

**ICANN Transcription – Abu Dhabi
GNSO Registrar Stakeholder Group (RrSG) and the Non Commercial Stakeholder
Group (NCSG)
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On page: <https://gnso.icann.org/en/group-activities/calendar>

Graeme Bunton: Hey everybody, this is Graeme Bunton from the Registrar Stakeholder Group. Are we good at the back of the room? Thank you very kindly.

I've got three after. We're a little sparsely attended here but we might as well get going.

Rafik Dammak: (Unintelligible).

Graeme Bunton: It is. It's been a long couple of days for everybody.

So hey everybody and welcome to the Joint Meeting between the NCSG and the RrSG. We've got a couple of things on our agenda to talk about. These meetings are nice to keep the flow of information going and make sure we hear your guys' perspective and you can hear ours, and we can sort out any issues where we have friction between us and find nice places where we have alignment and, you know, have hopefully a nice discussion on a couple of things.

So with that, let's take a look at our agenda. And I think this agenda kind of came from you guys or was it from some joint...

Rafik Dammak: I think that was all the proposals. Okay I think that was all the proposal that somebody (unintelligible) and maybe one topic is GDPR. But I understand now it's about the resection so maybe if we can add about the DNS abuse?

Graeme Bunton: Yes, number three.

Rafik Dammak: Number three. So...

Graeme Bunton: First number three.

Woman: Oh sorry.

Rafik Dammak: I mean we (unintelligible).

Milton Mueller: Domain names and content regulation more generally.

Woman: (Unintelligible).

((Crosstalk))

Graeme Bunton: I mean I don't know that any of these are unique.

Rafik Dammak: Okay.

Graeme Bunton: Names, (unintelligible).

Rafik Dammak: Okay I guess maybe since the whole week is about GDPR and I guess people don't maybe had enough of it, if you change a little bit and start with the content regulation just to give you some feedback from our side, and then I think - yes. Yes Milton.

So we can start maybe with content...

Milton Mueller: We make - yes. It's not abuse reporting we're talking about.

Rafik Dammak: Yes, we already said content regulation but just...

Milton Mueller: Okay but the agenda still says abuse reporting. I just don't want people to be confused about what we're talking about.

Rafik Dammak: Yes.

Milton Mueller: Okay.

Rafik Dammak: You said content regulation. Don't worry. Can you start?

No; content regulation. You're not listening to me.

Milton Mueller: No, I'm not listening to you. I'm trying to figure out what is on the agenda and what isn't. But anyway, you want me to go first and you want me to talk about content agenda - content regulation and domain names. Is that right?

Rafik Dammak: Yes since you brought this.

Milton Mueller: Okay, all right. So we were very interested in some of the fallout from the Charlottesville incident. I don't know if you remember that. That was when the Daily Stormer fascist publication was stripped of their domain name like Go Daddy, and then Cloudflare, I think, the guy got up out of the wrong side of the bed one morning and said, "Well I'm going to deny them service too."

And this has got us thinking about the implications of that for, you know, freedom of expression, net neutrality, those kinds of things.

And so we did a study. We just wanted to find out what registrars were doing in terms of their terms of service. And we discovered and we did this study that is being passed out now that, you know, a very large number of registrars -- perhaps almost as much as two-thirds of the market of registered names -- have some kind of morality clause that says, you know, we have the right to suspend your name if you're doing something that we consider to be immoral. There is some even more broadly discretionary language in there.

And then there's another 22 or 25% that rely more on the rule of law. They'll take something down or suspend a domain if it's considered illegal.

We also analyzed competition in the market and we believe that competition interacts with these takedowns because a registrar that's subject to robust competition is penalized in effect for arbitrary discrimination. So as long as a market is competitive, this is less of a problem than it might be.

But in certain countries and in certain linguistic areas, you don't have that much competition. So particularly in Asia and places like India, this is kind of a problem.

So one of the things we did in this paper was we floated the idea of registrar neutrality. And it's not something we're advocating yet; it's just an idea we want out there we want to get your opinion about as registrars.

Would you feel better if the RAA sort of shielded you from the responsibility for deciding whether a domain was morale, and put you all in a level playing field with respect to other registrars?

Or would you prefer to continue as kind of the status quo in which some of you can just decide we'll take domains down if we don't like what you're doing. And others will say, "We'll rely on the very specific legal factors to tell us what to take down or not." I mean we're really curious to hear a registrar perspective on that.

Graeme Bunton: Hi, this is Graeme. I'm going to speak now not as Chair but as Graeme Bunton from Tucows because I've spent a lot of time on this particular issue in the past couple of weeks.

For a couple of reasons that are probably kind of interesting, one is that Tucows has an office in Charlottesville. We've got about 30 employees there, and so the violent there was not abstract; it was deeply personal for a bunch of people in my company. It was in their homes and communities.

The other part of that was that Tucows provides privacy services to other registrars -- one of whom the Daily Stormer landed at. So an unsophisticated reader of the WHOIS output would think that that domain was with us when we were providing a privacy service to another registrar.

So the outrage around that was pointed at us for at least a few days, and that was pretty unpleasant.

So Tucows has, I think, a different approach to this from some registrars in that we do feel strongly that we should be neutral; that it is essentially a net neutrality argument. We are infrastructure for the Internet and we feel this way about content in general.

And I'm sure you've heard Elliot say this in various ICANN forums over the years too that we're infrastructure and it should not be us to be the arbiter of what is or is not on the Internet, and that the better place for that is the place where the content is actually distributed.

Going back to your point about terms of service, I think that's a red-haring. Terms of service are to protect us, and everybody -- every registrar -- is going to give themselves essentially all the discretion that they want. And whether that is explicitly political or morale or whatever that is -- it's more mechanical I guess -- I don't think that matters.

This conversation is not about what we can do. We can essentially do whatever we want under our terms of service. It's really about what we should do.

I think sort of forcing neutrality into something like the RAA, so we had like a contractual obligation to not dabble in that is kind of interesting. And maybe there's a feeling to some of my membership.

I think in having experienced this in the relatively recent history is it will do absolutely nothing but the chord of public opinion. No one is going to care when you are - when there's a domain saying and doing or a Web site, you know, linked to a domain doing horrible things on the Internet. And people are mad and don't think you should be offering services to them.

You know, no one understands what a registrar is -- primarily, outside of the ICANN context. And they certainly aren't going to care if you can say, "Well we can't do anything with this because of this contract with ICANN." I don't think that solves any meaningful problem for anybody when this is happening.

That's my immediate thoughts.

Heath Dixon: Heath Dixon from Amazon Registrar. But I'm going to speak in my personal capacity because I'm literally just thinking through this right now for the first time, so I don't have a position on behalf of my company.

My concern with having the language in the RAA is that it would actually prevent us -- or could prevent us -- from exercising the language under most of our existing agreements. And we would be at risk in that situation if we took somebody down.

So a scenario I can imagine is a political site in Hong Kong that is reporting on the Chinese government. It's DDoS by the Chinese government or somebody else.

We decided to take that site down because the attack is having an impact on our other customers by overwhelming our network. And again, when I say we, I'm just imagining, you know, a registrar getting overwhelmed at that point, taking the site down, and then being accused of violating the RAA for taking the site down for political reasons.

When the reality was that it wasn't taken down for political reasons; we had a legitimate interest in taking the site down because it was damaging our other customers.

So just kind of thinking out loud through it, I would be nervous about the potential liability for registrars in scenarios where a site was getting attacked and we felt like we had to take it down. But then we were at odds with the RAA.

Graeme Bunton: Thanks Heath.

So I spent a bunch of time in relatively recent history speaking with the media -- at this and various other places -- trying to explain the difference between Internet infrastructure and what I call platforms; so things like Facebook and Twitter and Reddit. And you might put traditional Web hosting in there too; places where people are actually exercising speech.

And it's not obvious to most people the distinction between a Web site and a domain name. And it requires, you know, longer than a Tweet to explain and provide that distinction. It requires sort of a technical knowledge to a certain extent and so there's a real problem there explaining this difference and explaining their infrastructure to other people.

So the things that I think registrars would want in support of being more neutral is like a really robust response from people like yourselves when these issues come up that domain registrars are not the place for that sort of activity.

You want to point people at the platforms that those people are using, and then you get into interesting discussions about whether Google or Facebook are infrastructure given their scope and size, or whether they're a platform that is separate for those sort of neutrality rules that we're talking about.

Does that make sense?

Milton Mueller: Definitely you will find us - I mean it's kind of like a Section 230 case in the U.S. I know that's not a Canadian thing. But people blame the platform for illegal activity whether or not it is responsible.

And then you have these immunities under Section 230 - I don't know if Section 230 means anything to anybody here besides - you know what I'm talking about Graeme?

Section 230 is like an immunity for user-generated content sites. So if you've heard of the controversy over Backpage and sort of prostitution, you have a classified ad section that prostitutes would use for matching themselves with customers. And the enraged - you know, prostitution is illegal in the U.S. Actually it's not in Canada as I recall.

So the enraged anti-prostitution people would go after the platform rather than either the customers or the providers of the prostitution services.

And that was a good example of what you were saying about the court of public opinion. It didn't matter - well it did matter a lot actually for many years that they were in fact yielded from legal liability. So if actually ever went to

court and they were accused of aiding and abetting prostitution, they would win.

But in the court of public opinion, they lost. And eventually, Craigslist and others pulled out and simply shut down those kinds of services regardless whether they won or lost their legal cases. And I think Backpage eventually did the same thing.

So the issue is you're saying you are interested in our help when you're under fire for being an infrastructure provider for something that is being - has objectionable content to some constituency. And of course we would as, you know, human rights and free-speech advocates, we would indeed rally around making the distinction and trying to separate infrastructure from content. And we'll probably get to that more under the abuse reporting thing.

But I'm still a little bit not quite convinced when you say that the terms of service is completely a red-herring. I understand the argument Amazon is making although, again, that would be a case in which they would be legally in the right and it would all be a matter of whether public opinion would push the system into activities or sanction that should not be applied to them.

You know, if you indeed to took it down for technical reasons and not for political reasons, I don't think, you know, anybody would object. But, you know, that would be a distinction that might not get enforced properly.

So just what about the customer, you know, in this? I mean can people feel secure when your terms of service gives you such wide discretion, can people feel secure that they won't, you know, get yanked off the Internet for having unpopular positions? That's what we're interested in.

Graeme Bunton: Thanks Milton; this is Graeme again.

I think market solves some of that because there are some registrars who will stand up and say, you know, "You can register whatever garbage you want here as long as it's not illegal."

And there's actually another - I think you're going to have a really tough sell getting registrars to reduce the discretion available to them because I think we all see a whole array of circumstances where that is generally necessary. And it could be a technical reason.

And then there's things like exigent circumstances where - and it's exceptionally rare. We see this almost never. Where that domain is pointing to a Web site or doing, you know, being used to send emails or something like that, where there is imminent material harm to a human. And we still need to be able to take those down.

And so you'd have to be having rather specific and (unintelligible) carve outs for some sort of contractual requirement to be neutral there for all of those sorts of things. And I think that's relatively difficult.

So I'm not sure that - I think there is like a policy or ICANN solution to this. But I think it's an interesting conversation to have and certainly a place where there is some alignment.

I mean I don't know that all registrars think as strongly as Tucows does about our role as an infrastructure provider. But I suspect there's reasonable alignment within my constituency.

I saw Heath and then Stephanie and then the gentlemen whose name I don't know. I apologize.

Heath Dixon: And I do want to reiterate that I am speaking in my personal capacity and not on behalf of Amazon.'

And yes, I'm actually very sympathetic to this. I was very disappointed when the Daily Stormer went down. I actually was shocked that Cloudflare was the one that took it down because my sense of them has been over time that they have sort of been that provider of last resort for the really unpopular sites. And, you know, they really prided themselves on that.

So I'm definitely interested in a solution and I'm definitely willing to go back to Amazon and talk about kind of what our policy is on that and really make sure that we've considered it so that if that happens to us that we don't get caught flat-footed by it. I hope it won't.

So yes, I am very sympathetic to it, but I do with Graeme that it's going to be difficult to convince registrars to take out the provision that allows them to take down domain names just for purposes of being able to protect themselves for liability reasons.

But that said, I am sympathetic to the issue and think it's a good conversation for us to have to see if we can get to a place where registrars can feel comfortable.

I do think that the idea of getting some defense for us is helpful because if you take a site down, there's always going to be somebody who is accusing you of doing the wrong thing. If you don't take a site down, there's going to be somebody accusing you of doing the wrong thing.

So it's definitely an issue for registrars and so I'm glad we're having this conversation. I wish I had a solution.

Milton Mueller: That's why it might be nice to put it in an RAA and then it would be the same for all of you. But, anyway.

Stephanie Perrin: Stephanie Perrin for the record. I get why you don't want it in the RAA.

I am concerned that being silent on the matter only contributes to this confusion in the mind of the end-user/consumer that has a spot on Facebook is the same as owning a domain name. And that, you know, you guys are the same - like the infrastructure is the same as a Web site.

So the longer that sort of lack of basic understanding of how you participate on the Internet persists, the harder it's going to be to educate.

Do you have any thoughts on that? I mean I'm sure Elliot is not ready to write checks for a massive public education campaign, no more should he. But maybe ICANN should. And if so, could we ever agree on a message? Probably not.

I'm just sort of kicking this around because I think it's a problem.

Graeme Bunton: Thanks Stephanie. I'm going to respond to that if you don't mind.

So here's the dilemma about this problem in particular. You know, Tucows has a pretty strong stance on this, and there have been numerous occasions where we have not taken down domain names. For instance, arguably the most famous advocacy group for pedophiles uses our platform, and we get complaints about that all the time saying we should take them off the Internet.

But it's advocacy; it's not actual abuse material, and therefore is legal. And so, you know, we think it's important that we don't touch that.

However, you know, especially we these -- and I'm going to be explicit here -- these idiot (Albright) goofball thought wits that are causing all sorts of problems. I don't want them necessarily to know that I'm going to take that stance for them. And so I don't want them on my platform; I don't want to sell these guys' services.

So I don't want to go out and put blog posts saying, "We're going to defend everything to the end of the world," because I don't want to attract that business to my platform. I'll defend it if it's on there but I don't want it; I don't want their \$1.25 I'm going to make a year; it's never worth the hassle.

So, you know, I don't want to engage necessarily in that educational program about who we are and what we do and what our stance is because it doesn't actually benefit us all that much.

Stephanie Perrin: I thought that was what resellers existed phrase. So you have the all whatever channel joke.

(Klau DeSanta): Thank you very much; (Klau DeSanta) for the record.

Stephanie was talking about getting the right message, avoiding confusion and education. And I was thinking here that Graeme keeps using and we all keep using the word neutral and neutrality to talk about this subject.

And I think since we're starting to build the debate, maybe it's important to note the distinction because that term -- that terminology -- has been taken by the net neutrality debate on a related issue but not exactly the same, right. We're talking about traveling and promoting content, and we keep using the word neutral.

So I think we're addressing here more impartiality of content, right, or not intervening the content into semantics of the content itself. So just a note. Thanks.

Graeme Bunton: Thank you. This is Graeme again for the transcript. I actually think it is pretty similar to a net neutrality argument.

It is the infrastructure providers of the Internet deciding or being arbitrary or, you know, what's exactly following through it. So it's pretty related in my mind.

Here's a fun tidbit that I'll share just because I spend a lot of time on this recently is that as soon as - and this is maybe education for my fellow registrars when this happen to you because it will eventually. People are going to find domains in your platform and they're going to get angry about it.

Is that as soon as these previously mentioned (Albright) so-and-so's figure it out that registrars were taking down domains for that particular set of reasons that Go Daddy enumerated, we began immediately to get complaints for Black Lives Matter Web sites, for gay and lesbian transgender Web sites that they found equally. They were using the same language to say, "You've got to take all of these things down."

And so it was very clear to us in the middle of that that it was an inappropriate choice for us to be making.

Rafik Dammak: Okay, any - yes, you want to comment.

Milton Mueller: I was just going to say I think it's been a good way of approaching the subject. I've got a better perspective on how registrars think about this and I think we can move on.

Rafik Dammak: Okay, Stephanie, it should be short because we need to move on.

Stephanie Perrin: Just wondering if Graeme would like to share those stats. Did you document that? That would be great.

Graeme Bunton: Which - sorry. This is Graeme.

Stephanie Perrin: Opening the floodgates and getting all the other queries in. Thank you. If we could count those it would be nice.

Graeme Bunton: I mean they're probably in our abuse queue. I'd have to - I don't know...

Stephanie Perrin: Perfect.

Graeme Bunton: ...how easily they are counted.

Stephanie Perrin: Not personal information of course.

Graeme Bunton: Of course.

Rafik Dammak: It seems to (unintelligible). So maybe we can move to the next agenda item and talk about RDS and GDPR.

Stephanie? That's your agenda item.

Stephanie Perrin: Stephanie Perrin for the record; GDPR.

Trusting everybody has read the Dutch decision from the Dutch DPA now that it is in English on their Web site. If not, I think it was the Chair on the RDS list. I'll send it to it anyway just to make sure. It's short and sweet in my opinion.

In my own view, having been suffering on the RDS meeting -- which unfortunately is in conflict with this one so others are in the other room carrying on with that -- I've kind of moved along in my own concerns about to the next thing which is actually it is facilitation.

How do you accredit third parties private sector who are not law enforcement who are asking for access to data that will soon be protected under the GDPR? And that is, quite frankly, one of the issues that sort of stymied the EWG. Nobody wants to do the accreditation whether it's law enforcement or private sector security companies. So that's a big problem that needs to be solved if we're going to move to tiered access.

So I would certainly be interested to know what your thoughts are on that. I understand that everybody just gets the data now. But that, to us, seems like a recipe for anti-competitive behavior, abuse of personal information, et cetera, et cetera. So how's that for an opener.

Graeme Bunton: Thank you Stephanie; this is Graeme for the transcript.

It's an interesting question. I don't think too many people in the room have thought about yes, a team is likely that some form of gated access to the underlying data is likely. There will need to be some sort of credentialing system.

Who runs that I don't know. If I were not super busy these days, I think it's a fun opportunity to start up some service platform company that offers that as a service and takes the responsibility for it and builds some sort of clearinghouse.

But there is - it's not the exact same thing, but there is maybe some of that inside of the privacy and proxy policy that I know you and I worked on together, but the sort of responsibilities and rights of the Intellectual Property framework in there and how what access they would get under that framework.

Yes I don't have too much to add on that. It's confounding. I don't know how we're going to do it -- if we're going to do it. I don't know if anyone else in the room can talk about that.

Stephanie Perrin: Well allow me to ventilate my latest thought on this. And I understand how slowly we're moving on GDPR. By we I mean ICANN. I don't anticipate an announcement by the end of the week that data scrappers are not going to be able to get their data and a bunch of domain tools are going to be out of business. And I mean that small V not the company itself.

But we are going to be headed in that direction of somebody is going to be getting some fines. So - in my view.

So the thought has occurred to me that if we had an ISO standard under the Quality Management System -- for foul cyber-crime fighters in particular and reputation managers -- harvest the data, do the algorithms, figure out, scrap, all the rest of that. That might set best practice in place, accredit them, and then you would only have to worry about an accredited cyber-crime fighter showing up at your door and saying, "I need that level."

Absent that, I have no faith in the existing trust model scaling to the global level. Thanks.

Graeme Bunton: Thanks Stephanie. Yes, this is going to be a fun one. I think maybe this is an opportunity for someone like the Internet Infrastructure Coalition -- full disclosure of (unintelligible) member -- some other group like that to take the lead on this.

But it's a big scary project with all sorts of weirdo liabilities to it too.

Stephanie Perrin: Indeed which is why you want to offload it to an ISO standards group. And we want to be there by the way rather than have the industry cook it up and bring it to ICANN or bring it somewhere. Thanks.

Milton Mueller: Yes this is Milton Mueller again.

So it seems like we've collapsed the GDPR topic and the RDS topic. And Stephanie is assuming that we already have an RDS in place and how are we going to credential the tiered access.

We don't have an RDS in place. And one of the big debates that's going on around that that I think we share common ground with you on is the question of the purpose of the information that is collected.

So in the session -- the RDS session I was in -- the idea or purpose was being conflated once again with use cases. So everybody is describing how they use this data and then sort of passing that off as a purpose.

Stephanie Perrin: Still happening Milton.

Milton Mueller: And we think we really have to draw the line very clearly in between what a purpose is and how you use it. If you collect a bunch of data about the domain name registration and publish it on the Web, your purpose may surely be to something limited like, you know, how I contact whoever is in charge of this domain name.

But its uses may be infinite. You know, it may be that academic researchers like me are scraping this information and finding out interesting things about the evolution of the Internet over the last 20 years. It may be that law enforcement is using it to track people down. It may be that, you know, stalkers are using it to track down somebody. There's all kinds of uses that might be made.

But the purpose tells you what you're collecting it for and it tells you what data you need to fulfill that purpose. And the whole point of data protection is to not collect more than you need for a specific purpose.

So if we don't get the purpose right, we lose everything, really, in this discussion.

And so I want to remind you -- at the risk of sounding very old -- that in 2006, we had this debate. We resolved it -- the two-thirds vote on the GNSO Council. I'll read you the purpose that we voted on and agreed before it was undermined in a backhanded way.

The purpose of the gTLD WHOIS Service is to provide information sufficient to contact a responsible party for a particular gTLD domain name who can resolve or reliably pass on data to a party who can resolve issues related to the configuration of the records associated with the domain name within a DNS name server.

So it's a very technical definition. And the alternative at the time was instead of these issues related to the configuration of the records was issues related to technical and legal aspects of the use of the domain names.

But you see the difference. If you're trying to resolve legal issues, then you want some certain kind of information that you may not need to resolve technical issues.

So I think it would be great if we could come up with an agreement on what the purpose of WHOIS is, and I suspect it is not to be an identity card on the Internet and to provide a general capability for anybody in the world to track you down for any purpose whatsoever.

Graeme Bunton: Anyone else have thoughts on that?

Yes? You know, I haven't been participating in RDS because I'm sane. And so not too dialed into that, but I know those arguments have been ongoing. I'm sure if Michele were in the room, he would be able to respond more wholesomely.

Stephanie Perrin: Stephanie Perrin. And I may have ducked this discussion because, quite frankly, I am going a little insane. I have pointed out the difference. I am at the point now where I'm just waiting until somebody gets busted and we'll let the Data Protection Commissioners clarify this point.

However, Milton has reminded me of this majority vote. And I wish we could stop this ridiculous focus on use-cases. Those are use cases for disclosure to third parties. That is not the reason that we gather registrant data.

The particular definition was sandboxed into only the purpose for the WHOIS. And we are still months -- possibly years -- of fighting over the purpose of collecting registration data in the RDS working group. I'm just betting.

So, you know, the two purposes are actually blindingly close in my view. We definitely don't collect registration data for the purposes of academic research. And that is the silliest example that I pull out of the enormous list of use cases for disclosure just to prove the point that the purpose is to register domain names; not to provide everybody in the world with interesting data about how domain names are then used on the Internet.

So in the interest of sanity -- or some vested jaw bit -- possibly a joint statement because I think we are pretty aligned on this. Certainly the registrars that I talk to are equally crazy to have joined that group have a similar view of the matter.

Graeme Bunton: Thanks Stephanie, this is Graeme for the transcript. This is all kind of new to me and no one else is talking so here I am.

So the GNSO has voted on and defined a purpose for WHOIS. My sense is that that's clearly not enough. Otherwise, the RDS would have been scaled way back, right, like if you're still working on this, this definitive moment in history from 2006 is clearly not enough, right, or you don't have enough leverage to use that historical definition. Is that?

Stephanie Perrin: It is certainly - Stephanie Perrin again. It didn't work in the EWG. The EWG started its work by going through a compiled list of use cases.

So you may rest assured -- even though we were operating under (Chattermus) Rules -- I can assure you that I made the same arguments to the EWG that I have been making to the RDS -- just as loudly.

It didn't work.

Graeme Bunton: Thank you Stephanie; Graeme again for the transcript. I'd have to talk more with my registrars that are participating in the RDS and get a bit more detail from you guys before I think we went in to joint statement on that basically because I don't nearly enough about it to commit to anything at the moment. So let's keep talking about that.

And who else is in there aside from Michele?

Stephanie Perrin: Michele, Volker, oh gosh.

Graeme Bunton: That's okay. Those two are going to know who else is in there.

Stephanie Perrin: Chris Pelling.

Graeme Bunton: Chris Pelling, okay. Good, thanks Stephanie.

Next? Or anything else on this one? Jacques, please.

Jacques Blanc: Yes, Jacques for transcript.

I mean I'm new to ICANN. It's only my second meeting, but I've been in the domain name business since 2002.

And if I want to compare what the overall economics the domain name supported in 2002. And what kind of economics they do support now. The difference is probably a few billions of supported business by domain names whatever way you look at it.

So the only thing I wanted to say here is we're just seeing the beginning of this -- not troubles -- but things we have to deal with if only because we are dealing with a matter on Internet that drives and supports more and more business targets and business economics.

So that's something that we cannot think the way we might have voted 15 years ago because we're now dealing obviously with the same stakes at the end of the day.

And I think it's going to be more and more stringent, and we're going to have to deal with more and more legal matters if only because we are dealing with more and more high-economic tools.

Graeme Bunton: Thanks (Jacque); interest point.

Okay we've kind of dabbled around GDPR a bit and we've talked about RDS. We can dig more into GDPR. I'm sorry, I don't think we've touched GeoNames yet. I don't have anything on that nor do I...

Man 4: (Unintelligible).

Graeme Bunton: Oh, okay. So we can - sounds like we can maybe skip that.

Man 4: (Unintelligible).

Robin Gross: Hi, this is Robin Gross for the record.

Yes I would like to encourage the registrars to get involved in the Work Team 5 of new gTLD Subsequent Procedures Working Group that's focused exclusively on GeoNames.

We had our first meeting this morning and we saw the wish list from GAC at the bias with everything they want to include in this working group; economic, economic mentioned by economic places, cultural places, things that are sensitive -- not just geographic terms; languages. I mean it was really everything but the kitchen sink that they're hoping to get into this group.

And I want to remind folks that people have freedom of expression rights to use words that could be considered a geographic term. And so if these words get taken out of the ability for consumers to be able to register them, that will impact your bottom-line. And there will be an awful lot of domain name consumers who won't be able to register the names that they want.

So I would just like to encourage some of the registrars to get involved in there and advocate for the free speech rights of your customers. Thank you.

Graeme Bunton: Thank you Robin. This is Graeme for the transcript.

So we had an excellent update from Jeff Neumann who's involved in the Subsequent Procedures in our Stakeholder Day yesterday. And he did a pretty good pitch for more participation from registrar in there.

So we are aware of this and we are concerned with what we hear is coming out of that. Like everybody, it's finding people to, you know, put their butts in those seats and do that work.

The downside of that thorough and excellent presentation from Jeff Neumann was he really didn't soft-sell the complexity or difficulty or length of this PDP. So it wasn't a really encouraging for most of us.

But apparently, Darcy just signed up for Work Stream 5, so bless your cotton soft Darcy. Thank you for getting in there.

So we're trying on that front. We hear you and we're trying.

Rafik Dammak: Okay, thanks Graeme. I think we covered most of the topics. I'm not sure if - oh, yes (Unintelligible).

Tatiana Khramtsova: Thank you Rafik. Tatiana Khramtsova speaking. Can we talk about abuse reporting?

Kassandra Pena: Kassandra Pena for the transcript. I didn't think well of (unintelligible).

Tatiana Khramtsova: Are we going to talk about DNS abuse or NCSG's statement about the (unintelligible)?

So - okay. I don't really think that DNS abuse reporting will really have to do anything with this statement. But I was just - actually, I want to ask a question about DNS abuse reporting where Graeme and I were in the same session.

And I just want to ask you what is your position on narrowing the scope of the definition of the GNS abuse because I see that some of the constituents are saying stakeholder groups which for the broader definition and some push for more narrow definitions.

So where do you stand on this? I know that probably the answer is obvious, but how strongly a position is here.

Graeme Bunton: Thank you Tatiana. I don't know that as Chair or even as Tucows I can speak to this particularly well.

And I don't think it's actually an issue that we've discussed too broadly as registrars if we want to add like a singular definition that we think is complete because it's probably more that we have somewhat different approaches and we all have different bits of abuse that we choose to handle or that we don't. So there's diversity inside the SG.

And like expand this kind of controversial because it is clearly not a domain issue, but also it leads to other issues that people do take responsibility for like the malware and phishing and stuff like that.

So I don't have a good concrete answer for you at the moment.

Tatiana Khramtsova: Sorry. I ask another question just maybe to provide some food for thought because what was also was striking for me this session is the different approaches to the result of this abuse reporting because I thought that ICANN is driving (sic) in all of the consumer of this data. And kind of they raise more question than provide answers.

But I see that the trend is definitely to do something so registrars would react, you know, on this abuse using this data reporting -- at least like from one of the presentations.

What do you think about this maybe briefly if you do have thoughts about this?

The other thing that it would - are you okay - I mean, again, probably. There is too much diversity in your group, but what do you (unintelligible) think about registrars reacting about data supplied by this DNS Abuse Reporting system?

Graeme Bunton: Thank you Tatiana. This is Graeme for the transcript. I'm doing too much talking guys, so one of you other registrars get in here too. Please and thank you.

You know, I think the opinion of the variety of fees varies quite a bit amongst registrars. Some of them think some of them are very good and reputable and use them, you know, frequently in their business, and a few of them, I think, that they think are suspect.

So we have, you know, registrars have been saying for quite a long time now also though that we should be naming names of bad actors because we hear the phrase in this space used quite a bit that we need to get these bad actors.

And that's actually a mechanism used in the policy arena to - because they don't actually have to name anyone, it means they can stretch for a policy that they want to apply to all registrars. When actually the problem is really with a narrow subset; it's maybe one or two.

And so to a certain extent, I think it's possible that some of this data actually highlights that there are one or two -- maybe there's a couple of more -- genuine bad actors. And that we can resolve the issue with them and not have to have these sort of overreaching policies that are going to apply to everyone when we actually have a much smaller more narrow problem to solve.

And so that is also kind of appealing. And I'm speaking more as Graeme -- not as Chair -- on this just to be clear.

You know, they named and chained out named in that presentation. They've got good reason to do that I think.

Anybody else have thoughts on that?

Tatiana Khramtsova: Well thank you. So I'm done with my questions. You can probably go with the statement (unintelligible).

(Parasin Ivey): (Parasin Ivey) speaking. So I just distributed this statement that we should be doing this ICANN meeting. And the statement simple says that the ICANN's mission should not be expanded and become a content regulator, and ICANN should not be policy side especially because there are so many discussions around what DNS abuse is.

And we are seeing there are a lot of people that want to throw various things as abuse -- as DNS abuse -- into the definition, and make ICANN to take action. And we see it that ICANN becoming the content regulators if this continues.

So we just issued this statement and Maryam distributed it. And while we don't have to really discuss it; we just want to tell you this is the statement on domain name abuse and ICANN should not be content regulator.

Graeme Bunton: This is Graeme; thank you (Parasin). I think you'll find general agreement on this from registrars. It's very much related to our first conversation around, you know, infrastructure versus platform.

Milton Mueller: Well it's just that there's this tendency when we're discussing abuse to define as domain name abuse things that involve contents. So this is statement is just a narrower take of whatever you think about watching RAA or whether registrars should be neutral. We're just trying to say if you want to talk about and define domain name abuse, please take out all this stuff that's about content. I guess we agree then.

Darcy Southwell: Darcy Southwell; Endurance International Registrar.

I think generally we do - I agree with you. But I think many registrars would agree with you.

I think one of the things that have been challenging for us is that we do operate differently, but on this particular issue, it seems like through the PDPs there's a lot of pressure to expand the definition of abuse. And different groups are coming at it differently.

And so it's a little challenging sometimes because on one PDP you've got, you know, a few registrars over here and different groups participating and it

comes up. And then it comes up in yet another PDP. And so we're trying to prevent that creep, I think, in the definition.

Tapani Tarvainen: Tapani Tarvainen speaking.

Just an observation here on process that it might be useful sometimes to make this kind of statement as common statements from registrars and CSG. You might like to have some easy way of processing them like from the mailing list or something where we can circulate and try to come up with commonly agreeable formulation for a statement. It would make it more effective as a common one.

Rafik Dammak: Okay, thanks Tapani.

I think again we can wrap up this session here and take some action. I think the idea of common statement was right several time if we can find a way to do so and to give common position. I think our alignment between the two stakeholder groups in several areas.

And then I want to ask you if you think there is any way that we can improve those admitting (sic). I think we are trying to have the joint meeting in a regular basis, but I would think if we can find a better way that we can work on the agenda and try to get more feedback.

I want to thank you, Graeme, that you had to do most of the talk. But if you think we can find a way that, you know, have a directional and prepare. I know that, I mean today was crazy already, but how we can, yes.

Graeme Bunton: Thank you Rafik; this is Graeme.

On the joint statement thing, there is a couple of those issues that we need to think a little bit more and talk to registrars a bit more. But if you guys want to

hold the pen on a draft something, and then that thing I can like having words for people to look at, that always gets things done a little bit faster.

As for making this, yes, it, you know, we're after 5:00 on a long day, and so it's -- not that this discussion isn't enjoyable -- but it's a tough sell and people are beat up and exhausted. And by the middle, you know, after 5:00 on the middle of a long ICANN meeting.

You know, part of me kind of actually likes that this is the least stressful meeting I've had all day despite having had to do a lot of talking. So part of me kind of enjoys the relaxed atmosphere that we can have a more casual conversation. But I think some of that is just making sure we've got a tighter agenda and making it a little bit earlier in the meeting. But we can keep thinking about that.

(Parasin Ivey): (Parasin Ivey) speaking. So on having the meeting, we wanted to invite you to our session on content regulation on ICANN. But our constituency-based session was right in parallel to your constituency. So I don't know if we wanted to talk more and have, you know, more exchanges, maybe it make sense that we kind of plan it in a way that would not overlap.

Graeme Bunton: Meeting planning is...

Darcy Southwell: Like we get to plan the meeting?

Rafik Dammak: I think that one of the problem is that the joint meetings, they don't have like so many available slots we can work on that because Constituency Day, it's unlikely that it's the best time for inviting or having a joint meeting.

Yes Stephanie. You have short comment?

Stephanie Perrin: Stephanie Perrin. Yes, I don't want to prolong this, but I didn't mention that we are in the middle of writing a policy statement on the GDPR. And I expect

there will probably - I know I promised Rafik it would be like two pages but it's going to be more like 20.

There may be frequently asked questions because I feel compelled to answer some of these. If there are any questions or suggestions of what we might include in that, we'd love to hear from you. Thanks.

Rafik Dammak: Okay thanks Stephanie and thanks for reminding me about this. I'm not sure if - I know there was a common letter for (unintelligible) to (unintelligible) Stephanie (unintelligible)...(unintelligible).

And so we can try to (unintelligible), you know, but (unintelligible)...(unintelligible).

Graeme Bunton: (Unintelligible). Thanks Rafik. If you could send that letter to me and I can circulate that (unintelligible) because I'm not sure that everybody (unintelligible), that would be great.

So I guess that's it for this. This is for sure the most enjoyable least-stressful meeting I've had all day. So (unintelligible).

END