ICANN81 | AGM – ccNSO: DNS Abuse Standing Committee
Saturday, November 9, 2024 - 15:00 to 16:00 TRT

CLAUDIA RUIZ: Hello and welcome to the ccNSO DNS Abuse Standing Committee session. My name is Claudia Ruiz, and I am the participation manager for this 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.

During this session, questions or comments will only be read aloud if submitted within the Q&A pod. 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, onsite participants will use a physical microphone to speak. Please state your name for the record and speak at a reasonable pace. Thank you. And with that, I will now hand the floor over to Nick Wenban-Smith, chair of the DAS committee. Thank you.

NICK WENBAN-SMITH: Thank you, Claudia, and thanks very much to staff. My name is Nick Wenban-Smith, for the record. I am the representative of the UK Country Code nominate. I'm in the Zoom room, so I will keep an eye out for raised hands and questions. But staff, if I'm distracted or get caught up in the excitement of the meeting, then please do feel free to interrupt me and to help me with interventions.

BART BOSWINKEL: There's still some chairs at the table, so if you want to sit at the table, we have a lot of people standing in the back.

NICK WENBAN-SMITH: If we could have a little less heckling in the corner of the room, please, Thank you. Yeah, please come in, take the seats up, and it's very good. So I thought it might be useful, perhaps if the members of the DASC would indicate who they are by raising a friendly hand. Perfect. So as you can see, it's a small group, very diverse across the globe, and it is my absolute pleasure and privilege to chair this committee and its important work. So, today we have our in-face working session. It is very nice to see people in three dimensions. We have a lot of intersectional meetings as you will see.

And the agenda very kindly is up on the screen. Firstly, just in order for my timekeeping, would anybody suggest any other businesses and agenda item, or do I need to factor that in terms of the meeting schedule and timing? If there are, or if you think of something, then please do let me know, and I will try to make sure that there's time for that to be discussed. In terms of administrative matters, I don't know if there are any-- usually we ask for any updates to statements of interest.

So I shall ask for any statements of interest and thanks. Are you okay for providing the link to the statements of interest form in the Zoom room? It's very important for transparency that we usually know who we are in the CC's world. But it's important in terms of process that everybody keeps their statements of interest up to date, please. So in

terms of the work plan, which is item three on the agenda, you can see here.

Yeah, thank you. So as everybody who's familiar with these meetings knows, I like to have a forward work plan for the next 6 to 12 months of our work so that we can have a pipeline of upcoming activities and plan for it and do things in an orderly way. That's my aspiration.

And we've had some success, I believe, in actually getting some useful work done, and that's because of good planning and prioritization. So in various discussions that we have had over the past couple of years, I have been open particularly outside of the CC's community with say the GAC and with my friends in the law enforcement community to ask for topics or areas where we can explore. And I just think because there's so many people here today, it's worth saying that the role of this committee within the ccNSO is not a policy creation role.

The CCs create their own policies, and that's a national question for each ccTLD. However, what we can do is share information, best practices and workshops and stories so that ccTLDs are given the tools and information to discuss these matters.

And I think also, the fact that we talk about things and socialize them of itself changes people's attitudes and behaviors. And we can talk a bit more about whether that happens or not. But we have here on the agenda some open items, and these are ones which were suggested probably more than a year ago. So I think it's worth looking at whether is there a reason we've not gone around to dealing with them yet and

are they still priorities? And whether there are alternative priorities that we should be considering in terms of future workflow.

So the interaction between data validation, registration policies, and rates of abuse, it was certainly been a question on both of the DNS abuse surveys that we've had. But we haven't really had a deep dive into this topic. It's a topic where you need to tread slightly gently, and I'm looking at some of my colleagues in the sort of the gTLD community around you can spend a lot of time talking about data accuracy and who is publication and those sorts of things.

And I suppose it's an adjacent topic to abuse levels, but there's certainly strong voices in the community that data accuracy and validation is incompatible with certain types of abuse. So if you are stronger on your data validation and accuracy, then that of itself will depress levels of abuse and give a TLD, whether that's a gTLD or a ccTLD, will of itself depress abuse and make it an unattractive place for bad actors to inhabit.

So that's something which I am happy to advance and to socialize. I've got my own personal biases and have enough self-awareness, I suppose, that my own biases might not necessarily be an authoritative source of opinion or truth. So that's a good discussion for topic. So I'd like to look at the other two items just very quickly.

The second topic is, and I think this comes from a more sort of holistic public benefit sort of perspective, which I have quite strongly, which is, it's great that a ccTLD or all ccTLDs have excellent track record in abuse levels. But as a community I think the reputation of the whole industry

is very important. And it's not good enough from my perspective, that the abuse moves from one ccT-D to another ccTLD or to a gTLD, the standard needs to be raised across the board.

So how can we do that apart from cooperating? And it's a very important factor, particularly because registrars will operate with many ccTLDs and also gTLDs. So why don't we do some workshops, and I have my own day job. We have some good track records where we have noticed a pattern of abuse with say, a stolen identity. And we've worked with the registrar because we've seen say hundreds or maybe even thousands of registrations made using obviously fake credentials or following a pattern, which we as the registry can observe.

And that has led to the registrar looking at it a bit more closely and realizing it's not just our TLD. It's other TLDs, which are also implicated. So maybe we should be working as across-- it's a very ICANN thing I find. It's like everybody's in their kind of narrow pillar and maybe we should choose a specific one to think about, okay, as a collective ecosystem across, we've had some nice meetings with the registry stakeholder group for gTLD registries, but registrars should be a big part of this conversation, so shall we do something like that?

So that's the second topic. And the third topic is really around ccTLD governance models and regulatory frameworks. That's potentially quite a big area, and for those of us who are sort of corporate governance junkie, is that unfair, this is something that we like talking about. But again, is there a reason why certain TLDs are safer and is that to do with better governance and models around that?

So those were the open three suggestions. And I am very open the floor really to opinions about whether those three are still current suggestions and topics or whether they're still the right ones or to press them or to deprioritize them. I can see Michele Has his hand up in the Zoom. Thank you for doing that. And other people, please feel free to weigh in the queue. I'll follow the queue, I'll try to impose order on chaos. Michele.

MICHELE NEYLON: Thanks, Nick. Michele for the record. Since you had that date of validation and registration policies on there, though you were looking at specifically with relation to DNS views. I kind of ask about potentially a focus on NIS2. I mean the main concern I suppose from a registrar perspective is that there is a very high risk that there would be 27 different regimes and that would not be of benefit to anyone, really. I mean, as you rightly point out, a lot of us deal with multiple ccTLDs plus gTLDs. It doesn't matter a damn whether we personally believe in X, Y, or Z, but if each ccTLD goes off and adopts very, very different processes, it's going to confuse the hell out of our clients and I don't think it's gonna be of any benefit to any of us in the long term. Thanks.

NICK WENBAN-SMITH: No, thank you. And I think those of you who know me well, some years now after the vote to leave the European Union, we finally found a Brexit benefit that the UK is not subject to and is to regulation. But many of our registrars are of course in Europe as those of you who don't

know Michele, he is actually a nominate registrar as well as an ICANN accredited registrar.

So he is very competent to speak on these questions, and it's important to us and it's important to every-- this was a specific topic, just to reassure you on this, by the way, it was a specific topic of conversation at the center legal and regulatory meeting, which we held in Oxford, and there's a strong alignment on exactly what you've just said there amongst the general counsel of all of the European ccTLDs.

So we all want the same thing, and we are very important to have a positive user experience for registrants and also to avoid cost and duplication and all of that kind of stuff. And I know I spoke with Finn Peterson this morning who's doing the news coordination group from the GAC, and I know it's very high on his agenda as but I think the point is well made around NIS2, it specifically says, I think in the NIS regulations, so NIS by the way is a European directive, it's Network Information Security regulations and NIS2 is the second [00:14:02 - inaudible], the first one being in 2016, 2018.

The UK implementation was 2018, I remember that. So it is to do with cybersecurity and raising standards and they specifically call out data accuracy as being a legislative tool, which the EU is using in order to drive down abuse rates.

So you can argue until the sun goes down about whether they're right or not, but there's definitely an opinion and it's an important opinion of the European Union and they've legislated for it that there is a

connection and they will make the industry validating, verify data in order to drive down abuse levels.

So that has actually probably been more of a-- that's changed I think in the last year. So that is probably why we didn't factor it in when the original suggestion was made. It's not a new suggestion, but the regulatory landscape has definitely changed and we could do some work on that. That's a good suggestion. Thank you. Next, I've got David McAuley.

DAVID MCAULEY: Thank you, Nick. David McAuley speaking, for the record. And I wanted to comment, I think in two respects. One is to directly answer your question, is this where we should be looking? It certainly should be. I think Michele's question illustrates that this is very broad, there's a lot to chew on here.

And so I also wanted to say in that respect, I think we should know or keep in our back pocket that one possible way to either attack this or to work on it once we decide is that the subgroup that I lead is at a point where I think we should wind things up and try and automate how entries into the library [00:15:55 - inaudible] are made a little bit more automated and how the email list does as well. But we've basically done the work to create these things.

And so I think there is the possibility that there will be a subgroup available and it might be a good time to sort of recast that group that is, invite more people onto it, repurpose it to address some of these either

in the nature of picking one or let the whole desk pick them and then help work on them to set them up for the full group, and also to recast the leadership.

I'm not trying to step back, but I'm saying we ought to make this an opportunity for others in the community if they so wish. I think we should have on our agenda looking at the subgroup and saying, can we use this in a different manner? And I would like to finish by doing one housekeeping note to the subgroup members that I can't see if they're all here, but they've been stalwarts. Just ask them to finish looking at the entries to the library prior to Tuesday if you can, because we'll be meeting on Tuesday in a public session where we want to highlight that. But in any event, that's my suggestion, Nick. Thanks.

NICK WENBAN-SMITH: Alright, thank you very much David, and thanks UK for putting in the Zoom chat. There are the links to all of the resources that David just referenced and thank you. The other thing in relation to data validation and registration policies, and I'm not picking on you David, but I am picking on you in the sense that there's a general trend in the gTLD world to follow Verisign's example and to take on the thin registry model.

That is also something which has, I think evolved over the last 12 months and something maybe we should also take account on, and I think it's probably a direct consequence of the NIS regulations that people are doing that. If you're not based in the European Union, then it all seems like madness. But if you are, you have to suck it up

obviously, lots of gTLDs not in the European Union are choosing life as it were and opting out of the NIS regulations by going for the thin registry data model. And that is something that ccTLDs are aware of, I think.

But when I ask the question, no ccTLD that I'm aware of is also planning that, so that'll be-- because the reason why I'm interested in this is because I think I'm very interested in alignment of standards and higher policies across the whole industry, like I described, and I can see this is essentially creating a schism between the ccTLDs and the gTLDs. It's unhelpful for registrars, flipping confusing for registrants, and potentially something that criminals and fraudsters can exploit in terms of differential standards and the potential confusion there. So I think that is something that I think we could have a sort of a workshop session on at some point in the future. Bruce, you've been waiting very patiently.

BRUCE TONKIN: Thanks, Nick. This, I guess relates to that first point, which is around data validation and registration policies, but also the term DNS abuse. One of the things that we are seeing in Australia is that the government is increasing the financial support for a number of agencies to deal with what I'd broadly call various types of internet scams. So some agencies are focusing on financial scams, some other agencies are focusing on sort of online gambling. And so increasingly, we are finding that agencies will approach us and say, well, we've now got a remit to deal with financial scams on the internet.

And often they're not phishing and they're not malware related. They can just literally be a website with a range of deceptive content on there, sort of get rich quick schemes essentially. And people put their money in and they lose a lot of money and in that context, what we are finding is that it's the data validation and registration policies that we have that allow us to deal with that. And the difference I'd say there is with DNS abuse, we have staff that can identify whether a site is phishing.

We have staff that can identify whether sites have got malware so we can be a bit more involved. But on other topics, we get a report of a website that's got some sort of financial scam running. We don't have staff with that expertise, and so we don't make any decision on that basis. But what we will do is we'll check the data. And in many cases where it's a, say, financial scam, the data that's been submitted to register that domain name is false in various ways, and we take action on the basis that it's false, not on the basis of what the website is, in fact, I don't care what the website says, but we do care that they've used false information.

So I do think that term DNS abuse has a defined meaning in ICANN, I think it's been very helpful, but what I would encourage from the ccNSO is I think we need to start thinking more widely around, let's just call it scams, to use a more general term because there's more of them around and they're getting more sophisticated, and AI will make them another level of sophistication on top. But there are some things we can do, and I think it's useful for ccTLDs to share how we approach that problem.

NICK WENBAN-SMITH: Thanks very much, Bruce. I've made a note there to add scams and that type of fraud on the internet to the work plan. When Bruce started talking about a get rich quick scheme, I thought he was going to talk about the new gTLD program, but maybe that's a get rich slowly program. So yeah, and in terms of sort of data accuracy, we obviously had a session this morning with the IANA staff and turns out that lots of ccTLDs have inaccurate records in the IANA database. So we need to be careful about the limits of punishing inaccurate data in terms of the sanction being to remove them from the root zone.

BRUCE TONKIN: Yeah, there's probably a difference between inaccurate versus false, I would say.

NICK WENBAN-SMITH: One of the things that is great fun is to talk about the definition of DNS abuse, but it is also extremely time consuming and quite boring for anybody else who's not really that interested in the definition and actually wants to talk about something tangible. So yeah. Okay, I agree with that. Sorry. And we've got a couple of hands up. You've still got your hand up, Bruce, but Michele next

MICHELE NEYLON: Yeah, thanks. Just supposed to think is the terminology in the ICANN context can be a bit problematic because within the ICANN context, contracted parties within the gNSO want a very, very narrow definition of DNS abuse, whereas outside of that particular realm, the reality is as

Bruce says, you know that there are governments and others who are very, very interested in bad stuff that's happening via digital in some shape or form. I also would remind people to please stop talking about websites. Domain names are used for a lot more than websites, and I know that we can turn off our web servers for an hour a day and we will get a few complaints, but if I touch our mail servers, the phone system lights up like a Christmas tree.

So please remember, domains are used for other services in the right space, which some of you are probably familiar with, but was a DNS abuse working group for many years. It's now changed to be a security working group. And maybe that's something that you might want to consider looking at if you want to broaden the scope and possibly avoid having the kind of narrow remit that within the ICANN context of all the people are more comfortable with.

But I'd also ask you as well, no matter what you do, you please try to engage with the registrars on this, because we ultimately, while something might sound fine on paper for one TLD, we're dealing with hundreds of TLDs and ccTLDs. And if you are expecting something of very specific that might work in your jurisdiction, be aware that you might need to find something that works in other jurisdictions and works in other situations. And also, it's fine and dandy the two very large ccTLDs sit there and ask of certain things of the broader community, but not all ccTLDs have your resources available.

NICK WENBAN-SMITH: Thank you for those points. And it's at the point well made, and I'm extremely mindful about that issue, and I think the great strength of the ccNSO is the diversity and geographic spread and inclusivity is an extremely important factor in terms of making sure that we don't as large ccTLDs with resources, et cetera, come across to sort of smug or preachy to other people.

And we need to understand their perspectives and we need to make sure that they're properly heard in the terms of the room. Michele, since you unwisely chose to speak, I'm interested in your perspective as a registrar in terms of effectively working with ccTLDs as between registrar registries and registrars and whether that is something that say the registrar stakeholder group would be interested in exploring in terms of some sort of joint working shop.

MICHELE NEYLON: Okay. So I cannot speak on behalf of the registrar stakeholder group because happily these days I have absolutely zero official position within that group and I am very pleased about that. Generally speaking, I think a lot of registrars are very happy and interested in engaging collaboratively with ccTLD operators, be that on an individual or a group basis because ultimately, the decisions you guys make impact how we interact with our customers.

And if we work together towards something that we can consider as become a shared goal, we probably get there a lot faster rather than something where you kind of unilaterally kind of go, oh, here's this new policy. I mean, Nick, you know that well, I mean, we've had our

moments in the past about certain nominate decisions that were, you know, well intended but didn't scale particularly well. Hashtag let's not talk about Kerry anyway.

But I think, there are people within the registrar community who are more than happy to engage with you guys and I would love to have that kind of engagement. And if you want to harass me, feel free, more than happy to. I cannot speak on the behalf of the stakeholder group, unfortunately. But in terms of other registrars, I know there are quite a few who are very interested in working with you.

NICK WENBAN-SMITH: I just want to remind everybody of the community standards around anti-harassment. So please don't harass anybody.

MICHELE NEYLON: You can gently remind me on a frequent basis to respond to your emails.

NICK WENBAN-SMITH: That's much more appropriate. Thank you. Sorry to be a bit of a fun spoiler in that regard. So in terms of what happens next, is that a new hand or an old hand? In terms of identifying new items and agreeing approach for ICANN82, we've got some really good ideas here.

Is there a good way to test the mood of the room? My favorite sort of decision making and governance body by the way is benign dictatorship. So I'm very happy to take on board people's comments and feedback. But if we can do a mood of the room type of thing,

BART BOSWINKEL: Just a question before we go down this path, because if you go back to the history of these three topics, they emerged more or less from the first survey. I think, and you and Bruce have been looking and Angela have been looking closely at the second survey, do you see any emerging topics from that survey that could be added to this list worth a more deep dive going forward? Because I think that was the purpose of today's session as well, understand if there are any emerging, and this is almost benign dictatorship, so your favorite role, did you see any emerging topics?

NICK WENBAN-SMITH: So I'm happy to give a little bit of a sneak peek. But I think it was very striking to me that we had a couple of workshops specifically. One was in relation to AI and we had some examples of registries, ccTLD registries and their use of AI specifically for investigation and mitigation of phishing malware and other sort of attacks.

Out of the survey respondents, 50% are already using AI or are gonna use AI in the near future. And so that was sort of quite a striking change from two years ago, that's completely different from two years ago. And the other thing is that I talked about common standards across registries and registrars and we had a workshop in --

BART BOSWINKEL: Kigali.

NICK WENBAN-SMITH: I don't know, it was a meeting room. Everyone thinks it's like glamorous. It's like, no, we're in a window, let's pit and anyway, somewhere we had a meeting. It may have been, I think it was in Kigali. Okay. I don't even have jet lag to use as an excuse.

I was gonna say handbook. But we had a meeting with the registry stakeholder group and a really good explanation, an overview of the anti-abuse clauses that the gTLD contracts now incorporate. And again, 25% of ccTLDs in the survey had already adopted those clauses into their registry-registrar agreements in parallel with the gTLD clauses, another 25% we're planning to imminently. So I think it proves that we are moving the needle with some of these things as a definite benefit from workshops. We're not making people do it, people are choosing to do it because they have the information and tools.

So that alignment of standards and contract amendments, it reminds me of a point which I was gonna make earlier and I didn't because I was probably distracted by some heckling. But with the gTLDs, they are, well, I was gonna say lucky enough, but maybe they're unlucky enough to have ICANN's compliance department enforcing the contract terms specifically as between ICANN and gTLD ICANN accredited registrars.

The registries don't really have a direct compliance role with those registrars that stand to ICANN compliance. With the ccTLD model, that is not the case, we do not have ICANN compliance and it's a big problem. I think that yes, of course, nominate has a compliance department and we enforce our contract terms and we do spend a lot of time threat hunting, calling out bad behavior, escalating issues with

registrars, trying to resolve problems, and that comes at a massive overhead. But Nomina is lucky enough to be big enough and bad enough and treats this as a priority that we will do that.

Not everybody else can do that. So how can we give all the registries around the world, even quite small ones for whom, the total staff might be less than the whole of Nomina's sort of security department, how do we give them the same privileged access to that sort of thing?

Because how can they be expected to do their own compliance in that sort of way? It's just not possible. So then it must be a better answer. And so that is something that the community needs to more discuss and socialize in terms of if ccTLD registry compliance, because what's the point about having policies to reduce abuse if you can't actually police those policies and take any action, how can you do that in terms of capacity or should there be?

But my opinion is this is something which would be perfect to share between registries because we're all trying to do the same things, and then there'll be a pool resource, and you could use it proportionately depending on the size of your registry, and it would be massively more efficient because you'd get all the expertise into one place.

But that is not something that is gonna happen quickly. But there needs to be that sort of radical idea which can do that. But we haven't talked about it enough, I think. So Michele, have you got your hand up again?

MICHELE NEYLON: No, I do. I mean, just think, just from a registrar perspective, my company and I know others are in a similar position, we take the contracts we get from the registries quite seriously. So for us, it's very frustrating when a registry doesn't enforce their contract terms on all registrars equally. Like we should all be basking in the glory and the peace or suffering equally. Shouldn't have a situation where I comply and my staff comply because that's what's there and that's what we're meant to be doing. And then you discover that, you know, well, a bunch of other registrars actually aren't.

And I understand the restrictions and the restraints, but just, you know, that it's not simply a case of that it's top down. I mean, those of us within the market also want a level playing field because the cost of doing that compliance of making sure that certain things work in particular ways that impacts our business. And I mean, we're happy to spend that money, but we're not too happy to discover that others aren't. But I mean, moving forward with this, what's the practical next step? I mean, what would you like to do in Seattle, I suppose is the question.

NICK WENBAN-SMITH: That is exactly the question because when you add one to 81, you get 82, and that seems to be how things work here. I never really understood why ICANN meetings were numbered. I was like, what are these random numbers? Anyway, it turns out they just add one each time. So Seattle-- I actually did get to do further maths at A level. But anyway, I like to say to people, I'm very good at mathematics, but I'm

not so good at arithmetic, which is completely different. So yeah, so I think that is the point about that.

So, the new items were AI and I think scam. So they now have the list of three has gone to a list of five and data validation has been supplemented with the adjacent areas of NIS2 and thick-thin registry data models I think is also potentially there. So there's lots of things to talk about, which is great. And I see Dr. Bhattacharyya has his hand up in the Zoom room. I can't tell if he's here or remote though. Sorry.

JAIJIT BHATTACHARYYA: Hi, I'm not in the room there. I've joined in remotely and this is my first ICANN meeting. I just want to bring in another dimension to if I can call it a DNS abuse, but essentially what we are seeing is that there is a trademark being put in willy nilly on the ccTLD. And I don't know if that falls under abuse, but that's what's happening, and I can give you quite a few examples. For example, .pe, which is for Peru also is an acronym for payment. So many of the payment companies have pay at the end, and there is a large company which is trying to trademark .pe.

Now, that will be quite problematic because many of the ccTLDs, if they get into trademarks in various regions, then that will be a bottleneck for others to use it. So I just want to bring that issue to the forum. I don't know if this was the right time, but I don't know whether there would have been any other right time. So I just want to leave it on the table. Thank you.

NICK WENBAN-SMITH: Thank you very much Dr. Bhattacharyya, and welcome to your first ICANN meeting, and I hope it's not too difficult for you to try remotely. I'm very pleased that the remote participation worked flawlessly. So that was good. We heard your question loud and clear and in terms of sort of trademark abuse, this is not something that we've touched on specifically.

But it is because there are other places in the ICANN community where they are very interested in intellectual property matters. But there is self-evidently to my opinion, a very high degree of overlap between trademark, abuse, or crime and phishing. So clearly phishing attacks are usually targeted around a particular brands and trademarks. So, it is not a stupid question at all, and it is something that I think those of us who deal with the definitional side of DNS abuse, whereas, okay, it's phishing, okay, but you can't say it.

Phishing is on itself a specific isolationist activity and doesn't touch on other parts and definitely does touch on trademark abuse, and certainly within the ccTLDs who have problems with phishing and large open ccTLDs, like .uk, it does have phishing, but those of us who spend a lot of time trying to mitigate phishing, we do look at the trademark terms, nearly always our trademark terms, which are most used for phishing as part of our investigation to see when registrations are made, whether there's a risk of phishing, and that is something that we do.

And it did actually come up in the AI session, which was in Hamburg about how you can use what you can either call it an algorithm or some sort of machine learning model to work off of trademark databases or

commonly phished words or use the fuzzy logic to see common typographical uses of trademarks in terms of abuse.

There's a massive caveat, and this is obviously colored by my own intellectual property law background. Some trademarks by the way, are completely fine, and my friends at Sky, you know, sort always say, kind of chosen a more distinctive trademark because there's quite a lot of false positives when you're dealing with that.

There's a particular term in the UK there's a big telephone network called three, and that is itself not massively distinctive. My favorite trademark and domain story is around apple.co.uk and I always say we as a neutral technical operator, we do not care whether it's Apple Records or Apple computing company, which has apple.co, we get paid 3 pound 90, whichever one it is. So kind of unfast.

Actually, that domain name was registered in the 1990s by a marketing and design IT, small niche micro business in Cornwall in the west of England, and not related to either of them. And there was a bit of a dispute over it some point later, and I think they now do not have that, but they reached a resolution on it and it was nothing to do with trademark infringement to be clear. So, that is a good suggestion, and I think yeah, phishing and trademarks go hand in hand. And I think when you stress scams and payment, then that is also something that is fair. Sorry, if you wanted to come back and respond, I'll let you do that.

JAIJIT BHATTACHARYYA: I was just dropping the point that what I was saying is that it's the TLD on which the trademark is coming in, so it's .pe on which the trademark is coming in, which is the problem area. So the other part is, okay, that's well known but it's TLD and it's typically the ccTLD on which the trademark is coming in, which is the problem area.

And I can give you example, .pe is the example, and it's a Walmart subsidiary in India, which is trying to get that trademark. So I can give specific such examples and that's where I'm saying that I don't know whether that's a point that's already being subsumed elsewhere, but it's a little different point from the generic trademark and phishing issue.

NICK WENBAN-SMITH: Okay. Thank you. Thank you for that clarification. So just managing my time as well as I usually do, not very well. So in terms of getting a sense of which one of these sorts of topics we ought to prioritize, is it as simple as me just saying 1, 2, 3, and five? Or I can't, I miss out four.

BART BOSWINKEL: I think we can use a Mentimeter poll.

NICK WENBAN-SMITH: Okay. I'll give staff a minute to set up a Mentimeter poll. We can go onto the other item agendas and maybe finish on time. So in terms of item 3C now, review and update the DASC working methods, I think it's working really well, but I would say that, wouldn't I? But I hope people

think that I'm approachable and amenable to reasonable suggestions in terms of improvement and efficiency.

I would say I think we spent a bit too long in relation to the first survey talking about the survey results. And I've made a undertaking to make sure we get through that and free up time for other things more quickly the second time round. But if there's any feedback either now or on list, send me an email, grab me somewhere in terms of working methods. David, I see your hand.

DAVID MCAULEY: Thank you. Excuse me. Thank you, Nick, David McAuley speaking for the record, but as a member of the DASC since the beginning, I do want to say to you and Bruce, I think it's working really well. And so my hat's off to both of you in that respect, not least because as I see it, over time, we are increasing our contacts with the registry stakeholder group, DNS abuse working group.

The overlap there is not a hundred percent overlap, but it is largely aligned, and I think it's very good that we are collaborating with our colleagues on the other side, and I hope that we continue that and grow that. And so I just wanted to make that particular comment. As I said, I think things are really doing quite well in the DASC. Thank you.

NICK WENBAN-SMITH: Thank you very much for those kind words, David. And the point is well made about cooperation across the TLDs, whether they're ccTLDs or

gTLDs, fraudsters and bad actors on the internet don't care about that distinction and nor should we in the same way.

I think that was good and very happy to accept any further comments there. So just going through then to item number four, unless there's any other hands or any other comments, you can send me a private message by email by the way, that's perfectly okay. And I talked about benign dictatorship, but in time, if anybody wants to mount a takeover and they're can find a better chair for the group, then that's kind of fine as well.

I'm not precious about this thing, I'm just sort of your servant as the community and the steering group members. And I will represent those views faithfully through to council if necessary. Item four here is just a reminder really of all the other DASC sessions and DASC related sessions at ICANN81.

I was gonna say part of the context of this is that part of the good governance of the ccNSO working groups is that we do get regular reviews by people who are not involved in those groups in terms of operation and inside other terms of reference still correct. Did the group use its time wisely? I'm very fond of reminding people that the most precious resource we have is volunteer time, which is very scarce.

So if there's better time or we're not using our time effectively as volunteers in this area, then we should pack up and do something different. So there is a review mechanism going on for the DNS Abuse Standing Committee starting off in the next few weeks.

But in terms of whether the subject is still topical, I look at the large number of sessions that are organized in this ICANN meeting on DNS abuse. I know it's a high interest area for many members of the GAC and ALAC. So it's obviously not going away. So I would say, well, I'm just rehearsing my interview with my review group around why we need to justify our own existence. But it's clearly is a high interest topic and I don't know whether people have got any other sort of thoughts on this.

But you can see on the list, I won't go through them all, but specifically I am gonna give quite a large presentation to the full ccNSO membership on Tuesday afternoon. And that is in relation to the 2024 abuse survey and the findings from that. I talked a little bit about some of those there as a sort of slight sort of plot spoiler.

So I'm also doing an abbreviated review of that to the ALAC on Monday and to the GAC on Wednesday. And I know that there's an ICANN Org abuse session. For those of us on the last call, we heard from Sean Lloyd, who's on the ICANN's OCTO staff about their measurement.

What used to be called DAAR is now called Metrica, and they want to talk about that and they also want to get ccTLDs involved in those sorts of programs. If there's any other DNS abuse type things, there probably are which are not reflected on here, then please do feel free to raise your hand and shout about them. So yeah any questions about any of that?

Okay, how are we doing on the-- So let's see if you asking the questions I thought you were asking and whether-- so I don't know how many rounds of voting we need. Just to say that last time we had four topics

suggested and there was basically a 25% on each of them, which was very unhelpful in terms of prioritization.

So we just have to basically flip a coin and pick some. So if there's a clear consensus or people want to see what's on the thing, then let me know. Otherwise get your phones out. Yeah please, I'm not gonna be difficult about this. But it's gonna explain what happened. But before people vote, I think we should-- please, can it just be ccTLDs so you don't have to be in the ccNSO, you don't have to be on the DASC, but I think it should be a ccTLD community. Show of hands.

And if there are three of you from Australia mentioning no names, can please only one of you vote in the poll so that we don't have a geographic bias, that's an unfair way to do it. And Chris, you don't get a vote at all.

BART BOSWINKEL: So if you log in, you'll see one slide with five options. It's multiple choice, so you can select three. Can you go to the next one? Assuming, and you can see the Manometer poll as well. And just start voting, and we'll end up with a ranking the five.

NICK WENBAN-SMITH: I love your colors bar. I know I'm only joking, this is chosen by random, by Menti, not by ICANN. I think I can do with a little bit of rainbow in their logo, but anyway. So we've almost got 20% in each of them, so that's terrible.

We could do better, I think. Don't ignore that side criticism and do not vote for your favorite color. Treat this extremely seriously. I think for those of us with a little bit of OCD, we do like a sort of a straight line and stuff, but thank you. I mean, I think thank you and not thank you because it's a sort of data validation is the winner and then registrar our collaboration. So we will do those first, and I think we did already a little bit on AI, but AI's sort of something that people love talking about.

I'm not gonna get into marginal and swing state stuff. Thank you very much. I think that's pretty helpful steer. So we will take that on board as a committee and work on that. I think it's a very useful exercise. So thank you for your engagement. Thank you, Bart, for doing that. It's kind of like we planned it, but we didn't, I promise.

So any further thoughts? I just have catching up with it. Give me a moment. I'll just have a look at the comments in the chat, just check what's going on there. So that all seems kind of fine. Does anybody who's not in the ccTLD community want to say anything about that process or want to raise a different perspective that they wish that we would hear?

Because I don't want to be too sort of narrow-minded about this. I think it is a decision for us, but I'm, as I said, always open to reasonable representations from other parts of the community if they think that we're missing something or they think that there's benefit for the broader landscape for us to do other things. And thank you Susan for answering them.

Oh, hi Kathy. Why don't you borrow Chris'? So welcome. Kathy, I haven't been very strict about this, but since you are renew to most of us, you better do a proper introduction.

KATHY KLEIMAN: Sure. I'm Kathy Kleiman. I'm a co-founder of the Non-commercial Users Constituency and an active member of the Non-commercial Stakeholder Group. As you talk about data validation with apologies, I came in late and I'm sleepwalking with jet lag. So I was wondering, we talk about inaccurate data as something involved with scams and spams, but did you talk at all about why legitimately people put in inaccurate data into when they registered domain names? And if you did, then I won't talk any further. If you didn't, I'll say something about the human rights implications.

NICK WENBAN-SMITH: I think that's a very interesting observation and I think we are here focused on abuse and there should always be the human rights consideration as part of that. So yeah, the floor is yours.

KATHY KLEIMAN: Terrific. In the ccTLDs, it's a different issue of course because it's under national laws, but in the gTLDs, and I see you trying to draw a comparison, I just wanted to point out why people would put in inaccurate information. So something that we're talking about with the registrars in an upcoming joint session later in the week. We've phrased

and Non-commercial Stakeholder Group phrased what concrete effects have we seen from inaccurate domain name registration.

And me just read it since I'm jet lagged. "The internet is a global communication system that allows an array of people who have never had a voice in their families, societies, countries, and regions to speak and participate in new and expanded ways. Let's call this fundamental human rights. Girls and women in Pakistan are advocating for their right to education and using the internet to help provide and pursue it. Ethnic, religious, racial minorities are using the internet to pursue fundamental societal and human rights and better protect their families and communities."

Something many of these speakers have in common is that they're engaging in the speech under pseudonyms, they're not sharing their names. Because sharing those names might result in prosecution persecution and threats not just to their lives, many people are expatriates, but lives of their families.

So I just wanted to point out that in many of these groups, where the interaction is coming from, let me move over here, the noise. Many of these groups, they're operating, they'd rather have, they're putting up information and they're using the gTLDs because what they're saying might be illegal or in their own countries. Girls in Afghanistan in education, let's you know, or Pakistan ditto.

So they're sharing important ideas. And so when you're looking, it's not a scam and it's not illegal, but if you're requiring identity on this, then we're going to a Chinese model where we lost how many millions of

domain names and .cn when people had to show their ID. And the reason why is they were sharing ideas.

So it's one thing to have a scam, it's another thing to be sharing an unpopular idea. And if you want, and I can share it for the lawyers in the room, there is a court case in the United States, McIntyre v Ohio: Elections Commission 1999, still legal, but who knows what the current Supreme Court will do that protects anonymous political speech because the idea is that the decision in favor of anonymity, and this is a Supreme Court writing, may be motivated by a fear of economic or official retaliation by concern about social ostracism or merely by a desire to preserve as much of one's privacy as possible.

But the idea of having those ideas is part of a democracy to have unpopular ideas. So thank you. I appreciate it. Thank you, Kathy. Very interesting perspective and we should not, I think, you know, it's very easy for those of us to live in like western liberal democracies where there are counterbalances and freedoms of protection and accountability mechanisms even if they don't work particularly well, but we feel relatively safe and being able to express our views. I see Chris, you have your hand up. Michele, you did have your hand up. Chris.

CHRIS DISSPAIN: Thanks, Nick. So I mean, I think Kathy raises an interesting point that, but I think there's also a distinction. There's a distinction between now advocating for the fact that it should be possible for there to be a space

for you to register a domain name without having to provide details of who you are on the one hand.

But on the other hand, ccTLD specifically are governed by the national law of each of their countries. And whilst it may very well be illegal for certain things to happen in Pakistan, it is illegal for certain things to happen in Pakistan and Afghanistan. It's equally illegal to register or it could be illegal to register the domain name in Pakistan or Afghanistan without providing data. That doesn't mean you can't go somewhere else. The real challenge comes when you get legislation that attempts to go outside the borders.

This is what the European Commission thinks is the solution to the world to dealing with the internet and it's madness, frankly. Because what you do inside your own borders is entirely a matter for you, but the concept that you should be entitled to tell somebody outside your borders, what they do is entirely another matter. But I want to just acknowledge the point that Kathy's made and say, yes, of course it's right, but each individual ccTLD has basically got no choice but to abide by the law of its land. It's got nothing to do with ICANN and it's got nothing to do with ICANN's policy. Thanks.

NICK WENBAN-SMITH: No, thank you, Chris. I think it's a good reminder. There are quite a few lawyers in the room, I'm sorry to say, I'm pleased to say never was a room made less interesting with fewer lawyers. It is now the top of the hour, so I will close the meeting. There wasn't any other business raised. So I think we can look at the schedule of meetings is up on the

screen. I want to give a plug for a webinar run by the DASC in cooperation with ICANN OCTO staff and domain Metrica. I will be on particularly good form because that's just after my team Christmas lunch.

And we have a wrap up webinar, we will continue the discussion on preparations for ICANN82 and there's some further meetings there in the full schema. So thank you very much for everybody for your attendance and engagement and participation, and we'll see you the next time. Have a good ICANN meeting. Enjoy Istanbul, for those of us who are here in person. Thank you for people attending remotely.

[END OF TRANSCRIPTION]