
DEVAN REED:

Good morning, good afternoon, and good evening, everyone. Welcome to the Consolidated Policy Working Group call on Wednesday, the 18th of August, 2021 and 13:00 UTC. In order to save time, we will not be doing a roll call today. However, all those in attendance will be recorded from the Zoom Room, as well as from the audio bridge. I would, however, like to note the apologies we've received from Cheryl Langdon-Orr, Adrian Schmidt, Steinar Grøtterød and Bill Jouris. From staff, we have Heidi Ullrich, Evin Erdoğdu, and myself, Devan Reed, on call management.

We have Spanish and French interpretation on this call. Our Spanish interpreters are Claudia and David and our French interpreters are Claire and Jacques. We have real-time transcribing on today's call. I'll put the link in the chat so you can all 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 speed to allow for accurate interpretation, and to keep your microphones muted when not speaking to prevent any background noise. Thank you all. And with this, I will turn the floor over to you, Olivier.

OLIVIER CREPIN-LEBLOND:

Thank you very much, Devan. Welcome to this week's Consolidated Policy Working Group call, which is not such a heavy agenda but still with some presentations.

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.

So we'll start with our work group updates after looking at the action items from last week, of course—the workgroup updates covering the Transfer Policy Review Policy Development Process, the Intergovernmental Organization Curative Rights Work Track, the Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data, where we do have a presentation this week, and the Expedited Policy Development Process on the Internationalized Domain Names. That's our work group updates this week.

Then there'll be policy comment updates from Jonathan Zuck and Evin Erdoğdu on our usual policy pipeline and then any other business at the end. Just a kind reminder that the new public comment feature is coming up soon. At this point in time, are there any changes, amendments, additions to the agenda? I see Christopher Wilkinson's hand up. Christopher, you have the floor.

CHRISTOPHER WILKINSON: Good afternoon. Jonathan and I have sent the list an e-mail list a half an hour ago, which we need to put onto the agenda—the question of how ALAC will respond to the growing number of lobbying exercises which are trying to pressure the ICANN Board into releasing and proceeding with the SubPro report without reference to the reservations, advice, and other comments that the Board has received.

I'm becoming distinctly uneasy about silence. We haven't heard from the Board. We haven't heard from ALAC, although the ALAC advice on the new gTLD program was indeed submitted, and translated, and is widely known, but is being, in certain quarters ... And I don't mind naming names because it's quite clear that GoDaddy could not have

written the article which they published earlier today without knowledge of the ALAC and the SSAC advice.

So I think the question of how ALAC—and I'm speaking about the committee itself—how ALAC intends to respond to this kind of lobbying to ignore the advice from other SO/ACs.

OLIVIER CREPIN-LEBLOND: Thank you for this, Christopher. Let's put this in the any other business. I was thinking of putting it in the work group updates but it is not a work group update. It's an actual [inaudible].

CHRISTOPHER WILKINSON: I confess, I have a little bit of experience with the AOB. I would like to take this point now, not least because I don't expect I can stay for whole report until half-past four here.

OLIVIER CREPIN-LEBLOND: Right. The only thing, Christopher—

CHRISTOPHER WILKINSON: It's quickly done. It's a demand to ALAC to confirm exactly how they intend to respond to this kind of stuff.

OLIVIER CREPIN-LEBLOND: The only difficulty, Christopher, is we do have one EPDP on IDNs that is starting its meeting today at 13:30. So that's barely 20 minutes from

now. So if we are to address this point now, we could quickly. But I have a concern that it might overrun and we won't have enough time to get the update regarding the PDP on IDN. I see Jonathan Zuck might have something to say about this. Jonathan? And for those people that are wondering, by the way, the reference is one to a CircleID article that you will be able to find on CircleID. Jonathan Zuck?

JONATHAN ZUCK:

Thanks, Olivier. And thanks, Christopher, for raising this issue. I think it's an important political issue within ICANN and certainly something that should be addressed by the ALAC. I guess I question the providence of the CPWG as the forum for this because the CPWG, as you've said, has done its work on Subsequent Procedures, and raised the issues of concern, and produced advice that the ALAC approved and submitted.

So this issue of managing the shadow lobbying that's going on and things like that that you raised, I think it's significant. And there is a monthly ALAC meeting coming up. So what I can do right now, without overly disrupting the agenda here, is say that I'll make sure that it gets on the agenda for the ALAC call that's coming up very shortly.

The only mitigating thing here is that the Board has, not in so many words, but has really given an indication that it will be quite some time before there's a new round. So I don't think that all this lobbying is going to make a whole lot of difference. There's definitely a pressure to try and get a brand round going. But I think that the ALAC has pushed back on that concept because of community prioritization and things like that. So I don't know what the ultimate effect of this lobbying would be

but I'm happy, right now, to commit to putting this on the agenda for the ALAC meeting.

CHRISTOPHER WILKINSON: Okay. Just as a matter of protocol, are humble individual members like myself allowed to log onto the ALAC committee meetings?

JONATHAN ZUCK: I believe that you are. I think they're public meetings. You may not be in a position to speak. I don't actually know the answer to that. But yes, you can log on. Yes, you can participate. And I'm happy to ... And staff are listening. We'll make sure this on the agenda for the ALAC meeting.

CHRISTOPHER WILKINSON: We'll take that as it comes. [Inaudible].

JONATHAN ZUCK: But thanks.

SEBASTIEN BACHOLLET: Christopher, it's a publicly-open meeting. You are not allowed to intervene.

JONATHAN ZUCK: Yeah. So we'll take it up there, as it's a political issue and less a policy one. We've done our policy work, as you've said. And I think that's the

[netting] to which we should adhere here in the CPWG. But thanks, Christopher, for raising it.

CHRISTOPHER WILKINSON: In view of the time schedules, okay. Good. But I will, in that case, respond to the GoDaddy article in CircleID, just as a comment, and limit my remarks to ... As has been already the case for an SSAC representative who has attacked the GoDaddy position, I would limit my remarks to a firm reminder that the Board has received advice from ALAC and include a link to the ALAC text. Thank you.

JONATHAN ZUCK: Makes sense.

CHRISTOPHER WILKINSON: Okay.

JONATHAN ZUCK: Thanks, Christopher.

OLIVIER CREPIN-LEBLOND: Thank you very much, gentlemen. For anyone intrigued, the CircleID article is linked in the chat now. Thanks, John, for sharing this with everyone. I am not seeing any other hands up on other points here so the agenda will be adopted as it currently is on your screen and we can therefore move to the action items from last week. And all three action

items are complete so there isn't very much to say. Does anyone have a comment on the action items? Christopher, is that a new hand?

CHRISTOPHER WILKINSON: No but I'm busy.

OLIVIER CREPIN-LEBLOND: That's all right. Thanks. Ah. There we go. Excellent. No comments on the action items. That means we can move on. Thank you. And we are therefore starting with our work group updates. Now, as you heard me a moment ago, the Expedited Policy Development Process on the Internationalized Domain Names is starting in about 15 minutes. So it's time to maybe turn directly to our colleagues for this. And that's, of course, Satish Babu, I think, and Lianna Galstyan and Abdulkarim Oloyede are the three representatives there. I think that Satish will probably be the person to speak.

I note Sebastien has put his hand up. Sebastien Bachollet?

SEBASTIEN BACHOLLET: Yes. Sorry to jump in here. As a member of the NomCom, and it's linked with this PDP, as the current chair of this PDP, now will become a member of the Board, I guess our representatives need to ... I know they are aware of that and need to find a way to find a new chair for this EPDP. And as it is starting, it may be good time to do it as soon as possible because I don't think that a Board member can stay chair of an

EPDP. Thank you. And it's Edmon Chung, to be clear with the name of people. Thank you.

OLIVIER CREPIN-LEBLOND: Yeah. Thank you for this, Sebastien. It's a pity because Edmon would have been a fantastic chair for this PDP. But there you go.

SEBASTIEN BACHOLLET: But he will be [inaudible] a fantastic board member. Sorry. Thank you.

OLIVIER CREPIN-LEBLOND: Oh yes. Of course. But I'm only looking at the losses for the PDP at the time being. But for every loss, there is a gain, I guess. Great. So now, let's turn over to Satish Babu, please. Go ahead, Satish.

SATISH BABU: Thanks very much, Olivier. I will speak for two minutes, and then my colleagues might want to speak, and then I believe Justine also will be providing an update. The first meeting was last week, last Wednesday. The team got [fitted], the introductions and stuff. There was a vice-chair in the charter. There were two volunteers—one from GNSO, one from ccNSO. So this is to be resolved over email and maybe in today's meeting. The condition for a vice-chair is that the candidate should not be a member but a participant.

The meeting actually started with the reading of the charter. There are two main principles—that the Root Zone LGR must be the only source

for valid TLDs and their variants. And the second principle is that of the same entity constraint for top level, second level, and all combinations.

The charters questions are divided as A to G. A is about consistent definitions, technical utilization of Root Zone LGR. B and C are implications of the same entity constraint at the top and second levels. D through F are the adjustments that will be required in agreements and other procedures when we bring in variants. And the last, G, is about the process for the future edition of IDN Implementation Guidelines, which are presently at 4.0, although what we use is 3.0 because GNSO has asked for a review of the 4.0 report.

Then, we discussed the working mode and methods, including consensus building. And we were told that the consensus playbook will be used and voting will be unlikely. Then, the last point was about the work plan. We will start with a high-level review of the topics in the charter. We will be collecting inputs from SO/ACs. And the meeting will be weekly. And as Sebastien just mentioned, Edmon may have to move out. So we will know today as to what will happen to the chair and what will be the process in future.

So I'll stop here unless my colleagues, Lianna, or Abdulkarim, or Justine would like to add anything. It's over to them. Thank you, Olivier.

OLIVIER CREPIN-LEBLOND:

Thank you very much, Satish. I am waiting to see if anybody else wishes to put their hand up. No? Then let's open the floor to everyone. Any comments? Satish? No. I see now. Abdulkarim Oloyede, you have the floor.

ABDULKARIM OLOYEDE: Thank you very much. I think Satish covered everything so I do not need to add anything. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you for this, Abdulkarim. And I'll note from Lianna, also on the call, she has said, "Nothing else to add," on the chat. So good luck for this second meeting. Just a quick question. Is there going to be rotation on the calls or is that time of 13:30 UTC going to be the one that will be used every week?

SATISH BABU: We had a Doodle on this. There are four options in the Doodle. Three of them are clustered around this time, 13:30, 14:00. And one was in a totally opposite kind of time. Since three out of the four were in this cluster, I believe it will be around this time only.

OLIVIER CREPIN-LEBLOND: Okay. So we will have a conflict once every couple of weeks. But I guess if we can fit you in the early part of the call, that's fine. Of course, unfortunately, we don't have the idea way, which would be to first have the EPDP and then our call. But obviously, if there's anything that happens and that needs to be related faster, please do so on the e-mail, obviously.

SATISH BABU: Sure. Thanks, Olivier.

OLIVIER CREPIN-LEBLOND: Thank you so much. Right. Thank you. I'm not seeing any other hands to ask questions or to comment on this topic. So going back to the top of our table, the next one is about the Transfer Policy Review Policy Development Process. And for this, we have Steinar Grøtterød and Daniel Nanghaka as ALAC members of this group. And I'm not sure who will be speaking to us on this. Probably Steinar.

DANIEL NANGHAKA: Daniel will be speaking to you on this.

OLIVIER CREPIN-LEBLOND: Daniel will be today? Okay. Daniel, you have the floor. Sorry. I should have remembered. Steinar did say he sent his apologies. Daniel, you have the floor, Daniel Nanghaka.

DANIEL NANGHAKA: Thank you very much, Olivier. I would like to mention that during the call, that we expressed the At-Large positions in regarding to the losing FOA, especially coming from the results of the CPWG discussion. So the outcome of the last CPWG is that we agreed that we keep the losing FOA as mandatory and we explicitly expressed our position regarding to this, which led a lot of discussions to be [had in] the group.

So we are also happy to report that the policy members from the CPWG, we report every week as it has always been. And also, we do this to

avoid putting in personal decisions on behalf of At-Large. And also, this was well-noted on the call.

Furthermore, we continued to go into the deliberations of the losing FOA. And we had to give reasons as why it is mandatory for the losing FOA to exist. We mentioned that it will help the registrant, when the losing FOA is sent, that if the registrant hasn't initiated the transfer, then they get the losing FOA notification, it can stop the transfer. So it provides a certain level of added security.

So more deliberations went on, regarding to the various [calls] to find the temperature of the room regarding to this FOA. But there was no conclusive discussions on this. So at the end of the call, we had to give reasons to add on to the document of the losing FOA various positions to guide the deliberations that will be taking place in the next meeting.

But I still have to emphasize that the At-Large position has been strongly taken into consideration and we shall be waiting to have more deliberations during the next call. In case I've skipped something from the other meeting, I'll request any other members who attended to add on. Thank you. Back to you, Olivier.

OLIVIER CREPIN-LEBLOND: Thank you very much for this update, Daniel. And I open the floor. If any of your colleagues would like to also add to this or if anybody else wishes to comment on your report—and, of course, on the topic itself. I am not seeing any other hands up at the moment. So thank you for this. We did have extensive discussions on previous calls. So it's good that the ALAC and At-Large perspective is being considered in that way that it is

at the moment. Hopefully there'll be more interest with time. Daniel's covered it very well, indeed. Thank you, Raymond.

Right. That means we can move to the next item and that's going to be the Intergovernmental Organization Curative Rights Work Track, the IGO Work Track. Our ALAC members on this are Yrjo Lansipuro and Carlos Raúl Gutiérrez. And I believe that Yrjo is with us. I think I heard him do a sound check a little bit earlier. You have the floor, Yrjo.

YRJO LANSIPURO:

Thank you, Olivier. As you recall, a week ago, we had a comprehensive presentation by Justine on this topic. The slide deck is here, appended to the agenda. So I really recommend people who weren't there last time to take a look, to get the whole background.

Now, for an update, there was no meeting of the work track on Monday. So there's nothing to report from there but the wheels are still turning. Actually, the staff has written the draft for the initial report, which was delivered to the members this morning. And it will be discussed at the next work track meeting next Monday so that at the next CPWG, we have more to report on this. Thank you.

OLIVIER CREPIN-LEBLOND:

Thanks for this, Yrjo. Are there any comments and questions from anyone? I'm not seeing any hands. Up. Right. Well, were going pretty fast today. So thank you for this.

And now, the next topic is the Expedited Policy Development Process on the Temporary Specification for gTLD Registration Data—that's the

original EPDP, an old friend of ours. And the ALAC members for this are Hadia Elminiawi and Alan Greenberg, ALAC representatives on this. I think that Hadia has a presentation for us and will be going through this. As I said, it's an old friend and it's got a constant number of topics every week. Over to you, Hadia Elminiawi.

HADIA ELMINIAWI:

Thank you so much, Olivier. If we could have the presentation, please. Thank you. I will be briefly going over the discussions that we are currently having. We are now attempting to finalize the report in order to be sent to the Council in the beginning of next month. So if we could have the next slide, please.

So the agenda, we've been discussing the benefits of having a standardized data element. And then, we are also reviewing the draft final report. And then, I'll be presenting the current timeline. If we could have the next slide, please.

The question posed to the group was, "Please describe below the benefits that would be achieved by having a common data element that would be used to flag whether it concerns a legal person or a natural person registration that a registrar may use if it decides to differentiate. Please be as specific as possible? How would you or other organizations make use of such a common data element? What would be the benefit, if any, for the registrant or Contracted Parties? Are there alternative ways in which this benefit could be achieved that the EPDP sees?"

Our actual actually tried ... We've been discussing this a lot. And I think we've been raising the benefits over and over again. But it seems that

because the necessity is not clear, we always go back to asking, again, what are the benefits?

One of the benefits that we actually suggested—and we haven't discussed during our deliberations or our previous calls is a differentiated security level based on the nature of the data. And we see this as answering the question, "What are the benefits to registrants?" because differentiated security levels will benefit registrants as well as Contracted Parties.

The idea here is that this data element could possibly help to provide information asset value. And according to this information asset value, you could find an appropriate security level for protecting different pieces of information or personal information. In the future, also, this could be coupled with other pieces of information in order to achieve even more different security levels. So this is one thing we haven't discussed but this is a possibility.

Aligning the way registries and registrars label and display registration data. Again, we've been asked, "Why is this important?" If a contracted party chooses to differentiate then uses its own method, then in disclosing the data ... Because this is not only about flagging the data but this is also about the values assigned to the data elements.

So we could agree, for example, that the values assigned to the data elements are natural, legal, unspecified, or even the registrant does not want to provide an answer. So you could have three values, four values, whatever. If this is consistent across all the registrars, then whenever you ask for this information and there is a disclosure, you would receive one of the identified data elements. However, if there is no agreement

on a common data element, then the answer could vary from one contracted party to another.

Also, it creates consistency in the treatment of the data across the industry because this data element could actually travel from or be transferred from the registrar to the registry. Of course, the registry could say ... Registries might say, "Oh. But we don't want this data element." Okay. So they could have the option to say, "We don't want this data element to be transferred." But the possibility of having it transferred is important. So if we could have the next slide, please.

Yeah. The one before. Yeah. Also, another benefit is, actually, if we have an automatic disclosing mechanism, then definitely this data element could be of use. And again, it's consistent with the GDPR. It allows for different disclosure measures. So those are the benefits that we have outlined. If you can think of more benefits, please go ahead and raise your hand. Until you think of more benefits, I will go through the rest of the slides. If we could have the next slide, please.

Okay. This is recommendation three. Again, it's in relation to the standardized data element. So discussions were going along. Instead of using "standardized," let's use words like "common" or "consistent." I think that there could be an agreement on using a "common data element" instead of "standardized data element." We personally think it's fine to use "standardized," "consistent," "common." It doesn't really matter as long as this data element exists and does what it needs to do.

Also, there have been discussions about using a data element that already exists in RDAP. It's called kind element. And there have been discussions because we have always been asked how would be

implement this and the cost associated with implementation. So again, this is an implementation option that already exists with RDAP.

And then, there was a proposed language by the Registries Stakeholder Group. And the proposed language said, “As part of the SSAD implementation, a standardized data element should be identified that would indicate the type of person it concerns and, if legal, also the type of data it concerns. Such a data element could be used by registrars who choose to differentiate between legal and natural persons. Such tagging could facilitate review of disclosure requests via SSAD.”

And we think that we could support this language. But instead of saying “As part of the SSAD,” we would say, “In support of the SSAD,” and also add to the end, “via SSAD and other similar disclosure tools,” in order not to link this data element only to SSAD. So again, any thoughts about this language and the proposed modifications? Again, until you think about this, I will go to the next slide.

Okay. So recommendation four, it’s in relation to the guidance. And it says, “The EPDP Team recommends the contracted parties who choose to differentiate based on person type should follow the guidance.” Of course, many groups want to use the word “must” instead of “should.” But there is no way that we could actually reach any kind of consensus with “must.”

The new recommendation says, “The EPDP Team recommends that ICANN Org and Contracted Parties collaborate to translate this guidance into a code of conduct.” So this is something to happen in the future, if we actually adopt this as a guidance. It’s for ICANN Org and Contracted Parties to work together in order to transform this into a code of

conduct. This is in line with Article 40 of the GDPR. And the suggestion is to put this forward to the European Data Protection Board. After that, if given the green light, then this would provide more certainty for Contracted Parties to follow the guidance.

And the European Data Protection Board has previously indicated that codes represent an opportunity to establish a set of rules which contribute to the proper application of the GDPR in a practical-to-understand and potentially cost-effective manner. So we do support this. And this actually is also partially a result of the mediated conversation. The IPC also agrees that they think that the collaboration to translate this guidance into a code of conduct should not be limited to ICANN Org and Contracted Parties. And I think this is also something worth thinking about. If we could have the next slide, please.

So recommendation five is in relation to having unique addresses. The recommendation basically says, “EPDP Team recommends 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 [inaudible] guidance on anonymization techniques provided by their data protection authorities and the appended legal guidance in this recommendation.” Basically, this is a recommendation provided by Bird & Bird.

So the Registries Stakeholder Group has ... This recommendation has actually not received any kind of support or very limited support. The reason, of course, as you see, that it doesn’t really say anything. It points

to a guidance and it says, “Go back to your data protection authority.” So the Registries Stakeholder Group has made a suggestion.

And another suggestion I was going to ... So Bird & Bird did provide, in its memo, a small table that I’ve actually included. They say, “Our summary, which reflects the important assumptions and caveats provided later in this answer, is as follows.” So this table is basically a summary of what Bird & Bird is saying.

So we think maybe it could be useful to put this table as well—if it’s only in addition to referring to the recommendation—also to put this table. And this table basically shows that you have low risks, with web publication and registration-based e-mail contacts. And you also have risks with registrant-based e-mail contacts and automated disclosure. So you could actually be in block three and this would be good. Also, you could be in block four and that’s the lowest—automated disclosure, registration-based e-mail contact.

So I’ve finished so could we have the next slide? It’s the thank you and if you have any questions. Oh. The timeline. I forgot it. So the timeline. We actually should be done by the end of this month. We should be ready to send the report by the 2nd of September to the Council. So basically, in November–December, there should be the public comments during Board consideration and then Board consideration should happen in the beginning of next year or in December, maybe. Basically, this is where we are. So I’ll stop here and thank you. And if you have any questions, please go ahead. Or if you have any suggestions, please go ahead.

OLIVIER CREPIN-LEBLOND: Thank you very much, Hadia. Jonathan Zuck is in the queue.

JONATHAN ZUCK: Thanks, Hadia, for your presentation. Just taking a step back from some of those specifics, what's your sense of the likelihood of getting a consensus report out of the Phase 2A as opposed to the somewhat-more-fractured report that came out of the previous phase?

HADIA ELMINIAWI: Okay. When it comes to the standardized data element or the common data element, I think we could agree. We could reach consensus in relation to that. And then, in relation to the guidance, if actually this guidance could be transferred into a code of conduct, also we could reach some kind of consensus.

In relation to recommendation one, which actually asks if recommendation 17 of Phase 2 should remain as is or be altered or changed, the recommendation basically says that registries and registrars may differentiate but are not required to. I think we will not reach consensus in relation to this recommendation because what's proposed now, that we would say that recommendation 17 stays as is, no changes are proposed.

Actually, we think that we did not reach any kind of decision or conclusion. So some of us think that the recommendation needs to stay as it is and some of us think no—that it needs to be changed. So I don't think we could reach consensus in relation to this one. But who knows? Maybe we do.

And then, in relation to recommendation two, which is about ICANN Org following future developments, I think we could reach consensus in relation to this one because there is a proposal to have a note that if new legislation or laws or some changes happen, a new EPDP could actually be initiated. So I don't think that there will be consensus in relation to the whole report. But there could be some kind of consensus in relation to some parts of the report.

JONATHAN ZUCK: So you expect another minority report on which a number of parties are going to participate again?

HADIA ELMINIAWI: Yes. I don't want to say for sure but I would say yes. It's a very high probability—almost certain that there will be a minority statement signed by many of the group.

JONATHAN ZUCK: I see. I'm just becoming increasingly concerned about the number of decisions we're asking the Board to make instead of the community making them. So I feel like we, as the community, owe it to ourselves to retain as much power within ICANN as we can. And I feel like this constant abdication of power on topics ... And then especially, we're having a whole new Board coming on. And landing so many things in their lap, I think, is highly problematic. But thanks, Hadia.

HADIA ELMINIAMI: Thank you, Jonathan. And you're absolutely right. But I think part of it, also, that we did not have those face-to-face meetings. And actually, many of the agreements do happen during those face-to-face meetings. Those meetings also built a kind of trust and you know what the other party is really thinking. Many of the questions would be about, "What are your intentions?" So everyone is always looking behind the intention. Maybe there is some kind of intention that I missed, that would be problematic in the future. And again, this goes to trust. Thank you.

JONATHAN ZUCK: Thank you, Hadia. Sebastien Bachollet is next.

SEBASTIEN BACHOLLET: Yes. Thank you. Just to understand the point of view Jonathan because I'm sorry. When you say that it's an all-new Board for the moment, at the end, it will be three new voting Board members against 15. The maximum could have been five. There were just three. It's less than what's happened for ALAC each year. And some of them are with a good knowledge of ICANN. Therefore, I don't think it's a good argument to say that we are asking the board to take decision.

I feel, at the reverse, that we are in a situation where the SOs are trying to take all the power. And one way for us, as end-users, is to give some power back to the Board. We don't have any other solution. Therefore, I think it's a good way to go. Thank you.

OLIVIER CREPIN-LEBLOND: Thanks for sharing your point of view, Sebastien. Hadia, I did have a question relating to page number four, the standardized data element. And you quite clearly provided answers to the question, “Please describe below the benefits that would be achieved by having a common data element that would be used to flag whether it concerns a legal or a natural person.”

The part number five that you make—having different disclosure measures based on the nature of the data would allow for quicker disclosure of the data labeled as belonging to legal persons, which would be of benefit to legitimate requesters, I would argue also the other fact that having different disclosure measures ... If you have a flag that allows you to say, “This person is a natural person,” that actually reinforces the protection for registrations from natural persons, as there will be less opportunity to argue that they are not a natural person, once they’ve been established as being a natural person.

And therefore, the rules relating to natural persons will absolutely apply, whereas without a label, one could argue, at that point, during a request for disclosure that the person was not natural. Did I confuse you here or is that clear?

HADIA ELMINIAWI: No, no. I totally agree with you. That’s why the second—the rest of the sentence says—but I did not elaborate on that, “Different disclosure measures are of benefit to registrants because it allows better protection of more sensitive data.” It’s not only about more sensitive data. It allows protection of natural registrants.

OLIVIER CREPIN-LEBLOND: I think it has to be emphasized because we often, in our community, emphasize the labeling of legal persons for concerns that we have regarding malware, etc. But obviously, we also recognize, I think ... Many of us recognize that there are concerns regarding privacy of natural persons. So I think that some have argued that this whole thing of making a choice between legal and natural is going to weaken the protections that a natural person has. And I think we should argue the opposite and say, "Actually, once we have established, then no. It reinforces them." We also have to effectively show the advantage in both directions. That's all.

HADIA ELMINIAWI: Thank you, Olivier. You are absolutely right and this is of benefit to natural registrants because it emphasizes the protection they need. However, we did—which I didn't understand much ... I think one of the groups said, "Oh. So do you want to label natural persons as well?" And I didn't really understand this because if you're labeling one as legal, then you might as well label the other as natural. So I wasn't sure what this actually means or meant. But yeah.

OLIVIER CREPIN-LEBLOND: I think that, without pointing the finger at anybody, I'm just trying to understand. I think that what really needs to be identified is the natural persons. Or make a differentiation between the two—the one which will be dealt with differently, obviously, is going to be the legal persons because that's the ones that will have a quicker disclosure of the data.

So what is the default, at the end of the day, if there's no label, between the two? That's probably something that your group is going to have to work out. I would imagine that the default is the stronger privacy, which would be that of if you're not flagged as a legal person, then it's going to be ... You're going to have to provide the privacy measures for a natural person. But I'm sure you guys will have plenty of time to discuss this or have spent plenty of time on this already.

HADIA ELMINIAWI: Thank you, Olivier. And yes. The default is definitely natural person.

OLIVIER CREPIN-LEBLOND: Putting chair's hat on, or co-chair's hat on, there is no other people in the queue at the moment. There's some good, interesting discussion going on in the chat for those people getting bored with what we're speaking about. But let's hope you're not bored. And I'd like to thank Hadia for this great update. If anybody thinks of some more responses to Hadia's question on her presentation, please follow up on the mailing list or directly with Hadia. I guess the guidance is always very welcome. Do you have anything else to cover, Hadia?

HADIA ELMINIAWI: No. Thank you so much. And awaiting your suggestions and additions thank you.

OLIVIER CREPIN-LEBLOND: Great. Thank you. So we now move to agenda item number four. And that's the policy comments update with Jonathan Zuck and with Evin Erdoğdu. So over to you.

EVIN ERDOĞDU: Thank you so much, Olivier. This will be rather brief today but there were two recently-ratified statements or advice by the ALAC. Of note is the ALAC advice, of course, to the ICANN Board on EPDP Phase 2 and the SSAD. That was submitted late last week and so we expect to hear next steps or advice very soon. And we'll provide updates to the CPWG when we have them. And of course, there was the request of inputs on topics provided by the Transfer Policy Review PDP Charter Team reps. Thank you for that update earlier, Daniel.

There are currently several upcoming public comment proceedings—seven in September. So looking ahead, it will start to get very busy, very soon, in the next week or so. So please do review all those upcoming public comment proceedings, which are also copied on the agenda.

There's just one open public at this time regarding Greek Root Zone Label Generation rules and it's closing in the coming days. Otherwise, no current statements being drafted. That includes ALAC advice, comments or correspondence. So with that, I'll turn it over to Jonathan in case there are any other comments on this recent activity. Thank you.

JONATHAN ZUCK: Thanks, Evin. I think what we ought to try to do with some of these upcoming things is start discussing them, even though the public comment periods haven't opened. So let's take an action item to really get some presenters on the agenda to talk about the issues raised by these things as opposed to asking everybody to individually go out and review them. This seems like the right forum to have a presentation about pros and cons and implications of the recommendations made so that we have a little bit more time than we normally would to respond. So I would just ask, Evin, for your help in organizing some—

EVIN ERDOĞDU: Sure. Thanks, Jonathan. Will do. And was there any one, or several in particular, you'd like for me to reach out and find presenters on or just generally, most of them? Not sure if Jonathan can hear me but, Olivier, I see your hand up. So go ahead, please.

OLIVIER CREPIN-LEBLOND: Thank you very much, Evin. Thanks, Jonathan for proposing that we start looking ahead at things—public comment proceedings coming up. I note that there are several that deal with root Zone Label Generation Rules. And in general, the ALAC has not commented on these except if there was something that really stuck out. So obviously, the Greek Root Zone Label Generation Rules doesn't appear to have raised any uproar in our community. And of the forthcoming comments, you have the Japanese script, the Latin script, the Myanmar script LGR. So there are the three of those that already come out.

There's also a renewal of a Registry Agreement. Now there, just for background, in some cases, the ALAC has not commented. In some cases, the ALAC has commented. No need to go through the list of which ones we've commented on but in some we have.

And when it comes down to the draft PTI and IANA Fiscal Year 23 Operating Plan and Budget, I believe that probably would be of the remit of the OFB, Operational and Financial, than with us. So that one can be swiftly sent to them.

The others, of course—the International Governmental Organization Curative Rights proposed recommendations, we do have our regular update in our calls.

So there just remains, for the time being, the Domain Abuse Activity Reporting. But nevertheless, it's a good point maybe, yes, to instill some time to look forward—look ahead at forthcoming public consultations, and perhaps even for you and I to work with Evin so as to actually propose some presentations ahead, knowing of what's coming up—so already getting in touch with the people that are involved in this public consultation and so getting our community prepped up about it as soon as it starts.

JONATHAN ZUCK:

That's right, Olivier. Thanks for going through that list. I assumed that would be part of our exercise when I said it. I think that many of these things, we won't address. But certainly, DAAR is one. We circulated a presentation to the list last week. But I also think a presentation to this

group to get the juices flowing again will probably be more productive.
Thanks, Olivier.

OLIVIER CREPIN-LEBLOND: Okay. Thanks very much, Jonathan. We are going into any other business with something that does relate to the public consultations and that's the new public comment feature going live, starting on Tuesday, 31st of August. I was just wondering, actually, ahead of this, asking Evin if she is checking with regards to the kind of information that now will be in the new public consultation and the formatting of it—whether she's already preparing for that to be easily transcribed to our both agenda and also our own public consultation document.

EVIN ERDOĞDU: Thank you so much, Olivier. Yes is the short answer, of course. The process will be quite similar, in terms of submission, as we currently have, just as a general FYI. Whenever an ALAC statement or advice is submitted, it's submitted through the At-Large staff account with, of course, the confirmation of the ALAC chair. So similarly, we'll have an ALAC and At-Large account for public comments submissions. And of course, the CPWG agenda will be updated to make it a convenient process to access the new interface there.

Please also do check out the recordings, if you have not already attended those webinars. It should be a very easy and nice new process.
Thank you.

OLIVIER CREPIN-LEBLOND: Thanks for this, Evin. I'd like to just ask, out of interest, if there's anyone on the call that's already been through these webinars and if they have any questions that they might wish to raise that might relate to the way that we operate, could they please e-mail you or they could raise it, maybe even on today's call, although it probably is not the best time now, although we are ahead. But yeah. So if anybody has concerns about some of the ways that things are changing or any questions on it, then please get in touch with Evin and she'll be able to relate to the public comment team and find out if there's anything that's unclear to reach out. Thank you.

So that's one any other business. Any other other business? I am not seeing any hands up at the moment. Jonathan, do you have anything else you'd like to add? We are 30 minutes ahead of our official closing time, which is unheard of. I'm panicking.

JONATHAN ZUCK: Yeah. No. I think it's just fine if that's the case, Olivier. We shouldn't engage in any make-work. So let's let people relatively enjoy their August.

OLIVIER CREPIN-LEBLOND: So we shouldn't have a 30-minute singalong now?

JONATHAN ZUCK: I think not.

OLIVIER CREPIN-LEBLOND: Okay. Right. Well, thank you very much, everyone, for taking part in this call. Thanks to our interpreters who have done a stellar job again. And of course, the transcriber for this call, and of course to all the people who have presented and to you who have taken part in the discussion. Any further comments, especially on Hadia's presentation, please follow up on the e-mail mailing list. And I see there's still things going on in the chat. So you can follow that up, also, on the e-mail mailing list. In the meantime, have a very good morning, afternoon, evening. But we, of course, need to find out when our next meeting is. I think it's a strict rotation, isn't it?

DEVAN REED: Hi, Olivier. Yes. In rotation, that next meeting is going to be on the 25th of August at 19:00 UTC.

OLIVIER CREPIN-LEBLOND: 19:00 UTC next week, the 25th of August. Goodness. It's going so quick, isn't it?

DEVAN REED: Yes.

OLIVIER CREPIN-LEBLOND: Time is flying. Okay. Thank you very much everyone. My next call is coming up. And yes. The ALAC call will have an update on the public comment submission shortly. So that will be an interesting thing. So

thank you, everyone. Have a very good morning, afternoon, evening, or night.

SEBASTIEN BACHOLLET: We have to be ready for the birthday of Jonathan next week. Thank you.

JONATHAN ZUCK: That's when the singalong happens. Thanks, Sebastien.

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

[END OF TRANSCRIPT]