

**Transcription ICANN Buenos Aires Meeting
EWG Briefing
Sunday 17 November 2013**

Note: The following is the output of transcribing from an audio. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

On page: <http://gnso.icann.org/en/calendar/#nov>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page

Coordinator: This conference is being recorded for transcription purposes. Thank you.

Mason Cole: All right, everyone, if we could have order in the room please? And could we start the recording? Thank you. Alright everyone, we're going to go ahead and get started with the new session. We're joined here by Jean-Francois Baril and Denise Michel. And they have a brief presentation to show us before we start in with questions. So I'll turn the floor over to the two of you. Could we please - yeah, could we have some quiet in the room please? Thank you.

Margie Milam: We also have the majority of our Expert Working Group members around the table as well as supporting staff. They all have placards in front of their names and if they could raise their hands?

Jean-Francois Baril: Okay so thank you very much, Mason, for this opportunity - also this invitation to exchange on the latest status of the EWG on the next generation gTLD (RDA)s.

So also starting by an apology of the late communication of our status report so probably not everyone in the room has been having the time to read these 84 pages that we published on November 11. But I very seriously invite you to open this file.

It's still a work in process but we wanted to be very genuine and also very open-minded so that's why pushed to the limit to incorporate as much as we can into this report and publish that as a consequence quite late so sorry for that.

So what you will see hopefully in this report is since we met in Durban a tremendous, tremendous amount of work based on a lot of - in fact discussion with a lot of people in the room have happened but also I think we will see 35 public comments and then also one other response to our online questionnaire.

So we really, really, really went deep into this understanding and challenging ourselves, testing ourselves trying to find also some alternative solution and understand the pro and cons of all what you have recommended from the community for us to work.

So we also realized that attention to detail was very, very critical. I think in Durban we were also very excited but I think we let the things get in at the very high level which was not authorizing probably everyone to have a complete understanding of why of some proposition that we had into this meeting.

So we just put a very, very few slides may be to refresh a little bit the current setting but also we have a few slides to reflect and to help you to digest before you finish your lunch to digest the elements that are most important for us for prompting from you a lot of reflection to help us to go to the next step.

So the origin is basically one year ago when the Board gave this initiative to understand what we do with this Whois by a short-term definitely implementing this Whois Review Team recommendation signed by this RAA 2013 but also nominating this EWG to challenge what needs to be the next generation gTLD RDS.

So if you can go to the next slide. So as you remember we published last June the initial report. Then in this initial report definitely starting from this clean slate we had recommended a paradigm shift which was, for many of the people in the community sometimes a little bit uncomfortable.

So for example a band in one-size-fits-all Whois approach creating the new purpose driven RDS. That's having the (opposition) in mind about privacy, accuracy and accountability so this was very, very important.

Since then, as I said, we have received a lot, a lot of elements first from Beijing but also much more substantial from Durban. And then by the end of November we were able to publish - or to explain where we are at the moment in our working process.

The next slide please. So this is probably the most important slide that we will probably spend much more time during this session. This is some kind of key elements that we will ask you to reflect or to give us some input feedback and thinking on how to progress, how to be for everyone part of the solution.

And we are, of course because this is not an easy element - not struggling but we are putting a lot of effort on this few topics. But I will come back on this one in such a way all of my colleagues have the time to go a bit more deep into the understanding.

Next slide will highlight also what is the next step. So basically we are expecting the fantastic dialogue and positive input that we have already received from some of you into the room from this conference.

Then we have launched a research on few elements that we think needs to complement what we are doing. For example the ccTLD best practice that are also a source of inspiration for us, what will be the risk and impacts of what we are recommending. There is a lot of good elements also that we are looking for from the proxy practices. And last but not least the cost is also something quite important.

We do expect that by early 2014 we will be able to reconvene as the EWG and analyze, digest and understand all the comments that are going to come from these different sessions.

And then this is our big hope that before Singapore, the next ICANN conference, we'll be able to submit our final report to the Board in such a way they can take consideration on what is going to be the next step for the output of this EWG.

So I would like to come back to these critical issues that we are looking at the moment. And, for example, if we take the first one, public and gated data elements. Is anyone of my colleagues, like maybe Susan who has been also quite instrumental on helping to facilitate this document, willing to go a bit more deep on these gated public data elements?

Woman: Michele?

Michele Neylon: Yeah, just, Jean-Francois, just maybe if members of the GNSO have specific questions now rather than us diving into things that they may not care about? And if they don't...

((Crosstalk))

Michele Neylon: ...we can dive in.

Jean-Francois Baril: Correct.

Mason Cole: Okay, we can open a queue. Anyone? Jeff.

Jeff Neuman: Thanks. Thank you for this. Jeff Neuman with the Registry Stakeholder Group. Does the question - and I apologize I have not read the report yet. But I would like to hear you actually go into like a sentence or two on these because, I mean, things like their privacy and proxy services - I don't know what that means as far as if there is a qualitative word.

So again I know - I'm sure all of this is explained in the report I just haven't had time to look at it.

Jean-Francois Baril: So do you want to take this one first? Stephanie Perrin: or...

((Crosstalk))

Stephanie Perrin: Okay, basically what we mean by better privacy and proxy services is more clarity about what that means. We've actually proposed a new name for privacy services because it's misleading seeing as how they're used by individuals and corporations, companies. It's better to talk about a shielded service than the privacy service.

And sort of delineating exactly what's happening with the two different services because there will be different results in terms of who's information appears in the RDS. So if you're using a proxy service then the proxy information appears in the RDS.

It also goes into some of the detail about what the accountability - I mean, we're all about improving the accountability and what accountability are you passing on to the privacy and proxy services and what are the expected service standards?

So we're not trying to duplicate the work that's going on with the other group looking at privacy and proxy but we do have to sort of sketch out what it means, it's the principles that we're looking at in order that we can alter what gets reflected in the RDS. Does that make any sense?

Jeff Neuman: Sorry, and by RDS - I'm sorry.

Stephanie Perrin: That's the central repository or the distributed repository...

((Crosstalk))

Jeff Neuman: So you haven't - even though there were a bunch of comments about that you're sticking with this is the recommendation?

Stephanie Perrin: Well, we've actually looked at a number of different models in this report but for the purposes of the discussion on privacy proxy the data goes - it either goes in one place or it goes in a distributed system; the same issue applies.

Michele, you want to jump in there?

Woman: I can - from my vantage point I can see other people on the group raising their hands. Brian, did you want to...

Brian Krebs: Yeah, I was going to say, please read the report on this because we go into great detail and especially about models, alternative models, things like that. We've got a lot of more information available for the community to look at and really understand where we're coming from in a lot of these different things and a lot of pros and cons which actually I think was one of the topics on here.

But there are a lot of things behind these sentences here. Just for clarification, Jeff, did you want just a couple of sentences on each of these things?

Jeff Neuman: Yeah, I would love it. Like I said, I mean, it came out the 11th and I'm not faulting you guys for that I just haven't read it.

Brian Krebs: So basically a 30 second blurb so we can...

((Crosstalk))

Jeff Neuman: For me that would help but I don't know if everyone else wants that.

((Crosstalk))

Brian Krebs: I'll check off my item here then since I've got the mic, which is the validation and reusable contacts. This is really around methodologies for validating data as it gets put into the system. And I'm looking at - and this is - I would really suggest taking a look at how we got this sketched out a contact-based system where individuals control their information as a contact object, if you will, across all registries, all registrars and be able to actually utilize and update something once and have it reflect everywhere. So that's a concept that's enumerated in there a bit and that's one we're going to be working on.

So whoever else needs to...

Mason Cole: Okay, we'll go back to the queue. Steve Metalitz. Oh I'm sorry. Wolf.

Brian Krebs: We're going to do like two or three, you know, 30-second blurbs like that on the...

Mason Cole: Oh I'm sorry...

((Crosstalk))

Woman: Stephanie.

Stephanie Perrin: Yeah, so I think I've already done the 30-second blurb on the privacy and proxy services. The secure protected credentials we did mention that in the first report and we got the comment, what are you talking about basically, give us more detail.

And basically you will find a fairly lengthy discussion of what kinds of people we feel might be endangered and the kinds of vehicles that we would have to have set up in order to validate whether or not, say, a journalist operating in a hostile territory is valid. You would need someone to attest that that journalist is indeed a journalist and that they are in danger.

You would need some kind of tribunal or body established to hear these cases. And then they would take a - they would say yes okay, you get a secure protected credential. They would take that to a certificate issuer who would issue a pseudonymous credential. But credential would then go to a proxy service provider or not but it would be safer if you went to a proxy service provider.

The whole goal being to make sure that the proxy service provider could not be shaken down by whoever the threatening party was to provide the information. So it actually removes a lot of liability from the registrar. So that's kind of, in 30 seconds, what that is.

And then jurisdictional and applicable law issues we looked at particularly in the privacy area the problem. And we had made a recommendation that ICANN look at adopting some form of a binding corporate rule so that we could harmonize practices across the different elements in the system because whether the model is a distributed or a central or any of the different models that are in the report we need to have specific rules that would apply.

Jean-Francois Baril: Can I just add to that - that the rule are going to be incumbent on the RDS. This is about residency. So once the data is resident someplace then

there's going to be some rules that are going to be binding in collection and access and transfer and publication of that data.

And they're principles that needs to be embraced that will ensure that some of the hot button issues of privacy and consumer protection are managed within well recognized and agreed framework. That's what the binding corporate rules are intended to address.

Stephanie Perrin: Would you like to move on with the queue?

Mason Cole: Yeah, we have a queue with Steve, Ching, John Berard, Mikey and Chuck. And it's now 25 until the hour. Our next meeting is in the Board room down the hall so we're going to...

((Crosstalk))

Mason Cole: Oh it's here, I'm sorry.

((Crosstalk))

Mason Cole: Okay so about 10 to; we have about 15 minutes left so let's get through the queue as it stands and then let you all finish your presentation. Okay, Zahid, I have you. Steve.

Steve Metalitz: Thank you. Steve Metalitz from the Intellectual Property Constituency. I haven't read this report either or at least not in detail so hopefully we'll have a chance to comment on it. My two questions are really about the timeline slide or the next steps.

First there's a research agenda, which I think is quite interesting and will shed a lot of light not only for the work of the EWG perhaps but also for other things that are going on with ICANN. I think Stephanie Perrin: already mentioned that there's a - you know, we're about to launch a working - a PDP

working group on accreditation standards for privacy and proxy service providers. And I think this inventory of existing practices would be very useful there.

And data validation by ccTLD operators and commercial services, that could be very useful in terms of implementation of the RAA and the new Registry Agreements all of which deal with data validation.

So my first question is, this is an ambitious research agenda to carry out over a rather short period, who is going to be doing this research? Is it going to be ICANN staff? Is it going to be contractors? Is it going to be EWG members? How will this be done between now and sometime pre-Singapore?

Margie Milam: This is Margie from staff - Margie Milam. Yes, staff will undertake the research and essentially Lisa and I are going to brainstorm about the best way to do this. Obviously some of this is going to involve outreach to the CC community, to the registrars depending upon what the issue is but that's - we're going to do our best to do it as quickly as possible to get the answers by early next year.

Steve Metalitz: Okay. And as I said I think this will be useful in a number of other ventures. If you're successful - obviously that depends on cooperation from some third parties so that may be an issue.

My next question really is about the Next Steps section. I just want to be - understand - is this document and the - is it open for public comment? Is there a formal public comment forum? Is it the piper mail thing again or is it going to be like the public comment forums that we usually have in the public comment section of ICANN?

And is this the last opportunity because I don't see anything in here about anything to be put out for public comment between now and your final report, is that correct?

Lisa Phifer: Yes. And Margie can feel free to jump in here. This - comments are welcome at any time and we'll, again, email you and show you the email address. But the - this is intended to be a detailed status, very substantive status report on which comments are very welcome. But the final report will be officially posted in the official public comment forum circulated to everyone and comments will be requested on that as well.

Steve Metalitz: But between now and then there - you're not expecting any other opportunities so we should speak now if we want to have input - I mean, not only right no but I mean, in response to this document if we want to have input before the final...

Margie Milam: We have a - in the announcement we've put an email address where you can provide information. And then those emails will be publicly archived, you can see them all so that was the approach we were taking.

Lisa Phifer: And just to quickly address process. I mean, it would be great to get thoughts, and you can email us if we don't have time today. But are there other paradigms or ways that you'd like to interact with the group and discuss it and provide more comments?

We're, you know, very open to additional mechanisms between now and Singapore so please do let us know.

Mason Cole: John Berard.

John Berard: Thank you, Mason. John Berard, GNSO councilor from the Business Constituency. With regard to public and gated data elements is there just one gate or are there many gates? And is there a fee at each of those gates?

Margie Milam: So there's one gate so there will be one centralized entry into the RDS. You know, whether or not - how that information tolls is still up for discussion. And we have not gotten into a full blown discussion on fees.

Mason Cole: Chuck.

Chuck Gomes: Thank you. Chuck Gomes. And I'm speaking in my personal capacity because we as registries haven't had time to really talk about this much and nor have I had opportunity to get opportunity from my own company. But I have an advantage over some of us here in that I did read the report.

And I encourage everybody to read it. It's very good. It's not only well written and easy to follow but I want to compliment the Expert Working Group, and I'm glad to see a lot of you here, maybe all of you here, I don't know, many of you I've met before. But I want to compliment you on the way you responded to the comments in Durban; very thorough job and very responsive in my opinion.

Secondly, I want to compliment you in the thoroughness of your work, not only the work done since Durban, which is impressive, but also the direction you're going like the research that's going to be undertaken.

I think all of us in the GNSO should look at this very closely. Nobody has to explain to us the extensive issues that we've dealt with with regard to Whois for almost all of ICANN's history. And I firmly believe, after reading the report, that it will - when it's finalized it has the potential of providing a really sound basis upon which we in the GNSO can develop the policy that will need to follow this.

And in fact, and I'm probably overly naïve in this regard, I usually am, that I think it'll shorten our work because of the very detailed and thorough work that this group has done.

So my main message is read it. It's very good. And I guess my other main message is thanks not only for what you've done but what you're going to do in the next few months, I really appreciate it.

Mason Cole: All right, thank you, Chuck. Zahid.

Zahid Jamil: Yeah just - it's quite a challenge, I'm sure, it's a tough job so thank you. I look forward to reading the report. I had a question on the issue of the secure protected credentials that Stephanie Perrin: was sort of describing.

What happens - it's me right here, hi Stephanie Perrin:. Well, sorry. Zahid from - yeah. What happens when an Egyptian protester or a activist or a Syrian freedom fighter, where does he go - I'm not trying to be controversial, I'm just saying, what's our process - and I haven't read the report - would that sort of an individual follow? And is it - because going to a tribunal is pretty high bar. Any thoughts on that and guidance? Thanks.

Stephanie Perrin: We do know - with respect to vulnerable people looking for a domain name, some are harder than others. And the ones you mentioned are the hardest I would say. I don't think we're going to figure out a process tomorrow that's going to work for them.

The problem being we need attestation. We can't be giving out anonymity to every Tom, Dick and Harriet. That goes against the whole accountability principle, the whole secure credentials could fall if we do not have a rigorous process for ensuring that the people we're protecting are genuine and not the latest fraudster.

So I think when it comes to, say, individuals who've been given new identities by their governments, that's really - you get the government to attest to the fact that Paul Jones has a new identity that's been granted duly through the processes of the state. Bang, they're okay.

Reporters, we hope to reach out to reporter, (San Fran Kierre) and some of the international groups to see if they're interested in this concept. Unfortunately a lot of the vulnerable groups don't necessarily come to ICANN so they're not around the table or at least if they are we're aware of them so far. So we need to figure out who the groups are and identify them.

The political ones I think are going to be the hardest...

((Crosstalk))

Stephanie Perrin: Exactly, yeah. We need to figure out what that process can be. And I think it's - the word is, "Rome wasn't built in a day." If we start this thing we might make some progress.

Mason Cole: Okay, thank you Zahid. I'm going to give the floor back to Denise and Jean-Francois now so they can conclude as much as their presentation as they can.

Jean-Francois Baril: So once again I think this is truly a work in process. And based on the question that was raised before we are truly, truly expecting a lot of comments, a lot of guidance, a lot of reflection, a lot of support and help for you to be part of the solution.

In fact we took a lot of those, so far - and this is why we have changed so much. If you read the report and compare it to the initial report you will see significant changes not only on some of the findings but also on the methodology and on the approach.

So I will very, very much (unintelligible) on behalf of this EWG that you continue to challenge that and ask the good question, the positive question, which is helping us tremendously to move forward.

This is not an easy task for every one of us. And I am also very, very proud that I've seen the ball and the momentum moving a lot in the recent things. One discovery that we've done is when we stay at the too high level I think it's very difficult also to bring some insightful recommendation and suggestion. So we were obliged to go much, much more deep than I thought personally I would be exposed when I took this job.

So the show will continue. The exercise is going to be even more interesting and more (unintelligible) I believe in the near future. But thank you so much for everyone of us - of you in the room to help us to shepherd the future of the next generation.

Margie Milam: And if I may put in a plug, Wednesday morning, at 8:30 am the working group will have an in depth discussion and a solicitation of feedback and input from the community Wednesday at 8:30. Michele.

Michele Neylon: Yeah, I just want to add one thing just very briefly. Following on from the comments from the floor with respect to the WEIRDS IETF update that you asked, this is something we're very conscious of, the idea of whatever we're doing and the other stuff that's going on elsewhere. So we have been looking at that very closely.

We have examined, you know, our concepts up against what the IETF has been doing. And Scott Hollenbeck, who unfortunately isn't here this week, is heavily involved with the IETF initiatives. So we've been matching things up going, you know, does the WEIRDS thing, at present, support this? Can it support it? Could it support it? So we're not working in isolation. I mean, we're very, very conscious of that and we don't want to end up in a situation where we spend, six, nine months or more doing all this and then having some other group going off and doing the same thing again because that would be kind of pointless.

Mason Cole: Okay we're going to close the session there. So on behalf of the GNSO, thank you, Denise, Jean-Francois and all the members of the EWG for being here today. Thank you for your update.

I might ask, if you don't mind, if you can provide a copy of your slides to the council?

Jean-Francois Baril: (Unintelligible).

Mason Cole: Okay thank you. All right let's stop the recording here and we'll reconvene in 10 minutes to meet with the Board.

END