
CLAUDIA RUIZ: Good morning, good afternoon, and good evening, everyone. Welcome to the Consolidated Policy Working Group call on Wednesday, the 4th of November, 2020, at 20:00 UTC.

We will not be doing a roll call today to save time, but I would like to note that we have received apologies from Sylvia Herlein Leite, Justine Chew, and Priyatosh Jana. And we have tentative apologies from Judith Hellerstein.

From staff, we have Evin Erdogan and myself, Claudia Ruiz, on [call management].

Our Spanish interpreters today are David and Veronica, and our French interpreters are Jacques and Claire.

We also have real-time transcribing. I will be sharing the link periodically in the chat.

A friendly reminder for everyone to please state their names when taking the floor for the transcription purposes and also for the interpreters to identify you on the other language channels. Also, please keep your microphones muted to prevent any background noise.

Thank you all very much. With this, I turn the floor over to you, Olivier.

OLIVIER CREPIN-LEBLOND: Thank you very much, Claudia. Welcome to this Consolidated Policy Working Group call, the first one after the ICANN general meeting. I

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hope you've all enjoyed this week's break. We're now back to our regular scheduling of one call per week, usually on the Wednesday.

I note that we might have a number of new people joining us this week at the annual general meeting. There are some people that unfortunately are leaving the ALAC, but there are some people who have joined the ALAC. Two names that I've looked at ... Well, one of course, is Gregory Shatan. I think that we know him, so we can certainly welcome him now as an ALAC member. But two names that I've noticed that are new in our community. First is Pari Esfandiari, selected by the Nominating Committee and coming from the United Kingdom. So, welcome, Pari. I'm not sure if you're on the call, but welcome if you are. Please don't hesitate—

PARI ESFANDIARI: Thank you very much.

OLIVIER CREPIN-LEBLOND: Great to hear that you're there. Welcome.

PARI ESFANDIARI: Thank you.

OLIVIER CREPIN-LEBLOND: And the other person is Sindy Obed, the ALAC member from Haiti for LACRALO. I'm not sure if Sindy is on the call as well.

This is indeed the call where most of the discussions relating to policy take place. Once the discussions have taken place here and we've found some kind of a consensus, recommendations are made to the ALAC for the ALAC to take action—the ALAC being the 15-member team that works with Maureen Hilyard as ALAC Chair and that then has those statements sent over to all parts of ICANN, including statements to the Board or to some public commenting, etc., etc.

Anyway, this is quite an open group, and everyone is invited to not only listen but also to talk and take part fully in the discussions. Jonathan Zuck and I try and make this as friendly a location as possible. First, we hope that you'll enjoy the discussions here. For any other people that have joined up and that didn't just join the ALAC but might have followed the At-Large community during ICANN69 and are now hooked to being part of our community—I hope that's the case—then we also hope that you'll be able to enjoy the call and be able to eventually take part and pick up the pen and help in formulating policy from an end user point of view/end user perspective.

Jonathan, I know this is a call immediately after the ICANN meeting. I didn't know whether you wanted to add anything else from your point of view. Jonathan Zuck, of course, is the Co-Chair of this working group but is also in the ALAC leadership team. Jonathan is the ALAC Vice Chair, specifically focusing on lots of things—policy being included. Jonathan?

JONATHAN ZUCK:

Thanks, Olivier. I'll just echo Olivier's message of welcome. We're excited to get a new year started here in the At-Large, as well as in the

CPWG. I don't think I have a whole lot to add that isn't already going to be part of the next agenda item. So back to you, Olivier.

OLIVIER CREPIN-LEBLOND: Thanks for this, Jonathan. Two more things to add. When speaking, please say your name as you start what you're saying so as to provide identification for the transcribing that takes place both during the call—we have online closed-caption transcription taking place as we speak that you can either use using the little closed-caption tab or your Zoom or you can go onto the link that Claudia has very kindly again put in the chat. That provides a really cool record of things being said, and sometimes you'll want to look back at it, thinking, "Wait a minute, have I just heard what I heard? ... Well, yes, I have." That's one thing.

The other thing is we have a Spanish channel interpretation. Obviously, the reason why you need to introduce yourself is because, on the Spanish channel, the interpreters need to say who is saying what. Otherwise, it just sounds like a very schizophrenic person talking to themselves. Anyway, that's the thing. So, if you are interested in following the Spanish channel, there's a way to do so. Then of course you'll be able to express yourselves in this language. Sadly, in so many years, I still have no managed to learn Spanish myself.

Now let's get going. Enough going around and rambling on. Let's move on with our agenda, which today is going to be a little bit different from the usual. Usually, we have working group updates, but I think we'll have most of our updates based on what's happened at ICANN69, where Jonathan Zuck and colleagues will be able to take us through

several of the threads—as you can see, the At-Large policy sessions, human rights, subsequent procedures, the next round of new generic top-level domains, and EPDP (commonly known to people here, but it's the Expedited Policy Development Process that looks at the registration data—what used to be called WHOIS—that has been pretty much turned upside-down with the adoption of the general data protection regulation in Europe). After that, we'll have policy comment updates with Jonathan Zuck and Evin Erdogan taking us through some of the current consultations and putting together some statements for this. And, finally, Any Other Business.

So now is the time that I have to ask whether there are any amendments or any additions to be made to the agenda.

Hearing an absolute deafening silence, I think we can then proceed forward. So the agenda is adopted as it currently is on the screen and on the wiki page. Therefore, without any further ado, we can look at our action items from what seems to be a long time go—the 7th of October. Nearly a month ago. Those mostly pertain to the immediate work that was taking place then. I guess they're all completed—two of them relating to ICANN69, and others relating to some of the statements that were then being drafted.

Does anyone have any comments or questions regarding any of these action items?

And there's a note from Marita Moll with regards to hearing silence. Indeed. Sometimes it's not just about the physical hearing. There might be more.

Not hearing anything else, then let's move on. So the action items have been covered. We can now go to Agenda Item #3 with the recap from our virtual annual general meeting—the first one of its kind and one that was very successful. And, for this, Jonathan Zuck and colleagues will be taking the floor. Jonathan, you have the floor.

JONATHAN ZUCK:

Thanks, everyone. So, yeah, we made it through a very unique virtual meeting that took place over three weeks. So there'll be a lot of discussion going forward about the formats and whether it works for people—the idea being that it was going to be three less-intense weeks rather than one really intense week. But it did end up meaning that there was, for large swaths of the world, a lot of late-night calls. But we, as usual, were happily engaged.

I had the opportunity to chair one of the plenaries, which was about the availability of data to law enforcement, trademark holders, and cybersecurity researchers. It was an interesting discussion, and a lot of the information still seems to be contradictory about both the definition and the scope of DNS abuse.

I feel like the contracted parties were less troll-like this meeting than they had been in the last two. So that was an improvement. They gave a plenary outlining their business model to express their concern about too much additional regulation on how they manage registries and registrars. So I think there's still going to be some friction there as we try to implement new standards to control the DNS abuse that exists.

There was a report that came out of Microsoft that was pretty damning about ransomware and other types of DNS abuse that appear to be on the rise. But we're not at a point of clarity yet, so the conversation has continued.

We also organized a number of sessions ourselves for policy. So I would love to invite the chairs of those sessions to briefly describe what took place during them. So let's begin with Beyond Budapest: U.N. Cybercrime Treaty and DNS Abuse. Joanna, do you want to give us a few minutes' summary of what took place and also any kind of takeaways or action items that the CPWG should be considering post-ICANN69?

Is Joanna on the call?

CLAUDIA RUIZ:

Hi, Jonathan. No, I'm not seeing Joanna on the call, actually.

JONATHAN ZUCK:

Okay. What about ... I know that Olivier is on the call. So, Olivier, why don't you talk about your session and I will then backchannel with the staff to minimize the dead airtime to figure out who's available to talk about their sessions. So, if you could speak briefly about your session, Olivier, I'd appreciate it.

OLIVIER CREPIN-LEBLOND:

Thank you very much, Jonathan. You just put me in a tight spot because guess what? It's taken place such a long time ago, and so many other sessions have taken place. So it's hard to remember. No, the session

that we're speaking about is the one on the Engagement Group on Internet Governance. We had an interesting discussion that was on regulation—the top of regulation being one that today is pretty hot because of the number of governments that are bringing forward regulation when it comes down to content but also regulation on other topics. We're looking at, for example, in Europe, the European E-Commerce Directive that is not only looking at content but also processes by which commerce is being undertaken using online resources. Of course, the moment one speaks about buying and selling [on the net], one also speaks about domain names. That's something that's firmly within ICANN's remit.

So we had an extensive discussion based on, first, a few examples—one being provided by Holly Raiche, who spoke to us about what was happening in Australia. We had Bruna Santos that spoke to us about what was happening down in Brazil on freedom-of-speech issues and content issues. Then we dug deep into several aspects, several [factors], of the European Digital Single regulation in Europe. Yeah, it was interesting discussion that we had.

After that, we followed up with an interaction with Tripti Sinha, who is the Chair of the Board Working Group on Internet Governance. Finally, after this, we then had a number of Internet governance and IGO updates from ICANN staff and from members of the community. So I hope it was interesting session for everyone.

I'm not sure whether you want me to extend further. I note that Holly has put her hand up. I'm not sure whether that's related to this, but I'll leave it to you to choose which way to go. Thank you.

JONATHAN ZUCK: Holly, if you have a question, go ahead.

We can't hear you, Holly, if you're talking.

HOLLY RAICHE: I was. Sorry. I talked to myself.

JONATHAN ZUCK: Okay. There you go.

HOLLY RAICHE: Just to follow up on the DNS thing, moving forward, I would like to put DNS abuse back on where we're talking about it. Picking up from what you said, what we had was a different feel for the discussion on DNS abuse. I suspect, if we had a DNS abuse session at the next ICANN meeting, it would be very different. It would be more constructive because, I think, for the first time we started to hear people say, "Well, yes, it is a problem. Yes, there are a few outliers. Yes, maybe we should talk about what we're doing." I think there's a way forward that I hadn't felt before. I just wanted to put that onto moving forward. It should be something on our agenda. The other thing that's on our agenda is PICs, but that's for another discussion. Thank you.

JONATHAN ZUCK: Thanks, Holly. I think DNS abuse remains the campaign issue for the At-Large. So some of it is just forcing people to talk about it and to

understand the status quo to see what sort of changes are necessary. There's still a very high resistance to any new rules being placed on the contracted parties, but there was some discussion of predictive analysis. The primary resistance there actually appears to be cost. Early on, when it was more of registrars throwing grenades over the wall, it didn't seem like they didn't trust predictive analysis. But now it appears to be more of a cost thing. When I raised, in the session during the DNS abuse plenary, the idea of ICANN investing in predictive analytics that could then be leveraged by all the contracted parties, there was some favorable reaction to that. So it may be that, as ITI is getting developed, as I think, there's a parallel track to begin to develop some predictive analytics tools to come out of ICANN that then are made available to the contracted parties.

So there's still plenty of us to do on that topic, and I think, Holly, you're absolutely right that'll it [proceed] to be a hot topic for the At-Large and therefore for the CPWG.

I see that Joanna has joined the call. Joanna, I just wanted to give you a chance to briefly talk about what took place in your session and what, if any, takeaways or action items there were out of your session that we need to take on as the CPWG. So I'm thinking of the Beyond Budapest session first. Then we'll talk about human rights separately. Thanks.

JOANNA KULESZA:

Thank you, Jonathan. Apologies for arriving late. Indeed, the Beyond Budapest seems to have gotten quite a good reception and quite good feedback. I'm glad that it was perceived as interesting, although it

presented a bit of a different approach to the one we've had around DNS abuse, which I personally found interesting. I hope that that was useful to those participating.

Just a brief recap. We welcomed Alexander Seger, who is basically the head of cybercrime within the Council of Europe. At the Council of Europe, [each] topic that they have is [inaudible] treaty that has a significant spillover effect in the sense of countries who are not even parties of the treaty adopting the very same cybercrime regulation that the treaty proposes. As Alexander emphasized, the DNS abuse scope is perfectly covered by everything you've signed in the Budapest Convention. I was really [happy] that he was able to find the time to join us to give his perspective about the work that we do.

Now, speaking from previous experience, I knew that Alexander has been quite critical of the work that has been done by ICANN and around ICANN with the way that the WHOIS was handled. You could hear from him that the disappointment from the government or law enforcement side was so great that the Budapest Convention is planning to add another protocol that would reintroduce something to the likes of what we [inaudible] WHOIS database. So I thought that was interesting from that side.

It would be wonderful, I think, if we could maintain this dialogue, on one hand listening in on what the Council of Europe, the governments around the treaty, and law enforcement on the ground. But also you would find Civil Society members participating in the Council of Europe dialogue. There is an entire annual conference going on. It's called the Octopus Conference, which invites Civil Society individuals and

businesses to talk about what they think cybercrime and what we perceive as DNS abuse and the ways to protect individual end users. So I thought it was useful to hear from that side of things.

But I was also pleased with the feedback we seemed to have gotten from the participants from the ICANN side. We had some NCSG members taking part and speaking out, and it seemed as if they were relatively pleased with that narrative being picked up. So there might be some potential of us to try and build consensus around that approach if that is what we want to do. It's interesting because the Council of Europe fundamentally stands for human rights, and they still have a cybercrime treaty. As Alexander was emphasizing, they are all about making sure that, whatever enforcement takes place, it is based on that human rights framework.

Now, as you might imagine, it's one of my favorite topics. I'm just going to stop here to not take up more time because I know that time is always precious at these working group meetings. But to me that was the takeaway. On one hand, we managed to offer an understanding and welcoming ear for the work that's being done around the Council of Europe, which I think might be useful to us as well in trying to [look at] the DNS abuse from a little bit of a different angle. I was pleased that we didn't get that much negative feedback or pushback from contracted parties. I'm going to stop here. I'm happy to answer questions. Thank you for putting that on the agenda. Thank you, Jonathan.

JONATHAN ZUCK:

Thanks, Joanna. Can you think of any action items that we should make note of coming out of that session—things that we should either try to discuss, form policy on, identify champions for or liaisons for, for example?

JOANNA KULESZA:

Thank you, Jonathan. If you guys thought it was appropriate, I would wholeheartedly welcome Alexander coming over again, talking to us, as the At-Large. We could have him on a specified call or a community-broad meeting, coming over and telling us what's going on at the Council of Europe community and what they're planning with regards to WHOIS and that additional protocol if that would be of interest. And we could think about getting our members engaged on the ground in terms of capacity building, in terms of offering advice to those parties to the treaty or [inaudible] having folks from out there coming over. It seems to be a very good platform to build alliance with the GAC. I haven't heard from the GAC. I'm not sure they have a position. It's always challenging to get them to join us. But, to me, the initial AI that came out of that session was for us to meet again and discuss this in more detail [inaudible] 60 minutes, and those clearly prove not to be enough.

So that would be the initial AI from me, but I'm open for suggestions. Thank you, everyone, for participating in that section. If there are any thoughts that I'm missing or narratives we want to pick up, I would welcome that, too. Thank you very much.

JONATHAN ZUCK: Thanks, Joanna. So let's put out an action item to potentially schedule a call—an action-oriented call—with the guy from the Council of Europe then. Thanks, staff.

Joanna, since we have you, do you want to ... It's so hard for me to see.

OLIVIER CREPIN-LEBLOND: Jonathan, there are a couple of hands up.

JONATHAN ZUCK: I see. Sebastien go ahead. I'm on my phone. That's my problem. Sebastien, please go ahead.

SEBASTIEN BACHOLLET: Thank you very much, Jonathan, but it was on the previous topic. Therefore, if you want to defer me to later, I can come back when we finish this discussion. Thank you.

JONATHAN ZUCK: Okay. Thanks. On DNS abuse, Sebastien?

SEBASTIEN BACHOLLET: Yes. Please.

JONATHAN ZUCK: Okay. I'll come back to you then. Greg?

Greg Shatan? We don't hear you if you're talking.

GREG SHATAN:

Sorry. The host muted me and then asked me to unmute myself. That's interesting.

With regard to the Council of Europe and Budapest, I think there's definitely opportunities there. I think, in terms of contacting the GAC, we may want to work through the participants in the EPDP as an entry point or the GAC Public Safety Working Group. I think you find some such as Laureen Kapin or perhaps whoever their more European counterpart is because I think that's an ideal way to perhaps rehabilitate some of what not only the Council of Europe but ALAC, GAC, and just about everybody except the contracted parties and maybe NCSG thought about the end result with regard to WHOIS. Thanks.

JONATHAN ZUCK:

Thanks, Greg. Let's take that on as an action item. Is there anybody else on this topic?

Joanna?

JOANNA KULESZA:

Thank you. Just very briefly, that's a very good comment, Greg. Thank you. I have raised this issue with Laur[in] in a smaller working group—I think the Public Safety Working Group [inaudible]. The Council of Europe has an observer status with the GAC. I know Alexander is most focused on DNS-related issues. That's why I would have him over. But, if

we start with dialogue, I definitely agree that the Public Safety Working Group within the GAC would be the right place to address the [inaudible] experience we have the EPDP would be directly relevant. So yes indeed. I know Laur[in] doesn't have a direct interest in the Budapest Convention. He seemed somewhat surprised with this issue being raised, but I think there is a potential for us to build forward. Thank you very much.

JONATHAN ZUCK: Thanks, Joanna. Yrjo, please. You have the floor.

YRJO LANSIPURO: Thank you, Jonathan. Yeah, the Public Safety Working Group has been meeting, actually, with At-Large people regularly at the ICANN meetings. Of course, this will be a wonderful topic for the next meeting's agenda. Thank you.

JONATHAN ZUCK: Great. Let's add that to the action items as well then.

So I think that's it on this topic. So let's go back to DNS briefly. Sebastien, I apologize. Being on the phone, I missed your hand before. So go ahead and make your comment on that other topic.

SEBASTIEN BACHOLLET: That's okay, Jonathan. Thank you very much. It just happened that I participated/assisted in one conference today—the IGF for Internet and

Jurisdiction. There was some conversation about DNS abuse. There are publishing some documents, and there are some specific groups working on that. One is led by the lawyer of [PIR], and another is working on that. I am not sure that there are many people from our group who follow what is happening there. I am just following from afar. I guess that Roberto may have been also speaking, but as you know, we don't know the list of participants.

My suggestion is that we ask [Beta] [inaudible], who runs the [full] program of the internet and jurisdiction, to come to one of our calls and tell us about what is happening in his group, specifically because there are three documents—one about phishing and malware, one about DNSSEC [inaudible] [abuse,] choice of action, and another one about [inaudible] [of action] to address technical abuse. I guess maybe there are others. But there's a specific group in charge of this question of domain name [inaudible], and it could be useful for us to know what is happening there. Thank you.

JONATHAN ZUCK:

Thanks, Sebastien. Great suggestion. Staff, I'm happy to reach out to [Beta]. We have a pretty good relationship. So, if you want me to give an action item to reach out to him to join us for a conversation to bring us up to date about their activities, that would be a good idea as well.

SEBASTIEN BACHOLLET:

Of course, I can do it also, but go ahead, Jonathan. It's better when you are from different time zones to discuss with people. It's a joke.

JONATHAN ZUCK: You can as well. I just thought I'd be in a better position to coordinate getting him on the agenda. That's all.

I think that's it for that, so what I would like to do then is ask Hadia to briefly talk about her session on coordinating the Internet [unique] identifiers—

UNIDENTIFIED FEMALE: [inaudible]

JONATHAN ZUCK: I'm sorry?

HADIA ELMINIAWI: Thank you. I was not speaking. That was someone else.

JONATHAN ZUCK: Okay. All right. Thanks, Hadia. Go ahead. And let us know if there are action items to come out of your session as well. Thanks.

HADIA ELMINIAWI: Okay. Thank you. The session was Coordinating the Internet Unique Identifiers and the interests of the Internet users. Our first speaker was Leon, ICANN Board Vice Chair. Leon talked about coordination and collaboration between different stakeholders to ensure that policy development and technical functions are carried in the public interest.

So Leon invited us to think about, who do we mean when we say “stakeholders.” Like, do we mean ICANN stakeholders? Or do we mean a broader group of stakeholders? He gave an example of the GDPR and how maybe collaboration between a broader set of groups might have led to either different results or maybe more informed results about the impact on the DNS.

I would say the action item here for us would be to think how we could engage and foster collaboration between stakeholders. I think this could happen through the At-Large Structures, where we can actually try to engage and maybe start conversations in relation to who are the stakeholders and start talking about the topics that are of interest to us. So maybe that’s an area we could [inaudible] for.

Our second speaker was Steve Crocker. He gave a presentation about the interests of the Internet users as they relate to the security and stability of the Internet. So Steve showed us an infogram about the DNS ecosystem, which has basically four main blocks, which were the domain name registration, DNS infrastructure, end user content, hosting, and services. He also shared a conceptual framework for security and another one for stability.

So the action items here could be about raising awareness of the end users about security and stability issues—for example, making the users aware that they should be looking for secure protocols like, for example, HTTPS, having them express preferences to [types] of [inaudible] DNSSEC [kind]. So I would say here an action item would be raising awareness of the Internet end users so that they can push the industry towards a more stable and secure Internet.

Finally, I gave a presentation about some examples of ICANN PDPs and how those impact end users.

So that's the summary of the session. Thank you.

JONATHAN ZUCK:

Thanks, Hadia.

Sebastien, do you have a question or a comment, or is that an old hand?

Okay. Thanks, Hadia. It sounds like there's a number of different items you raised. Some of them may not be CPWG action items, so, staff recorded them, we can sort out later if things should go to Outreach and Engagement, for example, etc. But we won't deal with that on this call.

Sebastien, you held two Eurocentric sessions. Is it possible to give a brief synopsis of them here and any action items the CPWG might be interested in from them?

SEBASTIEN BACHOLLET:

It will be worse than Olivier. I wasn't really prepared for that.

JONATHAN ZUCK:

There's no way it could be worse than Olivier.

SEBASTIEN BACHOLLET:

Yes. A lot. I am so sorry.

JONATHAN ZUCK: No problem. Well, give it some thought. It can be on the list, too. Just give some thought [inaudible].

SEBASTIEN BACHOLLET: I just want to express a few things here. How and why we have set up this session is because we were in Europe and I think it's important to have some discussion at the level of the region and specifically because the meeting was there but also because there is some discussion and we are talking about, for example, GDPR.

What seems to be very important is a new law or new regulation or new whatever-name-you-want-to-give that will come from Europe. We have different people who talk about that. Of the sessions we organized, one was around ICANN issues—internal issues, I would call it—and the second was around Internet governance [issues with] ICANN. We invited leaders of the different constituencies from Europe. It's why we had the Chair of the Board and the CEO—because they are from Europe. If they weren't, they wouldn't have been there. They picked the topics. We didn't decide for them which topics.

What was interesting is that, at the end, we asked the people to take three issues that were more important for them. It was interesting to see that the question of the multi-stakeholder model for the first session was there. I really feel that we need to have this discussion and to follow the discussion. But we need to do that, I really think, in conjunction with what was done in other groups, like ATRT3, not separated [from] the proposal made by ATRT3. That's one thing.

The second is[, on the law,] following what is happening in Europe. [We] started working on that, but it may be interesting to have, from time to time, feedback from staff following what is happening in Europe for the evolution of the law. I know that people, like Joanna, may know a lot also about that. It may be a question we ask her. But that's a second topic, I think, that's important to take into account.

The third point is that my feeling is that we are entering into a new way to talk about Internet governance, and the speech of the CEO was quite clear about that. He talked about technical Internet governance. It seemed, for me, one way to be a little bit outside of what is happening in other fora to be more technical and more [inaudible] with these things. Some of you may think that it's more important than anything. I disagree with that point of view. I think we are end users and we need to [bring] all the topics we want here. But it's something we need to follow.

So that's my three points. Thank you very much.

JONATHAN ZUCK:

Thanks, Sebastien. That was great. It was much better than Olivier, so I appreciate it.

Is there any ... Let me see if I can find a way to get back to participants. Are there any hands up? There do not appear to be.

Joanna also had the opportunity to co-organize a session on human rights impact assessments with the NCSG. So this is a chance to reboot our relationship with them that had deteriorated somewhat. I think it

went well from that perspective. I'd love, Joanna, for you to talk a little bit briefly about that conversation. There were some action items about that in terms of identifying liaisons from the At-Large as well. So that's why I saved it for last—[because] of our next agenda item. So, Joanna, take it away.

JOANNA KULESZA:

Thank you, Jonathan. Indeed, I share your sentiment. I think the session went well. I want to take this opportunity to once again thank our speakers. Cheryl and Olivier were wonderful. Thank you for those of you who took the opportunity to take the floor and give feedback. I appreciate [inaudible] emphasizing the experience we've had with regard to human rights. I think the overall atmosphere may be due to the fact that this was not a face-to-face meeting, but I like to think that was not a significant factor. I believe it was an amicable atmosphere, which I really appreciated.

I believe what we managed to convey was certain concerns around the human rights impact assessment tool that is currently on the table. I've gotten very limited feedback, but my understanding was that that message got through in the sense of us not being pushed into implementing that tool as it is across the At-Large by the ALAC. I still have no idea what that would mean. But I think that message got through. The somewhat friendly atmosphere seems to indicate that there indeed is a way for us to move forward.

I'm not sure how to put this in terms of action items. I'm happy to stay on the working group as an observer, [as I have before], and see where

that is headed. I'm happy to touch based again with the Co-Chairs and see what their thoughts are in the sense of the NCSG feedback. I would love to hear from our participants, possibly from our speakers, what they felt, given their experience and their understanding of this entire ICANN structure that is far better than mine. But, in that sense, I'm not sure I have any specific action items, unless I've missed something.

So I'm going to stop here, Jonathan. Thank you. I look forward to feedback and comments. Thank you.

JONATHAN ZUCK:

Greg Shatan, go ahead.

GREG SHATAN:

Thanks. Thank you for that session, Joanna. It was very useful. I have a long involvement with the human rights bylaw, having been involved in drafting it and the framework of interpretation. And I've had some contact with the cross-community working party, but I kept some distance from it because I have problems with its formation, as it's not a formal ICANN charter body. It's just a committee set up by the NCSG with a name that sounds like a cross-community-chartered organization. So my general position prior to now has been to keep it at arms' length and not legitimize it. I think observing it is important. I unfortunately don't know that I really have the time to observe that specifically.

However, I am more concerned after the last meeting, where it seems like years that we spent discussing these limited applicability of the

Ruggie Principles to ICANN seems to have been almost entirely plowed over by the working party because, of course, there were some members/people who worked on this human rights bylaw who wanted to make Ruggie very much entirely applicable in ways that really didn't fit.

I just had a little group working on this with Matthew and Tatiana, and we all had a pragmatic view of this issue. Unfortunately, neither of them are involved in the working party, as far as I know. Maybe Tatiana is—Tatiana Tropina—but Matthew Shears I don't believe is. So I don't know if we necessarily want to throw stones at it. I held my tongue because, if we were trying to have a better feeling with the group, any further discussion I had on the illegitimacy of the cross-community working party and its fraudulent naming of itself—or let's say misleading of itself; sorry, I don't mean to get overly heated ...

But the other alternative—this is perhaps where there is an action item—is to consider whether we would want to actually charter it and whether we would want to actually take on responsibility for it and also take on some leadership and perhaps keep it from being a wholly-owned subsidiary of the NCSG. So that, I think, is something to consider. Obviously, we would need to have some people in our group who would want to participate at a leadership level, since, if we are chartering it, we would also be nominating a co-chair. This is, I think, should be seen as a key issue for At-Large, although [inaudible] the human rights [inaudible] people [inaudible].

CLAUDIA RUIZ: Greg, we're not able to hear you.

Hi. I'm not sure if it's just me. Can anybody hear me?

JONATHAN ZUCK: No, we can't hear Greg anymore.

GREG SHATAN: Sorry. Siri somehow decided that she would join the conversation. I don't know why that happened. So much for Apple products. That made it impossible for me to actually to talk to you because Siri was talking to me.

But, anyway, I think my point is, do we want to join them and both legitimize and, to some extent, discipline it? Do we want to continue to observe it? Do we want to challenge it and risk the ire? Of course, a lot of people put work into it, which doesn't necessarily mean the work is the right work that should have been put into it? But, nonetheless, I guess the issues is, to what extent is this a key issue for us? Clearly, human rights is a key issue for end users and therefore for us, but human rights within ICANN is a little bit different. Thanks.

JONATHAN ZUCK: Sorry. I had to switch screens to look at hands.

Olivier, you've got your hand up. Go ahead.

OLIVIER CREPIN-LEBLOND: Thank you very much, Jonathan. First, I should just comment that Greg has probably been watching too much television to be using the word “fraudulent” in the past 24 hours. No, that’s just a joke.

I think that the whole thing about the human rights work at ICANN is a difficult topic because of the fact that it doesn’t have, as Greg mentioned, a real home. It’s got a work party or a cross-community work party. It’s one of these groups that was created at the same time as the Cross-Community Working Group on Internet Governance. Now, the Cross-Community Working Group on Internet Governance got shot down, and I have concerns here about being worried about the naming of the group and whether it should be chartered or not chartered. I do remind you that, if the ALAC was to charter it, it wouldn’t be a cross-community working group per se because it would just be with a subset of the GNSO. So one would have to ask for the whole GNSO to charter it as well.

I personally think that this whole thing about chartering/not chartering is a waste of bloody time. We have to look at topics. Yes, one point that has been made was that the group is going in specific directions, but it looks as though as it’s all about numbers, about how many people are in the group. If there are not enough people with a more pragmatic approach that take part in the work of this group, then it’s going to continue perhaps pushing for this Ruggie Principles, which, as we know, are totally unworkable in the ICANN context, in which case we should perhaps just look at how we can get more involved, having perhaps people that will commit to being in the working group and that will be able to report back regularly, not to the ALAC but at least to this

Consolidated Policy Working Group, in which case we can be more active there. Thank you.

JONATHAN ZUCK:

Cheryl, I think you're up next. Thanks, Olivier.

CHERYL LANGDON-ORR:

Great. Thanks for that, Jonathan. I'm sorry I'm going to have to zip off to another meeting very momentarily, so I'll be perhaps shorter than I will be on this. But I hear what Greg is saying, and, as he well knows, I was in the trenches with him on a lot of this work. I think we're better off positioning ourselves as [a typical] watching brief, and Joanna has indicated her interest in keeping her finger on the pulse of what's going on and keeping—metaphor—powder dry for the At-Large Advisory Committee with all that is involved in the power of being an advisory committee to make sure that, when too many rushes of blood to the head happen, we can work in a not necessarily even a collaborative manner but in a shared space to pull back from what is just going too far to be workable in an ICANN context. That is not to say that all of the principles are not important in the proper context, but we work very hard to make sure that what came out of the Work Stream 2 work and the framework of interpretation was applicable and workable in the ICANN context.

Now, unfortunately group—for all very good reasons and for deeply held beliefs and very valuable activities, I'm sure—still wants to push it back into space that did not prevail then and I doubt can prevail at least in the short-term future. So I'm going to suggest a watching brief, to

bring it back to CPWG, and make sure that ALAC has the right backing and the foundational work and the power to make a difference when it needs to. Thanks.

JONATHAN ZUCK: Thanks, Cheryl. It looks like Alan jumped the queue on Joanna, which may mean that Joanna's hand is an old hand. I'm not sure, but Alan, go ahead?

ALAN GREENBERG: Thank you very much. Can you hear me? You can hear me, I hope.

JONATHAN ZUCK: Yeah.

ALAN GREENBERG: Basically, I'll simply say what Cheryl said. I think it's really important. This has the potential for getting us involved in a large amount of work, which I believe, from an ICANN point of view, for the reasons Cheryl said, would be counterproductive. People are trying to make this more of an ICANN issue than we decided it was during the CCWG. I know all the history, and I know the background. Some of it, I believe, is valid. Some of it is quite specious. But this has potential for a large amount of work that I think would become a make-work activity with little real benefit and little real intersection/nexus with what ICANN is doing. Thank you.

JONATHAN ZUCK: Thanks, Alan. There seems to be consensus forming in the chat. Joanna, is that an old hand or did you want to chime in to this conversation?

JOANNA KULESZA: Thank you, Jonathan. This is me being my old, indecisive self with my hand going up and down, but I really wanted to listen to feedback first. Just to briefly support everything that's been said, I really appreciate the feedback, and I fully support it. I'm happy to volunteer to keep my eye out on whatever progress the working party makes.

But, if I was to add to the discussion, I would say that nothing stops us from raising human rights wherever in the policy discussions we feel it is appropriate. There's nothing stopping us from raising the human rights flag [and] the DNS abuse discussion that we have taken as our theme. So, even if I was to propose an example, as already indicated, the Council of Europe stands for human rights. If we want to maintain that conversation with Alexander Seger, clearly there's a human rights component that is very vivid there because this is the Council of Europe.

So I'm happy to support that consensus in the sense of us staying vigilant and ready to act whenever the opportunity comes. I'm happy to report back to this group. [That is] the task that is assigned to me from whatever progress the working party makes. I'm glad that they seem to have taken on board the suggestions or the positions that were shared. I support Cheryl and Greg and Alan in the sense of us staying vigilant but not forming any specific policy narrative at this point. Thank you.

JONATHAN ZUCK: All right, Joanna. That sounds good. I think having you as our canary in the coalmine will be very useful on this issue, but there seems to be consensus that we're not trying to get embroiled in the quicksand of it directly because we have plenty of other things to do.

To that end, I will draw Item 3 to a close and pass the microphone back to Olivier.

OLIVIER CREPIN-LEBLOND: Thank you very much, Jonathan. So we're now moving to our next agenda item—policy comment updates. Here we're welcoming Evin Erdogdu and Jonathan Zuck. Over to you, Evin.

EVIN ERDOGDU: Thank you, Olivier. I'll just do a brief overview. Thanks so much for the debrief of ICANN69. During the week prior to the third of ICANN69, the ALAC ratified a statement on the reference label generation ruleset. The GNSO Subsequent Procedures draft final report ALAC statement was also ratified well in advance of ICANN69. Those two executive summaries are on the agenda for your review.

So there are several upcoming public comment proceedings. On the agenda, you'll see that there's a link to that title of the section noted under October, even though October has passed. These public comments are still pending, and they may still be issued by ICANN public comment. So that's just a preview of the four comments there. There's also, if you click on the tab, another for November, and two

more for December. So those are the upcoming public comment proceedings expected sometime in 2020.

Currently, there are two public comments that are open. ALAC has yet to determine whether they would like to issue a statement on these public comments. These two are related to policy, so the CPWG is welcome to review them. Those two are, first, Proposed Amendment 1 to the .job registry agreement. This closes on the 16th of November, so that's coming up soon. The second is the preliminary issue report on a policy development process to review the transfer policy. This closes at the end of the month on the 30th of November. Both of these have specific At-Large workspaces linked to them that have all the resources available on the public comment proceedings page.

Beyond this, there's currently one statement that's being reviewed by Abdulkarim Oloyede. I'm not sure if he is on the call, but he had prepared some initial review of the public comment regarding recommendations for early warning for root zone scaling. This closes on the 23rd of November, so he may wish to present to the CPWG either today or perhaps at the subsequent meeting and then find points of At-Large consensus for an ALAC statement.

So that's the brief overview. I'll turn it back over to you, Jonathan, if you'd like to perhaps go over the public comment for a decision. Thanks.

JONATHAN ZUCK:

Thanks, Evin. I guess I'll go first to Abdulkarim, if you are ready to discuss your thoughts on what, if any, position we should take, given

your research. I will hand the floor to you. I don't know whether you have slides or anything like that for the discussion or if you'd rather do it next week.

If you're speaking, we can't hear you.

CLAUDIA RUIZ: Yeah. I'm not able to unmute you. Can you unmute your line, please?

JONATHAN ZUCK: Abdulkarim?

Is there anything in the chat? Sorry, I'm on the phone. I'm having difficulty [inaudible].

CLAUDIA RUIZ: Hi, Jonathan. I'm not seeing anything from Abdulkarim chat either and I'm not able to unmute his microphone.

JONATHAN ZUCK: Okay. We'll put it off next week and see if [inaudible]. I guess I'd open it up for discussion on these other two calls for comments and whether or not we want to [inaudible] or [inaudible].

JUDITH HELLERSTEIN: Jonathan, could you repeat? You broke up.

JONATHAN ZUCK: [inaudible] but go ahead.

JUDITH HELLERSTEIN: Can Jonathan repeat what he said?

JONATHAN ZUCK: [inaudible]

OLIVIER CREPIN-LEBLOND: I think he gave the floor to Alan Greenberg.

ALAN GREENBERG: Yeah. I had no idea what Jonathan said for the last minute because he was in some sort of weird chamber, but I think I heard my name being called.

I have no real opinion on .jobs. It's probably something which is relevant from a user perspective, and someone should look at it. I have no idea and I have no interest.

On the transfer policy, that one is extremely important to At-Large. The transfer policy was essentially gutted by the GDPR because some of the checks and balances to make sure transfers [inaudible] legitimately can't be done properly with GDPR. On the other hand, because the WHOIS information is not public, maybe there are fewer hijackings. We don't really know. But clearly this is something that has to be worked on, and I'm willing to look at it if nobody else is. Thank you.

While I still have the floor, I'd like to discuss another issue once we finish with this policy section.

CLAUDIA RUIZ: Okay. Thank you. I believe we have Jonathan back. Jonathan, can you test your audio, please?

JONATHAN ZUCK: This is Jonathan. Can you hear me?

CLAUDIA RUIZ: Yes, we can hear you. Thank you, Jonathan.

JONATHAN ZUCK: I'm now connected two ways, so it's [inaudible] to take a look at the .jobs call for comment [inaudible] next week.

Olivier, I see you have your hand up. Is it related to that or is it something else?

OLIVIER CREPIN-LEBLOND: Thank you very much, Jonathan. No, I was going to mention that, in general, the ALAC doesn't comment on specific renewal regarding specific top-level domains. But, yeah, it's worth just looking at this. Dot-jobs is quite a restricted TLD compared to some of the other generic top-level domains out there, so that might be something of interest.

I was going to just add a couple of words on what Alan did regarding the transfer policy. I find this to be misnamed in some way because, for people that are not deep into policy, it's a bit difficult to understand what in the world is the transfer policy? Yes, it's the inter-registrar transfer policy. It's to do with registered name holders being able to move their domain name from one provider to another provider—possibly one of the most important things for people that register domain names as they try and get a better deal. And many have problems with this transferring of the domain from one place to another. But there's even worse. There's actually some fraud going on in this as well—so some possibilities for domain name hijacking and so on. So that inter-registrar transfer policy has introduced a number of protection mechanisms in the process. So it definitely is certainly end-user-focused, as it affects end users directly, both as a domain name registrant but also as a general user of the Internet being subjected to hijacked domains. Therefore, I would second the fact that we need to have a close look at this.

I don't know the ins and outs of it, but it looks to me as though it's definitely a follow-up on the previous reports. We're looking here at a review of the work that was done before. So it would be helpful if people that have already been involved in this the past would volunteer to take a close look for next week.

And I note that this is taking place. So there you are. Thank you.

JONATHAN ZUCK: [inaudible]. I'm now two steps at looking at the participant list. Olivier, can you ask if there's any interest from someone to take a look at this and make an assessment of what our position might be?

ALAN GREENBERG: It's Alan. I have my hand up.

JONATHAN ZUCK: Okay. Alan, please go ahead.

ALAN GREENBERG: Thank you. I already volunteered, and Holly has volunteered also, who's the other person who's been heavily involved in this. Note this is a preliminary issue report. It may well be that we look at it and say, "Yeah, that looks fine. We don't have to make any comment." But it's an issue that, ultimately, we want to get involved in, and therefore we need to be looking at it from Day 1. That's not to say we have a comment on then preliminary issue report. Staff probably did a fine job, and inter-registrar transfer is one of the few things where we typically don't disagreements with registrars. They too have an interest in making sure this could be done well. So it's not necessarily a confrontational thing, but it's something we need to look at. Thank you.

JONATHAN ZUCK: Thanks, Alan. Sorry, I missed that you'd volunteered. And did we get a taker on .jobs that I missed as well? Or we letting that one go?

OLIVIER CREPIN-LEBLOND: Jonathan, no takers so far. I'm sure several people, myself included ... I'll have a look at the statement. Yeah, I can have a look at it.

JONATHAN ZUCK: All right. That's good. So all that's left of this agenda item is another shot for Abdulkarim to speak out if he's able. Otherwise, it's back to you, Olivier.

UNIDENTIFIED MALE: [inaudible]

JONATHAN ZUCK: I don't hear anything, so, Olivier, I pass the talking stick back to you.

OLIVIER CREPIN-LEBLOND: Thank you very much, Jonathan. I think I might be hearing Abduljalil, but very far away. So it's probably going to be pretty hard to have him go through this statement today.

I note Alan Greenberg has put his hand up.

ALAN GREENBERG: Thank you. Olivier, you just said Abduljalil. Abdulkarim's name is on it, not Abduljalil.

OLIVIER CREPIN-LEBLOND: Sorry.

ALAN GREENBERG: If we're finished with the policy issue, I wanted to go back to the previous item and Item D of #3. It's just rather curious. I'll read what it says. It says, "CPWG to recommend to the ALAC the EPDP representation for ALAC: Hadia, Alan, Holly, and Bastiaan." I'm not commenting on the substance. I've never known that the CPWG has any responsibility to recommend people to serve in positions for the ALAC. Is this a new function of the CWPG has taken on? Where did this come from? I know we didn't discuss it, but it's written there in the agenda for people to look at. This is just something brand-new to me.

JONATHAN ZUCK: Yeah, Alan, I didn't understand it either, which is why I jumped over it. I didn't want to take a lot of time working this out on the call.

ALAN GREENBERG: Then can we remove it from the agenda? Because it's going to be there in the history, and I'm not sure that's a precedent we want to set unless someone has consciously decided that's something the CPWG should be doing.

JONATHAN ZUCK: The only thing the CPWG is consciously considering trying to incorporate is working on champions and recommendations for participation in working groups. So it doesn't have anything to do with work within ALAC. So I want to understand it better before I remove it, but we can remove it from now and then I can try to [research] with staff why it was there.

ALAN GREENBERG: Can we offline it and then find out where it came from?

JONATHAN ZUCK: Yeah.

ALAN GREENBERG: If you don't know anything about it, then someone [inaudible] how it came to be.

JONATHAN ZUCK: Yeah, that's what I'm going to do. I think that's what I'm saying.

ALAN GREENBERG: Thank you.

JONATHAN ZUCK: Thanks. Back to you, Olivier.

OLIVIER CREPIN-LEBLOND: Thank you very much, Jonathan. We now are moving ... As I said, we will have Abdulkarim Oloyede speak on the issue of recommendations for early warning for root zone scaling next week. And we're now in Any Other Business, which is Agenda Item #5. Here, I first I have to remind you or actually just announce that the ICANN69 policy outcomes report that used to be formerly known as the post-ICANN69 policy report—I didn't know; it wasn't even creation and it changed its name already—will soon be available. So watch out in your mailbox. This is coming up soon.

Is there any other Other business to add to this?

I'm not seeing any other hands up. We might have put everyone to sleep already. Okay, excellent.

Well, let's then move to the last agenda item. That's to find out when our next meeting will be. Now, again, this week, as you will note, we are meeting in the late UTC time because the daylight UTC times are used by the Internet Governance Forum which is virtual IGF that's based around Katowice, around Poland—so Polish European time. And, next week, the Internet Governance Forum continues, so there are quite a few sessions in the daylight UTC times. So the idea is to again have an evening UTC time.

Would that be the same as today? I gather it probably will be. So we're looking at 20:00 UTC if I'm not incorrect. Claudia?

CLAUDIA RUIZ: Hi, Olivier. Yes, we did note that. We can have it again next week, the 11th, at 20:00 UTC. Just a friendly reminder that next Wednesday is actually a holiday in Belgium and the U.S. So we are going to be limited with staff as will. But we will schedule it for 20:00 UTC. Thank you.

OLIVIER CREPIN-LEBLOND: Thanks very much for this, Claudia. Finally, with regards to Justine Chew, you'd note that she wasn't on the call today to speak to us about Subsequent Procedures. She should be able to make it on next week's call. As you know, the evening UTC time makes it the middle of the night for her, which is pretty terrible, of course, for her and everyone in the Asian and Australasian region. Of course, some people are able to sustain this repeatedly, but others have a bit more difficulty—at least [inaudible]—to have that.

I'm not seeing any other hands up, so this call is pretty much completed for today. Thank you for everyone who has taken part. Thanks to our interpreters. Apologies again for speaking too fast. And thanks of course to our [capturer], who has made a great job at capturing what we are saying and putting it down in writing.

With this, have a very good week. Continue getting engaged in policy. Have a very good morning, afternoon, evening, or night. Goodbye.

JONATHAN ZUCK: Thanks, everyone. Welcome to the new ALAC members.

[END OF TRANSCRIPTION]