

## Transcription ICANN Beijing Meeting

### Purpose of Collecting and Maintaining gTLD registration data PDP meeting

**Saturday 6 April 2013 at 11:00 local time**

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Man: Your session started. Can we start the recording on new session? Great, so we're good to go on the next section which is the purpose and - purpose of collecting and maintaining detailed registration data, PDP and an update on the Expert Working Group on GTLD services delivered by Marika Konings from ICANN staff.

Markia Konings: Just pulling up the slides here. I - so I'll try to make this a very brief without talking too fast which you all know I can do really well.

So this is to give you a brief update on where things stand in relation to the purpose of gTLD registration data PDP. As you know I think the time was a bit longer than that official one. We were keeping it to this - keeping it a bit shorter.

So I don't think I need to go into detail on - in relation to Whois and the background on that. I think we're all very well aware that this is a topic that has been, you know, under discussion for many, many years.

They're raising many different kinds of concerns, you know, looking at data accuracy, reliability, excessive ability, read ability, privacy, data retention -- all topics that have been discussed in relation of it.

As a result of these discussions I think we've come to a point now after the recommendations as well that Whois review team that, you know, really the timeout to have a broader responsive action as the board determined.

So as a result of the Whois Review Team recommendations and considerations and comments that were made by all the groups in this regard the ICANN board requests an issue report on the topics.

And the whole topic is basing of the purpose of collecting and maintaining gTLD registration data and on solutions to improve accuracy and access to gTLD registration data.

And in addition they also create an expert group to in parallel start deliberating on issues.

And I think as you can already see here is the idea is really to take a very novel new approach or look at this issue by as well moving away already from the terminology of Whois which is associated with many of the heated debates we've had before really looking at it in a new context of gTLD registration and data.

So what has happened since the board resolution? I think as many of you will have seen an expert working group has been formed. Several people of that Expert Working Group are actually here.

I know on Lanre's on there, Michele's a member of the expert working group. There may be others in the audience I haven't seen.

And at the same time staff has started working on the preliminary issue report. I think I said before these are really two track approach where we've kicked up the PDP and the Expert Group Working group recommendations are expected to feed into that PDP as it moves forward.

So what we've done is already started the first phase of the PDP by publishing a preliminary issue report for public comment.

So the report itself basically outlines the background to discussion and brings to the fore a lot of the very good debate that have been had and the recommendations have been made on different - on the different issues that are involved in this discussion that we hope will help inform the PDP as it gets underway.

It includes a staff recommendation basically knowing that it is considered within the scope of ICANN and the GNSO to look at.

I think one of the things we noted as well that, you know, at some point as this moves forward we may need to look at well as at some of the other efforts that are going on relation to Whois and whether, you know, they can continue in parallel or whether there's any need to, you know, fast-track or slow down some of the other efforts and how that comes together.

But I think that will probably become clear as well as we move forward and then have as well recommendations from the expert group when we have an idea where things may be going.

So this report is now put out for public comment comments may be submitted until 19th of April after which there will be a reply period if such standard comments are received.

So we're looking for input on is there any information that is not included here? Is there any elements that should be considered or further explored before a PDP continues?

So based on the comments received we then hope to publish a final issue report following the concluding - the conclusion of the Expert Working Group.

Because I said before their recommendations are expected to feed into the final issue report which will then be the foundation on which the PDP working group would start its work from.

So maybe very briefly on the Expert Working Group this is just what I've taken from some of the public information available and again some of the members here are in the room. So if you have any questions I'll direct them - you should direct them to them.

It's a group that's led by (Jean Francois Bezu) who has a lot of experience in facilitating groups.

And as said before this is really starting from scratch really trying to take a fresh look at what the ideal data directory services may be.

They're really expected to produce a model for a replacement system. And I think this has been labeled the next generation data directory services.

Again looking at all the elements that have been discussed in the past as well and the question such as accuracy and access, who should have access when but also looking at appropriate safeguards for privacy related issues.

And as I said before the outcome of this Expert Working Group is really intended to form the foundation for the PDP that is intended to develop on their consensus policy in relation to this topic.

If you're interested in this topic and want to participate in any of these discussions I said there's a public forum comment open at the moment.

The expert group is also meeting on Monday from 11:00 to 12:15 and you have a link here to the session.

I think from there you can also I think on the wiki actually there's a link below you can also find the specific questions that they are looking input - looking for input on as they have quite a detailed set of questions that they want community feedback on.

And I think those will be as well the basis for a discussion on Monday. So have a look at that and make sure to attend that session.

And I think that we'll basically be back with you on this topic once we have the input from the Expert Group and are able to produce a final issue report following which the PDP basically initiates as it's - as it is a board initiated PDP there is no intermediate vote by the GNSO so counsel so we basically automatically proceed into the PDP working group phase following the (planned) delivery of the final issue report.

And I said that the timing will depend basically on the delivery of the recommendations of the Expert Group. And I think that's all I have.

Man: Thanks very much Marika and I think see you've linked the role of the Expert Working Group in the PDP work effectively.

I suspect there may be some questions. I don't know if any of you have concerns or questions about this somewhat unique role of the Expert Working Group or if there's any other comments or questions that people would like to make or have for Marika in advance of Monday's public session. Anyone have any concerns or comments?

Yes?

Man: Thanks. I guess my concern is although we in this room understand that the purpose of the expert working group is to provide input to us and then we work or the community works on it, my fear is still i going - the Expert Working Groups going to make recommendations and those outside the GNSO will push for immediate adoption.

And so I'd look to just have the GNSO make it clear to the community that we expect the Expert Working Group to read their (unintelligible) reports to us so that we can explore those issues and to serve as the foundation. So I think that's an important message.

I mean I obviously haven't been in any of the Expert Working Groups. I know Juan you're a member right and there's other members here.

Is that clearly the understanding of the group that this is not to be implemented? It's not going to the board for implementation but it's going to the GNSO?

Juan Ojeda: I think that (unintelligible) the opportunity that would be made very clear that the outcome of the work of the Expert Working Group is an input to the PDP, that group that PDP initiated.

I think the other part has been to also form part of the input for the finalized report. So I cannot foresee a situation where the work of the Expert Working Group is implemented with that (unintelligible) PDP.

Man: I've got Michele in the queue. It strikes me though that that might be something - I mean I've personally I think I've spoken to - I've certainly spoken to Steve about this, Steve Crocker who's on the working group. I've just - I think I might've discussed this with Fadi at well at some point. I mean I'd welcome suggestions as to how to this is emphasized.

I'm not sure it should only come from a counselor certainly its position. And I think it'd be as Lanre says, the fact it's discussed within the expert working group may be something that's useful to have at the outset of Monday's meeting is to establish that position quite clearly.

I know Michele's in the queue so I don't want to stand ahead of him. And (Jeff) you want to come back and respond?

Jeff Neuman: Yes. Just to respond the reason I have that - this whole concern is because you all - even though it's now gone from the registry agreement, the proposed one it initially showed up in there as being something that they wanted to impose against us and maybe even the registrar agreement they may have put that in there as well.

That's why, you know that's why I'm much more nervous than I would've been prior to that because it was always my understanding that it was to feed into the PDP. But then all of a sudden ICANN staff dropped it as a - dropped the bomb in the agreement.

Now I understand they pulled it out. But I want to make sure everyone's clear on the expectations.

Man: Michele do you have something to add?

Michele Neylon: Yes of course I do.

Thanks (Jeff), Michele Neylon, (Black Knife). I am a member of the EWG Expert Working Group for new blah, blah, blah, blah. It's far too much of a mouthful.

And there was - as it's an ICANN related topic we have to invent our own acronym so we're now the EWG.

And this master of the - of where the output of our work goes while it's fed into and how it's handled from my perspective is key.

If - I have sought clarity on this from - because yes it appeared in a draft of the registry agreement. It has appeared in several documents in relation to beyond going 2013 RAA.

There's various documents in relation to the handling of registration data and the work - well there's particular paragraph and wording in there which causes me grave concern.

And I'll just say this for the record so we're 100% clear. And if I don't follow through with this (Jeff) you can hit me over the head later. But due to your vertically challenged statute sure this maybe it prove difficulty for you if I'm not sitting down.

Man: (Unintelligible) go there.

Michele Neylon: We have to go there.

And from my perspective if this does not - if it is not feeding into a PDP then I'm out. I will resign from the WG if I want - I expect to get - to receive clarity from that on that matter before Monday's meeting.

If I do not receive that and (unintelligible) the clarity is not 100% clear I will resign. I'm not going to sit on that time - on that and give my time up for something which will circumvent what I would consider to be the correct procedure.

Man: How are you expecting to see received that clarity Michele?



Michele Neylon: Well I have asked for clarity on this to ICANN staff and I'm yet to receive a response.

Michele Neylon: (Jeff)?

Jeff Neuman: Yes I mean just mark my words, you know we're going to - that report's going to come out and the GAC's going to say we support that report and you the board needs to implement it. And we're going to be in the defensive position unless it's clearly stated, not just to the group but to the GAC and everybody else.

This is a great group that we're creating. It's good to get some expert opinion and advice, feeds well into the process. But this is not going to be an avenue to go around the multi-stakeholder process.

Man: So I have a question. Who or what should do something about this? I mean the question is that's but that you feel and you've expressed it strongly. Everything's clear and you're getting the reassurance within this context that you perhaps need.

But the question is how do we ensure? Are we asking that the - that we receive some kind of reassurance from whoever's leading the Working Group or from whoever commissioned the working group? Are you asking that the council (unintelligible) to some of it?

What action should we take to try and wrap this up since this seems to be the substantive concern here other than what the underlying work?

Jeff Neuman: I think the confirmation would have to come from the entity that established the working group which is Fadi which is the CEO, a letter to the CEO from the council for confirmation that all outputs of this Expert Working Group shall go to the GNSO council - or shall go to the community not - sorry, not just the GNSO council but to the community.

That's for you (Evan) if you're still here.

Man: By the way (Evan).

Evan Leibovitch: No not much to say. I mean we're aware of the issue. We've got some of our own working groups on this. And obviously the ALAC will respond as it's mandated to.

We'll talk as well to the GNSO but we're also mandated to talk directly to the board on this.

I mean to me this just totally dovetails into the policy versus the implementation thing puts out the better chunk of the earlier part of this morning.

But obviously we've got a very deep interest in registration data. We've got our own Whois working group and we're following the issue closely and definitely share some of the same concerns at least as some of the stakeholder groups here. Thanks.

Man: Great. Well I think we've got a clear suggestion of action. It may be something that we want to raise directly in any event with Fadi. And I'm meeting with him tomorrow. But I think that unless I'm seeing any other hands or comments I think that neatly wraps up this battle.

Michele Neylon: Sorry just maybe bring up a point as I love to do. You know, I can maybe take a sideswipe at (Jeff) in the process even more fun.

The - there's a public session of the expert working group and we have - there's a document which you can find and out email a link to one or two of you so you can distribute it all of the council list.

There's a couple of councils that we want - are looking for input from the community on.

And it's - this is - it's not a question of we have any forgone thoughts on this or anything already decided.

We're looking for your input, your thoughts, give us guidance, give us - share your ideas on it.

Man: Great. Just to that I will certainly (going to) wrap things up. I've got John Berard.

John Berard: And this is John Berard from Business Constituency. Again from my perspective from a communications professional's perspective everything that is written, everything that has been said reinforces the point that the output goes to the GNSO okay?

So for us to go to Fadi and say what is your intention.

Man: (Unintelligible).

John Berard: I just don't want us to seem as if we're suggesting that everything that is being said and everything that has been written is somehow a subterfuge that in reality we're - it opens the door to outside agitators laying claim to one of the - laying ownership to one of the conclusions and driving forward with that.

Because we have no - there's nothing that suggests to us that this is anything other than input to the GNSO.

Jeff Neuman: Yes that's happened too many times before. There's so many other issues.

I mean I understand but at this point we can get ahead of the game as opposed to normally being on the defensive and always looking like the bad guys. At this point it's just a confirmation.

Because we don't have to do it. I mean we could be against doing the (latter) but I'm - that was my suggestion. It's not asking. It's a confirmation.

Man: John given that you're right in this room we've heard - everything we've heard appears to - there's nothing that contradicts that. Yet there is - there remains an underlying concern or perhaps you might even call it a trust issue that this is.

So the question as how to we just close that gap and nail it down? As a communications expert we've had a suggestion of a letter. There may be a more effective way to connect it.

But I think for many capturing something in writing - and we can write that in a way that's not confrontational or mistrusting. Have you've got a suggestion to an alternative?

John Berard: At this moment I do not but be more than happy to give it some thought.

Man: Thanks. So let's leave it - let's work on the assumption that we will write to not in a non-confrontational but mistrustful way that says we simply would like to ensure that this is the case or - but and I'm sure we can find the right form of words, but if there's a better way of doing it. And (Joy) do you want to make a final comment?

Joy Liddicoat: Well I've had, you know we can obviously raise it as an item with Fadi in our discussion with him because information of commitment too (today), you know?

I mean I don't think we need to belabor the point. You've made a good and clear point and raised a real concern of anything (met) by Michele and others (look) for some concrete way to do that to simply and talking with Fadi.

Man: I agree. And I think that (Fadi) would respect that as of the spirit of working. And I think, you know, we have an opportunity being together here to talk about things.

And I suspect we might know that very neatly and quickly that way around rather than - so that may deal with the issue? Lanre?

Lanre Ajayi: Yes I don't know right I think it's something you can discuss with the board with maybe the board or Fadi. I think it is something that is better discussed than written.

Man: Correct. So let's see if we can sort that out properly during this meeting and if necessary and we feel it's still not completely closed we can write. But let's see if we can't deal with it over the next couple of days.

I think that brings this session to close which has got us more neatly back on our existing schedule which is great. So thanks to Marika for taking us through that in a timely way and thanks for your comment and input on it (Jeff) and others.

Let's stop the recording on that session and move and reopen on the next session which is...

END