Adobe Connect - Chat Transcript from RDS-WHOIS2 Plenary #9 F2F Day 1
2 October 2017

Brenda Brewer 2: (10/2/2017 01:35) Good day! Welcome to RDS-WHOIS2 Face-to-Face Meeting Day 1 on 2 October 2017!

Brenda Brewer 2: (01:36) Please note that this meeting will be recorded. When not speaking, please mute your phones by pressing *6. Press *6 to unmute.

Alice Jansen: (01:55) Hi Thomas - could you join through phone? We want to make sure we can hear you in the room. Adobe microphone won't work, I am afraid.

Thomas Walden: (02:00) Yes, I just dialed in

Alice Jansen: (02:02) Great - thank you!

Alice Jansen: (02:05) Hi Stephanie - could you join through phone? We want to make sure we can hear you in the room. Adobe microphone won't work, I am afraid.

Stephanie Perrin: (02:08) i s the Adobe connect working?

Stephanie Perrin: (02:09) Unfortunately, my phone is out. THe repairman is coming this morning.. I will not have a land line until the cables are repaired.

Jean-Baptiste Deroulez: (02:11) thanks for letting us know Stephanie

Alice Jansen: (02:13) Eric is working ona solution for you, Stephanie

Stephanie Perrin: (02:14) Thanks very much!

Stephanie Perrin: (02:23) sound is very faint

Thomas Walden: (02:24) the speakers voice is fading in and out. please ask that they speak directly into the microphone

Stephanie Perrin: (02:29) Much better, thanks Alice!

Jean-Baptiste Deroulez: (02:29) is it better now?

Jean-Baptiste Deroulez: (02:29) perfect

Volker Greimann: (02:41) while speaking of cruise ships - there still is the idea out there to use the icann new gtld auchtion proceeds to buy a cruise ship and hold future meetings on it.

Chris Disspain: (02:57) Volker - The creator of Scientology, Ron Hubbard, did precisley that for many years and given ICANN is something of a cult, no reason for us not to follow in his footsteps :-)

Volker Greimann: (03:03) As long as we do not rename staff to Sea Org

Alice Jansen: (03:07) hi Thomas - hi Stephanie - we are able to hear you in the room if you have a question or comment - feel free to speak. Jean-Baptiste and I are here to help with your remote participation experience. If there is anything we can do to improve it - let us know. During the exercices Patrick is describing, we will project a google document where Jean-Baptiste and I will be tracking Team Members' contributions. We are happy to report any content you wish to see added to the buckets. You can add them to this adobe connect chat.

Thomas Walden: (03:13) ok, thanks

Stephanie Perrin: (03:14) Is now the time to go for coffee?

Eric Evrard: (03:15) Not yet

Jean-Baptiste Deroulez: (03:15) Hi Stephanie

Eric Evrard: (03:15) fixing the wireless mic

Jean-Baptiste Deroulez: (03:15) yes 15 min break

Alice Jansen: (03:15) We are on a 15-minute break - we will reconvene at 8:30 UTC

Alice Jansen: (03:27) Here is the link to the google doc https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_document_d_1pZNZ3jze-5FEmq1dN3OSMIxaGkgR27XoJbZPa0LoLbvhE_edit-3Fusp-3Dsharing&d=DwICaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=SYGiD_gLgNBBP0bK7pMfFw3cTnhY6aj_ML7N1xecvkI&s=d62QY9jtYX4EQO4D5fr78jrZ1XuwFSwotiKVRmhJlg8&e=

Alice Jansen: (03:28) if you are having trouble reading the input in the AC chat

Eric Evrard: (03:48) Meeting recording has been resumed

Stephanie Perrin: (03:49) Sound is very faint

Eric Evrard: (03:49) I'll go and raise it

Stephanie Perrin: (03:50) Thanks

Stephanie Perrin: (03:50) Yes better!

Stephanie Perrin: (03:59) cannot hear

Alice Jansen: (03:59) Can you hear us ok?

Alice Jansen: (03:59) Ok - we are having our tech fix it. Thanks for your patience

Stephanie Perrin: (04:03) yes

Thomas Walden 2: (04:03) I can hear you

Alice Jansen: (04:03) thank you for your confirmation - :-)

Alice Jansen: (04:03) as always, feel free to raise your hand if you want to add a comment or ask a question

Alice Jansen: (04:04) we will make sure the session leaders knows

Alice Jansen: (04:04) https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_document_d_1pZNZ3jze-5FEmq1dN3OSMIxaGkgR27XoJbZPa0LoLbvhE_edit-3Fusp-3Dsharing&d=DwICaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=SYGiD_gLgNBBP0bK7pMfFw3cTnhY6aj_ML7N1xecvkI&s=d62QY9jtYX4EQO4D5fr78jrZ1XuwFSwotiKVRmhJlg8&e=

Stephanie Perrin: (04:06) + 1 Chris, we need to measure the effectiveness of the policy process

Stephanie Perrin: (04:08) As a living example, the recent IAG on finding new triggers for the WHOIS conflicts with law policy....that is a good example where we can measure the effectiveness of that exercise.

Alice Jansen: (04:09) Stephanie - would you like to voice these comments in the meeting or would you like us to read them for you

Stephanie Perrin: (04:09) The triggers don't work, the GNSO pasesd it anyway, and we are opening a new PDP. Hardly an effective use of these proceses

Stephanie Perrin: (04:09) That would be nice Alice, easier than me jumping in.

Alan Greenberg: (04:11) IAG?

Stephanie Perrin: (04:11) Implementation Advisory Group

Stephanie Perrin: (04:13) Law Enforcement Agencies includes Data Protection Commissioners

Alice Jansen: (04:13) Would you like us to read on microphone, Stephanie?

Stephanie Perrin: (04:14) yes please

Alice Jansen: (04:14) ok

Alice Jansen: (04:15) Ok I see you have raised your hand - would you like to voice your comment instead? That's great if you can :-)

Alice Jansen: (04:23) Thanks, Thomas and Stephanie - I have notified the session leader that you are in the queue

Stephanie Perrin: (04:25) I would like to respond

Stephanie Perrin: (04:26) I don't think we have the power to reject the charge, which comes directly from the AOC to review whether ICANN has met the legitimate needs of law enforcement

Volker Greimann: (04:30) @Thomas: The definition of protecting the public may vary though. In Saudi Arabia, lobbying for atheism is considered terrorism, for example.

Volker Greimann: (04:31) So the thought that everything law enforcement does is ok is alien to me

Stephanie Perrin: (04:33) In response to Thomas, yes law enforcement agencies are all interested in protecting the public. The question is, from what harms? Indeed, the data protection offices are constantly in tension with law enforcement agencies over the treatment of the personal information of the public, it is their job to do oversight of the law enforcement agencies.

Stephanie Perrin: (04:35) Consumers of websites are not within the remit of ICANN

Stephanie Perrin: (04:35) That is content.

Stephanie Perrin: (04:36) Then how do you represent their interests with respect to how they consume a website?

Stephanie Perrin: (04:37) The NCUC also purports to represent the same umpty billion users

Stephanie Perrin: (04:37) And we certainly reject the notion that the content on a website is within our remit

Volker Greimann: (04:38) @Steph: so are you asking the question of how often the same group can be represented within ICANN?

Stephanie Perrin: (04:38) With respect to "consumer trust", in my view ICANN is straddling a knife edge

Stephanie Perrin: (04:39) No, just saying that we are familiar with the role of representing the end user

Stephanie Perrin: (04:39) And the GAC claims the same territory

Carlton Samuels: (04:39) @Steph: The At-Large's representational interests goes only as far as the undelying mechanisms and enabling infrastructure of the DNS, not content or use of websites. It is for this reason the matter of 'trust' is such a sliding scale.

Stephanie Perrin: (04:46) Everything I mentioned is in the contract Alan

Stephanie Perrin: (04:46) Bullk data collection?

Stephanie Perrin: (04:47) If they never look at compliance with part of the contract, that is certainly in my view within our remit

Stephanie Perrin: (04:49) So where are the metrics?

Alice Jansen: (04:49) Stephanie - do you wish to be added to the queue?

Stephanie Perrin: (04:50) Maybe I had better be pu t in the queue.

Alice Jansen: (04:50) ok

Stephanie Perrin: (05:01) That makes sense to me Volker

Stephanie Perrin: (05:04) Precisely Cathrin

Alice Jansen: (05:13) We will reconvene at 11:00 UTC

Alice Jansen: (05:13) thanks, Thomas and Stephanie for staying up so late/waking up so early. We look forward to "seeing you" in 45 min

Alice Jansen: (06:01) We are back and will be starting shortly

Alice Jansen: (06:10) We will start in 3 min

Alice Jansen: (06:10) thanks for your patience

Eric Evrard: (06:14) I hear you well :)

Stephanie Perrin: (06:14) yes

Eric Evrard: (06:14) And i'm in a remote set up

Lisa Phifer: (06:16) Headings for exercise:

Lisa Phifer: (06:16) Important but not valuable at this time

Lisa Phifer: (06:17) Important but not feasible at this time

Lisa Phifer: (06:17) Should be reviewed at this time

Lisa Phifer: (06:17) Unimportant and don't include for review

Lisa Phifer: (06:17) Too soon to make a conclusion

Stephanie Perrin: (06:18) weird noise

Alice Jansen: (06:19) Yes - sorry about that!

Stephanie Perrin: (06:25) can you give us enlarge and scroll capability for the document in front of us please?

Jean-Baptiste Deroulez: (06:29) @Stephanie, unfortunately it is a google doc that is currently shared from the presentation laptop. I believe you cannot access the google doc, correct?

Alice Jansen: (06:30) Stephanie/Thomas - what is your assessment for the agreed scope topics. The list of topics is available in the document Jean-Baptiste sent last night

Stephanie Perrin: (06:31) Ok, I will try to mark th the google doc

Thomas Walden 2: (06:50) Ill take a look at it. sorry about the delayed return

Alice Jansen: (06:54) no worries!

Alice Jansen: (06:55) https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_document_d_1pZNZ3jze-5FEmq1dN3OSMIxaGkgR27XoJbZPa0LoLbvhE_edit-3Fts-3D59d166a7&d=DwICaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=SYGiD_gLgNBBP0bK7pMfFw3cTnhY6aj_ML7N1xecvkI&s=LGLCqTn6mdKIqfDwCDT2lcHp1gr52s8hUYOcnx1rbt8&e=

Alice Jansen: (06:55) here is the link to the gdoc

Stephanie Perrin: (06:58) volume up please?

Stephanie Perrin: (07:02) cannot hear Thomas

Jean-Baptiste Deroulez: (07:03) Thomas

Jean-Baptiste Deroulez: (07:03) can you try talking now?

Stephanie Perrin: (07:08) Silence, have I lost you guys?

Alice Jansen: (07:08) can you hear us?

Stephanie Perrin: (07:08) not at all, you disappeared while Carlton was talking

Thomas Walden 2: (07:09) I lost you, but I've reconnected

Eric Evrard: (07:09) I have audio working on both rooms

Stephanie Perrin: (07:09) got you back somehow my speakers were muted

Jean-Baptiste Deroulez: (07:11) @Thomas, new or old hand?

Stephanie Perrin: (07:11) I agree with that, it is ridiculous to keep harping on the OECD Guidelines

Stephanie Perrin: (07:12) They are still available for countries with no privacy legislation to examine, just like the US FIPS are

Jean-Baptiste Deroulez: (07:14) @Stephanie, would you like us to read that for you, or would like to voice these comments in the meeting?

Stephanie Perrin: (07:16) Which question are we talking about please

Stephanie Perrin: (07:16) I must be going deaf, I cannot hear you folks

Stephanie Perrin: (07:16) Which topic are we talking about please

Jean-Baptiste Deroulez: (07:19) @Stephanie, we are on "Assess current protocol for current purposes"

Alice Jansen: (07:21) Stephanie - is volume ok now? We have tech in the room with us

Alice Jansen: (07:22) We are on a 10-minute break and will be back at 12:22 UTC

Stephanie Perrin: (07:22) I think people are not speaking into their microphones. I can hear Alan and Volker when they speak, so it is not the overall sound.

Eric Evrard: (07:23) Stephanie, i'll go back to the room and do an audio test, please stay on the line

Alice Jansen: (07:24) Stephanie : how was the level of my voice ?

Stephanie Perrin: (07:35) not hearing anything, are we back yet?

Jean-Baptiste Deroulez: (07:38) @Stephanie, no not yet. We will start in 30 seconds.

Eric Evrard: (07:38) You heard that Stephanie ?

Stephanie Perrin: (07:39) yes, not really loud but can hear it. Better now, volume gonng up....

Eric Evrard: (07:41) I'm listening through 3 different computers and the levels are ok on my side

Stephanie Perrin: (07:56) Exactly, a legally constituted request has to be complied with

Stephanie Perrin: (07:57) In this country and in many European countries, DPAs do not need a warrant to enter premises.

Stephanie Perrin: (07:57) (just as a for instance)

Stephanie Perrin: (08:00) Data protection commissioners have indicated that they use WHOIS data to protect individuals' data

Stephanie Perrin: (08:00) Everybody starts with data in an investigation.

Stephanie Perrin: (08:01) The point I was trying to make when mentioning the warrant, is that different law enforcement agencies have different powers to get access to other, deeper records

Stephanie Perrin: (08:03) So if a registrar were suspected to be in non-compliance with data protection law in this country, the Commissioner has the authority to enter the premises and take records. Interfering with the commissioner or destroying records is a criminal offence.(at which point he/she calls the RCMP) and requests that they be charged.

Jean-Baptiste Deroulez: (08:04) Stephanie, would you like us to read that for you, or would like to voice these comments in the meeting?

Stephanie Perrin: (08:06) I don't think what I said is particulrly relevant....I just got going on a rant. Folks don't seem to understand how data protection works, and the kinds of activity they investigate.

Stephanie Perrin: (08:08) I am with Susan on that one

Stephanie Perrin: (08:08) Please read my strong support for Susan on this issue

Susan Kawaguchi: (08:12) Thank you!

Alice Jansen: (08:13) You're in the queue, Susan

Alice Jansen: (08:14) Stephanie, I mean!

Stephanie Perrin: (08:18) The question I think we might wish to evaluate is whether or not the needs are legitimate, with respect to whether or not the access to data demanded is within the power of ICANN to set policy.

Alice Jansen: (08:19) Would you like us to read on mic?

Stephanie Perrin: (08:19) yes please

Alice Jansen: (08:19) Ok - will do

Stephanie Perrin: (08:19) thanks

Stephanie Perrin: (08:25) ICANN has a responsibility to set procedures for the registrars to follow, if they are going to insist that the legitimate needs of law enforcement are met.

Alice Jansen: (08:42) Stephanie/Thomas - do you wish to give an assessment?

Alice Jansen: (08:43) we are on a 15 min break - we will be back online at 14:00 UTC.

Stephanie Perrin: (09:16) Sorry lost you for a few moments there.

Alice Jansen 2: (09:17) can you hear us now?

Stephanie Perrin: (09:18) Yes, I suddenly ran out of power...

Alice Jansen 2: (09:20) oh dear

Alice Jansen 2: (09:20) glad you're back!

Alice Jansen 2: (09:24) you've been added to the queue, Stephanie

Stephanie Perrin: (09:24) Thanks Alice!

Stephanie Perrin: (09:26) I agree with Volker, we have to do a real review but evaluate where what they reviewed/how they assessed the need

Stephanie Perrin: (09:27) met expectations of effectiveness

Alice Jansen 2: (09:33) you're in the queue :-)

Stephanie Perrin: (09:37) I certainly agree with Lisa that the RDS is doing a program review. The problem, as we have discussed over the past numerous weeks, is the redundancy. We are reviewing on a parallel track

Alice Jansen 2: (09:37) would you like us to read on mic?

Stephanie Perrin: (09:41) Yes we are

Stephanie Perrin: (09:45) Exactly, this is why there is inherently some open-enededness with this process

Stephanie Perrin: (09:46) I don't like that expression kicking the bucket.....some of us are in the Croak zone there Chris :-)

Stephanie Perrin: (09:48) Surely identifying gaps cannot be ruled out of scope??

Stephanie Perrin: (09:50) +1 Volker, we may get feedback from the community that identifies gaps

Stephanie Perrin: (09:53) This why we need the framework....

Stephanie Perrin: (09:56) Which question are we looking at?

Jean-Baptiste Deroulez: (09:57) assess compliance enforcement actions, structure and processes; Availability of transparent enforcement of contractual obligations data.

Stephanie Perrin: (09:57) thanks!

Stephanie Perrin: (10:25) Thanks, Bye!