

Michelle DeSmyter:Welcome to the Next-Gen RDS PDP WG call on Tuesday, 28 February 2017 at 17:00 UTC

Michelle DeSmyter:Meeting page:

https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_iqXRAW&d=DwIFaQ&c=FmY1u3PJp6wrcrw113mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWGlBLwwehFBfjrsjWv9&m=Oc4UkKqabM3rJ40xVezoJBigBcDARSSlrCUmwhIZwvs&s=f1Qu2VtcCFMxejPzjYHvM3RG9r2YtUtYmDeLIZ_Sc0w&e=

Lisa Phifer:yes

Michele Neylon:just waiting for people to gather

Lisa Phifer:Someone has an open mic

Michele Neylon:yes

Michele Neylon:and they are heavy on their keyboard :)

Alex Deacon:Good morning....

Ayden Férdeline:hello all

Theo Geurts:'lo all

Sam Lanfranco npoc/csih:Good midday from 10C Canada

Ayden Férdeline:there is an echo for

Lisa Phifer:someone has an open mic

Lisa Phifer:yes everyone has scroll capability

Stephanie Perrin:Apologies for being late, Adobe insisted on updating its plugin

Lisa Phifer:Document posted at

https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_download_attachments_64071050_Questions-2520for-2520Data-2520Commissioners-2520v5.pdf&d=DwIFaQ&c=FmY1u3PJp6wrcrw113mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWGlBLwwehFBfjrsjWv9&m=Oc4UkKqabM3rJ40xVezoJBigBcDARSSlrCUmwhIZwvs&s=OU1Lj3ZmaqIU6TpfZ0uaabkM08MRJF_M3V4CJA6kRH0&e=

Michele Neylon:thanks Lissa

Michele Neylon:Lisa even

Lisa Phifer:Wednesday RDS PDP WG session will include guests to help answer these questions: - Joe Cannataci, UN Special Rapporteur on the right to privacy- Caroline Goemans, Interpol Data Protection Officer- TBD, from the European Data Protection Supervisor- Peter Kimpian, Data Protection Unit of the Council of Europe

Alan Greenberg:Sorry to be late.

Lisa Phifer:There is also a Monday cross-community panel that will deal with these and additional questions from other groups

Alex Deacon:Thanks. Look forward to reading thru these - prioritization will be key here.

Lisa Phifer:Our Wednesday session will be just 1:15, so it will be necessary to focus even during our WG's session

Stephanie Perrin:Agreed, we need a good base to start with

Lisa Phifer:yes, invitations have been issued

Alex Deacon:@lisa - do we know of those same people will also be at the HIT session?

Marika Konings:@Alex - the latest agenda for the HIT session includes the following panel: Panel: Ms Abigail Slater (GNSO), Mr James Galvin (GNSO), Thomas Schneider (GAC), Prof Joseph Cannataci (UN), Mr Giovanni Buttarelli (EDPS), Mr Wilbert Tomesen (Article 29 Working Party)

Marika Konings:and Mr Johannes Kleijssen, Director of Information Society and Action against Crime of the Council of Europe for the opening remarks

Alex Deacon:thanks marika

Lisa Phifer:@Alex, there is overlap as you see in Marika's list, but there are still additions being made to the panel (for example, Caroline)

Lisa Phifer:Mission statement is in handout:

https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_download_attachments_64071050_28FebMeeting-2DHandout.pdf-3Fversion-3D1-26modificationDate-3D1488216756000&d=DwIFaQ&c=FmY1u3PJP6wrcrwl13mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWG1BLwwwehFBfjrsjWv9&m=0c4UKKqabM3rJ40xVezoJBigBcDARSSlrCUmwHIZwvs&s=YCW7pfreQzHn_6jUVr1_2F8mQj1qUhf8KLYgH-yuW5o&e=

Marc Anderson:yes, that's the one, thank you Lisa. I found that very helpful

Lisa Phifer:That handout has link to full mission statement and excerpts directly relevant to this WG's efforts

Nathalie Coupet:Sorry for being late

Marina Lewis:Hi all...I just joined. Sorry to be coming in late.

Stephanie Perrin:+1 Jim

Lisa Phifer:Whether law enforcement is a purpose for collection or access is within the scope of this WG to recommend

Alan Greenberg 2:I thought THIS discussion was only for data currently referred to as THIN data.

Jim Galvin (Afilias):+1 to the point of not foreclosing anything

Stephanie Perrin:Exactly Alan, we are perpetually jumping ahead of ourselves.

Lisa Phifer:@Vicky, the related clauses from ICANN's mission statement do not (as far as I can see) refer to law enforcement use of registration data

Stephanie Perrin:Indeed, and as the data commissioners have pointed out, it is not for ICANN to set itself up as a repository of data for law enforcement access, that is the role of governments.

Lisa Phifer:All rough agreements are being added to our working document to help us track points that have been covered

Lisa Phifer:See

https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_download_attachments_56986791_KeyConcepts_Deliberation-2DWorkingDraft-2D22February2017.pdf&d=DwIFaQ&c=FmY1u3PjP6wrcrwl13mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWG1BLwww ehFBfjrsjWv9&m=Oc4UkKqabM3rJ40xVezoJBigBcDARSSlrCUmwHIZwvs&s=PJbbC7DHQ6cuTlGEqnT18tia4wGgz3_X--FDxYaoxxI&e=

Stephanie Perrin:Thanks, that is helpful

Lisa Phifer:For those who may wish to go back to view objections raised to each poll question, all poll questions and responses can be found here:

https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_display_gTLDRDS_Phase-2B1-2BDocuments&d=DwIFaQ&c=FmY1u3PjP6wrcrwl13mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWG1BLwww ehFBfjrsjWv9&m=Oc4UkKqabM3rJ40xVezoJBigBcDARSSlrCUmwHIZwvs&s=e2mJqUU_DWqvrUuq3T6S_1hCGZ-62j-dD-B fd6zAXU&e=

Alex Deacon:we would need them to have a different three letter acronym as CSG is already taken!

Stephanie Perrin:We are not going to accept them as a constituency in NCSG while I am around.....

Stephanie Perrin:So far so good

Lisa Phifer:@STephanie are there elements missing from this statement of purpose (from a DP law perspective)

Nathalie Coupet:Really?

Nathalie Coupet:~)

Theo Geurts:+1 Marc

Stephanie Perrin:I don't think so. DPAs will likely ask the question, how does a registrant get access to their personal data...and that is a good question, given the rather confusing (in my view) environment of resellers, ISPs and accredited registrars. However, this is an implementation issue that does not belong in the statement of purpose.

Alex Deacon:supportive assuming they are all primary purposes for RDS.

Lisa Phifer:use "disagree " if you do not support portions of the current draft statement

Lisa Phifer:Possibly we could ask DC's in Copenhagen for guidance on how specific purposes must be?

Nathalie Coupet:+1

Stephanie Perrin:I thought I had asked a question on that for purpose.

Nathalie Coupet:Could we have access to the legislative work

that led to the adoption of the GDPR?

Alex Deacon:is the concern what we currently have is vague or specific?

Nathalie Coupet:To understand the purpose, scope and intent of this law.

Lisa Phifer:@Stephanie, yes, but perhaps we can give something more concrete to the DC's and ask for their feedback on specificity?

Stephanie Perrin:All the reports are available on the various websites. You might want to read what Douwe Korff and Ian Brown wrote....

Tjabbe Bos (European Commission):+1 Michele

Maxim Alzoba (FAITID):Hello All, sorry for being late (overlap of meetings)

Nathalie Coupet:If some purposes are eliminated, won't ICANN be liable in case of damage to entire industries?

Nathalie Coupet:eliminated

Lisa Phifer:@Theo, you are looking for insight into likely consequences of non-compliance (if it's enforced on ICANN or contracted parties)?

Lisa Phifer:purpose

Lisa Phifer:contains purposes...

Theo Geurts:More in the sense that the RDS would be in violation of the EU DPA... that would reflect badly on ICANN.

Maxim Alzoba (FAITID):@Theo , ICANN is a California non-for-profit, it does not work in EU

Marika Konings:For those interested to learn more about what will happen in Copenhagen for the different SO/ACs, you are encouraged to join the ICANN58 Policy Open House:

https://urldefense.proofpoint.com/v2/url?u=https-3A_www.icann.org_news_announcement-2D2017-2D02-2D27-2Den&d=DwIFaQ&c=FmY1u3PjP6wrcrwl13mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWGlBLwwehFBfjrsjwv9&m=0c4UkKqabM3rJ40xVezoJBigBcDARSSlrCUmwHIZwvs&s=KNHLmevNbJEnBTexAOnASKOzkHapJLrvGDnuhWDJlvc&e=

Lisa Phifer:Saturday session will be continuation of deliberation, Wednesday session will be devoted to data protection Q&A

Theo Geurts:Maxim if the matter was only so simple.

Sam Lanfranco npoc/csih:Thanks for clarification Lisa

Maxim Alzoba (FAITID):@Theo, I agree - it is highly complicated

Vicky Sheckler:lisa/marika - can you please send to the list the RDS sessions?

Stephanie Perrin:If a value added service business goes out of business because ICANN starts complying with data protection law, theoretically they could sue and it would be very interesting.

Marika Konings:@Vicky - the information will be included in the notes.

Vicky Sheckler:thx!

Stephanie Perrin:ICANN compliance, to the best of my knowledge, has done little enforcement of the provisions that require bulk data collection to be acknowledged and done for a fee.

Lisa Phifer:@Vicky, links to Copenhagen sessions are also at top of this wiki landing page:

https://urldefense.proofpoint.com/v2/url?u=http-3A_tinyurl.com_ng-2Drds&d=DwIFaQ&c=FmY1u3PJP6wrcrwl13mSVzgfkbPSS6sJms7xcl4I5cM&r=8WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWGlBLwwwehFBfjrsjWv9&m=Oc4UKKqabM3rJ40xVezoJBigBcDARSSlrCUmwHIZwvs&s=kPgsRWn_nZtoTyP1I7l5VslgqFeMksYX5WOjuaVKXcM&e=

Lisa Phifer:no

Nathalie Coupet:Michele, I feel I need to do a lot more research into this law.

Marika Konings:Nope, I'm good

Alex Deacon:thanks!

Marc Anderson:thank you

Vicky Sheckler:thx

Nathalie Coupet:thanks

Maxim Alzoba (FAITID):bye all

Jim Galvin (Afilias):bye all

Patrick Lenihan:Thanks to Each and All!

Lisa Phifer:Reminder - any feedback on question list by Friday!

Ayden Férdeline:thanks all

Lawrence Olawale-Roberts:cheers

Daniel K. Nanghaka:Bye

Farell FOLLY (Africa 2.0):bye all