**BRENDA BREWER:** 

Good day, everyone. Welcome to the BC Candidates and Membership Call taking place on the 6<sup>th</sup> of May 2021 at 14:30 UTC. This meeting is recorded. Kindly state your name before speaking, and have your phones and microphones on mute when not speaking. Attendance will be taken from Zoom participation.

And with that, I'll turn the meeting over to Mason. Thank you.

MASON COLE:

Thank you, Brenda. Good morning, good afternoon, and good evening, everyone. Mason Cole here, chair of the BC. Good to have you with us today. You see the agenda on the screen. We have a longer than usual call today because we're going to talk about some committees and candidate participation.

We also need to be fairly ruthless with our time today because Steve has a commitment later on this morning that necessitates him going early through the policy calendar. So, those are our wo priorities for the first section of the call.

But before we dive into that, are there any additions or updates to the agenda before we start? Okay. I see no hands. All right, very good.

So, what we're going to do is Lawrence is going to open up the discussion here on the committees with a bit of context. And then we're going to give those who wish to fill positions on the committees an opportunity to talk for just a couple of moments. And then we'll move on with the rest of our agenda.

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, Lawrence, let me turn the floor over to you, please. Go ahead.

LAWRENCE OLAWALE-ROBERTS:

Thank you, Mason. And good day, everyone. Not to take so much of our time. We have two new committees and the DNS Abuse Working Group that we have had a call for nominations around. For the Communications Committee, we have a total of seven slots that we're looking to fill, and we have three nominations in this regard.

For the ICANN Learn and Onboarding Committee, we have a total of five slots to fill and we've also had three nominations in this regard. So, for ICANN Learn and Onboarding, we had Ben, we've had Mark and Roger indicate their interest. The ExCom has reviewed all of the candidacy, seeing that they are also financially up to date and seeing that we are not oversubscribed in terms of having more people standing, volunteering than the required slot, there will be no elections in this regard, and ExCom has gone ahead to approve the membership of the ICANN Learn and Onboarding Committee. We will, however, want to give room for any one of the three of them who might want to say something—to do so during this candidates call.

Secondly, for the Communications Committee, we have Vivek volunteering. We've had Yusuf from AfICTA and Toba Obaniyi from WhoGoHost. We're happy to have these three persons. Like we said, we have five slots yet to be filled, and so we are not fully subscribed. And ExCom has also gone ahead to approve the membership of this committee.

Aside from this, we also have the DNS Abuse Working Group that we have had quite some very active—I mean, we have a number of persons volunteering. We wanted to thank you for the time that you take in doing this. And I would like to also happily announce that ExCom has also gone ahead to approve everyone who has nominated themselves or who have been nominated, as we have room for more to subscribe.

So, what we will be doing at this [belt] is to give room for questions for members, any member who might have questions for any of the seats, candidates that have stepped forward for the Onboarding or Communications Committee. We can please direct our questions to Brenda and she could moderate and allow whoever the questions are directed to to also speak up.

I want to use this medium to also say that the slots that are open ... I mean, if anyone is interested in the open slots, please let me know and I will be able to guide you—or Brenda or Chantelle when she resumes. And please remember that we also still have slots open for Credentials—two slots for Credentials Committee. And a slot for the Finance Committee. So, I will yield the floor to ...

I just want to ask if you have any questions. It could be for me or for any of the candidates. Please, you could just identify by raising your hands and let us know. Let us know who you're directing the questions to and we'll quickly take these in the short time that we have. Thank you.

MASON COLE:

Lawrence, if I may. Do you want to allow anyone who wants to give just a short discussion about the direction they want to go on the committees to have an opportunity to speak?

LAWRENCE OLAWALE-ROBERTS:

Please, that would be great. We can go ahead and do that.

MASON COLE:

Okay. All right, the floor is yours.

LAWRENCE OLAWALE-ROBERTS:

Okay. Yes, I see Mark's hand up. Mark, you can have the floor.

MARK DATYSGELD:

Thank you. I'll be very brief. I would just like to make a statement about the DNS Abuse Working Group in particular. I think that this is a great opportunity of the BC to really take this on in a systematic manner. We've had Mason be the figurehead of this activity, of this subject for quite a long time now. The community recognizes him for that, and recognizes that the BC as an important actor. This is a working group where I think we can advance ideas, and I would hope that not only that, we can actually generate material and be a source of engagement, be a point of contact on the subject.

I still think we could do with more members. This is definitely very important that we get as much of our membership that's interested int his subject involved so in case you represent somebody, a company—be

it a large or a small company—I think that it's probably worth thinking about your place in this. And we would really like to see our members involved because this could be a strong push for us moving forward. Thank you.

LAWRENCE OLAWALE-ROBERTS:

Thank you, Mark, for that. And we definitely agree that this committee definitely has a potential to have the whole of ICANN looking in our direction talking about the BC's DNS Abuse Working Group. And so, we are really, really expectant.

Toba, we see your hand up. Please, you have the floor now. I see that you have to leave in a bit, and then after that we'll take Ben. Thank you.

TOBA OBANIYI:

Okay. Thank you so much for introducing me. My name is Toba Obaniyi, the CEO WhoGoHost Limited. WhoGoHost Limited is a web hosting company here in Nigeria. Over the years, we've grown to become one of the largest players in this industry, and during this period we've seen a lot of DNS abuse and the impact this could have on victims and end users, [maybe even] companies as well.

And I do think that it is time that ICANN through the BC, when I heard about this committee, I felt that this is a very good [inaudible] [for us to get] very serious about this because this has led to a lot of loss of revenue for businesses, even individuals. With the nature of the work that we do, we've gotten to see some of these things very close.

And the fact that people can so easily get away with these things and there seems to be nothing being done at the larger scale makes it very, very difficult for us to get this addressed very easily. And what I fear is that if the Internet community, and especially ICANN as a whole, doesn't find a way to resolve these kind of DNS abuses, we may potentially see a situation where governments will start clamping down on the Internet or clamping down on our ability to innovate as well.

And so, from my own experience, I would love to be part of us finding something that works. In this part of the world, there has been a lot of talk about a lot of these perpetrators coming from this side of the world. It's not necessarily always true, but then there is that fact that it leads to this lack of trust on the Internet. And I think that one of the things that would improve [trade and business and] discussions would be where we can truly trust ourselves.

And if it seems that there's a part of the world where people can just [inaudible], they can get away with basically everything, it doesn't help at all. So, I'm hoping that my participation in the DNS Abuse Committee would help to address this. Thank you very much.

LAWRENCE OLAWALE-ROBERTS:

Thank you, Toba, for volunteering. We definitely look forward to your more active engagement. Ben, there you go. All right. Please.

**BEN WALLIS:** 

Hi. How are you doing? First, Lawrence, thank you for clarifying that ... So, I've put myself forward for the Onboarding Committee. And thank

you for clarifying that there are five slots, and therefore that you've been able to—the ExCom has approved all three of the nominees.

In a recent e-mail, and also in the text that Brenda posted in, it said that there were only two slots available, so I thought there might need to be an election. But there doesn't, so that's great. It's just over four years since my first ICANN meeting, and I can still remember the experience of finding my feet. So, I think I can still tap into my own recollections of being a newcomer.

It was also one of Göran's first meetings, and one of the things I remember very vividly in Copenhagen was going up to his office and seeing all of these enormous charts that he commissioned which showed the timelines of the different policy development processes, and quite how complicated ICANN policy development can be and how long it can take.

The committee appealed to me because I tend to look for opportunities to onboard and mentor new colleagues. It's something that I both enjoy and feel a duty to do. So, it seemed like a good fit for me and I look forward to working with Mark and Roger and anyone else who wants to throw their hat in the ring because there are still two slots available. Thanks.

LAWRENCE OLAWALE-ROBERTS:

Thank you, Ben. So, yes, right now we have three of you on that committee—yourself Ben, Roger, and Mark. And we definitely have slots for two additional persons who might want to join at any time. So, yes, thank you for volunteering for this. We quite appreciate it.

Roger, I see your hand's up. Please, you may have the floor.

**ROGER BAAH:** 

Okay. Thank you very much for the opportunity to serve. I recall through a Fellowship [space], I had the opportunity in ICANN50 and ICANN51 as a fellow. And then I was able to also [inaudible] new fellows during the ICANN [Finland.] It was a very good experience, and one thing that we identified was that most of the fellows that come into ICANN, many newcomers, tend to move to other committees or other areas—not commercial but mostly the non-commercial stakeholders.

So, I think there's an opportunity for us to also be able to mentor these new ones, for them to understand what the BC does so that, at the end of the day, everyone would not want to move into the non-commercial and other stakeholders; but rather understand the BC and feel welcome to it. Because when you look at our outreach programs, a lot of people feel that the BC has kind of gotten not welcoming. They're not open. So, if we're able to let them understand through the onboarding process that we're a very welcoming group, we let them understand that they need what we do, they will be able to at least get that basic understanding and be willing to join our committee.

So, I think it would be a real privilege to work with the other teams, then I think it's going to be a great committee. Thank you.

LAWRENCE OLAWALE-ROBERTS:

Thank you very much, Roger. Nice to hear about the experience, and also how you can help get more people on board.

I will want to find out if we have any questions. Please, you can put it in the chat if you don't want to take the floor. We have just about 15 minutes hereabout. I'll be happy to kick into the BC meeting. It's going to be rather ... We have a rather packed agenda, so we might yield some time back for the BC meeting. So, if we have anyone that has a question, any member that has a question, please go ahead.

I see Vivek here. Vivek, if you want to have the floor, you can also do so, Otherwise, I will yield the floor back to Mason, our chair, for some form of closing remarks before we move into the business of the day.

Now, Vivek, you can have the floor.

VIVEK GOYAL:

Thank you, everybody. Just a few lines. I know this is a new committee and we are focused on communicating the objectives and the work that BC does. I know there are a lot of slots available for people to join, so please do nominate yourself or do volunteer to work on this. We can use all the help we can get.

And also, please share your ideas about what the Communication Committee could do—avenues that we can use and any help that you can provide in doing the work we want to do. I believe BC does a lot of work. We actually do a lot of work by the agenda that we're seeing in front of us, and it would be great to get it out there and get some more BC members as well as strengthen our position in the whole ICANN community by showing the amount of work that we do.

So, again, open to ideas and happy to discuss them over e-mail, over call anytime, please. Thank you.

LAWRENCE OLAWALE-ROBERTS:

Thank you, Vivek. I appreciate you stepping forward for this. So, with this, I yield the floor back to Mason. I don't see Yusuf on the call, but I'm sure we definitely have a very good team on ground that will do justice to the assignments before us.

Mason, I yield the floor back to you. Thank you.

MASON COLE:

Thank you, Lawrence, for leading that discussion with everybody who wants to serve on a committee. So, I just want to point out that these committees are very important because it's a way for the BC to leverage the expertise of its membership to actually get work output taken care of. Otherwise, the work tends to fall on the same people, and we're not as effective as we could be.

So, this is an opportunity to spread the work a bit to take advantage of our members' expertise, and to show some strength on the part of the BC. So, I just want to add my thankyou to everybody who has volunteered.

In terms of the Abuse Working Group, you'll see under Item #5 of the agenda, there's a discussion about objectives that I'll run through at that point. So, there's an opportunity as well to ask some more questions at that point.

Okay. Lawrence, than you very much. Let's move to Item #3. Steve, may I yield the floor to you for the policy discussion?

**STEVE DELBIANCO:** 

You bet. Thanks, Mason. I'll display it now. So, this is the policy calendar that I mailed around yesterday to BC members. I'll skip the top section since we haven't found anything new in the two weeks since our last meeting and dive into the open public comments. And there are two I'd like to focus on.

The first. The GNSO Review of all Rights Protection Mechanisms (RPMs) in all gTLDs has been going on for about three years. It's a massive project and it had a rocky start. And even at the end, it didn't end up coming up with consensus recommendations for everything. So, that particular set of recommendations is now before us, and the comment period has been extended to the 21<sup>st</sup> of May.

So, Andy Abrams had volunteered to draft comments and did a great job with them. There's a link to it right there. It's a Google Doc, but I also attacked as a Word doc for those who can't get access to Google from their corporate enterprise. I want to also thank Mason Cole, Zak Muscovitch, and David Snead because they also contributed to that.

So, it's a brief comment, and we do have another couple of weeks, so an easy opportunity for any BC members who want to add their views on this. Now again, this is about things like trademark claims, the Post-Delegation Dispute Resolution Procedure, and the Trademark Clearinghouse—the mechanisms that will be used when the subsequent rounds of new gTLDs are launched.

Andy, anything you want to say about the comments? And anyone else who wants to contribute to that at this point? All right. Thanks, again, to Andy. I will probably do a last call in the days before the 21<sup>st</sup> of May to see if people want to make any final comments before we submit.

All right, the second one up in Subsequent Procedures, which just really means procedures for subsequent rounds of new gTLDs. And those full set of procedures work their way all the way through, and the final report came up with outputs. And the outputs are consensus recommendations and some Implementation Guidance for the Implementation Review Team. But not all of the recommendations had consensus, so anything that was not a full consensus or judge consensus is pulled back. And right now, this set of outputs are being considered by the ICANN Board.

So, we've already finished with Council, and a supermajority approved it there. But now the Board itself has final consideration, and the Board can pick and choose a little bit. The Board can take a look at items that came through with a supermajority, and it can't reject them unless it can show there's a public interest problem. But the Board can also add a little color to the implementation. It can commit the Org to provide a particular level of assistance to the implementation, or clarification.

So, this is an opportunity for the BC to continue to hammer on some of the points that we raised back in September of 2020, thanks to some great work by Mason, Tim, and Statton. And a handful of us provided edits, but Mason, Tim, and Statton did the bulk of the work.

So, we don't really have to come up with a long comment. It could be a very short letter to the Board where we highlight two or three things that we believe that they should tweak of emphasize in their approval and commit ICANN Org to assist in the implementation.

So, at this point, I'm begging for volunteers, particularly from those of you who worked on the September 2020 comment. Any volunteers in the BC who can help draft a short letter to the Board? And it's due at the end of June.

TIM SMITH:

Hi, Steve. I'll be happy to take a look at that.

STEVE DELBIANCO:

Hey, Tim. Thank you very much. Appreciate that. Thanks for your help.

ANDY ABRAMS:

Hi, Steve. I can be part of that team as well.

STEVE DELBIANCO:

Hey, Andy. Thank you. And thanks again for the work on the previous comment on RPMs. Okay. So, Andy and Tim, it's a draft letter. We want to circulate it to BC members by the middle of [April] so that they'll have an opportunity to review before we submit. It's a seven-day review periods, so technologically by the 21<sup>st</sup> or 22<sup>nd</sup> of [April], we should have it out. Thank you.

Let me go on to the next one. Mason arranged, back on April the 6<sup>th</sup>, for the BC members to have a call with the Contracted Party House leadership on DNS abuse. Mason's going to discuss some more on DNS abuse a little later in the meeting, as well as trying to set up another call with the CPH.

And now, I'm going to turn to Ben Wallis for a brief intervention because Ben has been leading our effort at reaching out to European Commission staff and European Parliamentarians which respect to their NIS 2, their set of corrections to some of the GDPR that will clarify the obligations of companies to protect privacy but also to reveal information, disclose and publish information to the extent that we can help to protect consumers.

So, on April 27<sup>th</sup> Mason, Ben, and Nick held a half-an-hour call with one of the MEPs who is leading this process. And I wanted to give Ben an opportunity to update the BC on where we are.

**BEN WALLIS:** 

Thanks, Steve. Yeah, so I'll start with a general sense of the process in Europe at the moment. As I've mentioned before, there are two parties in the legislative process in the EU—the Parliament and the Council—the Council where the governments sit. And both of those bodies, for the last couple of months, have been going into gear having initial discussions.

And they're just getting to the point this month where they will start to actually discuss amendments to the law. The Council working party has just completed its initial discussion where it can ask questions to the

Commission, and we expect their meetings later this month to start having initial discussions about how they want to amend the law.

The European Parliament, yes, it has a lead committee which is really in charge of the European Parliament's position. And then other committees which have an interest can provide an opinion. So, the MEP that we spoke to, the Danish MEP who is leading the work on one of the opinions from the Internal Market and Consumer Protection Committee. And we found his office was ...

They reached out to us once they received our amendments and asked for a meeting, which was very positive. We didn't get any sense of pushback. They were grateful for understanding a bit more about concerns around Article 23. They asked us for more data and examples that they could use themselves in political explanations.

We've now seen their draft amendments that have been circulated yesterday. The BC has come up with a lot of amendments which we think would clarify and improve the law. We've seen two of those amendments taken up in the draft reports, one of which is to require entities to verify data. That was not something that the Commission had written in the draft law. And they will have to verify DNS data if that amendment is taken onboard.

And the other was about how quickly the DNS providers have to publish non-personal data, and it was just a vague working around "without undue delay" or something like that in the Commission's draft. We suggestion specifying it should be within 24 hours, and that's something that's ... That's another amendment this MEP has taken up.

So, that's positive steps there, and the next steps will be—

STEVE DELBIANCO:

Would you take a question on that before you move to the next steps?

**BEN WALLIS:** 

Yes, yes.

STEVE DELBIANCO:

Real quick.

**BEN WALLIS:** 

Before we move to the next steps and just to say we tried to reach out to the rapporteur for the main committee, and we haven't had a response to our request for meeting. But we understand he's already drafted his report, and that's probably going to come out next week.

So, before I turn to where we might go next, yeah, let me pause for questions. Steve.

STEVE DELBIANCO:

Thanks, Ben. With respect to the word "publish." I wouldn't have thought that that word needed further clarification, but those of us on the EPDP learned that the contracted parties and NCSG believe that "publish" could be as simple as saying that it's accessible in the SSAD if you requested and had a legitimate—and you could get it back to the SSAD.

We had taken a more simple understanding for the word "publish" to mean that it would be available through something like the WHOIS where you would do an RDAP query or a query of some form where you didn't have to qualify to get the information, but that it was available to anyone who knows how to simply assess.

Do you think that the clarification amendments are going to make that clear as to what they mean by "publish"?

**BEN WALLIS:** 

No, I don't think that has been clarified yet. We don't know what kind of discussions the Commission is having with these MEPs. And, in fact, one of the things we did was encourage the MEP staff that we met to reach out to the Commission because we know that they are now seeing the concerns. With their original drafting and the way that it's being interpreted by some of the contracted parties.

If I understand correctly, this Article 23.4 which is about publishing non-personal data is not about when you access ... Yeah, I'm not going to get into that because I might get it wrong. But, yes, I don't think that has been covered in this particular report. I would hope that the Commission has been in touch with the main rapporteur, the Dutch MEP who's on the lead committee, to flag these concerns.

But that's maybe something we should consider in our next steps as something else we want to flag and bring to the attention of MEPs.

STEVE DELBIANCO:

Okay. Thanks, Ben. Why don't you move on to what you think we ought to do next?

**BEN WALLIS:** 

So, we identified seven or eight members of the European Parliament who had particular roles. We've only actually reached out to two of them requesting a meeting, and I think now is the point to reach out to the others. These are called shadow rapporteurs, so they coordinated on behalf of the political groups to respond to what the rapporteur comes out with. So, they will soon be grappling with this report that they will be receiving next week.

And so, now would be a good time for us to follow up with them and say, "We sent you a position paper last month. We've actually got some detailed proposals. Please find attached. We would love to discuss them." But I think that the next step is to kind of expand our outreach into Parliament with the kind of influential MEPs that we've already identified and had made an initial outreach with.

I'm going to send out to the drafting team some suggestions by tomorrow about exactly how we reach out. And I know that Claudia Selli has already offered to contact two of those MEPs that she already has a relationships with, so that would be one of the elements—would be to see whether there are people with pre-existing relationships that could help with the outreach and make the outreach more effective.

**STEVE DELBIANCO:** 

Ben, when it comes time to identify members, I would expand your outreach to all of bc-private@icann.org to ask whether there are existing relationships with MEPs so that you could tap into that. Because there may be others on the BC outside of the drafting team who have relationships.

**BEN WALLIS:** 

That's a great idea. Thank you.

STEVE DELBIANCO:

Any questions for Ben? Ben, give us a bigger sense of the timing. When will the European Parliament—and when will transposition begin?

**BEN WALLIS:** 

So we are, I think, in the last couple of weeks getting a much better sense of the timetable. The European Parliament's main committee will adopt its report. It's intending to adopt its report in October, so we'd expect the European Parliament to finalize its position in a plenary session in November.

The Council of Ministers is also aiming to have its own position established by the end of the year. What that does is get them into a place where they're able to start negotiating. So, we expect that negotiation between the institutions—which the Commission plays a part in itself—to happen at the start of next year. So, it's still possible that we'll see the adoption of NIS 2 in about a year's time. I can't remember the specific transposition timeline for this law. They tend to

vary between 18 months and two and a half years. Different laws have different transposition deadlines.

STEVE DELBIANCO:

When would you say is the earliest that we would be able to point to a European government who has transposed or implemented the law so that it becomes in effect?

**BEN WALLIS:** 

So, going though the timeline I was running through there in my head, I think the earliest, at the very earliest, would be late 2023.

STEVE DELBIANCO:

Oh, my goodness.

**BEN WALLIS:** 

Much more likely to be in 2024.

STEVE DELBIANCO:

Wow. Because we've been discussing what to do about the EPDP because there will be unfinished business in the EPDP with respect to NIS 2. And we could say that the EPDP would resume or should resume in 6 months, 12 months. Or we could say that the EPDP should resume when the first European government implements and begins to enforce NIS 2—that that would trigger something in the way of policy development from ICANN so that its policies are consistent with the NIS 2 law.

But I don't want to wait until late 2023 to have that trigger event. Would there be an intervening point at which we could say, "It's time to revisit our policy"?

**BEN WALLIS:** 

Yeah. I think a good trigger point is when the law is adopted at the EU level, which could hopefully be by next summer because then you have a clear law. So, just to backtrack a little bit, everyone's familiar with the GDPR now. And in the GDPR, the R is "regulation." And in EU law, a regulation goes straight into national law. It's the same wording in every country.

NIS 2 is a directive, and directives are different because national governments are given some latitude to interpret that and put it into their own national laws as they see fit. So, in some ways you don't really want to wait until it's been implemented in different ways in different countries anyway. You want to be able to point to the law and say, "This is the EU law. Let's take the law—this is now agreed and finalized—and let's reflect that in ICANN rules and policies."

So, I think that's a good trigger. It's totally understandable for contracted parties to be saying, "We don't know that NIS 2 will even be adopted. Some European laws are never adopted. They're thrown out. We don't know what the final working is, so you're just talking about theoreticals at this point." That's a perfectly valid argument to make. That argument ceases when it's adopted next year.

And, yes, they can say, "Well, it might be implemented in different ways in different countries." Well, ICANN can't really second-guess that and

ICANN has to have a single set of rules, so it's much better going off the wording of the directive than trying to pick and choose between 27 different national interpretations.

STEVE DELBIANCO:

Got it. All right, that's great advice. We're so lucky to have you so knowledgeable about this and having the relationships necessary. BC members, are there any questions for Ben with respect to our work at the European level on NIS 2?

There's an EPDP call happening right now, Ben. And we're continuing to be very frustrated at the lack of any progress. [The EPDP who] is supposed to report out to all of you is still focusing only on non-binding guidance—suggestions, if you will, for contracted parties as to whether they should differentiate legal vs. natural persons when they register a domain name and whether there should be different information that's published.

But all of that is only non-binding guidance because we are unable to point to a law that requires it. We're only able to suggest that it's a best practice at this point. It's the NIS 2 that would come in when it's adopted as a European law that becomes a requirement. So, a lot of the work in EPDP is going to be thrown into just a suggestion before it becomes a requirement.

Any questions for Ben? Okay. Ben, thanks again. Very lucky to have you.

All right. I have one other thing before I turn to Mark and Marie for Council. ICANN has just published their first iteration of the Domain

Name Marketplace Indicators. I was a member of this team, the advisory committee for the initiative, and this was begun to say ... It was actually begun under Fadi Chehadé who wanted to be able to claim that the domain name contract providers marketplace needed more of trade association representation. So, he wanted to talk about how healthy that marketplace was.

When Fadi left and we got Göran, he put a different spin on it. It's now meant to just convey that, from the perspective registrants and users, that we can perceive a health marketplace—a marketplace that's competitive, transparent, gives us a lot of choices, and has integrity. I have to say that it was as few of us, myself included, that were responsible for that pivot on the domain name marketplace indicator. So, it's no longer cheerleading for the industry, but it has to show that there's stability and contractual compliance.

So, they have just published the very first set of data. And the way they do it is part of the Open Data Platform, something the BC has long pushed for. The Open Data Platform. And in that respect, if you follow the links in here, it's extremely challenging to use because you're literally running an application programming interface to do a download of data in a useable form such as an Excel or a Google sheet.

So, for instance, I pull down the number of enforcement notices that have been sent to registry operators and registrars over the last quarter, and the number was seven. Right? So, that's the kind of information you get back. And they're not revealing who the seven are. They just tell you that there are seven because it's a set of indicators.

So, I don't know whether increased enforcement reveals that there are a lot of problems or that enforcement is doing its job. It's all open to interpretation. But I am glad that at least we have factual data, whereas before we would have to ask and maybe beg to receive.

Are there any questions on the Domain Name Marketplace Indicators? Jimson Olufuye had been a real champion of Open Data Platform that we're using for this. And so was Denise Michel.

So, BC members who are data experts, I would really invite maybe a private conversation where you take a look at this Open Data Platform and see what it is the BC should be doing with it.

Any hands up? No. Okay, I will turn it over to Mari and Mark as our councilors.

MARIE PATTULLO:

Thank you, Steve. We had a Council meeting two weeks ago. The next one is in two weeks. There isn't that much going on that you don't know already, but a couple of headlines for you. You'll remember that we've been fighting forever about accuracy. That's registration data accuracy, and we have won, to an extent, in that there's going to be a scoping team which will go forward and look at what we actually need to do about accuracy—what we mean by accuracy.

We have the wonderful Susan Kawaguchi who is our volunteer on that team when the official invitation comes, which it hasn't yet. But we know that Susan's already come forward. However, we do need one other person, please.

Now, I'm not asking you to pony up on this call, but please, please, please—imagine my "please" face—this is so important and we will be incredibly grateful. We have such experts in the BC. If any of you are passionate about accuracy, could help with this—can you please let Steve know. Let me know. Let Mark know. Let one of us know. Thank you.

On the privacy/proxy. Again, you'll remember, we kind of almost [bit] one in that it's going to be ... The IRT is going to be restarted, and at the moment we ... We kind of headed off an attempt by ICANN Org to not do that by having yet another study or yet another give-it-to-the-EPDP IRT-and-let-them-do-it, which we said was wrong, that all of this work has been done. It should be the original IRT that goes forward.

So, staff are going to reach out to the original privacy/proxy IRT and ask them if they are prepared to stay involved. So, keep your eyes peeled for that one. They're also going to be giving us an estimate of how much time they think it will take to get the work done.

For your diaries, if any of you are bored and want to talk to us in the week before our next ICANN meeting, the GNSO is going to have its joint meeting with the ccNSO. That's going to be on the 10<sup>th</sup> of June at 20:00 UTC. It's not normally the most exciting of meetings but, as you know, you're all welcome. Please join in.

And there are a couple of bit on abuse that I know that Mark will develop further. We know that DNS abuse is going to be discussed during our next meeting. That's the 20<sup>th</sup> of May. And thanks to a lot of pressure from certain councilors, including Mark, there's going to be a

response from Council to the SSAC's comment where, you know, they talked about DNS abuse.

So, that's my segue over to Mark. Mark?

MARK DATYSGELD:

Thank you very much, Marie. I feel that we are coming to a point where there's been enough pressure from those of us that think that DNS abuse should be taken more seriously. It's starting to really dawn on people that they can't avoid this forever and keep pushing it forward.

And picking back up on where do we think this should be going, I personally think that the role of the GNSO Council is not, let's say, to make a PDP out of this. This is not where we want this to go. At the same time, this subject needs to be something that acts in a bit of a cross section with the other work we do at ICANN.

We need this incorporated into the different work streams and into the different processes that we are undertaking in such as way that it is actually dealt with in a more holistic manner. So, what I intend to push for is that this is looked at by the different sectors of the community. Different constituencies are coming up with those own DNS abuse groups right now. So are we, but so are the non-commercials. And the contracted parties have theirs, as well.

So, it might even come to a point where we will have a meeting between the different working groups on DNS abuse from each stakeholder. And that would be interesting as well in terms of seeing where we can go from there.

So, I think we have a bit of a tricky path to walk, but I also think that it's promising. I think that, with this awareness, this actually needs to be discussed in a systemic manner. There's a bit of a path forward here. So, that's what I have to say for now at least.

STEVE DELBIANCO:

Marie, anything else on Council? Okay. And BC members, questions for your councilor?

Marie, in the policy calendar I noted—at least it was my impression—that at your next meeting on the 20<sup>th</sup> of May there would be another conversation about what are we going to do with the EPDP Phase 2A. Is that likely to still be a consideration?

MARIE PATTULLO:

At our last meeting, there was a discussion that ... You know the way it fell. The way it always falls with, in particular, one of the registrars pushing for this thing to be killed—"It's pointless." But we've heard that sort of thing before.

There was an amount of pushback saying, "They were given until the end of May. Give them until the end of May and then there will be a discussion."

Now, that said, Steve, we haven't actually seen the agenda yet. If it does come up for discussion, Mark and I—unless you tell us differently—will simply go with the normal line that, "Yes, let them do their work. Let them see what they come forward with, and we'll discuss it when we

actually have something concrete to discuss." But don't be under any illusion. There are a lot of people who want this to die a million deaths.

STEVE DELBIANCO:

They want to kill it.

MARIE PATTULLO:

Yeah, yeah.

STEVE DELBIANCO:

Thank you. And one of the ways we have angled on the EPDP is talk about suggestions for best practices, optional steps that the contracted parties have to take on legal/natural persons and pseudonymous e-mails. And then we will wait until NIS 2 becomes European law, at which point we trigger that to become a requirement.

So, we're trying to debate strategies on how to do this because we don't have the votes either in the EPDP or at Council. So earlier, the discussion—Mark and Marie—the discussion that Ben had about the trigger point somewhere at the end of this year, early next year. The European Parliament approves NIS 2 as a European law.

Now, I know it won't be transposed into actual enforceable country law for another year to two. But you want to start thinking about if the EPDP, at the end of May, hasn't reached consensus on any requirements that are implementable, find a way to keep the EPDP alive so that, at a trigger point in the future—like the approval of NIS 2—that it has to be reconstituted and very quickly addressed whether policy has to be

changed to follow the law. Right? That would be a way of keeping it alive, as opposed to having it disappear and then we have to fight to bring it back.

At least think about that. It may be too early to bring it up on your May  $20^{th}$  meeting, but it may definitely be something we bring up in June.

All right. Any questions for our councilors? Marie and Mark, thank you very much.

The next [channel] up is our Commercial Stakeholder Group liaison. Waudo is unable to be with us today. He's traveling. And his report is here for you. The newest part here is that the ICANN71 meeting will be June 14-17, will be on the time zone as if we were in The Hague, Netherlands. Please register. I put the link to how to register on the screen.

And then the plenary session. I think we're going to have three sessions, according to the current block schedule. Mason, you had led the way as leadership at getting a plenary on legislative developments which is things like NIS 2. Right? Can you say anything about what you're hearing—whether we are likely to be one of those three plenaries?

MASON COLE:

Thanks, Steve. It's very likely that we'll be one of those three plenaries. The plenary, as you mentioned, was carried over from ICANN70 to ICANN71. The GAC came in at sort of the last minute with a plenary suggestion of their own that looks remarkably like the one the CSG put in for a legislative update plenary for ICANN70. So, I'm in discussion with

some GAC members about how to merge those two so that it's relevant to the community. But I'm 95% sure this plenary's going to go forward at this point.

STEVE DELBIANCO:

Thanks, Mason. And let's work closely with the ALAC. They're very helpful at every turn on the EPDP, and they'll be helpful on this one as well.

Mason, I just noticed that Alex Deacon joined. Perhaps, Alex, if you were on the EPDP Phase 2 call, is there anything you'd want to share with your colleagues? Were you on that this morning? I don't hear Alex. So, Mark and Margie are not yet on either.

Okay. That's it for the policy calendar, and I can turn it back over to you, Mason. Thank you.

MASON COLE:

Thank you very much, Steve. A thorough review as usual. Brenda, if we could go back to the agenda, please. Thank you.

All right, we are now on Item #4 which is an Operations and Finance report from Lawrence. Lawrence, back over to you, please.

LAWRENCE OLAWALE-ROBERTS:

Thank you, Mason. So, I will be starting the report with some open ICANN community announcements. ICANN has published FY21 Quarter 3 Unaudited Financial Results. This was published today. If you visit the

Announcements section of the ICANN Org website, you'll find the details there. Also published was the PTI Unaudited Financial Results.

ICANN reported an income of \$106 million for that quarter—for quarter three—and an expenditure of \$85 million. So, there was therefore a surprise of about \$21 million which was ascribed to reduction in expenditures and not traveling and all of that.

There is also published the Proposed Operating & Financial Plan for FY22 and Operating Plan and Budget. This has gone for Board consideration. It's supposed to happen sometime mid-May. The Board is supposed to adopt it mid-May, and the plan will come into effect FY22, passed by the 4<sup>th</sup> of July 2021.

Thirdly, ICANN has also announced the launching of an Africa Engagement Forum to support community work in the region. This is interesting. It's the first of its kind in the region. It's supposed to be a two-day event on the 19<sup>th</sup> and 20<sup>th</sup> of May, and registration is required for the event. It is said that it will highlight what different constituencies are doing with regard to African engagement. And I want to encourage the Africans in the BC, and even those who might want to observe how it will all play out, to try and monitor this event.

The second day, the 20<sup>th</sup>, I am going to say there's going to be a clash with the BC meeting based on our regular agenda. I want to find out. I'm not sure if any of ... The BC has not formally received any invitation to participate. I'm not sure if any member has also. [And if] there's a member that has something to say about this—maybe you are involved in the planning—we would love to hear more about this.

There is also registration. Steve has mentioned that registration for ICANN71 is open. It's a policy meeting from the 14<sup>th</sup> to the 17<sup>th</sup>. And that's remarkably just about five weeks away. So, based on this, two things are an offshoot.

The first is that we will be working towards the production of our next newsletter for the ICANN71 edition. We have a very slim timeline to work with. By the next BC meeting, we expect that members who would want to contribute editorials to that edition should please have done so. I will be sharing the timelines on the BC private list, but please note that we have just about two weeks from today to submit any articles or stories that you would want featured, that you'll want to feature in the ICANN71 newsletter.

Also, the BC is planning an outreach event during ICANN71. It's going to be a virtual event. We are working in collaboration with the Global Stakeholder Engagement team for business headed by Chris Mondini. And they have identified a strong business group in The Hague. They are called Platform for the Information Society (ECP). Again, if we have any member here who knows them—maybe you are also part of this society—please we'd like you to speak a bit about this organization. But the information provided by the GSE team says that they are a very strong digital policy think tank and they will be great partners for an outreach.

The outreach event would require very active participation of members of the BC from the EU region. We are planning to have a high-level panel, and we will also feature two or three BC members, especially those who understand the region very well—the dynamics of business in

the region and can speak to how much value members who are not yet with the BC can pool if they were to join.

Please reach out to ExCom or reach out to myself. Reach out to any ExCom member. We'll definitely be able to process that. We really need members from the region to come up with ideas, also.

We will also share a call for active participation. You don't have to speak, but if you have contacts that we can leverage on to invite them to such a BC event to get to know more about the BC, we would love to have you actively join us for this.

Please, I'm not monitoring the chat, so if there's anything that requires attention in the chat, please I will appreciate if someone would let me know.

We are also encouraging direct membership of new members. For BC members that can help reach out to other people in your sphere of influence, please, we would like that you do so not just to market the BC, but to also spread some value around what it is that we do here.

Membership wise, we have maintained our membership which is currently pegged at about 67. And we are hoping that delving into the coming financial year, we will be able to attract more members, new members to our fold. In this wise, I believe that by now most if not all members will have received the FY22 BC invoices that were sent out. This was sent out on the 1<sup>st</sup> of May, which is the practice. If by chance you have not seen or received any invoice for your FY22 dues, please kindly check your spam mail or reach out to myself. And the e-mail to

use is invoicing@icannbc.org. If you also send to invoicing@bizconst.org, it will also reach the secretariat.

Please send us an e-mail and we will be happy to resend another manual copy that you can act on. But invoices for FY22 have been sent out. Please kindly process them as soon as you can. We will definitely appreciate your doing that.

Going to finance. We are still maintaining the same balance we've had for the last meeting, less \$500. So, we have roughly about \$59,000 US in our account. Please recall that this is because we are warehousing \$60,000 as our reserve fund.

I also would like us to note that we want to thank everyone who has come out to play a role in the Communications and ICANN Learning Committees, as well as the working group on DNS abuse.

I'd like to let membership know that ICANN has finalized their selection for Additional Budget Requests. Recall that the BC put in three applications: one for the Leadership Development Program; another for printing of outreach materials which has enjoyed an Additional Budget Request since 2013; and the third one was materials to go into ICANN Learn.

I'm happy to announce that two or our proposals were approved, less the Leadership Development Outreach Program which is also dependent on a physical ICANN meeting. So, invariably, the programs that were of top priority to us got funded. We have an allocation of \$10,000 for the ICANN Learn materials to be developed. And the BC outreach materials

continue to enjoy [inaudible] of about \$3,400. So all in all, we [are envisaging] for FY22 an increase in support from ICANN.

To election matters. We have just concluded the BC committees, and internally there will be an election for the chair of both the Communications and ICANN Learn and Onboarding Committee. This will be handled internally by membership of those committees.

I would like us to note that before the next BC meeting, before the 10<sup>th</sup> of May, we will be sending out on the BC—on the private list—an announcement for the GNSO Council elections. The elections have to be concluded at least 120 days before the AGM, so based on that we'll have to start this process by the 10<sup>th</sup> of May.

So, we would open the nomination period for two weeks which will expire around the 24<sup>th</sup> of May. And after that period, we'll also receive candidate statements. There will be a candidate's call for Thursday the 3<sup>rd</sup> which happens to be before the BC meeting in June. And elections will start thereafter.

Note that I had mentioned in a previous BC meeting that Marie ... This election is to cover candidacy for Marie's seat. Marie is still eligible to run for another term because the first time she did was to finish Phil Corwin's tenure. So, we are hopeful. We are happy with the fact that we might still have her in this seat if she chooses to be nominated.

I would want to say that by the next BC meeting, we hopefully will be celebrating a new BC logo. It's currently going through some formal internal reviews, and we should definitely look out for something exciting at the next meeting.

That will be all. If you have any questions, I'll be very happy to take them. Otherwise, I will yield the floor back to Mason. Thank you.

MASON COLE:

Thank you, Lawrence. That was an extremely through and active report. So, any questions for Lawrence. All right, very good. Lawrence, thank you very much.

All right. Let's move to Item #5 on the agenda. Brenda, would you mind putting up the slides that I sent over for you? As Brenda's doing that, I'll just set some context.

As you know, as it's been discussed on this call and elsewhere, that we're setting up a working group on DNS abuse within the BC. The objective of this group, and I'll cover objectives fairly thoroughly here in a moment. But the objective of this group is to advance the discussion of DNS abuse inside the ICANN sphere and also, to some extent, outside the ICANN sphere in order to have a measurable impact on DNS abuse.

So, I want to say thank you to everybody who stepped up to join the working group so far. By my list, we've got something like 10 volunteers so far which is great. That means we're going to be able to spread the work out, and not everybody's going to feel overwhelmed. So, thank you all very much for that.

So, I've prepared a couple of slides that just run through an overview of the working group and where we're headed. And I'll emphasize before I do this, this is all very preliminary. We haven't even convened yet as a

working group. These are just some initial thoughts that I organized as a way to orient our thinking before we get started.

So, all right, Overview of the BC's DNS Abuse Working Group. Brenda, next slide, please.

Okay. What is the current situation? So, nearly everyone in the ICANN sphere knows that DNS abuse is a problem, and everybody outside the ICANN sphere is aware of that as well. But various parties are framing ...

When I say "various parties" I mean contracted parties, non-contracted parties, security experts, cybersecurity investigators. Everyone that has a stake in DNS abuse is framing the problem differently, and they're trying to lead the discussion toward their desired outcomes.

Contracted parties in ICANN and others insist that the abuse issue—and you've heard this from them before—is not as severe as otherwise public portrayed. However, the BC and other outside experts find otherwise. And as a BC, we're committed to finding effective and common-sense solutions to DNS abuse. Next slide, Brenda, please.

So, many—both inside and outside of ICANN—are alarmed at the growth and the extent of the abuse problem. ICANN and contracted parties inside that abuse levels are relatively under control, and there's been this effort to sort of take the PR lead on the discussion on DNS abuse. And the contracted parties have done a very good job of taking the lead so far, but we're on their heels.

But the believe of many is that ICANN Org and contracted parties have an incentive to appear in control over the abuse problem so that they

don't have regulatory incursion by governments or community meddling in their contracts.

Inside ICANN, the Compliance Department hasn't done very much to use its authority to enforce against contracted parties that engage or harbor abusive activity. And as you've heard before, Compliance insists that its contractual tools for enforcement are pretty limited and it handicaps its ability to act. Brenda, next slide, please.

Now, the BC's not alone in its concern. I realize this type is a bit small, but you can see here. The GAC, the CCTRT—that's the review team on consumer choice and consumer trust. Back in 2018 they weighed in on DNS abuse. The ALAC has been active on DNS abuse. And you can see that most everyone here is calling for better tools for compliance to enforce against DNS abuse as a first step toward reducing abuse. Next slide, Brenda.

Okay, so we have a definition problem in that there's ... Almost any discussion on DNS abuse is predicated on establishing a definition of what abuse really is. Contracted parties define abuse as malware, phishing, botnets, pharming, and spam as it's used to deliver the other four forms of abuse.

But when you look at what the SSAC said, "These categories have been adopted within the ICANN realm and in specific contracts but do not represent all forms of DNS abuse that exist, are reported, and are acted upon by service providers. New types of abuse are commonly created, and their frequently waxes and wanes over time. Thus, no particular list of abuse types will ever be comprehensive."

And I just wanted to point this out because not only is it true, it helps redefine the discussion on the definition of DNS abuse. It means that flexibility needs to be maintained in any definition of abuse because abuse is going to change over time. And the abuse that bad actors engage in, as the SAC wrote, waxes and wanes. That means it comes and goes. People take up certain kinds of abuse and then that recedes. They take up another kind of abuse and that recedes, etc. Next slide, Brenda, please.

So, now to the meat of the matter. Objectives of the DNS Abuse Working Group. Number one, keep the definition of DNS abuse sufficiently broad and flexible over time to address the evolving nature of DNS abuse. I think I covered that in a previous slide pretty well.

Dissuade the opening of a new TLD round until abuse is productively addressed.

Third, help ICANN Org secure contractual tools necessary to combat DNS abuse effectively.

And finally, positively impact the level of DNS abuse as measured both by ICANN and non-ICANN sources. It's important to see a better level of agreement inside and outside ICANN on the real level of DNS abuse. And that needs to be transparent all the way around. So, that's what we're interested in so far.

Brenda, is there one more slide?

**BRENDA BREWER:** 

There is not one more slide.

MASON COLE:

Okay. Thank you very much. So, again, this is a very brief overview of at least the initial thoughts on the working group. And in terms of the next steps, what we're going to do is convene as a group, better flesh out the objectives of the working group, start building alliances within ICANN for some of the outcomes that we're looking for, and then get to work.

So, let me open the floor for discussion on the DNS Abuse Working Group. Anyone want to raise a hand? Anyone who has volunteered for the working group who would like to raise their hand and add their perspective? Okay. I see no hands yet. All right. Well, I'll take that as an endorsement that at least we're headed in the right direction.

Marie, your hand is up. Go ahead, please.

MARIE PATTULLO:

Thanks, Mason. A couple of quick things. Firstly, I hope that you will find a way to include intellectual property and abuse. We very often hear that ICANN is about domain names not about content. Yes, but when you're talking about a scam message, "Please click on this link because you have won the—choose a brand name—lottery," you don't get the abuse if you don't have the content. So, the misuse of intellectual property is a way to drive abuse.

And the other thing, I'm wondering if you know Graeme had announce the DNS Abuse Institute is going to be having another webinar. And he did say it was going to be in April, but clearly it wasn't. Do you know when it's going to be? Have you heard anything?

MASON COLE:

I have heard because, in fact, I'm on the panel for that webinar.

MARIE PATTULLO:

Excellent.

MASON COLE:

It's going to be in late May, either the 25<sup>th</sup>, 26<sup>th</sup>, or 27<sup>th</sup>. And I'm not sure if that date has been set yet, but once that announcement has made, I encourage everyone in the BC to attend. It will be a valuable use of your time.

MARIE PATTULLO:

Thank you so much. Thank you.

MASON COLE:

Thank you. Other hands? Okay, I don't see any other hands but let me just close off by saying I hope everyone in the BC can get behind the working group's work. And if you have ideas to share or thoughts or ideas about how we'd like to move forward, then I know members of the working group would be happy to hear those. So, I encourage you to share those.

Okay, thank you very much. Brenda, back to the agenda if we may.

Okay, there's one other issue under Item #5. I'm looking at Item B which is sort of a corollary to what we just discussed. Many of you have seen

that there's a registrant in India that has struggled for some time now called Net 4 India. And for the past couple of years, ICANN has apparently been engaged with them on a number of issues including sending a breach notice, taking care of court filings and that kind of thing.

Net 4 India has finally apparently gone under, and their customer base is scrambling to try to do something about saving their names and keeping their websites up and running. I wanted to bring this up because it's corollary to the abuse problem in that compliance—at least in my view and I think in the view of other members—has not done a particularly good job of managing situations like this, not only on enforcing against DNS abuse but on enforcing against registrars that are clearly not serving their customers.

And I bring this up because I look at those situations and I think, "Well, what's it going to take for ICANN to actually act in situations that are as dire as Net 4 India?" I've prepared a short paper that I'll share with the BC later once it's finished to talk about how this relates to our call for a stronger compliance function.

So, in addition to talking about DNS abuse and the need for a stronger compliance function, I'd like to widen that discussion to talk about situations like Net 4 India and others. There have been other registrar failures, you may recall. Going way back, there was RegisterFly and a couple of other examples. But it's a good leverage issue to call for better enforcement and better engagement on the part of ICANN Compliance, which is really sorely needed.

So, I'll share that with the BC as it becomes available, but let me open the floor quickly if anybody would like to talk about this issue as it relates to compliance or anything else. Vivek.

VIVEK GOYAL:

Thank you, Mason, for getting the Net 4 India incident into the agenda. I'm on the ground here in India and trying to help clients with this. Just to help everybody understand the gravity of situation, Net 4 India was the first-largest registrar in India. And at that point of time, almost every business in India had their domains, their hosting, their e-mail system using Net 4 India. And it has been there for quite some time.

And now that the situation has become so problematic that people's websites are down, their e-mail systems are not working, it's been impacting their business especially during this COVID wave that India is facing. And there's a general thoughts and agreement within the people that are facing this problem or helping others that this could have been better handled by ICANN to prevent this from going to such extreme lengths and causing such destruction to everybody using domains from Net 4 India.

So, definitely a thumbs-up to the work the BC can do on the compliance and contracts to avoid such kinds of situations in the future. Thanks, Mason.

MASON COLE:

Thank you, Vivek. I appreciate that perspective very much. Margie.

MARGIE MILAM:

Hi, everyone. I just wanted to remind the BC that when this happened—or similar things happened back in, I guess the 2011 timeframe when RegisterFly failed—that created a groundswell of community calls for updating the contracts to give ICANN the compliance tools necessary to address some of these issues. Well, obviously, I guess the contracts aren't strong enough for ICANN to have moved, or they're hesitant in moving. And I think the BC should support referencing this and insisting that ICANN update its contracts.

The last time those contracts were updated was 2013, so you're talking almost a decade ago. We negotiated that back in probably the 2011, so it's been a decade. And seeing the kind of impact that it's having in India—and thank you, Vivek for sharing that—just shows that I think this is something the BC should show leadership on and try to get other SOs and ACs to call for the contracts to be renegotiated to give ICANN the tools it needs to address this.

MASON COLE:

Thanks, Margie. Excellent point about bringing others into the conversation as well because the BC, as you know, on the issue of DNS abuse has been sort of a lone voice, at least in terms of calling for stronger ICANN action. We're starting to see some support from other places like SSAC and ALAC and the GAC, but if we're going to do this and we're going to use Net 4 India and situations like that as a call for better contract provisions, we can't go it alone or we're frankly just going to get defeated.

So, an important part of this initiative is going to be to bring other people into the mix to call for contractual changes if that's what we're going to do. So, thank you, Margie.

Steve, go ahead.

STEVE DELBIANCO:

Thanks, Mason. Vivek, I'm very sorry for what's happening in India, but unfortunately when you're an advocacy, you never let a good crisis go to waste. So, we will want to use that crisis as an example to drive action.

And I don't think blaming ICANN will make any sense at all. It's not their fault, and you know how defensive Göran can get. So instead, we'll use the crisis as an example to motivate what Margie Milam talked about. The ICANN bylaws allow either the contracted parties or ICANN to initiate a round of amendments to the contracts. And we have continually pounded the table that ICANN Org represents our interests, the interests of registrants and users in the community, so that if we make it a big enough push to say that there needs to be contact amendments, it will be difficult for ICANN to resist.

So, this could be a one- or a two-year campaign, but we need to document the problems being caused by Net 4 India's failure—caused problems for registrants and for end users, people that have e-mails and want to receive them. So, I think that we'd better start documenting it, and our natural ally is going to be the ALAC. But I do hope we can also find an ally within some of the contracted parties and also with the ISPs who have not been particularly helpful through the EPDP. But they might

believe—the ISPs may believe—that this is an areas where ICANN can do more.

So, it's a great initiative to use Net 4 India of an example of what we want to avoid in the future. Thank you.

MASON COLE:

Thank you, Steve. Any other hands on this issue? All right, very good. We have eight minutes to go. Any other issues for discussion that members would like to raise?

All right, no hands. Oh, I'm sorry, Margie. Go ahead.

MARGIE MILAM:

Hi. Just a follow up on the comments. As we plan for the ICANN meeting in June, it seems that raising the Net 4 India issue and finding a place to share the on-the-ground experiences for what's going on in India, I think, would be fantastic. And Vivek, what you're describing is something I think the entire ICANN community should hear about. And so I don't know, as the BC leadership starts looking at various sessions that are underway if there's a way to somehow find the Net 4 India issue to be appropriately included in some of the agendas.

MASON COLE:

Thanks, Margie. Yes, that's exactly what we're thinking. And Vivek, in fact—I don't mean to put you on the spot, but perhaps you could be in a position to help share some of the experiences on the ground in India

when it's time for us to bring some of these issues forward in a more public way. That would be really helpful if that could be done.

Oh, good. I see in the chat you're willing to do that. Great. Okay. Thank you, Margie. And thank you, Vivek.

Alright. Any other business before the BC this morning? All right. I see no hands, therefore I yield six minutes back to your day and I thank you for attending. Our next meeting is in two weeks' time, and I look forward to speaking with you then.

Other than that, I think we're concluded. So, the BC is adjourned. Thanks, everybody.

[END OF TRANSCRIPT]