
YEŞİM SAĞLAM:

Good morning, good afternoon, and good evening to everyone. Welcome to the At-Large Consolidated Policy Working Group call taking place on Wednesday, 17th of August 2022 at 13:00 UTC.

We will not be doing a roll call due to the increased number of attendees as well as for the sake of time. However, all attendees both on the Zoom Room and on the phone bridge will be recorded after the call. Just to cover the apologies, we have received apologies from Alberto Soto, Cheryl Langdon-Orr, K Mohan Raidu, Yrjö Länsipuro, Anne-Marie Joly-Bachollet, and from Greg Shatan. And from staff side, we have Heidi Ullrich, Chantelle Doerksen, and myself, Yeşim Sağlam, present on today's call. As usual, we have Spanish and French interpretation. Our interpreters on the Spanish channel are Claudia and Marina, and on the French channel we have Claire and Isabelle.

Before we get started, just a kind of reminder to please state your name before speaking, not only for the transcription but also for the interpretation purposes as well. One final reminder is for the real-time transcription service provided—and let me share the link with you here on the Zoom chat—please do check the service. And with this, I would like to leave the floor back over to you, Olivier. Thank you very much.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Yeşim. Welcome, everyone, to this week's Consolidated Policy Working Group call. Today we've got a call that is again light on our usual items but with a special appearance from

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Justine Chew speaking to us about the GNSO Council Small Team on DNS Abuse. She's got a presentation for us.

So first, we'll start with our usual workgroup updates, and then we should go pretty fast on this. They'll just be a short update from Alan Greenberg. Then we'll have the policy comment updates, again, very short because there are no currently open statements, and then swiftly to Justine. At this point in time, any other points, any other topics that people would like to discuss here? Sébastien Bachollet?

SÉBASTIEN BACHOLLET:

Thank you very much, Olivier. We are not supposed to discuss about the ICANN75 Policy session during the meeting today. I guess it was supposed to be one of the items from the last call on planification of the ICANN75, I guess. But Chantelle can tell us more if she's online with us. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Yes. Thanks, Sébastien. Actually, that's included in Any Other Business. Sorry, I should have also listed what was already there in Any Other Business. We have 15 minutes relating to this preparation for the ALAC topics and questions for the joint session with the ICANN Board. There are also some ICANN75 joint sessions ... Sorry, that's what I was talking about. That's actually an action item as well for today. So thanks for mentioning this. Okay. So the agenda is adopted as it currently is listed on the screen.

Then the action items, as I mentioned, are all completed caught from the one relating to the ICANN75 joint session topics with the ICANN Board. Hopefully, if we're covering this today, that will also be completed. Are there any comments or questions on the action items? I would imagine probably not at this point in time. So that takes us then with an adopted agenda and the action items completed to the workgroup and small team updates.

Now, many of the teams are currently in a summer recess of some sort. So you do have a different PDP, the first one on Transfer Policy Review, one on the Internationalized Domain Name. Both of these do not have an update at this point in time, or at least we haven't been told about one. Then we have just Alan Greenberg regarding the RDA Scoping Team, RDA being Registration Data Accuracy Scoping Team, and also the System for Standardized Access Disclosure Operational Design Assessment. Over to you, Alan.

ALAN GREENBERG:

Thank you very much. Your call last week, I said we were scheduled to have what was originally planned to be the last meeting of the first phase of the RDA Scoping Team last week and that I expected a report to come out which probably would need a statement. At this point, the meeting did not reach closure and it wasn't clear just how we would proceed. We finally got a message from the chair yesterday, saying that there would be a new version of the report attempting to address the issues that were discussed at the meeting would be issued shortly, not out yet. I expect it today. The meeting for this week is postponed until next week. So their next will be the week tomorrow. And at that point,

the expectation is that whatever comes out in the document in the next day or so will be addressed, resolved by e-mail. We will enter into that meeting doing any final touches and the report will be issued shortly thereafter.

So essentially, the same discussion as we had last week. That is we will need to complete perhaps ratified after the fact a statement in very, very short notice within a day or two. The difference might be that based on the e-mails, we have a better expectation of what the outcome will be prior to the meeting. But essentially, what was said last week may be softened a little bit but delayed by two weeks still stands. So at this point, we are expecting the report to be finalized a week from Thursday, issued a few days after that with a very small opportunity to get a minority statement, if one is necessary, and I'm predicting that it will be necessary. Then perhaps reworked and modified for a second the issue essentially of the final report, including the minority reports that were not finalized prior to the first publication. So essentially, where we were last week but delayed by two weeks that's with a better outcome.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this update, Alan. Now I note Steinar Grøtterød has put his hand up. I'm not sure whether it's in response to you or whether it's to cover the Transfer Policy Review PDP. Steinar, you have the floor.

STEINAR GRØTTERØD: Thank you. Yes, it's regarding the Transfer Policy PDP. What I did do is to send out a few slides about some interesting topics that we need to have some sort of reflection on is the change of registrant. The background from this is that this is in the Transfer Policy PDP Phase 1B, and we have to at some point have to discuss whether we have an opinion about the transfer lock when there is a change of registrant data, and whether it should be there, whether it should be as it is, 60 days now, whether it should be something longer, shorter, etc. So I recommend that everybody take a minute and read the PDP's PDFs that I sent out. We can have a longer a discussion maybe next meeting, etc. So that's my short summary. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Steinar. Let's open the floor for any comments or questions. I'm not seeing any hands up. The floor is still open for any comments or questions to Alan Greenberg's update. I'm not seeing anyone putting their hand up either on this. So thank you very much, gentlemen, for your updates. That closes our workgroup and small team updates. I'm not sure if Jonathan has now made it perhaps. Maybe he hasn't.

YEŞİM SAĞLAM: No, Olivier. Unfortunately, not yet.

OLIVIER CRÉPIN-LEBLOND: So let's go to the policy comment updates with Chantelle Doerksen.

CHANTELLE DOERKSEN: Thank you, Olivier. The only update we really have at this time is to let everyone know that the Transfer Policy public comment submission has been submitted. That was submitted last week. They had extended the deadline and that deadline officially closed yesterday. So at this time, there are no more submissions for the Transfer Policy Initial Report Phase 1A. And at this time, there are no public comment proceedings that are open. As you can see on the screen in front of you, we have four that are expected to be opening within the upcoming weeks, and more information will be provided once those dates are available. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for the swift update, Chantelle. Let's open the floor if there are any questions, comments, or questions on any of those forthcoming topics for the end of August or the second part of August. I'm not seeing any hands up. Wow, this is rather swift today. But that's fine because the next agenda item is our main topic for today. I'm going to have just as well because a vacuum cleaner is starting behind me. We'll go straight over to the GNSO Council Small Team on DNS Abuse with Justine Chew. Justine, you have 40 minutes. Thank you.

JUSTINE CHEW: Thank you, Olivier. Sorry I was a bit late joining the call. I hope I can be heard.

OLIVIER CRÉPIN-LEBLOND: Absolutely fine.

JUSTINE CHEW:

Thank you. Good. Yes. Okay. So this full deck, as you see, is that it's long, but obviously, two significant parts of it have been covered before. So I'm just going to touch on parts three and four of the presentation. Sorry, I'm getting muddled up.

There are two more parts that are new edit to this particular slide deck, which I intend to go to today. The first part is to do with the small team's deliberations of the inputs from the SGs, Cs, and DNS Abuse Institute. And the last part would be to do with draft recommendations coming out of the small team that's been proposed to GNSO Council. So let's just move on to next slide, please.

Just by way of recap. This small team is constituted by the GNSO Council. So it's set up by the GNSO Council so it has councilors as its members because it's a small team of the Council. It basically was constituted in February 2022. Its main purpose was to do an outreach, more or less. It is expected to consider what policy efforts, if any, the GNSO Council should consider undertaking to support any efforts that's already underway within the different parts of the ICANN community, insofar as to tackle DNS abuse. So the outreach was instituted around I guess it was sometime in February as well, and then we started getting responses back as early as April. I volunteered to be a member of this particular small team as well by virtue of my liaison role in the Council. I can tell you that the all the responses received have now been reviewed, the review has been completed. The small team has moved on to drafting its report as well as formulating recommendations to the Council. Just move on to the next slide and the next slide.

Just by way of highlight, I think I've mentioned this before. So the approach that the small team took when it looked at the inputs that were received, and of course, I should mention that the outreach was limited to the GNSO SGs, Cs, and the DNS Abuse Institute. The way that the small team approached the inputs was to see if they fell into any of three buckets. So first bucket being whether there's policy development envisaged. Second was if there was any outreach, further clarification, or more information needed, data gathering kind of thing. And the third one would be it fell into a bucket of contracts, meaning that it's something that can be done via direct negotiations of the contracts between ICANN and the contracted party.

At this juncture, the recommendations are still being developed. In fact, there is going to be a call at 20:00 UTC. It would be the first call of the small team that we're discussing the draft recommendations. So what does it take this opportunity to actually set up some of the things that the small team is going to be grappling with in terms of developing the recommendations and see if there's anybody here who would like to provide inputs or see anything that is clearly amiss or that's something that I need to relay back to the small team.

Alan, I see your hand up. Did you have an intervention at this point in time?

ALAN GREENBERG:

Yes, I did. The three buckets you have, I'll note that the policy bucket and the contracts bucket overlap significantly. And the reason I'm mentioning it here is there has been a tendency within the RDA Scoping

Team to imply that if things are subject to negotiation, they cannot be subject to policy. In fact, the whole concept of consensus policy is to alter the contracts for areas which fall—the expression used is fall within the picket fence. It is there a certain areas within both the Registrar and Registry Agreements that are highlighted as being subject to consensus policy. Those could be negotiated but they could also be subject to policy. You're showing these as distinct buckets, and even on opposite sides, implying they don't touch. It goes along with what has been said by a number of contracted party people recently who imply that the two do not overlap, and there is a very important overlap. That's why policy exists. Thank you.

JUSTINE CHEW:

Yes. Well, this is coming from the small team so it's not my personal, really.

ALAN GREENBERG:

I wasn't accusing you of it. I just noticed.

JUSTINE CHEW:

Oh, no, no. Of course not, of course not, of course not. I'm just saying that this is what the small team discussed and I'm just presenting what it is that the approach has taken. I understand where you're coming from. That's why when it comes to developing the recommendations, it's important to be able to distinguish what we think would be policy in terms of something that requires a PDP, because the PDP is the most known format of dealing with or coming up with consensus policy. So

it's a question of whether you need something, whether an issue has to be addressed through a PDP which produces consensus policy, or is it something that can be better and more efficiently handled through direct contract negotiations with the contracted parties. The distinction obviously has to be looked at more carefully, really. We could have a say in terms of what we prefer, whether it's something that should go to PDP or something that we are happy to have direct negotiations done between the contracted parties and ICANN. So long as there's some transparency for the community, so to speak. Yes, Alan?

ALAN GREENBERG:

There's rarely transparency when we're talking about contract negotiations. Those are almost, by definition, within ICANN conducted behind closed doors. But you're right. The whole issue is it's a judgment call, whether we choose to do some of the issues via policy or through contract negotiations. A judgment call of which was likely to succeed and which might go faster or better one way or another. But there is a conscious decision point for things that are eligible for policy development. Anything eligible for policy development could be done by contract negotiation, should the parties choose. Whether successful or not is a different issue.

JUSTINE CHEW:

Sure. I mean, there's also the thing about even if say, for example, I were to ask, that something goes through the PDP, I may not get one on one because obviously GNSO is more contracted parties than anything.

So they have the support in terms of how they perceive the thing should go, then it's likely that it will go that way anyway. Olivier?

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Justine. Can you hear me? Hello?

JUSTINE CHEW: Yes, yes. Yes. We had a bit of delay.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Justine. Just as you are introducing the small group on the GNSO group on DNS Abuse, I thought perhaps we could also have a brief recall of the ALAC's work on DNS abuse, as in what has the ALAC been doing so far? I can just certainly recall, we do have a page on the ALAC that's At-Large and DNS abuse on the atlarge.icann.org website that lists all the activities that the ALAC has pursued, including activities all the way back in 2019, 2020, 2021, the activities during the ICANN meetings themselves, but also the statements that were drafted by the ALAC on DNS abuse, there's a number of them. Do you want to briefly mention maybe the latest one?

JUSTINE CHEW: Okay. I'm going to say that that is out of scope here per se because I'm just dealing with what the GNSO Council Small Team on DNS Abuse work has encompassed. So I'm not going into the larger things about what ALAC and At-Large are doing in terms of DNS abuse. I think that particular topic is something that you might want to raise when we have

a bilateral intersessional between ALAC and GNSO Council. I think it's more appropriate forum to deal with that larger topic. As I said, this particular presentation is focused on what the small team that has been established by the GNSO Council is doing in terms of the inputs that it called for from different parts of the community in ICANN in terms of DNS abuse. Mind you, ALAC did make a submission to this particular call that I mentioned. ALAC submission is something that I addressed a few weeks ago, bearing in mind that I'm saying that this is the third time I'm presenting on this particular topic but different parts.

OLIVIER CRÉPIN-LEBLOND: It's just there are different people on some of the calls. So that's why. What I'll do, I think it might be that staff also does that, is to send the links to the ALAC advice to the ICANN Board and DNS abuse back in 2019, and also some of the other statements that we've recently done. I'll hand the floor back to you to proceed with your presentation. Sorry for stopping you in your slide.

JUSTINE CHEW: No, no. That's all right. Thank you for the intervention. And yes, obviously, there's much information to be shared with the participants here, especially newcomers the better. I just hope they don't get overwhelmed but I don't think they would. I'm sure that all our people here always open to answering questions. But as I said, you know that the purpose of my presentation really is just to talk about the work of the GNSO Council Small Team on DNS Abuse and the call that they have made for inputs in terms of DNS abuse comments, what do they think.

Basically, the question is, what do they think GNSO Council should do about DNS abuse? Mind you that it's from a GNSO perspective, whatever it is, number one, it has to fall under the remit of ICANN. So nothing to do with content, for example. So if that's abuse regarding content then it's out of scope for ICANN specifically. Number two is also in terms of GNSO, we're talking about the contracted parties. So it's a question of what do you expect the contracted parties to do about DNS abuse. Obviously, there's a lot of layers in terms of the kind of abuse that's being reported, the kind of information that's collected about abuse. There's a whole lot of strings that we need to look into. It's not just as simple as saying that all contracted parties, you are obliged to do this, you have to do this. We need to be able to establish what they can actually do. And we need to understand what they can actually do.

So coming back to the presentation. Again, the approach that was taken by the small team is to sort the inputs into three buckets: policy, outreach, or contracts. So, moving on to the next slide, which is to do with the—okay, so this part one, which I've already spoken about a few weeks ago, is the inputs that were received from the AC. So this includes ALAC, GAC, SSAC. If you wanted to know what the ALAC actually submitted in terms of its inputs to the small team, then you can go to the next slide that appears on slides six and seven.

All right, so I've already provided a summary and I provided feedback in terms of the observations that were made by the small team to the ALAC's input, as I said a couple of weeks ago. I only have 40 minutes today, so I want to cover more or less the other parts that I have not touched on before. Yesim, if you could go to slide 10 onwards.

Okay. So the responses from ... What I did was part one dealt with inputs from the ACs, the Advisory Committees. Part two deals with the inputs received from the GNSO stakeholder groups and constituencies. So that's what SG and C stands for. And also, DNS Abuse Institute. Now, some of you probably wonder why we have DNS Abuse Institute there because DNS Abuse Institute doesn't form part of the more established constituencies or stakeholder groups or ACs in the ICANN community. The reason for that is the Council small team taught that because DNS Abuse Institute being number one and offshoot of PIR thereof, Public Interest Registry, which is a contracted party, and also they use specifically with DNS abuse. So they would be a good team to tap in terms of knowledge as well as reasoning behind DNS abuse. In fact, also research, I suppose. The SGs, in particular the Registry Stakeholder Group, find themselves pretty much aligned to the outputs of the DNS Abuse Institute anyway. So they wanted the inputs to be included. All right. So let's get into the actual inputs itself. So moving on to slide number 11.

So I'm going to reverse the order and start with the DNS Abuse Institute first. They basically said that you should concentrate on malicious registration. So there has been talk about the need to distinguish between maliciously registered domains versus compromised domains. Because malicious registrations are registrations, there's actually a definition for it. So the definition you can find in the footnote. There's a link to that. But basically, malicious registration is a term that has been used to describe registrations by bad actors of domain names that is intended to be used for malicious purposes, to cause harm, basically. The small team thought that this category of registration would be

unambiguous in terms of causing harm, and therefore should be at the core of any DNS abuse combat strategy.

In terms of malicious registrations, things like to be used for distribution—malware, phishing, operations of botnet command and control system. The DNS AI basically said that if we stick to malicious registrations, then it's definitely going to be within the remit of ICANN. So there's no issues about content per se. They suggest the use of a series of narrowly focused PDPs in order to establish peer obligations for registrars to mitigate such malicious registration and which reflect in the existing industry best practices. So bear in mind, as I said before, the Registry Stakeholder Group point of view and the way they are headed really is also very much in line with what the DNS AI has set here.

The observations that were made by the small team is they basically categorized or they basically established three issues. Issue one is the definition of DNS abuse. So basically to not rehash or spend too much effort in defining DNS abuse, because there is already an accepted definition of DNS abuse, which is the five types of DNS abuse that forms part of the framework for the registry operator to respond to the security threats, which is what you see the bottom there. Sorry, which is the DNS abuse framework that was established by—it was a group of contracted parties but headed by Tucows which was the former employer of—we're getting too much into it. But basically, the framework for DNS abuse, the document is available online, and it was actually developed by members of the contracted parties. I think the last count—I think it was 49 parties are signed on to that particular framework. But the framework itself, it defines DNS abuse but it doesn't go into depth as to how to deal with DNS abuse effectively, which is sort

of leading to why the Council is actually making this call and trying to figure out what they can do to counter DNS abuse more effectively. So, issue one is about the definition of DNS abuse. So keep to what we have. Don't spend any effort to establish new definitions. What we have already works well enough.

Thank you, Marita. That's what I wanted to say. But I thought it would take up much time and it's kind of irrelevant anyway. Anyway, what we thought was it fell into the bucket of course in outreach. So I'm going to leave that there.

Issue two is, again, what I talked about malicious registration versus compromised domain names. This also fell into the policy bucket. Just to mention that we noted that these things work or existing body of knowledge that we could rely on in terms of working out malicious registrations. So I'm going to leave that there as well.

Issue three is about policy-making format. So it's basically talking about the narrowly-focused PDPs. One of the points that was kept being raised was that we may want to consider PDPs. PDP is not necessarily the way to go. That's not been established fully yet. It's just a suggestion that was made by DNS Abuse Institute and a number of other parties. But in any case, if there was a push towards a PDP, then the contracted parties always said that you need a balance between micro and macro management. So any policies that you want to make in terms of consensus policy should keep to macro level stuff and leave the micro management to the contracted parties. We're talking about not seeping into enforcing micro business practices of the contracted parties. Yes, Marita, I take your point. Sorry. I will withdraw the use of the word

irrelevant, okay, if that makes you happy. Moving on to Registry Stakeholder Group. So next slide, please.

I will say it again now. I think I said this before, a couple of weeks ago anyway. The Registry Stakeholder Group has actually been very positive, in my mind at least, when it comes to these particular small group deliberations. They are positive in the sense that they try to push the envelope a little bit to come up with more effective ways—they want to be supportive of more transparency, clearer guidance in terms of obligations that are put on the registries. So they have that will and that interest to take that aspect forward. But again, that approach has to be qualified. And they will always talking about setting minimum acceptable compliance standard. So again, anything that comes out of a consensus that is agreed to by various parties has to be targeted towards minimum standards. Because anything that is policy, really, it is an obligation on all the parties. What they fear is that not all the parties will be able to undertake high standard obligations. It's not to say that they don't want to push the industry towards betterment, but it has to be done on a step-by-step basis.

So, if you take a period of time, say, for example, five years, so in year one, we see what the industry is right now, we look across the board and say, "Okay, maybe a few things we can take up and make them into policy because they are kind of being practiced across the board in one way or another." And then once everybody's doing kind of the same thing, different ways but maybe varying degrees of success, then we want to make those things become a policy so that it is impossible and it is monitored. And it can be subject to compliance and subject to penalties or whatever that enforcement does. So it's a step-by-step

basis. So you look at it from year one, and then year two, is there anything else that we can add? In year three, is there anything else that we can add? Okay. So that is what they're talking about in terms of minimum standard compliance. Again, they supported minimum contractual standards in policy development. They also said that equally the approach of trying to push the industry to do better things is also a parallel thing that happens outside of the contracts.

I talked about generally accepted practice about the five-year period, what you do and what you can see. In first year, you adopt any GAPS. Or you see any GAPS you want to address, then you try to adopt something, anything that's practice over time, you can adopt into consensus policy and make everyone do the same thing but at different varying levels of successes. So they were interested in finding GAPS. GAPS, meaning generally accepted practices. Again, not gap in the industry but the generally accepted practices. So to find the generally accepted practices over time and those become the prime candidates for inclusion as minimum compliance standard.

A lot of the comments that you see on the right side of this slide, it is kind of pushback—if I can use the word—pushback from certain parties within the contracted parties. The Council note that we need to be cautious about things like, for example, creating hard limits, where you can't have, say, if 1000 complaints is lodged against that particular contracted party then sanction has to be taken against it. The example given is that those can be gamed. So for example, if a competitor wants to bring down its competitor, it can it can lodge 1000 bogus complaints. Because that 1000 is a hotline then it would affect the competitor in terms of being sanctioned. So things like that that we need to be careful

that it's not subject to gaming, it's not subject to manipulation. Okay. I see a number of hands up. Hadia?

HADIA ELMINIAWI: If you want to finish your presentation, and then take questions at the end, that's fine as well. As you wish.

JUSTINE CHEW: Okay. Alan, did you have something specific about this?

ALAN GREENBERG: Just one very brief comment. The concept of setting standards or best practices, and then when they become common, making them policy, that requires multiple PDPs, and one has to question, "Will that ever happen?" So just to note that. Thank you.

JUSTINE CHEW: Okay. Thank you.

HADIA ELMINIAWI: Justine, may I also just quickly ask something? Can you hear me?

JUSTINE CHEW: I can hear you now. But you were fading a bit.

HADIA ELMINIAWI: Okay. I'm sorry.

JUSTINE CHEW: I can't hear you again.

HADIA ELMINIAWI: You mentioned before the importance of differentiating between malicious registrations and compromised conflicts, which I definitely agreed to. Maliciously registered domain names, domain names that were registered with the intent of doing harm and domain names that were registered with no intent of doing harm but have been used by websites that had been compromised or hacked to do harm, those are the compromised websites. In order to differentiate between them, between compromised websites and maliciously registered domain names, how do we do that? Did you also, as a small team, discuss the means of doing that? Like industry report or machine learning approach?

JUSTINE CHEW: I understand where you're coming from. Okay. This exercise is a high level thing. Again, it's just receiving input from the people, the groups that we've reached out to. So one of the potential steps forward is to go and find out more information, really. So outreach. So this small team is not intended to look into stuff in detail. It may look at things that are already happening, things that are already available, but specifically, they're looking at the inputs that we're getting from the call itself. But to your point, I did mention on the issue two in slide number 11, that

we acknowledge that there is work being done already in terms of how we make use of the distinction between maliciously registered domains versus compromised domains. So we referred to two studies. Yeşim, if you can just go back to slide number 11, please. Thank you. So you see issue two. We have noted two studies that can be used to build on in terms of how we distinguish between malicious registration and compromised domain. But at the end of the day, it's not going into the specifics.

John, I don't make a comment about whether the study is reliable or not. Again, it's not for this particular small group to decide, really. Okay. Thank you. I'll leave it at that.

Okay. So I think I've pretty much covered the Registry Stakeholder's point of view, the highlighted bits anyway, so we can move on to the second part of the Registry Stakeholder Group's view, which is slide number 13. The principle of the comments, I think, I've covered, really. As I said before, they're actually very happy to partake in any policy development work so long as it's properly scoped, narrowly defined, it's within ICANN's remit, and it's targeted towards achieving something that's implementable and enforceable, with the goal being minimum compliance. They've indicated things that any proposed PDP, if Council decides to go that way, must have certain elements into it. Things like gating, sufficient definition of the issue to be resolved, basically coming up with predicated on realistic expectations, minimum confined criteria, that sort of thing. So, not anything new, not anything unreasonable, in my opinion, anyway.

In terms of the way forward, the small team thought that this is certainly something that could fall into the contract's pocket and also possibly outreach. Trying to reach out to the contracted parties to go further and think how they think this might be more expediently and effectively done. But I think the interesting bits of it is really when we come to the draft recommendations that is being developed.

So, moving on to Registrar Stakeholder Group, slide 14. Okay. They were very vocal about making sure that any abuse to do with content is excluded. They also agreed that we should stick to the DNS abuse definition that has been kind of more or less adopted per se by the contracted parties, although it doesn't appear in the contracts. They were supportive of limited-scope group to do further work, and the group should have an understanding of the limitations of DNS and applicable local laws. When they say limitations of DNS, it refers to there being a need to have understanding of the various parties within the chain of DNS. So not just registries, not just registrars, but also resellers, website hosters, domain registrants, the whole chain of actors that make up this infrastructure that allows DNS abuse to happen, I guess.

What they envisage was that the contracted parties could come up with a Suggested Standards document. What they mean by the Suggested Standards document here is that the contracted parties, in consultation with Contractual Compliance would outline things like standards of compliance, standards for responses to abuse reports. Like, how soon does the contracted party needs to act? Is there specific types of actions that that are mandated for specific types of abuse, for example? And situations in which the contracted parties can recommend that

Contractual Compliance take enforcement actions. For example, it's clear that there is consistent failure to address clear and actionable abuse by a particular contracted party, for example.

They also mooted a registrant rights document. This doesn't appear yet in the draft recommendations, so it might come up again for discussion later on at 20:00 UTC today, the call.

In terms of the path forward, this is one that would fall under the contracts bucket. That would start by way of a letter. So this letter now ... Okay. I'm sorry. I'm being distracted by the question by Gopal. I can't answer that at the moment because I'm not sure what frame what you're talking about. Okay. So the outreach itself, the first step would be to a letter. And this letter is growing in terms of importance, I guess, because it's going to be addressed to both parts of the Contracted Party Houses, which is the Registrar Stakeholder Group as well as the Registry Stakeholder Group. It will specify certain things or it will ask certain questions.

Okay. I'm going to slide 15. I'm going to skip over slide 15 because that's the NCSG comment. I don't think they have anything really interesting to say. So let's move on to the last one which is Business Constituency. Again, Business Constituency is one of those groups that supported the distinguishment between maliciously registered and compromised domain. But they think that insufficient attention has been given to the fact that there is non-uniform responses to abuse by different parties. So that's what they were saying in terms of like the gaps in non-uniformity of responses. What they tried to put forward was that in certain cases of clear-cut abuses, for example, malware distribution,

there should be no excuse not to do something about it, really. They're saying that they still witnessed some contracted parties kind of dragging their feet in terms of dealing with malware distribution, and they were a bit frustrated that action wasn't taken in a shorter time as possible. They also support the use of small target PDPs. Okay. I'm conscious of the time so let's move on.

Part three is responses from Contractual Compliance, which I've already spoken to a couple of weeks ago. So I don't propose to go through that again. So let's move on to part four, which starts on slide 25.

Okay. Slide 26. This three buckets came up again. So in terms of the report and the recommendations that are being developed by the small team, these three bucket outstanding features. The way they want to look at it is in terms of allocation into buckets, you have to think in terms of the DNS abuse life cycle. So they listed out five phases, although it's Phase 0 to Phase 4. I'm not sure why it's 0 per se. I suppose Phase 0 is prior to the abuse happening. That's why it's 0 instead of 1. Anyway, it's Phase 0 to Phase 4. Phase 0 is the preventative ... I say preventative, I don't know if it's actually an English word, but it happens to be the term that ICANN seems to use when they refer to preventative measures. This preventative measures indicators to assist in identifying malicious registrations.

Now, Phase 1 is actually when pertinent points were raised by ALAC. I think I mentioned this before in the previous call that a lot of the other inputs that were received attempts to address what should happen after the abuse has occurred. But they don't actually talk about how you prevent abuse in the first place. I think that's where ALAC was put in

good speed because ALAC actually put in comments that tried to address the prevention of DNS abuse. How do you stop malicious actors from getting hold of domain names so that they can perpetrate the bad actions to begin with. And among that would be things like look into bot registrations, can we have mechanisms that can check who is actually doing the bot registrations? Because we suggested that bot registration is one of the avenue where malicious activity is being facilitated through. The other aspect of it is the KYC, Know Your Clients. But you see that coming up in some of the recommendations.

Phase 1 has to do with reporting the complaints to the right party, making sure that the right party knows what to do in terms of filing the complaint and where the complaint actually goes to. Phase 2 is about ensuring that the complaint is well-formed, meaning that it's complete, has the necessary information so that it becomes actionable. One of the weaknesses that the parties complain about is, in many instances, the complaint that's filed has insufficient information for anyone to do anything useful about. That's what it's talking about here in Phase 2, that whatever complaint it received has to have the requisite information so that it's actionable. Phase 3 is to make sure that the right party takes the necessary action. Again, we're talking about the whole chain of actors including contracted parties who are both the owner and operator and so forth. Phase 4 is if all things fail, what can Contractual Compliance do in terms of enforcement?

Moving on. The last few slides—I think it's four slides there—actually introduces the draft recommendations that's coming up. I have to say again that these are draft and comments. We're still discussing them. In fact, the small team hasn't had the opportunity to actually discuss them

yet. They will do so at the first call later today at 20:00 UTC. This is based on deliberations and the discussions that the small team has had via the inputs. Yes, Hadia?

HADIA ELMINIAWI:

Thank you, Justine. I see the recommendations. Of course, it started with a differentiation between malicious and compromised registrations. And this is obvious because maliciously registered domain names, mainly the actions needed, are at the DNS level. But action also could be required at the hosting level. While compromised websites, the action required is mainly at the hosting level. But again, also some action at the DNS level might be required if compromised websites are at the DNS level.

I don't see any of the recommendations talking about the actions. At the DNS level, the actions could include removal of the domain names, suspension of the domain name, redirection, checking the account and looking for patterns. At the hosting level, of course, this could include suspension. As for compromised websites, there are actions also if it is at the DNS levels, which would include registries and registrars. But definitely registries and registrars at that level wouldn't need to remove the domain name but they need to have a balanced approach. I don't see actually those issues in there.

JUSTINE CHEW:

Okay. You shot off a lot of things. I'm not quite sure what actions you're expecting to see. I have to say that some of the actions by parties outside of the ICANN directs here, meaning to say that there's no

contract between ICANN and that party, then there is going to be limited action that ICANN can do in terms of actions taken against or by that party. For example, a web hoster does not have a direct contract between ICANN and themselves. So what do you expect ICANN to do? If you're talking about making the registry or registrar responsible for web hosting, again, they're saying, "No, the web hoster is actually identified and in contracts with the registrant. Nothing to do with us." Again, that's what they said in terms of making sure that actions are addressed by the right party still within remit of ICANN, and it is things that they feasibly can do and not things that they can't really do because they don't have the contractor power to do things like that. I wouldn't mind if you put—

HADIA ELMINIAWI:

Justine, I was thinking maybe some sort of recommendations to best practices. It is difficult to say having sort of a standard. But those are the best practices or those are how we see things should be done. It's not enforceable, but it's a guide to what's best to do.

JUSTINE CHEW:

I think that is something that is being targeted to. I think possibly to the [data] that you're thinking of. So it's part of this outreach that we're doing in terms of the letter that's going out to the contracted parties to try and understand what is it that certain contracted parties are doing, certain registries and certain registrars are doing with specific things and getting success out of doing that. So the letter is intended to try and find practices. Again, what best practice is arguable? I'm not saying that,

at least the contracted parties are saying that. What is best practice is arguable. They are happy to try and identify something that is common enough that everybody should be on board with. It produces effective results. Therefore, it should be done. That's what I'm trying to get at. Steinar?

STEINAR GRØTTERØD:

Hi. I think that's one of the essential things that needs to be discussed in detail here, is that who is responsible for the mitigation? And the challenge here is that registries are in contract with ICANN, registrars to have a contract with registries, the registry doesn't know their reseller or registrant. It doesn't know the hosting partner, etc. Privately and personally, I have experienced so many times that when reporting from a registry level to the registrar, the registrar's saying that, "We are only the domain name registrar for this domain name. They are only the registrar for this domain and we have no responsibility for the hosting and the suspicious behavior on the website or what has been reported."

So they removed the responsibility, and that's a problem. Because if we want to do something, at least the registrar, in a proper way, saying that, "We have received a report, we will forward that to the entity that we have a contract with, the reseller or the registrant and they have to take action. If not the action is taken, we, the registrar or the registry, may put certain statuses, preventing the domain name to be resolved, etc." But it is so important that this wording is crystal clear. Thank you.

JUSTINE CHEW:

Okay. I don't disagree with you. Understood. Again, it's a space that is going to get pushed back. We're going to receive pushback. But of course, we're not going to give up the fight in terms of pushing forward with that. You will see strings of this coming up in some of the recommendations that I'm going to touch on in a little bit. Again, it's a question of do we want to shove the whole bucket at them or do we want to take a little bit by little bit approach? So that's something that participants here can comment on, can be received back in terms of what we want to push. Olivier and then Alan.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Justine. In this issue, registry, registrar, and then this final step of having, I guess, semi-independent resellers or sometimes even independent resellers with the contract, it's a really difficult one, because I guess it's the distance between ICANN and the final reseller. As we know, with anything to do with business, there are risks and there's a lot of litigation going on and there's a lot of different interpretations, especially when one looks at the international context. So I'm not sure how we will be able to find a solution to this unless there is something that's positively done to get the resellers to go into that pipeline a little bit like the hardware resellers that we have these days. Let's say Cisco has some resellers or distributors. The distributors then have the resellers. They've recently been tightening the screws on the full channel as with COVID. I don't know whether that is something that will be possible in the future. Maybe I might be jumping ship here. Thank you.

JUSTINE CHEW:

Point taken. Hadia, I think this also, the chain of actors is important, the question of how far reach you can go down that chain. You're going to need the cooperation or the consent of the contracted parties, at least the registrars, to go down that chain. So if they're not prepared to go down that chain and they say that it's just impossible to do, then I don't know where we're going to go with that. But in terms of putting that into, say, from obligation, the way to go about it would be to include more specific obligations in the Registrar Accreditation Agreement or have some kind of clauses put into specifically what the registrar should do or need to do that isn't really there, let's say, this kind of big language. But again, I think the registrars are also open to having clearer interpretation of the contracts, but they are concerned about being made to take action on things that they believe that they have no jurisdiction or ability to act on, and that's a business concern. Alan?

ALAN GREENBERG:

Thank you. I'll be brief. Just to note, first of all, there already is a chain of control and command with resellers because the RAA does, in a relatively general way, say that any obligations that the registrar pushed down to resellers, there are still obligations and the registrar is responsible to make sure that they are fulfilled. So number one, there is a path that may need to be clarified and enhanced but it's already there and it actually mentions the word resellers, number one.

Number two, registrars themselves do a lot of web hosting. It's a primary business for registrars. And it is not unreasonable to say, and we already say something like this with regard to privacy/proxy services, that no, you can't control a web hoster if they're completely

independent. But if they are a subsidiary of the registrar, then you can put obligations on them for that. You could. Whether we'll see it in the contract or not, it's a different issue.

Lastly, a huge web hosting market are resellers. Again, for the hosters that are connected to ICANN through a perhaps tenuous chain of commands, there are things we can do. So saying that every web hoster cannot be controlled, which is true, does not mean that we couldn't try to control some web hosters where there isn't a contractual link to ICANN. Thank you.

JUSTINE CHEW:

Okay, understood. I'm being the devil's advocate here. The pushback that I think we're going to get with something like that is then you can't be discriminatory. I'm not saying it's a bad thing. But you have to treat all contracted parties equally. So something that you are forcing one party to do, you have to force other parties to do, which is why—

ALAN GREENBERG:

We already go against that in privacy/proxy.

JUSTINE CHEW:

Which is why PDP or the policy part of it may not be the best way to go about. If we can get something through that via contractual negotiations, where the contracted party themselves say, "Okay, we will look at doing this like this, how we're going to do it?" and put that into the contract, they're on contracts with ICANN, then it might fly.

ALAN GREENBERG: Good luck with that.

JUSTINE CHEW: Good luck with that, too. Yes, I agree. But I'm trying to be realistic as well. Steinar and then Hadia. And I would like to really go on because I got 15 minutes left.

STEINAR GRØTTERØD: Very short. I think one of the recommendation is to make sure that both the registries and the registrars do have clauses in the terms of condition within the namespace that the registries and the registrars can put certain stages like server hold, client hold on a domain name if no action is taken by the entity whatsoever, wherever they are in the chain. I know they are more familiar with some registries to have that kind of clause. Within the registrar business, it's varied a lot. And I'm not sure what it is. This has been distributed into the reseller and the other chain and online. This is not something that is required in the Accreditation Agreement or in the Registry Agreement but that's a highly recommended thing to propose into this process. Thank you.

JUSTINE CHEW: Again, I think all these comments that you guys are putting forward are relevant. I'm not sure how they fit exactly into the scope of the small team per se. I think they're relevant to any PDPs that might come out of the process. But I have to think a bit more about how to how fit it in, really. Hadia, and then I'm going to move on.

HADIA ELMINIAWI:

Thank you so much. I just want to say, and that's also continuing what Alan was saying, that in case of compromised websites, there should be a path for escalation to registries and registrars when you don't have a responsive hosting provider or a responsive registrant. So there is a role here but it is limited, but there should exist a way or a path for that. Thank you.

JUSTINE CHEW:

I think if you let me go through the rest of the recommendations, you might see some semblance on that. And if you think that's insufficient then, by all means, make a comment. Actually, it would be helpful if some of you who have made verbal comments also put something in chat for note. But I will try and listen to the recording anyway. I'm trying to push on here.

In terms of this slide 27—let me just go through some of the important things. The process and approach that the small team is talking about putting a recommendation to is for Council to request a preliminary issue report on malicious registration. We know that in terms of the GNSO processes, the preliminary issue report is one of the things that triggers a PDP or it potentially leads to a PDP being established to deal with that issue. But of course, it will depend on what is actually captured in the issue report. The issue report is something that's usually staff. In this case, it will be the global domains and strategy division would be responsible for coming up with. But I think if that happens,

there's certainly going to be opportunity to comment on that somewhere. So that's that.

Moving on to slide 28. Slide 28 still deals with Phase 0, which is the preventative measures, and this deals with ALAC comment about registration. The proposed approach would be that Council should request the Registrar Stakeholder Group and others, for example, Org and DNS AI, to further explore the role of registrations in DNS abuse and the measures taken by registrars. So this goes back to what we're seeing, that the team wanted to understand what some of the registrars are already doing in terms of perhaps monitoring or gating bulk registrations to see if there's some commonality that we can try and put into the kind of bucket that we would try and convince all registrars to adopt and also execute, I guess. That's that.

Slide 29. This deals with Phase 1 and Phase 2. I'm now going to go to Phase 1, Phase 2 again. It's just on top of the slide anyway. As I said, this is an example showing the draft recommendations to be developed because we're going to be discussing them. Please don't feel that we're not doing our work per se. It's ongoing. But I just wanted to take the opportunity to share what's been progressing, what has happened, what is progressing, what it's moving forward in terms of the draft recommendations and development, and to see if there's any useful inputs that I can feed back immediately into this process.

In terms of this particular one, it's about making sure that the complainant knows where to go in terms of filing a complaint. Then somebody has to tell them what pertinent information that needs to be included in the complaint to make it actionable. Basically, it has to be

well-formed, it has to be complete. And then, again, you see the question marks marked in red there. Those are actually my comments because it doesn't say who is responsible for making sure the reporters or the complainants know what to do. The texts in the draft recommendations now are not entirely well-formed, in my opinion. Again, the complaints are well-formed, need to be complete. Yes, we know that. But who's going to help make sure that that actually happens?

Then mentioned or note was taken of the DNS AI's NetBeacon as a complaint collection tool. There's talk now in the mail list that possibly trying to get the contracted parties to adopt NetBeacon as the most useful template. I don't know how that's going to happen. But the Registry Stakeholder Group seems to think that there's a possibility of ICANN adopting the NetBeacon and making contracted parties use them. Let's see how that goes. Then the Registry Stakeholder Group themselves have got something called abusetool.org. You can go and have a look at that website and see how well that compares with NetBeacon. Again, I suspect that in terms of completeness, possibly NetBeacon might be a little bit better. But to be frank, I have not tested either of the two, so I'm just posing a conjecture, really. Let's go on to the last slide.

This also deals with Phase 3 and Phase 4. Now we're going into contracts per se. This was something that we raised, or at least I raised, to the ALAC comment. And it was also raised by the Registrar Stakeholder Group—I have to give them credit—which is to say that there is language in the contracts, for example, the Registry Agreement and the Registrar Accreditation Agreement. But the language itself is

very general. It's not specific and is subject to interpretation. The interpretation bit of it is where we come into difficulties because it is dependent on the parties agreeing to the interpretation. The parties agreed to a very shallow interpretation, then the obligations become lighter. If they are to agree with a more deeper interpretation, then perhaps the obligations can be expanded a little bit. This is something that the Contractual Compliance input also hints that. They kept saying that we have the tools to do what is asked of us at the moment. But they are very shy to say that, "If you want to give us more tools, then by all means, we can always use them and try and push the contracted parties to do more." One of the elements of this is because the contract language is big, and therefore, as I said, it's subject to interpretation. So when Contractual Compliance suggested interpretation of this kind of general language in the contract is this way, they receive pushback from the contracted party, which is why sometimes it doesn't actually go the way that ICANN want you to go either.

But having said that, there were two possible gaps that the small team actually identified, which is the first one being the Registry Agreement Spec 11, Section (3)(a). It talks about include a provision in their agreement with registrars. Just in terms of obligations of the registry, they're supposed to pass down some of those obligations to the registrar if those obligations are supposed to be undertaken by the registrar. But as I said, the contract language, it just says the registry is expected to include a provision in the agreement with registrars. So the argument is if I'm a registry, I look at this and I say, "Okay, I will put the provision in the agreement with my registrars." But it doesn't talk about enforcement. So as long as the provision is in my contract with the

registrars, I have complied, which actually makes no sense. So this is what we're talking about in terms of we need to refine the language in the contract, making more specific so that obligations are clearer, the intention of those obligations are met. It's not just about putting a provision in the agreement but actually making the registrars comply as well. So it's really the other way.

The Registry Accreditation Agreement Section 3.18.1, "Registrar shall take reasonable and prompt steps to investigate and respond appropriate to any reports of use." I believe this is one of the obligations that Alan mentioned. That it's also passed down to the reseller. Again, that particular contract will be the registrar and reseller contract of which ICANN is not a party. Leaving that aside in terms of passing down that responsibility to the third actor, you look at this particular obligation so this particular person shall take reasonable and prompt steps to investigate and respond appropriately. Even the Registrar Stakeholder Group rep said that, "What does reasonable mean? What does prompt mean? What does respond appropriately mean?" There is no specific language in the contract that defines these things.

Something that can be reasonable to one party can be unreasonable to another party. That's why you don't have uniformity. I'm using that as an example of the BC's complaint about one registrar may not be as effective as another registrar. Because of these things about the contracts being not very specific, it's subject to interpretation. You say it's reasonable, I say it's unreasonable. So it doesn't jive. There's no matching, there's no uniformity. That's something that the Registrar Stakeholder Group is interested in looking at to maybe craft some

language to specify things like what does reasonable mean, what does prompt mean? One hour? 24 hours? What does respond appropriately mean? This is probably tied to the type of abuse that they're trying to combat.

We talked about this and we acknowledged that it could go three ways. Number one, it could go through a process. Number two, it could go by way of contracts or negotiations. But also, in terms of the focus, would be on tightening existing enforcement interpretation, which is something that is a conversation between ICANN Org and the contracted party itself. As I said before, ICANN Org Contractual Compliance suggested interpretation of particular clause is this way. The contracted party says, "No, I think it's this way." And then they work out something that is agreeable between the two. But if we want to make that kind of practice more uniform, then we need to look into tightening the interpretation of the clauses itself and making them explicit and uniform so that it applies across the board to all contracted parties.

The process or the approach that we're suggesting to take is that the Council should reach out to the Registrar Stakeholder group and the Registry Stakeholder Group for feedback on how they think examples of these gaps can be best addressed. This is supposed to go into the letter—again, the letter that I mentioned. As I said, the Registrar Stakeholder Group is very keen on coming up with this Suggested Standards document. They are suggesting very strongly that this particular aspect of it also goes into the outreach letter. And then based on the feedback received from this further outreach, then councilors will determine the next steps. Okay, Alan?

ALAN GREENBERG:

Thank you. I'll be very brief. Number one is the concept of including a provision but that provision doesn't have to be enforced. It implies we need better lawyers to draft these provisions. I'll leave it at that.

The second comment is I understand the desire perhaps to set what prompt means. Sadly, every time we try to do that, either in negotiations or in PDPs, we end up with things that are measured in days and weeks instead of hours. Thank you.

JUSTINE CHEW:

Agree. That's why there's a balance to be had in terms of whether we think something like that is best hashed out in the PDP where you have basically a big fight with all the parties involved and then you try and come to some compromise, which still could be days instead of hours or minutes. Or do you leave something like that to just ICANN Org via Contractual Compliance and the contracted parties themselves to come up with something they think is reasonable and whether there is transparency and whether other people can have input into that. Would that be better? Because bearing in mind that the PDP takes time, whereas the contractual negotiations might take time but possibly take less time than the PDP. Steinar?

STEINAR GRØTTERØD:

Hi. I like the idea that we should focus on Spec 11 (3)(a) but I also like to mention Spec 11 (3)(b), which is mostly the clause that enforce registries to do something. But one of the things that it is specified in

what way they should do this. And I remember the early days when we were discussing this with ICANN Compliance, registries actually said that, "I'm in Compliance because I track and write it on the yellow note and put it on my screen every time I received something about a suspicious domain name within my namespace." Because there was no criteria on how they should collect this data, whether they should put it forward in a special format, whether they should do something if no action is taken, etc. And that kind of wording is also very important.

I also want to add into something here. We have to remember that the tools we have today is the reputation block list, and that's the challenge because parties may trust on one block list but they don't trust another block list. And that's the challenge for ICANN Legal to say, "These tools in brackets are reliable and you should take action if being reported by this," and that's something that I guess never will happen. That's the challenge. Thank you.

JUSTINE CHEW:

Okay. Thanks for the reminder Steinar. The ALAC comment actually did mention Spec 11 (3)(b). So I will find a way to reintroduce that into the discussion that we're having later today. Alan?

ALAN GREENBERG:

Just a quick comment on what prompt means. When you look at the response time for an SSAD-like thing for revealing information and you look at the times that the PDP came up with versus the times proposed by the European community in NIS2 is just shockingly different. One, again, measured in many days or often in weeks and the other in hours.

So they are different opinions but somehow the multistakeholder model we have right now does not seem to be able to come anywhere near the kinds of things that we see in NIS2. How we fix that, I don't know. But it's not going to be done today. Thank you for all the work on this and thank you for the presentation.

JUSTINE CHEW: Okay. Gopal? Noting that it's three minutes—

GOPAL TADEPALLI: Thank you very much for a nice presentation. Very quickly, you made a nice observation. The depth of the chain of reasoning is something that's the cause of concern. Is there a way in which we can count the weakest link in this chain in some good terminology, kinder terms, not easy methods or procedures?

JUSTINE CHEW: I don't really understand the question.

GOPAL TADEPALLI: You mentioned very nicely that we have to go to sufficient depth in the chain of reasoning to really find out what exactly is happening. In the process, we need to make sure that the weakest link in the chain is [inaudible] either in good terminology—it's very difficult. [Inaudible] the same thing Alan Greenberg. Terminology—our methods, our procedures, what is the way? That assurance is also needed. It's easy to pick the weakest link.

JUSTINE CHEW:

Again, I'm sorry but I don't quite grasp the question. Yeah, kill chain. Okay. If I understand you correctly, weakest link, the thing is—all right. It's hard to establish what the contracted parties can do. What they like to say is do we take the silver bullet by disarming the entire TLD because somebody has done something bad on the TLD? The answer is no, because it's inappropriate. Action is not proportional. So what is proportional? You have to find the actual perpetrator at the level where you can just isolate that bad actor and the bad action and take it down or stop it. Then the question is, "What can you actually do?" Because if it's content-related, it's out of ICANN's remit, really. Then you leave it up to the rightful contracted party to try and do something. But you can't force them to do anything about it if it's a content-related thing.

There are all these things that we need to be able to distinguish and say with certainty, "Okay, if this happens with this element, then we know that this particular action can be taken." But all those things—it's kind of seamless to the end user per se, really, which makes it kind of difficult, I guess. Anyway, I think I'm really, really out of time because it's 37 minutes past the hour so I will give the floor back to Olivier. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Justine. You have rather taken I think about 40% more time than expected. But I think it's really important that we touch on this topic in depth. So it's really good that you've been able to take us through this. We have an extension for another 10 minutes from

now. So we can still go through our remaining agenda items. The one that is, of course, of importance is the Any Other Business regarding ICANN75, the ALAC topics and questions for the joint session with the ICANN Board. We do have that input due for Wednesday, the 7th of September. What we can do today is to just quickly go through what we've received so far.

The first topic was the ALAC advice regarding any follow up on any further clarification on the ALAC advice, the timeline for the Board response to ALAC advice, etc. We have started a discussion with the Board on this in previous meeting. This certainly seems a topic that is going to fit the current meeting quite well.

The second topic is still up for grabs. We did have a proposal last week from Gopal Tadepalli regarding no single point of failure, a risk posed by the flaw in the design implementation or configuration of a circuit of systems such as what we have here. I'm not quite sure how that fits with the DNS well. I mean, it was a in response to Chokri Ben Romdhane, who had proposed a topic discussing the risks and opportunities of distributed DNS systems. We're still not sure as to whether this is in scope or out of scope so I'm going to open the floor for anybody to say a few words on this. Gopal, you're here. You're the only person at the moment with a hand up. You have the floor.

GOPAL TADEPALLI:

Thank you very much. It's very difficult to pin a point of failure in a distributed DNS or a decentralized DNS. It's very difficult. Therefore, we have to simply play around with a no single point of failure model,

which should happen. So how do we make it happen is a point of discussion. Very difficult. There are still reasons. Blaming technology is not what we are trying to do. Without doing it, how do we make it happen without a single point of failure? Difficult thing. A machine that we never knew was existing is maybe the root cause of the problem.

OLIVIER CRÉPIN-LEBLOND: Thanks, Gopal, for these additional details on the topic. I'm a bit hesitant. The reason why is because the topic itself hasn't been discussed yet by the ALAC as such. And I wonder whether first we should launch a discussion on the CPWG and the mailing list so as to see what the general view is within our ranks. The meetings with the Board in general are meetings where the At-Large community brings a topic that they've pre-discussed together, that they have a consensus on, then to bring it over to the Board and try and push it over to the Board. It's a rather tough call to go to the Board with no consensus on something like this for the time being. That's why I'm a little hesitant in bringing this forward early the Board because we're not absolutely sure what's going on there. But we still have until the 7th.

I would suggest that perhaps you might want to ask the—lost that topic again on the mailing list and try and get everyone moving on this so as to be able to get perhaps a discussion going on as it is important. Just being someone [inaudible] themselves in pain. Sorry. Just next to be someone who's wriggling in pain for some reason, I don't know what's going on. Anyway, hopefully not something that I've said. Thank you, Gopal, for your understanding. Let's continue that discussion. The topic

is still open. The number two topic is still open. So we should have some more suggestions on this.

Now, there has been also another discussion that's taking place in the past and that was the stats report. Putting together some kind of a process, a statistic report with the Board. I think that Avri Doria was quite interested in this. But first, let's go through the list that we've gotten here of people that are queuing. Apologies for that. I've been a bit sidetracked. Sébastien Bachollet?

SÉBASTIEN BACHOLLET:

Thank you, Olivier. I wanted to say first that I agree with you, Olivier, that this topic is not yet mature enough to go from this group directly to discussion with the Board. If you take into account the discussion we have last week and the proposal from Chokri, it was more about following up what was happening at two NARALO calls about possible decentralized DNS with using blockchain. I am just putting that. It's not a title. It's just to give an idea of what is the topic. I think as the Board have already organized themselves to follow this type of topic, it will be useful to attend with them to know how they are organized and how the community could be organized to go in the same direction for all of us that I will say competing DNS into brackets. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thanks very much for this, Sébastien. I think one of the things is that we generally do discuss those topics with ICANN staff, especially the Office of the CTO. Let's park this one for the time being. Because again,

blockchain, there is no ALAC consensus on blockchain as such. Let's go to Justine Chew.

JUSTINE CHEW:

Thank you, Olivier. I agree with what Sébastien said in terms of the topic not being mature enough to take to the Board at the moment. Having said that, I think we need to do a little bit more fact finding or at least understanding from the perspective of the issue and part of the issue. For me, in terms of the distributed DNS would be that it is competing with the DNS that we work around, number one. And the alternative one is not regulated the way that our DNS is regulated. So that's a concern.

Number two is the increasing availability of these alternative systems has the potential to cause name collision. But as I said a couple of weeks ago, in terms of the NCAP, the Name Collision Analysis Project, the scope of that particular Study 2 and Study 3 and Study 1, they do not include name collisions of those kinds. The kinds that can be raised by having alternative name system using the particular string or label. It's entirely out of scope for NCAP. It's not to say that it's not a problem. Again, the question is do we actually think it's a problem? I think the OCTO has a paper out on that. I can't remember when it came out, but it certainly came out before John Crain became the CTO. So it may be a bit outdated.

OLIVIER CRÉPIN-LEBLOND: Justine, it came out in April.

JUSTINE CHEW: April this year?

OLIVIER CRÉPIN-LEBLOND: It was published in April on decentralized names. Perhaps there should be a link. If staff can quickly find and send the link or send the link by e-mail, that would be good. Then we can take it from there. I'm sorry to cut you off on that but we are so late now. I'm told that our interpreters are about to drop off and so is our person dealing with the real-time caption. We have to—

JUSTINE CHEW: Can I just take five more seconds?

OLIVIER CRÉPIN-LEBLOND: Go ahead.

JUSTINE CHEW: The other source that we should look at is SSAC. I think that they're working on something. They're working on studying this particular aspect. So it's good for us to touch base with SSAC. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you for this. Indeed, Justine, maybe we could put that topic without discussions with SSAC. That maybe a more as a starting point, a better location for such discussions than the one with the Board yet.

And then a future meeting will be given to the Board once there's more news about it. I'm really sorry but we do have to cut this short because we're so out of time on so many levels. So let's go into any other other business. Chantelle, go ahead.

CHANTELLE DOERKSEN: Olivier, this is Chantelle, if I may? Thank you. Just really quickly on the sessions for ICANN75. The Planning Committee yesterday agreed to divide the current At-Large policy session into two. This is to allow time for discussions rather than brief updates. I don't know if we need to get consensus to finalize the agenda for the policy, CPWG portions. That would be SubPro PDP updates and the ODA Scoping Team work. Then the second session would be to focus on enhancing ICANN's multistakeholder model project, prioritization work and update from the OFB. We need to finalize the topics for the CPWG Policy session and information on the other part is forthcoming.

OLIVIER CRÉPIN-LEBLOND: Thanks for pointing this out, Chantelle. We're probably going to have to follow up on the mailing list. When is the deadline for all this?

CHANTELLE DOERKSEN: As soon as possible. The decision to divide the session into two just happened yesterday. As you say, we will definitely follow up on the mailing list but we want to get it on record so folks are aware.

OLIVIER CRÉPIN-LEBLOND: Thank you, Chantelle. I think that would be good for—and maybe allocate sometime next week on that. But we'll also have to discuss this with Jonathan. Thank you for pointing it out. I am looking at the queue. There's also Sébastien Bachollet.

SÉBASTIEN BACHOLLET: It was just to say that it was exactly what I asked for at the beginning of the meeting. We need to have a specific—not in Any Other Business, but a specific time allocated next week on that topic, please. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you very much, Sébastien. That pretty much is the end of today's call. The next meeting is going to take place next week. I'm looking forward to hear when.

YEŞİM SAĞLAM: Thanks so much, Olivier. As you said, next meeting will be next week. Next Wednesday on 24th of August at 19:00 UTC. Thank you. Back over to you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Yeşim. Thanks, everyone, for being on today's call. Apologies for our delayed end. Thanks, of course, to interpreters and to the real-time text transcriber. Again, wonderful job all. Thanks. Thanks for having stayed the extra time. To you around the world, let's follow up on the mailing list and have a very good morning, afternoon, evening or night. Take care and goodbye.

YEŞİM SAĞLAM:

Thank you all. This meeting is now adjourned. Have a great rest of the day. Bye-bye.

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