

Talking Points

ICANN70 | Virtual Community Forum – At-Large Leadership Session: Welcome to ICANN70 and Policy Talking Points
Monday, March 22, 2021 – 09:00 to 10:00 EST

YESIM NAZLAR: Hello, and welcome to At-Large Leadership Session. Welcome to ICANN70 and Policy Talking Points. My name is Yesim Nazlar and I am the remote participation manager for this session. Please note that this session is being recorded and follows the ICANN Expected Standards of Behavior.

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With that, I will hand the floor over to Maureen Hilyard, the Chair of ALAC. Over to you, Maureen. Thanks so much.

MAUREEN HILYARD:

Thank you, Yesim, and welcome everyone. This is Maureen Hilyard for the transcription record. And I'd like to say good morning, good afternoon, good evening wherever you may be watching into ICANN70. And welcome to this lovely early morning—3:00 AM in my part of the world.

This first session of the ICANN meeting is to introduce what sessions are topical for At-Large during this four-day virtual ICANN70 week. And this particular session is going to be fairly short but packed with bodies, starting with a welcome message directly from Mexico where we would all have been, except for a little issue called COVID. But we'll have a message from our own, Leon Sanchez, the vice chair of the Board. Then we'll have a brief overview of what's on top for us for this week's meeting, followed by some important At-Large policy talking points which generally starts off all our ICANN meetings.

But first of all, I'd like to invite Leon to take the floor and to welcome you to ICANN70. As soon as he starts speaking, I want you to try to imagine that you're with him in Mexico where we may have been. Thank you, Leon.

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LEON SANCHEZ:

Muchas gracias, Maureen. Thank you, all. It's a pleasure to give you a virtual welcome. This is a part of a beach where [inaudible] and where the temperature of the times ... We can long for the time where we can see each other face-to-face. It's a shame that we had to move this session to a virtual scheme, such as we did last year. But I think that for all the priority is our health. So we can say cheers with a glass, we need to be healthy first. I believe that the time is coming closer and closer when we can get together again face to face to continue with such an important interaction, which has proven to be a key factor to sort out the different challenges we find in the ecosystem and [inaudible] one of the multi-stakeholder systems, we have one of the virtues is to sit face to face across from each other and learn from the multi-cultural universe which is quite diverse and approach to our experiences, views, and learn from our mates in this ecosystem.

Apart from welcoming you, I would like to remind you that ICANN is a shared responsibility where we all should work for all of us, devote time and effort, and I don't want to fail to acknowledge the effort of everybody this last year which has been quite a challenge from the pandemic and where we have learned that jetlag is something that you may come to miss, and net lag is something that we have become close to in some parts of the world. I know that Maureen, Cheryl, and others are quite familiar with net lag because they have times that are not humane for the meetings, but it is an experience for those who are not used to this pace and it helps us build and understand better our colleagues in other latitudes.

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The agenda will be pretty tight. It's a community forum. Again, I insist I will love this community forum to have been face-to-face because it is the part that feeds the community, but again we have major sessions. I myself will be participating in some sessions organized by At-Large. We'll see later on ICANN's remit in the domain name system. Voices. The voices of the Next Gen. I would like to thank [Matthias] for the invitation and for considering me part of them. And of course there will be sessions with strategic plans for the Latin America and Caribbean region and other sessions throughout the week of virtual meetings.

It's not ICANN's week but ICANN's month, such as my colleague [DaSilva] said. It's not ICANN's week, it's ICANN's month, because the circumstances have brought us to try and distribute these meetings that, before, we used to concentrate in a few days. Because of the virtual nature of what we're doing, now we need to try to allocate them to more days and less hours per day.

I don't want to take any more of your time. I want to wish you all a very successful meeting, to thank you all for having inviting me again. As I always say, it's a pleasure to come back home. It's a pleasure to be close to you and I always expect to do so. And to repeat again, I'm just a click away. You can come to me. You can talk to me about anything you care for or any concern you may have and I will always follow things up and work so as to respond to your questions and cooperate in anything ICANN.



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Thank you, Maureen. Thank you very much. Welcome to Mexico, to Cancun, even when it's virtual. And I hope that I can soon welcome you face to face at a meeting in our country. Thank you very much.

MAUREEN HILYARD:

Thank you very much, Leon, and we're certainly looking forward to meeting up with you on several occasions, I think, during this week and starting very shortly.

Okay. So, what we're going to be moving onto now is just a quick overview of what's on top for At-Large. So, if I can have the next slide, please.

So, what we've got here is what's on for At-Large but also what's on in the ICANN community that is relevant to what it is that we're doing in At-Large and I'd really like to encourage everyone from At-Large to attend those sessions.

But [inaudible] after this session, of course, our next session is going to be one that's a policy session that's being coordinated, as Leon mentioned, by EURALO ALAC member Matthias Hudobnik, who is going to be doing a session that is called The Future of ICANN's Mandate and the Development of DNS but Voices of the Next Generation. I think this is a particularly significant session for us in At-Large to get the user perspective from across society into our policy discussions. We're really looking forward to that one.

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And of course, today, we start in our ICANN70 program the Latin America and Caribbean community of LACRALO is holding their General Assembly here as mentioned and their activity starts today at 19:00. So that's going to be a start of the week of work for the LACRALO community.

Looking across Monday in the ICANN section, later on today there's going to be a panel of the DNS Woman, a group that used to meet regularly in a face-to-face situation. It's so good to see them here today. And the panel discussions on data protection laws and we have Vanda Scartezini and Holly Raiche from the At-Large community participating on that panel, so that should be something to look out for.

Then, of course, we move to tomorrow and we've got another policy session and that one is going to be taken or moderated by Hadia Elminiawi who will be ... The topic is Reimagining ICANN's Role and responding to national pressure and looking at how national governments respond to the challenges that have been [provided] by the Internet. So I think that's going to be an interesting session to turn up to as well.

The only other session for At-Large tomorrow is our At-Large session, the joint session that we have regularly with the GAC team. And it's a really good opportunity for us to be sharing our Advisory Committee perspectives on particular policy issues. Particularly, in this particular instance, we're still looking at EPDP, SubPro and of course the ATRT-3. We'll be discussing that as well. But as well as the official meetings that we have and the ICANN meetings. We do engage regularly with the GAC

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working groups and with the GAC leadership during in-between meetings and that's been really, really helpful for us to give our advisory [and review] perspectives.

But, of course, again looking at the Tuesday program in the wider ICANN [inaudible] is the GAC is also discussing a very important issue for us within At-Large with the DNS abuse [mitigation] that there's a session on. And of course they have their meeting with the Board as well, and it's something that it's a pretty good idea for the At-Large to, again looking at it from an advisory committee perspective but what's on top for governments [inaudible] national perspectives.

Then moving on to Wednesday, Wednesday seems again a pretty busy day for us. We've got a policy session that looks at applicant support. What does success look like?

And for those that have been following the subsequent procedures discussions on our CPWG, this may be of interest to you and others, and Hadia and Jonathan Zuck will be leading that particular session.

Then we'll have a traditional session at ICANN meetings, one that involves the At-Large community, and the RALO chair, Seun Ojedeji, will moderate that meeting on Wednesday.

To end our events from an At-Large perspective, there will be a LACRALO social event, which from what we've been hearing about the preparation sounds like an interesting time to—an event to go to. As well as that, just before that, there will be on Wednesday the GAC GNSO meeting. Again, looking at some interesting discussions that will take

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place between the GAC and GNSO actually today, this morning. This morning there was a meeting between the At-Large policy team and the GAC's policy team discussing DNS abuse and EPDP issues. So, as I said, there's a constant dialogue happening, just really interesting.

Then, moving on to the final day of our program—the conference program—there's only a single event for us in At-Large as we have our wrap-up where we get a debrief of the week and get some highlights, but also one of the things that we are actually going to sneak in there is an introduction to a couple of ICANN Learn courses that we've been spending almost a year on but we're pretty proud of what's been produced so we're going to give you a little bit of a taste on that one, on those [inaudible].

Then of course we'll have our special guests arriving and we'll have a little [inaudible], of course Leon Sanchez again. We've been asking them about their highlights of the week, so that would be quite interesting to hear.

There's a social media competition that we run during the—in the run-up to the meeting and during the weekend. So, Lilian will give us the results of that. We're also offering the NomCom an opportunity to promote the work that they're doing for the ICANN positions.

For the rest of Thursday is sort of quiet. Again, an interesting time. The first thing of course is there's going to be an ICANN plenary which is entitled Registry Voluntary Commitments. This is particularly important for us because we actually submitted that topic and our

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ALAC vice chair in charge of policy and co-chair of the Consolidated Policy Working Group, Jonathan Zuck, will be featuring in that event.

And there's also the public forum and the public Board meeting which will take place and which will end in the week's program for us.

So, I did [inaudible] the universal [inaudible] because I didn't have it. That was a last-minute one and I didn't actually [inaudible]. But it looked interesting and it'll be in the schedule, so if you're interested in universal access, please check on that one.

So, that's the program for us. One of the important things of course in the lead-up to our meetings is that we do try to make our At-Large community more aware of issues that are going to be discussed during the ICANN meeting. So this is where we give Jonathan Zuck an opportunity to introduce us to the talking points that's going to be important for people to [inaudible] on for those little interesting conversations that they may have during the networking sessions that are taking [inaudible]. So I'm going to give him probably a little bit earlier than I thought an opportunity to start on his presentation. Jonathan?

JONATHAN ZUCK:

Thanks, Maureen. Jonathan Zuck here for the record. I don't know whether Lilian is on the agenda for this meeting, but if not I didn't want to steal her thunder, but I wanted to point people to what I put in the chat which is that the social media team also added a special new thing this year for the social media competition which is a social wall. So if

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you go to this link, atlarge.wiki/wall, you'll see all of the tweets and Instagram posts with the hashtag #ALAC70 all in one place so you can see what's going on just within our community as far as the posts that we're making, the photos that we're uploading and things like that. So be sure to just open that in a separate window or a separate tab, atlarge.wiki/wall and you'll be able to see what the social media team set up for us, so we keep track of what everybody else is up to during the course of the meeting. Thanks for that. So that was just a little bit of a diversion.

As Maureen said, we started a habit of beginning each ICANN meeting with a little bit of an overview of meeting-specific talking points. So these are sort of an overview of some of the consensus positions that we've taken in working groups or as part of our ALAC advice to the Board or even just a correspondence that we've done. In some cases, it's correspondence outside ICANN, even, but positions that we've taken on various issues that we think are going to be relevant during this meeting based on what's being talked about and also what's on the agenda.

So we've gotten in the habit of beginning each meeting with just a quick overview of our positions on some of the topics that will get discussed not only in sessions, but as Maureen said, maybe in the social networking sessions that ICANN has established both the fikas, which are these coffee breaks that are listed. But there's also a new feature that allows you to quickly set up a personal Zoom with other people to create a little meeting—a small meeting—within the meeting. Again, if

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those get used, that might be an opportunity to raise some of these talking points. So that's what we are about to do.

So, if you don't mind, what I'm going to do is talk a little bit about what some of these talking points are, trying to keep it simple this time. Just four topics that we think continue to be things that we'll be discussing throughout this meeting based on the agenda and what's currently being discussed most frequently.

As always, the EPDP process that has to do with ICANN's compliance with the GDPR in Europe regarding people's individual privacy and how it relates to the information that has historically been made public via the WHOIS database that's now become more private and closed down. So there's the issues of what should remain public and what should be kept private, as well as how we get to the information legitimately that's being kept private when we need it.

So the first always talking point for the At-Large is that consumer protection is our priority. There are a lot of voices inside the ICANN community that are on the other side of this that are either focused on the rights of registrants or focusing on the contracted parties focused on their liability and the constraints that are placed onto them through regulation. So it's really the At-Large and the GAC that are primarily focused on consumer protection and what the issues are just for everyday end users that don't have a domain name currently. So that's our number one talking point is that consumer protection is our main priority.



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Another talking point for us that we've said is that the system that they've put in place to allow people to launch complaints and to interact and get more data out of the contracted parties—the so-called SSAD—is something that we think is overly complex for what we really got out of the system. So we have suggested that it not be built because it's something to serve the purpose of basically a ticket, like a request for information on a schedule that's not automated could be built much more cheaply than what they were suggesting for the SSAD. So we've been suggesting it not get built, even though it was part of the GNSO recommendations to the Board.

So we had a minority part of the GNSO deliberations as well as pending advice to the Board on the SSAD.

And the reason is that right now there's still no clear path for non-government actors to get data out of the contracted parties hands, whether it's researchers or intellectual property folks that are looking to try and track down people that are engaged in fraudulent conduct, etc. And so until such time as an SSAD system provides a clear path for access to that information, then we're not in favor of that system.

So we're still working hard on a number of issues related to how information is handled on legal versus personal. There's a lot that's going on in this topic but these are some main talking points.

In terms of when this might get discussed, one thing is that there's the public forum on Thursday where I think there will be some discussions about the EPDP.

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So I'll stop there and just see if there's any questions or if Alan, for example, wants to—or Hadia—want to add to or elaborate on any of these talking points. I'm open for questions or else I'll move on.

Okay, I do not see any hands. Did somebody say something? Okay.

So, the next thing that's a frequent topic of discussion is DNS abuse. This has been a big topic for the At-Large for some time. We took it on last year in a big way, starting with ICANN67. We had a session called "Scenarios" where we looked at situations where contract compliance was unable to act and the contracted parties thought that they should have been able to. So, ever since then, we've been having sessions and plenaries about this topic of DNS abuse almost to the point of annoying the Contracted Party House I think too much. But it continues to be a key issue for the At-Large.

So, the talking points around this are that we are focused, at least for the time being, on the so-called bad actors, the ones that have engaged in systematic neglect, if you will, of DNS abuse. So these are not the folks that show up to ICANN meetings but the contracted parties that are out there in the world behaving badly or at least not doing a sufficient effort to behave well, and what is contract compliance doing about it, right? So the bad actors are the people on which we're focused.

The FTC recently released a big report in the United States and I think this is reflected elsewhere, that ransomware and the phishing related

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to ransomware is on the rise so this problem is still getting bigger, not smaller, overall.

The At-Large also believes that there should be reform about this prior to any new round. There's a lot of pressure inside ICANN to have a new round of applications for new strings and we really believe that any new round needs to be preceded by additional reforms around DNS abuse.

And then, finally, back in ICANN67 we said that we would also engage in a parallel effort in addition to our policy work inside of ICANN that we would begin to work on an educational effort and we had a session at the last ICANN meeting that was brainstorming about materials, and so the outreach and engagement team are continuing to work on how we might go about just educating individual end users about DNS abuse because we still live in a world in which most passwords are given away by people simply because they're asked for. It's not through complex technical hacking. It's through what some people call social engineering or human hacking that leads to most of the difficulties associated with DNS abuse. So those are our big talking points.

As far as the sessions, the Contracted Party House has created a DNS Abuse Working Group and they're doing a community outreach session later today at 10:30 Cancun time or 3:30 UTC. So that would be a great session for you to attend, and if you get the opportunity, raise a question or intervene with one of the At-Large talking points.

Are there questions about DNS abuse?

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Okay. If I miss a hand or something, staff, please speak up and let me know. But I have my eye on the list, so I think I'm not missing anything.

Okay. So, another issue of great importance to us is the topic of universal acceptance. Basically, this is the idea that websites and email systems are capable of handling what is now a huge variety of top-level domains, the parts to the right of the period—dot.com, dot.net, etc. It used to be simple three-letter codes and now it's really expanded to over 1500 new names, dot-photography and dot-gallery, etc. And with that expansion, there was also the inclusion of internationalized domain names and so there are domain names now that are in non-Roman script, like in Arabic or Chinese script or Cyrillic script, etc.

And accomplish is the idea to which the existing Internet tools that are out there, primarily websites that ask for an email address for example, or email systems themselves and the degree to which they're accommodating this expansion of the namespace, it's still pretty bad.

At this point, 80% of websites are non-compliant with universal acceptance. In other words, they don't take all the new names. And the At-Large certainly considers this a problem for individual end users that may be trying to use the Internet via their native script or get an email address that uses their native script.

It really undermines ICANN's legitimacy that they're expanding the namespace and nobody is paying any attention, right? That's a problem. What point is there to expand the availability of top-level domains if they're just ending up on blocked lists or they're being

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accidentally blocked by websites and email systems? So it really undermines ICANN's legitimacy that they're trying to expand the namespace. They're throwing a party and nobody is coming, right?

And finally, again, the At-Large believes that given the lack of urgency surrounding a new round, progress on this needs to proceed prior to any new round. So there really needs to be some real substantial progress in universal acceptance before we just add more names that people aren't going to pay any attention to.

There is a session on Thursday at 9:00 AM Cancun, 14:00 UTC, called Remediating Universal Acceptance Issues. So that would be a good session to attend and one that's of great interest to the At-Large community. So we really hope that some of you will be there to ask questions and learn more about the topic, because it's something on which we're going to be engaged quite a bit going forward.

Any questions about universal acceptance?

Okay. Finally, there's the topic of subsequent procedures themselves. So, subsequent procedures is just a fancy way of talking about having a new round of applications for generic top-level domains. There's been a working group that's been working for five years now I think or something like that to come up with a new set of rules and standards associated with expanding the number of top-level domains, but we still have a substantial number of concerns before we think there should be any new rounds that take place.

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One of the things we're very interested in is the idea of applicant support. It was a failure in the 2012 round and it came out of the Subsequent Procedures Working Group without any real clear-cut policy-driven goals for what application support should—what success for that looks like.

So, without those goals, we think that you can't have a successful applicant support program. So to begin that dialogue, we actually have an internal At-Large session in which we're inviting folks from the community to brainstorm about what objectives for an applicant support program might look like.

We continue to be concerned about geo-names and we really do support proposals that involve notifying sovereign nations about names of regions, etc., capital cities that are about to be registered by somebody as a generic top-level domain so that there's an opportunity to be alerted and to take action or object if necessary. So we're still pressing forward on geographic names as well.

Also, there's no clarity on so-called registry voluntary commitments, what used to be called voluntary PICS or public interest commitments. There's a lot of controversy over whether or not voluntary PICs were successful in the last round, whether they were sufficiently enforced and even what ICANN's remit is, [inaudible] associated with—what kind of enforcements associated within and what ICANN's remit is when it comes to enforcing them.

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Again, we think there needs to be clarity on these registry voluntary commitments before there can be a new round.

And finally is the issue of auctions. Now that we saw how a lot of auctions turned out in the 2012 round, a lot of folks made a lot of money by losing their domain name, so we think there's an opportunity for real gaming of the system moving forward. So we've taken a fairly strong position that there shouldn't be any private auctions. That was not the consensus view inside of the Subsequent Procedures Working Group nor in the recommendations to the Board, but the At-Large continues to believe and continues to press on the idea that there shouldn't be private auctions.

As far as sessions, there's the joint ALAC-GAC meeting on Tuesday at 6:30 Cancun or 21:30 UTC. There's our session which is Applicant Support: What does success look like?—that Maureen mentioned that's on Wednesday at 3:30 UTC. And then there's a plenary session that we'll be moderating and that Alan Greenberg will be representing us on the panel for called Registry Voluntary Commitments, Getting it Right. And that's on Thursday at 3:30 UTC. So there's a number of opportunities to talk about subsequent procedures and to make sure that the At-Large community voice is heard in those discussions.

Any questions about subsequent procedures or additions?

Okay. So, those were the four big topics that I wanted to discuss. If there aren't further discussions, then I will point you to the slides that are in the agenda in which Evin, from ICANN staff, has graciously in the notes

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section listed the documents that the At-Large has produced on each of these topics. So for any of them that you want to drill into further than we did today, that information is available in the PowerPoint that is linked to the agenda.

Absent any questions, back to you, Maureen.

MAUREEN HILYARD:

Yeah. Thank you very much, Jonathan, for that very important introduction to the At-Large perspectives on those important issues. It's really good to prepare At-Large participants for the discussions that are going to take place during ICANN70.

I was just thinking we got a little bit of time. I did actually allude to a discussion that we actually had an hour ago with the GAC about some of our shared perspectives about DNS abuse, which as you mentioned, is very topical for us.

But I just wondered if you could just summarize some of the important issues that came out of that meeting, just to give people an idea of what it is that we're actually working towards with regards to the ALAC/GAC [inaudible] of perspectives. Could you do that for us, please?

JONATHAN ZUCK:

Were you asking me to?

MAUREEN HILYARD:

You or Joanna.

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JONATHAN ZUCK: Joanna, do you want to take—do you want to start that conversation?

JOANNA KULESZA: Yeah. I'm happy to build that. Thank you for giving me the floor. Hi, everyone. This is Joanna Kulesza for the transcript record.

Indeed, I welcome the relatively large number of GAC sessions that have been mentioned by Maureen, as those that might be of interest to the At-Large community. And the [inaudible] will reflect the policy themes that Jonathan just elaborated on in much detail.

So, as you can see in the agenda, it seems that we have been able to successfully build consensus and platforms for other collaboration with the respective advisory committee. And this comes largely from the efforts of [Yrjo] who has been a wonderful liaison to the GAC and from the efforts of our working group members who have worked directly with GAC representatives, making sure that the advisory committees work in the best interest of end users and respectively individuals within [sate jurisdiction].

We just concluded [our working meeting], so to speak with the Public Safety Working Group within the GAC. We focused on the themes that Jonathan indicated, with emphasis on DNS abuse. It seems we have a very good starting ground for further advancing the topic. We [inaudible] the definition of DNS abuse should not hold us from moving

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forward with tangible action which reflects the talking points, so to speak, that Jonathan just indicated.

So, with this in mind, the meetings that Maureen pointed your attention to with regard to GAC working meetings but also joint meetings, cross-community sessions, focused on individual topics, will likely indeed allow us to better align our position, our statements, our work within policy working groups but also when it comes to offering advice, as just brilliantly led by Alan with regard, for example, to European and [inaudible] directive, which is to be revised.

So, in that sense, I believe that there is strong hold of those advisory committees working together. We have a pretty good understanding of points of consensus. I wouldn't say there is much [inaudible] whether we are trying to use the same vocabulary to better address [inaudible].

I'm happy to share the floor with Yrjo for further updates in terms of the GAC relationship. I am hoping that these individual initiatives will allow us to facilitate capacity building [inaudible] we have been engaged as At-Large, and as Maureen indicated. Thank you very much, Maureen, and Jonathan, and Evin, everyone who participated in accumulating the knowledge for preparing the ICANN Learn [inaudible]. At the same time, this is a very good time for us to work within the bylaws. And these initiatives have been unfolding and they are advancing. I believe the conversation we are having [inaudible] will allow us to better understand local needs and address them in a coherent manner.

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I would like to stop here but it's already noted if there is something I might have missed, please do feel free to add and elaborate. Thank you very much.

MAUREEN HILYARD: Thank you very much, Joanna. I just want to know is Yrjo available to just perhaps add on to that before we close?

YRJO LANSIPURO: Yeah. Thank you for giving the floor. I think that was a good meeting we had with the Public Safety Working Group. One thing that I sort of got out of it is that perhaps it's not time for new studies, new regulations rather than using those weapons, those tools, that compliance actually has at its disposal. Thank you.

MAUREEN HILYARD: Thank you, Yrjo. It's not very often that we get an opportunity to report back to our community straight after a joint meeting with the GAC or any other group that we meet within. It just seems so [inaudible] only met an hour or so ago and we've been talking issues which are going to be topical during ICANN70 anyway. So I'm very pleased, and thank you very much to Jonathan and to Joanna and Yrjo for providing that information for the community.

If there are no other questions or queries ... I haven't seen any hands up. People have been very, very quiet considering we've got so many here. I haven't really appreciated your attention and your attendance

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today. But if there are no other questions or queries and everyone is happy and rearing to go and be able to have been introduced not only to the program but the talking points, so that if you've got anything that you ... If you come across a conversation you're fully informed. You've got [inaudible] on what to say.

But thank you very much., everyone, for coming. And thank you so much for sharing. The chat has been very active. It's been very interesting.

So, have a great week. We're certainly looking forward to seeing you at our sessions. Thank you very much. Take care.

JONATHAN ZUCK: Thanks, everyone.

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