at the overlap, essentially the objectives of original Organizational Reviews were absorbed into a Holistic Review.

Now, you can imagine a specific, a review of an organization looks at a lot of different things specific to that organization. So, if you then say, one group of community volunteers is going to be doing that for every single SO and AC, that seems like a very large scope. If you map onto that, additionally, how those groups are going to be collaborating with one another, and something, a question that has been kind of

interpreted different ways, if that group continues to have a purpose, you're looking at that scaled over eight, as opposed to one individual reviewer doing that for each individual group.

So, understanding exactly how that would work for a community-led review team is something that's part of the ongoing conversation. But we continue to have these conversations with the Pilot Holistic Review team, and understanding exactly how that would work with the Continuous Improvement Program, which has been determined to be the primary input to a Holistic Review.

STEVE DELBIANCO: And the Organizational Reviews that were baked into the bylaws for 20 years are not a community review. They're done by an outside consultant under the boards.

JASON KEAN: Yeah.

STEVE DELBIANCO: So, that isn't the community evaluating every single AC and SO.

JASON KEAN: Correct. The point being, those accountability mechanisms verbatim were transitioned into the objectives of Holistic Review. So, that's my point. If you look at the exact language, that transitioned over. So, that's what we're trying to parse a lot at this point in time, if that makes

sense. Okay. Great. Next slide, please. This is just a roadmap of how it initiated. I'm really basic, and I can go through the details here. The review team convened on the 30th of September, and the draft Public Comment is expected to come out sometime after May, into October. Again, I mentioned the final report is due in December of 2025.

VIVEK GOYAL: One quick question. Can you go back?

JASON KEAN: Yeah, absolutely.

VIVEK GOYAL: It says, the Pilot Holistic Review team convened on 30th September, but the timeline is October to March. So, what's happening there? What's happening between October and March?

JASON KEAN: Apologies. That must have gravitated over, yeah, that flag you're referring to?

VIVEK GOYAL: Yeah, I mean, the team was convened on 30th September. What's happening between October and March?

JASON KEAN: They're working. Yeah, absolutely.

VIVEK GOYAL: So, I thought it takes that long to convene it. That's the confusion.

JASON KEAN: I'm sorry?

VIVEK GOYAL: I was just wondering why October and March time period has a team being convened?

JASON KEAN: So yeah, that flag should have been over just a touch. It was overlapping within September. The team is currently working on understanding the deliverables from the terms of reference document. So, as I mentioned, the Pilot Holistic Review purpose is to define the relationship between Future Holistic Reviews and Organizational Reviews. I mentioned significant overlap.

The same language is used for both of these to address community input based on concerns and input received, including the makeup and overview teams and their future roles, define the roles of community structures, Board, and Org, whether external parties should be involved, and consider what amendments may be necessary to ensure that Future Holistic Reviews can be conducted in accordance with ATRT3 recommendations and the findings of this review.

So, I'm going to jump right in to show you the primary deliverables. So, deliverable one, guidelines to review the effectiveness of interim SO AC collaboration mechanism. That's new. However, that is a principle of the Continuous Improvement Program. The second one, review the accountability of SOACs to their constituent parts and member constituencies. That is from the Organizational Reviews. Guidelines to review the SOAC NomCom as a whole. This is a succinct version. The additional language is to see if they continue to have a purpose. Again, this is from the Organizational Reviews. And finally, guidelines to review the Continuous Improvement efforts based on good practices.

So, again, overlap of Organizational Reviews and adding additional elements to that. Next slide, please. Thank you. This is just communication and engagement for the team. There's a wiki page, of course. Anyone can be an observer. Review team members are asked to update their respective groups as things evolve. The same is going to be true as the Board appointed member. And there's going to be engagement sessions as the work progresses and as relevant. And actually, Steve, your hand is up, please.

STEVE CROCKER: Just waiting for whenever you get to asking questions.

JASON KEAN: Oh, okay. Yeah, I think I'm close. This is very generic. And at the conclusion of this, there will actually be SO and AC correspondence

about how the process unfolded to see if it was consistent with SO and AC chair's expectations. Steve, please.

STEVE CROCKER: Let me roll back to slide 10. So, you have the primary deliverables there. One of the things that we've encountered in some of the processes is a sort of strong focus on proceeding with some pre-agreed plan to look at things, ask certain questions, respond and so forth. But run into questions of, well, if we do all that, will the result be fit for purpose? And when that question comes up, the sort of packaged answer is, well, that's not in scope. You don't get to ask whether or not this thing is actually going to have any positive effect or actually work. And so, it seems to me that somewhere in this Pilot Holistic Review process, there ought to be a place to ask where such questions should be. Where would you say in these deliverables that would be addressed?

JASON KEAN: That's a great question, Steve. And I think, because you participated in one of the meetings, seeking clarity on what the intent of this was, going back to the terms of reference, consistent with what ATRT3 intended this to be, we've invited the chairs of that review to come provide clarifications. So, in understanding that, there's nothing more that we can produce in terms of reinterpretation of that. We're literally going directly to the source of who drafted the recommendations.

So we're trying to get as much objective, direct information from that. I think the question you're asking is the specific case in which could

restructuring happen in this process? And if so, what would it look like? Is that kind of the direction you're going?

STEVE CROCKER: I'm not 100% sure because there's a certain amount of abstraction in what you're saying. Let me say it again. In the policy development processes that we have, they there's a scoping and then the process goes on and on and on for quite some time. And it's not unknown, it happens on more than one occasion, that the policy development process is faced with trying to make decisions where there is no good answer because the result can't possibly accomplish what the intended effect is. And when such questions are brought up, the answer from Org is, well, that's not within scope, we can't take that on because we've already started the process and we'd have to start over.

That strikes me as insufficient is the most-polite word I can say at the moment. And so, in this Pilot Holistic Review, it would seem to me that that's the only opportunity that I can see in all of this, where the concept of when we as a community stumble into a situation in which the process that we're engaged in is fundamentally boxed in and can't reach a positive conclusion, where is the ability to raise a flag and deal with that? And where do we make the adjustments in the set of rules governing the processes? That seems to me a core kind of thing to take up in this Pilot Holistic Review. And so, I'm asking, where do you see in these deliverables and in these negotiations, where such a question would get direct attention?

JASON KEAN: Understood, Steve. So that would be in the context of parceling out the actual deliverables themselves. What's to be intended? Because again, there was the original objectives in the ACRT3 recommendations. Then there were questions based off which this group participated in over two terms of reference to understand exactly what the perspective was, what the direction was, what the intent was, and landed on these deliverables and working through these deliverables to answer the questions that you just asked.

So from my perspective, understanding how this could work through these processes, looking at each deliverable by deliverable, but through the leadership as well in determining what the approach to work is, is how those conversations are going to come about in that context.

STEVE CROCKER: And as best I can tell from what you're saying, you don't have a specific guess as to which of these deliverables would include addressing that question that I've raised.

JASON KEAN: Can you give me that question?

STEVE CROCKER: Yeah, the question is this, that where in all these review processes, which is what this Holistic Review process is supposed to be looking at, when questions arise about the infeasibility of accomplishing what the task is, where is the mechanism for raising such questions and for

having them dealt with? Because it's not there in the current organizational structure. And the lack of that mechanism seems to me, anyway, an important thing to try to address in this Holistic Review process. And so, I'm asking, where would you put that in this, where in the agenda that is here?

JASON KEAN: Yeah, so that, Steve, I would encourage to have that discussion with the leadership of the Holistic Review. Because at the last meeting, they actually developed their approach to work in terms of prioritizing how these deliverables would be looked at and discussed. So, I think if you see the question you're looking to have answered, if it's in one of those deliverables, I think directly addressing it, raising that in that context is the best way to do it.

Unfortunately, I don't have a better answer for you. I mean, this is, agreement and collaboration amongst org, the nominated leadership, and all of the review team members, all trying to figure out these dynamic issues at the same time. And I would just like to clarify, because this is an actual review and not a Working Group, if, for example, the issues that were raised about a specific case in which action needed to be taken to achieve an objective, it would be the purview of a Holistic Review to say, hey, we noted this is a problem based off of the data received. We recommend this be addressed. This is not necessarily, this is not the forum in which they design how it should be addressed and what exactly should be happening, if that makes sense.

STEVE CROCKER: Noted. Thank you.

JASON KEAN: Absolutely. Appreciate it. How are we doing on time? Sorry, I said I, okay, excellent. So are there any questions on the Continuous Improvement Program or the Pilot Holistic Review? I just wanted to try to get to the Operating Standards if there are any other questions.

MARIE PATTULLO: This is me; this is not you. Sorry, this is Marie for the record. I've been trying to follow this and I've been reading a lot of stuff about it and please, this is me, this is not you. It seems that we're reviewing whether we need to review what we've reviewed and I don't see at the moment what the outcome is. None of us, and I know this is not what you're intending because it can't be what you're intending, I fully appreciate that, but as Steve was saying, we've got this list of questions that predetermine an outcome, but if that's not the outcome that's useful or that's going to have any purpose, so what are we actually trying to do here? Well, what's the solution? Thank you.

JASON KEAN: That is an excellent question and I'll take a step back to answer your question. We received recommendation 3.5, Holistic Review, 3.6 Continuous Improvement Program. They directly relate to each other. One explicitly says in the report that a CIP is the input to a Holistic

Review. The scope of each is unclear, however, together you can understand that they constitute a program. So, together there's a whole there.

Getting agreement from the chairs and the shepherds themselves on what was intended and how those interactions would be, we haven't had a clear conclusion on that. We've had, again, two years of terms of reference to try to understand and seek clarity on that, so we're literally, this exercise of the Pilot Holistic Review is to be asking these questions and trying to figure this out. I'd like to just expand on that a little bit to say, part of the purview of the Holistic Review is to look at a Continuous Improvement Program.

That Continuous Improvement Program doesn't currently exist. A framework is being developed to identify what a Continuous Improvement Program would be for individual groups, but the definitive program itself has yet to be identified. So, we're really stuck in a situation where there's two processes where organically designing at the same time, trying to figure out what that end state is, so we can inform the further development of both of those independent elements. That makes sense.

MARIE PATTULLO: Have you ever heard of Franz Kafka?

JASON KEAN: We're living it. I'm living it and I believe anyone that's participating in these processes are living it. I would like to mention here, the CIP, the

Continuous Improvement Program framework is going out for Public Comment at the conclusion of this meeting. If anyone has any questions about the relationship of this or these confusions, conflations, it would be an opportune time to flag this, but we're in a situation where we're having to take it day by day, and to Steve's point, step by step, deliverable by deliverable, to really parcel this out because it is, a lot of it is theoretical, but what does that mean in terms of resolution and recommendation? What's actually going to happen at the end of the day?

We need to define that and work backwards from that point. Because if we continue to grow organically, we're not going to have a clear direction of what that end state and program is. So, that's the effort that we're currently undertaking. So, input is welcome from any and all directions. So, we can have that determination and as Steve, as your representative for the Pilot Holistic Review, he's your conduit to really articulate those messages as well. We're looking to get resolution and first direction so we can tackle this as quickly and methodically and make the most sense of it as possible.

Okay. Really quickly, last plug, I appreciate everyone's commentary on that, and especially the context. Yeah, I'm going to go grab that slide right now. 20. Thank you very much. So, ATRT4 is going to be initiated by the Board likely after a year's deferral in April. We expect work would then start in September. I mentioned they're going to be looking at definitely SSR and RDS, two major elements. So, the Operating Standards for Specific Reviews essentially provides the standards by

which review teams look at that process to ensure it's transparent, efficient, effective, and manages time.

I'll go through this last. We're looking to introduce improvements to this process to really make sure there's a couple of things. We clearly define exactly what that scope is up front. We contain it. We're calling that focus areas. So, the community is aligned and understanding of exactly the work that's going to be done before any solicitation of review team members. So, scope up front, we can then define all the resources that are required.

We can then provide all community members with a pretty precise schedule of milestones for a review in advance. And when we solicit volunteers for the review team, they understand exactly what the expectations are, what the resources are going to be, and what the scope of the review is going to be as well.

Lastly, we're looking at standardizing what the actual review process is. So, this is to say a defined process. Resources are in place. Research findings are done prior to the initiation of the review. If third parties are required, we're able to generate findings, potential conclusions, and a review team is able to participate in that process. Typically, the way that these reviews have been done in the past, scope wasn't determined until the review team was actually convened. Then resources were quickly gathered at that point in time, and it was kind of a rush to the finish line to get everything done within the Sometimes that extended over, but there was also ATRT as an example in the conclusion of that.

Slightly confusing, I'll say, recommendations. No one really understood how they could be operationalized. The seeds for implementation should be done as a recommendation is developed with feasibility assessments. Everyone's on the same page. That should be part of that draft report so people can provide input on that. The scope should be narrowed. Specific areas should be looked at and addressed so that there's an outcome that everybody understands and everyone agrees will be impactful. So, we do welcome and encourage everybody to participate in the Public Comment proceeding, which should be opening in December on some of these improvements. And we do have a lot of materials to support that. I'll stop here. Did I make it?

MASON COLE: Good job.

JASON KEAN: Yeah.

MASON COLE: All right. Steve Crocker, is that an old hand? Okay. All right. Other follow-up questions for Jason, please? Jason, I think we put you through the ringer.

JASON KEAN: Thanks.

STEVE DELBIANCO: Welcome to the BC.

MASON COLE: That's right.

JASON KEAN: Thank you. Really appreciate everyone's input. Again, this is what we need to help drive this forward. So, thank you for having me and thank you for all the questions.

MASON COLE: Thank you for coming today. Appreciate it very much.

JASON KEAN: My pleasure.

MASON COLE: Okay, all right. We are going to move to item three on the agenda. Obviously, this is not Georgia Osborne. This is Mark Robertshaw from the DNS Research Federation. And Mark has brought us some updates on measuring DNS abuse, which is obviously a topic that we're, you know, for a long time, we spent advocating new tools for. So Mark, we've got some updated data, I believe, from you, that you're ready to present.

MARK ROBERTSHAW: Yes, thank you very much, Mason. It's great to be with you. And apologies, again, that you have to look at my face today rather than George's. But I hope you can put up with that for a few minutes. Great. So, yes, today we're going to talk about a project that we've been doing over the last few months based on a large amount of report dates that we collect on DNS abuse, which we have an increasing stock of report data. And over the last few months, we've taken an approach to start to measure what's happening with those abuse reports we're receiving and start to measure mitigation rates and have that as an ongoing process within our organization.

I think most of you may well be aware who we are. We've been to the BC a few times, but for those that don't know, we're a not-for-profit based in the UK. And our broad mission is to advance understanding the DNS system and its impact on policy and technical standards. And our areas of activity, broadly speaking, would be education and research, often working with academics as well. Access to data, which is very much the driver for this particular presentation today. And the third strand being engagement in technical standards. That's our kind of mission as an organization.

So we're going to have sort of four sections today. First of all, a bit of introduction to the project, the reasons for doing this work, some methodology, which will really be the heart of the presentation today, because we're in fairly early stages. So, we're very keen today to socialize our methodology and to have feedback from you as an organization as well on that. And to have some initial results that we've got, and also to talk about where we're going in the next steps.

So yes, I mean, there are a couple of sorts of drivers here, but really the changes to the RAA have been a very large reason for us engaging with the idea of measuring abuse. And the changes particularly we highlight here are the, specifically to, which you'll all be very familiar with over the last few months, looking at the types of abuse that matter here, which have been now enumerated by ICANN, as well as looking at the fact that registrars in particular, in the registrar must take prompt action now to mitigate abuse. And also, the other thing that's been there for a while in 318.3, is a sense that there is a review period of 24 hours, which is highlighted there.

So what we've chosen to do for the purpose of reporting to you today in that context is look at how well sort of mitigation is happening, particularly within that sort of 24-hour period, which we think is the sort of highlighted period for response to abuse reports that we see. So, the purpose of and the methodology we're using here is that for every abuse report that we see in our system, we're looking at how much mitigation is being detected, how quickly it's happening and who is actually doing the mitigation. And our initial focus has been very much the contractor parties.

So looking directly at mitigation that registrars and registries are doing. And we're moving on in the next phase of our work to look at others as well. So, obviously downstream resellers and hosting providers as well. And in particular, to monitor trends over time of how effective the RAA amendments have been on the speed and rates of mitigation of abuse reports. So, this is not a one-shot wonder for us. This is an organizational and strategic project to ongoingly monitor the

effectiveness of the changes, but also to look at these reports over the long tail rather than doing it as a short-term project.

Obviously the first stage is to collect relevant abuse reports. As I've mentioned, we over the last three to four years have been gathering reports from a number of commercial and Open-Source providers. We have a very large collection of abuse reports in our platform now. And we're most interested for today looking at the ones that would meet the RAA definition, which are those types of abuse are identified directly by ICANN. And the second part of course, is then measure the mitigation actions that we see against those reports. Go ahead. Yeah.

MASON COLE: Just to be clear for the BC meeting the RAA definition, that's the five types of abuse, right?

MARK ROBERTSHAW: That's right. Okay, absolutely. Yeah.

MASON COLE: Thank you.

MARK ROBERTSHAW: So at the moment, the reports that we have predominantly would fall into the categories of phishing and malware, which are two of the very, very clear identified categories within the RAA. And those are typically, are sort of key sources we have for those reports at the moment. And

just to make the point that we do exclude spam from this study, and that's largely because the RAA makes a very clear statement of spam should only be measured. If it is a conduit for the other types of reports, we don't want to cloud the reports with spam reports that may not meet those criteria. So, just to make that clear upfront.

The process that we go through is we start with all of the phishing and malware reports that we receive. And for each of those reports, we first of all de-duplicate them, which means that if we see a report from a number of different sources, it's effectively the same report in the same day, we will only count that report once. So, we don't end up over counting or duplicating there. And then for each of the reports that we get for both phishing and malware, we go through an enrichment process where we look up a lot of extra data for those reports.

We look at the registration data typically from RDAP, WHOIS, we look at the website, we look at the security, the SSL, and we look at the hosting environment. So the IP space and the ASNs that are effectively hosting those reports as well. And currently, we're looking at roughly a throughput of around 10K reports per day. So that's the kind of size of the data we're looking at this stage. And what we do is a very simple process where we take a report that's come in and we check it at different intervals. We start actually with a check at ground zero.

When we first see a report, we'll look and say, has it already been mitigated? And there's a fair number of reports that have already been mitigated because some people are very quick off the mark. And as soon as we see a mitigation, we're going to record that as being

mitigated and we'll stop checking. Otherwise, we'll go around the loop and we'll check again after one day, after three days, after seven, 14, 30, 90 days, and all the way up to a year to check whether we can see a mitigation as being recorded for a given report.

And as mentioned at the beginning, at this stage, we're looking at what we're calling high confidence mitigations for the contractor parties. So, we're looking initially at where we can be sure that a contractor party has acted. So effectively that means these four key criteria. One obvious one is the hold status being applied. That would be for the registrar applying a client hold, the registry applying a server hold. That's a very clear mitigation step that's being performed by one of those actors, but also other indicators that a registrar has taken action in a very clear way would be if a domain enters RGP or passes its expiry date. And those are typically where a delete operation has been issued by the registrar.

So, at this point, we're looking very much at the contractor parties where we can be very confident that they have taken action. And at this stage, we're not looking at downstream actor mitigations, although we have started collecting some of those, we are some ways into that. And we'll hopefully be looking, as we'll talk about later on, reporting more on those future ICANN events as well. So it's very much at this stage, the contractor party measurements that we're looking at.

So in terms of caveats, clearly our find is limited to the abuse data we've actually got available at this stage on our platform. I'd say, it's an increasing number of reports and we're aiming to aggregate as much as

we possibly can, but there's limits to what we can have at this stage. We said already based on about 10K a day.

And also importantly, data collection for this project has only begun at the beginning of September. So, we're still in very early days. So, today is very much more about methodology and some initial findings. And we'd hope to give you a much bigger picture, perhaps the next ICANN meeting in terms of the longer tail of that. And just to clarify the term reports refers to URLs, host names or domain names, depending upon the scope of the particular reporter that had been placed on a block list. So, that's what we mean by reports. I have a question over there. Go ahead, Vivek.

VIVEK GOYAL: Does that mean that your reports, you only receive reports on those which have been actioned by registry and registrars and that is why they have been put on the security block?

MARK ROBERTSHAW: No, no, it's prior to action. These are reports that have been imported by typically phishing and malware providers who will be either receiving user reports or doing their own scanning. So, it's a mixture of sort of automatic scan. But they're reports very much prior to action usually.

VIVEK GOYAL: But do they put every report they receive on the security block list or do they do filtering, themselves?

MARK ROBERTSHAW: It depends on the provider. Some providers have different policies about where I think there's an element of filtering that most providers would apply, particularly commercial providers to that before they enter a block list. Yeah, go ahead.

CHING CHIAO: Thank you very much for the report. Just actually a follow-up question from the next question. Maybe you can share, do you have estimates of every time that a website has been found by, for example, a scam advisor or APWG? And then to the domain gets blocked or client hold by a registrar. What would be the average time for this guy?

MARK ROBERTSHAW: I'll come to that. Don't worry, that's part of the report. Absolutely. Yeah, that's the focus of this actually. So, yes. Any other thoughts before I continue? So there are two broad ways of counting mitigations. You can look at the number of mitigated reports, which would be the number of URLs that we see mitigations for. Now, that is useful, but it actually, in some ways, more useful for the RAA compliance side is to look at the number of unique domains because it's only really the domain level that the contractor parties can work at and not really at the URL level, which would be more the downstream focus.

So that's the first thing to say, that we're going to probably look today more at unique domains rather than numbers of actual reports. Although, of course, they do interact and both are interesting. The other thing to note is that we do, in common with other people's methodology here, is we do remove what we call known subdomain providers. And that really means that we're focusing on maliciously registered domains rather than compromised domains. And this is often a big discussion point, but many of the sort of known subdomain providers, that there is nothing that a registrar can really do to take that domain down. Oh, yes, go ahead. Sorry.

STEVE DELBIANCO: Yeah, thank you, Steve DelBianco. We were talking on Sunday at a session here and some registrars suggested that when there was a subdomain that had been compromised, their first outreach is to the registrant, technical person, who can quickly determine, oh my gosh, I need to rip that subdomain out. So, in that case, it's mitigated, but it may not be reported in the ways you're tracking. Will you pick those up when they disable a subdomain that had been inserted and was originating or receiving?

MARK ROBERTSHAW: Absolutely. That's really the phase two for us. I mean, the phase one is to look at the domain mitigation, which is why we're sort of removing those from the picture at the moment. But I think our next phase, where we're going much more downstream to resellers, hosting providers, we'd expect to be then measuring a much more report level.

STEVE DELBIANCO: But where will they report that? So, the subdomain hoster, which might be different than the main domain, are they going to do any formal reporting into the system so that we will know that the phishing page has been disabled?

MARK ROBERTSHAW: Okay. There're two answers to that question. So, at the moment, there is no real formal reporting mechanism. I mean, even we wouldn't necessarily know if a registrar has mitigated, but by them telling us, however, we are looking at developing what we're calling a feedback loop, which means that we can then have registrars tell us they have taken action. And indeed, hosting providers can tell us that we're relying upon for this project, technical detection.

So we can detect, as you rightly say, we can detect if a subdomain has been de-rooted by 404. Exactly, or by a name server being switched on. Yeah, exactly. That's our phase two. We'll come to that for sure. So, just for this scope, we're looking at the domain level for looking at the contractor parties.

Next slide, please. And so, yes, we have some Initial Results as outlined. Today is more about methodologies and results because we're quite early in the process, but we did want to show you some results. And so, if we go to the next slide, please. So, what we're seeing here is the all reports versus the unique domains view. And what we see here is basically the percentage of reports that have been mitigated or in the

bottom chart, unique domains that have been mitigated by 24 hours after they've been reported. And this is tracking over the last two months, effectively.

So the x-axis is time and the y-axis is percentage. And what's nice to see here is there is a gradual improvement that we can see with the best fit line there. And we are seeing a general trend positively. And this is since really, since the RA has come into effect this period that we're looking at here. So we can see that there was a general trajectory in a positive towards the overall, this is for both registries and registrars combined about the, we can see a sense of improvement there to answer the question in advance. People often ask about the spike in the middle. I can confirm that that is actually a specific action by Alibaba and Singapore registrar who took action to do a big takedown on that particular day, which accounts for the big spike that you see, which is in early mid-October. Go ahead, Margie. Yes.

MARGIE MILAM: Hi, this is Margie Milam. The chart, I guess the bottom bar, I can't really see very well. What is the percentage that is mitigated?

MARK ROBERTSHAW: So, it's still very small levels here, but by the end, you can see the best fit lines just falling below the, I think that's below the 10% mark, isn't it? It's about 8%, roughly. And it's really clear. This is within 24 hours. This is quite a tight time window. And we'll see that as we look at longer periods, the situation obviously improves, but it is important to note

that we're still looking at very small percentages that are being mitigated. And also, in answer to the point made earlier, this is just the action that we can be confident that registrars and registries have taken and not the downstream provides at this stage.

If we look at the next slide, that gives us a bit more detail on the registrar picture. Now this is just registrar action that's being taken, and you can see that there is a very similar trend. In fact, it's probably, if anything, slightly, slightly better, I think, for this view. And the next slide, I think will show us the registry only view. I think it's, yeah, if you go next slide, I think it's clear. And you can see that spike's now gone because actually the red that that spike was a registrar action spike. I guess what one point to make is we wouldn't really expect registries to be taking action very often. So, the fact that these numbers are very, very small for registries is of no surprise. Margie?

MARGIE MILAM: Thank you. I can't read the numbers. So, what is the registry rate?

MARK ROBERTSHAW: It's very, very low. It's in a sort of single digit percentages. It's 3 or 4%.

MARGIE MILAM: 3 or 4%. Okay.

MARK ROBERTSHAW: And as you'd expect, really. I mean, we've had discussions offline about the fact that some registries don't take action at all and never apply these kinds of mitigations. So, it's quite a small picture of this, but it's never less interesting. And also, interesting to note there is a trajectory of improvement with that as well.

The next slide, please. This is now giving you the comparisons when you look at longer tails and you can see the numbers do definitely rise when you get to the seven-day mark, we're now clearly into sort of over 10, 12% looking at the unique domain providers, but still relatively low numbers. I think there's, we've got a lot of room for improvement in terms of the actual abuse rates.

Next, I'll move on to that. This is just really just to give you a sense of phishing only. So, it's taking out the malware side and looking at the phishing and to show that looking at one particular type of abuse doesn't really affect the overall trend that you were still seeing that sort of trajectory upwards when looking at one type of abuse as well as the whole picture as well.

MARGIE MILAM: Yeah, the same question. I can't see the numbers. So, like the top chart, what is the blue line?

MARK ROBERTSHAW: The blue line for the top one is around about the, I can't see it from here either. That's 24 hours at 6%, 6% on a blue line.

MARGIE MILAM: Okay.

MARK ROBERTSHAW: Yeah. And it's higher for the -- I mean, it's clear that if you look at just unique domains on the whole, you're going to get better numbers because we were moving to spurious and go ahead. Yeah.

VIVEK GOYAL: If I'm reading it correctly, in both the graphs, the y-axis ends at different numbers. So if you look at it for unique domains at the peak is at a 13 mark, but for all it's at a 14 mark.

MARK ROBERTSHAW: That's right.

VIVEK GOYAL: So wouldn't you need domains be less than all URLs?

MARK ROBERTSHAW: You'd expect it to be higher with unique domains because you're taking out those compromised domains for the picture and looking at the unique sets.

VIVEK GOYAL: Of the percentage, not the total.

MARK ROBERTSHAW: It's a percent percentage. Yeah. And if we can go to the next slide, I think we're probably-- and this is a question that was asked earlier on to answer yours, the overall mitigation time. And as you can see at the moment, these numbers are higher than we'd like. And the overall average mitigation time of a report is about 3.9 days overall. You can see that the interesting, the registries, if they are going to take action, we'll take action typically quicker than a registrar's, which is interesting, but, and it might be reflective of the reasons why registrar, registries would take action in terms of the way they'd receive the reports. But yes, go ahead. Thank you, Steve.

STEVE DELBIANCO: The obligations that we reviewed earlier that have been adopted are obligations to take action, to mitigate.

MARK ROBERTSHAW: Yes.

STEVE DELBIANCO: And all we really care about is the mitigation result. And that's what you're measuring. You start to intersperse the word taking action. They might well take action and notify the registrant who contacts their hosting provider and says, get this down. And that could take two days. Take an action immediately, but we're not even aware of that.

MARK ROBERTSHAW: And that's less measurable. I agree. For a technical sense of completely less measure. You're right. We have to qualify it with other action. It may have been taken downstream as well. Okay. So, next slide. And I'll quickly move on. So, the three key takeaways for this, is that whilst we're still in early days, there is an indication of mitigation rates are improving for both registries and registrars. Obviously, we've said 24-hour mitigation rates are still very low and at this level, but also to make the point that it's an incomplete picture, because we are also very, very definitely going to move on to looking at downstream providers and registrants taking action, which would then change the figures we think as well.

So finally, the next steps. Here's what we're looking at the moment. We've mentioned the high confidence mitigations for the contracted parties, which has been a focus of the data collection to date. We're looking interesting, moving on to downstream mitigation. So there are all sorts of things we can look at for this. I guess the key ones being the bottom two, actually the DNS record changes, especially where records have been removed and indeed a website status change where not found or error status being returned for websites are very, very key indicators and measuring those which often will be attributed to hosting providers rather than registrars, unless they're the same entity.

And likewise, other things that would be interesting would be, registrar changes, particularly if it's a change of registrar to a known sort of sink holing or law enforcement registrar, and also name server changes as well, particularly if the name service has been switched to sinkholes. So we're interested in looking at those as extra mitigations, but again,

they're not necessarily attributable directly to a contractor party. They could be enacted by another party, particularly the name server DNS and website changes.

So we're very keen to treat those as a kind of extension to this going forward. And in terms of our project timeline, finally, continuing data collection for longer tail, we're hoping to come back to Seattle and talk, hopefully present again, if we can on the updated results and how much we're seeing over a longer tail extending the checks to downstream hosting providers that will kick in more in quarter two, but we may have some initial findings even sooner than that.

And finally in a sort of third quarter, we're looking at making available public stats on this, including sort of league tables of best practices, I guess would be the best way of describing that, but being able to sort of highlight that how the good and bad players in this environment as well. So, very happy to take any questions on this. Yeah, go ahead.

NENAD ORLIĆ: Hi, Nenad for the record. I think this might be out of the scope a bit, but is there a way or do you track or there's anybody track? How long does it take for an incident to be reported? How long it takes for an action after the report. But I know for example, for instance, where a domain pretended to be CPTAC was used for almost a year before being noticed as abused. So, in lifetime value of that fraud, that time for abuse after, for reaction to the abuse is like municipal, whatever it was. So, is there any way to track how long does it take for a problem to be reported?

MARK ROBERTSHAW: Yeah, I think that there were some very good ways of approximating that. I think one of often we find with scammers in particular, they will create their infrastructure very, very quickly. And we're almost on the same day, if not within hours, will there will be a domain registration followed by a fully-fledged site ready to go. So, looking at things like the difference between the creator date and the report date would be a good approximation looking at also another very important source of data is passive DNS data, which many of you will know about where you can actually look for first seen on the internet in inverted commas and looking at that correlation against the abuse.

That I think is also another very valuable way of measuring that. So, I think that'd be a very good extension to what we're doing. And looking at the sort of earlier on, if you think about the sort of the life cycle of a scam, it's looking at the earlier points of that attack chain and saying actually what's the time to before reports. So, thank you for that feedback. Yeah, go ahead.

NENAD ORLIĆ: Also, could you please go back to the timelines for the reaction time where you switch from day to week?

MARK ROBERTSHAW: That one.

NENAD ORLIĆ: No, I think the previous one.

MARK ROBERTSHAW: I think. Should I go back a couple more? Oh, to seven days. Yeah.

NENAD ORLIĆ: Back a couple of days.

MARK ROBERTSHAW: Yeah. We'll back one, that one there.

NENAD ORLIĆ: Yeah, that one. And X line is lacking.

MARK ROBERTSHAW: That's time. That's sort of from September through to the current time.

NENAD ORLIĆ: What strikes me as strange here is, could you go back 24 hours? Do you see that the peaks are at the same time? How?

MARK ROBERTSHAW: Well, what we're measuring here is for each report, the percent, basically counting when they were mitigated. So, what you're looking at is a sliding timeframe. So, every report is on the charts, but only as far back as you can go to measure 24 hours. So, what you'll find is that

looking at the seven-day charts, you would expect to see the set, to see probably more data, but the chart would be shifted because you're looking at sliding window.

NENAD ORLIĆ: But we're talking about look at the chart. Seven days. And then go back to chart 24 hours' peak. It's almost the same chart. How? 24 hours, seven days.

MARK ROBERTSHAW: Yes. I guess the peak you'd expect to be consistent because that was a sort of an action that was taken very quickly by registrar within 24 hours. So, therefore that would also be counted in the seven-day mitigation because it is cumulative. So, that report is mitigated within 24 hours and within three days. And within seven days and within 30 days, if that makes sense. Does that make sense in terms of an additive thing. So, if you're looking at whether something was mitigated within seven days, if it was mitigated in 24 hours, it was also mitigated within seven days.

COLE QUINN: So, it's counting for its cumulative measurement.

MARK ROBERTSHAW: Does that make sense? Okay. We're not looking at just, just the reports that were mitigated exactly at seven days. We're looking at reports were mitigated by seven days, which includes ones that were missing.

Yeah. I think the gradients is a slight steeper gradient. You've got more mitigation at seven days overall, typically, but that spike, because it happened. That's particular spike is because it happened at 20 before 24 hours would also be consistently spiking at seven days. Cause it includes the data for 24 hours up to that point.

MASON COLE: Okay.

MARK ROBERTSHAW: Well, we can chat offline about that one more if you like. Yeah.

MASON COLE: Yeah. Okay. Hold on. Let's stay on track here. So, let's go to Cole and then Margie and we'll cut the queue.

COLE QUINN: Just a related question. How granular are your timestamps that you collect? Are you on hours and minutes or days at this point?

MARK ROBERTSHAW: So, for the reports, it's down to the second and we are doing mitigation checks, but the checks are done at ground zero. So, when we first see the reports, then one day later, and it's pretty much one day within a minute of the time of the previous time we checked it. So, it is fairly tight timeframes, but we're definitely working in terms of seconds.

And one of the extensions that isn't mentioned on this report is our intention to also start checking more frequently to actually look at the first day in more detail and start to look at it more like hourly for the first day, because actually you want to be putting those timeframes in. And if we're starting to see mitigation compressed down to good rates within 24 hours, you'd want them to say, well, actually, where is it? Is it really three hours or six hours? So, that's where we're looking. Thank you for the question.

COLE QUINN: Because Bertrand and I were talking yesterday about just the important opportunity of turning these things around and it has mitigation solutions improve over time and our ability to take action improves we're going to be able to get a hold of that so by capturing those timestamps and seconds up front we'll be able to be prepared for measuring in those much narrower time options. Thanks.

MASON COLE: All right. Thank you, Margie gets the last question.

MARGIE MILAM: Hi, it's Margie. I do have a question about and I know this is scam reports, but how do the registrars and registries get there are they looking at these reports that you know of or is there a way to make sure that they get the reports so that they can action them, because it sure seems like the rates are low at this point and granted Like you say it's

early days, but it also could be that they just don't have visibility into it yet. And how do you get them to have visibility into it as my question?

MARK ROBERTSHAW: Yeah, really good question. And I think the simple answer at the moment is that it's a bit the Wild West. So, registrars are receiving reports I mean we run a small registrar as one of our sorts of side projects and we receive reports from a number of entities fairly chaotically. And we will then take action on those reports. But one thing we're looking at as an organization is a more centralized way of taking the reports that we find and giving very good access to registrars because, you're right, without the information. How can they take action, I completely agree

MASON COLE: Mark, outstanding you did that in 30 minutes and that's very impressive. This is a lot of very good data and it informs our work on DNS abuse. And thank you for making the trip to Istanbul to help with the BC.

MARK ROBERTSHAW: Thank you for the opportunity, Mason. It's been great. Thank you.

MASON COLE: We'll see you in Seattle. I hope all right. Thank you. All right, let's move to item number four. Steve, over to you.

STEVE DELBIANCO: Thank you, Mason. Steve DelBianco, your vice chair for Policy Coordination and what I'll bring up now is the policy calendar that I emailed to you last night. Since our last meeting, we filed only one official comment, which was on the proposed renewal of the registry agreement for dotcom. Several pages and we had a big team of folks working on it. Mason, Zak, Alan woods helped Segunfumi and is asked away. So, that's been filed.

I haven't assessed the full body of comments that went in on dotcom, but I would hope that others joined our call for transition to thick our call for greater measures on DNS abuse and we have many questions in our comment where we ask ICANN to provide rationale for what they agreed to in their negotiations, since you realize these are all bilateral negotiations.

And when I put the comment in the summary that I posted on the website, was in our comment where we lamented the fact that over and over again, our RAs RYA's and individual agreements are always negotiated bilaterally in private by ICANN without ICANN even having asked the community what we would recommend for our priorities to remedy in those Negotiations. We'll have to continue to demand that at every turn.

A Holistic Review. Steve would be a great place to look at that in a Holistic Review, to see whether before contracts are negotiated that ICANN Org with solicit input from the community on what's their important priorities? We can't be in the room to negotiate, but we ought to be asked what we think. Yeah, because if we can't be in the

room, but the practice is that when they publish a negotiated agreement, there is zero changes to the agreement as a result of the comments that come in. I'd love to see that.

Selected comments that are open. There are a few that are open right now that deserve your attention. There is a new ccNSO proposal that will make slight changes to the way that variants for IDN country code top-level domains could be selected and deselected and that is an arcane subject, but it may well be that a ccTLD is being deselected and it could impact a business community that has registrations in that ccTLD. So, Ching you're our expert on this. You believe this merits a comment from the BC.

CHING CHIAO: I believe so. I think it's also a matter of the exclusion of utilizing the current IRP and the RFR for the ccTLD works or delegation. So, probably is necessary. That's taken look into it and make comment

STEVE DELBIANCO: Yeah, and let's examine that what you just said to in our comment. If you'd be so kind as to start a draft. The notion there is that, if a ccTLD operator was deselected, you're suggesting these amendments won't allow them to use request for reconsideration an independent review. Did you all catch that? That's important, okay I mean, it's November 22nd coming right up soon and I realize there's not a lot of time. If you can get to it. Please do and I'll circulate it for expedited review. Thank you again.

Number two, there is an opportunity to comment on a Proposed New Code of Conduct for us. We are the participants in the community. So, this New Code of Conduct is mostly about statements of interest or so eyes but it has a general interpretation of general ethics. I think we should comment on this, we are frequently the subject of Criticism from some in GNSO who suggests that we don't do a complete enough job disclosing statements of interest. Those in the BC that are attorneys have often pointed to ethical and client agreement restrictions on disclosing their client relationship, but this issue is not going away.

The Board and broader community seem to want to go back to it one more time. We know that NCSG's in a different place. Contract Parties, BC and IPC in a different place. Do we have volunteers that would want to work on that? It's not due until the 2nd of December. Any volunteers you think. Vivek, Lawrence, Bartlett. Fantastic. On the front on to help Ching? So, I'll jot those down. Thank you.

All right. Next item up is Remedies for the Anti-Harassment Policy. These comments don't close until later in December. But they give definitions and examples of what is considered Harassment and that would occur I guess, virtually as well as physically and they want to do a better job reporting that. And have complaint procedures and there's an ombuds procedure as well. Is the BC interested in commenting on this? We've had very little Interaction with the Harassment procedures, and I don't know whether anyone here considers themselves. If you consider that important either watching what happens in the companies that you work for or having experienced it. We don't see volunteers I might not do it.

MARIE PATTULLO: If I can make a comment to that. Hi everyone, it's Marie again. Of course, it's important. It's vastly important. I'm interested that you say that the BC hasn't been that involved in the rest of policy. We haven't needed to be because all of us act as decent humans, thank God. I would hope that we will continue to act as decent humans, and if we don't, you'll have me to answer, but in all seriousness, it is incredibly important if the BC wants us to put in a comment, I'm happy to take the pen on the comment, if you think it's worthwhile. So, you let me know.

STEVE DELBIANCO: Any others interested in seconding Marie's volunteering? Okay, great Marie and Lawrence, thank you. Thank you, Lawrence, appreciate that. All right. Move up next one would be turning over to Marie. Any discussion of this to what I have in this open meetings Policy calendar. It's just a summary of the things that we've done since the late 2022 on this to article 28, but Marie anything new happening.

MARIE PATTULLO: My apologies. I was just threatening to harass Lawrence in chat. This too now as you know, the implementation deadline has passed. It is not surprising to us that only two of the member states of the EU have actually taken the law into their own law. Transposing it as we call it in the jargon because this too is a massive great text full of large amounts of cybersecurity stuff, which affects everything from critical infrastructure downwards. And so, every member state is trying to

figure out who's affected, what their interests are, all the different groups, how can we please everybody? We can't please everybody. How can we try and please some people, please stop shouting at me? Thank you.

So, this is happening in the round at the same time as a number of political issues in certain member states. So, we have two that have actually adopted their law. We have several who were in the process of drafting. There are some open comments to which the BC as you know also responds. Thanks to the amazing offices of our wonderful chair. The other thing to note is that the member states, the 27. Sorry, mark, 27 member states of the EU, have what they call a cooperation group.

So, they have worked out some guidelines Specifically on article 28, which is the bit that is relevant to us. They're worth reading it is notable that some of the majorities of the draft laws don't take those guidelines into account not surprising because the guidelines were only published in a September. So, stuff is still happening. I don't want to speak for Sven but I do know that right now, Germany has one or two other things going on in its government than to deal with article 28 of this too. So, watch this space and we will keep you posted as always.

STEVE DELBIANCO: Thanks, Marie. Any other comments or questions on this to article 28 Margie?

MARGIE MILAM: For those of you that haven't read the cooperation Groups guidelines. They're really impressive and I think it's something that we should all be advocating for the member states to adopt because it has a really detailed description of what kind of verification requirements the Registrar's or registries should have to take with respect to registrant data and it includes identity verification for suspicious domain names as opposed to just what we see today and I don't know if any of you were in the GAC room yesterday.

But the registrars were giving a speech about what they do for verification and they pointed out that they verify the email address. And that that should be sufficient. It's clearly not sufficient and the guidelines identify that they should do operational verification and syntactical verification and then risk on a risk-based analysis.

They would do identity verification for domain names that are deemed suspicious and I think that's a really great development especially I have having heard the presentation from the DNS Research Federation that those kinds of domain names that are being reported for abuse, would signal a notice requirement if you will for the registries and registrars to do additional verification. And we all know that criminals do not put their real information in the WHOIS and so that's the interesting part of the guidelines.

It also includes a takedown, removal or deactivation of a domain name if there's an accurate WHOIS, or they don't call it WHOIS but it's the contact information. So, I just wanted to point that out that that's a very important development. It goes above and beyond what NIS-2

actually requires. NIS-2 did not specify what kinds of verification needed to happen and the interesting thing about those coordination guidelines is that they were adopted on a consensus view with all the member states participating.

So, the member states had a representative in that cooperation group and they all agreed from a consensus perspective that those should be adopted. So, what I imagine is that, we'll see that being implemented in the NIS-2 a process and a really represent a step up in terms of the kinds of accurate information that we've all been seeking for many years to fight some of this fraud and abuse.

STEVE DELBIANCO: Thanks, Margie. All right, moving on to council which channel to turn it over our counselors. Lawrence is on the line. Mark Datysgeld' s here and Vivek, who's going to be taking over for mark in the council tomorrow afternoon. So, go ahead and you can have me scroll the screen when you need.

MARK DATYSGELD: Thank you, Steve. This is Mark Datysgeld, your counselor for another day. So, let's make the best of it and this is a fun one for those who enjoy IDN. So, that's Ching and me, so otherwise let's go to what are the main points. So, you might remember the CCOICI which became sort of this SOI issue and that ended up in a very inconclusive manner. We had a vote and the contractor parties did not align with the vote and what's up for debate now, is whether that pilot program will become a

Continuous Process for real and it is expected that, yes, that would be the case.

It will become the, let me get my acronym straight here, Standing committee on Continuous Improvement, SCI. There you go, and we expect that to go ahead the and we can expect the SOI issue to come back within that context. So, that is pretty much what there is to that. We're also going to talk about the final report of the EPDP IDNs Phase two as you might remember, this PDP EPDP was divided into two phases. The first one dealing with first level and the second one dealing with second level registrations.

Let me summarize, there is no good way to summarize this. It's good, the final report is good. The work is good and we expect it to go ahead. From the first phase, there are still two recommendations pending with the Board from their scorecard that have not been sorted out but out of 60 that's pretty decent and we expect the work of the of phase two to be well received as well.

Next, we have what's been called so far Mark's Project, I hope that doesn't stick, which is Latin diacritics. So, essentially, it is the ability for a TLD registry to hold both the ASCII and the IDN version of that same domain name. We have .Quebec as the leading case for that, but as we started to discuss that, many other geos, in particular cities and countries, started to come out and say, hey, I would also like to have that, I want to have my IDN and my ASCII, which was something that ICANN recommended against during the last round, which led them to basically not applying and creating that problem of, oh, but nobody's

wanting it. No, ICANN told them they couldn't have it or it wouldn't be beneficial to them, so they didn't apply.

So, the problem we're trying to solve is, in the case of .Quebec, it has an acute accent or not, and the TLD wants to have both of them and operate them as a unit, the PDP will be directed towards that. The issue right now is that the PDP itself has been approved, but there were, well, not even problems, there were concerns about the charter in one specific thing, which is some councilors felt that the participation model was not ideal, and that seems like a minor thing, but it could be that this will actually delay the PDP just so that people can fight that particular war over participation models, which would be kind of stupid.

I'm hoping we can avoid that, and during this council meeting, hopefully we can get that sorted out and make both the charter and the PDP approval move ahead smoothly. So that's it for that.

We have a re-discussion on RPM's phase 2, so that's right protection mechanisms, and that's reviewing particularly UDRP. This is why it's taking so long, UDRP is foundational to ICANN. Back in 2022, ICANN staff came to us with a PSR, that's a Policy Status Report, thank you, Mahi, and it basically said, this is not quite ready to go, now we're going to look into that again and see if some action is going to be taken. I don't know where this is headed, it's a discussion, if you're interested in that particular focus, do come to the council at least for this part of the meeting, because I don't really know what's going on there. So, I would like to call upon Vivek for RDRS. Vivek?

VIVEK GOYAL: Thank you, Mark. Vivek for the record. In the last council meeting, we had a presentation on stats that were presented based on the data gathering of the RDRS, and it was quite a rushed effort and there were no questions taken at the end. So overall, the idea was that RDRS is kind of grabbing about one-fourth of the total requests that are out there, so it is being used, the data that was designed to show that it is very positive, and if we continue to put it, it will gather momentum and more and more either registrar and registries will get on and it will be used.

So, what will be interesting to see is that after this RAA that has been amended and research from the DNS Research Foundation, whether there will be an uptick in the number of requests that go into RDRS and what are the results from that. So, hoping to see tomorrow's presentation and see if there's any change in numbers and any stats that come out. Thank you.

STEVE DELBIANCO: Thank you, Vivek. Steve Crocker and I are on that Small Team and yesterday we briefed the Board. Any of you were in the room? CSG with the Board yesterday? So, what Steve and I communicated was what we had gathered here from the BC over the past several weeks is that the BC didn't believe this was measuring demand. The BC doesn't think the data, Steve and I do not think the data is showing a positive trend. That report is BS, what you heard. I heard the president and CEO indicate that very promising numbers.

And we said yesterday to the Board that we do not believe it measures demand for reasons we gave and that the BC is somewhat indifferent about whether it continues but we don't want to be responsible for calling it for it to be shut down if there are governments and law enforcement are getting a lot of benefit from it. And we have, Steve, we have a meeting on Thursday of the RDRS Standing Committee, Thursday afternoon here.

STEVE CROCKER: What time?

STEVE DELBIANCO: I will check that time.

STEVE CROCKER: I have to leave Thursday. I can't remember but if it is early enough, I can do it, otherwise not. There was a very nice report, a transcription of that session with highlights pulled out that gives a good reading of what happened there.

STEVE DELBIANCO: Thank you. And you were in some respect saying that if the DNS abuse contract amendments might generate greater amount of RDRS requests, but those are only tangentially related. A DNS abuse, I may do a WHOIS check as part of my research. You should see that. All right, part two tomorrow. You have a second agenda. Zak, go ahead.

ZAK MUSCOVITCH: Right, I had a question or a comment about the item number seven. Are we talking about the transfer policy right now, Steve? Not yet, just about number seven. Okay. All right. So, Mark, thanks for the item, the update on item number seven. I understand from Marie now that there was originally discussion at council for commissioning a status, issue status report from staff as a prelude to eventually undertaking a UDRP phase 2 review. But I understand that the latest is that that portion of the resolution has now been omitted, but there will still be, as expected, a deferral of the ultimate phase two.

And so, that is a good resolution in my view for the time being, particularly because of the news that recently came out that the World Intellectual Property Organization, WIPO, and my own organization, ICA, has undertaken grassroots, bottom-up, multi-stakeholder, informal process to gather expert advice from the community on identifying issues that there can be small-c consensus about going forward in an eventual ICANN phase 2 review. I'll put in the link to that news into the chat if anyone cares to read a summary of it. Thank you.

STEVE DELBIANCO: All right. Part two of the agenda tomorrow afternoon is administrative. Vivek will be seated in the council, and they'll be thanking Mark for his service. You'll elect a chair and a vice chair, and both those names are known at this point, correct? Who are they?

VIVEK GOYAL: It remains the same. It's Greg DiBiase for chair, and we will continue having Tomslin and Nacho as vice chairs.

STEVE DELBIANCO: Thank you. And there are just a handful of things on here that I want to expedite because of the need for Mason to cover something in the remaining minutes of this session. So, all this is here is a link to things that have been ongoing. We've already covered RDRS. Zak, did you have anything you wanted to add on transfer policy?

ZAK MUSCOVITCH: Steve, do we have time to briefly go over the 87 recommendations right now? No? Okay. All right. So, in that case, I'll just say that thank you very much, Erin Ola, who's been assisting me in attending the transfer policy working group. Our last meeting was Saturday. The transfer policy working group is currently going through each of the comments that were received, including by the BC on November 5th on the initial report, and it's hopefully working towards a final report to release sometime 2025. Thanks very much.

STEVE DELBIANCO: Thank you, Zak. Marie, did you want to cover anything on Channel 3?

MARIE PATTULLO: I thought we were going through all of them. Sorry, Zak, I misunderstood. We have no time. You know everything that's on the screen. I will speak to you incredibly briefly. The only thing you might

not know is that we had a very interesting day on Friday with our colleagues from the non-commercial, so making up the entire house, commercial and the non-commercial. The least fun part of the day was the Board physically removed our chairman. What I mean by that is we had hoped to have proper interaction with the Board, but unfortunately, because of this setup, both Mason and Julf had to physically leave our room and go to the boardroom, and we were allowed to watch on telly.

We weren't allowed to comment, so that was a bit of an unfortunate break in the day, but it was useful, and what we found in particular to be useful is that often, we actually want to get to the same place, we just have a different route on how we're going to get there, and that's something that we as the CSG will continue to work on with our on the non-commercial side of the house. Everything else that happened because you were there, and we don't have time. If you have any questions, come and see me later.

MASON COLE: Okay, thank you, Marie. Thank you, Steve. Thank you, Zak. Thank you, everybody, for that comprehensive overview. We have five minutes remaining, and I'd like to indulge in a couple of thank yous. You all probably saw this coming. Vivek, would you reveal our hardware, please? We have three retiring officers from the BC. It's Steve DelBianco, Tim Smith, and Mark Datysgeld, and we have a small gift for each of you, but I want to say a couple of words. One is, first of all, with Mark Datysgeld, Mark is retiring from the GNSO council.

I like to say about Mark and his contributions that Mark is the guy who does every page of his homework, and he shows up to the GNSO. He's informed. He knows what he's talking about. He represents the BC admirably. Mark, you've done a fantastic job, and you have the thanks of your colleagues. Thank you. Yes, Vivek, thank you. Mark, we have a nice plaque for you.

Oh, thank you very much. Okay, next is Tim Smith. Tim is a relative youngster when it comes to the BC, but when he showed up in the BC, he made an immediate impact, and he took over for Lawrence as vice chair of finance, and immediately, he took Lawrence's good work and made it even better, and our books are in good order. Our budgets are in good order.

Our newsletters are in good order. Our website is in good order. All thanks very much to Tim. Tim, thank you for all your hard work. You have the thanks of your colleagues, and there's no way to thank Steve DelBianco. Is there? Steve has been vice chair of Policy Coordination for this group for 15 years, pretty much since the earth's crust cooled, I think. Steve, there's no way to say thank you for all the hard work that you've put in for the BC, for the ICANN model, for your colleagues, for everybody here involved at ICANN. Thank you for all your hard work. There's really no way to say thank you well enough, but you have the admiration of your colleagues. Thank you. Good work.

STEVE DELBIANCO: Thank you. You're here.

MASON COLE: All right. I will also share the thanks of the BC for these three men in the public forum on Thursday. If you're still here in town, show up and bring your applause. I'm sorry, Ching?

STEVE CROCKER: I want to say my strong memory of Steve from several years back is I now think of him as Mr. Stress Test.

MASON COLE: All right. Very good. That was an excellent meeting, everybody. Thank you very much. BC is adjourned.

[END OF TRANSCRIPTION]