
ICANN82 | CF – Joint Session: GNSO CPH and NCSG Memberships Work Session
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ANDREA GLANDON

Hello, and welcome to the Joint CPH and NCSG Membership Work Session. My name is Andrea Glandon, and I am a participation manager for this session. Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior and the ICANN Community Anti-Harassment Policy.

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BETH BACON

Tag, I'm it, thank you. Drunk with power over there.

ANDREA GLANDON

I just wasn't sure who's... and I looked up and saw you.

BETH BACON

Great. Well, hello, friends. I'm Beth Bacon, chair of the Registry Stakeholder Group. We have Owen Smigelski right next to me, as

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you can tell, chair of the Registrars. And Rafik, you want to introduce yourself for everybody?

RAFIK DAMAK

Hello, yeah, Rafik Damak, I am the Chair of the NCSG.

BETH BACON

Apparently, Owen is in line and not next to me, despite the striking resemblance. He'll be here in a minute. So, we haven't had some time together with the NCSG and the CPH in quite some time, so we're happy to have this back on the schedule.

We have, between the three groups, we've gone ahead and brainstormed some topics. We have a little AOB as well, so if anyone has anything we haven't put on the agenda, I think we're all happy to chat. Rafik, is there anything you want to say before we go, or you just want to dive into the agenda?

RAFIK DAMAK

Thanks, Beth. Yeah, I think our goal from this meeting is to resume more of the discussion we had previously, and if we can come up with some action and follow-up, I think that's our main goal from this, not just about discussing. And if we can agree on some action, that will be great.

BETH BACON

Totally agree. Hopefully, we can keep this going. I think we are often, these groups are often aligned, but we don't have the regular

cadence, so I think that's kind of the best part of this. But with that, let's hop into the agenda. DNS abuse and DNS abuse with HRIA, we might be able to do a little bit together. And those were requested by our NCSG friends, so if you want to let us know if you have questions, comments, we're happy to chit-chat.

RAFIK DAMAK

Okay. Thanks, Beth. I think it's not a surprise that we are bringing that human rights impact assessment on DNS abuse, since it's something we are trying to cover in the last ICANN meetings. So, I think there is no surprise here in terms of what we are advocating or presenting, but for today, it's just maybe it's to go more in how to follow-up and how we can proceed and how we can implement. And for more details, I will leave that maybe with Farzaneh, who can go in more details, and then we can start the show.

FARZANEH BADIEI

Hi, everybody. I am Farzaneh Badiei. I'm a member of the Non-Commercial Stakeholder Group. Also, I am on the GNSO Council. When the CPH was doing the outreach sessions on DNS abuse, I was the point of contact for NCSG. When we discussed DNS abuse mitigation, one of the questions that came up was, what are the success factors of these contractual amendments?

And different stakeholder groups have different opinions about what the success factors are. As you know, Non-Commercial Stakeholder Group wants to advance human rights, freedom of expression, access to knowledge, and access to an open global

internet. So, we thought that, as well as having quantitative measures for success of DNS abuse mitigation, we need to have qualitative measures, so that we also don't put pressure on the registries and registrars to take action, to take action that is so urgent, or it leads to overtake down of domain names.

And to do that, we said that, okay, so we need to come up with these qualitative indicators of success for DNS abuse mitigation, so how can we do that? So, we talked to the community, we also presented. One of the ways to come up with these success factors is looking at how the mitigation of abuse could put human rights at risk. So, we've been working with CPH DNS Abuse Working Group on doing sessions and community consultation on how can we do a human rights impact assessment on mitigation abuse, DNS abuse mitigation process.

We had a very good session in Istanbul that started the conversation on how we should do that. And then as a result of that session, there were talks that we probably need some guidelines for the registries and registrars, and not policy, just guidelines for registries and registrars to look at how to do human rights impact assessment of their work. It's going to be very practical. It's not going to be anything that registries and registrars have to invest a lot in, so we want to do something lightweight. And so, we have a session, actually after our meeting, a second session that we are going to talk about those guidelines. How do we come up with them and do another kind of community work on starting the process of coming up with the guidelines.

Now I have to be very clear that at NCSG, at this point, we don't believe that there should be any PDP on DNS abuse, we don't think that we need like policy processes at the moment to address things, and we are just like looking at how successful, how the registries and registrars are complying with the contractual amendments, and these guidelines that we are going to collaboratively come up with are just going to be to help registries and registrars with their work when they are mitigating abuse. And that's it.

BETH BACON

Thank you, Farzi. So, I will start with saying the session at Istanbul got excellent feedback and I was unfortunately conflicted, so I wasn't able to attend. But we do have members of our CPH DNS Abuse Working Group here, and if the goal is to create kind of collaborative measures for things that are not necessarily those quantitative items, like how fast was your-- did you take it down, how quick were you to mitigate.

Then I think certainly that's something we could have a conversation, and maybe the DNS abuse group, and I'm looking also at Owen, because he's active in that, and also Dennis, who's right there. So, if folks that are on that group have thoughts or feelings and want to weigh in, that would be great. But I think collaboration on measuring those things that are not necessarily the numbers, the easy numbers, is a good point.

DENNIS TAN

Dennis Tan, Verisign, one of the co-chairs of the CPH DNS Abuse Working Group. I just wanted to observe a couple of points. Farzaneh, plus one, and I think you have been too modest in describing the amount of work that your group and our group have put into this. We actually started back in Kigali, right? Remember, with the introduction of human rights impact assessment, and then that led to the work on the workshop that, as Beth pointed out, received good feedback in terms of exposing different views, and so that people really got together and thinking about these use cases and whatnot.

And now, following that work, later, after this session, we're going to get our hands dirty, right? We're going to roll up our sleeves, and we're going to continue working on those qualitative measures that Farzaneh is talking about. So, this work has started, it's progressing, it's continuing, and yeah, we look forward to keep doing that. Thank you.

BETH BACON

I don't think I see any other hands in the queue. Does anyone else have comments? So, do you want to go ahead and respond, Farzaneh?

FARZANEH BADIEI

Sorry, just, we also, we did this in collaboration with the CPH DNS Abuse Working Group, and we really appreciate the collaboration. We have online, we have also worked with one of our members, Article 19, Michaela. Article 19 undertakes human rights impact

assessment in general on technology. And they have been active at ICANN and other places. So, we are in good hands, and we have Michaela online. Michaela, I don't know if you want to say a few words. I don't want to put you on the spot. Is she even online? She told me she's online. She's gone. Okay, great.

MICHAELA SHAPIRO

I'm here, I'm happy to come in. Thanks, Farzaneh, and thank you for the introduction. Yeah, as mentioned, my name is Michaela. I'm here representing Article 19. For those of you who aren't familiar with us, we're a human rights organization. We do work on freedom of expression, and particularly my role has been focused on ensuring that that right is protected, both offline and online.

So, it's been fantastic to collaborate with colleagues at VeriSign, at Tucows, and Reg and Dennis, thank you so much for all your work on this. And yeah, just to say, to plus one to everything Farzaneh has already mentioned, really excited for our session, excited to get our hands dirty and really figure out how we can really translate the contractual obligations into something practical and pragmatic and useful for everyone in this community to benefit from. I think that's it on my end. Thank you so much.

BETH BACON

I don't see any other hands. So, as the action here, I think as we continue this to regularize our engagement, let's keep this on the agenda, and we'll make sure that the CPH DNS Abuse group talks about this, and then we can reach out and have more in-depth

discussions. So, thanks guys. Oh look, we already did the second one too.

The registries did add the code of conduct, and I think folks are very aware of the statements of it, the statements of interest work that then culminated in the publishing of the draft code of conduct. I think this is something where I would imagine NCSG and registries and registrars have a lot of alignment, registries in particular. I won't speak for Owen, but we've been very vocal and supportive of the code of conduct. We really like the current draft that is out, understanding that there'll be a little bit of talk of just the brass tacks of how do you enforce this, which we think is a pretty practical thing that we can tackle.

There was some consternation when the-- I think the final report, comments closed on December 3rd, and that was quite some time ago, and it just kept getting pushed out. So, I think just looking to see what the NCSG's views are on that code of conduct, see if we can align in ways that are helpful. There is a session that I believe you guys are represented on to discuss the comments that were submitted during the comment period during ICANN, so hopefully we can align in advance of that and share any views. Owen, do you have anything different to add from registrars?

OWEN SMIGELSKI

No, thanks. This is Owen Smigelski. I just want to agree that we do have similar positions on this, though, the registries and the registrars. Certainly, something very vocal is a little concerning

that it took so long, but do like the policy and look forward to this going forward. So, I defer to NCSG colleagues.

RAFIK DAMAK

I think we have Manju, who want to speak up on this issue, but just first question. I mean, okay, I understand that one of your concerns was about the delay, but regarding the code of conduct, I mean, can you highlight anything you find interesting or that you are supporting it? And then we can go to Manju.

BETH BACON

Sorry, I'm gross already, guys. I didn't even make it to the first meeting. I apologize. I'll try not to share my plague. So, from the registry's perspective, we thought that the work in the GNSO Council Task Force on the SOIs really highlighted that there was a pretty glaring loophole for folks to say conflict of—especially if you're a lawyer and you're representing a client—confidentiality, and that didn't seem to be a shared view. So, I think that just the clarity from the code of conduct on, as you participate, you must say who you are, what views you are expressing, and I think that's really important.

If we look at ICANN and want to bring ICANN on the level of other international organizations, as we are, then I think that transparency in policymaking is something that is very standard. You have to do it in the OECD, you have to do it, if I go and lobby US Congress, I have to have myself or the lobbyists that we hire has to say, this is who we're here for, this is what we're talking about, this

is who we are. And I think that's really important, and I think the code of conduct is a great step in codifying that. So, that's what we really appreciated about that.

MANJU CHEN

Thank you. This is Manju from NCSG. I think NCSG, in general, in the past discussions, we have been very aligned with the CPH about this. Of course, during when the task force and we put forward a report to Council, we're a bit more willing to compromise in the sense that we thought little step is still a step moving forward to improvements. Of course, we were stopped by that. Those that wouldn't really step out.

But yeah, right now, the Board was willing to take the initiative, and we were willing, very willing, very strongly supporting that code of conduct, too. And I'll be representing NCSG on that community panel. So, I think mainly just there to provide context if people were curious about what happened in the past, and what we have been through, and what we've discussed about this issue. Thank you.

BETH BACON

And to be clear, we think the work, you guys, you did great work on that. In that group, it was very challenging, and you managed it incredibly well. And I think that the good thing of the Code of Conduct is also that it does bring it up to the level of the full community, because it is a full community issue, and not just a GNSO Council issue. I think you guys struggled unfairly because

you're going at it in the GNSO when it really is a full community issue. So, I'm glad that we could bring it up, and that we're aligned, and looking forward to hearing your comments on the panel. And you did great work.

RAFIK DAMAK

Thanks, Beth. So, seeing that, yeah, we are both supporting the Code of Conduct, and again, the question just to be practical, how we should proceed, how we can do to make it more clear. I'm not just kind of, not saying brainstorming, but do you want some joint letter, or something to show that our position, or both groups, that we can share to the Board, or just wondering here what we can do on this matter.

BETH BACON

Well, I think if we can start, I mean, going into this panel, the open discussion, just very much aligned and supportive of the Code of Conduct, and see if the Board is able to then translate that into action. If then there are delays, or concerns out of that session about the progress, and moving forward, then I think absolutely we can discuss kind of a joint action after that. But I think if they can get it done without us throwing something over the fence, we know how much the ICANN Board loves a letter. They don't love that. So, I think the offer is super appreciated, and we can keep that in our pockets, if that works for you guys.

RAFIK DAMAK

Yeah, I think that's fine. I understand that we will have represent from the different group in the session. I have no idea what's the format, how that will go, but if we need to speak up, I think that can be a first step, and we can see you later on there. Yeah, Farzaneh.

FARZANEH BADIEI

So, I don't know how to say this politely. So, I think that one of the major problems with Code of Conduct is enforcement. We can have beautiful Code of Conduct with all the clauses, and all the unnecessary things, and then when it comes to enforcement, if enforcement is lacking, it's just meaningless. So, I think that we should focus on that a lot.

And also, for the matter of transparency, as you know NCSG, one of the values that we promote is transparency in governance. So, it is very important for us, for the participants in policymaking at ICANN to disclose who they are representing. And that's very important, but how do we enforce these things is a matter that we need to focus on, and I don't know if--

I'm sorry, I have not read the Code of Conduct, so I don't know what sort of enforcement mechanisms we have. But just a word of caution that, especially because there is kind of like disagreement among the community members how some of these transparency rules should be, so I think that if we have a weak enforcement mechanism for the Code of Conduct, we are not going to achieve our goal, which is bringing more transparency and ethical values to the process.

BETH BACON

Anybody else? I know I have my hand up, but other people can talk first. There you go.

OWEN SMIGELSKI

Thanks. And Farzaneh, that was also, you raised the issue of almost like the enforceability, and that was something that the Registrar Stakeholder Group did raise in our comment concerns about how does this work, what's it going to look like. So, I think it's good to have that policy in place, but if it doesn't have any teeth, or there's not a way to enforce that, then it's really meaningless.

So, I think that's something very important to ensure that the rules as stipulated, there is a way to actually have an accident consequence, or somebody who does not abide by that. So, I completely agree with that, and I think that's certainly a priority, and something that we want to make sure is fleshed out and is clear.

REG LEVY

Reg Levy from Tucows and the Contracted Parties. My recollection is that the Code of Conduct is enforced by each group themselves. So, if someone in this room fails to abide by the Code of Conduct, then it's up to the chairs, essentially, to take whatever action they deem necessary. And if it's a working group, then it would be the working group chairs.

I don't know that there's a better way of doing enforcement than that, because we are sort of a self-policed community, but I'm also cautious that there are some groups that were against the Code of Conduct, so I would assume that they would not be enforcing it, at least within their own groups. So, we are going to need to make sure that when it comes to working groups that are cross-community or stakeholder group cross-AC, there we go, AC—sorry, I also need more coffee, apparently—that we, as groups, are monitoring that and making sure that we put pressure on people to actually enforce it.

BETH BACON

Thanks, Reg. So, I actually, I just have the enforcement language up and I can drop it in the chat, and I can share it with you later. It starts with kind of the self-policing. I think that, very practically, whenever you have a new policy, I agree that there needs to be good, strong enforcement, or why are this just words on paper. I imagine if ICANN were to accept this policy, that there would be a modicum of work within the GNSO or other SOs and ACs to say we've considered this and this is going to be our process, our flow, on how you can elevate or escalate requests. And I think that's pretty easily done. I do agree, but I think I agree the focus on enforcement is correct. We have several hands, I love hands. Dennis.

MANJU CHEN

Oh, Dennis was--

BETH BACON

Oh, it was for Manju, okay.

MANJU CHEN

Yes, thank you. So, I was just right about according to groups, but I think on the GNSO level, it's going to be-- so, if you guys remember, there was this thing called CCOICI, which did the task force of SOI, and then, now it was a pilot, and now it's formalized, it's called SCCI, Standing Committee for Continuous Improvement. And that group, I'm pretty sure that, well, as long as Council assigned the task to the SCCI, it's going to be dealing with the GNSO level of SOI enforcement, too.

So, just a piece of information to share. I think in the future, when this is implemented, or it's going into implementation, well, each SO/AC. And when it comes to SO/AC level, GNSO on the GNSO level, the whole enforcement mechanism, I think, is going to be dealt with SCCI.

BETH BACON

And just to hop in the queue, Manju's being very modest. She's now the chair of the SCCI. And I think that's great, because you bring a wealth of knowledge from your previous work, so I think it's going to be great. Thank you for sharing that. We've got Catherine, and then Sam.

CATHERINE PALETTA

Hi there, this is Catherine Paletta from Identity Digital. I think, to the enforcement point, one of the things the registries, I think, suggested in our public comment, and you would have seen in the public comment report, is to do kind of a check-in after a certain period of time. This code of conduct should include language about it being reviewed periodically.

And so, I think we suggested after one year, see how, especially the enforcement piece is working out, because I think we saw in the public comment report that lots of different public comments called out the fact that enforcement was an issue and people had concerns about it. And so, I think, even just starting with, we don't have a better suggestion per reg, but that we'll check back in on it and see how it's actually going in a year would be a benefit to the policy. Thanks.

SAMANTHA DEMETRIOU

Thanks, Beth. This is Sam Demetriou with the Registry Stakeholder Group. And this is just sort of building on what Manju brought up, that this is going to likely fall under the purview of the SCCI within Council. I think one interesting question for that group to explore is whether SOIs should be submitted for individual working efforts, right, as well as at the group level.

So, if a PDP is initiated on a specific topic, would interested members who want to participate in that PDP submit kind of a more unique or an individualized SOI for that particular work effort? And is there a role for the Council as the manager of the PDP to help the chair of the working group review those SOIs submitted

and kind of determine if a sufficient level of transparency is in place? I think that is maybe a very practical way that the group could start looking at this question just as a starting point.

BETH BACON

Thanks, Sam. I see a gentle hand from Manju.

MANJU CHEN

Thank you, Sam. Thank you, Beth. So, actually, that was part of the suggestion of CCOICI that we created different SOIs. You have a general one, and then you have one when you're planning to join the effort of any kinds. It could be a cross-community working group. It could be a working group, PDP working group. So, I think definitely we're going to start from there if ever it falls on us again in the future.

And also, I think, actually, this kind of specific SOI for specific efforts has been implemented or tried out for a few times. I believe I've been told like the NCAP, the Named Collations Study Group 2, Study 2 something group, they did this specific SOI for their members, too. So, it's definitely has been practiced, and it has shown efforts. So, I think that'll definitely be a thing that we're going to do if we're doing, start doing this. Thank you.

BETH BACON

All right. I don't see anybody else in the queue. I think that sounds great. It feels like we have a path forward and are on largely the same page with regards to the importance of enforcement, but

generally supportive of the tenets of the Code of Conduct. No one's flipping me off, okay. I think this next slide, remember what the next, there it is. And I am now going to look directly at Greg and Sarah for data accuracy.

GREG DIBIASE

Thanks, Beth. This is Greg Dibiase. I'm going to provide some background on how we got here, and then Sarah's going to talk a little more on the substance. So, we recently filled out a survey regarding accuracy, the various community groups. Where this came from, there was a data accuracy scoping group that kind of got stalled because they found they did not have enough information to identify an issue. They asked if it was possible to get sample registration data to identify the issue or the scope of the issue. They were told by ICANN Legal that there's not a legally compliant, legally valid reason for providing such data. We need to have another path.

And so, this survey was kind of the alternative path to gather information about what the issue is, whether there is an issue, and perhaps clarify or resolve, try to resolve other disagreements such as the definition of accuracy. So, in the scoping group, there was a lack of information as determined by the group, and also disagreements on pretty fundamental questions like the definition of accuracy. So, as a second try, this survey was sent out to the various groups, and Sarah has gone through with a pretty close look and has some thoughts on where we might align.

SARAH WYLD

Thank you. Hi, this is Sarah. Yeah, I made a chart. So, I was really pleased to review and see that the NCSG and registrar and registry comments all aligned really nicely. Greg mentioned a couple of things from the scoping team that really carried through in the more recent survey and comments.

So, one of the things that I noticed in the NCSG comment that I appreciated was, I'll quote, "We don't see significant challenges with data accuracy. Existing requirements mandate registrants to keep their data accurate." Yes, right? So, I think there hasn't been enough attention on the idea that it's the registrant who determines if their data is accurate, not a third party, right? So, that's an area of alignment.

And then the other thing that I thought was really insightful in the NCSG comment, in the question at the beginning about concrete examples of what inaccurate data prevents, you mentioned that really inaccurate data should be defined within ICANN's scope to make sure that registrants are contactable. And I think from the registry and registrar side, we got a little bit more focused on actual problems that might happen, but the definition I think we definitely do agree on.

So, looking through our comments, I saw lots of alignment and no disagreement, but I'm curious, maybe there are areas where we don't match up. And so, I just wanted to maybe pause for a moment, and except for-- I don't know to what extent anybody's reviewed the CPH comments, but I wanted to just open it up for

discussion as to whether there are any areas where we're not aligned, because that could be maybe more interesting than talking about where we are, if anyone has thoughts on that. Okay, Farzaneh, yes.

FARZANEH BADIEI

Yes, so I have to admit that I have not fully read your-- I just skimmed it. And so, in our opinion, we want the registrant to be contactable. And that is very important for NCSG, because the registrant, because we want the registrant to have their domain name and not lose their domain name.

But when it comes to accuracy, there are other definitions of accuracy that sometimes they even equate it with identifying the domain name registrant, which is a very, very dangerous path, especially as NCSG, we want to protect anonymity on the internet. There are people that don't want to-- they want to express themselves on the internet anonymously for very legitimate reasons, because their government might want to silence them, and for other reasons. So, we insisted that accuracy has to be defined.

I don't know if the term defined or definition is a good term, but anyway, it's what we use. It has to be defined and described within the mission of ICANN. What is the mission of ICANN? It's to do the policy development for domain name registration. And for that, for the registry and registrars to do their job and to operate, they should be able to contact the registrants. There should be no identification of the domain name registrant for ICANN purposes.

If they can have billing and other stuff that the registries and registrars do in their own policies, that's not what we're talking about here.

And also, also what we saw, there is this impression that we need more policy to make the data more accurate, because there is no policy. There is policy. We punish domain name registrants if they don't have accurate data. I am a domain name registrant, and every year, Michele sends me all these emails, I'm going to take your domain name away if you do not comply with and provide me with accurate information. And I think that's enough. The problem is that we are looking for, we are looking to-- Unfortunately, we see this in NIS2 as well. The community, some of the community members want to identify domain name registrants through this accuracy debate. And that is very dangerous.

SARAH WYLD

Thank you, Farzaneh. Yeah, there's something I think about a lot in what you said, is how to balance that need for anonymity in the public sphere against, as a business, ensuring that I have the information I need to provide a service to a customer. And as you said, I do think that the current policy requirements allow for both of those things to happen. I will go to Reg next.

REG LEVY

Thank you, and I think that, as Farzaneh said, it's going to be really helpful to reframe the conversation away from so-called accuracy and toward contactability. What people want, as you indicated, is

identification. They want to identify someone. That's what they think they mean by accurate. But what we need, what they want, what the registrant wants, what the registrars want, is contactability.

I've got probably 15 email addresses. Which of those is the accurate one? Any of the ones that can contact me, and the one that I choose to provide to you. I've got two addresses. One's a P.O. box. Which of those is accurate? Which of those can you show up at my door and assault me and or arrest me? Well, I'm going to give you the P.O. box because I don't want you to be able to do that. As far as I'm concerned, it's the accurate one. So, making sure that we emphasize contactability over identification is going to be extremely key.

SARAH WYLD

Thank you, Reg. Yes, strongly agree. Michele.

MICHELE NEYLON

Thanks. Well, first off, just so that people are aware, I don't get up in the middle of the night to send emails specifically to Farzaneh or anybody else for that matter. Many years ago, they invented this thing called cron jobs, amazing. It's a way of kind of scheduling emails.

Okay, apart from that. Yeah, I find this entire thing about accuracy so, so incredibly tedious. And as others have stated in a far more articulate fashion, the reality is that they're not interested in the accuracy. They're interested in using domain name registration

data as a new form of kind of online passport or identity card or something along those lines. Some of us come from countries where we don't have national ID cards.

And you know what? I have no problem voting in elections. The government has absolutely no problem taking money from me for taxes. It's fine. I don't need to live in a police state. And I'm so tired of this ridiculous focus on WHOIS data as if it is the Holy Grail. As a registrar, I like getting paid because I have certain interests in life that require money. So, getting paid by my clients is kind of important. I don't care about what data is attached to the domain name. I will have a way of contacting my clients because I expect to get paid by them.

If, as Reg says, she's got multiple addresses, do I care which one she gives me? No. What I do care about is if there's a problem, we can contact her and that she responds. If she's responding using smoke signals, whatever, I don't care. The issue is addressed and we all move on with our lives. But this kind of thing where they're looking for access to more data, no. I think the contactability thing is the bit that we should be focusing on. And the fact that just because I ignore emails and phone calls from withheld numbers and random people on the internet, doesn't mean that I'm going to ignore emails from people I actually care about. Thanks.

SARAH WYLD

Thanks, Michele. Yeah, I fully support your right to ignore emails. Volker.

VOLKER GREIMANN

Thank you very much. Volker Greimann speaking for the record. And I think it's heartening that we are mostly aligned the question of who is responsible for accuracy. Ultimately, accuracy of their data is the responsibility of the registrant. We as registrars are tasked with enforcing that obligation upon the registrant.

There are some auxiliary obligations from the RIA that relate to a certain validation and verification requirements. But those are basically just questions of how do we gain knowledge of alleged inaccuracy. And from those requirements also comes a definition of accuracy. I think the main definition is the data can be used to contact the registrant. That's the correct one. That does not mean that, for example, every letter has to be in the right place, that there can be spelling errors and something like that. I think that some people would say that that is accuracy, but ultimately, you will still be able to contact the registrant even if you have a little misspelling in the data somewhere, except for the email address, obviously.

To what Michele said, absolutely. The registration data is not data that we need for our business. In our registrar, where 90% of the registration is coming through resellers, that data is not data that we use for our business at all. We have customer data where we send in invoices. The registrant never sees our invoices in those cases. We will contact the registrant through their email address because we have to under the obligation, but otherwise, we would send it to our reseller and tell them that they should do that.

In many cases where we have some resellers that we can't trust with that, we do that as well. So, we would not even be touching their registrants on that level. Accuracy for us is something that we do for the community because we have the obligation to do so, but not because we need it.

SARAH WYLD

Thank you, Volker. Beth?

BETH BACON

Yeah, thanks very much. So, it sounds like we are in good agreement on the important parts of, yes, contactability is important. I also agree that verification of an individual presents just a multitude of problems on a multitude of levels. And there's just differing views as to, as far as he noted NIS2 and other things, there's just differing views as to what that actually means. For registrant data, and I did want to thank Volker for bringing up the idea of customer data.

I think if contactability is the main kernel of what we're working on. I think that it would be really great if the NCSG and the CPH could coordinate as we engage in those groups, saying we think that what we have is okay with regards to the policy. But if we are trying, and I think as Greg said, the original problem was, what problem are we trying to solve here? Is it that the data is inaccurate? Because as Volker said, lots of registrars don't even use that they focus on the customer data. Or is it that you are trying to solve contactability or make sure that that is something that is a function?

So, if we could think more about not saying no so much, but what is the actual solution to the actual problem that we are defining? I think that's going to move that work forward better than saying we don't need to do accuracy. I think we need to say this is the actual problem we're solving, and this is how we think we can do it.

SARAH WYLD

Yeah, thank you, Beth. Reg?

REG LEVY

Thanks. And I want to just emphasize again something that Michele said, that as long as they respond to us, they're contactable. They don't have to respond to randos. That's it.

SARAH WYLD

Yeah, you're right. Michele.

MICHELE NEYLON

Yeah, okay. So, some of you have been around for quite some time, and if you may recall, once upon a time, not that long ago, there was no obligation for registrars to put their contact details on their websites. There was no consistent abuse contacts made available. In the numbers space, the concept of the abuse C was something that was handled by notes, and it wasn't regimented in any way.

Fast forward quite a few years, there are obligations in the contracts. There are obligations across other parts of the ecosystem because, hey, it's not just the registrars and registries

that participate in all this in terms of actually running infrastructure on the internet, and there are obligations for various other people across the chain to deal with different things.

So, the question becomes, what is it, apart from snooping and just being an addict to data, what is the problem that some of these people feel that they can only solve through this "accuracy", which we all know really isn't accuracy because that's not what they're interested in. They're just interested in something else, but what is it? What is the problem they are trying to solve? And being intellectually honest about that instead of coming up with all these ridiculous kind of weird ass responses that aren't really truthful. Thanks.

SARAH WYLD

Yeah, thank you, Michele. I have the same question, right? What is the problem? It has not been cleared. Mark.

MARC ANDERSON

Thanks. Marc Anderson for the transcript. In listening to this conversation, I'm reminded of the EPDP Phase 1 report, which a surprisingly large number of people in this room were involved in. But recommendation one identified the purposes for processing gTLD registration data. And specifically, it identified a purpose. Purpose 3 is, enable communication with the registered name holder on matters related to the registered contactability purpose. So, as we have these conversations outside of this room on accuracy, it might be worth dusting off those purposes. Those

purposes, EPDP Recommendation 1, purposes for processing gTLD registration data. Thank you.

SARAH WYLD

Thank you. That is a very helpful reminder. I don't see anybody else in the queue. I think as-- Behind me. Excellent. Please, Sebastien.

SEBASTIEN DUCOS

Hi, I'm Sebastian Ducos, Registry Stakeholder Group and also on Council. I don't know if you were being rhetorical, but the question of who wants—Yeah, you, Michele—who wants what data, what for? What we're fighting here is a need for data that can be used to send cease and desist letters that are billable. And that is not via email, that's via a physical address.

So, this whole thing is actually built on the fact that somebody needs to be able to run a business, send a cease-and-desist letter, and then send an invoice to a client. That's what we're talking about. And I tend to agree, it's not the purpose of our job. It's not what we need to do. It's not why we need to contact our clients, but that's the only question.

SARAH WYLD

Well, that's a helpful insight. Thank you. We have Michael Palage in the queue.

MICHAEL PALAGE

Thank you. Michael Palage. So, Sebastien, I actually want to push back on that. So, if you talk to a lot of GAC members and law enforcement, they're not sending billable letters. They're actually trying to protect the public safety. So, I think if this group moves forward with that position, it's somewhat biased and suspect to credible attack from others. Thank you.

SARAH WYLD

Thanks. Yeah, good to know. So, I do hear a lot of agreement throughout our three groups in this topic. I heard a focus on the ability to contact the registrant and discussion, especially of existing policy that already covers these needs. So, I have found this very helpful and informative. And just before we wrap up this topic, we'll go to Farzaneh for a last thought.

FARZANEH BADIEI

I just wanted to insist again on ICANN's mission. We are at ICANN. Registries and registrars can use the data that they have about the registrant according to the applicable law of their country. And there are other purposes for it. But at ICANN, we use that data, like there is a very limited use for that data. And that's for security and stability of the internet and the DNS.

And what Michele mentioned here, law enforcement and other stakeholders, when actually they use the data, when they come to ICANN, they have to consider this limited purpose. We cannot solve all the world problem through domain name registrant data. And that is, I think, one of the problems that we have in the community,

that everybody wants to achieve their goal through the poor domain name registrant data. And this will have implications for domain name registrants and end users. Thank you.

SARAH WYLD

Thank you. Okay, I think that's it for accuracy. And we'll go back to our meeting chair.

MICHAEL PALAGE

This is Palage.

SARAH WYLD

Sorry, I missed it. Yeah, please go ahead, Michael.

MICHAEL PALAGE

Yeah, just to respond to that. I think it's important when looking what ICANN's mission is, not only to look at the bylaws, but also the article of incorporation upon which those bylaws are based. And if you look at paragraph two, subheading two, it says that the corporation shall accept as unlimited in Article 4, therefore pursue charitable purposes and the public purposes of lessening the burdens of government.

So literally, ICANN is not only tasked with security and stability, but also lessening the burden of governments. And if governments are sitting there saying that they are having problems, we as a community cannot ignore that. Or if we choose to ignore that, the

likely result is just going to be more national law. That is unfortunately the reality. Thank you.

SARAH WYLD

Thank you. This is Sarah. I'm going to interject here now. I would say, I don't think that we are ignoring that. And I think through our multi-stakeholder policy process, we're developing policies that respond exactly to those needs, but we need to maintain the data processing purposes that were defined as Marc reminded us in the EPDP. Okay, now I definitely don't see any further hands. So, this time we are going back to our meeting chair. Thank you.

BETH BACON

I feel like that's me. I think, actually, it's all three of us. Look at us listed up there as if we prepared. So, I think that I'm glad we started at the beginning. One of the main goals Rafik said is just making sure that we do this more regularly. And I'm going to say A plus to that. Very much would love to. I think that our groups are often very aligned. And it makes me feel good because honestly the NCSG is full of nice, smart people and you have good ideas. So, when we agree, it makes me feel like a smart person.

So if we want to do next steps, I think we can just, maybe Rafik, Owen and I, if we want to figure out the cadence of when we do these at ICANN meetings or if we do a couple in person at ICANN meetings, maybe do plan some interim ones. We all know that the ICANN meeting schedule gets very busy very fast. So at least we

could plan on regularizing some interim meetings as well. Maybe in a time zone that is kind too. I know, I'm a radical.

RAFIK DAMAK

Yeah, thanks, Marc. Yeah, I think we can work out that and figure out how we should proceed for those meetings. And yeah, the more regular, I mean, three times per year or even more. Or if it's also sometimes for some topic we can focus on specific. Yeah, we can coordinate more. I think that's not a problem.

In terms of maybe other next steps, because we can't do it all at once, we covered several topics. Just want to be sure how we will follow up. So, when we talked about DNS abuse, understand that there is a DNS working group and we want to work more on the guidelines. So just to be sure that the people are involved in this, just maybe to continue and maybe to report to the rest, I mean, the CPH and NCSG about what's going on and to see how we can support that effort.

And I think about the second topic, the Code of Conduct, as we say, just maybe for tomorrow, not tomorrow, Monday, just to show up and to support. If there is an opportunity, we'll see how the session is organized. And the third about accuracy and I think a lot of trauma for those who participate in EPDP.

And so, I understand here what's suggesting is how we can reframe the discussion that it's about contactability. So, I understand that the kind of idea is just how we can operationalize that, how we can advocate this. I think just maybe need some coordination between

the two groups, depending on which setup. So, there is that scoping team. I understand that they're not progressing, but just trying to figure out how we can proceed here.

BETH BACON

Yeah. And I think for, especially, we have some kind of easy ones for the first two items. But for accuracy, I think it's going to end up just us figuring out what's the best way for the interested parties and the Contracted Parties and the interested parties in NCSG to just get that conversation going. Because I think that that's going to require some, I'm looking at Sarah noodling on our side as well, just based on this conversation. So, I think we're ready and raring to, we'll reach out and figure out how the best way to move that forward is, I think. Does anybody have any other business? Oh, I see, I'm sorry, hands.

FARZANEH BADIEI

Thanks. I think Sarah's hand is up too. So I just, I'm sorry, I forgot to mention this. We are working on-- I don't know if you follow the internet governance processes and multilateral conversations on internet governance. There is the Global Digital Compact and also WSIS+20. And they discuss the multi-stakeholder process of the internet. And we, as NCSG, we want to keep the internet global and unfragmented. And we think that the multi-stakeholder model, especially the one that is practiced at ICANN, can help with that immensely.

One of the things that I personally think that we should be doing is to talk about what problems we have solved through the multi-stakeholder model at ICANN that has been other stakeholders and government's concerns. And tell them that it's not because we are ideologists that we like multi-stakeholder model. It's not an ideology, it's a good governance mechanism. So, we are trying to, at NCSG, we are trying to kind of collect all these success cases, the issues that, like for example, GNSO Council throughout the years has approved recommendations that address some of the internet governance problems. So, what are those policies?

So, we are collecting those. If you have anything to add, and if you think there was a policy that was successful in addressing some of the internet governance problems or the good things about the multi-stakeholder model, it would be great to hear from you.

SARAH WYLD

Thanks. This is Sarah. I just, different note, wrap-up question. I wanted to ask about the Article 19 group that you had mentioned earlier because that sounded really interesting. Could you maybe drop a link to their website or something in the meeting chat so I can learn more? Thank you.

BETH BACON

Thanks. We're getting the two-minute call from Andrea. But I just wanted to say to Farzi, there are folks within the registries and registrars that are pretty active in preparing for WSIS+20, so I'm happy to talk to you about that offline and maybe connect you with

some of the other groups, industry and technical community groups that are trying to pull that together. Go ahead.

FARZANEH BADIEI

I'm sorry, just a 30-second. In the beginning of the meeting, I was talking about the team at NCSG that is doing HRA work. And there's Michaela from Article 19. Well, we also have Sarah Ali, based in Sudan. And she has been doing valuable work towards shaping the session and also the conversation. I just wanted to mention that.

BETH BACON

Feels like we're at time. Rafik, Owen, do you have anything to add? Close out.

RAFIK DAMAK

Yeah, I think just to thank everyone for making it. It's the first meeting, and it seems it went well, so thanks, everyone. And thanks, both of you, Beth and Owen, for helping to coordinate and having this session. Thanks.

BETH BACON

Yeah, and thanks, Rafik, for yelling at us and saying, hey, we haven't done this in a while. And we're like, yeah, great idea. So, I think with that, we can close the meeting. And thank you. Thanks, ladies.

ANDREA GLANDON

Thank you. You can stop the recording.

[END OF TRANSCRIPTION]