

ICANN | GAC

Governmental Advisory Committee



Public Safety Working Group (2)

ICANN 58 Working Session | 14 March 2017

Agenda

1. Next Generation RDS and Data Protection
2. Child Protection
3. New gTLD Subsequent Procedures PDP
4. PSWG Strategy
5. Meeting with Verified TLD Consortium

1. Next Generation RDS PDP WG

Main Issues of Concern for the GAC and PSWG

⦿ Data Protection and Privacy

- Possibility of conflicts between RDS Policy and national or supranational law such as Data Protection Rules
- The GAC 2007 Principles on gTLD WHOIS services call for a balance between privacy and law enforcement/public interest in attribution of responsibility for online content or services

⦿ Gated Access to registration information and jurisdictional issues

- Implementation of a Gated or Tiered access RDS may create jurisdictional issues for law enforcement when requesting data from private entities across borders
- Adopting an accreditation scheme that would entitle law enforcement authorities to access gated (or protected) data on a global scale may be difficult to achieve

⦿ Next Steps

- Highlight Issues to the GAC Plenary for information and discussion
- Continued participation of PSWG Volunteers in RDS PDP WG

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2. Child Protection

- ⦿ **Background and Outcome of ICANN 57**
 - John Carr circulated a paper prior to ICANN 57
 - Feedback from PSWG Working Session in Hyderabad (Transcript)
 - Interest in shortfalls of Spec 11 and work of CCT Review (AU)
 - Interest in costs associated with Nominet's implementation, and extent of TLDs to be considered (UK)
 - Consider developing detailed provisions to apply to registries (US FBI)
 - Concerns with risk of engaging ICANN in content regulation as well as sensitivities around how different countries deal with child online protection (US)

- ⦿ **Status:**
 - Experience with **дети** (xn--d1acj3b) – Russian for "kids/deti"
 - .KIDS String Contention not yet resolved
 - Ongoing development of proposed Terms of services for Registries

2. Child Protection

Next Steps

⦿ Short Term

- Seek Support from relevant International Organisation
- Advocate Voluntary adoption of Terms of Service
 - Among ccTLDs
 - Among gTLDs, in particular
 - Sensitive Strings
 - .KIDS Applicants in Contention Set (potential Auction)

⦿ Longer Term

- Seek changes in Applicant Guidebook (New gTLD Subsequent Procedures PDP)
- Seek use of Auction Proceeds to fund appropriate mechanism to verify sensitive string

3. New gTLD Subsequent Procedures PDP

⦿ Background

- GNSO PDP initiated on December 2015 <https://gnso.icann.org/en/group-activities/active/new-gtld-subsequent-procedures>
- PDP Working Group tasked with determining what changes (if any) may need to be made to the existing policy recommendation on the Introduction of New gTLDs

⦿ Several issues of potential interest to the PSWG

- Registry Service Providers Accreditation
- Single vs. categorized Registry Agreement
- Continued Operations and Emergency Back-End Registry Operators
- Due diligence on technical competence and financial capability (at application time or upon signing of Registry Agreement with ICANN?)
- Improvement of evaluation criteria and process
- Name Collisions and Identification of High Risk strings

⦿ PDP WG Working on [Community Consultation Questions](#)

- PSWG may assist the GAC in preparing answers to relevant questions

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