
CLAUDIA RUIZ: Good morning, good afternoon, and good evening to everyone. Welcome to the At-Large Consolidated Policy Working Group call on Wednesday, the 19th of May 2021 at 19:00 UTC.

In order to save time, we will not be doing the roll call. However, the attendance will be noted from the Zoom room as well as from the Adigo bridge. I would, however, like to note the apologies we have received from Priyatosh Jana, Eduardo Diaz, and Justine Chew.

From staff, we have Heidi Ullrich, Evin Erdoğdu, and myself, Claudia Ruiz, on call management.

We have Spanish and French interpretation on today's call. Our Spanish interpreters are Veronica and Marina; and our French interpreters are Claire and Jacques. A friendly reminder to please keep your microphones muted when not speaking to prevent any background noise and to please state your name when taking the floor so that the interpreters can identify you on the other language channels. Thank you very much. And with this, I turn the call over to you, Olivier.

OLIVIER CRÉPIN-LEBLOND: Thank you very much. Welcome to this Consolidated Policy Working Group call. And today's agenda is slightly different. First, we will be looking at the At-Large policy sessions at the forthcoming ICANN71. Yes, it's coming up soon. So Jonathan Zuck will take us through the ICANN plenary topics that have been chosen by the community and the At-Large policy sessions. After that, we'll have our workgroup update

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with a focus on the Transfer Policy Review Policy Development Process where we will be seeing what this whole topic is about. After this, the Intergovernmental Organization Curative Rights Work Track—Yrjö Lansipuro and Carlos Raul Gutierrez will provide us with an update on this topic. And finally, our good old friend, the Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data. After that, we'll be looking through our policy comment update, where there is likely to be less than the usual workload since one is in vote period and the other one is still drafting as a long-term basis to be submitted. So that's what we have. A couple of announcements then after that in Any Other Business. And that's when I should ask whether there's anything else that we need to add to the agenda, or are there any amendments to be made?

Now, amendments do include people that need to leave after one hour and whose topic might fall after one hour. So please let me know if we have to reshuffle things around for you. But if not—and I'm not seeing any hands up at the moment, it looks like we are clear—so the agenda is adopted as it currently is on the screen and we can move them to the action items from our last week's call.

There are three action items, all of them completed, all of them pertaining to this week's call. So the processes are in place. Any comments on the action items? None. Okay. Well, that's pretty expedited for the time being. That means we can move to our next agenda item, and this one will be taken by Jonathan Zuck, speaking to us about the anticipated ICANN71 meeting.

JONATHAN ZUCK:

Hi, everyone. Jonathan Zuck here coming to you live from Hyattsville, Maryland, talking about ICANN71. There are a number of sessions in which we are intimately involved so it should be another good meeting for the At-Large community, both in terms of topics of interest to the broader community that we should be trying to encourage people to attend, as well as sessions in which we have some influence over the content.

The first plenary discussion is one that was a holdover from the last ICANN meeting. Joanna Kulesza is one of the organizers in that and has taken away from the previous CPWG meetings some action items in terms of trying to raise some topics as that meeting organization comes together. Joanna, do you have anything you want to say for two minutes about how that plenary planning process is coming together? I see she's not on. So never mind, Joanna. On the second plenary, I will get a report from her shortly.

The next plenary topic is ICANN in the Internet governance ecosystem that is being jointly organized by the At-Large and the GAC, so it was sort of a merger of two proposals that took place. Do we have Marita on the call? Would you like to say a few words about how that organization is coming?

MARITA MOLL:

I'm here, Jonathan. I can do that.

JONATHAN ZUCK:

Thank you.

MARITA MOLL:

Hi. Yes, there's been a couple of meetings between the organizing committee, GAC people, and people from other constituencies, which have been putting together what was actually four different proposals for this public session. Our proposal was about the multistakeholder model and its evolution. GAC proposed something about ICANN in the wider Internet governance arena. There were a couple of others that included something about the DNS and making ICANN more efficient.

So this is all rolled into something now called ICANN in the wider Internet ecosystem, although I hope that can be broadened a bit for a title. It is really going to talk about making sure that ICANN remains effective and inclusive as governance model for an increasingly interconnected world. And the panel will explore how it's evolving also in the broader Internet ecosystem like working with other organizations and so on.

So we're getting together, the panelists, and some questions to be asked. This will be a similar sort of thing as what you saw that was organized and moderated by Jonathan about the DNS in the last ICANN session. Thank you.

JONATHAN ZUCK:

Thanks, Marita. That's going to be a great session. Thanks for keeping us up to date and, obviously, let us know how best to support you as your organization proceeds leading up to ICANN71.

The third topic is one that was proposed by Steinar about understanding or at least better understanding the reputation block list providers and how they make a decision about whether or not to block your domain. Steinar, do you want to tell us a little bit about what's going on there, and whether or not they've started an organization team around that and who's participating?

STEINAR GRØTTERØD:

Thanks, Jonathan. We had the first meeting today, just one and a half hour ago. So we agreed to some sort of a draft agenda. Again, I'll put that into the chat room so we can see that. I like the idea that we split this 90-minute session into two blocks, first 30-minute with RBLs and getting some reps from the reputation block list providers. And secondly, put 60 minutes into a panel where also the representatives from the RBLs can attend but there will be reps from the Registries and the Registrars and the end users and so on.

So it's working in the direction I was hoping to, not having kind of an endless discussion about what is DNS abuse, etc., but more in the practical way. So I'm looking forward to the further discussions and the team that works together here. Thank you.

JONATHAN ZUCK:

Steinar, yeah, it looks really interesting. Again, as I said, to let us know how we can support you. Do you think you'll be the one to provide the end user perspective on the panel?

STEINAR GRØTTERØD: I'm not sure about my role in this but what I've seen and what we discussed is that I'm partly technical but I don't have the in-depth knowledge and experience to that. So I have some names on my block that maybe could be a better representative from the end user, and I'm thinking about also someone that is member of the ISOC Chapter in Sweden. This is a really technical guy and so on. But I will try to be active in one way or another.

JONATHAN ZUCK: Sure. You were looking for that as a moderator role but I saw at the end of your outline somebody providing end user perspective. So again, let us know if we can be supportive of this and we look forward to hearing more, and I certainly look forward to this session.

STEINAR GRØTTERØD: Yeah. We will have kind of weekly meetings and as soon as we draft the questions that we are going to address to the panelists and having on the agenda, I will distribute that. We can find persons that are willing to take the floor.

JONATHAN ZUCK: Great. Thanks, Steinar. In addition to these plenary sessions, we also have our own policies sessions that we're managing ourselves. What's distinct about a plenary session, really, is that it's offered in a non-competitive time slot. So, in other words, those are sessions for which there's no conflict. But the At-Large policy sessions have

historically been quite popular as well within the community and we have four of them.

The first couple are again Joanna's, one is "The General Data Protection Regulation as technology and policy implications," "Developing Regional Policy measures in the field of DNS abuse." I think that's interesting because of the European nature of the ICANN71 that there will be some discussion of things about DNS at a regional level and how things are implicated. "Public Interest: is the commercialization of ccTLDs a threat?" That is Hadia's discussion. Hadia, would you like to give a brief introduction to what you're hoping to do with that session and how we might be helpful?

HADIA ELMINIAWI:

Thank you, Jonathan. The session will attempt to explore if commercialization of ccTLD registries affects Internet end users, trying to understand the possible impacts of commercialization on consumer protection, competition, and the stability of the DNS, and in a broader sense, on the public interest.

I'm working on this session with Christopher and we have met online once. Christopher also shared with me some relevant material and I'm supposed to be the rapporteur of this session. Christopher will be one of the panelists talking about the history of the issue, and then he has also contacted a couple of panelists and a moderator.

The session will try to answer two questions. One is what is the impact of ccTLD registries' commercialization on consumer protection, competition and the stability of the DNS? And the second question is

does the commercialization of ccTLD registries affect Internet end users? In the session, we will try not to be specific so we will not refer to specific cases of ccTLD registries' commercialization. So it will be general, without focusing on one specific case.

JONATHAN ZUCK: Do you think there will be pushback for specific examples if you just stay theoretical like that?

HADIA ELMINIAWI: Okay. Specific examples, of course, we have Nominet and we have others as well. We could be prepared to actually refer to specific cases but we will not try to do that, though. And if anyone is interested in actually taking part in this session, please contact me and Christopher, and we can start coordinating this together.

JONATHAN ZUCK: Great, Hadia. Thanks so much. Before you turn off your microphone, "ICANN - End User Participation in ICANN PDPs and their Role within the ICANN ecosystem." That's the fourth session.

HADIA ELMINIAWI: Okay. The title of this session was changed because we think that this title is more representative of what this session is about. Again, the objective is to explore the weight and impact of Internet end users on ICANN policy development processes. So the session will start by highlighting end users' participation on ICANN PDPs and their role

within ICANN's ecosystem, exploring kind of their weight within ICANN community and their true impact on decision-making.

So we'll attempt to answer two questions. How much does the ICANN Board rely on the Internet user community in making its decisions? And to what extent has the ICANN community been able to gather opinion that is representative of the Internet end users? For the first question, we will need definitely Board members, maybe current and previous. And for the second question, actually, it's very relevant to the funding, Jonathan, that ALAC has just got in relation to surveys. So that's one of the things that could be also discussed under the second question. Again, if anyone is interested to take part in this session, please contact me.

JONATHAN ZUCK: Thanks, Hadia. Put me down. I'd be interested in helping organize that session.

HADIA ELMINIAWI: Sure. Thank you.

JONATHAN ZUCK: All right. Any questions on any of these sessions?

CHRISTOPHER WILKINSON: I think Olivier has his hand up.

JONATHAN ZUCK:

Olivier, I see your hand is up. Go ahead.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Jonathan. I think that it's wise to avoid any specific ccTLD. I know that examples abound and, of course, Nominet was mentioned, but these issues are highly contentious. I think that they're also filled with a lot of emotions as well. There are real wars happening. I mean the Nominet issue, at the moment there's an all-out war in the UK. There are also issues with many ccTLDs that you won't really see much because their payment structure is such that it's easier for locals to register under a generic top level domain. And that's why the country code top level domain hasn't flourished at all. I'm thinking of many African countries, some in Asia as well, government control of the ccTLD in some cases, and also in other cases, commercial control as we mentioned it. The so-called courtesy TLDs that used to be, for some of the cases, a deal between the country and an external operator to monetize the ccTLD and actually then give the money over to the country for its own network development, and the other opposite one where the ccTLD was just registered by some smart aleck somewhere. How do you translate smart aleck? I don't know. I'll leave it to the interpreters. Some smart aleck somewhere that will register it, make money out of it without the country knowing. And again, examples abound on that.

So keeping it generic is, I think, a very wise thing to do because the last thing this debate wants to go into is some roundabout focusing on a specific TLD problem and importing a war that is taking place elsewhere into the At-Large space. Thank you.

JONATHAN ZUCK: Thanks, Olivier. It's going to be a fun one, Hadia and Chris, for sure on the commercialization. Sébastien, I see your hand is up.

SÉBASTIEN BACHOLLET: Thank you, Jonathan. To follow what Olivier say, I think we have to be careful and, at the same time, I think it's useful that ALAC talk about also ccTLD because it's not [inaudible] who will just speak into the G world. I feel, as an end user, more in trouble with the one ccTLD that are given for free. And it's not really given, even you don't have the right for the domain name, and then it's more difficult for end users to understand what is happening and a lot are going into that direction because it's less expensive than the other TLDs.

JONATHAN ZUCK: Thank you, Sébastien.

SÉBASTIEN BACHOLLET: The way it's commercialized, the way the relationship between the countries, the ccTLD registry and the one running the ccTLD is a very important topic. When some African country went from paid CC domain name to a free one, it changed completely the landscape in the country and outside the country, and they are not very happy with what's happened. And just to go, I feel—and as Christopher is here—you are missing in this EURALO session who is also an At-Large policy session, as far as EURALO is At-Large also. Christopher will be able to update on that specific one. Thank you.

JONATHAN ZUCK: Thanks, Sébastien. I was just going to come to you next because I saw the EURALO session was not listed. Do you want to start that off or should we just go to Chris?

SÉBASTIEN BACHOLLET: I guess let's go to Christopher. He's the one who—

JONATHAN ZUCK: Christopher, do you want to tell us a little bit about the EURALO session?

CHRISTOPHER WILKINSON: Yes. Well, first of all, apologies for arriving late but I had a previous important meeting.

The EURALO session is about geographical names. First of all, we have a strong At-Large position on geographical names in the advice that Justine and others have prepared. I think in the European context, it's extremely important to ensure that this issue is quite high on the agenda of At-Large participants. The actual organization of the session is not straightforward, mainly because we have so little time. And as a footnote to all of the above, I think for future reference, the preparation of an ICANN virtual meeting should start a good deal, several months before the event.

I'm conscious of Gisella being very assiduous in fulfilling her responsibilities, but occasionally I find that we are asked to achieve

something by last week, which is going to be quite difficult by next week. We do, however, have significant positive steps. We have an excellent moderator. Sandra Hoferichter is a moderator and chairman of several boards and organizations, and I'm quite sure that she will do a first-class job as moderator. Sébastien has been discussing with the French government about representing their point of view on certain aspects of geographical names. And I have been in constant contact with the European Commission with a view to having a short presentation about the scope and options of a political local law in protecting geographical names. There are other aspects which we can pick up depending, to a large extent, on the panelists that we can identify between now and the 16th of June, which I think is our target date. Thank you.

JONATHAN ZUCK:

Thanks, Christopher. Let us know how we can be helpful and good luck to that. I look forward to that session as well.

So those are the policy sessions we have coming up quite a bit. We have a pretty exciting ICANN71. And with that, I will pass it back to you, Olivier.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Jonathan. Let's go to the workgroup updates next. And now we start with the Transfer Policy Review Policy Development Process. That's the TPR. I guess TPR PDP as one would want to put some acronyms to this. We have new workspaces that have been built and we also have a presentation. I'm not quite sure who is going to take us

through this. Probably Steinar? So I leave the floor for Steinar Grøtterød and Daniel Nanghaka.

STEINAR GRØTTERØD:

No, it's not me. It's our alternate Lutz that has prepared this excellent PDF presentation. He will go through that one.

I'll just say that we had our first meeting last Friday. It was more like an introduction of all the members. Steve Crocker was introduced as a special agent, a subject matter expert. He brought some things into the discussion that at some point we have to discuss in this group, whether these are policies or they are guidelines. But if it is okay for everybody, I'll let Lutz to take us through the Transfer Policy Review introduction that he has created. Thank you.

LUTZ DONNERHACKE:

Okay. First, this PDP is a little bit different from this type of structure. It's operated in a way that the known subjects can talk to each other and find the decisions they want to take and everybody else is considered to take part and listen. The whole procedure is designed in a way that these people are not meant to contribute. Besides, they have the right moment to enter that discussion and to bring some points as they are important to them. So in this type of PDP, it's important for us to raise the end user or registrant issues in a timely manner. So we have to understand what the others are trying to establish and we have to interrupt them at the right point. I prepared some introductory slides now which are able to understand the procedure which is behind all

these transfer issues and to make clear which are the interesting points for us for At-Large.

First of all, we have the domain transfer, which means that a registrant is changing the registrar and the DNS operator he is currently using. So it's transfer to a different registrant and different DNS operator. It's possible to not only change the registrant operator but also change the owner of the domain. Those are very important acts in the domain lifetime. Anything which is important [can't] be changed at once.

The whole policy process is designed to make it happen without much hassle for the registrant. But on the other hand, to make this transfer, this very critical step, as secure as needed. Not as possible but as needed. Especially the distinction between needed and possible is the [inaudible] point here because there are different interests in the process. Some registries want to ease the process for them, some registrars are very keen in keeping the communications with the registrant as little as possible because there's a lot of paperwork and they want to remove the paperwork. The main point is that we want to change almost anything on a domain name, the ownership, the registrar who is able to manage all the entries of the registry, and even the registry entries which pointed to the correct DNS servers. Next slide, please.

The main process from the legal standpoint is that we had to start at the registrant. They ask a new registrar, the gaining registrar, "Please do a domain transfer for me." So they have to provide a Form of Authorization, the FOA, for proving that they are able to do this. The gaining registrar has to prove this. If they are confident that that's a valid

transfer request, they ask the registry to do the transfer. But the registry says it's currently owned by somebody else. Step three, the old registrar it's okay to transfer and the old registrar has the obligation to ask the registrant again to reconfirm this. Step four, get a Form of Authorization, a formal document saying, "Yes, it's okay. You can do this." Then we get to confirm back to the registry, the registry do the change and send the completion notice to both registrars. Both are informed that the one is not longer the registrar, whereas the other is becoming the new registrar for the domain. That's the intended workflow. Next slide, please.

There was no proof of authorization. Anybody could start this process and the process which is done several years ago is to introduce Auth-Info Codes in order to verify that the first step in this process is done in a little bit more secure way that we know that the person who is asking for the transfer has some knowledge about the domain but some internal knowledge so it's likely that the transfer is correctly initiated. The process for this Auth-Info Code is that the registrant is asking the old registrar, the registrar of record, please send me out a code which is also known to the registry, the Auth-Info Code. Then together with the request of transfer, he provides this Auth-Info Code. And this Auth-Info Code is sent together with the Request of Transfer to registry. The registry already knows that there is such an information, a hidden information that is completely opaque and arbitrary. And if both information are the same, it's an authorized transfer.

That's the steps which are behind all these processes and they need some policy how to do them. And now we are discussing in this group how we can streamline this process to make it easier for the interest

group and to make it more secure. And our point of view is to keep an eye on the registrant, which is not part of most of these proposals. Next slide, please.

Question block 1a is about the Auth-Info Code. The Auth-Info Code is already in place and the question is if we have an Auth-Info Code, is this enough information to request the transfer and to have it authorized? Can we drop the paperwork that the gaining registrar has to do to check it's the correct information, that the correct person was asking for transfer. From the point of the registrant, it's okay because it's less paperwork for him. He only has to provide the Auth-Info Code.

The next question in the section is can this Auth-Info Code replace even the authorization from the losing registrar? That was the confirmation that the registrant would ask again, "Are you sure?" They have the [contract] to the old registrar. And the old registrar is asking his contracted party, "Are you sure that you want to transfer to a different registrar?" Can the provision of the Auth-Info Code in the first step replace the paperwork for the second step that they have to have confirmation again?

The reason behind is that we have this delay, if we do not respond in time, we have auto-acknowledge. Transfer could be sought indefinitely. About 15 years ago, 20 years ago, it was really this way that we have to wait several weeks for transfer. So there was introduced the policy that if the losing registrant did not respond in time, it's an auto-ack. It makes a lot of pressure to the registrant. So if you know that the registrant is unable to answer, you can initiate the transfer. So trick the registrant in acknowledging by not responding and losing the domain.

The first two questions are very important for our side that we have to decide if we really want to accept that the Auth-Info Code is the only one information which is needed to authorize the transfer of the domain. If it's this case, can the Auth-Info Code be more secure as we had at the moment? Because at the moment, it's only random string. If you go to domain and make it more secure, for instance, with two-factor authorization, we have to keep in mind there's a lot of technical hurdles for the registrant. We talk about people which are not so technical involved and I don't know what happens if they have to go through a lot of technical steps like responding to a special app on providing a second authentication of a mobile network. I don't know what will happen if you make that mandatory feature in order to make the Auth-Info Code more secure in order to decrease the paperwork for the registrar.

So the next question—if we lose the paperwork, how can we prove that the domain transfer was made in fraudulent way as the registrant? We are losing the domain name for unknown reason. How can we track this was not our fault but somebody else, and how we get it back? That's an open issue, a question that needs to be answered in this section too. Next slide, please.

The change of the registrar and the change of the DNS data is one point. The second point is to change the owner of the domain, so the WHOIS data. Because WHOIS is not public anymore, it could happen that we had a hidden change of ownership. The current policy depends on that all interested party has the opportunity to check the WHOIS for the current ownership. This is gone. So we have to introduce a new way to verify that we are really the owner as the registrant, that we can do it in a way that's easy enough for everybody.

Currently, there are some security measures that are hard to understand for anybody who is owning a domain name. For instance, the 60-day lock. If you change anything, 60 days after the change, you can't change anything, you can't transfer the domain. So if you make a mistake, you're locked. It's very common to make a mistake. It's much more common than to be a victim of fraud.

The next question we have to answer in this area is how to deal with privacy/proxy services and how to deal with designated [inaudible] transfer. There are special introduced new parties in this process. And in formal way, they are the owner of the domain name for a certain amount of time. And for certain amount of policies, it's not clear if the privacy/proxy provider or the operating agent is currently or actually the owner of the domain. But it's working on behalf of the registrant. For the registrant, there's a distinction between "I own the domain" or "I have a contractor who owns the domain for me." That needs to be clear and part of the PDP is to find the new definition how the ownership of the domain is really defined in these new objects in the process. How to do this? We have to have an eye on this. Next slide, please.

Question block 2 seems to be only interregistrar issue. So the registrars will discuss this issue between themselves because it's only issue between them. The first is the transfer emergency action contract if you want to make a domain transfer happen within a certain amount, for instance, a few hours, you need to have a direct contact to the other registrar and you have to call them and you have to have a very qualified expert on the other side and to call them directly. The whole policy here is how to do such expedited transfers? For our point of view, can we trigger this? Can we make [inaudible] the domain transfer faster by

triggering this process? It's difficult to ask this question because it's missing in the charter and we do not discuss this.

The next is what will happen if the FOA, the request to confirm the transfer through the losing registrar, is stopped during this process? So the registrant is losing the right to say, "No, that's not a transfer I want to do." The same as Transfer Dispute Resolution Policy. That's a policy which allows to revert an erroneously initiated transfer for a certain amount of time. It's a complicated issue because of a lot of legal discussions in it. But for our point of view, it's interesting to note, "There is a possibility to correct an error. If yes, how do I trigger it? How can I go to my gaining registrant and say, 'You made an error'? Or do the losing registrant say, 'You made an error, please correct it?'" Next slide, please. It's the last slide.

This is an open charter. Open to charter that we have, only a few ideas, and here we can provide anything we want because there is no prepared questions, we have an open area, and we have some points which are interesting for us. For instance, the rules by transfer can be denied. I think that we have in this area the opportunity to ask ICANN to provide much better information which denying are allowed and which are not. For instance, open payments is a common reason for denying a transfer but it's not allowed. And then we have the ICANN approved transfers, which is also an open issue. We have seen this in India at the moment that ICANN is taking much too long if registrar is going out of service and the registrants are stranded with a non-working system for several months. I think that we can put in some rules here to make ICANN a little bit more accountable for this. Thank you very much.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Lutz. I guess we can see that the floor is now open for questions and comments. I noticed Jonathan Zuck has put his hand up.

JONATHAN ZUCK: Thanks, Olivier. Thanks for this great presentation. I guess we need to figure out some exercise internally within the CPWG to figure out what it is that we want out of this process. A lot of it's pretty technical and things like that. And we ought to figure out the extent to which we can develop some semblance of a individual end user agenda, if you will, for this PDP. So I welcome your help in helping to define what that looks like.

I know that another complicating factor I just went through with my wife is privacy/proxy registration makes it even more complicated who the registrant is as the transfer takes place. That's another element. I welcome your thoughts on where you think the opportunities are to bring the individual end user perspective and what you think are our objectives might be for this PDP, Lutz. Thanks

OLIVIER CRÉPIN-LEBLOND: Lutz, this is Olivier. Do you want to take each comment in turn or should I just go through the list and then you can comment back?

LUTZ DONNERHACK: I think that was a comment, not a question.

OLIVIER CRÉPIN-LEBLOND: Okay. Well, sometimes you might wish to comment in response to the comment. Next is Alan Greenberg.

ALAN GREENBERG: Thank you very much. I'd like to say that was a marvelous presentation, demonstrating just how complex the issue is, how much has been broken because of the WHOIS situation, and the fact that there are so many questions here and so many things that need to be resolved. But in answer to Jonathan's question, I don't think the onus is on us to put a full WHOIS At-Large position together. In many of the cases, despite the complexity and the understanding that there are problems that have to be resolved, I'm hoping—and Lutz can confirm—that there seems to be a general will within the overall PDP that these are problems and they need to be resolved. I suspect there aren't many people who are saying, "No, it's okay. Let's just leave it alone." Given that, I'm expecting in many cases that the group is going to have to work really hard to find solutions. But it's not necessarily clear that the solutions will all be controversial.

So as this process evolves, I think our members will be in a position to come back to us when and if there are things that really will affect our users and we want to pass judgment on them and make recommendations. I'm not expecting there to be a huge number of those, although I'm sure there will be some. I'm not looking at this so much as a quandary for us as a real hard task for our members and the

rest of the PDP members to analyze what's going on and come up with good recommendations. Thank you.

JONATHAN ZUCK:

Thanks, Alan. You've mentioned that before. I didn't mean to suggest this was controversial. It's just as a process point I think it makes sense for Lutz and the other volunteers to help us to just come up with what we would want our objectives from this to be. It doesn't mean that it's going to be controversial or that they have to go in and fight for them. They may not be controversial but it's just kind of understanding what makes us a success from the At-Large standpoint. We can talk about it further.

ALAN GREENBERG:

But to be honest, I think that's an easy one. The success is domains only get transferred when the real owner wants them to be transferred and to get transferred properly.

JONATHAN ZUCK:

Also, it happens in a timely manner—

ALAN GREENBERG:

Yeah, a whole bunch of other things like that. But I don't think our task is as difficult as implied by the difficulty of the problem is what I'm saying. Thank you.

JONATHAN ZUCK: I agree. Thanks, Alan.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Alan, and thank you, Jonathan. Next is Judith Hellerstein.

JUDITH HELLERSTEIN: Thanks. Thanks so much for the excellent presentation. I do think also the privacy/proxy is a problem. And also there's a lot of end users who get registered for domain by a company who's not very clear to them. Oftentimes, sometimes they don't register and then name properly. And they register it in the company's name and they can't even see how to make choices, how to make things. I think there's a lot of more work we can do in helping individual end users who don't understand the process and get taken advantage of and also lose their domains. I've known a couple of cases where customers and individuals have lost their domain because the company they registered with did it incorrectly, and there was nothing they could do about it. But also, people want to put a transfer lock on so that they don't get taken advantage of. That was also a problem because then they don't know how to undo it. I think all these issues, there's a lot of stuff that we could put the end user point of view on and try to figure out how to make sure that we're really advocating for the end user. Those are my points. But I thought it was really good.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Judith. I'll continue through the list of people queuing up and then we'll get back to you. Steinar Grøtterød.

STEINAR GRØTTERØD: Again, thanks to Lutz for the presentation. It is a very good way of displaying how complex these things are. I think we have to look into these. As the end user, we want to have a safe and secure transfer from one registrar to another. And in my point of view is that the transfer policy should include elements that make this in a secure and understandable way.

What I hope not we ending up in because it's going to be an endless thing is that we include guidelines into the policies. So far, there have been elements of what I will describe as a guideline, how is a good transfer being executed? How is a bad transfer being executed? We have the DNSSEC signs on, how is that being operated? We have the email stuff, we have the website, etc. All these things are, in my opinion, something that, of course, will affect the end users and the result of the transfer but it's not included in the policy because the contracted parties, the registrars have different ways of handling this. There are good ways and bad ways. I don't think you can settle that in the policy. So one of the challenges we have, in my view, is to put policy correct and take the guidelines and the best practice documents outside this PDP. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Steinar. Finally in the queue, we have Alan Greenberg.

ALAN GREENBERG:

Thank you. I want to comment on some of the things Judith said. Everything she mentioned is correct. There are a lot of very ugly things associated with registering domain names, especially for the novice and especially for someone who is dealing through multiple intermediaries—web hosts in companies and web designers—and lots of ugly things that happened but much of that is not associated with the Transfer Policy. I'd like to cure all of those things because I think they're all things that make life difficult for someone who's trying to get involved in the Internet and use it as a tool, but much of them is not Transfer Policy and I don't think we can look for too much savior in fixing some of those problems here. The same is true for privacy/proxy type issues. Some of them may be appropriate here but much of them are not going to be fixed because of the Transfer Policy. So let's keep focused. That doesn't mean we should ignore all those other things and try to figure out ways to fix them, but let's not pretend the Transfer Policy is going to fix all of the ills that we've built into the system. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thank you, Alan. Steinar, last closing words on the topic, please, because, unfortunately, we have a limited amount of time. So, Steinar?

STEINAR GRØTTERØD:

Just giving an example of what I try to avoid is that if we kind of end up with the policy saying that transfer between our domain name between registrars should also include automatically change your name servers.

That will, in my opinion, kind of mess up things extremely. So that's a practical example I really hope that we will avoid in this PDP.

I will just add to that that in the ccTLD world, there are DNS operators as some sort of an entity. In the gTLD world, the DNS operators are not necessarily in contract with ICANN. Hence, there is a problem with that contractual-wise. Thank you.

OLIVIER CRÉPIN-LEBLOND: I think you meant it the other way around. In the gTLD world, they have contracts with ICANN. In the ccTLD world, they don't.

STEINAR GRØTTERØD: No. DNS operators doesn't necessarily have to have a contract with ICANN.

OLIVIER CRÉPIN-LEBLOND: The DNS operators, okay.

STEINAR GRØTTERØD: Yeah, DNS operators as an example. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Steinar. Finally, Lutz Donnerhacke.

LUTZ DONNERHACKE:

The main problem we have here is that we have a new structure of discussion in the PDP. We have two people who are allowed to discuss on the mailing list and to raise a word in the meetings. Everybody else has to be quiet. So even if we have an interesting discussion, while some party has some points to make, we have to create an internal communication so that the two people who are representing ALAC in this group are informed timely that there is something important to note. We have to create this because it's a new situation for us. Usually everybody who has something interesting to add can do this. In this group, it's not allowed.

The consequence is that there is a spinoff external off-list discussions. For instance, for the DNSSEC, I'm part of such a discussion, which is discussing issues which are relevant to the PDP but are not transparently part of the mailing list or the meetings. So in the meetings, we will see the outcome of this off-list discussions as a short presentation saying that some people, which are important, or very known experts, had said the following things, and then we will have a time frame for about 10 to 20 minutes to raise an objection. These people have discussed this issue for days, and then we are presented with the results of this. This will be the culture of this PDP. And I fear that we have to organize ourselves in a way that we can deal with these issues. It will be complicated because most of decisions are designed, the PDP is designed in a way that the issues are discussed off list by people who are involved in this subject and the results are presented to the group. And we have the policy that nothing is discussed twice. If they make [a decision,] this will not be [brought] up again.

So we have to deal with a process which is not like the process we know. That's why I made a presentation to make everybody clear what we are talking about, which is in scope of these discussions and where we have to keep an eye on this and have to raise an objection, even if it takes something longer but we can't pass these issues through. We have to raise our voice, we have to raise our hands, and say that's an issue which is relevant to the registrant, to the end users, and we want to take part in this. Otherwise, we'll be bypassed. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Lutz. I realize time is passing but this is a very critical issue at this point in time, so I'll still take Siva and Alan. We'll close the queue up to Alan and we will need to move on. Sivasubramanian Muthsuamy?

SIVASUBRAMANIAN MUTHSUAMY: Thank you, Olivier. I heard someone mention that DNS providers are not under the purview of ICANN, nor that they don't have any compliance requirements or something to that effect. DNS providers constitute very, very core and important part of whatever ICANN is doing. And shouldn't they be under the purview, at least in a low sense in terms of standards and recommendations and good practices in the ICANN system, and shouldn't that solve some of the DNS issues? Maybe even it could be an opportunity for the large registrars to open up a new branch of service such as a common, neutral DNS service. So I think that should be one of the points that we should pay attention to.

Secondly, in general, this working group should be very broadly about what is it that ICANN is doing and what is it that it's not doing? There are quite a lot of things that ICANN is not doing. I mean not in a negative sense but in a very, very constructive and supportive sense, we could criticize some of the neglected areas or point out or helpfully suggest that these are the areas that ICANN should pay attention to. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you for this, Siva. I gather that some responses might come up in the chat and your points are being taken up by both Steiner and by Lutz as well. Finally, Alan Greenberg, and then we'll have to move on. Alan?

ALAN GREENBERG: Thank you. On DNS servers, anyone can run a DNS server, an authoritative DNS server. ICANN isn't in a position to make rules for that. That is the way the Internet works.

With regard to what Lutz was saying about decisions are made and are not going to be revisited, the norm that I have experienced in all recent groups that had such a rule is that no decision is made within a meeting, that if a decision is tentatively made within a meeting, it comes back to the next meeting for anyone to raise any objections to it just because not everyone can be at every meeting, and moreover, you have to be able to go back to your parent group and discuss things. So if they're not following that rule, then we have a problem.

But in terms of being able to discuss it with the At-Large, then we could use the CPWG list or we could set up—and I think this is a specialized

enough issue that we may want to set up a list for At-Large with our members and alternates so they can quickly raise things and get responses on it. And I think that would be a very reasonable thing to do. We might even get permission to let that list shadow the active mailing list, not be able to contribute but be able to see it. So you don't have to go look at the mailing list in some other way. Hopefully the group is not making decisions in a second meeting and hopefully we can get a small enough group of interested people for our members to consult with. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. I think you meant hopefully the group is not making a decision without a second meeting, so decisions in a single meeting.

ALAN GREENBERG: That is correct. Whatever I said, you got it right.

OLIVIER CRÉPIN-LEBLOND: I might have it wrong in my head right now. Anyway, great. Thank you. Thank you so much, everyone. Thanks, Lutz, for this great presentation. We're running rather late now so I should ask for a quick update first from the Intergovernmental Organization Curative Rights Work Track. I'm not sure if Yrjö or Carlos will be taking this.

YRJÖ LANSIPURO: Yrjö will be here.

OLIVIER CRÉPIN-LEBLOND: Then Yrjö Lansipuro may speak.

YRJÖ LANSIPURO: Thank you. Thank you, Olivier. I'll be brief. I need far less than 15 minutes. Just to recap, this work track has a narrow mission to design a procedure for the case where an intergovernmental organization wins the UDRP procedure about its acronym but the losing registrant wants to go to court, at that point, the IGO says that "No, we have immunity." Now, the original PDP on IGO curative rights made a recommendation that the GNSO Council did not accept because it led to a stalemate, and now our workshop tries to sort of correct that one.

Now we had about 12 or 13 meetings. We have been tackling the problem of standing. What is the standing for an intergovernmental organization to go to UDRP procedure in the first place? And I think that we have found a solution for that because for weeks, we discussed the possible list by GAC of these organizations or using the Paris Convention 6ter article. But, finally, we came around to a situation where our members seem to accept the fact that IGOs, intergovernmental organizations, have a right to their name and abbreviation by virtue of being intergovernmental organization set up by treaty among sovereign states, instead of trying to sort of go through this long way of trying to somehow figure out and pretend that they have trademarks. So the standing issue seems to be on its way for solution.

Number two, we were discussing what happens after the UDRP procedure if the registrant who is losing is unhappy and we pretty much

have come to the solution that there should be arbitration. Because going to the court is useless with an IGO. However, the problem is how to get the consent of the losing registrant for that procedure. That's what we have been discussing now.

The third point, tomorrow the progress of our group will be reported to the GNSO Council. Then next Monday, we continue again. Thank you.

OLIVIER CRÉPIN-LEBLOND: Unmuting. Thank you very much for this update, Yrjö. Any comments or questions? I am not seeing any hands up, so the next part is to do with the Expedited Policy Development Process.

ALAN GREENBERG: Siva does have his hand up.

OLIVIER CRÉPIN-LEBLOND: Oh, he does? Oh, it just appeared now. I must be in another time zone or timescale or something. Yeah, Siva?

SIVASUBRAMANIAN MUTHSUAMY: It's a question to Yrjö and that's not well-formed yet. I'm just asking this question as a reaction to what he said about various problems related to UDRP. And the point is that Internet has its own governance space and DNS is a governance space. Why do we still go by external definitions of what constitutes a legitimate name and what constitutes a rightful name? Shouldn't ICANN factor in various factors and various practical

difficulties and maybe even have its own set of recommendations as to what to do with IGO names and what to do with names that are not formally registered as a trademark in the country but constitute a very legitimate name for an entity, an important entity or for a particular service, or even go to the extent of deciding what to do of conflicted name that is registered in one country but registered by somebody else in another country? Shouldn't there be a process? There should be a very long drawn process and it's a very complicated process but at least should we think about these gaps because it's its own government space? Just a thought. It's not well formed yet. Thank you.

YRJÖ LANSIPURO:

Thank you, Siva. Interesting questions, but I can just answer that this work track has extremely narrow terms of reference so that those questions are interesting but they are not for us to answer. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thanks very much, Yrjö. In fact, there is the Rights Protection Mechanisms Work Track was one which has dealt with a significant number of these issues. So that's another story. And in fact, there was a recent statement from the ALAC on an aspect of the Rights Protection Work Track.

Anyway, I wish to flip forward. So, Siva, I'm afraid we'll have to—your hand is still up but I want to move forward to the Expedited PDP because we're kind of running out of time today. So, Alan or Hadia.

ALAN GREENBERG:

I'm unmuted already so I'll start. I'll be very quick. We're down to the very last part of this part of the EPDP. The interim report is due out on the 31st of May, which leaves this meeting tomorrow and next week as the only meetings left. The chair is not inclined to delay, despite the fact that the last weekend is also a U.S. holiday.

At this point, we haven't seen the interim draft report. We've seen bits and pieces of it. We won't see it until Friday, I believe. So we really don't know what the report is going to look like and what is in it.

There is a major concern amongst some of us that if our positions, the positions which were not adopted as consensus, that is that we should do a legal/natural determination for all domains and a number of other issues. If those positions are not reflected within the report then we believe we must add something to the report. The chair has said that minority reports are out of order. If it comes down to this, we, the members of the team, are going to have to make a decision in a day or two. So if anyone here objects to us submitting something and essentially demanding that it be included in the report, then let us know quickly because this is a decision that may have to be made very, very shortly, if we find our position has not been reflected well as not adopted but as having been discussed. So that's point number one.

Point number two is we may have agreement from the contracted parties. We have affirmation from one person so far that we can add a new field to the RDDS, not mandated usage but at least have a field that says legal or natural. That's a good thing.

That's really where we are right now. We are going to be discussing the whole e-mail web form anonymization tomorrow. I doubt if we're going to make much progress, so we had we're in a situation where contracted parties—most are still using a web form, some of which are totally useless, and it doesn't appear we have any way of fixing that. The chair has said that it should be dealt with by the Phase 1 IRT but that's not going to be an effective way of imposing rules on contracted parties.

So we're not in a very good position. The interim, the end will come to this part soon. There'll be a 40-day comment period. It's not clear if that will include the ICANN meeting or be extended for the ICANN meeting. I've asked the question. And that's where we sit right now. Hadia, if you have anything else to add, please go ahead.

HADIA ELMINIAWI:

Thank you, Alan. I think you've covered everything. As you mentioned, two issues here. One is how to actually reflect our position fairly in the report, if it is not included. And the other is in relation to the capability of contracted parties to actually differentiate in a standardized way. To that, we actually have a suggestion to amend the recommendations of Phase 1 in relation to the RDDS fields, in order to add this field. However, though we have this recommendation, it's part of the guidance, and the guidance actually cannot be enforced. So that's an issue as well. By Friday I think things could be more clear and we could have more information on our next call. Thank you.

ALAN GREENBERG: To be clear, if the group recommends that there be a new field that's a flag for legal/natural or empty because it doesn't have to be used, that would be a hard policy recommendation, not just guidance. It's not clear that all people in the group understand that, and that's one of the things that has to be clarified over the next week. Because there are some people who think it's still just guidance but it makes no sense to say ICANN should add a field to a definition as guidance. That makes just no sense at all.

I would like to ask that we allow a fair amount of time for discussion next Wednesday. We may not need it but it's going to be our last kick at the can. So I would ask for some time to be to be allowed. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this update to both of you, Alan and Hadia. In a way, two more meetings mean that you're nearing the end of the tunnel. But maybe not, maybe they'll be another part after this, who knows. The best things last longer or could last longer.

ALAN GREENBERG: Well, remember this is an interim report. We will then get comments and have to analyze them. So the EPDP is not finished, but this is the end of getting out the Interim report.

OLIVIER CRÉPIN-LEBLOND: It is Part 1A, isn't it? So you've got the whole alphabet that you could go through as well, if you want. I note the total silence. Right. Thank you very much for this. Let's then move now. So thanks to everyone who's

provided updates on these. We are going to get an extension but the next agenda item is the policy comment updates, and that's with Jonathan Zuck and Evin Erdoğdu.

EVIN ERDOĞDU:

Thank you, Olivier. I'll just run through this quickly, as there are several items under AOB. So recently ratified by the ALAC, there are none since last week. There are quite a few upcoming public comment proceedings during the month of May and June, which we'll have ICANN71. One public comment did recently open for decision. So this would most likely be within the remit of the Operations, Finance and Budget Working Group, and that public comment is the draft North America Engagement Plan. It closes on the 2nd of July. Otherwise, the current statements in development or soon to be in development as noted potential ALAC advice to the ICANN Board, also a potential minority statement to the EPDP. And then currently under ALAC vote is the ALAC statement on the GNSO RPM statement drafted by Greg Shatan, and that will be submitted later this week after the ALAC approves it. So unless there any comments, I'll turn it over to either Jonathan or the group. Thank you.

JONATHAN ZUCK:

Thanks, Evin. I suspect that somebody's going to want to comment on that North American outreach plan. I don't even know if it's the overhead finance and budget team or if it's NARALO or something, but we should keep our eye on it. Then certainly the DAAR public comment

period when it comes up, I think it's going to be pretty important to us.
Thanks for the summary. Back to you, Olivier.

JUDITH HELLERSTEIN: Jonathan, it's Judith Hellerstein. The North American team has already been commenting on the plan.

JONATHAN ZUCK: I understand. I don't know whether we're going to want to do a formal comment or not. Do you think that there's enough of a change that we want out of it that this should come up before the Finance and Budget work group?

JUDITH HELLERSTEIN: I think the Finance and Budget can look at it but it should be clear. It should be an easy thing to say like, "Yes, we approve it," because she basically took most of our ideas.

JONATHAN ZUCK: Yeah. It's been pretty interactive.

JUDITH HELLERSTEIN: Yeah. [Neyla] did a good job. So that's my thought on that. I think it can be pretty easy to say, "Yes, we like it a lot and we approve it."

JONATHAN ZUCK: All right. Thank you. Olivier, I'll pass it back to you for Any Other Business.

OLIVIER CRÉPIN-LEBLOND: Thanks, Jonathan. I saw briefly Holly Raiche put her hand up. She might be able to help regarding the OFB working group.

HOLLY RAICHE: Thanks, Olivier. I was just making a note to Heidi. Could we put that on the agenda for the next meeting? So thank you for noticing. That was my idea.

OLIVIER CRÉPIN-LEBLOND: Thanks very much. And seeing no other hands up, that means we can move to our Any Other Business section that's got a number of announcements and things to go through.

The first is regarding the new ICANN Learn courses about the At-Large community, which are now available. I wish I had the name of the person who could say a few words about this, maybe just a minute on each one of these.

JONATHAN ZUCK: Thanks, Olivier. I can talk a little bit. There's two new courses up there. One is kind of onboarding class for folks who are new to the At-Large. But it also exists currently as a prerequisite for the Policy Development course. It's probably worth people's time to go through it. Folks worked

really hard on the history of the At-Large community in the ALAC and the structure, etc. So that's one class. It's called the Welcome to our World. And then there's another one called ICANN Policy Development: A Guide for At-Large Participants. That's basically looking at how the At-Large community engages in ICANN policy development. Hopefully, folks will take a look at that as they want to get more and more involved in the CPWG and other aspects of ICANN policy development.

OLIVIER CRÉPIN-LEBLOND:

Okay. Thanks for this, Jonathan. Next in the Any Other Businesses is the—well, it says here RSVP to the PIR DNS Abuse Forum. It's just an announcement that there is a forum discussion that will take place, exploring the edges to reach consensus. I think I sent this to the CPWG e-mail list and it's on May the 25th with a number of participants that our community knows well. So it's just to flag for anyone that missed the e-mail that this could be an interesting webinar roundtable discussion to attend.

There is a link also to the recent GAC and ALAC leaderships meeting that's actually taken place just before this call. I see that Yrjö is quick on the buzzer, so I'll hand over to Yrjö Lansipuro for a quick update on this.

YRJÖ LANSIPURO:

Thank you, Olivier. Just briefly, we had earlier today had an intersessional meeting of the ALAC and GAC leadership with the subject matter topic leads present went through the cooperation at this point on EPDP and SubPro, which are sort of standing items on our agenda

since many years. They're also discussing the new topic, the Internet governance ecosystem in light of upcoming discussions at the ICANN71.

And lastly, there was an idea by Maureen suggesting that our usual joint ALAC/GAC meeting at ICANN71 and ICANN meetings could somehow be more developed into a deeper discussion on certain themes rather than just going through the standing items. I return to that. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Yrjö. Of course, as you know, Yrjö Lansipuro is the ALAC liaison into the GAC. So, great work to get things moving in this direction and to get the communities to speak so regularly now, which is really great.

Finally, in the announcement section is the updates to the At-Large Consolidated Policy Working Group workspace. I'm going to ask Evin to provide us with an update on this. Evin Erdoğdu.

EVIN ERDOĞDU: Sure, Olivier. Thank you. I'll just share in the chat a link to the CPWG workspace. This has just been tidied up a bit, given the recent activity and also just easy-to-access resources for both our veterans and newcomers. So please give it a checkout. Also, the CPWG position development diagram is there, which is very handy to share with the community, as well as links to the new ICANN Learn courses for the At-Large community. So it's a great resource to help promote At-Large policy activity. And if you have any feedback, please, of course, feel free

to share with us and we'll be updating the space regularly. So, thank you all very much.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Evin. Thanks for keeping this page clean and, at the same time, also keeping it exciting and up to date. It's particularly important for anyone following policies. So if anyone has indeed some suggestions to improve the page further, then please contact Evin. That would be really, really helpful.

I'm not seeing any other hands up. Any other business that's not listed here? We seem to be only eight minutes behind the official end of this call so we're not doing too badly.

We can go to agenda item number seven, next meeting. When is that likely to happen? I wonder.

CLAUDIA RUIZ: Next call is next Wednesday, the 26th of May at 13:00 UTC.

OLIVIER CRÉPIN-LEBLOND: 13:00 UTC according to our usual rotation of calls. So Wednesday, the 2nd of—no, sorry, 26. I was going to say the 2nd of June already. No, no. 26th of May, actually. Thank you. Unless, of course, it conflicts terribly with some people. Did I say 26th of June? Of course, I meant 26th of May. It's too late.

Right. Thank you very much to everyone for having joined this call. Thanks to our real-time text transcriber who has managed to transcribe even though there was a problem, originally. And, of course, thanks to our interpreters for their great work today, and our staff. And, of course, to all of you for having participated in such an exciting call yet again. Have a very good morning, afternoon, evening or night. If you want to continue working on policy, keep on writing on the mailing list. Goodbye.

JONATHAN ZUCK: Thanks, everyone.

CLAUDIA RUIZ: Thank you, everyone, for joining. This meeting is now adjourned.

[END OF TRANSCRIPT]