ICANN

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CSG Open Meeting

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Greg Shatan: And we'll begin the meeting now. Can we start the recording? Hello and welcome to the Commercial Stakeholder Group meeting at the ICANN 59 here in Johannesburg at the Policy Forum. I'd like to welcome you all. I'm Greg Shatan. I'm the President of the Intellectual Property Constituency. The IPC has the obligation or privilege of chairing the CSG meetings at this public policy forum.

So without further ado I don't think we need to go around the table and introduce ourselves. That takes a whole and this is a public meeting. So there is a signup sheet going around so please do sign in so that we'll know that you're here. If you would like there's the Adobe Connect room as well. And I think without further ado we'll turn the mic over to ICANN's CEO, Göran Marby.

Göran Marby: Thank you. Thank you very much and thank you very much for reminding me. I realized that what you would like to talk to me about is the European Data Protection Law. And you had some questions and I realized that some of that questions actually Theresa who is heading up our internal task force about this is much better to answer. So if I - if we go - if that's what you want to talk about we can dive into it directly and then I would hand over to Theresa). Is that okay?

Greg Shatan: Yes.

Göran Marby: Thank you very much. So without going into - you know, just to give you a state of play about where we are when it comes to the actual legislation and I repeated this a couple of times. I'm going to give you the short version of how it actually works. My background is as you might now I've been a regulator in Europe and there is some mechanics about this.

So there is a new law and that is going to come in place in a certain period of time. And that law is going to be the same for all European countries. So what I do now is they have to implement it directly into European law in their own local law. So you might think that now we know everything but that's not really where we are because what happens now is because the DPI, the Data Protection authorities in Europe will now issue paper or write a summary of how are they going to interpret their law so it's the same in all the countries because one of the things where the European system is that they - all countries according to the treaty has different court systems. Some have constitutional courts, some countries don't which means and that is by the treaty something that is independent.

So after that paper is written by the so-called Article 29 group which is not legally binding but it will give guidance which I think is going to happen in October we don't really know what it's going to - how it's going to be used. To that as mean proof of that one is that the European (DD Just) has called setting up a consultation group to help them also to understand how the consequences of using the law.

So the other side if anyone is now set or sort of claims that we know exactly that's going to happen probably had to rethink that. And that's an important thing to do to acknowledge. And the other thing I have to acknowledge also that we are - well Theresa will describe a little bit more that we practically do is we - the - our contracts that we have can never supersede any local law. And I think I - you know that but it's good to phrase that as well.

And the other thing is of course that each individual organization which is effected by this has to make their own judgement in the end. It cannot be ICANN and you cannot see ICANN being a part of it. The last thing I want to say before we are handing over to Theresa to answer the question what do we actually do -- and there is a session about this as well later today I think so you're going to get a preview a little what Theresa is going to say -- is that and this is a tricky one so I will try to say it carefully.

There is a - there are different - there are in the for instance Whois discussions there are of course two sides of that equation. There are interested parties -- and I'm not taking any sides in any of those discussion -- that are people who would like to have more Whois or less Whois to put it mildly or simply.

And going into this discussion my way of looking at it is that the policies that are set by the community is my status quo. And I have an obligation to preserve that status quo until someone tells me to do something different. So I'm not - my starving myself is not trying to get into that discussion which happens for instance the R- what is the acronym, RDS...

Greg Shatan: RDS.

Göran Marby: ...discussion yes, sorry. Why can't we call things more - yes. Why do we always have to have an acronym? Could you underline that in the protocol by the way?

So the status quo for me is important because it - I will not - I don't want to end up in a situation where we kind of do things that really belong to the community, I mean not taking sides between those different parties. In that also what we're trying to do -- and Theresa will talk about that -- in those discussions we also will try to engage with both sides so to speak so everybody will know what we do and have their opinion and their abilities to be in this discussion.

I will add one more thing. ICANN is (releed) or limited to one part of the discussion. Some of you are a percentage well organizations and companies that has a presence in Brussels. If you - a good opportunity for you also to actually if you have an opinion about how this law should be used you should use those resources to go in and say that for your (loping) organization.

It's not now a political problem. It's a implementation problem. So it's not the parliament or it's actually there. It's not even the countries because it's the independent DPIs who are actually is now making the mechanics. But if you have views in how this should be used even you have more data or totally taken out data on this specific thing then you should probably engage with your local Brussels resources or through other ones because we cannot take sides in this discussion and we can't go in and say that you should a particular way apart from the fact that we're describing for interested parties what is our policy today and if something happens that could have an effect on that existing policy.

So we are trying to do this in an open transparent and very neutral way. And I hope if we are starting this - I would admit that we are fairly late on this one and everybody seems to be fairly late on it. But we're ramping up resources very fast on this one. I will leave over to Theresa to talk a little bit more about the mechanics and how we're doing it. Thank you Theresa. And I gave her about 30 seconds forewarning of this meeting by the way.

Theresa Swinehart: Yes (heard) maybe 15 seconds but it's all good. So - is that better? Thanks. So thank you everybody and as you know that there's also a high interest topic session this afternoon which I really encourage everybody to attend where there will be the broader discussion about some of the different issues.

I think as Göran had highlighted one of the challenges with this is the interdependencies with other areas. So it's not just the contracted parties. It's

also in relation to law enforcement, commercial property community registrants, a range of parties so finding the right path forward is critical.

From an ICANN organization standpoint we're taking a two-prong approach or maybe a three-pronged approach might be the way to put it. The - Göran has - we have an internal task force that's led by Göran in which we provide - we coordinate very strongly together with some of our board members as well who are following the issues because the legislation of what's occurring in Europe has an impact not only on what ICANN organization does, that is data that we have as an organization. But obviously the contracted parties we're looking at it from an assessment and evaluation of what data we have internally, also in relation to the engagement with the community as it relates around travel or whatever it might be insuring that we're managing that data appropriately in light of the pending legislation coming forward. So that's an internal ICANN organizational aspect.

The other part relates to the relationship with the contracted parties. And GDD is leading on that effort and the dialogue with the contracting parties specifically. And in order to ensure that that conversation is also looking at the inter-dependencies with other communities we are looking at having a small group with representation from the other effected groups participating in something to make sure that we can work with the contracted parties on identifying the data, the different interests in the use of the data and get that into a conversation in order to have that ready to have factual conversations with any of legislators or data protection authorities.

Part of the effort on this is obviously the timing. And so we're moving that fairly quickly forward. And you'll be seeing some more on that as we are moving that forward. We're trying to have several conversations here building off of the conversations that occurred at the JV summit and as I understand in Copenhagen where I had to leave a little earlier than usual.

The other part of this track though in addition to the dialogue with the contracted parties and specifically around provisions that relate to that is also engagement so working not only with our GSE teams on tracking what developments are occurring in other jurisdictions because there are developments in other jurisdictions trying to stay apprised of what those may be, other jurisdictions in relation to their interdependencies and interactions with Europe obviously are looking at this issue but also engaging with any other events and outreach opportunities that might exist.

So what I would ask is if you're aware of any useful fora for us to be engaging with on the topic please bring that to David)'s attention or to my attention. We'll make sure that we can capture that in the proactive engagement dialogues that we're participating in at this point and also to build in on the work that we're doing.

So I hope that provides an overview of where we are on this. We had a blog go out earlier this week that came from Akram Atallah and myself that provided an overview and obviously the dialogues that we're having here and the high interest topic session this afternoon are helping to move that conversation forward. So I'm happy to take any questions and hopefully I might have answers for them. And with that I'll turn it back over to Göran and Andrew.

Göran Marby: I think I'll open the floor for questions. Will you moderate that one?

Greg Shatan: Yes. Steve DelBianco please go ahead.

Steve DelBianco: Göran and Theresa thanks very much for that explanation and I have a question or in the phrase o fa proposal. To say that ICANN org will maintain status quo is something that you can say and can enforce. I get that. You won't change for instance maintaining status quo could be we're not going to change policies or contract enforcement. We're going to leave everything in place while all that - all those other events circulate.

But at - I want you to understand that the reactions or actions of parties outside of org, parties like registrars could quickly and dramatically change the status quo for those users of registrant data, the users of Whois. So here's ICANN saying we didn't do anything. We just maintained status quo but suddenly contract parties to ICANN are not maintained in status quo.

And it's not ICANN org's fault. And I get that. I'm not suggestion. But it will reflect on ICANN that it thought that maintaining the status quo at org would keep the world the same. And I don't think you really believe that. But let's manage expectations and not miss any opportunity possible in multiple parallel tracks to try to consider changes to ICANN org's status quo that would mitigate I think the dramatically negative impact of having 2/3 or 3/4 of all gTLD registrants show up with proxy all of a sudden at - which will not seem to the world as if ICANN maintains status quo. Thank you.

Göran Marby: You - thank you for bringing this up again. We discussed this before and this is very - one of these - one the when I really try to carefully craft what I'm supposed to say because I know whatever I say can be used and will against me. I - one of the thing - what we're trying to do here is two-folded. It's sort of we hope for the best and we work for the worst. Hope for the best is that we are engaged with the, you know, the - on the other side, with the DPIs and other ones. And we will - Theresa will today talk a bit about we will actually need your help to do that to tell the consequences of if this law is used in a certain way that will have consequences and without really proposing that on other way to do but that's sort of in the hope that we'll actually not use it for these particular circumstances.

And without go into technicalities in the law it's actually written in such a way so that the DPIs can actually leave anything who is out which will take away that problem. And that is like - and ask me what are the probabilities for that? I don't have a clue. But that's like hoping for the best. And the other alternative is really go down in the data and look through what people need.

And we will ask you as I think you mentioned what do you need your data for as we have a good case for that so we can say that this is what different parties are using it for.

So if everything fails I think it's also time for the community to continue discussing how those things should be handled in the future. I'm - I think because that's why and the reasons why we think it's so important to talk to everybody in this sense. But that's what - that's the mechanics we're trying to do now.

There are in typical ICANN way there are going to be multiple (unintelligible) avenues. And we can spend a lot of time talking about all the potential things that could happen which we don't know what it is. So right now I'm sort of focused in on those two things hoping for the best and doing some things to achieve that and working with you if something is going to be the worst. But and let's see what happens there. I mean you will have all the transparency we can give you apart from this one.

Greg Shatan: Thank you Göran. Do we have any other questions on this burning topic?

Göran Marby: For the record this is the first time since I joined ICANN that no one had a question to me.

Greg Shatan: Just stunned silence. Well any further thoughts on the topic that you'd like to offer to us or I think you probably pretty much said what you had to say so...

Göran Marby: I think that when I reiterate what we're trying to do is we never done this before the way we're doing it now so it's in typical ICANN way it's sort of an (experience Ent). And we don't see if we do anything that could be improved or is actually wrong please let us know. We will not take that as criticism. We take that as an input so we can provide doing things because and it's really - it's also a little bit new how we interact with the different stakeholders within the community on this one.

So if we fail in any way it's not because we - it's not because of intent. It's just that we're trying to do another way of working because we think it time is of essence. And we do believe that we're in this together. And another thing - fair warning as well is that what we learn from this experience as well there is a new - there are other countries right now who looks into the same kind of legislation which we probably need to figure out a way of working differently with governments going forward. And it's also in the European context there is a new proposal for a legislation which is the e-privacy legislation which is now tabled which also could have an effect on what we do.

And here again it's also important right that I don't think I have a member to have a view on it otherwise that how it will effect that interoperability of Internet or how we're doing things today. And it could be so that, you know, we are starting to have those conversations here at the ICANN meetings. And I think it's important to continue to have those conversations because I think it's going to be a more - many of those legislations and proposals that come to around in the world right now could have an effect on how you deal with effects.

And that's something that we haven't been talking about internally. How can we help facilitate discussions about that within the community without taking site in this one because it seems to be a need always for practical reasons for other ones. That is - I'm done. Thank you.

Greg Shatan: And we actually have a question in the chat from Steve Metalitz. The question is, "What is the best way for these constituencies to participate in the GDD led effort and in the task force Theresa described?"

Göran Marby: (Unintelligible) is not a GDD led. It's led by me and my - the person who runs this with me is Theresa. GDD is a part of it just for clarification.

Theresa Swinehart: Sorry, on the second question in relation to the dialogue with the contracted parties we've reached out to the leadership of from the different stakeholder groups including the GAC, obviously this group to identify the - either the chair or a designee to participate in the discussions that we're dealing with the contracted parties in relation to identifying the purpose and the different uses of the data that is being used. And so that outreach has just started.

I know some of the leaderships that have been approached are still going back to talk to their own constituencies about this. And our hope is to get that put into place. Even if we have an opportunity to still meet preliminarily at this meeting and then set up a conference call as soon as possible after the Johannesburg meeting in order to move this conversation forward.

Those dialogues will be transparent so we will make sure that we instill maybe some of the practices that we did in the context of some of the work on the implementation of the transition not that it's the same in any way whatsoever but some of the practices there to ensure that there's - that transparency around the work that's occurring. But it's quite in the preliminary stages now so I don't have all the details yet but I would welcome any feedback.

Greg Shatan: Steve?

Steve DelBianco: Thanks Theresa. The shorthand CSG is a phrase we use all the time. And I know that because you're speaking to CSG. But CSG isn't an entity right? It's only a label. And so just to please explain it's the BC, the ISPs and the IPC. It's each of those constituencies that would need the opportunity to name a participant as opposed to one from the CSG because I - we sort of turned the page on that when we went through the transition realizing that the CSG is not an entity. Could you clarify that for us?

Theresa Swinehart: I - sure I'm completely comfortable. It's really it's more just about being efficient and streamlined. So we approached leadership of CSG and, you know, trying to just keep it not being, you know, hundreds of people but rather very focused just because the timeline is actually quite short to finalize. But we would have an expectation that even the participant on the group that's joining would also be engaging back with their own groups, absolutely.

Steve DelBianco: I'm sorry, that's not what we were suggesting.

Theresa Swinehart: Yes.

Steve DelBianco: We were suggesting just three, not hundreds...

Theresa Swinehart: Yes, no absolutely.

Steve DelBianco: ...three representatives...

Theresa Swinehart: That's perfectly fine.

Steve DelBianco: ...one from BC one from...

Theresa Swinehart: Absolutely that's...

Steve DelBianco: Okay.

Theresa Swinehart: ...perfectly fine.

Steve DelBianco: Thank you.

Theresa Swinehart: Not…

Göran Marby: Steve if you would come up with that solution we don't have a problem with it. We're just trying to figure out a way of doing it which is practical because we

have no intention. Otherwise we want to bring as many sides of this problem into the table at the same time so you know what we're doing.

Theresa Swinehart: Yes.

Greg Shatan: Andrew and then Susan and then we need to move on.

Andrew Mack: Thank you, just really quickly now that we're talking about the actual logistics of this...

Theresa Swinehart: Yes.

Andrew Mack: ...we know this is an urgent issue. Do you have a sense of timeline around how we're going to approach this, when we're going to look - be looking for action when, you know, when you need people? What is - we want to get to what success looks like...

Theresa Swinehart: Yes.

Andrew Mack: ...and what the timeframe is important to that.

Theresa Swinehart: More than happy to and again this is all very preliminary. So the - our hope is to convene the group still here in Johannesburg if it's possible appreciating very much that everybody's schedules are packed but trying to convene the group there. And then after that also setting up immediately a mailing list and setting up immediately a conference call as soon as people have a chance to get back from Johannesburg. The objective I think would be to try to be able to fill out a document within the course of the next few weeks in order to also have a dialogue more broadly with the broader community.

And so we're looking at something that'll have a cadence going into the middle of July so we're going to actually have something that identifies what the purpose is what the needs are of different groups for the data and have

that prepared and ready to go into some dialogues coming into the September timeframe that are actually informed and everybody has had the opportunity to put that there. So we will be working on a fairly sort of quick cadence on this appreciating that coming into September there is the need to be engaging with some of the different parties as soon as possible.

Greg Shatan: (Unintelligible).

Theresa Swinehart: Yes, thank you.

Greg Shatan: I have Susan and then I had cut the queue so Lori...

Lori Schulman: Okay.

Greg Shatan: ...please be very brief.

Susan Kawaguchi: And I'm not sure I can be brief.

Greg Shatan: And state your name for the record.

Susan Kawaguchi: Susan Kawaguchi with the BC. So just clarification. You're looking for use cases or purposes for the use of Whois data or data in general?

Theresa Swinehart: It would be in relation to the data that is - it's not data in general. It's the Whois data related areas from that standpoint.

Susan Kawaguchi: So have you read the EWG report?

Theresa Swinehart: We - I mean, we've been looking at use cases and purposes for I don't know...

Susan Kawaguchi: Yes...

Theresa Swinehart: ...two years.

Susan Kawaguchi: ...that of course will be - no absolutely. That'll be factored into all of this. What we want to make sure is that the for example intellectual property interests have interests in the data. So having the opportunity to fill out that part by them, having the opportunity for law enforcement to identify what they have the needs of the data for and from that standpoint factoring in obviously the report. So we just want people to be able to come together and fill this in on that together.

Theresa Swinehart: Okay I don't disagree with the exercise but that is what the RDS Working Group is doing and has been doing for the last year and a half trying to decide on use cases, purposes, how the data is used and where it's truly needed and where it's not. So I'm seeing (like that's) when you developed this task force which I think we really - you know, I'm glad you're focusing on this that you will see the same players that are in - very active.

Göran Marby: Could I make a small comment here? The differences here is with - that you don't have to agree. The different sides could - we will put in what different parts actually things they need it for. And that is different. So in the areas we try to figure out a middle way of something. Here we just want to be able to fill in so we can say that that this is what our - different particles this is actually things about using this data.

                 So it's a little bit different. We don't have to find a compromise. We have to convert it to a consensus in this world. It's really about giving everybody the opportunity to tell this is what I need it for so that...

Theresa Swinehart: And we have that in the RDS so it's a great...

Göran Marby: That's...

Theresa Swinehart: ...repository of information. We can provide an amazing amount of detail.

Göran Marby: Lovely.

Theresa Swinehart: And I'm on the leadership. I'll make sure that happens. The third point or question is in all of the deliberations we've had, you know, over the years it's always - and I was on the Whois Review Team...

Göran Marby: Number one.

Theresa Swinehart: ...the first one and now starting to work on the second one, the EWG, the RDS the you name it I am Whois. So what we've all and it was one of the recommendations in the first Whois Review Team report was for ICANN to develop a policy on Whois which we've seen pieces of policies and sort of, you know, patched together. But we've never seen a true straight out this is our policy on data. And I understand that you want to make sure that this is community driven. But ICANN the corporation who also deals with data outside of the Whois is going to have to comply with the GDPR. So if you can tell us and help us understand how you've and your legal advisors have decided that ICANN the corporation is going to deal with the GDPR with all of your offices around the world...

Göran Marby: Okay.

Theresa Swinehart: ...that could give us some information and guide us on the Whois. So we sort of need ICANN to step up to that in some ways and provide some insights.

Göran Marby: I fail to see the connection but we will provide you with the information about internal decisions. It's important to Theresa's project as well to look for the systems we're having. I mean we are talking most of the system we have is actually in the US. But there are of course systems that for instance for travel funding. And those are the questions to it. But nothing - very little of the information we have is related to the domain name industry in that sense.

So it's salary systems. It's traveling systems. It's bookkeeping systems. But we will of course provide you with that when we figure it out because we are in that sense we are in the same as many other organizations around the world who are still trying to figure this out as well. Thank you.

Greg Shatan: Lori and then we have to move on.

Lori Schulman: Yes I'm actually going to ask either Goran or Theresa so either for a really succinct two second summary of what you just said. And I apology for my density but I still haven't figured out what the project is and why we're leaning on Brussels. Is this an attempt to put a package together to talk to regulators about possible exemptions or how to comply or I'm missing the goal of what – of where we are. I get the subject. I don't understand the project. Just people...

Göran Marby: So yes two things.

Lori Schulman: Yes?

Göran Marby: We have an internal project that handles our own to all our systems where they can prove that to the point that was previously made. The other thing is that we don't know the – and we don't know how the legislation's going to be used. So we need to do two things. One of them is to figure out we – it's an obligation I think it has is that we have to tell the impact of this legislation for over for example Whois. To be able to do that is we can't – there's no way to we can in this short of time several - you know, one set of this is what ICANN community thinks. Instead we're going to tell what's the different constituencies actually thinks about this because there are people who thinks this is very good and there are people who are going to say some thinks this is very bad. And we will provide that as an information to the European commission and actually more to the DPIs so they have that when they make a final decision how they're going to use the law.

But at the same time that's sort of the hoping for the best possible reason. And the other version of course is that we have to go for an exercise together with you and the contracted parties and everybody else to see if this legislation is used and in a certain way which impact will it have. And on the other end of that it could be so that the community of itself will, you know, starting another discussion about which will happen in the RDS I suppose about the Whois overall. So we – this is the mechanics of what we're trying to do.

With that said we've never done it before. We've never engaged this way before and I'm hoping that you will give me the comfort of help telling me if I'm wrong. But I think we both have good intentions on this one. Thank you. I can't do that in two sentences. I'm sorry.

Lori Schulman: That's okay and we always have good intentions.

Greg Shatan: Sorry but we are now 15 minutes behind schedule. So this is part of a much larger conversation of course. So I'd like to thank Goran and thank Theresa and invite Jamie Hedlund and Bryan Schilling up to the stage for their moment in the sun. Thank you both.

Göran Marby: Thank you very much.

Greg Shatan: We now have Jamie Hedlund and Bryan Schilling at the table. And for many of us this is the first time we've laid eyes on Bryan other than in a headshot so welcome to ICANN. And since we are behind schedule I'll let you guys take over right now.

Jamie Hedlund: And I in turn will turn it over to Bryan. You've already heard from me.

Bryan Schilling: Thank you. If we can we'll just go ahead and jump up to Slide 4 here. First of all the name's Bryan Schilling and thank you for the invitation to speak to the

group. We did an introduction to ALAC and GAC and really quickly did an overview of our thoughts on the position but it's very much open to the community feedback at this stage. The slide in front of you are just some bullet points that we pulled out of the job description in terms of how we think consumer safeguards will start to develop and function within ICANN as a new role and a new function as we look to what our current capabilities, what are the new things we can do and also what are ways that we can facilitate action for consumers when there's is an issue that arises that's outside of ICANN's remit. We don't want to be in a position where we are saying to consumers that this isn't something ICANN can address therefore there's nothing we can do. We want to become somewhat of a bridge to other parties who may be able to address issues of abuse.

And through that on the next slide I believe Jamie talked about this at the meeting in Copenhagen is we'd really like to form a communitywide ad hoc working group to discuss consumer safeguard issues. And we're looking not only for ideas on what this means but really at this stage how frequently should these ad hoc meetings occur. We really want full participation from the community and would welcome as much input from this group in particular as we already have commitments from ALAC and GAC to participate in this group.

And along those lines on this next slide are some of the questions that we do have for the community in terms of what should be the priorities of this role, what does success look like really trying to devise and define this role in a way that represents a community interest as we take on consumer safeguards within the organization. And so with that really was the overview we've provided. And if there any questions for Jamie and I we would welcome them.

Greg Shatan: Thank you Bryan. That was succinct. And so I'd like to ask for questions and hopefully they'll come quickly. In the interim I'll say certainly that speaking for the IPC that we would be glad to participate in this. And I expect that each of

the other two constituencies would stay – say the same. And if you're in the room you heard Steve DelBianco indicate that this is just a mere container for three living entities which are the constituencies. So we're looking forward to this and, you know, there's obviously a high tie in between intellectual property and consumer safeguards so and I know we're starting from a common understanding.

So let's see if anybody has any particular questions for Bryan for Jamie. We have them both here and we know how much we love this topic. Maybe the idea of starving everyone before they came in the room is contributing to the low factors but I can always count on Steve DelBianco for a question.

Steve DelBianco: Thank you, welcome Bryan. When discussion groups are held at ICANN their success is often a function of what their destination is. Will they lead to something? And your colleagues on staff as well as those of us in the community can see how those discussion groups would lead to something but it may be in different areas that are already underway.

For instance in this room for the last several hours we had sessions on what are the procedures we'll use for the next round, subsequent rounds of new gTLDs. And a hot topic there was what about the GAC's advice with regard to safeguards because I think we got that term from the GAC in 2012, 2013. And so that's leading someplace because we have to quickly determine how do we incorporated and bake in those safeguards to the next guidebook and work through that. So my question for you would be in your position will you be interacting with the GDD staff when it comes to things like how do we describe safeguards and safeguard assessments in the next guidebook? Do you think that of the cross cutting safeguards across all elements of ICANN or is it limited to where you live today?

Bryan Schilling: I'll have Jamie chime into if I don't hit the mark of your question being new to the org in that. But no I very much see this role as cross functional across the organization. You know, I think some of the discussion that even thoughts I

have leading into it is all right there's already an ombudsman. There's the whole compliance team. There's a new compliance officer. What is a consumer safeguards role going to do?

But so there's kind of defining those roles but then also across functional GDD it came up in ALAC and what you just heard from Theresa, part of that work as well. So, you know, one of the ideas is to make sure that things can be as uniform and clear and succinct as possible across the various functions of the organization as the community gives us feedback in that respect.

Jamie Hedlund: Thanks. Just to add to that a little bit, you know, the working group in and of itself isn't going to be able to write new policy or guide implementation are anything like that. What it could do is facilitate discussion engagement and hopefully even, understanding regarding things like what are the existing safeguards now because even there there's some disagreement. What are there other issues that should or need to be addressed that are not being addressed and which of those could be addressed by additional safeguards whether you, know, contractual or if they're outside of ICANN's or the remit picket fence or whatever than voluntarily. So it is a way, you know, this should at a minimum be a medium for surfacing information and data that could - it would be of course shared across the organization.

Jimson Olufuye: Yes thank you. This is Jimson Olufuye of BC. Just wanted to give you a heads up that really got to a lot of discussion on the GDP hour possibilities of abuse coming out of that as well. So that should be of interest. So I want to believe there is some of maybe cross cutting arrangement to ensure that and get feedback from that.

Bryan Schilling: Right there - I will be involved in the privacy GDPR project that's ongoing and kind of we'll really look forward to the feedback that is provided in terms of what data sets are important and relevant to these three groups here as well as the other entities that Theresa mentioned.

Andrew Mack: Andrew Mack from the BC also. I just - one of your points was help us to define what success looks like right? And I think we're very much on the team with that but nobody comes with no assumptions. And so one thing that would be super helpful for us obviously you thought about this a great deal. To the extent you could help us know where you – where your thinking is already when this process begins. Let's not assume that there – that there's no backgrounds. There's a lot of background. They wouldn't have this new position if there weren't.

They wouldn't have this new position if there weren't perception of need. And so that I think has two positive functions. Number one is it's going to allow us to give you better inputs from our side but it's also I know there are a lot of people who are looking at this in one way or another across the community that way maybe we can avoid any duplicative effort.

Bryan Schilling: Yes thank you.

Andrew Mack: You're welcome.

Bryan Schilling: Yes thank you. I think what you – I certainly have, you know, some ideas and it will - from the job description itself that was enticing to take on the role and the work that is in some sense undefined but big. I mean when we talk about, you know, abuse there's certainly malware and botnets and then some differences in whether spam is going to fall into that category of it - of it being content or abusive activity. There's also we talked in the job description talking about the infringement activity that incurs in the DNS of particular relevance to some of the groups here. When I think back to Steve's comment about having an objective and you know I am somebody that helps that as the community can step back in a few months and as I mentioned that there maybe even by Abu Dhabi and be saying here's what we're going to be accomplishing and defining that and with that getting the feedback from the committee of prioritizing what are some of the top abuse issues that we start off on focusing, are there, you know, particular consumers because that was

a question that ALAC had as what do we define as a consumer. And kind of the conclusion there was everybody's that is impacted or touches the DNS and a little bit larger the Internet and in a particular this group here certainly falls into that category. So it I still feel like I'm being a bit ambiguous to your question and I apologize for that but I do want to make sure that we of the community coming to us and really being the one that sets the priorities and goals and objectives that I can work with the community to drive forward in that regard.

Greg Shatan: Thank you Bryan. We have a question from Steve Metalitz it's in the chat. Is the proposal for one ad hoc working group dealing with both compliance and consumer safeguards issues or for two groups for these two related but not identical topics?

Bryan Schilling: So just to clarify the proposal right now is for one group to cover both and it will be up to the participants and, you know, whatever leadership comes forward to determine whether they should be, you know, treated entirely separately and on separate tracks.

Greg Shatan: Thanks. My gut reaction is that there two groups not one. But we can take that from here. Lori and then we're going to have to move on because we still are way behind schedule.

Lori Schulman: Okay thank you Lori Shulman for the record. Thank you Jamie, thank you Bryan. As a member of the IPC I absolutely understand the importance of answers or questions you're trying to form based on, you know, seeking input. But that said I have a very less than positive attitude about this. And come, you know, my first reaction is great, another working group. And this is a working group that can't even make policy. And I don't – I'll speak very openly about this.

We are all particularly those of us who are so embedded in the ICANN process many of us are following two, three, four, five. I'm actually following six at the moment personally.

So isn't there a way that we could take the work that's already been done and have your team monitor these different groups and pull out the relevancy to your topics rather than creating a whole different group?

Jamie Hedlund: Thanks Lori. Yes that's - that is a possibility. I think one of the motivations for this group though is because a lot of the discussion within the community particularly on compliance issues take place in silos. There are - there is no shared understanding across the community for a lot of these issues. So while they could be picked up in the in the individual policy development places to the extent that there isn't even a shared vocabulary to talk about or shared understanding to talk about it then they're not going to go anywhere I would imagine even within a particular PDP. But the hope is that there would be consensus coming out of this working group that could drive further policymaking.

Greg Shatan: Thank you Jamie. I think we have to move along because we have – we're already – we have ten minutes left and we have 20 minutes worth of speakers who have been invited to come to us. So if any - I'm sure Jamie and Bryan will be available for questions. I'd like to ask David Conrad to come up and thank both Jamie and Bryan and look forward to…

Jamie Hedlund: Thank you all.

Greg Shatan: …working with you all.

Jamie Hedlund: Thank you.

David Conrad: So I'll sit over here if that's okay as I will actually try to project something at some point. So thank you everyone, David Conrad, ICANN CTO waiting for

the screen to pop out. I was asked to speak on the out open data initiative that we've undertaken give you a quick update about sort of the status of that. Here we go so I guess next slide.

Just as a reminder what is our open data initiative? It's primarily to make data open that sort of goes along with the name but won't get into that. So freely available comprehensive and in a machine-readable format. Why would we want to do this? Well we have a need to increase transparency and openness. We want to expand value in related to ICANN's mission and we want to provide data to allow for evidence-based policy development.

What have we been doing to date? Well we have set up several pilots in order to gain experience both with the platforms and to expose those platforms to the community for their input. And we're going through and producing a data set census internally within the organization just to try to identify, you know, what data we have available, what we'll need to do to that data to actually make it accessible to the outside world. Next slide.

So what we decided to do was take one data said that had been requested fairly frequently which have actually already available but in a form that's perhaps less conducive to doing interesting things with than one might like and that's the registry monthly reports. As you may know they're actually already published so we didn't have to worry about any data sensitivity concerns. They're available via CSV files on ICANN's Web site at that URL.

What we've done is we have actually stood up four different platforms. We use the open source CKAN tool, Enigma, OpenDataSoft, and SCADA. All three of those have been set up in a pilot mode and we're basically experimenting with them and finding out, you know, how well those platforms allow us to import the data, do interesting things with the data and otherwise just to sort of understand what benefits and downsides the various platforms have.

We have set up a mailing list the odipilot@icann.org and invite people interested in the ODI to participate in that mailing list. We were supposed to have a Web page up that describes all of this. Unfortunately it got sort of backlogged in the rush to Johannesburg. It should be up, you know, within a day or two and I apologize for not having that Web site up earlier.

So with that I thought I'd actually show you the screens that you can if you go to any of those URLs you can see sort of what we have up and running at this stage. So with the magic of Adobe yes please switch it over. There we go.

Chantelle Doerksen: Okay share your screen.

David Conrad: Yes. Okay well that didn't work so well. Can I just project it'll – it won't help the folks on the Adobe?

Chantelle Doerksen: No.

David Conrad: No okay, oh well. Well okay so I won't be able to do this. So if you go to any of those URLs the only one that will actually require you to register is the Enigma. I guess I could go put the presentation back, my apologies. You'll be able to see the registry reports loaded into the platforms.

The CKAN platform as one might expect for open-source platform doesn't really give you a whole lot out-of-the-box. And that is sort of a disadvantage from our perspective because it implies a significant amount of development that would – we need to do to make it sort of usable by the community. But the others Enigma, OpenDataSoft and SCADA actually allow you to sort of view data in interesting ways. And some of the graphs they can generate actually show even at this early stage show some sort of interesting stuff.

So if you're interested in the open data pilot please, you know, jump in, play around with the data, let us know what you think, let us know which platform you like and why, you know, the benefits and downside as you see them. And

we'll sort of the next step is to add additional data sets if you have specific interest in data sets that you'd like to see loaded into these platforms let us know. And we will see what we can do to do that. Yes Steve?

Steve DelBianco: Thanks David, two questions. Of the four platforms that are there as you and your staff develop opinions about pros and cons those should be part of what those of us see when we go into the pilot so we either validate or maybe counter your prevailing opinion. As opposed to waiting until the end of the pilot and collecting feedback if I jumped into the pilot and you indicated Enigma has some concerns you have to have law again, the data dictionary's not available or there's a limit to the number of elements you can put in a CSV.

As you discover considerations let's be transparent about it, share the considerations and you'll be amazed there's so many techies in the community. Some of them will say you know what, that's really not a problem. Here's how you get around that. And so suddenly a tool that you really liked except for one little problem has a workaround.

And second would be a data dictionary. When I brought up a couple of them in a pilot right now I - in the EF CSV or the other format I have column headings but I don't understand where that data came from and what is behind it? Is there a data dictionary that could be - metadata that could be attached to all four of the platforms?

David Conrad: Right.

Steve DelBianco: Thank you.

David Conrad: Yes. So the vendors for the various platforms have been invited onto the mailing list. We, you know, once the Web page is up and running we will sort of have a section that will provide like a log of our experiences as we're going through them. With regards to the data catalog I - method I have not had a lot

of time to play with the platforms myself but I had thought that all of them provide some form of data catalog with description. But I'll check into that and if it's not available we'll figure out some way of making that available because otherwise it makes it a little painful to use. So…

Greg Shatan: Thanks. I have Denise and Marc very briefly as we have two minutes left.

Denise Michel: Thank you Denise Michel with Facebook. First of all I want to thank you very much for taking time to run through this with us and for all of the follow-up work this year. It's a wonderful response and set of deliverables to the Commercial Stakeholder Group letter that we delivered at the beginning of the year asking essentially for all of this. I know a lot of it was a work in progress but - so please pass our thanks and congratulations on to your staff as well.

I'll ask a few questions and then if in the interest of time feel free to just email us with the answer. It would be good to get a clearer sense of the project plans and timelines for these initiatives. I'm on the Security Review Team and when asked for this for say the ITHI what we receive is a series of discussion points but not a clear project plan and timeline for when the data will actually be published.

So that would be useful and really relating to all of these products - projects. And then on my last question is what's the proposed budget for these activities in the proposed budget that was recently posted by ICANN and what's the delta change?

David Conrad: Right.

Denise Michel: Thank you.

David Conrad: So with regards to the project timelines yes so we have put together with ODI we - on their Web page where we will be providing sort of the project plans

moving forward. With regards to the budget the request was 200K for the pilot project and that's what we received. In the – it wasn't modified when I went through the budget process.

The – that money is being used both to two of the four platforms required licensees. And we brought in a consultant to help us out in deploying the pilots and working with the data in order to, you know, make it more accessible and more usable.

Greg Shatan: With apologies to Marc there's another meeting in here the starting now. Scheduling decided that there's no need for any time between two large meetings. I also want to apologize to Matthew Shears…

Man: (Unintelligible) I agree with that.

Greg Shatan: And Matthew if you could just stand up please Matthew is our new incoming board member. I'll give Matthew a few seconds.

Matthew Shears: Yes so now you know who I am please track me down and introduce yourselves and I'll try to do the same. Thank you very much.

Greg Shatan: I'm going to suggest that we have a CSG-wide conference call with Matthew rescheduled as soon as possible after this meeting so that we can now that you have his face we can then hear from him later on. I thank you all very much and encourage you to leave the room quickly unless you're part of the Auction Proceeds Working Group. And if you don't leave quickly enough you're part of the Auction Proceeds Working Group. Thank you, this meeting may be adjourned.

Chantelle Doerksen: And just as a reminder we have BC newsletters that are being circulated. If anyone would like copies please come and see Jimson. We have some - oh they'll be on the back table if you'd like to grab a newsletter. Thank you.

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