KOBE – GAC: Inter-Constituency Engagement (1 of 3)
Sunday, March 10, 2019 – 14:30 to 16:45 JST
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MANAL ISMAIL (GAC CHAIR): Thank you for your patience. We'll be starting now. This is the GAC meeting with Registry Stakeholder Group. Thank you. So, this is the GAC meeting with the GNSO Registry Stakeholder Group, and as we have already a focal point for the GNSO, Ghislain from France, I'm handing over to him to lead us in this session. So, over to you, Ghislain, please.

GHISLAIN DE SALINS: Yeah. Thank you very much, Manal. So indeed, it's our meeting with the Registry Stakeholder Group. Actually, it's the beginning of a very exciting afternoon for GAC, because it's going to be almost an all-GNSO afternoon starting with the registries, and moving to the GNSO leadership, and then ending with the meeting with the Registrar Stakeholder Group.

For those of you GAC members who were in Barcelona, you might remember we met during ICANN 63 with some of the noncontracted parties of the GNSO Intellectual Property Constituency, IPC, Noncommercial Users, and this time, we're

going to do the opposite, so to speak. We're going to meet with the contracted parties of the GNSO, starting with the registries.

So it's a short meeting. We have 25 minutes. We have two points on the agenda, which his first a brief introduction by the Registry Stakeholder Group of their role in ICANN, which is very important since we have al to of newcomers in GAC and this meeting. And the second point is universal awareness of TLDs, which I guess is different from universal acceptance, right? But I guess we will learn more about that soon.

So now I'm going to let the RySG leadership introduce themselves and we'll start with the meeting. Thank you. Donna, over to you.

DONNA AUSTIN: Thank you very much, and my apologies for being late. The deck that we're supposed to have up on the screen, I've just sent to Julia, but I actually sent it some time ago, so I blame the Internet connection.

I'm Donna Austin, chair of the Registry Stakeholder Group. I took over this position at the end of Barcelona, so some of you might be familiar with me as part of the GNSO council. I've moved on, to bigger and better things, perhaps. And alongside me are two vice chairs from the Registry Stakeholder Group, Sam Demetriou and Beth Bacon. Would you guys like to introduce yourself?

SAMANTHA DEMETRIOU: As Donna said, I'm Sam Demetriou, the vice chair of policy for the Registry Stakeholder Group, so in charge of coordinating our policy positions and statements and public comments and things like that, and I work for Verisign.

BETH BACON: I'm Beth Bacon, I work for PIR and I'm the vice chair of administration. We kind of keep the wheels running and do all of our budget requests and keep the stakeholder group kind of in order through admin side.

DONNA AUSTIN: Thanks, Beth, and thanks, Sam. So, thank you to the GAC for the opportunity to come and talk to you today. We haven't done this before, is my understanding, as the Registry Stakeholder Group, so what we want to go through today primarily is a little bit about who we are, what we do and where we fit within the ICANN structure. And then if we get some time, we will go to universal awareness of TLDs, but that will be part of what we hope will be a different conversation about ICANN-developed policy. The GNSO develops policy, ICANN implements that policy. Some of it can be wide-ranging, so the introduction of new gTLDs saw over 1200 new extensions in the Internet.

From a GAC perspective, did you think that there was any – obligation is the wrong word, but did you do anything in countries to explain to the Internet users what these new extensions were? So that's kind of where we'll go with that if we get time. Julia, did the slides get up, or no? I'm really sorry, guys.

So, who we are. The primary role of the Registry Stakeholder Group is to represent the interests of gTLD registry operators that are currently under contract to ICANN in the ICANN multi-stakeholder community.

So there's a difference between a gTLD and a ccTLD. Most of you will be familiar with your own country code top-level domain, and, while they have a place in the ICANN construct, they don't have a contractual arrangement with ICANN. The difference with the gTLDs is that we do. So we have a different arrangement with ICANN and different obligations.

To be a member of the Registry Stakeholder Group, you need to have a registry agreement with ICANN. I'll provide this deck afterward, I'm really sorry.

The current membership of the Registry Stakeholder Group is 80 plus members. A lot of that is the result of the new gTLD program, and we also recently changed the membership a little bit to allow for associations to represent gTLD registry operators,

so we also have the geo TLD group and the brand registry group as part of the stakeholder group as well.

As a result of the new gTLD program, we also have increasing diversity within our membership as well, so that creates some really good things for us, but some new challenges for us because we're not necessarily a harmonious group, although we get on very well.

But some of the challenges we've had in developing responses to public comments is that, how do we address that balance of providing a substantive comment that reflects the different opinions of some of our members?

So, Sam, Beth and I are part of the executive committee. We also have a treasurer, Jonathan Robinson from Afilias, and we have an extended executive committee as well, so our three councilors that are on the GNSO council, also from part of our ExCom, along with the outgoing chair of the Registry Stakeholder Group, which is Paul Diaz, and our representative on the Nominating Committee, that's Jon Nevett. That's the broader ExCom.

We also have a reasonably close relationship with the Registrar Stakeholder Group, and most of you might be aware they're the other part of the contracted parties house of the GNSO, and we have a number of issues that we're closely aligned

on, and it's beneficial to have that close relationship with them. So we work with the registrars pretty closely.

So, what do we do? The Registry Stakeholder Group advocates to the ICANN staff and board on behalf of registry operators. We have a number of issues that will come up from time to time that might be related to our contract or – things escape me at the moment. Oh, look, it's the slide deck.

So, primarily, when we're advocating, it's with ICANN staff, primarily the GDD, but also ICANN Compliance, that's another organ of ICANN that we, I would say, not a close relationship per se but we interact on a fairly regular basis. We provide avenues and opportunities for participation in policy and technical development and global Internet governance.

One of the benefits to the Registry Stakeholder Group is we are resource poor in some respects, so by having the collective of the Registry Stakeholder Group, we can ensure that we have coverage across a number of issues that are going on at any one point in time so that we understand what the impact is for registry operators as a whole, and we can work through that as a group to ensure that our best interests are represented.

One of the things that came out of the EPDP – and I know the GAC probably had the same experience – was because the representation within the PDP was set up differently to most

policy processes, we had three representatives on that PDP. Beth has been closely involved in that effort. And we also had a support team behind that, so half a dozen or so people sitting behind that. But that was a really important exercise for us in ensuring that because those three people on the PDP were actually representing the views of the Registry Stakeholder Group, that there was that conversation going in the background that the rest of us within the stakeholder group understood where things were, what he positions were going forward so that there were no surprises. And particularly, our representatives were confident that what they were representing was the views of the Registry Stakeholder Group.

So that was a new exercise for us in terms of the way it worked, but I think it worked really well, notwithstanding the time pressure of the PDP itself.

Just in terms of the last part, which is education, education is something that we haven't done a great deal of in the past, but it's something that we want to focus on, and that's part of the reason why we sought to speak to you here today.

We want to get more on the front foot so that people understand what registry operators do, where we fit in the ICANN construct, where there's opportunities for more direct engagement with people like the GAC, because we know there are topics that –

there's a few that come to mind where perhaps if we had had a conversation or at least exchange of information about two characters at the second-level I know has been a topic that you've discussed for a long time, if we'd had the opportunity to engage with you directly on that, maybe I wouldn't say we potentially had a different outcome, but we would have been a little bit more informed about what we were dealing with.

So that's the kind of education we'd like to do and interaction we'd like to have moving forward. The other recent one for us is the focus within the community on DNS abuse. It's two little words that have a lot of meaning to different folks. Some of them, what we're finding is that the community is having discussions around these issues, and we're not part of that conversation. So we want to try to lean in a little bit and be more of that conversation.

So if the GAC wants to understand a little bit more about how registry operators deal with abuse and what are some of the practices that we undertake as registry operators, we'd be more than happy to come and talk to the GAC and have that conversation with you so that there is a little bit more information sharing and education to try to take away a little bit of the concern or at least give a little bit more comfort that there are good actors out there and we are doing things that are positive. Next slide, Julia.

So, where do we fit in the ICANN structure? The Registry Stakeholder Group is part of the Generic Name Supporting Organization, and I know that you've got the council coming in after us. So together with the registrars, we form part of the contracted parties house at the GNSO council.

We elect three members to the council. We currently have Maxim Alzoba from Russia, Rubens Kuhl from Brazil, and Keith Drazek from North America that are our representatives on the council. And the contracted parties house also appoints one person to the board. Our current appointee to the board is Becky Burr.

And while we make that appointment, it doesn't mean that Becky actually represents us on the board, but the benefit for us in appointing someone to the board is that Becky is knowledgeable in the operations of a registry, so to some extent, she's also part of that education part with the board and any newcomers that are coming on to the board. We're very confident that Becky understands and knows the business that we're in and can speak to that if ever there's a conversation that comes forward with the board. Next slide, please. Not sure where Julia went.

So, some of our current areas of focus, like most folks in the community, the expedited PDP on gTLD registration data, that's something that we've been dealing with as a stakeholder group

separate from the actual EPDP, but we've been having conversations and interaction around the last three years, like most folks, and we'll continue with our representation on the EPDP through to phase two and the other associated efforts with that.

Alongside the EPDP, we've also had a team of folks, mostly technical folks working with registrar operators working on the registration data access protocol profile documents. So that's been another heavy lift for a number of our folks, and it was something that came out of the temporary specification that there was a requirement to have those, the RDAP profile deployed, and I think there's a 180-day timeline for that. So that's something else that probably wasn't as – people probably weren't as aware that that work was going on as the EPDP, [but it's still important,] and a lot of resources within the respective stakeholder groups on that.

The ICANN Compliance audit, Compliance has the ability to audit registry operators. In the past, they have done it on a sample of registry operators. In I think it was October of this year, there was a start of an audit process by Compliance on all registry operators, and it was specifically related to DNS abuse.

We've had a number of back-and-forth interactions with Compliance about – there were elements of that order that we

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believe were outside the scope of what could be audited in terms of what's allowable in the registry agreement. So we've been having some back-and-forth conversation with Compliance about that. It's been a very difficult conversation, and one that we will continue here in this week. So we will have a closed session with ICANN Compliance and try to come to a common understanding of what is within the remit of Compliance when they do audits as it relates to the registry agreement. So that has taken quite a bit of time as well.

DNS abuse, I think I've spoken to, but that's something that we just want to be more engaged with the community in those conversations, so we'd welcome an opportunity to have that conversation with the GAC at any time. And Sam, if you wanted to talk to the comments responses that we've been –

UNIDENTIFIED FEMLE: We're running really short on time. [inaudible] do some questions?

DONNA AUSTIN: I'm sorry. Yeah. Sure. Okay. So that's where we are. Yeah, I'm sorry that took so long and we had some technical hitches.

GHISLAIN DE SALINS: Okay. Thank you very much, Donna, for this very thorough presentation. Do we have any questions on the floor about this specific item on the presentation of the Registry Stakeholder Group's activities? Yes, Iran, please.

KAVOUSS ARASTEH: Yes. Not exactly on presentation. First of all, I would like to congratulate registry for the very super active members that you have in the EPDP. Very combative, and they spoke every point, and they did not release that until they got it. Incredible. They pushed and pushed, in particular for the redacted data, what data should be redacted and so on and so forth. They did not agree until the last moment, and I congratulate you maybe on your chairmanship, because we know you, you are very combative as well when you were on the GNSO. I remember. I called you [inaudible]. By the way, in the management, there is no gender balance. All of them are women. So, congratulations again, for the first time.

So, my question is quite simple. On the phase two, you are involved, no doubt. And there are three issues in phase two. one is system for unified access for nonpublic data information, and the other one is the important issues for the community consideration, and the last one is issues deferred from the first phase.

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Yesterday when we discussed in the EPDP, there was no time even in a very indefinitive manner that phase two will be completed. They said that we don't know anything at all about that. But at least for two of them, they said that there might be some foreseeable time at what time that should be finished, maybe by 29th of February 2020.

So what I would like to ask is, what is your expectations of the phase two to come into operation, into effect? Does it have any impact on your activities, or you may be more happy not to come into operation? Because again, you were very lucky you had the particular flexibility, even after the expiration of the 25th of May, you can still continue to have up to the 29th of February 2020 without being subject to any penalty. That was, again, one of the positive points hat you took and put it [inaudible]. Thank you.

DONNA AUSTIN: Yeah. Thanks, Kavouss. So, Beth, I don't want to do a hospital pass here, but I think it might be best, if you have thoughts on this, if you can respond.

BETH BACON: Sure. I'm happy to. Thanks, Kavouss. And thank you for the compliment on our very dogged participation. I can certainly understand. We started a discussion yesterday in the EPDP. It was

our first full day of meetings on phase two, and I think the discussion was generally about what makes the most sense timeline-wise and resource-wise, not only for registries and registrars but the GAC, as you know, Ashley, Kavouss, Georgios, you've been putting in the same, if not more, hours than everyone else in the community. What makes the more sense resource-wise? Can we continue the pace that we have? And I think it as agreed that [in May,] we need to slow a bit, but certainly, when the registries did make our statement, we noted that we are looking forward to establishing a timeline. I think that'll come out of this week and we'll have a draft. So I think that you'll be pleased with the pace that we have at some point, but I think that goal of yesterday was to discuss what makes the most sense for resources as well as getting us to a good conclusion, considering we do have that bridging language that we worked out for the final report. Thanks.

DONNA AUSTIN: Does that answer your question, Kavouss? Okay.

GHISLAIN DE SALINS: Yes. Thanks, Beth, and thanks, Donna. Is there any other questions from the floor on this item? If not, I guess we can move to the item number two. We have a few minutes left, so on universal awareness of TLDs.

DONNA AUSTIN: Thanks. So, the universal awareness issue, most people in the community understand that there is a group that's looking at universal acceptance of TLDs, and that is based on the technical side of it, so making sure that a TLD resolves as a top-level.

Universal awareness has been an issue for the Registry Stakeholder Group in the sense that there was the introduction of the policy for new gTLDs, and on a global basis, there hasn't been, by ICANN, an effort to educate or inform Internet users that there are these new extensions in the DNS.

They are valid extensions in the DNS, but absent any communication or awareness campaign, there is a concern that Internet users don't actually understand what they are or what these new extensions, the value of them and that they do provide diversity for Internet users as a whole.

So that's something that we've been grappling with for a while, but I think when Sam and I and Beth were talking about what we could talk to the GAC about is when the ICANN board approves the policy, and some of these policies are global in nature, there's no real obligation for ICANN to conduct any awareness on those. And given the nature of the Internet and it's global, we wondered whether with the GAC following these issues, whether when these things become policy, whether there's any outreach or

communication or awareness that you do within country that these things are happening. New gTLDs were the biggest change to the Internet in 20 years or something. I think that's what the phrase was at the time, but there wasn't any kind of communication that went along with that to explain what it was. So I guess we just wondered when the board approves these policies, is there any active communication that's done in-country or within the governments when that happens?

BETH BACON: And I'll just add to that that as we look, since we're kind of running low on time, but as we look to future engagement with the GAC, when ICANN develops policies for registries and registrars, we're paying very close attention to that, because it impacts our businesses on a day-to-day basis, and then downstream our customers. But asking you guys if there are ways that we can help you do your work and make these policies a little bit better-understood among your constituents and the people that you serve, and if there are ways that we can work together going forward to collaborate and make sure that we're all doing our jobs a bit more effectively.

GHISLAIN DE SALINS: Okay. Thank you so much. I agree, it's clearly an issue of common interest for GAC and Registry Stakeholder Group, the issue of universal awareness, definitely.

I don't know if there any comment from the room or any suggestion on topic. Okay. I see none. I guess we're already out of time and people are dying for a coffee break and are jetlagged, so, okay, well, I'll hand it over to you, Manal, and to close the meeting.

MANAL ISMAIL (GAC CHAIR): So just to thank everyone on the panel, and thank you for reaching out to the GAC. And we look forward to a cooperative relationship later. So, thank you. And for GAC colleagues, we'll be meeting with the GNSO at 3:15, so please be at the room in time for the meetings. Thank you.

MANAL ISMAIL (GAC CHAIR): So, if you please start taking your seats.

MANAL ISMAIL (GAC CHAIR): So, welcome back everyone, and this is our regular meeting with the GNSO council. We already have GNSO liaison to the GAC and a GAC point of contact to the GNSO, so I'm going to hand again this session to Ghislain to moderate the session. I understand

Ghislain that you have already agreed with on an agenda so over to you, and I think we need also the GNSO council to introduce themselves.

KEITH DRAZEK: I am Keith Drazek. This is my first ICANN meeting as GNSO chair. I'll introduce myself. I have been active in the ICANN community since the year 2000. I currently work for Verisign, the registry operator for .com and .net so I came from the registry stakeholder group in the GNSO who I understand you met with just prior to this. And I am as I said the current and new council chair for the GNSO. I look forward very much to working with you all and to engaging. I see some very familiar faces out there. And happy to take any questions. But that I'd like to allow my colleagues on the GNSO council leadership team to introduce themselves. We've essentially a chair and 2 vice chairs. The vice chairs come one each from the contracted party house and the non-contracted party house of the GNSO.

UNIDENTIFIED SPEAKER: Council vice chair for the non-contracted party house.

PAM LITTLE: I am Pam Little. I work for Alibaba. I am the vice chair of the contract party house of the GNSO council. This is also my first

meeting on the council leadership. I look forward to working with you all thank you.

JULF HELSINGUS: I am Julf ... I am the GNSO liaison to the GAC and just for information I'm Swedish speaking Finn living in the Netherlands. Thank you, Rafik.

GHISLAIN DE SALINS: It's always a pleasure for GAC to have the joint traditional joint GNSO GAC meeting so we welcome the leadership and Keith as the new chair of the council, so we look forward to work with you in the meetings and inter-sessionally. So we have a dense agenda for this meeting. 60 minutes meeting. I don't know if you can put the agenda on the slide. Thank you very much. So we have 3 items on our agenda. The first one is IGO access security of rights. The second one is on the WHOIS GDPR on the progress of the EPDP and the third item today is the new gTLD subsequent procedures. So the way to do is for each item I will give the floor to the GNSO topic lead. Then to the GAC topic lead and then we can open the discussion for comments. So we will start with the IGO curative rights and back to you Keith.

MANAL ISMAIL (GAC CHAIR):   So meanwhile as we start the discussion, if we can just have the slide that has the questions of the GNSO please? Thank you.

KEITH DRAZEK: Thank you, Manal. So again for the transcript I'm Keith Drazek. I just want to take a moment to thank Manal, and the GAC leadership team and the interested parties who joined a joint call with the GNSO council leadership and a few additional folks from our side to discuss the topic of IGO, INGO curative rights with a week or a week and a half ago. I think it was a very constructive dialogue, and a very helpful conversation that hopefully will inform this discussion today so we can have some constructive engagement about a possible path forward. So let me just restate I think just for the benefit of everybody in the room the what I put in the e mail initially to Manal which was to give an update as to where the GNSO council is today on the IGO INGO final report. We as the council received the final report from the PDP last year in July. We have been deliberating and discussing this topic for many months. And our target date for a resolution of this issue is currently our council meeting in April. We are still considering all options. There have been no decisions made about how the council will execute a decision on this particular issue. As I noted in the e mail that I sent. We are still considering a range of options, and those options are all still very much on the table. One of the possibilities of that range of options could be

identifying the recommendation number 5 as something that needs further work. As potentially having been out of scope for the PDP or the fact that the recommendations in that   or the recommendation number 5 has direct impact on the UDRP the subject of an ongoing PDP related at that rights protection in all the gTLDs and will be the subject of Phase 2 of that work. So having set that stage or that understanding, our hope is that we can better understand the views of the GAC and the interested parties in the GAC who you know about the possibilities that we may consider moving forward. And if it were decided that we need to do further work on recommendation number 5 in particular, we posed the questions about would members of the GAC or interested parties be able or willing to participate in a renewed effort on the topic and there were specific questions we have in front of us. I won't go through the specifically now but I wanted to set the stage and say we are very much interested in hearing from you about your views on these particular questions. It will help us inform our work and our deliberations about the best path forward. So thank you, Manal.

MANAL ISMAIL (GAC CHAIR): Thank you very much, Keith, and again, thanks to you, and to GNSO colleagues for constructive dialogue inter sessionally. Much appreciated. So I think with it this we can maybe open the floor Ghislain for.

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GHISLAIN DE SALINS: Sure. Thank you. So is Brian Beckham in the room from WIPO. I see him arriving. So thanks Brian for joining. I have given the floor to Brian as he is the topic lead and we will open for general comments and afterwards go back to the questions from the GNSO. The council would consider the work as outlined in the slides so first I will give the floor to topic lead for the general comment and then open the two other GAC members.

BRIAN BECKHAN: Thank you, Ghislain, and that is Brian Beckham from WIPO. I understand the question is about what are the GAC views on the possible paths forward. The council level and how does the GAC see those. One way to look at this of course is that the recommendations are part of a package. Another way to look at them is to see if you will the "most damages recommendation" is the recommendation 5, which not only goes directly against long standing GAC advice, but goes against the legal opinions provided by IGO legal counsel toss this particular working group so for us whether it's a suggestion to rather than have the council vote for part or all of these recommendations, to tee up a potential conflict between GAC advice and GNSO recommendations, rather to recognize that these don't meet with the GAC advice that's been provided over the years. They don't

meet with the IGO's own assessment of their status under international law, engaged in a dialogue. There are a number of potential options to take this forward. It could be reconvening the working group in a more accelerated concentrated fashion along the lines of we have recently seen the EPDP which used a smaller representative set of community members that may be one potential option to look at. And IGOs want to express willingness and commitment to not only a dialogue but to a positive solution on this file for everyone, so with that I will welcome other people's views. Thank you.

GHISLAIN DE SALINS: Thank you very much, Brian, and thanks again for your leadership and this issue in particular. Are there any general comments about this topic from the GAC side? Any GAC members I see Iran for the floor. Is there anybody more   Okay? So Iran please.

KAVOUSS ARASTEH: Thank you the leadership of the GNSO. As far as I remember this IGO has been on the table for years and years and years. So I hope under your chairman ship of the GNSO we have a workable solution for that. I see some relation between option 2 and option 4. And I don't know how you see that. But we would like to have some not continued dialogue, but an effective resolution of the matter. Thank you.

GHISLAIN DE SALINS: Okay, thank you very much.

KEITH DRAZEK: If I understood your question between number 2 and number 4 you're interested in the distinction between the 2 and it's a good question. There is a possibility of re starting the work under either the existing group that is concluded its work and issued a final report but perhaps re-chartering that group. Under what we are calling in the GNSO council work our PDP 3.0 improvements. And taking some lessons from that effort. So the possibility would be to re start the work under either the existing group or a new group under a brand-new charter to re-charter the group and start over on that topic. The other possibility would be number 4 is to approve recommendations one through 4 which do not create new consensus policy and don't change existing consensus policy. But then refer recommendation number 5 to Brian's point, the one that would actually change the existing UDRP consensus policy and refer that to either the RPM, PDP working group which is considers UDRP in the next phase or perhaps a new working group or a new EPDP as a possibility and just to remind everybody an expedited policy development process is essentially the same as a regular PDP, but it doesn't require the first step of a PDP, which is an issues report. The issues report is

usually used in the GNSO process for a PDP to sort of set the stage and do the research, and establish the framework for the group. Much of that work has already been done. So we could consider an EPDP for a reconstituted work effort around recommendation number 5. So I think that's the difference in the distinction between 2 and 4. There is some perhaps some overlap, but we are sort of considering them as distinct options at this time.

GHISLAIN DE SALINS: Thank you. I think WIPO has the floor, so please Brian.

BRIAN BECKHAM: Brian Beckham, again for the record. I want to build and what Keith said so everybody appreciates here. First, we just came from a session with the council. I'm' also co-chairing the RPM the rights protection in all PDP's and there was a question raised to us whether we thought it would   how it would work to integrate the IGO work into that. There are some pretty fundamental questions being raised about the timelines and that working group. Some questions about whether that may impact subsequent procedures, and things of this nature. So just to give people that side of the equation. Then the other thing I wanted to mention in terms of convening an expedited policy development process is under the PDP 3.0 model, a lot of the ground work has already been laid for this, so we're not you know

we're not starting from scratch, we are not re-inventing the wheel. We IGOs did a lot of work with ICANN Board at different moments along the way with members of the council we pro produced a report called the small group report. There are a number of letters I mentioned the other day. There's list of about a dozen pieces of information that would already help inform this group. So that we would have a good jumping off point. Thank you.

KEITH DRAZEK: Thank you. This is Keith Drazek again. I completely agree with your observation there. Let me just point out also that when you see the reference to the EPDP on the slide, an EPDP as I said is basically a PDP without the first step. And what Brian and I are agreeing here is we don't need the first step of an issues report in this particular case because the work has already been done. By the previous work of the group. When you see EPDP I know for the folks who participated in the EPDP on the temp spec that sounds scary right? Because of the intensity of the work and you know the fact that it was so structured and that's actually not a requirement of an EPDP ... we could structure at the council level the GNSO council an EPDP in any way that we think is going to deliver you know efficiently and effectively the results of the policy development. So it could be a closed group. It could be limited in terms of its participation, or it could not. Right and so

that's one of the things that we are trying to gather here is information about your experiences in the EPDP. Your experiences in Work Track 5 of subsequent procedures. Are these, are you finding these effective? Could these be considered by the council if we were to decide to re-charter and re start this particular work on recommendation number 5? The other possibility is that as it relates to the RPM, PDP working group that Brian referenced is that when we conclude Phase 1 and URS I mean the council could decide to re-charter that entire group for Phase 2. And decide to implement some of our PDP 3.0 improvements as it relates to the RPM group moving into Phase 2 that could include the IGO INGO curative rights or could not. That could be dealt with elsewhere. All these options are on the table right now and we are wanting to hear from you all about the experiences that you've had in the and the range of GNSO policy work that you're participating in and thank you for that. So let me stop there.

GHISLAIN DE SALINS: Thank you, Keith. Any other requests for the floor? Before I   I've a question. So we discussed this a little bit yesterday. In the short time we discussed the issue and there was a strong interest and the GAC for option 2, 3 and 4 and even strong support for option 2 and your GNSO leadership side what do you think. What is the

option that is the most   what are the options that are the most probable at this stage for the decision that is to be made in April?

KEITH DRAZEK: That's an excellent question. Thank you for that. So I couldn't say that there's a leading candidate or a front runner at this point because quite frankly there are a range of views among the GNSO council. And there are voting thresholds in order to be able to approve a recommendation that impacts a consensus policy or creates a consensus policy. It is unclear at this point where we are going to end up on this. But I think   and let me be clear also that the GNSO council historically has been a body that is certifies the process and procedure was followed by the working group. We typically and historically do not reopen or relitigate substantive issues that come out of a consensus recommendation from a working group. So as we consider this, we are in you know sort of delicate territory as it relates to the history of the council, our role as the policy process managers, and you know looking ahead to are we setting precedent that could come back to bite us? So it's delicate situation. There's range of views of councilors on the GNSO council. Nothing has been decided. But I think our conversation here today and the questions that we've asked you about what if we were to look at this work once again, I think should indicate that there's a seriousness that we are taking this as we deliberate and consider

what our options are, so I know that's not a direct answer to the question but I simply can't give you an direct answer about whether there's front runner or not at this time but we intend   I intend to bring this to a vote and a conclusion one way or the other coming up in April. And that's one of the reasons we really welcome your feedback here today.

GHISLAIN DE SALINS: Thank you. While talking about the process I think there was a lot of concerns raised by the... participated in the working group their views were not taken into account so I guess it would fall under the process aspects. About of we move to the specific questions that were asked by the GNSO council is there any views from GAC members on a general topic before we move on. Iran, please.

KAVOUSS ARASTEH: Yes, I request you Keith to kindly consider deadline for the results. Even a target deadline but not unlimited. Put something based on the progress report you can convert that target deadline to definitive deadline. Maybe by end of this year. Who knows?

KEITH DRAZEK: Thank you, Kavouss. Yeah, so the topic of deadlines is something that the GNSO council through our PDP 3.0 discussions that were

recommendations from last year we are now going through the consideration of implementation of some of these recommendations to improve our ability to manage processes, deadlines for PDP working groups is absolutely one of the things that's been discussed. So I think that's certainly on the table as a consideration for what might come next. Thank you.

GHISLAIN DE SALINS: Thank you, Keith. Any other views? I see Switzerland is asking for the floor.

SWITZERLAND: Thank you very much. And welcome. Good afternoon. And I apologies for being a lit late. So first of all are we already discussing the curative rights PDP? Okay, so I think perhaps a general comment or answer on these questions, and it is something we discussed in this call we had a couple of weeks ago. I feel that we are all aware of the issues that have arisen in this PDP, so we can value them in different manners, but we cannot turn a blind eye on their existence, so this if we you were to go through the option of adopting the final report and this goes to the Board, it is more or less assured that we have then a conflicting views between the GNSO and the GAC. And I think that we are still at the right time to avoid that, and to come up with an agreed solution between the GNSO, stakeholders and especially

the IGOs but the IGO as have been consistently being supported by GAC advice, and turning to, to your questions, I wouldn't dare to micro-manage or micro-advise you on what is the best avenue but some sort of re starting before the recommendations were really fleshed out could work, and if that re start would be with... the ICRC and the Red Cross re start of the PDP with chairperson that everybody perceives as completely neutral and objective, and if the participating GAC members and IGO representatives felt assured that their voice and their say will be considered, even if they are only one person or two persons. As it happened in the ICRC where it was the Red Cross representative normally together with me to were the only ones participating in those calls. I think that could give us a very good opportunity, and there is a lot of work that is already out there, many submissions from IGOs from the GAC, from other stakeholder groups, legal, legal memos on the different issues, so if we added a deadline I think that this should be feasible in a reasonable time, and this would be much more efficient than going to the Board and then having to return back or whatever that course of action would take us. So I leave it by that, and I hope this is helpful. Thank you so much.

KEITH DRAZEK: Thank you, Jorge, and I think your point about not wanting to go through a process that would then sort of extend this and potentially end up with you know conflicting positions that then

come back to us and then my view is that I would like to avoid and I think the council would like to avoid a situation where we end up sort of back at square one you know in a matter of months or a year after having gone through a long process that perhaps was avoidable. That's not at that say that at times there won't be instances where GNSO policy recommendations and GAC advice you know are not in conflict. I think it's to be expected at times. In this particular case however I think that there are other possible considerations that the GNSO council and engaging with GAC colleagues and others you know need to take into consideration to try to avoid that situation, so I think what you're hearing from us, from a council asking for your input on these key questions, is to try to figure out what might be the least bad path forward recognizing that we are in a bit of quandary as it relates to our processes and procedures and that we are trying to find the best way out. So. And we certainly appreciate your thoughts on that, and thank you.

GHISLAIN DE SALINS: Thank you, Keith. There's agreement here so we all want to avoid the Board has to deal with conflicting recommendation and GAC vice. So we should work on the basis for sure. Are there any more requests for the floor? Do you want to introduce the questions from the GNSO maybe and then see if the GAC has something to say?

KEITH DRAZEK: Okay. So thank you. So, yeah, let's get to the questions, and so and I think I've heard the answer at least to some of these questions already from the various interventions, but in the if the GNSO council were to reconsider this work would interested parties among GAC members be willing and available to participate? And it sounds like you know, I think Jorge and Brian at least indicated that you know under the right circumstances, that that would be of interest. I don't want to put words in your mouth but that's what I think I'm hearing. If anybody else would like to speak to this I'd love to hear more voices and any voices? And if that covers it that's okay too. Next, sorry? [Inaudible].

KEITH DRAZEK: The next question.

MANAL ISMAIL (GAC CHAIR): We have Brian, please, WIPO.

BRIAN BECKHAM: Thank you. Of maybe there is a little out of order but because we've already started to answer some of these questions. This really goes to I think both the first three questions, and maybe answers the 4th question. I'm hear with you, I'm from the World

Intellectual Property Organization, I'm usually primarily here in ICANN meetings because the institution where I work, we have different bodies who develop international legal frameworks for IP rights and so we have a very strong interest in rights protection discussions around ICANN, and so that allows me to sort of also be here to support the IGO file. We're not joined hereby normally we have a colleague from the OACD and going back as far as Prague I think there were maybe 20 or 30 IGOs present and at various points along the way we've had a coalition of 40 and 50 IGOs interested in this file organizing letters from the United Nations legal counsel's office from the United Nations secretary general, so although I am here physically alone, I am not speaking simply on my own personal or my institutions behalf, and the reason I mentioned that, and this really goes to supporting what I think is in the air with respect to the first 3, and even the 4th question of some sort of an expedited focused process with a fixed time line, with a more nimble representative make up is that in, in thinking about coming to this meeting, the representative from the OACD expressed his inability to participate in this meeting, and that was primarily because   and I'm reading from an e mail that was sent internally amongst a group of us on the GAC   was that unlike some other stakeholders who can justify resources participating in ICANN processes and I'm paraphrasing a publicly funded organization whose primary purpose is producing information and providing governments cannot

dedicate resources to PDPs and so the reason I mention that is simply to affirm that that if we are able to do this in a more efficient manner than was done with the previous PDP effort, certainly you can count on IGOs to give it their best to participate in this in good faith. At the same time, if we're faced with another four-year long process being frank with you, that becomes more and more difficult for IGOs to justify participation in because there are other you know, humanitarian and international work that's being undertaken by these entities that really has to be a core focus of their institutions. Thank you.

KEITH DRAZEK: Thank you very much, Brian. That's excellent feedback and the type of thing the GNSO council is here interested to hear and to take on Board. And I will say that again referring back to our efforts over the last year, almost year and a half on the PDP 3.0 improvements efforts I think is a recognition at the council level that no PDP should last four years. No PDP should probably last 3 years, and we need to do a better job of focusing and scoping PDP efforts and ensuring timelines are met, etcetera, etcetera. There are a lot of thought and effort has gone into our PDP 3.0 discussions. And I don't want to belabor the point but I think the things that you've identified as obstacles to your participation we've recognized are obstacles from others as well in even in our GNSO community so your points are well taken. I don't know if

anybody else is in queue but the 4 questions on the screen I'm not going to read them but let's just open it up for further services. I would love to hear our views on this and we are committed to taking the discussion here today away, and discussing further with council this week, as we look forwards trying to bring this to a conclusion as a procedural matter, you know as I said in April. Thank you.

GHISLAIN DE SALINS: Thank you, Keith. Another point in which GAC and GNSO can agree and is making PDP's faster and more phish Ernest. Very, very efficient day for GNSO and GAC. Of is there any more comments on this topic of IGOs. Curative rights? Well if not, I think we can move to item number 2 of our agenda. Oh I see the chair.

MANAL ISMAIL (GAC CHAIR): Just very quickly, again to thank you Keith for the discussion on thank my GAC colleagues for the interactive conversation, and thank you also for the questions because this helped us structure our discussion, and have this fruitful dialogue so thank you, and please, if you need to reach out to us, don't hesitate. If we can facilitator help and informed decision by the council, between now and April, please let us know. Thank you.

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KEITH DRAZEK: Thank you Manal.

GHISLAIN DE SALINS: Okay so we can have slides for agenda item 2 which is EPDP. So I will let you, Keith, introduce and give the floor to the GAC members of the EPDP for them to make a comment if they want to.

KEITH DRAZEK: Okay thank you very much. So item number 2 is a status of the progress on the expedited policy development process and the temporary spec. EPDP for short. As everybody knows and let me just preface this by saying thank you very much to the GAC and members of the GAC who participated in that EPDP. And the support team and everybody that worked to help us as a community, the GNSO process, but it was a community effort to reach the conclusion that we did, which was did he delivering a consensus policy recommendation that was approved by the GNSO council on the 4th of March. To replace the temporary specification before or by May 25th. The temporary specification as you know was imposed by the Board in reaction or response to the situation with GDPR and the fact that registrar and registry agreements would be out of compliance and not enforceable

under GDPR as of May 25th of last year much this is incredibly intense, but it was successful. It delivered a recommendation much the council has approved it. There's open public comment period that opened last Tuesday. It will be open for 42 days I believe and then the Board will consider and eventually vote on the consensus policy recommendations prior to May 25th when the temporary specification expires. So thank you to the GAC for your participation. Thank you to the members of the GAC who participated personally. It was a Herculian effort. So as it stands I think I've given a short update and where we are procedurally as it relates to Phase 1. Phase 1 was the part of the EPDP effort to deal with the temporary specification. Now we are at the GNSO council level and within the EPDP working group working to develop a work plan for Phase 2 which is the area that's focused on developing a standardized system for access and disclosure to nonpublic WHOIS data or registration data. Of and so that work is going on this week here in Kobe. There was a meeting yesterday I believe there's another meeting today. And probably 2 or 3 moreover the course of the week to focus on how we transition from Phase 1, and build a Work Plan for Phase 2 that can deliver in a timely fashion recognizing the urgency and the importance of access and disclosure of data under legal conditions. For the users of the registration data. We all   as I mentioned earlier, the Phase 1 work had an externally imposed deadline of 12 months. It had to be concluded in 12 months as

Par the terms and conditions of the registry and registrar agreements. The Board can only impose a temporary specification for 12 months. So that is the deadline that the EPDP was working towards in Phase 1. There is no such externally imposed deadline for Phase 2 but at the GNSO council level we recognize the urgency and the need to not lose momentum from the effort. And so as I said this week the EPDP team with the support of the GNSO council under Rafik's leadership now. Rafik will be the acting chair of the EPDP, because I think as everybody knows. Curt PRITZ the chair from phase one is stepping down. So we have actually initiated a call for expressions of interest for a full-time permanent chair for Phase 2. But Rafik as the GNSO council liaison to the group and also the vice chair of the group is now acting chair for the EPDP effort moving forward. So Rafik at some point feel free to jump in on this is your area of specialty now. But that's essentially where the group is working to try to device and determine the appropriate plan for what needs to be accomplished in Phase 2. Because essentially what that will do is set the expectation on timelines. The expectation on the number of hours per week required of the participant. Expectations of the resources required from ICANN to support the effort so the scoping effort isn't just about saying this is what we need to accomplish. There're a few layers to that. And you one of the things we've heard recently including today from both Cherine and Goran is the concern we need to have some legal analysis

about the viability or whether a uniform access model would be compliant. And there's some questions about you know is this the chicken and the egg scenario, or do we develop some recommendations, come up with a framework and get feedback on that or are there questions should be asked prior to that and so that's an ongoing discussion I think among the group and at the council level. So let me pause there. See if there are any initial questions and then I might ask Rafik to speak directly to what's going on this week.

GHISLAIN DE SALINS: Thank you, Keith. Ashley l ask the members of the EPDP to make comments. Please, Ashley.

UNITED STATES: This is Ashley with the United States. Thank you very much, Keith. I don't think anybody I'm going to say is going to be news since I've been saying it repeatedly now for a couple of days. But just for the sake of everyone in the room, first of all, I want to thank the GNSO and all the other members of the EPDP. I think for the most part it's been a constructive dialogue and I think we've probably surprised most people in the community that we are able to get to a Phase 1 report. I just also wanted to make clear as we discussed here within the GAC, you know we did note our concerns with the state of the Phase 1 report but please don't

interpret that as us objecting to the report. Just wanted to make sure we had our views articulated in writing. But also in terms of moving forward. Of and I don't want it sound like a broken record but I do want to make it clear that I note there are views that the charter of the EPDP was clear and how things would happen from a time line perspective. But for those of us who were not part of the drafting of that charter, it is not clear, and we reviewed it a number of times, and what is considered fact by some that Phase 2 is not going to be bound by the same time frame is not clear to those who are not involved in the drafting. So it came as quite a surprise to us frankly that this could go on indefinitely. So therefore, it is going to be at least those of us who are very concerned about having a conversation and resolution want an access model is going to be absolutely critical this be treated with if not the same, very close to the same amount of quickness and efficiency. And what concerns me as I hear so much focus on the need of going at a slower pace. That it almost seems like it's been ordained this is going to be slower and I haven't heard a lot of rationale other than we are tired and we've been working really hard as the rationale why it needs to be slower. So I recognize that that might actually happen, but the fact that that seems to have been a focus by some that it's going to be slower. It just makes me pause a little bit. Because it's very important and I've said this before as well. Those of us who are very focused on an access model conversation did our best to work constructively

during Phase 1. And we did say patiently and recognizing the importance and hope the same respect is given to Phase 2. I say this in a constructive vein. I'm not trying to be negative. But just being honest. Thank you for the opportunity and thank you for the work so far. Thanks.

KEITH DRAZEK: Thank you very much, Ashley. This is Keith. So a completely understand. Thank you for those comments. And it's very timely that we're hearing that feedback now because as I said. This week the work group is continuing its deliberations about how to basically frame the work of the coming Phase 2. Much so I will say now that this working group. This EPDP was chartered under one charter. It had two phases because there was a need to establish a foundation of understanding in Phase 1 to be able to move to Phase 2 in an informed way. Phase 1 had the deadline that was imposed external internally by the temporary specification but it's all the same work in my opinion. And I think in the opinion of council this was designed to be a package. And I think while there are those who have raised the concern about the ability to find volunteers to continue at that pace, at that intense pace, could undermine the ability to actually staff the group that people might are to say I can't do that because my employer won't let me continue doing that or you know I don't have the band width personally so there's common understanding that the breakneck

and intensities. The pace and the intensity that we had in Phase 1 is unsustainable. It's really important to keep up the urgency. Recognize that this is important to the outcome is important to many people in the community, and I would say including from a contracted party perspective. The predictability that a uniform access model would provide I think would be a good thing for us as well. So I think there's a definite willingness to continue pushing this thing forward you know in a way that is sustainable and will deliver a positive outcome in the shortest possible time. So I completely understand and agree with your concerns.

GHISLAIN DE SALINS: Well, thank you, Ashley. Thank you, Keith. Are there any other comments from the members of the EPDP, Georgios or Kavouss maybe? Kavouss, please.

KAVOUSS ARASTEH: Yes. Thank you. I don't want to put in question the charter. We leave it to   you're listening to me   I don't want to put in the charter the GNSO to continue for important for us is the unified access. That is important. In fact, for GAC this part of the phase is much more important than other so we are really concerned about that. You asked a question about chicken and egg legally. Let's take the experience of the... of the ability. At the beginning we asked Workstream 1. In the beginning and the middle we

asked legal questions. I suggest that you consider this possibility not leaving legal question to the middle or end. Start at the beginning and after we had some progress, then you continue to see whether there are another legal issue or problems that you have to correct, but not leave it to the end because that may not be correct. Thank you.

KEITH DRAZEK: Thank you very much, Kavouss. I think your point is well made and well taken. The fact that I think everything that I've heard feedback from the working group. The EPDP members and staff and others is that the legal analysis and the input was incredibly helpful and critical to being able to make progress, and that had that legal analysis been sought and provided earlier, it could have been more efficient and more   I guess you know the timelines could have been compressed so I think that's a really important point. And I think that that is what we heard a bit this morning in our actually it was this afternoon in our lunch meeting with the Board from Cherine and Goran flagging that maybe we want to get some legal analysis up front before we dive into designing something that may turn out not to be viable or compliant or legal. But again, I guess my concern is as the manager, policy manager of this process from the GNSO council perspective. I'm concerned that you know if we simply say okay we're going to hold off doing anything until we get some sort of legal guidance,

then that could delay things right? And so I think what we need to do is to find or identify what is dependent upon legal advice. What might not be dependent and legal advice and perhaps come up with a couple of tracks but again I'm getting out ahead of myself here because these are the discussions that the EPDP working group is actually having this week. And that is where the group is going to make its decisions about the Work Plan. So just to be clear. The GNSO council chartered this group, it is up to the group to determine its work processes and its Work Plan within our operating procedures. The council is very much aware of what's going on and we are going to likely provide additional guidance, or thoughts to the EPDP working group over the coming weeks. But the ball really is in the EPDP team's court right now as far as the next steps, and obviously the GAC members involvement in that process and in those discussions will be critical. So thank you.

GHISLAIN DE SALINS: Thank you, Keith. Georgios.

GEORGIOS TSELENTIS: Thank you all the colleagues and for all the work that you allowed us to contribute. I would like to concur with my colleagues about the necessity to expedite the phase regarding the access. Regarding the legal issues I think and I recall that at a certain

point in order to have good advice we have to have the right questions and this took us a little time in phase one. I think we are in a much more mature situation now in Phase 2. We know or less where we are heading to. So I think this time will be used more efficiently and we can go much faster in this. So I stop there, but I think the point was made by my 2 previous colleagues that we also very interested to expedite this process in the future. Thanks.

KEITH DRAZEK: Thank you, Georgios, and I think you're right in that and I have a follow-on observation building on what you just said. The Phase 1 work actually while it had 12 months from the beginning of the temporary specification until the expiration it took us 4 months maybe, 5, 4 months to get the EPDP chartered. To get the members appointed. You know to find a chair. And so the actual work of the EPDP team was compressed even further than 12 months, right? And so what I'll basically say in that observation is, all that work has been done. We don't have to go through that again. The EPDP team is in place. The charter is still fit for purpose. We don't have to redo all of that work. We have to find a new chair and we will. Butted in the meantime we have a very able vice chair acting chair in Rafik who will continue the chair until we identify the chair to make sure the team is prepared to move forward as quickly and efficiently as possible. So while we

talked about the 12 months of the temp spec and Phase 1 the actual work was compressed. If we look at how quickly can Phase 2 be accomplished, we are ahead of the game in terms of the composition of the group and the chart certificate done. I am optimistic with the right work and focus this week and over the next couple of weeks to get this group sort of pointed in the right direction for Phase 2 that we can actually make good progress in a timely fashion. I take your point with that you're we are already furtherer along in the standing of what the legal questions might need to be. So thank you. Yes, Rafik.

RAFIK DAMMAK: Thanks Keith. Just to add this, we are now, I mean the EPDP team level, and that transition phase to prepare the next steps to Phase 2, and so that's why we are focuses on the Work Plan as we were instructed by the GNSO council. So all the comment and input are needed now during in particular this week as we started yesterday. We got already kind of I think several inputs what different members of the EPDP team think we need and what are the resources we need. What is the interdependency we need to care about and also how we can change our work ... so from there we can shape our Work Plan, and identify the work that need to do? So that I don't think we had that chance really in phase one because we needed to run. So we are learning from Phase 1. And I think we have that opportunity, so everybody knows what we

need to do, and we are open to move for Phase 2. So I'm also optimistic and so if we get the Work Plan ready, there is nothing that prevent us from moving to Phase 2.

GHISLAIN DE SALINS: Thank you, Rafik. With the positive comments key might finish Phase 2 in 6 months if I hear you correctly. Let's discuss this in 2 ICANN meetings and see where we are. [Inaudible]. Are there any other comments from the GAC? I see Iran looking for the floor.

KAVOUSS ARASTEH: Yes, simple question. At the beginning of the meeting in lunch break I heard that there have been some proposals that you continue to promote and foster your collaboration with governments. I urge that you do that even though at the end of the meeting representative of one stakeholder says that that person is concerns about the collaboration with government. I request you kindly not to take that into account. Continue to collaboration with governments because from 2010, this collaboration has given the very fruitful results, and this collaboration is required. Thank you.

KEITH DRAZEK: Thank you, Kavouss. This is Keith. So yes, I understand the conversation that you're referencing. I will say there's wide range

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of views among counsellors in the GNSO, and but I think our participation here today and engagement with you here today is a really the strong example of how much we value and rely upon the engagement with governments. As we make our policy developments around gTLD policy so thank you for that.

GHISLAIN DE SALINS: Thank you, Keith, from the GAC side we also value cooperation with the GNSO we are appreciative of your presence. If there's no oh I see U.S. is asking for the floor.

UNITED STATES: I just wanted to make sure I ended on a positive note and say I think yesterday's conversations we kicked off Phase 2 was really well done. And I think it was done in a really good spirit and tone. And I look forward to continuing to work with my colleagues, you know, the EPDP and hope it continues down that positive path so thank you.

GHISLAIN DE SALINS: Thanks, Ashley. We have 5 minutes left for the last item. So be efficient. Like EPDP. So last one is new gTLD subsequent procedures. Please introduce the issue.

KEITH DRAZEK: So thank you very much. Yes, on new gTLD subsequent procedures another good example of engagement with governments and the GNSO PDP process. Particularly in Work Track 5. I know there's a lot of discussions that have taken place already this week. There was a full day of meetings yesterday. I know there's more coming. And so I think that the subsequent procedures PDP has still quite a bit of work to do. We heard actually just before this meeting a report from the co-chairs Jeff Neumann and Cheryl Langdon Orr done or that the group believes it is on fracture to deliver a final report to the GNSO council for consideration in Q3 or Q4 of this year. Obviously, we know there are still ongoing discussions in a number of areas including Work Track 5. So there's some question as to whether there will be another public comment period required. I think there's a recognition among the co-chairs and the participants of the group there might be especially if some of the new recommendations or the final recommendations are new. Or newly introduced since the initial report. And so there could be a subset of parts of the report that need to go out for another public comment period. So there's some variability in the possibilities of the time line but current time line is probably a worse case you know Q4 by the end of the year. For delivery of a final report. That could slip but that is currently I think the likely target at this time. And then the council will consider that vote at the appropriate time, and forward it to the Board for consideration.

So we very much value the participation of governments and Work Track 5 in particular and obviously it's important … geographic names for everybody including you.

GHISLAIN DE SALINS: Thank you, Keith. Any comment on the GAC side? I thought Keith was looking as Olga so go forward.

OLGA CAVALLI: Thank you, Ghislain. First let me congratulate Keith for his new role as GNSO chair. Of well deserved, and many thanks for the GNSO coming and visiting us in the GAC and I'm really impressed about how much have we improved our dialogue and relationship. I remember years ago that there was substantial different perhaps colleagues in the GAC were not participating at that time, but I do recall and you must recall that maybe Manal as well. So this is I think remarkable and one good example is this co leadership that we have in Work Track 5 that has worked really very well with and a bet from ccNSO and half I can't remember. Martin Sutton from the GNSO and myself representing the GAC. We have extensive explain this process this morning and yesterday and I don't want to go into these details. It is not an easy task as you said. There are different views even within government, also within the GNSO, and the ccNSO and ALAC. I am always optimistic. Of that is the way I always see things. So I

hope that we can reach a new document that will avoid the conflicts that we had in the first round. That this is the main purpose of this Work Track 5. So thank you for the GNSO for opening this space. This cross communities' space and we hope that we are on time to reach that. The goal by the end of the year within the whole process of the PDP. Thank you.

KEITH DRAZEK: Thank you very much Olga and, yes, I think the council were so much looking forward to receiving the final report and we are obviously keeping track of what's going on in the group through our council liaisons to the group and so you know thank you again very much for all the effort, and the time that's gone into it. Trying to think if there's anything else I wanted to say about subsequent procedures but it's obviously important work. And we look forward to receiving that final report.

GHISLAIN DE SALINS: Thank you, Keith. Well we are already running out of time and we have the registrars I this highway waiting for us in the room so if you want to wrap up maybe and I will give the floor back to Manal.

MANAL ISMAIL (GAC CHAIR): Thank you, Ghislain. Thank you, Keith. And thanks to Julf and everyone. Thanks we will continue our GNSO dialogue today. We

still have the registrars to talk with but thank you for this constructive discussion and we look forward to more. Thank you.

GHISLAIN DE SALINS: People from the registrar stakeholder group could come to the table please thank you.

Please stand by.

MANAL ISMAIL (GAC CHAIR): So maybe we can start until the slides are loaded on the screen so again welcome to the registrar stakeholder group, and I understand we have a very interesting agenda on third party access to nonpublic… registrar efforts on DNS abuse so topics that have all the interesting key words to the GAC so again. I will hand over to you Graeme so that you do the introductions and then maybe Ghislain you can run the session. Thank you.

GRAEME BUNTON: Thank you Manal. This is Graeme Bunton Tony work for… the chair of the registrar stakeholder group. Thank you for having us. We don't often get the opportunity to speak with the GAC but we think it's important to do so and appreciate the time. With me I have Sarah Bockey and Michele Neylon, one of our GNSO councilors. Oh, we have a slide up. Great. So this is just a bit after

agenda we are going to try and see how much we can get through this today. I recognize also that it's after 4PM. In a long day of a set of long days so I will try and keep this lively and keep you entertained and we will see if we can move through this quickly and make sure we have good time for questions and interaction. So the first thing on this   do we have anything else or bookkeeping before we dive in? No. You're good. Okay, great. So just a brief 2-minute introduction on registrars. I do this only because I know that there's lots of new people within the GAC and I see lots of new faces and so sometimes this is useful. So registrars are the interface between registrants and domain names. We are the typically companies that distribute domain names most of the time we sell them. We range from the very large registrars to very small registrars that are a single person working in the basement. There is something like 2000 odd ICANN accredited registrars. Of those that belong to I believe it is he something like 600 or so unique families of registrars because some companies own more than one credential. Of those about 100 are members of my group. And I have no idea how many are actually here today. Registrars come in a bunch of shapes and sizes. I was saying GoDaddy is the largest of   there's probably some of the   I work for the second largest but we tend to think of registrars as a retail thing where it's a company selling to the general public and that's often not the case. My company is wholesale so we sell to other companies, that have a whole array

of Internet services domains might be a small part of that. And they didn't want to go through the regulatory requirements of accrediting. So and so we do that work for them and then there's also brand and corporate registrars which work with small immediate and enterprise businesses to manage portfolios of brand domains. Keep them secure that sort of thing. So I make this point because I have fall into a drop in ICANN of treating segments of the community as monolithic. I get mad at the GAC or I get that's hypothetical of course it would never happen! Or you know, the ISPCP inside of the GNSO but there's diversity inside each group as there is diversity in registrars. On a day to day basis we are actually competitors. We are working very hard against each other to acquire you know what is essentially the same customers. But we come in this space and try on work together to a chief great end for Internet policy and make the Internet a better place to do business. That's my sort of 2 minutes who we are. I don't know that we need to take questions on that but maybe we can save those for the end and we will get into just what it is that we are concerned about here at this the meeting and then we will get some time to hear some of your concerns as well. So unsurprisingly, you know priorities are the EPDP, implementation of Phase 1 and working through Phase 2. And now you know it's been a long day as I said earlier and I think also you've heard bits and pieces across your day. I was listening to the GNSO in here, and the registries before that. So I think you're

seeing little bits of the same story today. And so there's little bit of this, that will be repetitive, but hopefully some of this is new too. So you know our perspective on the EPDP is that we are really pleased that Phase 1 got done. I think our confidence that we are going to get there he bed and flowed. I this I we feel like we compromised in a bunch of places. And so we are unhappy with bits but happy with other bits and overall, it's acceptable. It is maybe even slightly better than acceptable much it's okay and it's done and great. So we're now beginning to turn our eyes to implementation. Because there is a going to be a bunch of work for registrars coming out of the you know Phase 1 final report that we're going to have to do, which is we are going to have to have engineers write now code. We don't know what at that looks like yet. That has to come out of implementation but we need to start preparing for this and so that's a process we are beginning now to do. And then you know we talked about Phase 2 or I was listening to the talk about Phase 2 earlier with the GNSO, and so I don't know that I have a lot more to add to that. But let me just say that we've heard very clearly from the community inside the GNSO and from elsewhere including the GAC that there is a real urgency to continue down Phase 2 and get that done as quickly as possible. I will state very clearly here that we are committed to that work and we want to get it done as well. The output of or the outcome hopeful outcome of Phase 2 is going to be very good for us. It's going to hopefully reduce a lot of the risks that

registrars see. Helps reduce our liability. Helps us to conform to law, and it also will hopefully if we get a union no idea access model. Reduce from registrars especially as I was saying there's diversity of them and many are very small. Work that we're not necessarily well equip today do, which is assess oh you will know super vast array of requests for data and vetting who those people are, all of that is very intensive resource intensive that most registrars are not equipped today deal with. Of so we are eager to get this done and committed to doing that work. We need it make sure we do that work in an accepts sensible planned way. I have instructions to the EPDP members to make sure we are looking at work plans and figuring out the most optimized strategy for parallel and I'm front running as Keith said the discussion is happening in the EPDP right now. But you know, hear me say that we've heard about urgency. We care. We want to get it done. And we are in there trying to get it done as well. So maybe I will pause there before we go onto another piece to see if there's any questions or thoughts on that whole EPDP? I don't want to belabor an issue you guys are probably feeling beaten up with but maybe there are bits and pieces we can talk about in there?

UNITED STATES: I just went to say thank you. What you said it really nice to hear. And I hope that is what we see working in the PDP but I do

appreciate that recognition and understanding that that's what you guys are thinking right now. With respect to the urgency. So thanks.

GRAEME BUNTON: Thank you, Ashley. Shall we move on from the EPDP implementation in Phase 2? Great. I feel like I got off very slightly there. Thank you. So related to that is I think an important piece of work that we have produced relatively recently, and we've been sharing with the community and I have shared with some governments but wanted to share with you here is so on May 25th when WHOIS largely went dark a lot of the concern we heard and this came out of an I think it was the there was a meeting with the GAC and I can't remember where it was because to know knows where it was and it was an ICANN meeting but there was a concern amongst the GAC and the rest of the community that now that WHOIS is largely dark people don't know how or where to go to request registrant data. Where they have a legitimate purpose. And so we took this on Board as a problem that we can try and help solve and so registrars work together to produce a document who is specific name escapes me at the moment. It is the minimum required information for WHOIS data requests. It's published on the ICANN registrar's website. Which is ICANN registrars.org. And it is not rocket science about you lays out the requirements that any third party would need to submit to us

when they're requesting registrant data. So what we are really hoping is that provides some clarity and some understanding and a relatively straightforward chic list of the data that you need to have, or your constituents need to have in order to request data from a registrar and so you know it's like the domain name much it's who you are. It's you know the legal basis for the request. Things like that. Again, it's not rocket science but you know I think that helps. And so we are hoping that this makes everybody's lives easier. It helps clear up some assumptions of what people are asking for or not asking for. There are a couple of caveats to that document. It's not   it's not binding on registrars. I don't have a mechanism to make everybody do everything which is too bad because I could abuse that for fun ends   you know but this has been agreed to by a large set of the name space to people like when we get a request that has this set of information in it, we can now do something with that. Doesn't guarantee people are going to get the data they've requested but it does mean that the registrar is capable with the informing of making an informed assessment of that request. So I would encourage you to take a look. And I will see if we can get that document out to the GAC secretariat and shared out because I think people would find that helpful as well. There's   so that document is mostly for third parties but does not, it is for third parties but does not specifically include law enforcement. Very briefly law enforcement is trickier because there's jurisdictional

issues that we need to sort out. And for that I'll just say that many registrars are working with their own local law enforcements directly and there is some work amongst a number of registrars but it's not a stakeholder group initiative to work with law enforcement and figure out if there is some mechanism that can be worked out on a voluntary basis. We look forward to those discussions continuing. We are meeting with the public safety working group here in Kobe and look forward to that discussion as well to keep moving that along to see if we can find some common ground there. And make that a little bit clearer. And I think that's all I want to give you on that particular piece. Do we have any questions there? Thoughts or comments?

GHISLAIN DE SALINS: Thank you, Graeme. You mentioned a document a federal budget published with minimum requirements to get data. Do you have any numbers about how many registrars implemented such a policy? And if they did, you know how many maybe a percentage of how many requests they authorized to get access, or how many requests they rejected based on this minimum legal requirement just for us to view to see if their document has been used by the registrar or if it just you know, complementary document basically.

GRAEME BUNTON: Good question. This is Graeme again, for the transcript. So it's probably too early to tell home people adopted this and it's not a formal policy. So I don't have people signed you on. It was generally agreed to. There were a couple of registrars that opted out or at least expressed the desire that they could still choose to manage these requests how they saw fit, which is of course the case for everybody. They need to manage their own legal risks and requirements. In terms of stats I can put on my not Graeme chair hat but my from Tucows hat and we published a wonderful block post thank you REG about access it our own data, so we are the second largest registrar we've been electing the stats for a year. How many questions have come in. How many Workstream fulfilled and rejected and that is on the open SRS.com blog. That's again a link I can send out because I think some of the domain press covered it too. I think it was like from domain inside or domain name wire. Because I think that would be informative to there's some interesting stats there about that. Most of it I would very briefly, most of those requests were, I think what we call commercial litigation. It was intellectual property trademark copyright requests. Something like 90%. And then there were very few law enforcement, and even less there were 2 law enforcement, 2% law enforcement, and very few cyber security. But the   yeah vast majority was commercial interests. So please feel free to check that you to the. I feel like Michele –

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MICHELE NEYLON: Michele Neylon, for the record. The question is interesting. As Graeme mentioned first off. The document is more something that we've tried to put together as a stakeholder group in order to give both our members some guidelines because some of us don't have huge legal teams, and then also to give third parties like the rest of you some kind of help in terms of navigating it because in all forms of abuse, one of the biggest issues has always been setting expectations, which I will be speaking to about afterwards. In terms of statistics, I think you might find some data , I mean as Graeme mentioned register wrote a blog post for Tucows which went documents they are experiences. And some other registrars and other providers do publish transparency reports like once every 6 months or so, you probably find some information in there. But I'm not sure that there's any kind of consistency in terms of collecting that kind of data. So providing it is a bit awkward. Thanks.

GRAEME BUNTON: Thanks, Michele. That's a preview of the requirements that we published. Great. That's the slide. So I forget how long do we have. Do we have until 4:45. So that's only 7 minutes. We were going to talk a little bit about DNS abuse and registrar efforts

there. But I feel like there's some questions we want to get to and maybe leave that for the end if we have time.

UNITED KINGDOM: Chris. ... from the U.K. Just on the previous point with the guidelines I know a number of agencies within the U.K. have used some of that guidance that came out to after the last meeting and have successfully received information off the back of that. So first of all thank you very much for that. I think that guidance has been good for both sides. However, there have been some registrars that haven't replied off the back of that. Actually said you can't enforce that. Of sorry. Thank you. So yeah, obviously you can't enforce that so still see the need for that unified access model that we're going to work to in Phase 2 and obviously look forward to working with your group on that. Thank you.

GRAEME BUNTON: Thank you. This is Graeme again. Yeah there's going to be a diversity of approaches. I think   and I was just notified unfortunately, I think our public safety working group meeting was cancelled for Wednesday morning so we are going to find another slot. But that will be an excellent opportunity to dig into the details on some of those a little bit. To find out if it's just someone being recalcitrant or if there is a truly issue we can work through to make that smoother but ultimately yes. This should

hopefully only be a stop gap until something more robust and doesn't rely on me to read a bunch of e mails and flip some switches. Were there other questions to that? No? Great. So maybe I will pass over to, Mike told give us 3 minutes and DNS abuse and see if there is any other AOB.

MICHELE NEYLON: Thanks. So I suppose the real thing here is just to make you all aware that registrars and registries as well. Our businesses as Graeme stated at the beginning. They are diverse. There're many different business models but they do share a commonality. We for in order for our businesses to succeed, there needs to be a level of trust. I mean there needs to be a level of trust in the Internet being secure and stable so it's not in our interests that there is DNS abuse. I and when we talk about DNS abuse we are referring primarily to infrastructure abuse. We are talking about botnets spreading malware that kind abuse something we can all generally an agree on it's not something that is subjective. So we probably haven't done a particularly good job in terms of publicizing the kind of activities that we are engaged in, but most registrars will take action pretty quickly. I mean speaking on behalf of my own company, I mean we've been victim of a concerted serious phishing attacks and in many cases, we were able to get the domain names either disabled, taken down, or the content you know dealt with let's just say, in a matter of a couple

of hours. I'm often dealing across multiple countries, working with registrars and registries on both sides of the Atlantic. I suppose the thing is that it goes back again to the point about the standardized what kind of standardized reporting child pornography structure that having those dialogues and those conversations we are always happy to have. You know that if we are able to get provide you with guidance on how best to report issues to us, that we are always happy to do that. Of I think I don't have much more on it really. I mean it's pretty straightforward. DNS abuse is bad. We don't like it. I don't really have a huge amount more to say about it.

GRAEME BUNTON: Thank you for that succinct summary. I was having 2 minutes left although it's your meeting not mine. Does anyone have any other pieces they would like to share with us? We   I don't   I'm not   I'm not no love with my own voice so it's   I would love to hear from some of you and if there's pieces that registrars can take on Board from the GAC that would be lovely.

MICHELE NEYLON: I will take over for two seconds. If any of the GAC members need us to take a bit of time with you to explain anything, or to explain what   to go into further detail about what Graeme was talking about at the beginning. In other words, this   the thing about the

different business models that not all registrars were pure retail, that kind of thing. If there's any of those things that would be hopeful to any of you most of us a fairly approachable but I suggest not approaching any of us before we've had a cup of coffee in the morning. If you value your health of course.

UNIDENTIFIED SPEAKER: I have a question if I may come back to the WHOIS. The GDPR applies to private and not to candidate as from companies so for the citizen it's important to know which company, where is the company and so on so would it be possible in your guidelines to foreseen that the data from the companies will be published because you know there is a discussion because legal and physical person and we don't see any objection to published all the data from the companies. Thank you.

GRAEME BUNTON: Thank you very much. Good and difficult question. So and I don't think we are going to have time to really get into that, but we can maybe talk about it off line. I think the short answer is that many registrars don't know which of their registrants are businesses or not and there is not a reliable method to go backwards and figure that out. And so that's quite difficult a task. And essentially has to be done one at a time. And for some of us that's millions and millions of records. I believe some registrars have made that

distinction from day one and so they might already have that data, and but some have never so I think, you're again going to see a diversity of approaches to that particular problem. Some of them are going to be more amenable to segmenting registrant basis into commercial or noncommercial or you know, person or not person. There is no one consistent approach unfortunately, that we've got at the moment. But it's certainly a topic in the EPDP and something that we've discussed.

GHISLAIN DE SALINS: Okay, sounds like that's it then.

GRAEME BUNTON: We are beginning to run a little bit over time. Again, thank you Manal, Ghislain for having us. We appreciate the time. Thank you to the GAC. If you see myself or any of my colleagues in the hall and have other pieces to discuss employees feel please feel free to stop us and we look forward to interacting with you all again soon. Thank you.

[Applause]

MANAL ISMAIL (GAC CHAIR):   Thank you very much, thank you for reaching out to the GAC, and for the offer even for bilateral chats. So for GAC colleagues, we

have a break now. Please being back at the room at 5 so that we can continue our discussions on new gTLDs. We have a session on auction proceeds, then subsequent procedures. Thank you.

[END OF TRANSCRIPTION]