DEVAN REED:

Good morning, good afternoon, and good evening to everyone. Welcome to the Consolidated Policy Working Group call on Wednesday, the 4th of August, 2021, at 13:00 UTC. In order to save time, we will not be doing a roll call today. However, all those in attendance will be noted in the Zoom Room as well as the audio bridge. I would like, however, to notice the apologies that we have received from Harold Arcos, Bill Jouris, Lutz Donnerhacke, Raymond Mamattah, Cheryl Langdon-Orr. From staff, we have Evin Erdoğdu and myself and Gisella Gruber on call management.

We have Spanish and French interpretation on this call. Our [Spanish] interpreters are Camila & Jacques and our [French] interpreters are Claudia and Paula. We also have real-time transcribing on today's call. I will put the link in the chat so that you can follow along. A friendly reminder for everyone to please state your name when taking the floor, each and every time, and to please speak at a reasonable pace to allow for accurate interpretation, and to keep your microphones muted when not speaking to prevent any background noise. Thank you all very much. And with this, I hand the floor over to you, Olivier.

OLIVIER CREPIN-LEBLOND:

Thank you very much, Devan. Welcome to this week's Consolidated Policy Working Group call. We've got an agenda that's got a number of interesting items. First, we'll look at our action items from last week. But then, Jonathan Zuck will take us through ICANN 72—yes, ICANN 72—the next virtual annual general assembly that will take place online.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

We need to think about plenary sessions so Jonathan will take us through some proposals and take your input on that.

We'll then continue with work group updates—our usual Transfer Policy Review Policy Development Process, the Intergovernmental Organization Curative Rights Work Track, and the Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data, otherwise known as EPDP.

After that, we'll go through our policy comment update. That will actually focus both on the ALAC advice to the ICANN Board on the EPDP Phase 2 but also on the request for input on topics of the Transfer Policy Review PDP charter. So both the working groups that we will have spoken about are also dealt with here.

And finally, we'll look into just a reminder and any other business. Are there any amendments, additions, anything else that we need to be aware of on the agenda? Floor is open for your input. I'm being very mindful of not missing any hands because I usually do but there doesn't appear to be any hands at the moment. So the agenda is adopted as it currently is on your screen, which means we can swiftly move on to our action items from last week's call.

Several of those action items are dealing with topics in the future, remaining ones being the first meeting of the IDN EPDP, taking place on the 11th of August. Evin Erdoǧdu to coordinate the CPWG co-chairs on a presentation of DAAR 2.0. That's going to happen in the future. And then, Hadia to prepare a slide presentation for this week's CPWG. I think we've got that coming up this call.

And as far as the SAC117 and SAC118 presentations are concerned, we spoke to the people in charge of the SSAC and they said, "Look. It's the middle of the summer. How about doing it in September?" and it sounded like a good idea. So that's when we will be slating this. Are there any comments or questions on these action items? I am not seeing anybody putting their hand up so that's fine.

Let's then move to the next agenda item. That is going to be my friend and colleague, Jonathan Zuck, and everyone else, talking about the ICANN 72 plenary session proposals. Over to you, Jonathan.

JONATHAN ZUCK: Thanks, Olivier. I just wanted to open this up for a little bit of brainstorming. The proposals for plenary sessions are due on the 6th. So today's CPWG call and ICANN 72 planning calls are really our only opportunities to brainstorm on what we think might make for good plenary sessions. We've got a little more time to come up with ideas for just our own sessions that we want to hold.

The real distinction between a plenary session and an At-Large session is twofold. One is we have to share the responsibility of organizing a plenary session. But the plenary sessions are scheduled in such a way that they have no conflicts. That's really what differentiates them.

So I just wanted to start a little brainstorming here on this call, if we could, about what we think are important cross-community sessions to be had that we might want to schedule as a plenary session as opposed to an At-Large session. And if they don't get accepted as plenaries, we

can turn them into At-Large sessions as we've done in the past. Marita Moll, go ahead, please.

MARITA MOLL: Good morning, everyone—or afternoon or evening, I guess. Yes. I just wanted to mention that At-Large, together with the GAC, did have a very successful plenary session at the last meeting on the multistakeholder model and how the model was looking from the international level. One of the ideas after that was that maybe we could hold a subsequent session in conjunction with GAC.

Now, I haven't contacted anyone to have some buy-in from the rest of our own community before we actually approach GAC members—Nigel Hickson was their representative last time—and see whether or not we could put together an agenda that would build out of the previous session. Olivier was the wonderful moderator of that session and I think it went quite well. Thank you.

JONATHAN ZUCK: Thanks, Marita. Can you put a little more meat on the bones? In other words, what are the specifics that you … I'm only pressing because the deadline is in two days. I know you haven't had a chance to consult with the GAC but if we just put together a proposal ourselves, it could get organized later. But what do you imagine the underlying premise or focus of an additional session would be? Marita? We're not hearing you, Marita, if you're speaking. It doesn't look like you're muted, though.

MARITA MOLL: Hello. Are you hearing me now?

JONATHAN ZUCK: Yes. We are. Thank you.

MARITA MOLL: I'm so sorry. I don't know what happened there and I went through my whole spiel. Okay. I'll try again. You didn't hear anything?

JONATHAN ZUCK: I heard your first comment. You mean, you went through your second comment?

MARITA MOLL: No. My comment was about doing something that builds on the previous session. Did you hear all of that?

JONATHAN ZUCK: I did. I just pushed back for more specifics on that if possible.

MARITA MOLL: Okay. Then, frankly, I was saving my thinking on that until the planning meeting tomorrow. So I hadn't really built that out yet. Sorry.

JONATHAN ZUCK: Okay. Yeah. We just don't have a lot of time. That's the only issue.

MARITA MOLL: Yeah. That's what I thought but I was going to give that some more thought today to be ready to present it to the planning meeting. So I'm just preliminary [inaudible] up here.

JONATHAN ZUCK: Okay. All right. Thanks. Christopher Wilkinson, what are your thoughts?

CHRISTOPHER WILKINSON: Thank you. Can you hear me?

JONATHAN ZUCK: Yes. We can.

CHRISTOPHER WILKINSON: Okay. Good. Very briefly, and I don't want to be a wet [00:10:00] blanket, but my personal experience is that this is coming to soon. From my point of view, we have not closed the results of the previous meeting. Specifically on Marita's comment, I would like to read the rapporteur's summary and details of the information arising from that session, which was quite important.

And more generally, I would really ask the staff to post some sort of summary document with links to the conclusions and reports from each of the ICANN 71 sessions. I think we risk treading over well-known ground. I would like to have a firm basis in terms of reports and results of the previous sessions so that we're quite sure that the next round of

sessions would improve our knowledge, and information, and influence, and not risk treading on well-trod ground. Thank you.

JONATHAN ZUCK: Thanks, Christopher. That's well-noted. And we have the opportunity on the ICANN-wide meeting to raise that issue. My guess is it will come up. I'm just trying to get a brainstorming conversation going on this call, though, because the deadline stands. So at this point, the deadline is in two days. So I appreciate your input. I get everything you said. You don't need to say it again. We'll ask for more time. But barring that, are there other ideas for what might make good plenary sessions if we are forced to make a proposal by Thursday?

Justine, maybe I can put you on the spot. Are there areas of Subsequent Procedures that ended up being handled in fairly small groups, that might benefit from the sunlight of 100-plus attendees and a community-wide discussion? Do you have any thoughts there?

JUSTINE CHEW: I actually don't have anything in mind. I haven't really thought about it, simply because in principle, all the outputs for Subsequent Procedures is done. As far as GNSO is concerned, the only pitch that we want to make, really, is to the Board, as far as I can see. I'm not sure if there's any particular area that is worth opening up for cross-community discussion again, simply because … I don't know. That might invite regurgitation of arguments that we've had in the past, community-wide—largely done by the community-wide thing. So what's the value in that?

And also, as I said, I think we should concentrate on pitching to the Board, if anything, because ultimately, the decision is going to be made by Board on matters pertaining to SubPro. So, in short, I haven't thought of anything that we would necessarily need to have a community-wide discussion again. But I'll think about it a bit more. Thanks.

JONATHAN ZUCK: Thanks, Justine. Holly, go ahead. Did you just put your hand down, Holly? Hadia, go ahead.

HADIA ELMINIAWI: Okay. I will make a suggestion for a very controversial topic. Maybe it has already been discussed priorly. But maybe geographic top-level domains. Again, I haven't thought yet a lot about the plenary sessions. I will be trying to think about something. But I just thought maybe I would suggest this topic.

JONATHAN ZUCK: Thanks, Hadia. And I appreciate nobody's thought all this through. This is just a brainstorming session. So thanks for that idea. We did have a EURALO session during ICANN 71 with respect to geographic names. And to Christopher's point, I don't know what the output from that was, necessarily. But do you have something specific that you thought that we should cover on that?

HADIA ELMINIAWI:	I do have some sources and I do have a paper with, actually, a lot of items on it. I could share it with you after the call and maybe with a small group, where we can actually discuss the potential idea.
JONATHAN ZUCK:	Okay. Do you have any top lines? Is it related to Subsequent Procedures?
HADIA ELMINIAWI:	Definitely. Yeah. It's about geographic top-level domains. Yes. [inaudible] Yeah.
JONATHAN ZUCK:	Okay. So no top-level bullet points on what you're thinking?
HADIA ELMINIAWI:	I don't have anything written now but I could pull out the document, which I don't have it right now in front of me. Thank you.
JONATHAN ZUCK:	Okay. Thanks, Hadia. Holly, you're back in the queue. Go ahead.
HOLLY RAICHE:	Yeah. I forgot to unmute myself and I lowered my hand too quickly. Sorry. Just a couple of things. First of all—and possibly, it's only an operations thing—but there's been some discussion about the ATRT3 recommendation for a holistic review. That's not policy but it's

something that, in various areas, people support. I don't know if it'd be worth having a broader discussion on that.

The other thing I was thinking about, [it starts] here. But given that we're in the middle of looking at the transfer policy, would it make sense to have a broader explanation of the issues that have arisen because of GDPR and what are or are not adequate protections for transfer that protect the customers? Just a couple thoughts.

JONATHAN ZUCK: So you're thinking, Holly, in terms of the transfer policy, using our survey responses that we've just looked at and our concerns about the end-user process or something like that as being the basis for a plenary?

HOLLY RAICHE: Yeah. Something along those lines.

JONATHAN ZUCK: Okay. Thank you. Christopher, your hand is back up.

CHRISTOPHER WILKINSON: Yeah. That's a new hand. Thank you. On SubPro and geographical names, I didn't want to raise it because I'm the first coupable of the problem. We have not finalized the report on the geographical names for the basic reason that the rapporteur, who is extremely able and, I'm quite sure, has all the information to his fingertips, has not yet

submitted a draft of his report on the discussions. So I'm taking a backseat until we can close on ICANN 71.

For Hadia's point, there are issues which are still outstanding, which were not thoroughly discussed, for lack of time and participants in ICANN 71. So if Hadia wants a few ideas, I'd be prepared to run them through her. But for me, the situation is just symptomatic of the fact that this whole process for ICANN 72 is taking place far too soon. If it was up to me, I would just postpone ICANN 72 for two or three months but that's me, right? Thanks. Bye.

JONATHAN ZUCK: Thanks, Christopher. Amrita, go ahead.

AMRITA CHOUDHURY: Thank you, Jonathan. To be honest, I have not thought about the plenaries. But there was a question and there was an addition to what Holly said. The question was … We did have some sessions in the last ICANN meeting. If there are some strong takeaways from any of the sessions, can we not build on it and make session as a follow-up this time? I think Holly's suggestion of having some discussions on the transfer policy, the GDPR, its impact on end-users is important.

Since it's a plenary, why not we also explore the gaps between the end-user interest, and business interests and try to see how we can bridge them? Perhaps that would interest the other stakeholders also, rather than making it just an end-user-centric session because, after all, it's a plenary. Thank you.

JONATHAN ZUCK: Thank you. Marita, go ahead.

MARITA MOLL: Yeah. Hi. Just saying to Amrita that that was my suggestion on the multistakeholder model, was to do a follow-up on the session or to suggest a follow-up on the session last time that we organized in conjunction with the GAC. I think that's kind of the idea here, is to organize it in conjunction with the GAC, right off the bat, rather than starting as just an At-Large suggestion and then bringing the other people on board. Anyways, I thought that could work a little differently. Maybe not.

On the idea of the geo names suggestion, that can be a controversial subject—hugely discussed, of course, in Work Track 5. And we have some suggestions now on the table in our comments. So I just don't know where we would be going with a session like that, when there's a whole lot of open stuff at the Board on the geo names. I don't know. We'd have to really think about that to see how not to interact or conflict with what's already been decided and discussed. Thank you.

JONATHAN ZUCK: Thanks, Marita. Any other ideas, just from a brainstorming standpoint? Okay. Well, Olivier, I guess I will … Oh. Hadia, go ahead.

HADIA ELMINIAWI:	Thanks. I do agree with Marita—with what she just said. However, I think we could also tackle the subject from the aspect, not of what actually has been agreed to but just introducing different perspectives without necessarily coming to a conclusion that there is a preferable action or decision. It's more of presenting different perspectives. It's more of a survey, rather than coming to conclusions about the topic.
	In relation to the end users and businesses. I don't know if it is a good idea to put the end users and the businesses against each other, as if those are two opposite interests. I think that businesses should actually care about end users. It's not like they have different interests—or at least that's how it should be. So I'm not sure, actually, that presenting the topic in such way is a good idea—to try to bridge the gap between those two interests. I think those two interests should naturally be aligned. Thank you.
JONATHAN ZUCK:	Thanks, Hadia. I guess I'm inclined to agree, that if it came down to wording this, that we would probably not just talk about end-user perspective, unless it becomes just an At-Large session. But as we think about a proposal for a plenary, I think you're right. We need to make it feel more broadly-applicable. Eduardo?
EDUARDO DIAZ:	Yes. I guess you can hear me. Since we're brainstorming, I know a little bit about the multistakeholder, and the work that's being done there, and a little bit about the holistic review that Holly was talking about. I don't know if the two of them can be linked together and seen from a

different perspective. I understand [inaudible] maybe there's something there that we can put together and see how this [helps or does not help], I suppose. I don't know if I'm making sense.

JONATHAN ZUCK: Your audio is a little bit muffled, Eduardo.

EDUARDO DIAZ: Oh. Okay. Can you hear me better?

JONATHAN ZUCK: Yes.

EDUARDO DIAZ: Yes. I was saying that since we're brainstorming here, there might be a linkage between the multistakeholder thing that Marita is saying and what Holly mentioned about the holistic review from the ATRT3. Maybe there is something there that we can put together, coming from different angles. Amrita?

AMRITA CHOUDHURY: Yes. Thank you, Jonathan. Just to clarify, the idea is not pitch once against the other. Perhaps I used the wrong words or I couldn't explain. My idea, as Jonathan mentioned, is to have the interests of everyone because it is a plenary. Then, my limited understanding of business is the interest of everyone has to be looked. If you're looking at end-user

businesses, all the entities have to somehow have a win-win situation or at least not a lose-lose situation.

So trying to look at the different perspectives and seeing where the interests match is good. I know it's a difficult aspect. However, if you're looking at the impact of GDPR on end-user interests and a way to manage different, diverse interests, the wordsmithing can be done or something in those lines. It's something which I didn't want to get into a you versus me kind of a situation. Thank you.

JONATHAN ZUCK: Sure. Thanks, Amrita. Sebastien Bachollet, on the French channel, has asked for the floor. Sebastien?

SEBASTIEN BACHOLLET: Thank you. I was on the French channel, not by choice. Anyway, here I am. So going back to the substance of the discussion, I would like to go back to what Holly and Eduardo said. I think there's a need to get the entire community together, discussing the results of the ATRT3, and in particular, regarding the holistic review, I think.

If we take the recommendations from the ATRT3 team, we see that the holistic review should begin at the beginning of 2022, which would be the first ICANN meeting of the fiscal year. I know the Board has already stated that the meeting will be held and it will be virtual. But I think we have a true issue when we consider the future reviews because if this one isn't finished, then all the others will have to be postponed as well. And that is absolutely no good for ICANN's accountability. Thank you.

JONATHAN ZUCK: Thanks, Sebastien. Sebastien, we had a meeting with the Board in which this issue of a pilot project came up. Do you feel like you got satisfactory answers from the Board on that or is that something that would require a broader community discussion?

SEBASTIEN BACHOLLET: We got the answers from the Board that are aligned to what they wrote. Now the question is, is the community going to agree or is going to do more for the recommendation to be implemented and not only the recommendation being transformed by the Board? I think a debate with all of the partners—all the communities—would be quite useful. We could see the points of view of others, of other communities. And this is urgent to do it. We have been waiting too long. Once again, we might be delayed with all the revisions and reviews. And it's quite important for the future of ICANN. Thank you.

JONATHAN ZUCK: Thanks, Sebastien. Marita, you've got your hand up.

MARITA MOLL: Yes. Thank you. I couldn't go to the Board/At-Large meeting but I did carefully listen to the Board's responses to questions about the pilot. I came away with the idea that they seriously saw the pilot as a way of organizing the implementation of the actual review. Now, to my mind, that makes sense. They weren't trying to do a pretend review or a partial review but it was merely a way of looking at the stages of how

such a review might unfold. So to me, if that's what they're planning on doing, I think that's an excellent way of going about it. Should we be worried about that? I don't know. I'm feeling like trusting it but I don't think Sebastien is. Thank you.

JONATHAN ZUCK: Thanks, Marita. Christopher, go ahead.

CHRISTOPHER WILKINSON: Thank you. Two quick points, one administrative. We're discussing stuff at a very high level here, for which a number of participants have no background information at all. I would really welcome that the staff, as a matter of routine, would file a summary report of all and each of these major meetings between the Board and the particular ACs or supporting organizations. Most of us here are navigating in the dark.

My second point—which is probably closer to Sebastien than to Marita, but I'm sure that we have a lot of common ground—this is urgent. Unless ALAC and the GAC explain to the Board that the development of GNSO, and particular the Contracted Parties as a cartel … Unless they explain to them the dangers of that for the long-term survival of ICANN then we're wasting our time. This is very serious. There are parts of GNSO which are behaving in a what which is totally anti-competitive.

And whether or not that affect individual users, or users in general, or some other definition of the Internet market, frankly, this is short-term stuff. It won't last because I've noticed that the Federal Trade Commission, the European Commission, and one or two others are

increasingly nervous and concerned about dominance and concentration in Internet markets. They haven't focused on ICANN yet because there are bigger ones out there. But they will. Thank you.

JONATHAN ZUCK: Thanks, Christopher. And thanks, everyone. Keep thinking about this. If you have ideas, please e-mail them, if you're not part of the planning committee that's meeting tomorrow. Otherwise, come prepared to discuss them in a little bit more detail tomorrow and we'll pick up this conversation then. Olivier, I think I've blown through my time so I'm going to … I know Alan has to leave. I'm going to hand the talking stick back to you.

OLIVIER CREPIN-LEBLOND: Thank you very much, Jonathan. So yes. Let's move on. Fascinating discussion, though. Very, very interesting. Let's hope the planning meeting … Could you just remind us when the planning meeting is tomorrow, if anybody is interested in taking part in this?

JONATHAN ZUCK: Sure. I'll post a link in the chat or something.

OLIVIER CREPIN-LEBLOND: I could tell you. It's 19:00 UTC tomorrow, Thursday, 5th of August. And thanks for putting the link in the chat. Let's continue, then. Thank you. So now we can move on to agenda item four. That's the work group updates. And we'll start with the Transfer Policy Review Policy

Development Process—the TPR PDP. Steinar Grøtterød, I believe, is with us today. And we do have apologies from Lutz Donnerhacke but Steinar will be picking this one up.

STEINAR GRØTTERØD: No. I can't pick this up because I was not able to join the meeting yesterday. But Daniel will take the lead and give us an update from yesterday's call. So, Daniel, please go on.

OLIVIER CREPIN-LEBLOND: Daniel Nanghaka, welcome.

DANIEL NANGHAKA: Thank you very much. It's just a great pleasure that I'm able to attend this call. Apologies for the last meeting. I was meant to give an update but I succeeded in failing to give that update because I was in another compelling meeting with a minister. We were discussing serious issues there so I couldn't.

Anyhow, getting back to yesterday's meeting, it was more about deliberations and driving consensus. One of the action items that came in was to provide comments in the Auth-Info Codes working document. But what did we discuss during this meeting? It was more of a call and looking for consensus on how the different Auth Codes and that TAC could be able to be handled or to be considered. Some of the posed questions, I'll be able to walk through them and then you can be able to see the level of consensus that was driven from the meeting.

The registry creates the TAC and dispatched at the registry, whereby the members of the working group were in support of it as a requirement. But then also, others considered it as support for an industrial practice, such that the registrar is able to create the TAC.

Then, the TAC is not stored at the registrar level and it is stored at the registry. But then, how do we handle that? So this question did not get consensus, the [TTL] model versus the [TAC one] because there was different views and different opinions, whereby there was no support of the registrar storing the TAC or the registry storing the TAC. So all of this happened to have a lot of divided interest and the revisions kept them going on.

The two-factor authentication was one of the questions that the members of the group were asked. And it did not get a lot of support from around 19% of the working group members. And at the same time, 24% supported it as a requirement. And also, the two-factor authentication was also to be considered as an industry practice. But all this will help to think of how we shall be able to continue to answer, going into more of these discussions.

So changes into the industry standard. Since the industry standard keeps on changing, there was a call for them to be able to be dynamic and adapt the different industry standards at different levels. When it comes to the security that is required to make [things]—especially the TAC—it should be completely to the registrar. So it should not be a requirement, thus that technology changes that happen so quickly may not be caught up together with the policy development process. So industrial practices

also, according to the meeting, was that they will happen to dictate the process of which the TAC is adopted.

Then, there was also a discussion of the minimum character count for the TAC. They, they were like, "We have to support it as a requirement," as most of the members supported the minimum requirements for the TAC. But then other one or two members did not support this because of the fact that there are a lot of different authentications or [in the four] other forms of authorizations, it could not limit the number of characters that would be considered in the TAC. So we looked at 32, or any length ICANN my prescribe from time to time. But there was a general agreement that at least a minimum should be set of the TAC.

And then also, how the TAC should be created, also was one of the questions. And the discussions came up with consensus that will be taken as a requirement and also to support it as an industrial practice at various times. So the registry has to do a check to ensure that the TAC meets the minimum requirement. And then also, this will be one of the requirements. At the same time, also, it shall be taken up by the different respective industrial practices on all this.

One of the discussions also [adapted] was what is the role of the resellers [in all this]? They highlighted this but it did not come off so strongly within the various discussions on how the reseller can be able to manage the TAC. So they are not sure about when the Auth-Info Code will be able to release the lock because it was asked that there was need for the lock to be—or for TAC to be—requested or updated. But then, they were not sure of the respective timing that the Info Code and when

to release the lock—that is, the registry lock. So then, they did not see as to why it would be a requirement for it to be on or off.

But then, taken from the end-user perspective, is that security-wise, once the lock is on, you cannot be able to transfer a domain. Once the domain as got to be transferred, you have to first switch off the lock, such that when you get the EPP code or the Transfer Authorization Code, which is then submitted to the registrar for the transfer process to take on.

Then, one of the other discussions that we had was whether there would be a maximum TTL for the TAC. And then, a majority supported it as a requirement. At the same time, there was need to think about a maximum TTL. Would the registry be involved in enforcing it or otherwise?

Note that the working group also discussed that the topic and the set of questions for referencing to the document during discussions were also still being considered.

And also, I'll just simply, in the respect of time, say that at least there's some draft recommendations that were made—that currently, the Transfer Authorization Code can also be used currently instead of the Auth-Info Code. So those are some of the things that will be entertained. So for those of us who are not understanding the TAC, thank you very much, [my colleagues], for at least putting the TAC there—the Transfer Authorization Code, which also could mean the Auth-Info code.

Then also, one of the recommendations that came in was that the Transfer Authorization Code can be created by the registrar to validate

that a generic top-level domain transfer request is submitted by the authorized person. A TAC is required for registered name holder to transfer the domain from one registrar to another. So there is still also more of the deliberations taking place regarding to this working group. So that's just a brief update that transpired there. I can see Alan Greenberg has his hand up.

ALAN GREENBERG: Yes. Thank you very much. A comment—and it doesn't necessarily apply to this presentation but to all of the presentations that have been made with regard to this PDP. We've gotten a lot input—a lot of information on the various positions that have been taken. But in general, I rarely hear what positions the ALAC reps have taken.

And it would be really useful when we're discussing, "Some people think this and some people think that," to what extent are the positions that have been raised within the CPWG being brought forward, or even positions not raised within the CPWG. But what positions are our reps taking so that we can either agree, "Yes. This is supporting what we believe," or we can disagree. But it's really important not only to find out what's going on in the PDP but how our people are interacting and potentially influencing it. Thank you. As I said it's not necessarily applicable to this presentation but as we go forward, I think that's a really important aspect of your reporting.

DANIEL NANGHAKA: Thank you very much, Alan, for that remark. I would like to say that when we went into the recess period of approximately three weeks of

the working group, the teams, we have broken down volunteers who have started working on various parts of the document and then they have to go through the presentation. So by the time when we come to the call, the polls had already been designed to generate a consensus. This is one of the challenges that we, as At-Large face, that by the time when we come to the PDP, we do not have adequate time to be able to make consultations but we have to follow how the full PDP comes in.

When it comes to the poll questions here, I will humbly say that some of these things were in support of them as a requirement. But then also, we have to look at the different respective industry practices. And then, At-Large explicitly could say that most of these things, it's like At-Large is not so much considered. But mostly, they are taking considerations of the Registries Stakeholder Group, rather than they take majority of the numbers. So with this, we have to find ways on how we can be able to enhance. At least happy that at least we have the statement that we shall be putting forward. Probably, Steinar can highlight more on that. Alan, is that an old hand?

ALAN GREENBERG: No. It's a follow-up. Just to be clear, at some point, a report is going to be issued—a draft report, an initial report, whatever. If we are going to be in a position, then, of objecting to what is being recommended, we have to make really, really sure that that view had been heard during the deliberations.

So that's my real concern, that if we're not careful, we may be in a position where we're objecting to something where we participated

actively, in theory, in the working group but did not have an opportunity to influence the outcome. And if that's the way the PDP is being run, then that's a problem in its own right. So just to make sure, as we go forward, that we really are participating as active deliberators, not just reporting on what's being said. I'm not in the PDP so I don't understand the details. But I just have this concern that it sounds like we are being more observers than participants and that concerns me. Thank you.

DANIEL NANGHAKA: Yeah. Thank you very much, Alan, for that. I agree with you on that. But then also, we also have to [take here], we also make some deliberations into the PDP, where [inaudible] the At-Large position. Steinar probably could [inaudible] something. Steinar?

STEINAR GRØTTERØD: Yeah. Hi. I'm not sure I agree with you, Alan. So far, most of discussions within the Transfer PDP has been on technicalities, which I believe is … Whether it's a 16-character TAC or a it's a 32-character TAC, I don't see any particular harm in not having a clear statement on that one.

What I tried to do was in one of the calls, we had this discussion about the formal authentification. We had some sort of a poll on that one because I think that is something that could be significant for an At-Large statement. But the PDP hasn't reached to that part of the questions yet. And I think we need to see what the outcome of the TAC discussion—the technicalities there—to give a statement on whether we want formal authentications or not, one way or another. But anyway, I'm

a newbie to this kind of stuff. I'm listening in and I'm willing to change my work on this one, if needed. Thank you.

OLIVIER CREPIN-LEBLOND: Just jumping in. We still have Alan Greenberg and Berry Cobb in the queue. And then, we'll close the queue after that because, unfortunately, we are running out of time. We have a number of other topics to discuss. So over to Alan.

ALAN GREENBERG: Yeah. Thank you. Just to be clear, I'm not saying we should have an opinion on everything. And when I made the first comment, I said it's not necessarily in relation to this particular report or a specific other one. I just get the sense that we are being told what's going on in some areas where it is of concern to us. If something is not of concern to us, then no, we don't have to have an opinion. We don't have to participate because we're not likely to object to it later. It was just an overall concern to make sure that we are actively participating in things that do matter so that we're not in an awkward position later. Thank you. And I very much would like to hear what Berry has to say.

OLIVIER CREPIN-LEBLOND: Yeah. Next is Berry Cobb.

BERRY COBB: Thank you, Olivier. To Alan's point, I think it is a fair one. But in regards to the process of how this PDP is going to work … And I know that Alan

is very familiar with how we worked in EPDP Phase 1 and, more importantly, in EPDP Phase 2. The structure of working group's charter is specifically divided upon several policy topics that were identified as part of the issues report. Each one of those policy topics is being considered independently but also in connection with the other policy topics.

So, for example, as noted, we're in the middle of discussing about the TAC, or what was formerly the Auth-Info Code. And we can't conclude on any preliminary recommendations around the TAC until we have deliberations on the losing FOA or the gaining FOA.

But what I wanted to point out in terms of process is that each of these independent policy topics that are being deliberated by the group is essentially building upon and enhanced upon what we did in Phase 2, for registration data and the SSAD. Each one of these is being considered a building block in an overall solution. And as a part of the process, is deliberating each of those topics, getting to a point where we've exhausted the discussions around those, answering the charter questions, so on and so forth.

And then, we're basically beginning an exit exercise, which is where staff will document the deliberations, document preliminary recommendations, and in essence, go through a reading one, look for input and feedback, go through reading two and final input and feedback, and then basically consider that particular policy topic and its related charter questions as a stable draft. At that point, they are not considered final recommendations, not going through any sort of consensus call or any of those things.

As we've exhausted all of the various policy topics, which are about seven of them for Phase 1, then the working group will come back and consider them holistically before or while it's constructing its initial report for going out for public comment.

I think, to Alan's point and perhaps where it will be a good opportunity for ALAC to review the substance of those deliberations as well as the preliminary recommendations, it's going to be at that point where the CPWG can review all of that material in written form, provide its feedback, and make more formal responses to what you like or don't like about some of the preliminary recommendations.

And finally, to Alan's point, which I think is very good, is it is important, though, that in the deliberations, that where the ALAC feels there is an issue of importance, that it be introduced as early in the deliberations as possible. We want to make sure that all voices are heard, as well as that we're documenting what some of those preliminary positions are and how they evolve through the process. So I hope that that's helpful in the final thing.

I'll say something else that is familiar to those of you that have participated on the EPDP. On a monthly basis, we'll be producing what we call a project package. It contains several work products that document exactly where the working group is at in its deliberations, as well as its go-forward plan to meet its deliverables, either of the initial report or eventually the final report. That should be available next week and hopefully that can provide some more information on what we're working on now and what we're going to be working on over the next

few months in front of us. But in general, for an initial report, that's not scheduled to occur until, I believe, June of next year. Thank you.

OLIVIER CREPIN-LEBLOND: Thanks very much for this, Berry. I'm really sorry but we do have to move on. I understand this discussion is particularly interesting. But Steinar, Daniel, do you need any further discussions on this or can we go to the next group?

STEINAR GRØTTERØD: I'm okay with this one. On item five, we can go through the proposal for the response to the [inaudible] letters.

OLIVIER CREPIN-LEBLOND: That's correct. Yeah. Okay. Fantastic. Thank you. So I understand that Alan Greenberg has to leave in a couple of minutes so we probably will have to go, then, straight to the Policy Development Process—the Expedited PDP on the Registration Data. I see Alan has put his hand up. So over to you.

ALAN GREENBERG: Yeah. Thank you. I was due to leave two minutes ago. So if we could very quickly go to the Google Doc on the Board advice, I just would like to point one thing out to the group.

OLIVIER CREPIN-LEBLOND: Are you jumping straight to—

ALAN GREENBERG: I'm jumping straight to what I want to talk about because I'm leaving. Sorry.

OLIVIER CREPIN-LEBLOND: You're making a mess of our meeting. Thank you.

ALAN GREENBERG: I sent you a message about my leaving 40 minutes ago. But unfortunately, you didn't respond. The document has had relatively few changes in it—very, very few comments, other than one supporting comment. I just wanted to bring the group's attention to the last section, if you could scroll right to the end, please. And end note was added, I believe, after the last CPWG meeting. I just wanted to bring everyone's attention to it in case there was any concern. This was sent to the CPWG and the ALAC list already.

There's an endnote added, which essentially points out that there's a disturbing trend—that we seem to be investing huge amounts of time, effort, and money in PDPs which end up having outcomes which either are never implemented, are withdrawn, are paused, or don't meet the needs of the community. They're all WHOIS related, which is not accidental. But as a trend, if we're spending an infinite amount of time, or a near-infinite amount of time, on things that are not ended up being effective, I think we need to look at it from a different perspective.

Maybe the holistic review of ICANN will address this but I thought it was important to raise the issue with the Board. So I won't go any farther

into it right now. If anyone has any real concerns about raising it, then they should raise it with ALAC. This, I'm told, is going to a vote later on today. There have been no other comments and changes recently.

And Siva said, "It makes us look weak." Well, maybe it does make us look weak but it's fact. And as a person who has participated, I believe, in every one of these things except privacy/proxy, I regret putting my personal time into these kind of things if they don't end up being effective. In any case, that's all I really wanted to raise and I have to go to an EPDP meeting now. But if anyone has any real strong comments, put them in the Google Doc really quickly because this is going to a vote almost immediately, I'm told. Thank you.

OLIVIER CREPIN-LEBLOND: Thanks very much, Alan. For the record, this statement has been now up for comment for quite a number of weeks. It's been for quite some time so hopefully—

ALAN GREENBERG: This last section was just added, which is why I wanted to bring it into this meeting right now. Thank you very much. Bye-bye.

OLIVIER CREPIN-LEBLOND: Thank you, Alan. Just to mention, the rest of this statement has been around for quite some time. Jonathan Zuck?

ALAN GREENBERG: Yes, indeed.

JONATHAN ZUCK: Yeah. I know Alan's got to leave. I'm just forced to wonder whether or not this is advice that might want to stand alone as opposed to being part of this specific advice on SSAD.

ALAN GREENBERG: Personally, I would not want to give … I don't think this is advice, as such. It's an observation. And I think we really want to wave it in front of the Board. I would not want to … I would be reluctant to do it as a separate thing, as perhaps us being identified as being too critical. But that's my personal opinion.

JONATHAN ZUCK: Okay. Thanks, Alan.

OLIVIER CREPIN-LEBLOND: Jonathan, your hand is again up. No, it isn't. Okay. Christopher Wilkinson is next.

CHRISTOPHER WILKINSON: Hi. Thank you very much. From my point of view, I would support this endnote if it's a consensus but for me, it doesn't go far enough. But that's another matter, which your holistic review may address in due course. In response to some of the recent comments, I would just say and endnote like that should be applied to all ICANN ALAC advice to the

Board. That deals with the question of why link it to this particular advice? It could be very well added to all of our advices.

Regarding EPDP, and the history of privacy, and WHOIS in ICANN, as some of you already know, for practical purposes, I've signed off. I've been involved with this issue since even longer than Alan has. But I fully share his frustration. This is beyond the pale and the Board has to stop it. Thank you.

OLIVIER CREPIN-LEBLOND: All right. Thanks for this, Christopher. Asking if there are any other hands on this topic. And I guess we may just … I don't know whether Hadia has anything to add to this at all.

HADIA ELMINIAWI: No. I would just encourage everyone to take a quick look—a final look, if they would like—if the document is available. And that's it. Thank you.

OLIVIER CREPIN-LEBLOND: Okay. Thanks very much, Hadia. So now I guess we can remain with you, then, if you have your—well, going back to the work group updates, basically.

HADIA ELMINIAWI: Okay. If I could have the presentation. I have a presentation about the EPDP Phase 2A deliberations—the things that are currently being discussed. Okay. If we could have the next page, please—following slide,

please. Thank you. I will walk you through what we are currently discussing—first, the topics. And also, I'll be talking about ALAC's position and then I'll be happy to receive any questions. Thank you. Could we have the next slide, please?

The first topic is the standardized data element. The standardized data element could facilitate and standardize how differentiation is done by Contracted Parties who choose to differentiate. The value, actually, of this element lies in the consistency of the data and flags because some of the groups have pointed that this element is for tracking information. Actually, it's not. Its value is in the consistency of the data and flags. And also, consistency of the data allows for better data, which is also important in protecting the data itself.

As you all know, the ALAC position and the At-Large position is that we would like to have such a data element. It is consistent with previous ICANN consensus policies. It improves the quality of the data. If future legislation or regulations require differentiation, then this data element would actually help with this. In addition, of course, because there are issues discussed in relation to implementation, and Contracted Parties are going already to make some modifications to the existing fields according to EPDP Phase 1 recommendations, therefore, adding this element at this point in time actually reduces the [inaudible] time.

Again, one of the issues this past year, should this element be required or optional? It seems as if, of course, we think that all Contracted Parties that choose to differentiate should be required to use this element. However, it doesn't seem that this would be possible. I think we could finally agree to having the data element and making its usage optional.

So these are the questions being discussed—how such a standardized data element would bring a significant benefit, how the creation of such a standardized data element creates operation difficulties to Contracted Parties, and suggestions to achieving the benefits while addressing the operational considerations. Again, Contracted Parties are going to make changes according to EPDP Phase 1 recommendations. This is just one more change added.

If we could have the next slide, please. The second topic being addressed is if due consideration has been given to possible changes to EPDP Phase 1, Recommendation 17, which says that registries and registrars may differentiate but are not required to differentiate. Again, we think that the public interest has not been thoroughly considered. So the GDPR is a public good that protects the privacy of the registrants and the registration data is a public good that protects Internet users.

And we think that this public interest has not been fully addressed. And this would include, for example, what were the practices since the Temp Spec has been put in place, up until now. What are the common practices and what are the results of these practices? All of this feeds into the public interest.

However, this might even … What are the changes that could be expected? Of course, it seems impossible now to require registries and registrars to make the differentiation. However, there is a suggestion. What if we say that the registries and registrars are encouraged to differentiate but are not required? So this is a question to all of you. However, there is no even acceptance to such a change. It's just a thought.

If we could have the next slide, please. Council monitoring the future developments. Again, we think that this recommendation is not particular necessary however, it's good to have. And the Council is going, anyway, to … And the discussions are about is there harm in reminding the Council of its responsibility to monitor and point to specific developments that may have an impact? Also, it goes without saying that ICANN Org also follows developments in relevant laws, regulations, and legislation. So to what extent this recommendation is important, we think it's not that important. However, it's good to have.

If we could have the next slide, please. Guidance. So some have expressed concern about guidance not being sufficient to facilitate differentiation for Contracted Parties who choose to differentiate while others are concerned that guidance is too much, as some authorities might be tempted to consider it more than just guidance.

So the questions discussed, what is lacking of the guidance that Contracted Parties would benefit from if they decide to differentiate? And second, how can Contracted Parties be supported if they decide to differentiate, absent the EPDP Phase 2A Team providing guidance?

Then, we think that the guidance is not that important. It doesn't make it any kind of significant difference. If a Contracted Parties actually chooses to differentiate, they would put their procedures, which could or could not be in line with this guidance because nothing actually says that the Contracted Parties should follow this guidance. So again, we think the guidance could be a good document however, it does not really have significant impact for us on differentiation.

If we could have the next slide, please. Holistic considerations. Some have indicated that it is short-sighted to look at these two questions in isolation and is set to be considered in the broader context of access/disclosure of non-public registration data. Recognizing that this is out-of-scope of this particular effort, how can consistency with other elements be ensured or still-open questions addressed, either now or through a future effort? This is not really within scope. However, consistency with other elements, again, I would go back to the standard data element. Standardizing always helps in providing consistency across data elements.

If we could have the next slide, please. Dealing with uncertainty. Several have noted that there are so many moving elements—for example, legislation under development, lack of enforcement actions that could give guidance on approaches that are acceptable by DPAs. Of course, we totally support that.

How can possible recommendations be confirmed, reviewed, modified, as further information becomes available? For example, is it worth sharing legal/natural differentiation guidance with the European Data Protection Board to solicit input? Should further data gathering start on how many Contracted Parties differentiate or otherwise take account of registration-data-related issues? How guidance and/or standardized data elements are used in practice?

We totally support all of these actions. We think they are necessary. We are deciding not to differentiate between legal/natural. We can all, I think, agree that current directions seem that new laws and regulations

are going to be differentiating. It is good to acknowledge this now and plan for it.

Having the standardized data element for differentiation is part of this plan that actually does not, at this point in time, contradict with registries' and registrars' will to not differentiate—to not have differentiation as a requirement. The standardized data element should not be conflated, actually, with requiring or not requiring the registries and registrars to differentiate. It's just s standardized data element for those who wish to differentiate.

So if we could have the next slide, please. Unique contacts uniform anonymized e-mail address. The recommendation provided says that Contracted Parties who choose to publish a registrant or registration-based e-mail address in the publicly-accessible RDDS should ensure appropriate safeguards for the data subject, in line with relevant guidance on anonymization techniques provided by their data protection authorities. Of course, this will happen whether we state it in a recommendation or not. And the appended legal guidance to this recommendation, which is in Appendix E, and which refers to the Bird & Bird recommendation.

I would say all of the groups said no to this recommendation, apart from the BC, I would say. Actually, this recommendation provided nothing. So we didn't even … We could have, for example, put a table that Bird & Bird provided, which put the risk—like risks of publishing—but we didn't. We just referred to the whole guidance. So again, this recommendation is almost supported by no one.

Finally, questions. So if you have any questions, please go ahead, if we could have the next slide, please. So if you don't have any questions, maybe you can put your thoughts on these topics discussed. If you could go back, for example, to standardized data elements. If you we are going to change the recommendation from EPDP Phase 1, Recommendation 17, what would this recommendation look like, keeping in mind that at this point in time, it is impossible, really, to require the differentiation. It is not seen that any such requirement would receive any kind of consensus. The standardized data element might receive consensus if it is optional to use.

The other issues, I think, are not that important. The guidance, it is good to have but it doesn't really have any significant impact. Whether GNSO monitors the new regulation or laws is good but it is going to happen anyway, whether we have a recommendation is that regard or not. So I'm open to questions. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you very much for this, Hadia. At present, I'm not seeing any hands up.

SEBASTIEN BACHOLLET: You can add me to the list of speakers, please.

OLIVIER CREPIN-LEBLOND: Go ahead, Sebastien. You have the floor.

SEBASTIEN BACHOLLET: I am sorry. Now I am in the English channel but I am driving. Therefore, it may be a little bit complicated. But I wanted to say two things. The first one is that it's not because some part of the ICANN community said it must be not mandatory to have differentiation that we can't still say that for end users, it's a must. It must be differentiated. We must have differentiation.

My second point is more philosophical. If we, as a multistakeholder organization, we wait for new laws, then what is our purpose? That means that government decides better, quicker than us. Therefore, we will have to close ICANN. Thank you.

HADIA ELMINIAWI: Thanks, Sebastien. You are actually absolutely right. We are definitely saying that differentiation should be required and should be a must for the benefit of the end users and all Internet users, being business—not only individual Internet users but everyone who actually uses the Internet, including businesses and commercial entities. And to that, assessing the public interest is very important because assessing the public interest could actually lead to recognizing the importance of having the differentiation as a requirement and not as an option.

Your second comment, actually, also is absolutely correct. We are waiting for the regulations to say, "You must differentiate," while we don't actually need to do that because we do see and recognize that differentiation is required. And I would say that laws and regulations would only require it because it is beneficial and because it's in the

public interest, and because they want to balance the privacy with protection. But we are just refusing to do that. So thank you.

OLIVIER CREPIN-LEBLOND: Thank you, Hadia. I'm giving it a little bit of time, if anybody else wants to put their hand up. I think that is all. I am not seeing any other hands up. So Thank you for this update. Do you have a second presentation as well or is that for later?

HADIA ELMINIAWI: Okay. The second presentation, I could do it now in order to join the other call, if you agree. The second presentation is actually—

OLIVIER CREPIN-LEBLOND: Yes. Very quickly because I'm very concerned of the time. But yeah. Please go ahead.

HADIA ELMINIAWI: Okay. The other presentation is about the ODP—the SSAD OPD Community Questionnaire. And I will go through it quickly, if we could have the next slide, please. It's an introduction and the purpose of the questionnaire. I will introduce the questions and then ask if we, as At-Large, could actually submit a response, and then I'm open to questions. If we could have the next slide, please. The ICANN Board has requested ICANN Org to conduct an ODP in order to inform its deliberations, including if the recommendations are in the best interest of the ICANN community.

So the questionnaire will help in assessing the feasibility and associated risks, costs, and resources required in the potential deployment of SSAD. The questionnaire actually speaks to know the expected volume of SSAD operational flow and the number of potential users. Registries and registrars would actually be provided—would receive a separate questionnaire, so not this one, in order to know the number of requests they currently receive. The results of the questionnaire will be kept confidential. Some questions require numerical answers, definitely.

If we could go to the next slide, please. These are the questions. First, let me discuss them. Do we have the next slide, please? So the first question, "What best describes your organization?" and then, "What is the nature of most of the At-Large structures?" So actually, could we, as At-Large, provide an answer to this question? I don't think so. I think it should be individual At-Large structures or maybe some At-Large structures upload it together. "In what jurisdiction do you or your organization primarily function?" It's asking about the country or territory.

If we could have the next slide, please. "During 2019, what was the monthly average number of requests to disclose non-public gTLD registration data that your organization submitted?" I would say that even individual users could respond to this and they could respond as an individual. So the individual could say how many requests he or she had actually asked during 2019 and during 2020.

If we could have the next slide, please. "If implemented, how likely are your or your organization to use the SSAD to request non-public registration data?" I think this will depend on many things, including the

past, efficiency of the system, the results received. There's a second question, "If SSAD is implemented, what do you estimate would be the monthly average number of requests to disclose nonpublic gTLD data that you or your organization would submit?"

If we could have the next slide, please. "What additional categories of users, besides the ones listed below, do you or your organization believe would be interested in using the SSAD to access nonpublic data?" This does not include end users. And my question, do we think end users should be included? "What factors would be most important to you in determining whether to use the SSAD?" Okay. So that would be accreditation and usage costs for sure, efficiency, ease of use, results of request. Any other suggestions? So those are the eight questions that the questionnaire puts forward.

So if we could have the next slide, please. How can At-Large submit a response? As I said before, individual ALSes could submit responses. Group ALSes could also submit responses. Can ALAC submit a response? I think not. However, it's up to this group to decide. Other means? So I'll stop here and thank you. And please, are there any questions?

OLIVIER CREPIN-LEBLOND: Yeah. Let's open the floor for any comments or questions? I have to scroll back up. Not seeing anyone putting their hand up, Hadia.

HADIA ELMINIAWI: I just want to point out that the deadline for responding to these questions is August the 5th at 23:00 UTC.

OLIVIER CREPIN-LEBLOND: So that's tomorrow, basically? I see Marita Moll has put her and up. Marita, you have the floor.

MARITA MOLL: Okay. Thank you. If it's tomorrow, I guess it's moot because I don't know how it will benefit the cause for any of these groups to respond or not. I don't quite understand. This seems to be more something that's aimed towards the actual Contracted Parties. And would our involvement in that do any good, basically? Would it be helpful is my question.

HADIA ELMINIAWI: Okay. That's a good one, Marita. I actually don't think that, as At-Large, we need to submit a response. However, the things that I would say could benefit the users—the end users, maybe, within the categories. But how much is this really of benefit to the users? I'm not sure because if the SSAD is there, end users would be able to use it anyway. I don't think that individual users would be able to … How many individual users would be able to submit specific numbers about their requests for disclosure in 2019 and 2020? This more requires structures and organizations. So I don't see a direct benefit but that's just me.

OLIVIER CREPIN-LEBLOND: I'll let others speak and then I'll slot myself in the queue. First, we have Jonathan Zuck. Thanks, Olivier. I guess I'm inclined to fill out the parts of this that could apply to end users. We have been a part of a narrative that the WHOIS data has been of use to individual end users. And I know

there's always been pushback on that narrative. I know that people looking to register domains, etc., have made use of WHOIS.

So I guess it's a question of whether or not we want to maintain that narrative of end user access to WHOIS data. And if we do, then the primary mechanism for that is going to be via the SSAD and it's worth answering whatever questions applicable. That's my initial thoughts on this.

HADIA ELMINIAWI: Okay. Thank you, Jonathan. I actually had this initial thought as well. My problem is who is going to fill it in and how could we actually answer those specific questions that require specific numbers? Where are we going to get those numbers from and how?

JONATHAN ZUCK: I guess the question is do we need to answer every question in order to participate in this survey?

HADIA ELMINIAWI: Yes. That's what I actually did. I tried. And yes. You don't move to the following unless you do provide an answer. And that's the problem. You cannot just skip without providing anything.

JONATHAN ZUCK: Interesting. Thanks, Hadia.

OLIVIER CREPIN-LEBLOND: Thanks for this. Next is Justine Chew.

JUSTINE CHEW: Thanks, Olivier. It's interesting how they've structured the survey but that's a different question. Just holding on from what Jonathan raised, wanted to ask what is the purpose or what is the survey created, whoever it was—I guess it's the ICANN Org, really, I guess. I don't know—going to do with the results of the survey?

If they're going to use the data received or the feedback received to formulate some kind of opinion, whether the SSAD is going to be deemed as useful or not, then obviously, this is something that we need to respond to. But it's so late in the day, we're not going to be able to generate a lot of people to do the survey, let alone try to stack the response or whatever. So can you give us an idea of what the data that's being captured is going to be used for? I didn't get that through your presentation.

HADIA ELMINIAWI: Yes. Sure. My understanding is that this questionnaire is not actually to determine whether SSAD is useful or not. It's not about that. It is actually about determining the associated risks, and costs, and resources required. That's why they are asking for—they are looking for two main things. One, the potential number of users. This definitely would help in determining the cost. And also, the expected volume the SSAD operational flow will be able to manage. This is also to determine the feasibility of having such a system. So my understanding, it has

nothing to do with whether this system is useful or not. It has to do with the cost of this system and the feasibility of implementing it.

Accordingly, the Board could actually see, "It is not good to have this system because it will cost a lot and maybe it would not cover its cost. It's not feasible. The expected volume is too low or it's too high." So it's purely operational matters to decide whether to go forth with it or not.

OLIVIER CREPIN-LEBLOND: Yeah. Thank you, Hadia, for this. I did say I was going to slot myself in the queue, taking my moderating hat off. My personal feeling on this survey is that, first, it's going to very hard for the ALAC to have a concerted response. You could just get ALSes and anyone interested in answering this.

But as far as end users are concerned, I find that a lot of the questions that are asked there are asked of a system that is already unfit for purpose for and end user. The casual use of WHOIS by end users to find out who is behind a website and so on is not one that end users would be ready to pay significant money for. And the way that the SSAD is structured, there would be some kind of accreditation and then filing fees and whatever that would probably deter the majority of users out there except those that are interested in purchasing domain names or this sort of thing.

So it's one of these things. We're talking a lot about something that might not be helpful at all, at the end of the day, because it's going to be so expensive in using it—except for those people in the business and I'm not sure that the majority of members are in "the business," as such.

Some of them might be but some are not. So anyway, that's my feeling. Marita Moll first and then we'll have Natalie Rose. So first, Marita.

MARITA MOLL: Thank you. I thought we were already on record as saying that this system was not going to be used because it was going to be too expensive. So maybe we've already participated in this, in a way. Thank you.

OLIVIER CREPIN-LEBLOND: Thanks, Marita. Natalie Rose?

NATALIE ROSE: Hi. Just a question. Is this a one-off survey or is this survey going to be done on a yearly basis or a two-year basis thing?

HADIA ELMINIAWI: No. My understanding, again, is no. It's done only once in order to determine now whether this system is feasible to implement or not. So there's no reason, if they decide this year that it is not feasible to implement, that they do this survey again next year unless there are reasons to think that things have changed. But no. This is a one-time questionnaire.

NATALIE ROSE: Okay. Thanks.

OLIVIER CREPIN-LEBLOND: Okay. Thank you for this, Hadia. I'm seeing, at the moment, some more comments in the chat. Given the complexity of the different points of view in our community, it looks like everyone is free to answer this in whatever way they want to answer it and then we'll see where it goes from there. But getting a concerted response from At-Large and from the ALAC is probably impossible.

HADIA ELMINIAWI: Okay. Sure. I totally agree with you, Olivier. And again, how many end users would actually go through accreditation and pay money just to check the legitimacy of a site you like surfing or whatever. I would say almost none.

OLIVIER CREPIN-LEBLOND: No doubt, there will be some sites that will pay the money for being accredited and then will make the information free and pay for it with advertising. Or maybe I just gave away a business model for someone to run something like this.

Anyway, let's perhaps move on then. I think that we have still something in the current agenda items. Thank you for this update, Hadia? Is there anything else you need to tell us about the Expedited PDP or is that it for today?

HADIA ELMINIAWI: That's it for today. Thank you so much. I'm going to my other call. Thanks.

OLIVIER CREPIN-LEBLOND: Okay. Good luck. Right. So we're very late already but we have to go through the Intergovernmental Organization Curative Rights Work Track—the IGO Work Track. And I saw Yrjo Lansipuro a little bit earlier, if he's still here.

YRJO LANSIPURO: I am here and I'll be very brief because we are, of course, completely out of time. So to recapitulate, first of all, the problem this work track is trying to solve is what to do in a situation where an intergovernmental organization has been successful in a UDRP and gotten back its acronym from someone who had registered. Next step, of course, is that the losing registrant wants to go to court and the IGO, the intergovernmental organization, says, "Stop. We have immunity."

So for weeks and months now, we have been operating under the idea and understanding that binding arbitration would be a substitute for going to court. And instead of agreeing before the UDRP to a common jurisdiction, both parties would agree to a binding arbitration as an appeal process.

Now, on Monday, the representative of the Business Community pulled the brake and rejected this approach. He expressed the opinion that this would be pestering the registrant, and using the American idiom of "shotgun marriage" and so on and so forth. So we are a little

bit—perhaps not back to square one but several steps back in the process.

The chair, Chris Disspain, asked the staff to produce a transcript of what the BC representative said. We'll study that at the next meeting, basically to decide whether we'll still try to achieve a consensus or whether the outcome of the work track will be an initial report which has a minority statement in it.

Next week, a week from now, I hope that we could put together, together with the other members of the work track—other At-Large members of the work track and certainly Justine, with her skills in making slides and presentations—we could perhaps present a fuller picture about this situation at the next CPWG. Thank you.

OLIVIER CREPIN-LEBLOND: Thanks very much, Yrjo. In the interest of time, let's then leave any commenting on this topic until next week. We look forward to this. We need to now zoom off—and this is no pun intended—to policy comment updates. Jonathan, unfortunately, has to literally, virtually walk out. So Evin Erdoğdu is going to be taking us through this.

EVIN ERDOĞDU: Thank you, Olivier. Yes. I'll just whiz through, basically. There are no substantial updates to the sections on the agenda here. But we did want to leave time for discussion to Steinar and the group of ALAC reps to the Transfer Policy Review PDP to discuss a potential ALAC statement on a

request of input on topics for that charter. If I could just hand it over to Steinar quickly. Thank you very much.

STEINAR GRØTTERØD: Yeah. Hi. Evin, if you could bring up the slide—thank you—going on next page, I believe. What we have done so far is that we have made a couple of Google Docs. We have some talking points, etc. My understanding is at this phase, we are going to report back if there are questions that are not being addressed in the shorter that we want to add to the shorter questions.

So far, my opinion is that we see the questions as some sort of fulfilling what we believe is needed. The one exception is that we would like to have the charter questions tune into also a registrar reseller model and the obligation for the registrars—the resellers—in all the different questions. We had one very good input to a proposed wording that was distributed to the mailing list. And that is the last sentence on the first paragraph—is that we make policies on intra-registrar transfer and exchange of exchange of registrant simple, safe, and secure.

So the deadline is today so I actually hope that we can agree on something. There is, in my opinion, also on option not to send anything—just leave it as it is. But this is at least a proposed wording. So the floor is open. And thank you, Evin, for all the good work you have done in assisting me in this.

OLIVIER CREPIN-LEBLOND: Thanks for this, Steinar. I was just going to jump in, then, and see if there's anyone in the queue. I realize everyone's probably reading the statement. Do you wish to give us a quick read-through?

STEINAR GRØTTERØD: I'm not a native English speaker. I was hoping that I could—

OLIVIER CREPIN-LEBLOND: Okay. I already see Marita's put her hand up. Most people on the call will be not native speakers but most of them will be able to read through the screen. So let's go over to Marita Moll.

MARITA MOLL: Thank you. I read it on the list and I thought it looked great. And the addition of "simple" was a great suggestion. As per your comment, Steinar, does us accepting this and send it in now, does that preclude any additions? Does this mean this is final and that's it or we're sending this in now but if we should have any other items to raise, that could still be done. That's my question.

STEINAR GRØTTERØD: At some point, at the CPWG call, there was someone that was referring to questions that were addressed before the publication of the charter. I put that into the talking points and then also different documents but nobody has actually responded back to that. So I don't believe there are questions that were raised before the charter was published. And as far as I see—and that a topic, a discussion for this group—is that I don't see

elements that are not in the charter questions that are essential for At-Large. That's my opinion but I may be wrong on that one. Thank you.

MARITA MOLL: Thank you. Olivier, can I just follow up? My point was merely that should something come up that we didn't foresee, can it never be brought up? Sorry. It's a procedural thing.

STEINAR GRØTTERØD: I'm not sure how this process is but I think—

OLIVIER CREPIN-LEBLOND: If I could jump in, I was just going to say that whatever statement the ALAC drafts is, of course, final on the positions that are taken. Obviously, it's going to be very difficult to do U-turns on any of the positions that are taken. Else, we need to provide significant amount of reason why suddenly there's a U-turn. But if there's anything that's been forgotten or not addressed there, the ALAC can always do an addendum. And it's been done in the past, to have addendums to previous statements and add more things. So I don't think it's the "speak now or shut your mouth forever" type thing.

STEINAR GRØTTERØD: That was rather [inaudible].

OLIVIER CREPIN-LEBLOND: Time is really flying so thank you for this, Steinar. At this point in time, I just want to ask two things to one of you, which is, is the ALAC aware of this text? It's already been distributed to the ALAC?

STEINAR GRØTTERØD: Confirmed. Yes. No, no, no. No. They are distributed to the CPWG list. I don't know whether that is going to other mailing lists.

OLIVIER CREPIN-LEBLOND: To the ALAC. Yeah. But this was a procedural thing. I need to check with Evin, then. Maybe we'll check after this call that this gets sent to the ALAC ASAP because ultimately, this is an ALAC statement. Of course, if the ALAC does not agree with this, then it's useless sending it out and then having to pull it back out if there's no chance of having it ratified by the ALAC. So that was one thing.

The other thing I was going to ask, just for the participants on this call, if there's any objection to this statement being sent out, and if there is, then if there is any specific reason for the objection. Open thoughts on this? You can see there's a small change here. Evin Erdoğdu?

EVIN ERDOĞDU: Thank you, Olivier. I just wanted to note that the ALAC chair is aware and we will coordinate on next steps. I'll follow up with you, as well as suggest it. Thank you.

OLIVIER CREPIN-LEBLOND: Fantastic. Thank you, Evin. I'll note that there doesn't appear to be any objection to this statement. If anybody is not agreeable in doing public objections, just drop a note over to Evin on this. That will be kept confidential. Then we'll let the ALAC chair work on that. But yeah. So far it all looks good. Thank you so much for this, Steinar. I'm very mindful of the time. Is there anything else in policy, Evin?

EVIN ERDOĞDU: Not for this week. We'll just also follow up with Alan, and Hadia, and the ALAC chair as well on the ALAC advice. So stay tuned for next week's CPWG. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you very much, Evin. Agenda item six has already been addressed so we are now in … Well, actually, we're still in AOB. Is there any other business in addition to the announcement on the SSAD ODP community questionnaire that was made earlier? I am not seeing any hands up so we can check when our next meeting will be.

DEVAN REED: Hi, Olivier. The next CPWG meeting will be on the 11th of August at 19:00 UTC.

OLIVIER CREPIN-LEBLOND: Yeah. Thanks very much for this, Devan. In any case, I would be unable to make the 13:00 UTC time, as I have appointment on that date. So

11th. And because we've been for two weeks at the 13:00 UTC, we'll make it 19:00 next week.

So thank you. Thanks to everyone for having participated. Thanks to our interpreters who have spent the extra 25 minutes on this. Thanks to the captioner as well, the real-time text, who is still here as well. And of course, thanks to everyone on the call today. It's been really, really interesting. Have a very good morning, afternoon, evening, night wherever you are, follow up on the mailing list, and see you next time.

DEVAN REED: Thank you all for joining. Have a wonderful rest of your day.

[END OF TRANSCRIPT]