

Michelle DeSmyter:Dear All, Welcome to the RDS PDP WG Meeting on Tuesday, 02 August 2016 at 16:00 UTC.

Michelle DeSmyter:If you do wish to speak during the call, please either dial into the audio bridge and give the operator the password RDS, OR click on the telephone icon at the top of the AC room to activate your AC mics. Please remember to mute your phone and mics when not talking.

Michelle DeSmyter:Agenda: https://community.icann.org/x/uQ_bAw

Michelle DeSmyter:Member page:

<https://community.icann.org/x/I4xlAw>

Lisa Phifer:Please mute when not actively speaking

Lisa Phifer:Someone has an open mic

Geoffrey Noakes:Lisa, I just silenced my mic

Lisa Phifer:Geoffrey thanks

Chuck Gomes:Hello all

Maxim Alzoba (FAITID):Hello All

Shane Kerr:Good day, everyone. :)

Lisa Phifer:Loud and clear

Greg Shatan:Chuck, you've been in that small motorhome for a while! I look forward to seeing the small motor home in Hyderabad.

Ayden Férdeline:sorry connecting my microphone

Shane Kerr:I can hear you! :)

Lisa Phifer:ee etherpad.wikimedia.org/p/gnso-rds-pbstatement-0

Ayden Férdeline:We will endeavour to get something to the leadership team by this Saturday

Greg Shatan:Can you remind us who is on the small team, please?

Ayden Férdeline:Hi Greg, I am just looking for the names

R:@terri managed to change stuff around i'm here hello everyone

R:Sorry this is Richard Padilla

Lisa Phifer:@Greg, see Helsinki minutes for volunteers for problem statement drafting team

Ayden Férdeline:@Greg: Volunteers for this drafting team are:• Stephanie Perrin• James Gannon• Alex Deacon• Nick Shore• Shane Kerr• Ayden Federline• Susan Kawaguchi (leadership liaison)• Mark Svancarek• Daniel Nanghanki • Marina A. Lewis

Ayden Férdeline:Yes, there are misuse cases too. I would not want them excluded?

Greg Shatan:Thanks!

Greg Shatan:(regarding the list of names)

Shane Kerr:Okay, Lisa, thanks. That makes sense.

Benny Samuelson / Nordreg AB:So waiting for 20 minutes before being let in to the meeting

Benny Samuelson / Nordreg AB:hurray

Alan Greenberg:Sorry to be late.

Shane Kerr:Things that you might want to use Tor for.... ;)

Alan Greenberg:Who is speaking?
Lisa Phifer:Greg Mounier
Alan Greenberg:Thx
Lisa Phifer:list of use cases and submitters available here:
<https://community.icann.org/x/JA6bAw>
Maxim Alzoba (FAITID):Question: was it a ccTLD?
Andrew Sullivan:Strictly, the fact of using the same email address does not show it's the same entity
Shane Kerr:I think the use case is fairly clear.
Andrew Sullivan:because the email address could be a groupbox address
Andrew Sullivan:but It's (I agree) a clear use case
Stuart Clark:ccTLD = country code (e.g. .de or .uk)
Andrew Sullivan:no dneed to respond
Andrew Sullivan:just a bit of refinement on the detail
Lisa Phifer:is the IP address of a website hosting material or the name server for the domain name or both?
Richard Padilla:Sorry about that @michelle and @terri
Maxim Alzoba (FAITID):the question about uncooperative jurisdiction means it can not be new/old gTLDs ... thsu ccTLD .. and they, most probably will not implement RDS until things settled a bit ... and most probably they will use the format .. but will not store info in ICANN RDS system (different jurisdiction)
Chris Pelling:Apologies for tardiness, just one of those days!
Greg Mounier:@andrew yes excatly this is only to get corrolations that will allows the investigators to reduce the range of leads. tells you where to look for further evidence.
Maxim Alzoba (FAITID):e-mails are not unique IDs .. could be redirects or groups or both
Andrew Sullivan:@Maxim: to be slightly more careful, emails are unique IDs but they do not identify a unique person at the other end.
Greg Mounier:@maxim at least ti gives you an indication that someone took the pain to spoof the email addresses.
Maxim Alzoba (FAITID):@Greg .. it also could be a script (not a person) ... which registeres e-mail and does othe actions
Lisa Phifer:NOTE that WHOIS for IP addresses is a separate system than WHOIS for domain names - GNSO is responsible for policy for WHOIS for gTLD domain names
Andrew Sullivan:You can get the IP address stored in the registry of a hostname, however, using a host object query
Andrew Sullivan:that's in the forward DNS, not the reverse. Since the forward is what counts, that's still a thing under GNSO control
Lisa Phifer:@Andrew, agreed - but tryinig to determine which

system is being queried

Kal Feher:note that contact IDs will be unique. email addresses will not be unique in a registry.

Andrew Sullivan:I agree that we need to attend to the differences, though

Andrew Sullivan:Contact IDs might not be unique either. Some registrars create new contact objects for every domain registration

Maxim Alzoba (FAITID):the use case is important

Andrew Sullivan:but these are all variables that I think follow from the use case, which in general is I think helpful

Andrew Sullivan:particularly for getting us to see the correlation use cases

Kal Feher:@andrew a new contact will have a new ID. each ID will remain unique

Lisa Phifer:@Greg, are you finding that many common admin email addresses actually belong to Privacy Proxy service providers or hosting providers rather than party placing content on the website?

Fabricio Vayra:@ Stephanie - Personal info only if personal/non-commercial use, right?

Andrew Sullivan:@Kal: yes, but in that case you can't actually do the correlation you'd like by looking at the contact object ROIDs

Rod Rasmussen:@Lisa - we certainly find that lots of miscreants use P/P services to mask activity.

Maxim Alzoba (FAITID):for this case it is important to analyze all fields of records - to find some hidden patterns

Fabricio Vayra:@Stephanie - Meaning, in this use case these folks are selling subscription services (which also happens to be for illegal services)

Maxim Alzoba (FAITID):even time of the day of the registrations is important and might give another hint to investigators

Stephanie Perrin:No Fab, depends on the law. In many states, the rights of employees are also covered under DP law. They may (for instance) consent to be the technical contact, but their technical details might very well still be considered personal info.

Jim Galvin (Afilias):ContactIDs are technically unique. They may or may not be unique in a context, i.e., a registrant may have more than one ContactID associated with them for various ordinary reasons. Validation of contact information and the desire to not have to go through a validation process more than once will tend to mitigate this.

Kal Feher:@andrew true, but that's the situation today. making any kind of correlation other than the most loose connection is

misusing the data in my opinion

Fabricio Vayra:@Stephanie - But if commercial and not employee, not personal

Stephanie Perrin:True Fab.

Stephanie Perrin:If I am an employee and I make a change in the registration data (let us assume I have been bought by a bad guy) the technical data may be from my personal equipment, my actions and the timestamp might still be personal, etc.

Stephanie Perrin:What we are discussing here is a definitional issue... just because something is personal info does not mean it cannot be gathered, investigated etc.

Rod Rasmussen:We have found that other fields can be useful in the event there is a pattern somewhere. Phone numbers are somewhat useful since they too are unique identifiers (technical not absolute!) and can be used in order to validate data during the registration process.

Maxim Alzoba (FAITID):I think data elements should be broadened to all fields

Fabricio Vayra:@Stephanie - I just want to be sure we understand that the publication of certain information about a company or organization is often a requirement by law in the framework of the commercial or professional activities they perform.

Greg Mounier:@Maxim: point taken I will ask more info and will get back to you

Fabricio Vayra:@Stephanie - And just want to clear that often, the privacy rights afford to persons does not apply to companies/commercial activities.

Kal Feher:lost you

Shane Kerr:Sounds pretty quiet now. ;)

Fabricio Vayra:@Stephanie - So how we "define" matters if we keep putting everything under the personal/privacy umbrella

Greg Shatan:Perhaps he's been attacked by a dissident group.

Stephanie Perrin:Sure Fab. I also think voluntary disclosure of company info, and sound practices to authenticate that data (as we discussed in EWG) is good practice. Just we cannot make it mandatory for small business, and the publication of commercial data on a website is a regulatory matter, not one for ICANN to dictate.

Shane Kerr:Or someone spilled a beer on his laptop. ;)

Greg Shatan:or because he's in one.

Greg Shatan:Shane, I like your theory.

Marika Konings:Ayden appears to have dropped from AC

Fabricio Vayra:@Stephanie - Agree, which is why I was referring to how many laws deal with this issue.

Fabricio Vayra:@Greg - Hilarious!

Stephanie Perrin:Let the record show we agree :-)

Ayden Férdeline 2:sorry my wifi dropped out

Ayden Férdeline 2:i am back now

Vicky Sheckler:why is a small business different from others?

Shane Kerr:@Ayden we'll come back to you.

Fabricio Vayra:@Vicky - It's not

Stephanie Perrin:IN many countries, small un incorporated businesses are treated differently with respect to publication requirements

Stephanie Perrin:Home based businesses may or may not have to sacrifice the status of their home address as personal information under DP law, It varies.

Fabricio Vayra:@Stephanie - Here's a case from Canada that suggest otehrwise:The owner of a dog breeding business who posted individuals' personal information on her website, which served as advertisement for her business, did so in the course of a commercial activity -- PIPEDA Case Summary #305 - Internet posting violates PIPEDA

Fabricio Vayra:@Stephanise - Section 2(1) of PIPEDA states that "commercial activity" means "any particular transaction, act or conduct or any regular course of conduct that is of a commercial character, including the selling, bartering or leasing of donor, membership or other fundraising lists."

Fabricio Vayra:@Stephanie - I believe that's from Canada.

Greg Mounier:@Lisa yes in a majority of cases we're working on bad actors who are using P/P services but not only they will use different layers to remain anonymous and hide their activities. Abuse of P/P services is part of the bullet proof hosting business model.

Geoffrey Noakes:MODERATOR: the "raise hand" button is not working for me. Please call on me when convenient.

Mark Svancarek:Unfortunately I must drop early.

Shane Kerr:I immediately thought of consent with this use case.

Marika Konings:@Geoffrey - I've raised my hand in your stead

Shane Kerr:So, basically I had one the same questions as Andrew. I think.

Stephanie Perrin:Did I say Canada was the example I was citing Fab? Canada's PIPEDA is based on the use of the trade and commerce power, a federal power. Only the provinces have the power to regulate based on human rights....we were covering the entire country. I am good for hours on this topic if you really want to debate it, I spent years researching various ways to regulate, given our r federal l powers constraints

Ayden Férdeline 2:What makes a certificate authority "legitimate"? How are they accredited or how does this work?

Lisa Phifer:@Geoffrey it would be helpful to have a Cert

Authority use case!

Maxim Alzoba (FAITID):@Ayden .. it costs a lot

Shane Kerr:They pay money to browser vendors. ;)

Shane Kerr:And go through a process, of course!

Andrew Sullivan:I'm still not sure whether this use case is an example where differential authenticated access is actually what would work

Andrew Sullivan:I haven't heard the answer to that question

Fabricio Vayra:@Stephanie - HAppy to debate, but this is about being clear and not conflating various concepts, directives, or policies as a blank "privacy" requirement.

Lisa Phifer:@Andrew meaning access only by the solution provider, only with agreement of registrant, or both?

Andrew Sullivan:@Lisa: excellent questions :-)

Fabricio Vayra:@Stephanie - So not an attack, but think it's important we ALL understand the differences.

Greg Aaron:Regarding certificate authorities, see also: CA/Browser Forum

Andrew Sullivan:I don't know. Part of what I was trying to understand

Fabricio Vayra:@Stephanie - Because clearly there are differences and one size fits all is not applicable.

Vicky Sheckler:+1 w/ terri. we use the info as Terri is suggesting for our enforcement efforts

Ayden Férdeline 2:Thanks for the information, everyone. I just wanted to clarify how this accreditation works for certificate authorities, because what I heard was that these "legitimate" entities needed access to a "treasure trove" of information. If that's the case, I'd like to know that the standard of accreditation is a high one. There's definitely a place for self-regulation and the private sector having access to information, but I don't think it should be available to every single private business.

Maxim Alzoba (FAITID):someone uses tank to ride

Ayden Férdeline 2:Vaibhav think your audio is on?

Maxim Alzoba (FAITID):or heli

Stephanie Perrin:Yes and the fact that a dog breeder, as an entity collecting personal info, is caught by PIPEDA, does not mean the same business/entity is covered by the provincial laws regulating small business. AS I have said repeatedly on this topic, notably in our discussions in the PPSAI on the matter, those matters may be regulated at the provincial and municipal level. They are in Canada.

Andrew Sullivan:But as I suggested in the remark I made, (1) the argument that this is how we do it now so it's the access we have to have is not actually a good argument

Geoffrey Noakes:Ayden, legitimate CAs are audited annually -- they are called WebTrust audits or ETSI audits.

Andrew Sullivan:and secondly, there is no requirement that the only people who have credentials in the RDS are law enforcement. I think what Shane is suggesting now is part of what I am imagining

Stephanie Perrin:May I add that tax law treats entities differently as well.

Ayden Férdeline 2:Thank you for the information, @Geoffrey.

Rod Rasmussen:CERT Authority use of whois as a primary use case for the RDS was covered by the EWG.

Lisa Phifer:@Shane I think it would be helpful to know if the use case can be satisfied by restricting access in some way to solution providers or whether other actors require access to meet this use case

Andrew Sullivan:@Lisa: to me it's clear that it could be

Fabricio Vayra:@Stephanie - So we seem to agree that (1) there can be differences when considering commercial vs non-commercial, and (2) that various jurisdictions approach these two activities differently

Andrew Sullivan:But that's what I was hoping the authors would confirm

Lisa Phifer:@Andrew, that's consistent with the EWG's recommendations, not everyone would have access to reverse WHOIS but only specific accredited and maybe even contracted actors, for specific purposes

Shane Kerr:Validation is indeed a good issue. :)

Maxim Alzoba (FAITID):we should not forget that validation is a process which does not track what happens later ...

Stephanie Perrin:Yes Fab. And it is not a useful distinction to make in privacy policy. I bet we dont agree on that one

Ayden Férdeline 2:@Vaibhav please turn off your audio

Shane Kerr:He's on the phone only.

Shane Kerr:So he can't see us typing.

Benny Samuelsen / Nordreg AB:no chuck

Shane Kerr:Yes!

Ayden Férdeline 2:yes now we can

Benny Samuelsen / Nordreg AB:now

Chris Pelling:whoever just spoke needs to mute their phone

Chris Pelling:can now hear you Chuck

Fabricio Vayra:@Stephanie - Agreed (that we don't) bc if there are differences then blanket statements don't apply.

Maxim Alzoba (FAITID):it reminds me the question ... with the answer 42

Vicky Sheckler:need to drop off early.. apologies.

Chris Pelling:cant hear

Chris Pelling:come on
Lisa Phifer:@Maxim, life, the universe, and everything?
Maxim Alzoba (FAITID):@Lisa, yes ... we are like those philosophers
Shane Kerr:IPv6 does not change authentication.
Andrew Sullivan:I do not understand how ipv6 helps anything here, for whatever it's worth
Shane Kerr:IPv6 authentication is the same as IPv4 authentication.
Shane Kerr:Which is to say, there is very little. ;)
Greg Mounier:@Vaibhav: V6 will not solve of the attribution problems faced by LEA online. CGN and NAT66 will continue to make attribution difficult unless content provider log additional info such as source port.
Vaibhav Aggarwal:thanks chuck
Andrew Sullivan:The technology world tried to make your lives easier by deprecating whois, but nobody is apparently willing to accept that yet ;-)
Vaibhav Aggarwal:dun and Bradstreet access will be a GD example of gated access
Ayden Férdeline 2:in your opinion...
Ayden Férdeline 2:I would not want D&B having any access to my personal data.
Vaibhav Aggarwal:Auden they are a FI, they already have
Andrew Sullivan:The IETF is busily attempting to unhook locators and IDs, so the idea that IP addresses are going to authenticate anyone is frankly not in tune with the way protocols are being developed
Stephanie Perrin:Let us hope no government reaches in to try to stop them Andrew...
Lisa Phifer:Can't anyone query D&B data? They might be an example of a datastore that authenticates data entered but do they really gate (or restrict) access to their data?
Vaibhav Aggarwal:yes Lisa and it is automated
Vaibhav Aggarwal:but the user is authenticated
Maxim Alzoba (FAITID):in most cases , unfortunately , this case is accompanied with violation of local legislation :(
Lisa Phifer:@Ayden is the party that needs protection in tihis case the registrant, one of the designated contacts (admin, tech), or all?
Stephanie Perrin:Excellent point Andrew.
Lisa Phifer:@Vaibhav - authenticated <> gated, although authentication would probably be part of a gating policy
Vaibhav Aggarwal:personally identifiable info can be guarded by a service provider like Symantec
Vaibhav Aggarwal:@lisa yes bingo

Vaibhav Aggarwal: CAS guarantee protection

Vaibhav Aggarwal: Certificate Authorities

Shane Kerr: https://en.wikipedia.org/wiki/Sine_qua_non

Shane Kerr: I learned a thing today. ;)

karnika seth: that makes sense Ayden! I agree

Greg Mounier: @Ayden: I can't help but read your very valid use case replacing 'dissident group' by 'organised crime groups' (sorry professional bias :-)). This the same old dilemma that we're facing with the abuse by criminals of legitimate tools such as TOR and encryption. We need to find collectively agree on a compromise.

Shane Kerr: I also agree, although it's not strictly a use case right?

Lisa Phifer: @Ayden, as others have identified uses beyond Technical Issue Resolution, it is important to identify the data that must be protected more specifically - who is the data subject, what data is at high risk of being misused

Vaibhav Aggarwal: for eg Mobile phone services

Maxim Alzoba (FAITID): @Greg, usually the country where such a group uses hosting - see nothing bad ... and their own country see things from the other perspective

Ayden Férdeline 2: Sorry I can't read these comments and listen at the same time. Will reply to these comments afterwards.

Vaibhav Aggarwal: the data is protected and some is open and there are approvals needed for accessing the rest of the personally identifiable info

Andrew Sullivan: But the "public system" and the "collecting system" are the same thing

Lisa Phifer: @Shane, it's a mis-use case - describes a scenario that policy may be designed to deter or reduce the risk of occurring

Andrew Sullivan: you use the RDDS protocol to access the data in the collected data stores. This is what that set of diagrams were about that I circulated some time ago

Shane Kerr: To be honest, ultimately if any data is stored anywhere then governments will be able to get access to it.

Andrew Sullivan: People should not misunderstand this as a separate system from the registry databases

Maxim Alzoba (FAITID): This case is going to be controversial ... if brought to GAC

Shane Kerr: So if the concern is bad state actors, then tiered access is no solution.

Stephanie Perrin: We discussed these issues with the GAC when we drafted the EWG report

Stephanie Perrin: Exactly Shane, this is why we need secure anonymous credentials

Shane Kerr:Anonymous proxies are a hack, IMHO.

Vaibhav Aggarwal:proxy services will have jurisdiction issues
@Greg

Fabricio Vayra:@Stephanie - Under secure anonymous credentials, who is responsible for illegal activities?

Maxim Alzoba (FAITID):hmm... such actors could use stolen IDs and not having all these issues :)

Shane Kerr:If we are happy to have anonymous access then why not just skip collecting the information?

Shane Kerr:As Stephane said, secure anonymous credentials.

Vaibhav Aggarwal:@shane I agree

Fabricio Vayra:@Shane - Under secure anonymous credentials, who bears responsibility for illegal activities?

Shane Kerr:I'm not sure why you can't contact the DNS operator and ask them who they are providing service for? Like, with a warrant.

Maxim Alzoba (FAITID):@Fabricio ... the last one who was identified in the chain ...

Shane Kerr:You know, like happens when the government wants to search your mail or tap your phone?

Fabricio Vayra:@Shane - If a "warrant" leads back to the responsible party, I'm in!

Stephanie Perrin:First of all, if you can prove illegal activity that would pass muster for an MLAT, there is always takedown.

Shane Kerr:Yeah, takedown is straightforward.

karnika seth:such contracts with proxy may be considered illegal in some countries

Shane Kerr:I sense that people want more than that. :)

Fabricio Vayra:@Stephanie - Take-down doesn't solve or stop bad actors who, for example, are posting child porn. They simply get another domain under secure credentials. The buck needs to stop somewhere.

Stephanie Perrin:If you want to prosecute the actors, which frankly does not happen all that frequently, it is another matter. You need to use one of the secure credentials on the market that have disclosure potential.

Stephanie Perrin:Dont forget Fab that we proposed a tribunal to validate applications. Serial child abuse guys are not going to get in the second time.

Marika Konings:FYI - the PPSAI PDP recommendations outline the policy around P/P services going forward - the Board is expected to consider these shortly for adoption.

Lisa Phifer:note that without tech contact, tech issues with the domain name cannot (without some other solution) be resolved in a timely manner

Fabricio Vayra:@Stephanie - But their friend and friends of friends might, unless you can prosecute.

karnika seth:there could be myriad legal recourse that may be sought by an affected party, including injunction, compensation and punishment for any criminal acts

Shane Kerr:A canny user can put things up anonymously. Tor, Bitcoin, and so on.

Ayden Férdeline 2:Hi @Alan - The idea here is not to make it impossible to identify a registrant, but to make it more difficult.

Stephanie Perrin:Furthermore, child abusers are not going to bother. If I hung out in the correct bars in Montreal, I could find out where the real filming is being done. May I suggest that getting at serial child abuse practitioners through the DNS is a waste of taxpayers money. Just an apocryphal comment, lets not argue about it here

Shane Kerr:(I mean, signing up for a non-Tor website via e-mail and the like set up via Tor...)

karnika seth:certainly but can RDS or rather should RDS not come to law enforcement's aid?

Alan Greenberg:Protection of the registrant is one issue. Protection of the registrant protecting their domain name from hijacking is another and they may well be conflicting needs in those two protections.

Fabricio Vayra:@Andrew +1

Stephanie Perrin:+1 Andrew

Lisa Phifer:@Andrew, there may be other data collected for other purposes - not every need gets back to the billed party

karnika seth:certainly!

Shane Kerr:@karnika, I think it can, but that implies some sort of warrant issuance.

Stephanie Perrin:(look at that, Fab and I agree again!)

Shane Kerr:Which we don't have technology to automate now.

Vaibhav Aggarwal:@shane we do

Fabricio Vayra:@Stephanie - I'm running out to play the lotto ASAP! :)

Shane Kerr:Do we? In RDS?

Shane Kerr:RDAP I mean?

Stephanie Perrin:You don't need to like I need to Fab....:-)

Vaibhav Aggarwal:yup

Vaibhav Aggarwal::-)

Ayden Férdeline 2:I have to drop off this call now unfortunately. I will read the chat comments, once emailed out, and if there are any comments I did not address, I will respond to the list. Thanks!

Fabricio Vayra:@Stephanie - Fair enough ... but it's all

relative.

Chris Pelling:thakns all :)

Shane Kerr:Which RFC is that?

Maxim Alzoba (FAITID):Registrar's obligations under RAA ? they have obligations too

Chris Pelling:*Thanks

Shane Kerr:@Vaibhav.

Fabricio Vayra:Thanks, all!

Shane Kerr:I am very curious!

Fabricio Vayra:Thanks, Chuck!

Maxim Alzoba (FAITID):we need to ask Michele about latter

Maxim Alzoba (FAITID):bye all

Vaibhav Aggarwal::-)

Vaibhav Aggarwal:anytime

Vaibhav Aggarwal:va@thevaibhav.com

karnika seth:Thankyou and look forward to dscussion on mailing list!

Vaibhav Aggarwal:let's talk develops on it and present to SG

Vaibhav Aggarwal:*wg

Nathalie Coupet:@Lisa: Please send it

Vaibhav Aggarwal:thnx

Vaibhav Aggarwal:it was wonder Gul today informational and intellectual

Vaibhav Aggarwal:c u guys

Chris Pelling:Thanks all, have a great weekend

Nathalie Coupet:bye

Vaibhav Aggarwal:bye

Geoffrey Noakes:Bye