

**Transcription ICANN London
EWG Working Lunch
Sunday 22 June 2014**

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Volker Greimann: We need to move ahead because the Board will be here at 1:00 and we really need to make up some time. So please let's start this session and I would like to ask that we start with the presentation.

Jean-Francois Baril: Okay so very difficult to compete between the chicken, the beef and the Working Group and the working lunch. But anyway thank you very much Volker and a very good afternoon to everyone.

My name is Jean-Francois Baril. I'm the EWG Facilitator. A big thank you for this invitation to the GNSO and opportunity, along with a few of my colleagues around the table and still in the queue, for an overview of our final report on Next Generation gTLD RDS, which has been posted June 6.

Maybe just as a reminder this EWG was created under Fadi's initiative and ICANN Board request on February 2013 to overcome decade-long deadlock on WHOIS with the mission to, number one, reexamine and define the purpose of collecting and maintaining gTLD registration data; then, number two, consider how to save data better of course, and propose a next generation solution that will be better to serve the needs of the overall, and I repeat overall, global Internet community and finally, to establish a foundation

to help the ICANN community through GNSO to create a new policy for gTLD Directory Services.

So a lot of very direct and firm descriptions as you can imagine during these EWG sessions with participation from everyone as individual and in no case as an advocate, but also a lot of courtesy, discretion, cooperation and compromise by all parties and of course an extraordinary amount of work and commitment from everyone of these volunteers.

Before we go to this one I think it was to present a little bit of the - can you get back to the first slide? Yes because I think it's worth to spend one second on this team: 15 EWG members as you can see on this slide but also the people who are not on this slide, which I think have played a major and very crucial role in the ICANN Staff with Denise, Margie, Lisa just to say a few of those so very qualified experts across the overall Internet ecosystem and all geographies.

Also a very good balance between operational and down to earth experience and necessary soft skills to make the impossible possible, because as you remember I think I was meeting a few of you - a few in Toronto conferences and discussing further about this advocacy of the people say, "You are wasting your time.

This is basically totally impossible to make it happen." So the impossible possible means in this case a strong attitude to be a consensus, looking at the big picture to better serve the global Internet community rather than promoting own direct interest.

And I think in a few session I've heard top to down process and it is definitely not a top to down process but a melting pot where we can really, really assemble our thoughts and understand what is the best for the overall community, but also the capability to innovate and think out of the box to find

the best solution and to avoid status quo because that's the last thing we want to do if we want to fix a big issue like this one.

And this is maybe - if there is any magic into this EWG this is probably part of the magic, which has had to create 180 plus recommendations which are taking place into this report.

So next slide please. As you can see from this report and abstract I would like to apologize for this 166 pages of this report, but despite all of our best will to make it shorter and simpler the extreme complexity of this longtime block situation to drastically improve the current WHOIS took us much more time and effort than I've ever anticipated and I was probably very naïve at this time.

So this 166 pages of recommendation are in fact culmination of intense 15 and now 16 months of work with thousands of hours of in depth research, digesting 2600 plus pages of public comments and responses of different surveys, researchers of all kind, 19 public community consultations, 35 days of face-to-face EWG meetings, 42 EWG calls, probably 200 or 250 plus subteam calls and countless interactions with outside experts and community members.

And yes this report - we were posting that at - on the 6th of June and we were expecting in fact a dissent from one of our members - from EWG member.

Unfortunately this text arrived basically literally two minutes before the deadline that we have assigned for posting this final report, and despite all of the effort we could not digest all of these elements in this dissent because I think it was also containing few misunderstandings that we wanted to fix before publishing.

So this would be definitely a work in process with us. This is work in process with us and we are going to address that and post that separately. So

basically all of what we have done - this is to answer one between quotes simple question.

Is there an alternative to today's WHOIS to better serve the overall and global Internet community? But this very simple question in writing has been the reflection of many, many thoughts from the EWG, a lot a lot of work and that's I think what (Fab) next to me is going to get into a bit more detail.

(Fabio): Thank you Jean-Francois. Next slide please. So the answer to the simple question of is there an alternative is a resounding yes. We all agreed that today's model of anonymous access to often inaccurate WHOIS should be scrapped as is depicted by our friendly trashcan here.

Full of garbage is what a lot of people think WHOIS is and for that reason we thought it should be scrapped and replaced entirely. Next slide please. So the previous slide said it's time to upgrade so what does our report have in it?

In 166 pages I believe it has over 180 principles and recommendations, combination of which those are all details that outline our proposal for the next generation of Directory Services.

What we tried to do in this report was really to strike a balance across accuracy, access, accountability. We tried to make sure that all the data that's collected is only disclosed for permissible purposes, that when disclosure happens it's - it happens in conjunction with purpose driven models so it's a purpose driven gated access.

There would still be some data that's left outside of the gate but that would be extremely minimal data in comparison to what is out there today. If you looked at the proposal and you have time to read it, you'll see that what's outside the gate aside from what we call metadata, so non-PPI data, consists - or I should say what's outside the gate consists almost wholly of non-personal data.

And the model does introduce two new parties to the WHOIS ecosystem of validator and an RDS model, and all this to validate contact and accredit users.

Next slide please. So there is - we understand there's a lot here. Trust me we really understand it. We've just in publishing this spent probably three weeks almost daily talking about amongst ourselves everything that we'd worked on as a group, as individual subgroups and back together as a group to make sure that we come through this report that everything lined up as best as possible.

It wasn't an easy task and I've been on multiple groups in the past, and this was probably one of the most detailed efforts I've ever undergone myself. So we can totally understand why you'd want to digest even more and speak with us.

So the group is - during London you can see we are going to talk about all these topics here on the board. We're going to have sessions Monday. We also have some additional sessions here, so we have sessions the 23rd and 25th.

And then individually I believe we're going around to many of the constituency groups to do private sessions to make sure that everyone has full opportunity to ask us questions, and hopefully the dialog helps to better understand all that we've put in here. I'll pass it back to Jean-Francois.

Jean-Francois Baril: Thank you (Fab). So just to conclude and position the next step for our work, yes we - as EWG we stay very focused and verbalized to offer different opportunities through Webinars or direct discussion to continue the dialog with the community.

Sure also this final report is probably not 100% perfect, but I think who can blame us for that? Once again it's a result of many, many compromises from all corners of EWG members to balance very diverse and divergent needs but always with very, very impressive intellectual honesty and I really, really, really - if I have to be proud of something this is the point that I will keep in mind during the 15, now 16 months of discussion around this topic.

So along with everyone within EWG I'm very, very confident this report provides a solid foundation at least to support the overall ICANN community with the respect of the WHOIS replacement, and a real breakthrough looking forward.

We are also I would say very confident that this report fulfills the ICANN Board's directives and will be the beginning of a constructive dialog and hopefully a successful GNSO PDP, because this is not for us.

We have done the first point, which is to analyze and I think we are really, really counting on your full brain and heart and probably hands as well to make good use of what we have done.

So for that Michele the questions that are to consider is the RDS that we have proposed a preferable solution to today's WHOIS, and if not can today the current WHOIS meet the needs of the evolving Internet of the future? So I'll leave that with you Jonathan.

Jonathan Robinson: Thank you very much to you Jean-Francois and (Fabio) and your colleagues for the presentation and of course all of the background work that goes into it.

To the best of my knowledge this kind of mechanic is unprecedented where you go into this level of detail and prepare this kind of work and then back to the community.

It's an experiment, right, and I suspect you - well I'm sorry I couldn't be here at the outset but you may well have touched on that in any event. So the challenge for us is clearly to know how to pick up this ball and what if anything is required in - prior to us doing that.

And that's certainly one thing over and above any detailed questions on the work and the report. So let me hand it over to others for either questions on the detail of the work and/or any suggestions as to how the GNSO might pick up and run with this.

Now I just have a little course of our time and we've got in the queue James and then Amadeo - microphone.

James Bladel: Hi. Thank you and thanks to the EWG for joining us and running through your report. I won't - in the interest of time I'll just kind of speed things up, so if it sounds like I'm being rude or something it's probably just because I'm being hasty.

But question - I have two questions. Did I understand correctly that - or maybe I misheard you that there was a dissenting report but after 15 months it missed by two minutes?

Okay and that's - everybody's okay with that or...? Is there a story there that I'm not understanding?

Jean-Francois Baril: I think there is no story but it's obvious - Susan.

Susan Kawaguchi: So there was the dissenting - what was that? Oh Susan Kawaguchi. So there - her email came in two minutes before but you really have to back up. The timeline really started in May.

It really started six months before when we were aiming for London. You know, as you all know we started this thinking 90 days - realized that was unrealistic and moved forward.

So we extended the deadline on several occasions - had some drop dead deadlines. That didn't work. We all had agreement the day before and then were surprised by a dissent that was in my opinion not that well thought out and so many inaccuracies. And it didn't go into the report so there was like a two-week backlog.

James Bladel: Okay. It feels like there's still some - still a loose end there. I don't know. It just...

Susan Kawaguchi: You know, could we, you know, if we went back and rethought it and, you know, we - you and I were on the WHOIS Review Team. That was a hot and heavy...

((Crosstalk))

James Bladel: Yes. Just, I mean, from an outside - someone who wasn't involved and from an outsider perspective to say that, you know, "We did this for 15 months but in the matter of two minutes we couldn't finish," or some, you know, it just - it seems like a - asymmetrical and I know we're in a hurry.

And then the second question is - maybe a broader question is given what you've learned through this whole process, just to anyone on the team, do you believe that this proposal is implementable?

In the real world given what you've seen just hammering out the high level principles can we actually, you know, can we get people to sit down and actually write code to this?

Lanre Ajayi: Yes we had the privilege of subjective...

James Bladel: Identify yourself.

Lanre Ajayi: Okay. I'm Lanre Ajayi from GNSO Counselor. We had the privilege of subjecting this report to the review of IBM in the process of doing costing. And the feedback we got from IBM from the analysis showed that technically it's doable, it's practicable and to me that's an evidence that it is feasible.

James Bladel: Okay so we can demonstrate that we can implement - technically implement the database. Whether or not it addresses everyone's desires for a replacement for WHOIS maybe is still an open question.

Faisal Shah: Yes can I just add one thing? I think also, you know, I've heard that - this is Faisal Shah by the way. I've heard some people say that it's complex and we're not, and we do have a lot in here.

But at the end of the day, you know, having built, you know, systems before, you know, you would start in a phased approach, you know, with maybe, you know, first phase, this is what we're going to put in there and then a second phase we're going to add some more and just kind of see how it goes and how, you know, what the feedback is.

And so I think we have to also look at it more in that light as opposed to saying, "Day 1 all this stuff is going to be in there and let's hope it works." And I don't think that, you know, that's my opinion but that's what we should be looking at.

James Bladel: Thanks everyone.

Jonathan Robinson: Thanks. Amadeo?

Amadeo Abril: Okay Amadeo Abril from Core. First of all congratulations to the Expert Group for finalizing the report, which I guess could not be simple. The second phase

- apologies because I've been able to read most of it but only once and not all of it so I may be mistaken.

And I'm still not familiar with all this validator and the different categories we are creating. Regarding the fundamental question Jean-Francois said, "Is this better or not; do we have an alternative?" I have three comments on that.

One, there's something that for me and for most of our customers is a showstopper and I think it's unnecessary that they're having this misunderstanding.

One stop shop for all this validation, et cetera may be correct, but I don't understand why there is necessary corollary of a centralized database with all the data.

We can do exactly the same by keeping the different subsets and at the end our field is specific handled by each Registry it is now. Why do we need to create a super mega new beast with all - with a centralized service with all the data that was a single database with all the problems of vulnerability, of trust, of, you know, legal challenges that this will bring - is for us really it is a showstopper.

I don't feel we need this. I think we can have the one stop shop for all the rest without needing a centralized database. And it's not explicit in the report but it seems to be implied most of the time that we are building not just the system, but the centralized database with all the data that people will be accessing that database instead of the individual Registries.

The second one is on complexity. I think that there are - there is all the necessary level of complexity except on one side. It seems that you focus a lot on, you know, who should have different tiers of access.

But then we have Registries and I don't think that all policies should be the same, so a one-stop shop doesn't mean one single product. We may have different products.

To explain that I don't think that the level of privacy to access who's the Registrant of a domain name in a brand TLD where everybody knows by default, or in a TLD where only companies may be a Registrant like say the bank or perhaps the trust compared to others where, you know, individuals may be Registrars like many of the others or some of them like say the kids who are a specific subset of young and, you know, in some certain legally more vulnerable people and probably even underage may be the Registrants.

So probably we need a different set also of rules for TLD, not just for a requester of the information for access, and I don't see this sufficiently done here.

The third comment is one level of flexibility perhaps you have not considered is regarding the questions for instance of who's the legal contact, et cetera. There is a magic principle in law, you know, that with like for environmental laws, you know, you pay as you pollute.

If you create the problem you should provide the solution. And some of these of your proposal may be simplified if we make the Registries responsible to be the contacts for, you know, their Registrants if they want to provide this kind of privacy to the individual Registrants, which I think is of issue.

This is what AfriNIC or Dot CA or Dot Cat do and, you know, somehow it works for them. So for many Registries perhaps some of the things we are doing here is completely overkill in terms of complexity.

But what's absolutely necessary from the experience of also the Dot (Afar) or Dot Cat is a way to have a centralized way of the requesters because you know the lawful ones.

You know your friends. But there's no way that anything a Registry may have the knowledge that probably this central validation census would have it.

Please first of all clarify the question of the centralized database because this is central to us.

(Fabricio Resarar): This is (Fabricio Resarar). Amadeo, I thank you. Touche because I didn't think that anyone could ask a question that was parallel in complexity to our report so well done.

So I can - I'll answer your second question about the centralized but first I want to just comment to your last question about legal contacts/role-based contacts.

So I think the report actually does factor in that the Registry could be illegal contacts. It's really up to the Registrant to decide who they want so it has that flexibility.

With regard to your second question about centralized - so first I want to make sure we're talking about the same thing, which is that when we talk about centralized database we're not talking about one server that sits in one place except for the community so we don't go down that path.

Just the fact of the way computer systems works we're talking about multiple servers, and they kind of fall under this umbrella of unified database. And the reason simplistically, and hopefully this answers your question, of why we thought that a unified database was appropriate is because the complexity of the issues that we're dealing with, so let's take privacy/data protection as one, it makes it so much easier to apply whatever rule you come up with or rules around privacy and data protection in a unified database as opposed to multiple.

So to ensure that you're able to better apply all the principles that we came up with this made it much easier. So you, you know, you obviously have the one stop shop effect of being able to go to one place, but you also have the effect of being able to standardize displays, et cetera, et cetera.

And then finally, with the complexity of all the things we're dealing with it's much easier to apply the actual rules across the board so that was our thought.

Jean-Francois Baril: We've got Maria in the queue and then Volker.

Maria Farrell: Hi it's Maria Farrell. I'm a little bit concerned with the rather negative characterization of an appendix to the report that we haven't seen. So I understand that the dissent was prepared and submitted by the agreed deadline by Stephanie Perrin, and that has not been appended to the report.

So first question - when is that going to happen? And secondly, you know, I find it a little bit unprofessional to be frank to have people from the Working Group negatively characterizing a dissent, which we haven't had the opportunity of reading and calling it inaccurate and saying that they simply disagree with it.

It gives a strong impression that the dissent is not included for reasons of principle rather than of process. I'm pretty sure that's not the case but, you know, it doesn't smell good.

It doesn't look good to what appears to be suppressive dissent because of the point of disagreement. So I very much look forward to seeing Stephanie Perrin's dissent published and, you know, made available in the same way that the full report is being made available to us.

Jean-Francois Baril: Or maybe very shortly because I think this is going to be addressed and we do agree that this was in fact a big surprise for every one of us in EWG.

We are going to work on this one definitely and - but I think it will not done justice to the EWG work to publish something which was based on some assumptions and some reference to our work which was not accurate.

So that's what we want to do first and we are going to do that starting already today fixing the inaccuracy and then we will publish definitely the things. But it's absolutely not relevant to publish something which is not going to be accurate compared to the report that we have already published.

Jonathan Robinson: Thank you Jean-Francois. I just want to say that we are now joined promptly by members of the ICANN Board so, you know, I know I have Avri and Volker in the queue. If you could either be very brief or cede your place. Avri.

Avri Doria: Thank you. I won't repeat what Maria said but the other one I wanted to bring up as a point is I work in the IATF on a process to try and mitigate privacy threats from our protocols, especially threats from pervasive monitoring and such.

One of the things we've discovered is a threat is unifying data, whether it's in one place or in a distributed server. It makes the one easy target no matter how hard a shell you build around it.

And so it's very much a concern to me and I've read through it once and I'm not as clever as all of you to have digested it in my one read-through, but it really is a big concern to me when we are now starting to look at protocols of the past and behaviors and data collections of the past as a security threat to our privacy to see us now all of a sudden saying, "What a great solution.

Why don't we do what is already known to be vulnerable?" So I just look forward to figuring out how that threat, a new threat we're creating, can be mitigated.

Jonathan Robinson: Thanks Avri. I'm just going to have to ask everyone that you keep the next two comments very brief. If Jean-Francois or a member of the team would like to respond specifically then by all means, but we have - we are into the time for our next meeting so please if we could bring it to a close now.

Volker Greimann: My question relates to tiered access or to data depending on where the Registrant is, but seeing that we are already in the next session I will pose the real question when the EWG presents this to the entire community. And cut the short - time short here.

Jonathan Robinson: Thank you. (David) did you want...?

(David): Just want again to comment generally on the - visit the - to note something you said earlier. This is an unusual situation for the GNSO where we've been handled a very large complete - a, you know, a very, very large document to start with for our policy process.

I do not think that given the nature of the GNSO to sort of swallow it whole and, you know, to not examine in some detail and as such I would encourage you to not try too hard to pre-digest your dissenting opinion.

I'm sure that will go into the - that - the sort of thing that actually will be quite useful to GNSO processes, which we'll want to reexamine for - in this - a lot of the assumptions of your report and then - so thanks.

Jonathan Robinson: Thanks everyone. Thanks for your contributions and thank you particularly to - obviously for - to Jean-Francois and your colleagues on the EWG for coming and presenting to us and for all of the hours of work that's been done on this. Thank you.

Volker Greimann: I would like to reiterate my request that everyone who is not a Counselor not be seated at the - not a Counselor or a Board member or ICANN supporting Staff not be seated at the table so we have enough seats for all the Board

members. But seeing that's already mostly the case - oh yes, if we could stop the recording and immediately restart the recording please.

((Crosstalk))

END