ICANN67 | Virtual Community Forum – Joint Meeting: ICANN Board and CSG
Tuesday, March 10, 2020 – 13:00 to 14:30 CUN

MATTHEW SHEARS: Hello, everybody. It's top of the hour. My name is Matthew Shears with the ICANN Board, and welcome to constituency day, and to the joint meeting of the ICANN Board with the Commercial Stakeholders Group.

For those of you who are familiar with these, we will be following the usual process whereby the CSG will present their questions, the Board will answer them, we'll have a lively discussion, and then the Board will present our questions and invite the CSG to comment. And then hopefully we'll have some time to open it up for some broader discussion. We have an hour and a half.

It's a real pleasure to be here. We're doing this in somewhat of an unusual way, in our virtual fashion.

UNKNOWN SPEAKER: This meeting is being recorded.

MATTHEW SHEARS: Wow. I guess I'm going to have to do that all again, but okay. Let me start again formally now that we have the recording. Welcome to Constituency Day, ICANN67. My name is Matthew Shears with the

ICANN Board. This is the joint meeting of the ICANN Board with the CSG.

We will be -- have a meeting for an hour and a half. We will be following the same processes we have in the past. Each CSG will get to present their questions, the Board will respond, the Board will present its questions, CSG will comment, and then we will hopefully have a lively discussion.

Please bear with us if we have any glitches. I think everything has gone swimmingly so far but you never know. And if you are going to speak please state your name and affiliation for the transcript.

And with that, I'm going to turn this over to Dean. Dean, over to you. Let's get started.

DEAN MARKS: Thank you very much, Matthew. Dean Marks with the IPC and CSG, for the record.

We wanted, on behalf of the CSG, to begin by thanking the Board for keeping this point session on the schedule given the challenges of this virtual ICANN meeting. We deeply, deeply appreciate it.

We also thought it was very helpful that the Board sent over to us the two topics that you were interested in discussing, and we tried to do the same by sharing with you the three main topics that we thought would be useful to focus on for this first meeting. And so we hope that will engender, you know, a (indiscernible) and cooperative discussion.

So with no further ado, if okay with everyone, I will turn this over to Mason Cole from the BC for the first substantive topic on DNS abuse that's going to be led by the business constituency, by Mason. And I know Mason has submitted a slide deck, so I'm hoping that in the Zoom room -- ah, there it is, the slide deck can be seen and gone over. And Mason, can I suggest that you just let folks know to click to the next slide when ready.

Over to Mason, and thank you so much again.

MASON COLE: Hi. Very good, Dean.

Can you hear me?

DEAN MARKS: Loud and clear, Mason. Thank you.

MASON COLE: All right. Thank you. I want to add my thanks to the -- to (indiscernible) to the ICANN Board for the opportunity to bring this subject before the ICANN Board again. I know we've had previous discussions on it, but now is an opportune time to reiterate what we talked about before and to ask for the Board's help as we go forward.

So, all right, allow me to get started. I have a very short slide presentation, and then I hope we can have some collaborative discussion.

So next slide, please.

All right. So we know that DNS abuse is a problem. It has been for some time, and it remains on the rise. I've got some statistics here that I think outline the impact of the problem, but I want to call your attention to the -- to the second and third main bullet points, because these involve domain names specifically in propagating DNS abuse.

You can see that a recent trend in DNS abuse is business email compromise. That scheme has now surpassed 20 billion in global loss exposure since the FBI started tracking that back in 2013. And it's roughly doubling, or more, every year.

As many of you know, this employs domain name registration to look like domains, other problem domains that are used in sending phishing emails and other type of schemes.

I'm getting background noise by somebody typing so perhaps you could mute your line if you don't mind.

Between 2016 and July 2019, the global dollar exposure of impacted parties surpassed $26 billion. So we've got real problems on our hands here as a community.

As you can as well, total number of phishing sites, which are often perpetrated under brand-related domain names, were detected by our friends at the APWG in the third quarter of 2019 as over 266,000, which is up 46% from those seen in the second quarter and almost double the amount in the fourth quarter 2018. So we've really got some abuse problems out there that demand to be addressed.

Next slide, please.

So the problem as it hits home for us here in the CSG, our members, our colleagues in the industry and the Internet community at large are experiencing operational and financial impacts of the DNS abuse that really can't be ignored any longer.

Next slide, please.

So we had some interactions with ICANN org and other members of the ICANN community on the issue of DNS abuse. We had an early-on interaction with ICANN Compliance that was very collaborative. Compliance reported at that time and has been repeated since then that their enforcement capability against DNS abuse through existing contracts is not sufficient in order to pass through compliance actions in a way that would meaningfully deter those who are harboring DNS abuse.

At the time, Compliance solicited new interpretations of existing contracts that might have been helpful, which we provided, and I'll get to that in just a moment.

The BC remained particularly active on the issue of DNS abuse, and before the Montreal, meeting last year in October we submitted a statement to the community on DNS abuse where we said that definitions, as they already existed as determined by the GNSO several years ago, were sufficient, and that the community did not need to re-open the idea of -- of overly proscriptive definitions of DNS abuse.

We supported stronger contractual obligations on the part of ICANN and contracted parties, and we recommended that the ICANN community go forward with CCTRT recommendations because those -- many of those dealt specifically with DNS abuse as well.

Next slide, please.

Thank you.

The BC then submitted a letter to the ICANN Board, that was in December of last year, with some specific requests that we asked the Board to impart onto ICANN org. Those requests included enforcing current contract language. If that language is insufficient, then develop enforceable contract language, and some other asks including prioritizing abuse complaint handling, perhaps clarifying action steps for registrars that would enable registrars to proactively address DNS abuse. We asked for improved -- an improved compliance complaint submission process which I'm pleased to say is now in progress, so we want to thank the Compliance department for moving proactively on that. And then take action onto overdue matters as well, like privacy/proxy accreditation policy, some things that have been languishing in the community for some time.

So we received a letter back from the Board very recently and it was a very long and constructive letter. The letter outlined current compliance efforts. It went on to identify what I think the Board perceived errors in the BC's perspective, but I'm hoping we can overcome some of those in our discussion today. And then I want to alert the Board that in feedback from some of those in the community,

there was some feedback that the letter was perceived as somewhat hostile to the issue that right now is at the forefront of the community. So I'm, again, hoping to overcome any Gulf of misunderstanding that we might have.

Next slide, please.

All right. This is my final slide. So these are the concerns and asks on the part of the CSG. So as I mentioned, despite efforts to date, abuse rates are still growing quickly. ICANN is in if not a unique position, the unique position in the industry and beyond the industry to address DNS abuse as the authority; that, the accrediting body that sets the rules and is charged with governing the DNS as its mandate. So setting those rules is the important role of ICANN, and we're hoping that -- we're hoping that we can help move ICANN in that direction.

So in terms of contracts, we note that the RAA has not been significantly updated in the last seven years. The RA has not been updated in the last eight years. And there may be an avenue to help with contractual enforcement on the part of contractual compliance if we have agreements that have real enforcement teeth in them.

So we're asking that the Board and others join with the BC, the IPC, the GAC, the SSAC, others that are on record as concerned about this problem and interested in addressing it.

We'd like to work collaboratively to strengthen those agreements to give enforcement capability to Compliance. And I think we heard unity across constituencies as was seen in the high-interest topic

abuse -- high-interest topic session on abuse back in Montreal in November.

So I want to close -- I want to thank the Board again for the opportunity for this discussion, and I'd like to have a collaborative discussion with the Board with CSG on what the Board's ideas might be for doing something substantive on DNS abuse as the body who is in a particular -- is in the best position to advise ICANN org on how to set the rules for dealing with DNS abuse.

So with that, I'll close and thank you. And I look forward to the discussion.

MATTHEW SHEARS: Mason, Matthew Shears, thank you very much for that and thank you very much for preparing these slides. I think that Goran may want to make a couple of comments, and I think then probably a couple of other board members would like to jump in, so I'm going to turn it over to Goran.

GORAN MARBY: Can I ask a question? Thank you very much. What was the problem with the letter? Would you like to elaborate on that one?

MASON COLE: Hi, thank you, Goran. Yes. This is Mason. I'm not sure there was a problem with the letter, per se, because it went down the road of outlining what ICANN is currently doing on DNS abuse, but I think the

perception on the part of many in the CSG is that if -- if ICANN were exercising its full capability to do something about DNS abuse, then we might see different trend lines in the abuse numbers.

So what we're looking for is collaboration on the part of the Board and others who can help instruct ICANN org to do something more impactful on DNS abuse. And if that means improved contract negotiation or contracts with better teeth or other measures that we might take, then we were -- I think that's what we were looking for in the letter, is, you know, input from the Board on beyond what's already being done, what could be done.

DEAN MARKS: Thank you, Matthew. And I see in the chat Steve DelBianco had a more specific question.

Steve, I'd like to have you unmute yourself, and you can ask that question to Goran and the Board as well, please.

STEVE DELBIANCO: Thank you, Dean. It's Steve DelBianco. And, Goran and Maarten and everyone else, in the chat I just grabbed one sentence from page 2 of Maarten's letter to answer Goran's question. And not being a lawyer, I'm confused about whether ICANN org can do more to enforce its expectation. Because what you said is that you expect registry operators to enforce their agreements and for registrars to enforce their agreements with nameholders. But that expectation is shared by

the community, but what is your official stance on what you can do to make that expectation reality?

Thank you.

GORAN MARBY: So as I -- I -- I was -- you know, it's always hard when you reference a room that I wasn't in, but I happen to have Jamie here. Jamie, would you like to comment on that?

JAMIE HEDLUND: Sure. Thanks, Steve. And as Mason noted, it is a long letter, and there's a lot of detail in it and it's not going to be possible to go into all that here. But what the letter tried to distinguish was between what role ICANN Compliance has and what's enforceable under the agreements versus the obligations of parties that are not necessarily -- not necessarily -- that are not enforceable by Compliance. And so there's a long chain and specification in 11-3a of the Registry Agreement that sets out obligations of different parties, and as the letter tried to indicate, also the demarcation of where ICANN Compliance has an enforcement role and where others have obligations that aren't -- that while not enforceable by ICANN Compliance, are still -- there is still a general expectation that people are supposed to fulfill their obligations. Whether or not ICANN can address a complaint about an activity that's farther down is -- is beside the point. What's important is people understand what their roles are and they fulfill them.

Thanks.

GORAN MARBY: Just to finalize, I mean, we are always open for suggestions where you think we can use our existing tools differently. I don't think -- I never said no to that.

I mean, take into account that the new amendment for dealing with the .COM agreement, the health indicators that we've now used since a couple of years ago, we do the DAAR -- so we are actively inviting the country code operators to be a part of it because, as you know, ICANN in our contracts doesn't control all of the top-level domains out there.

So I think we've shown -- I hope we have shown that we have been taking abuse very seriously for a very long time. And we appreciate the positive part of this discussion.

I don't know if Becky --

DEAN MARKS: Goran -- oh, sorry. Were you asking Becky to weigh in, Goran?

MATTHEW SHEARS: Dean, I think we have a number of hands up.

GORAN MARBY: I leave it to you, Matthew, to moderate.

MATTHEW SHEARS: Yeah, thanks. We have a number of hands up. I know that Becky wanted to jump in. So maybe we can have Becky talk, and then we can go to some of the other hands in the list. I see a couple of people there.

Becky.

BECKY BURR: Thanks, everybody, and thanks for the letter.

I wanted to draw your attention also to the fact that we got advice -- formal advice from ALAC on abuse; and we have responded with a pretty detailed scorecard on that, laying out what our understanding of their advice on this is. There's obviously -- as you know and as you've indicated, this is a topic of huge interest and importance to the community.

I think it's useful to take a look at it also because all of this advice and input that we're getting comes down to a couple of -- to a conversation that we're having in the community that's incredibly important, which is, you know, sort of the way we build policy here at ICANN is through the policy development process. We also -- that is one way to effect change with respect to DNS abuse.

Another way to effect change with respect to DNS abuse is through voluntary contract negotiations with contracted parties and other voluntary initiatives that the contracted parties can take on, as I think we all see they are -- they're looking at and they're working on.

I think we are joined in a conversation about obviously voluntary contractual negotiations -- or voluntary contractual negotiations, ICANN can't guarantee the outcome of those things.

At the same -- and I think -- and this is not an accusation. It's just an observation. It's sort of -- in general we shouldn't use contract negotiations to route around the policy development process. On the other hand, to the extent that the contracted parties are not creative, thoughtful, and proactive, that is creating much more pressure on that tool as a solution piece.

So I just wanted to -- to observe that this conversation is sort of joined throughout the community. It's a very important conversation. The Board is deeply committed to working on this abuse issue.

We are -- we're taking all of this input and we are collectively discussing among ourselves what our tools are. But I just think it's important to be clear that in the contract negotiations, we can't guarantee the outcome because contract negotiations are commercial agreements between ICANN and the contracted parties. And so we all have to realize that there's got to be some combination of the voluntary contractual stuff and the policy development.

MATTHEW SHEARS: Thanks, Becky.

I know there are quite a (audio dropped) in the chat. But, Dean, do you want to take a couple of more comments and then we can turn to Ron from the Board?

DEAN MARKS: Sure. Thank you so much, Matthew. I know there are a number of hands raised. I'm going to call on Fab.

I was just going to interject with Becky that I think part of the concerns that you will hear from the CSG, it's not about basing policy in the contracts but what the terms of the existing contracts mean today and whether they're just aspirational or enforceable, as Matthew Graham has stated in the chat.

Fab, over to you, please.

FABRICIO VAYRA: Thanks, Dean. And I appreciate the segue because it's exactly what I was going to say, which is that we seem to be having a very unfortunate cyclical conversation here, which is that -- and I think based on the starting point here that Mason pulled up, which is this letter exchange that we've had.

So what we've got is -- we see in Montreal, for example, we have a high-interest topic session where everyone comes together and across constituency groups everyone is saying we've got this very pervasive abuse problem that should be solved and we think that ICANN is well-equipped in its contracts to handle those problems.

We then have Jamie in somewhat his unfortunate role where he has to stand up and say: Actually, I think our hands are tied and we are pretty hamstrung because the contracts don't allow us to do that.

Then you have the constituency groups write to the Board and say: Hey, Board, as a Board who sees that their compliance department is unable to enforce its contracts, you should step in and advise certain things like advisories on what the contracts mean or what should be happening with these contracts so that they're not just merely aspirational.

And what we get back from the Board is: Well, the contracts are there. We expect the contracted parties to follow their agreements.

I guess what you're hearing from the community is the contracted parties aren't following the commitments in their agreements, hence why we started the conversation. But, yet, we just keep going back and forth.

We go to the Board. Board says "Jamie." Jamie stands up, says: Sorry, we can't do anything about it. We come back to the Board and say: Hey, can you advise -- as a Board does, advise your organization that if its compliance department is unable to do something, they should take steps like concrete examples that the BC did advise, like put out advisories on what the contract actually means. Not renegotiate it but what was the actual spirit of that agreement as by the accredited party towards its contracted parties.

This just keeps kind of going in circles. Unfortunately, I think if no one steps up to the plate and takes ownership of this, ten years from now we're going to be talking about the exact same thing.

I guess that's probably why -- to the original question why this was taken as somewhat hostile, if you go to an organization and say, Hey, there seems to be a deficiency here that everyone is acknowledging, can you do something? The response is: The contract is already there. They should be doing their job. The whole reason someone came to you is because they're not doing their job. And so I think we need to come to a conclusion --

GORAN MARBY: Can I --

[Multiple speakers]

Can I make some comments, please.

MATTHEW SHEARS: Go ahead, Goran.

GORAN MARBY: First of all, I don't really agree with you on a number of issues you are bringing up, first of all that Montreal discussion ended saying, We have all the tools we need to have. I think that we all know that that was not what the end conclusion of the discussion was at all.

For instance, the contracted parties have come together and formed an alliance to work against abuse, which I now think there's more than 50 -- is it 50 companies that signed on to that one?

And the other thing is that we actually had the abuse discussion in the first place with all the different interactions including different definitions about "abuse" and also recognizing the fact that there are about eight to ten really bad actors in the world, especially in registrar space, and not all of them is not even under contract to ICANN.

So I think -- so what makes me a little bit surprised over the last intervention is that over the last couple of years I think we have -- we have increased our potential for a very good dialogue with each other. Sometimes we disagree with each other. Sometimes we don't want to see the reality as it is.

But I'm surprised when we suddenly turn back this dialogue that was three or four years ago. We have just gone through a fairly lengthy process where we are engaging with you, talking to you, trying to figure out ways to do and we actually have done things. That is not only within ICANN org but also the Board, taking stands for you in the WHOIS discussions.

And still we sort of end up with this -- a little bit of strange sort of conclusions that I think most of the people around me here don't really understand why we're talking about that.

So if there's anything that goes -- and I'm sorry to say this. The only thing that goes back in circles seems to be this kind of dialogue.

We have done things. We have things that we have to do together moving forward. But the community is a very important part of this, and the community has recognized that this discussion should

continue. It's not to say that "poor, Jamie." I don't think Jamie is poor in any way. It roles down that the contractual about reporting is the essential part going forward.

 I don't -- I'm a little bit saddened by this interaction. Thank you.

DEAN MARKS:
Thank you, Goran. I think, yes, you will see in the chat the concern is about bad actors who aren't signing onto the voluntary framework and what's left. It's the contracts and the availability to enforce those contracts against them.

Matthew, Ron da Silva's hand was up. I think it would be nice if we let Ron comment.

MATTHEW SHEARS:
Please, go ahead, Ron.

RON DA SILVA:
Thank you, Matthew. Thanks, Dean.

I think Becky hit on it. I mean, there is certainly a commitment and a desire by the Board and by the organization and by the community to deal with abuse. It's a detriment to our industry to have it so pervasive. And I'm always concerned that if we don't have substantial mechanisms to deal with it, that it's just going to invite governments to step in and kind of heavy-handedly try to deal with it with their mechanisms. That's not always a good outcome.

So it is important. And I think -- Fab, I think, highlighted some of what I was going to address, which is there seems to be a bit of, I don't know, misunderstanding and that's what's feeding into this cyclical dialogue and getting us sort of not moving forward anywhere with anything actionable.

And, simply, the mechanisms -- and I think this is the gist of the request from the CSG, right? The mechanisms that exist in the current agreements, there are probably expectations from the CSG that they can be used in some way. And perhaps, you know, those expectations don't align with the way compliance is actually implementing them. So there's sort of a gap between expectations versus actual implementation. And I think the purpose in the query, in the topic, is you want clarification on can the agreements be used to address certain things or not. And then if not, how do you deal with the gap?

And like Becky said, there's certainly the policy process to deal with the gap. But then, you know, I think the question being raised here is: Are there amendments that can be made in the agreements and then put forth in sort of a more intentional forward way to get past sort of just this best-effort effort that it seems like the CSG is responding to. That's where I think we're stuck, right?

So there's this gap between expectations and what's actually being implemented, and there's probably some dialogue that can help clarify that.

And then what falls out of that would be here are some recommendations from the CSG on how to either contractually or through policy close that gap.

That's what I'm hearing. I just thought I would reflect it back and see if that's a fair characterization of the state we're in.

DEAN MARKS: Ron, I think you've hit the nail on the head from the CSG perspective and from the comments I'm seeing in the chat. Thank you so much.

MATTHEW SHEARS: Just cognizant -- Thanks, Ron. Just wary and watching the time here, it's a very important conversation so we should continue it. But I leave it in your hands.

DEAN MARKS: Yes, thank you, Matthew. I know we have a limited amount of time. I'm going to -- because there were a couple of hands raised, I saw Mark Svancarek, his hand was raised and Susan Kawaguchi's and Aaron's. Do you folks want to go forward or put your comments in chat?

Mark, I think you were next.

MARK SVANCAREK: Thanks. This is Mark SV from Microsoft. There has been a lot of talk on this call about existing contracts, existing mechanisms, prior policy,

stuff like that. And my counterparts have all discussed those, and Goran has had a chance to respond to those.

I'm really thinking about future policy, specifically EPDP-related policy, and specifically the SLA concepts that have been put forward as policy recommendations in the initial report draft.

So we're looking at a lot of uncertainty right now, and we think we've come up with a way to create some accountability in spite of all of that uncertainty.

So far I think the only feedback I've seen -- and correct me if I'm wrong -- from staff was a single comment in a single document which basically said "We don't get it." So Volker Greimann and I created another document, which is not part of the draft, it's just a stand-alone document that we sent to the list which further clarifies some of the things in that policy recommendation and even has examples. If someone were to act like this, here's their performance behavior over the course of a month, this is what the policy envisages the outcomes and consequences would be.

And it is very important to me that ICANN organization, all of staff, compliance, of course, that they're really looking at policy recommendations like this and giving us timely feedback, really straightforward detailed feedback on what it would take to implement such a policy so that compliance has the tools and that there's not ambiguity. We're hoping to build a gateway that generates objective statistics that everybody can work on rather than the anecdotes that we generally have today.

But if those statistics are not useful, if the IRT dilutes them, if the contract process thereafter dilutes them further and then we still get into a he said-she said -- I hate to use that term, I'm sorry. If we still get into a debate about what is enforceable and what is practical and what tools we all have in place, I'm going to be really dissatisfied with that outcome; and I'm hoping we can avoid that.

But what that means is we really need interaction with compliance and any other organs of ICANN to be sure that what we're recommending is, in fact, going to be well understood and enforceable and then subsequently enforced. Otherwise, we have to go back in the policy development process and start again and make sure that we're generating something that will, in fact, be effective and hold people accountable in a transparent and objective way.

So this is just a comment. I don't have a specific action for you, but hopefully you can -- you can imagine what I'm trying to get at here so that we don't wind up in the same ambiguous situation in the future.

Thank you.

DEAN MARKS: Thank you, Mark.

Matthew, I wanted to turn it back to you, if the Board had any final questions, comments, remarks on this topic, because you're probably right, we should move to the next one.

Or anyone from staff.

MATTHEW SHEARS: There are a couple of hands, but sure. Is there anybody on the Board who would like to make a final comment or two?

Not seeing any immediate hands. Oh, maybe Maarten does.

Maarten.

MAARTEN BOTTERMAN: Oh, thanks. Thanks for this. It's just crucial to understand that DNS abuse is clearly a hot topic that we all care about. And just to reinforce that we are very interested in closely following and see what is also the right level -- what the abuse part is that ICANN should specifically address.

And, yes, the contracts that are there are maintained. And, yes, maybe a little bit can be done by changing contract terms. But just to reinforce and reiterate that it's the policies that will be needed to close the gap in the end.

So continued work between yourselves but also with other parts of the community will be important in doing that. It does have our full attention, and we do realize that if we stay where we are today, it's not good enough. We need to move on.

So I hope that helps.

MATTHEW SHEARS: Thanks, Maarten.

Back to you, Dean. I just wanted to reiterate a comment in the chat from Franco to say to please remember to state your name and affiliation before speaking for the record. Thank you.

Dean, back to you.

DEAN MARKS: Dean Marks. Again, thank you so much. This has been a really valuable discussion, I think, and I hope we will be able to continue it in a spirit of cooperation and moving forward.

With that, given the time, I thought it would be worthwhile to turn to our second substantive topic on consensus policies and recommendations. And Steve Metalitz from the IPC is going to lead that discussion.

Steve, over to you, please. Thank you.

STEVE METALITZ: Yes, thank you, Dean. Can you hear me okay?

DEAN MARKS: We can. Thank you, Steve.

STEVE METALITZ: Thank you. This is Steve Metalitz on behalf of the IPC. And I'll try to be brief because I know we're pressed for time.

This really builds on one of Mason's bullet points, but it also really reflects Becky's statement that the PDP is -- PDP process is one way to effect change on DNS abuse.

Our concern that we wanted to raise with the Board is a concrete example of maybe that is not a way to effect change because we have a policy that went through the entire PDP process that would help in dealing with DNS abuse, but it's never been implemented. And of course that's the privacy/proxy service accreditation policy. I was the co-chair of the working group that developed that. It did go through the full process, and it really was a model, in its way, for how that process is supposed to work. The final product was really -- reflected many significant compromises that were made to achieve consensus. And the Board unanimously approved it in 2016.

We even got far along in the implementation process. I think the IRT report on that was about 90% done when ICANN called a halt very suddenly to any further work on privacy/proxy, and that's where things have stood for the last, you know, two or three years now.

We've been given two reasons for this. One is, well, the GDPR intervened. Most of that policy work was done before the GDPR was enacted. That's true, but the policy was prepared with an eye very much on the data protection directive, which was the precursor to the GDPR, substantively identical to the GDPR really. And one of the key elements of the privacy/proxy policy was this illustrative disclosure framework for data requests related to intellectual property. And that was very consciously an attempt to implement the calculus that's

called for in the data protection directive, and in identical terms in the GDPR, which is whether legitimate third-party interests to justify disclosure have been presented, and if so, whether the interests, fundamental rights and freedoms of the privacy/proxy service customer are sufficient to override that legitimate third-party interest.

That's the calculus, that's the nub of the issue, and we dealt with that in the -- in the illustrative disclosure framework in privacy/proxy. So the fact that the GDPR came on the scene really shunned derail the implementation.

The second point is we were told, well, the EPDP is going to handle this, because they're dealing with the -- with the -- with this whole question of disclosure of registrant data. But if you look at the remit of the EPDP, neither in phase one nor in phase two is there anything about dealing with privacy/proxy registrations. There's one mention of it, as in the EPDP phase two report under priority two, the issues they didn't even address. But even that is only tangentially related to this consensus policy.

I guess a concern here is even after -- let's assume the EPDP gets fully completed, fully implemented, phase one, phase two, and the disclosure mechanism gets put in place. If you have a registration that's behind a -- that's a privacy/proxy registration, then disclosure is only going to reveal the identity or the contact information for the privacy/proxy service provider -- in 99% of the cases, an alter ego of the registrar -- and it just won't tell you anything about who the real

registrant was, who the beneficial registrant was, if you want to use that phrase, who is actually behind the domain name.

And that's really why disclosure is being sought in the first place, not to find which privacy/proxy service provider is involved but to find out who is the customer of that privacy/proxy service.

So the EPDP alone is not going to resolve this issue. And I have to repeat, this is an issue that the community has already resolved. We resolved it through the policy development process of the PP -- PPSAI, privacy/proxy service accreditation policy, and the Board unanimously approved.

So I guess the question here is if this privacy/proxy policy remains on indefinite hold with no apparent link to what happens in the EPDP, then what was the point of having the PDP on privacy/proxy? And why would governments continue to defer to the multistakeholder model on this issue rather than, as someone already mentioned, coming in just to regulate it on a nation-by-nation basis.

So I guess in conclusion, we'd have the Board to look at this again. We've had some correspondence with the Board about it, but we ask you to relook at this, take into account the GAC advice that came out of Montreal that said very clearly that the privacy/proxy policy should be implemented in parallel with policy development work under EPDP, it should not be deferred until after the EPDP is continued. So in light of that and in light of the adverse implications that will be drawn if ICANN continues to not implement a policy that it unanimously approved four years ago after a full policy development

process, we would urge the Board to relook at this and see what can be done to try to -- to try to restart implementation of the privacy/proxy policy and fold that into the -- not make that wait until the EPDP process is totally completed.

So I'll -- I'll stop there. There may be others who wish to add to this or expand on this, but that's basically a summary. Concern that we're bringing to the Board today.

DEAN MARKS: This is Dean Marks. Thank you so much, Steve.

So we'll turn it back to you, Matthew and the Board.

MATTHEW SHEARS: Yes, thank you very much, Dean.

I think Becky is going to -- to respond. Becky.

BECKY BURR: I'll just lead off.

Steve, I hear you, and I hear your frustration. And Dean and I have talked about this a couple of times, and I've looked at it personally several times as well for some of the reasons that you are citing.

The facts are, however, that the IRP -- the PP -- the privacy and proxy IRT became split on the issue of implementation in advance of resolution of the EPDP. We went to the GNSO Council, and the GNSO

Council remained split on whether to proceed or not, and affirmatively decided to defer to the IRT and to org.

Now org is, as a result of that impasse and also the EPDP phase one recommendations, they are doing analysis right now about the impact of the EPDP phase one recommendations on existing -- existing policy. I think the Board was very clear that in the absence of very specifically acknowledgment in the EPDP phase one recommendations, that we would not -- that we did not consider that consensus policy was being overturned by the recommendations and that, in fact, if -- if the desire or the intention of the EPDP was to overturn those recommendations, that it had to be done clearly and affirmatively and formally.

So hopefully we will get input in the relatively near future from org on those impacts. But I -- I hear your passion on this. I think we are stuck between a rock and a hard place. When the implementation team itself is split and then the GNSO Council is split, it's very difficult to proceed in the face of those kinds of lack of consensus.

MATTHEW SHEARS: Okay. Anybody else want to jump in on the Board side?

Not seeing any hands at the moment, Dean, over to you.

DEAN MARKS: Thank you, Matthew. It's Dean. I saw that Russ Pangborn had his hand raised. And then maybe we could -- Steve, after Russ speaks, could comment on the IRT team and the split there.

Thanks.

RUSS PANGBORN: Hi, this is Russ Pangborn from the IPC. Can you hear me okay?

DEAN MARKS: Loud and clear, Russ.

RUSS PANGBORN: Okay; great.

I just want to pile on a little bit to some of the points that Steve was making, and kind of bring into it the timeline frustration. We've been hearing throughout the course of Montreal and again through virtual Cancun this week about the increase in DNS abuse, and, frankly, the increase in the number of domains that are taking advantage of privacy/proxy services, and it's clear that among those are a large number of bad actors.

So when we look at -- I think when I had conversations with the GD team in Marina Del Rey in January, the number we were landing on was somewhere around 25% of all domains right now are utilizing the privacy/proxy service. And if you take the total number of domains out there, we're looking at roughly 90 million, conservatively, taking advantage of this. And all of these are a giant hole in the system that even when EPDP is completed will not be addressed yet.

We're looking at the timeline of EPDP, which phase one, if we're on schedule, will be concluded somewhere around end of June, potentially, but then the contracted parties have 18 months before they have to implement the obligation from phase one. Phase two, we're looking at hopefully getting to done sometime by summer as well, but it still has to go through, then, GNSO Council approval, Board approval. Then it has to have an IRT. Then it has to go through implementation as well. We're tacking on another one to two years. We're looking at somewhere around four to five years of time while we have this gaping hole of no access to the registrant information in these scenarios, and, frankly, we'll being told essentially there's nothing we can do or you have to take legal action to do something about it.

And also, as we've seen in the chat, there's a really interesting twist that was added today from observing the EPDP meetings this morning. It sounds like EPDP phase two is landing on being reliant on PPSAI data in the registrant information in order to go forward, yet PPSAI is waiting for the EPDP phase two to be completed. How do we address that as well?

Thank you.

DEAN MARKS: Thank you, Russ.

Matthew, I'll turn it to you for comments or responses from the Board.

MATTHEW SHEARS:	I'm looking at the moment. I don't see any response -- possible comments or responses. Maybe let's see what Steve says and then we'll see.
DEAN MARKS:	Steve, over to you, please.
STEVE METALITZ:	Yes, thank you. This is Steve again.

Just very briefly in response to Becky, yes, we'll see what the -- what ICANN org comes up with as far as existing consensus policies. This is one, although it's -- that's kind of a met physical question since it's never been implemented so it's hard to see how something else could interfere with it.

But I just think the idea that if some -- some group in the community, after a policy has been adopted, after it's been gone through the whole process, after it's been approved by the Board, after the IRT has worked for many months and really come 90-some percent of the way toward completing its work, if one group in the community says, "No, we don't want to work any further on this," you're basically -- what's left of this multistakeholder model and this policy development process? And, you know, what does that say about -- about ICANN's, you know, credibility or its -- its claim that governments around the world should defer to it and let the community decide some of these issues?

We went through the process, it was completed, and yet if someone in the IRT is objecting to it, apparently it can't be implemented from what you just said. I don't think that's a tenable situation. I can't comment on what happened this morning on the EPDP call because I wasn't part of that, but I just think -- I'd just encourage the Board to take a look at this and not to have form be elevated over substance here.

Thank you.

MATTHEW SHEARS: Dean --

DEAN MARKS: Yes.

MATTHEW SHEARS: -- I think Karen Lentz would like to make a comment, on Goran's team.

DEAN MARKS: Sure.

MATTHEW SHEARS: Karen.

KAREN LENTZ: Hello, this is Karen Lentz for the record. I wanted to comment on the question about what it would take to restart the PPSAI implementation work. And I do understand from the EPDP meeting earlier today that this was discussed in terms of their current recommendations and any expectations about what that might mean if they, you know, conclude their work on that topic.

And I just wanted to recall a few -- a few areas of work that are in progress that have impacted our understanding of what the ability is to move forward with the proxy/privacy implementation. One of those, as we noted, is the EPDP phase two work itself and what the impact of that will end up being. The second, and I think we mentioned this previously, is looking at phase one and the impact of the registration data policy that's being drafted based on phase one on existing policies and procedures. So we, you know, have been doing a very comprehensive look at all of the currently implemented consensus policies as well as many of the nonpolicy procedures, and the report that we're working on now in regard to this recommendation 27 from phase one includes the proxy/privacy services recommendation. So we're looking at what impact the phase one recommendations being implemented would have on the previous recommendations and work that had been completed on the proxy/privacy implementation.

So that's one of the pieces I think we need to be able to answer the question and chart a path with now we can move forward on this. So I hope that's helpful.

Thank you.

DEAN MARKS: Thank you so much.

MATTHEW SHEARS: Thank you.

DEAN MARKS: Thank you, Karen. Double thanks for me and Matthew. And hopefully we can have further interactions on this apart from these calls.

Matthew, I think you mentioned and I saw Goran had his hand up? Goran?

GORAN MARBY: No, that was -- Karen and myself are in the same room so it was actually Karen disguised as Goran.

MATTHEW SHEARS: There you go.

DEAN MARKS: Thank you so much. I know there are lots of folks who want to make comment, but I'm mindful of the time schedule, and I don't want to short change the third topic. So is it all right, Matthew, if we move on to the third topic about the GNSO structural review?

MATTHEW SHEARS: Yeah, absolutely, Dean.

DEAN MARKS: Okay. Thank you so much.

With that, I'd like to turn it over to Wolf-Ulrich Knoben who will take the lead on behalf of the ISPCP on the GNSO structural review.

Thank you, Wolf-Ulrich. Please go ahead.

WOLF-ULRICH KNOBEN: Yeah, thanks.

Thank you, Dean, and all. Hi from Germany here.

So I'm -- I would like to raise a point which we made several times during former ICANN meetings as well, but it's for us, from our point of view, it's still a hot topic and unsolved and this needs some movement. So it's about the structural review in the GNSO. And if you recall, at ICANN66 in Montreal, so under Brian Cute's leadership, guidance there was a work plan presented towards the improvement of the effectiveness of the multistakeholder …

MATTHEW SHEARS: We seem to have lost audio.

DEAN MARKS: Yes. Wolf-Ulrich, we seem to have lost you on audio.

Franco is having us stand by, I think. They may be trying to call Wolf-Ulrich, and thanks for waiting and everyone's patience.

MATTHEW SHEARS: There's a request to unmute the line, in the chat. Thanks, Franco.

WOLF-ULRICH KNOBEN: Can you hear me? Hello, Wolf-Ulrich speaking. Can you hear me? Have we lost connection?

DEAN MARKS: Now we can, Wolf-Ulrich. Thank you.

WOLF-ULRICH KNOBEN: Oh, I'm so sorry. I don't know where I lost connection, but just to introduce the problem. So that is that we are raising, you know, the issue about a GNSO structural review on the occasion of several working phases. For example, on the -- working on the improvements of the multistakeholder model, the effectiveness of the multistakeholder model, but we understand that the work plan, which was elaborated and presented in Montreal, does not include this as an item, as a specific focus of org.

Furthermore, we also understand that question of the GNSO structural review may be on the agenda of the -- so-called of the Organizational Effectiveness Committee of the Board, the OEC. So with that, so we had also, last time in Montreal, an exchange with regard -- there was

(indiscernible) session about the streamlining of reviews. So we had also an exchange with Avri Doria on that. And it was -- We hope that the OEC might take this point to its agenda and come back with a kind of guidelines from the Board perspective that we could move forward in the near future.

That's our question here. What is it about? Is there still ongoing work on the OEC with that? What can we expect from this regards to a potential GNSO structural review on that? And is there something like a timeline given when the Board is going to discuss this?

Thank you.

DEAN MARKS: Thank you so much, Wolf-Ulrich.

Matthew, I'll turn it over to you.

MATTHEW SHEARS: Yes, thanks, Dean. Thanks, Wolf-Ulrich.

I'm hoping we can -- we can -- that Avri is available and can talk to this.

AVRI DORIA: I think I am.

MATTHEW SHEARS: Oh, yes. There you are, Avri. Thank you.

AVRI DORIA:	Yes. This happened to happen at a point when my screen was actually up. Zoom has been crashing on me.
	So, yeah, I can't speak, and so hopefully somebody will be able to cover, the issue of the work plan and whether the structure review is in that work ...
DEAN MARKS:	Did we lose Avri?
MATTHEW SHEARS:	Yes. She may be back. Unfortunately, her connection is a little bit unstable.
	Let's give it 30 seconds and see if she's back.
DEAN MARKS:	Matthew, while we're waiting for Avri, I know a number of questions have been raised in the chat. Do you think it might be possible to get some answers to those from the Board at their convenience? And if so, would you want me to try and assemble those so that folks don't have to go through them?
MATTHEW SHEARS:	Yeah, Dean, I think that's a good idea. I think there have been a lot of very useful points that have been raised in chat, and I think that would be -- that would be useful. And we'll see what we can do about coming back to you with answers.

But I think that, yes, that's worth capturing, definitely.

DEAN MARKS: Thank you so much, Matthew. I'll take it on to do that so that we kind of group the questions together. So I'll work with Chantelle to have the transcript sent to me and do that shortly afterwards. Thank you so much.

MATTHEW SHEARS: Just -- just in Avri's absence, Wolf-Ulrich, you said you thought the GNSO structural review was on the OEC agenda or work plan. I'm not sure that it is, but we'd have to confer with Avri to be absolutely certain on that front.

But you are right in terms of the Brian Cute evolution of the multistakeholder model process, was that the structural review aspect was not identified as one of the six areas for further -- further elaboration. So I can certainly say that.

I think that one of the issues is -- that has been in the past -- Avri, is that you?

AVRI DORIA: Yeah. When you're finished, yeah, I'm back. I changed machines.

MATTHEW SHEARS: Okay. Wonderful.

So I was just saying that I think one of the issues that we're facing in the past, of course, is the -- it's true today -- is the wide-ranging views within the GNSO amongst the various stakeholder groups and constituencies on the point of restructuring. And I think that's -- that's a challenge that will have to be overcome.

There was no -- the GNSO didn't review its structure as a part of the last -- the last review that it went through. And maybe it's time for that to be put on the agenda again.

But I think, again, as far as I know -- and Avri, correct me if I'm wrong -- I don't believe that GNSO restructuring is on the OEC work plan at this point in time.

AVRI DORIA: No. Let me step back. I heard most of what you said.

MATTHEW SHEARS: Okay.

AVRI DORIA: And thank you for taking over for me while I was changing machines. Hopefully this one will stay up.

So basically -- I mean, the first part of this is that the GNSO basically has to -- whether it decides outside of review -- and this is a message that has been passed along, that if the GNSO, GNSO Council decide it's time to restructure, they don't need to wait for the OEC, you know,

organizational review. The next one is planned for '21 to start doing it. It's something that they as a bottom-up organization can basically self-organize to do that restructuring.

Now, in '21, there is also currently scheduled an organizational review of the GNSO. This is still somewhat up in the air because we're waiting to see what the final recommendations from ATRT are -- ATRT3 are in terms of, you know, the restructuring of both specific and organizational reviews.

But following the normal pattern that we've had, the OEC, the organization, the review working party from the -- from the SO -- from the GNSO basically worked together on the terms of reference for the review. And so, once again, it's up to the GNSO to basically decide is this something we want to do in this review pass.

I -- we're not in a situation like we were way back when, when this current structure was created where there was an overall change and there was addition of members to the group and all of that. But still in that case, the restructuring was, indeed, decided by -- I'm sure many of you will remember -- a small group from the GNSO that negotiated this particular form of structure.

So we don't -- the OEC is still very much looking at how we restructure the reviews and has not taken a dive down into things like the organizational review of the GNSO.

As '21 comes closer, as the ATRT3 recommendations for how we do organizational reviews in the future, at that point, we would start

talking about it. We would start talking to folks in the GNSO about it, and we would figure out what the terms of reference were for that review. And it would really be up to that discussion and to the GNSO whether that included a structural or not. Hope that answers it.

DEAN MARKS: Thank you so much, Avri. I saw Wolf-Ulrich's hand up.

Matthew, is it okay if we go back to Wolf-Ulrich for a moment?

MATTHEW SHEARS: Absolutely.

DEAN MARKS: Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Can you hear me?

DEAN MARKS: We can now.

WOLF-ULRICH KNOBEN: Thanks. Thank you very much, Avri. Thanks for the context as well which is really clear so in the context of ATRT3 as well as the question of streamlining the ATRT reviews.

The only thing -- what I think -- that's why we bring it up here in this forum as well, is we think that there is a context between such a review and the improvements of the effectiveness of the multistakeholder model at all.

So there is -- we think -- if you don't go through at least that exercise in a review, then we will fail with an improvement of this multistakeholder model. I'm very convinced about that.

So I understand that you not speak as the Board but you say, okay, it's your responsibility to bring it up in the GNSO and to decide upon that. So they'll do that.

And I do hope that we can fit also in that time line of the next strategic plan -- because I understand also that the improvements work plan is under the strategic plan until '25. So thanks very much.

DEAN MARKS: Thanks.

MATTHEW SHEARS: Thanks, Wolf-Ulrich.

DEAN MARKS: Thanks, Wolf-Ulrich.

Matthew, I was just trying -- sorry for the delay. I was just trying to monitor hands. I didn't see any hands up.

Was there any further discussion on this point that folks wanted to raise?

Did you see any, Matthew?

MATTHEW SHEARS: Not seeing any on my side.

DEAN MARKS: I wonder, being mindful of Franco's note in the chat that we have about 20 minutes left, maybe we could move to the second part of our meeting where each of our CSG's constituencies wanted to respond to the Board topics that were put forward particularly about 2020 priorities.

With that, I would like to turn it over to Claudia Selli from the Business Constituency. Claudia.

CLAUDIA SELLI: Thank you very much, Dean. And thank you very much, everybody, for this interesting session.

I think I had a slide that I provided so that you can see in writing our priorities for the Business Constituency.

Yeah, I will start with the EPDP phase 2. It's nothing new because you have already heard these arguments.

But I wanted to start by thanking Goran and the team for the great work that they are putting in all -- to find all possible ways to obtain what the community really needs, which is guidance from the EPDP. So we really appreciate the continued effort in this respect to help along the discussions.

And the EPDP phase 2, getting access to WHOIS register, remain key for member companies and I wanted to thank also the volunteers that are really putting a lot of energy and dedication into the work. And we'll be filing comments to the report where we identified several areas for improvement or clarification.

And while we appreciate the work and effort that is being put, we also remain concerned about the slow pace of progress and that without guidance from the DPAs, we continue to struggle with this important issue and maybe also overlook the right solution here.

The second stream, of course, is the EPDP also phase 1 implementation. And while on one side the work, of course, is taking time to advance, we would really hope to accelerate the implementation of EPDP phase 1. As you have heard also, as saying this in Montreal, in our interaction in Montreal, we would really like to see the implementation of the most important recommendations such as the Recommendation 18 on standardized requests and response, just to mention one, and certainly a starting limitation of the most critical provisions.

And, finally, on the strategic plan, also in Montreal during our Board interaction, Cherine talked about the strategic plan and the

implementation plan, operation and finance that was posted in December, as well as the five strategic objectives. And we really would like to understand from the Board whether -- now it has been installed, whether do you foresee continuity with the vision that was highlighted at that time, whether priorities have been shifted. Thank you.

DEAN MARKS: Thank you so much, Claudia.

I just wanted to read one quick comment from Heather Forrest in the chat about the third point on the strategic plan and her recommendation that the MSSI team think creatively about how to make the strategic trends exercise truly effective in remote format so that more members from the community are able to feed their thoughts into the next strategic plan.

Thank you for that, Heather.

Matthew, I will turn it over to you, please, if the Board had any follow-up questions or comments on the BC priorities.

MATTHEW SHEARS: Yes. Thanks, Dean. I think Becky is going to touch on the EPDP, and I'll touch a little bit on the strategic plan. And I think Theresa will also come in on that.

So, Becky, over to you.

BECKY BURR: Thank you. With respect to progress on the EPDP, Chris Disspain and I are the Board liaisons, and we've been actively monitoring and silently cheerleading or quietly cheerleading, I guess. Progress is slow but determined.

Janis is sort of marching the group through the various tasks. Obviously waiting to get input on the draft that is out there. Meanwhile, the legal committee has submitted a couple more questions out for input from Bird & Bird and we'll be discussing a couple more this week.

So I think it's just a -- things can get stuck for a call on one issue or another. There's obviously a lot of energy and passion in it. But, as I said, I think we are making slower than desired but determined progress.

MATTHEW SHEARS: Thanks, Becky.

GORAN MARBY: Matthew, this is Goran. Can I add one more thing?

MATTHEW SHEARS: Absolutely.

GORAN MARBY: Despite the ongoing work in the EPDP, we are still working to try to increase the level of guidance from the European authorities for ability to build a UAM. And I would also like to in front of the board also thank the BC for the help we're getting in Brussels to try to achieve that goal. So thank you very much.

MATTHEW SHEARS: Thanks, Goran. Just on the strategic plan -- and, again, Heather, thank you for that great point you put in the chat -- we are working -- so the Board has a Board working group on strategic planning. And we are working with MSSI at the moment on an approach to going through a process of review of the strategic plan. And we should be coming out with a proposal on that in the next two months or so, I would say, realistically. Hopefully sooner.

And at the moment -- the purpose of that review is to actually look at the various trends, which are the most important trends, get feedback from the community, to Heather's point, on what those trends are and to make a determination as to whether or not the trends rise in sufficiency of importance and material impact to ICANN so that the strategic plan could be looked at as to whether it needs to be changed or adapted or amended.

The vision remains. There will always be a vision. But that overall kind of review process that we'll be going through on an annual basis will, of course, determine over time whether or not that vision would evolve. But that's -- and, Theresa, I don't know if you wanted to jump in there.

THERESA SWINEHART: Matthew. That's spot on. You got that. And then, Heather, to your point in the chat, absolutely. We realize that running a trend session virtually is a new and unique experience. We will take some of the lessons learned from this and then utilize mechanisms where we can enhance that both virtually. But then as we hopefully can resume some face-to-face at some point, be able to also work with the community on that.

So if anybody in the community also has any suggestions from experiencing the virtual participation on how to improve that experience, please don't hesitate to let me know as well. Thanks.

MATTHEW SHEARS: Thanks, Theresa.

And, Heather, this is a question that's being asked on a regular basis, not just about the strategic plan. I think you make a great point. We will definitely take that into consideration.

Dean, back to you.

DEAN MARKS: Thank you so much. Mindful of time that we only have 14 minutes left, unless the Board is willing to rap for a bit, Claudia, I'm hoping you are okay if we turn over -- turn next to the ISPCP and their discussion of their priorities for 2020.

Thank you, Claudia.

Wolf-Ulrich, then I'm going to turn it over to you, please. Wolf-Ulrich.

And hopefully those slides can be put up in the Zoom room.

WOLF-ULRICH KNOBEN: Yeah. Thanks. This is Wolf-Ulrich speaking. Thanks, Dean and Matthew.

I understood that this exercise also for putting a short introduction of our constituency, especially in particular for the benefit of the new Board members who came in.

And there's another slide. I think you first skipped that slide.

UNKNOWN SPEAKER: People are comparing their home offices since we are all working remotely.

WOLF-ULRICH KNOBEN: We are not the IPC. We are the ISPCP. That's one slide up. One slide up. If you could do that. Yes. Okay. Thanks.

Just for the benefit of the new Board members to understand there's a difference between the IPC and the ISPCP. So that's it. Where we come from, we are Internet service providers and connectivity providers. And we have members from the telcos -- they are listed here -- from the Internet exchanges, from the ISPs, Internet service

providers, and associations. So we are to a certain extent technical related. And we would be happy to see you (indiscernible).

So next slide, please.

So now, with regards to the priorities, so we have in the past already worked hard in the universal acceptance steering group and cooperated there. So we are following also up with that work. So in particular there was a question about how to implement all the ideas the universal acceptance steering group came up with. So we see that ICANN has in its strategic plan a funding for that activity, around 500 something U.S. dollars, I understand, per year. And that is a lot of money to be spent. So we take an eye on that how we are going to organize, to spend, to make appropriate use to the benefit of the universal acceptance. That's one thing.

As others are doing, the EPDP, we have members on this team. And we are looking at the outcome, the quality of that, and its implications on the WHOIS policies as well.

Third item we have taken into account, especially we are working on a combined statement around the question of emerging identifiers technology and their impact on the DNS. So this work is under way where we set our work priorities.

And in addition, if we could afford that, it would also continue to increase our outreach efforts.

I remember last year, when we had that in Japan, Akinori and Maarten were able to participate -- actively participate in our outreach event.

And we will be doing that not with just a kind of platform to look for new members but also to attract, you know, an audience with technical information around our issues with respect to ICANN matters.

So in addition -- so there are other issues covered, but I thought I would outline the first four items here.

With regard to the Board question of the impact question related to the strategic plan, that is one thing I raised before, that is, with regards to the improvements of the multistakeholder model. We see that as one of the highest priorities. We are often to take an eye on that.

And that should be -- that item should be reviewed by itself so the plan is going to be evolved. I understand the plan is a kind of rolling plan. Every year it is going to be reviewed and maybe also updated. So that's it from our side. Thank you.

DEAN MARKS: Thank you so much, Wolf-Ulrich.

Matthew, any comments from the Board on those priorities?

MATTHEW SHEARS: Yes, just a quick comment from me, first, though.

Very much appreciate the priority on emerging identifiers technologies and their impact on the DNS. We're very much looking forward to seeing that.

And other issues, I think we've touched on a little bit, the evolution of the multistakeholder model and also the strategic plan. But I think Maarten probably wanted to say a couple of things.

Maarten.

MAARTEN BOTTERMAN: Actually, you just hit it by saying the things I wanted to highlight. It is, indeed -- these priorities make sense. I can see where you come from and agree with your ongoing interest for this. It's important we understand that times are changing and we move along with that.

Also appreciate the awareness-raising session you organized in Kobe. That was very well done and very close with Japanese collaboration. I thought that was a good discussion.

So, yep, thanks for this. Right on topic.

MATTHEW SHEARS: Thanks, Maarten.

Just to answer your earlier question, Dean, unfortunately we can't stay any longer than our allocated time because we have to change rooms and everything else to meet with the GAC. So can't go beyond the hour, thanks. Or the half-hour, I should say.

DEAN MARKS: Thank you, Matthew.

I think we'll turn straight over to the IPC and with Heather.

But I just did want to make a callout to Franco for all of his help during the session and contacting people when audio went bad.

So, Franco, thank you so much for all of your great technical help.

And with that, Heather, we'll turn it over to you. And if we can could put the IPC 2020 priorities slide up, that would be great. Thanks.

HEATHER FORREST: Thanks, Dean, very much. And thanks very much to everyone who has joined us on the call today.

Look, there are three priorities on the slide here. I think the first point was communicated in the course of our discussion in the beginning part of this session.

The second point, of course, will come as no surprise. It is a bit unfortunate we've had IPC members drop off of this call throughout the call because of the conflict in the schedule with RPMs being scheduled at this time. So I'm afraid even if we had more time, our folks who would speak to the substance of this are on that other session.

And I think the third point on contractual compliance, again, will come as no surprise. This is a concern. You've heard the concerns of members in the beginning part of this call.

I wanted to take a second just to say I'm perhaps -- more big-picture points rather than focus what limited time we have left on these very specific things.

First thing I'd like to say is thank you very much to org. A number of staff members helped the IPC make it possible for the IPC leadership team to get together in L.A. back in January, to come together on an opportunity to put our heads together strategically, think about what 2020 might offer.

This question actually the Board has put to each of us on what our priorities are and how they align with the strategic plan. That maybe underlies some my interest in the strategic trends exercise and how we make that happen effectively because, indeed, the IPC started off in January quite keen to think about what is it we want to do, what are the bigger pictures and more pointed things that we want to do in 2020, where do we want to put our limited time, our limited energy, and how do we prioritize those things.

So very sincere thanks to the org staff who helped us find a room there in L.A. headquarters and have the opportunity to speak with folks and more importantly to work as a leadership team on what we might do in 2020 to be effective.

And just coming out of those discussions, of course, I think the three points on the slide are fairly predictable. But if I can offer maybe some high-level insight into what the leadership team has shared with the membership as to where we think 2020 might offer some opportunities.

First of all, I think it's interesting we mention the evolving multistakeholder model exercise here in today's discussion. And I'm very mindful that council is continuing its work on the PDP 3.0 initiatives. And the IPC is very keen to support the PDP 3.0 initiatives and, in doing that, recognize that there's quite a bit we can do within the GNSO to make our work more effective and efficient.

I think when I went back and looked in preparation for this call at the IPC public comments that have been submitted over the last 12 months, there are some real themes that come out of those around the need for accurate and current information to enable ICANN to carry out its mission and responsibilities. We certainly heard that in a specific forum in the conversations around DAAR, in the conversations in the earlier part of this session around the data that's meant to be collected from PPSAI. I think there is a number of examples here where we can say we need to be better at getting current and accurate information.

The privacy of the bylaws-mandated PDP process and how we develop policy, we're seeing that come through in RPMs and how we manage change within PDP, I think that's important, and appropriate scoping on things.

Another thing that came out of our leadership discussions in January is the need to establish a clear IPC position on the GNSO review, the third review. And I'm grateful to Wolf-Ulrich for bringing to light that issue.

I think we haven't yet had a chance to talk about it within the IPC because really, we were quite keen to hear the Board's reactions to the opening discussion today. And we'll take that back. I'm not sure necessarily we have too much more to work with than we did prior to this call, but we'll see how we go.

And, lastly, I'll say that we're keen to have a year of more constructive engagement through channels of communication with org, the Board, the GNSO, and our respective parts of the members of the GNSO community. So this is a year of broader reflection for the IPC, I think. And it's -- the three points you see on the screen here are part of that. But I think it's a much bigger picture that unfortunately can't really be presented in four minutes.

So very happy to follow up with anyone who's interested and continue working with you all throughout the year.

And with that, I notice we are at time. So thank you very much.

DEAN MARKS: Thank you so much, Heather. Just for the CSG, thanks again to the Board and to ICANN staff for holding this session with us.

MATTHEW SHEARS: Dean, we have a last word from Sarah actually if she just wants to jump in quickly. We have got maybe 30 seconds.

DEAN MARKS: I would love that. Thank you, Sarah.

SARAH DEUTSCH: Okay. Thank you, Dean and Heather, for my 30 seconds.

I just wanted to thank you for this dialogue today. The IPC priorities you've laid out, I think you can hear from our discussions are extremely complex. I know that as a Board we're going to be having a lot more discussion about them and you gave us really good food for thought.

And, also, Heather, to your last point, very, very pleased to hear about the constructive engagement and agree that in order for us to hear each other and work together, that's going to be very crucial. So thank you again.

MATTHEW SHEARS: Thank you, Sarah.

If I may before I turn it over to you, Dean, just thank you, everybody, for this (audio dropped) all the comments and engagement. And see you in the next chat session. Thanks. Dean.

DEAN MARKS: Sorry. Thank you so much, everyone. I know you have another session to go to. So we'll just wrap up with a big thank you to all.

And I will follow up with those questions from the chat. Thanks so much.

MATTHEW SHEARS: Thanks.

AVRI DORIA: Bye. Thanks very much.

DEAN MARKS: I will chair a session with you any time, Matthew.

MATTHEW SHEARS: Pleasure, Dean.

[END OF TRANSCRIPTION]

ICANN 67
VIRTUAL COMMUNITY FORUM
7–12 March 2020