
AUTOMATED VOICE: This meeting is now being recorded.

JONATHAN ZUCK: Folks, I'll take a quick minute to pass on some news that you may or may not have heard, but - David Vyorst, a prominent figure in Internet Governance in DC, has passed away. So, I just found out about it, like, two minutes ago, so I'm a little bit scrambled. I'm just letting people know, and I'll let people know when there's more information.

DAVID TAYLOR: That's awful. Thanks for letting us know.

JONATHAN ZUCK: Yeah. Waudu, he's mostly a DC figure - his name was David Vyorst. Anyways, not everyone probably knows him, but he was very involved in ISCO in DC, and in organising the IGF USA here in Washington as well.

Is there anybody that's on the phone that's not in the Adobe Connect? Is there anybody with an updated statement of interest? Right, great. Let's roll into the 64th Plenary of the CCT Review Team, and once recommendation nine is brought up, Waudu, why don't you do the discussion. Okay, Waudu does not have a mic ready, so why don't we skip to twelve, and see if we can come back to Waudu, Jean-Baptiste, if that's okay? And then, Dejan - do you have a microphone? Are you audible?

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.

DEJAN DJUKIC: Can you hear me?

JONATHAN ZUCK: Yes.

DEJAN DJUKIC: Okay. So, based on discussion from our last call that we had, Lauren and Drew made some improvements on recommendation twelve, so, now it's clarified that it's not related to the issues involving who is [UNKNOWN], and other edits made by Drew - it's now, it's not directly related, and there is no reference to, GDPR in a more general way that it should be aware of, new privacy regulations not strictly related to GDPR. Now it's [UNKNOWN] neutral. So, that's the changes from the previous call.

JONATHAN ZUCK: Okay, does everyone want to just take a minute to read through this? It helps if you bump up your reader to 150%, or something like that, or at least, that helped me to read it.

Any questions or clarifications that folks have? David, go ahead.

DAVID TAYLOR: Thanks. Yeah, this is obviously touching on a critical subject, and I'm just reading it through and wondering if, I'm just wondering about it. I can certainly see the good thing of saying we want to have a consistent - where's that now, I'm trying to read it - [UNKNOWN] consistent privacy

baseline across all registries, so I certainly agree with consistent, because I think that's a key. Then afterwards we say it should also consider not allowing registries to share personal data with third parties without a lawful basis, such as the consent of that person, or under circumstances defined by applicable law. I'm just looking at that and wondering whether we need to reword, or reconsider, or add anything into that. It's quite vague - what is a lawful basis? And, do we need to be saying something about how a lawful basis, law enforcement, or IP protection, or do we need to go into that, or do we want to steer away from that?

Then at the end, we've got that clarification that this doesn't relate to issues involving who is a registry directed services data, seems to be pretty hitting an involvement with who is, though, because that's really what we're talking about, so I don't know whether we can then say that. I'm just trying to get my head round it, really, so I'm just saying what my thoughts are.

DEJAN DJUKIC:

But the point of this recommendation is to avoid extreme cases, such as that we're finding in [UNKNOWN] registration policies, and then they said very clear statement that they shall write to share and to sell personal items without any consent, or any legal basis, they have a right to do anything that they want with personal data. That was the point of all this part of the report and the recommendation as well. Just to cover that unusual cases of treating personal data.

DAVID TAYLOR: Yeah, that, which is good, and maybe we should be- and that's the bad news for the personal data, which causing a lot of the issues, so I fully agree with that, and perhaps we should be calling that out specifically as bad practise. Then I'm just wondering about the other points which I've raised there on the lawful data, etc. Just need to [UNKNOWN] on that. Thanks.

JONATHAN ZUCK: David, I'll move onto Carlos, but if you have some thoughts or language that might help to clarify the intention, then I'm sure Dejan would welcome them.

Carlos, go ahead.

CARLOS GUTIERREZ: Thank you. No, it's in the same sense, I think it's better to narrow it down, and make very specific, especially now-a-days when all new streams on privacy are emerging in the European Union legal framework, so, let's try to be as specific as possible, and I guess David can do very good work there. Thank you.

JONATHAN ZUCK: Okay, thanks, folks. How should we proceed? David, do you have bandwidth to take a run at some specific textual suggestions for Dejan so he can make an update, or do you want to just..?

DAVID TAYLOR: Yeah, I have limited bandwidth. I can try and look, I mean - it's the end of the day for me now, and I'm in a meeting all day tomorrow, so, Friday I could look at this? If that works.

JONATHAN ZUCK: Yeah, okay. Sure, I mean, Dean - do these comments make sense to you? Are you able to see your way to another draft that is more specific, somehow, and to, as you commented, you know, the more drastic cases are... I confess, I don't know immediately how to phrase that in a specific way, but, I don't know if you want to give that a shot before Friday, otherwise David's available to help you a little bit on Friday.

DEJAN DJUKIC: I can make some edits before Friday, I mean, tomorrow, and then send it to David, and we can discuss via email, so.

JONATHAN ZUCK: Alright, that would be great. Okay. Thanks, David and Carlos. I guess we don't Laureen - Carlos, are you able to discuss recommendation sixteen?

CARLOS GUTIERREZ: Sure. I had two private calls with Laureen. I don't have the last version in my hand, but let's do it. I'm pretty deep into that, if [UNKNOWN] 12 inch screen, I will do it.

Sorry - I have to mute and then I can increase the size of the screen. Okay, we had a very fruitful discussion here, and basically, the only

difference to the previous one is that we defined the bullets out of the text, so it's clearer, and I think that we put a lot of time discussing the ranking, or the order of these bullets to make it very clear what we're talking about, and it goes in order from the more general, to the specific, to say the truth. And the worry starts with the link that we have discussed - that the restrictions help, or what are the cost/benefits of restrictions in the end. This is the main message that we want to convey. So, we have the feeling that restrictions have grown out of everywhere, in a very tropical fashion, and we need some order, and we need some analysis of the restrictions, and to be able to know if they help or not, we need to do these analysis very thoroughly, and that's basically it.

Then, this is text that we have passed back and forth a few times - we think it's pretty ripe. Whoever wants to comment to that, or make minor changes, are most welcome to do it, you don't have to come back - we are very happy with our work. So, I don't know if people want to go through the bullets, at least, or if you want me to read them, and that would be it. Hello?

JONATHAN ZUCK:

That's great, Carlos. Thank you. Do you folks have any questions, or comments on recommendation sixteen? Or, maybe take a couple of minutes to absorb, since there's a lot of edits to the text.

Carlos - do you have the institutional memory to discuss what appears to be an additional of 'annually' to the data collection? Because I think I'm inclined to agree with Jordyn, that feels like a lot. Do you what the rationale was when that got added?

CARLO GUTIERREZ: To tell you the truth, no. I think the idea was more whenever the this type of surveys are done, and the moment is this information gets collected regularly that it is published. It was not meant in terms of analysis or [UNKNOWN], it was just regularly.

DAVID TAYLOR: I guess we have a couple of options. We could make it say 'periodically', as Jordyn suggests, or be more specific about the notion of explaining opportunities in which we're talking to users to ask questions about this, or set a minimum time period, something like that, I don't know. What do folks think? Is it that straight forwards? Because there are probably a lot of user surveys that are being recommended, and so this is just something in included in one, essentially.

CARLOS GUTIERREZ: My feeling, if you'll allow me, Jonathan - this is Carlos...

JONATHAN ZUCK: Yeah. Carlos, do you see Jordyn's text in the comments, because that's kind-of what I'm saying.

CARLOS GUTIERREZ: I have to reduce my screen, because I- [INTERRUPTED]

JONATHAN ZUCK: Oh, sure, - take a quick look at the text that Jordyn just wrote. That was kind-of what I was getting at.

CARLOS GUTIERREZ: Exactly. That's what I wanted to say. I can read it now - thank you very much, Jordyn. I think it should be on the general index and data collection periodicity that we're looking forward. We don't want to impose anything here, other than what has been discussed in all these other data related exercises, which I think you follow very well, Jonathan, if I'm right. So, it should be included into the regular data collection, and reporting, let's say. If somebody wants to express it that way, it would be fine.

JONATHAN ZUCK: Okay. Do you hold the pen on this, or does Laureen currently?

CARLOS GUTIERREZ: The last version is purely Laureen. We had two phone calls, but I'm not an English speaker, so, in the end, the last version that you are seeing comes from Laureen's computer.

JONATHAN ZUCK: Thanks, Carlos. Jean-Baptiste, can you capture Jordyn's language there, and let's make sure that we get it to Laureen? Thank you. Any other questions or comments on this recommendation? Okay. I think Waudo has- [INTERRUPTED] Oh, go ahead.

WAUDO SIGANGA: Okay, sorry, Jonathan - I just wanted to understand the last exercise that you were doing, where Jordyn has come up with some additional text there. I would change the wording in the first line of that recommendation, or..?

JONATHAN SUCK: Yeah, that's right. That's exactly right.

WAUDO SIGANGA: [OVERLAP] has been done.

JONATHAN ZUCK: Instead of saying 'collect data annually', which was somewhat frequent and arbitrary, I think the intention was to make sure that whenever we're asking internet users questions that we include, you know, in regular surveys, we should include these questions as well, rather than saying there's a dedicated annual data collection on this specific topic.

WAUDO SIGANGA: Okay, okay, I understood. It's just a continual exercise, not necessarily an annual survey. Continual exercise.

JONATHAN ZUCK: That's exactly right. In other words, we're already recommending that we stay in touch with end-users that might be potential registrants, and

so we're just adding these questions and any surveys to get out into the field. Okay.

Alright, and Waudo - that was a good microphone test, so why don't we jump back to recommendation nine?

WAUDO SIGANGA: [UNKNOWN] nine?

JONATHAN ZUCK: Yeah, recommendation number nine.

WAUDO SIGANGA: John-Baptiste, can we have it on the screen? Okay. I've actually put it slightly different from the way the others have been put, because it's just a clean version, so, I'll just explain the changes I've made. Basically, we removed a sentence that was talking about the expenses of doing surveys, or this particular survey - I think Laureen requested that we could leave that out. The recommendation is consistent without other recommendations, so, I removed it just where you've seen there, it was just somewhere it is in red there, so this is a clean version. That's basically the only major change that's been done to this recommendation, or the explanation of the recommendation.

Hello, Jonathan? Hello?

JONATHAN ZUCK: Yes, I hear you - I just have my microphone on mute, so you can talk without random sounds.

WAUDO SIGANGA: Okay, okay.

JONATHAN ZUCK: Okay, thanks, Waudo. Everyone take a second to look at this - Waudo, I assume that that's an old hand? Seeing as you're now the primary speaker. Is there anybody that has a question or comments on recommendation [OVERLAP]. Take a minute to read through it, and raise your hand. This looks pretty good to me, does anybody else have any issues with it? Karen, do you want to speak up?

KAREN LENTZ: Sure, Jonathan. I was just going to note that the sentence that says 'aligning the survey with the requirements of the gTLD Marketplace' - I think that's meaning to refer to the Marketplace Health Index. That was it.

WAUDO SIGANGA: Oh, yes, yes. Yes, I'll do that. I'll add that.

JONATHAN ZUCK: That's right.

WAUDO SIGANGA: gTLD Health Marketplace - okay, I'll add that later.

JONATHAN ZUCK: Thanks, Waudo. Okay. So, we can jump down to recommendation 47, or I can also, before you go, can you- Oh, do I have scrolling? Looks like I do. One of the discussions on the last call was about the... Oh. Yes, one of the discussions last time was about the definition of 'the Global South', so we've made a change to say that 'it includes but is not limited to Africa, Latin American, the Caribbean, and the developing Asia/Pacific, including the Middle East'. Is everyone happy with that definition, since one was requested from us?

CARLOS GUTIERREZ: I just have a question.

JONATHAN ZUCK: Alright, go for it.

CARLOS GUTIERREZ: I mean, if you say it includes but is not limited, focusing on that in terms [UNKNOWN] limited, the message I get is very of the world where what the GAC tends to call 'under-served areas'. I mean, any particular are of the world, any particular group of people in the world that have limited access, or limited opportunities - I don't want to include it, I just want to make sure that's what you mean.

JONATHAN ZUCK: It is.

CARLOS GUTIERREZ: Because, [UNKNOWN] geographical - somebody could take a joke at that. If you take that out then you're left with the US, and Europe, and what's the meaning of this, so, I don't know if you can put [UNKNOWN] global so that it includes any area that is not well served. That makes sense, that is not limited to Africa, Latin America, the Caribbean, and the developing Asia/Pacific, including the Middle East. I don't know, maybe you can find a twist that nobody makes a joke out of that. Thank you, Jonathan. But otherwise I think it's fine - I could live with that, I just can imagine some people making jokes.

JONATHAN ZUCK: Right, right. I think it's- I'm sure we have plenty of jokes in our future. I think it's one of those things that's best left amorously defined, even though we were asked to define it, but, so that's why we added that language. I think those who work on these types of issues understand that and our intentions there. I'm inclined to leave it alone, rather than keep fussing with it, but I appreciate your comment, Carlos, and I think you're right that we can anticipate a joke, but, you know. That's part of ICANN life.

Okay. Waudu, go ahead?

WAUDO SIGANGA: Well, I'm still querying this thing, included explicitly 'Middle East' in the end there. In the normal regional classification of ICANN, where does

the Middle East fall? I would expect it falls in Asia, Asia/Pacific, and parts of Africa. Is that correct?

JONATHAN ZUCK: I don't know. I literally stole this from a Wikipedia definition of the Global South, initially, that David had found, so, that was the rationale we had to including it, and.

WAUDO SIGANGA: Yeah, what I'm trying to say is that the Middle East is already included in Africa and Asia/Pacific, and that works consistently with the way that ICANN treats regions. So, I'm not sure why we take it out and explicitly mention it here - the Middle East. Is it not included in Africa and Asia/Pacific?

JONATHAN ZUCK: Waudo, I understand your point, and you made it last week, and like I said, it was included explicitly in a definition that I found online, and I don't know what the rationale was, but- [INTERRUPTED]

WAUDO SIGANGA: Okay. We can leave it at that. I just wanted to point it out - maybe it will clash with the way that ICANN classifies regions, but we can leave it like that. It doesn't cause much harm. Thank you.

JONATHAN ZUCK:

Okay. I'm happy to do it either way, frankly, myself. I don't feel strongly about it myself, it just looked like something somebody had thought about, so I just modified it slightly and included it. I'll wait for Karen...

Okay, and other questions or comments about this? It seems like most people are okay with it. Even the people who aren't okay with it seem like they're mostly okay with it. [LAUGHTER]

Alright. I'm going to scroll down here to 47 - So, we don't have Megan on the call, unfortunately, but she did provide some comments on mine. But, the conversation last week actually had to do with GAC and Valideus comments, and the degree to which, and the level to which, we incorporate them into our recommendations.

So, there were some principles that rose to the surface at the time that might be worth mentioning without getting too specific, because we actually believe that the details should be left to the Subsequent Procedures Working Group. So, most of the updates to these things are basically in the details. What I've written here is 'while the details should be left to the Subsequent Procedures Working Group, CCT believe that there should be a mechanism to specifically allow objections by individual members of the GAC, and a means to challenge assertions of the fact by GAC by members. Finally, some sort of appeals mechanism is imperative'. That's my understanding of what came out of our discussion last week, but I open that up for further conversation.

Anybody have any thoughts on that? There's a fairly detailed - for those that missed the conversation last week - there was fairly details, specific comments on GAC advice from Valideus, and we believe they're

probably making the same points in the Subsequent Procedures Group, and so, I think all we're really doing is adding emphasis to a discussion that's already taking place. Is everybody okay with this? I see no hands or indications of typing, so I'm going to move on.

Community applications - it turns out there wasn't any- the comments were cut-and-pasted, and there wasn't anything that was particularly specific to this - other than some cut-and-pasted things about cost/benefit, which I guess we're going to try to do a global pass on at some point, as our last run at this once we've fully consolidated the recommendations. We're going to give them back to staff to help us with thoughts, so that we can make that designation about each one. Again, that's emphasis on something that's already happening, as well.

Same thing with [UNKNOWN] - when I went back and read the comments on Valideus, they were actually, mostly a replication of what we have in our bullet-points here. Post dispute resolutions panel, you know, trying to have the same entity review of the same types of disputes - those were the comments that were in the Valideus comments, and so I think they're captured in our recommendation, and it doesn't justify a change to the text, except that we'll probably, in the details, again, suggest that the details should be left for the Subsequent Procedures Working Group.

Then recommendation 50 was the review of dispute resolutions, prior to the next CCT review, which I think might just be something that we missed in our discussion, our face-to-face discussion, in Abu Dhabi, because I think we were trying very hard to eliminate studies, and it was aimed at the Subsequent Procedures Working Group, but their work

might actually be done by the time frame that we had added, so. I think that recommendation 50 is redundant, and we might want to just drop it. I welcome feedback on that as well, but it falls in the category of doing a study without knowing what we're going to do with it, or who's going to do what with it, so. Alright. Carlos, go ahead, please.

CARLOS GUTIERREZ:

Yes, Jonathan. I think that there is enough on-going work, though slowly, on dispute resolution which I can hardly understand, probably the lawyers understand better, but, there is a whole process on-going with the new mechanism, and the old mechanism, and so on, so. In any case, I would tend to say yes if somebody has doubts, we can make a consultation with the working groups, or the PDPs in the gNSO council, because I don't follow this particularly, and everybody else is right now in a parallel call - Susan Paine and others, and Heather Forrest who do this work, and Phil Corwin, they are just in the other screen that I am looking at - but I'm happy to write a short sentence internally, for us, as the review team, on why it would make sense to eliminate it, because there is, you know, work being done in that area. Thank you.

JONATHAN ZUCK:

Thank, Carlos, and I think we're on the same page. This was actually your recommendation, Waudo, in the face-to-face in Abu Dhabi that we did go through and look through these recommendations for studies and eliminate them, and we did do a pretty thorough job, and I think we just missed this one, frankly, so. I don't think we were adding any value with this recommendation over what they're doing - even if what they're

doing isn't enough, it's not as though we've provided enough detail to improve it, so I think we should just become a part of that process, rather than making such generic recommendations.

David, go ahead, please.

DAVID TAYLOR:

Thanks, Jonathan. Thanks, Carlos. No, I agree - I think it's just adding work and it's probably needless with what's going on. The only query I just had was - are we still recommending the discussion we had last week on the appeals process, to review or consider the appeals? That was one of the early recommendations - I haven't got them all in front of me, I'm afraid, I froze on my Adobe for a while, so I'm not sure where we are on that, but is that still- [INTERRUPTED]

JONATHAN ZUCK:

Yeah, alright, David. What I did is add it to the details section up above here, in 47, but I guess we talked about having it generally too, and not just related to [UNKNOWN] acceptance of GAC advice. So, we wanted to make a recommendation generally about an appeals process. We mention it in a couple of different places. I believe that's also something that's pretty heavily discussed, but if we want to add our [UNKNOWN] on that notion, it might be worth doing.

[OVERLAP]

DAVID TAYLOR: Yeah, I can see it on 49. I'm back, I'm no longer frozen, so, you've got it there- [INTERRUPTED]

JONATHAN ZUCK: Yeah, exactly, I've got it there in 49, and I've also got it here under the GAC section as well.

DAVID TAYLOR: Yeah, okay, that's good. I think as long as we've got that in, I think that's the key thing. It might stop people using the various other mechanisms, which, they shouldn't, which I think is important - you're not necessarily wanting to do the reviews, filing those various complaints and going on to independent review, etc., and if there was an appeal mechanism in place, it would save a lot of time and effort and cost, I think.

JONATHAN ZUCK: Alright. Okay, other questions or comments? I think we're dropping number 50, Jean-Baptiste, and these others are just updates to the details, so those recommendations stand as previously submitted.

Okay, any other business, questions, comments that need to be raised? Jean-Baptiste, do you have other business?

JEAN-BAPTISTE DEROULEZ: Hi, Jonathan. No, on my side, all the business is resolved, and on our side we are trying to set up a webinar to socialise your new sections and

draft recommendations with the community, so. I'll continue working on that.

JONATHAN ZUCK: Okay, thanks. Anyone else have anything? David, I'm assuming that's an old hand that didn't come down. I want credit for being right on top of your hand raising this call, David. I think it's my best call yet.

WAUDO SIGANGA: [UNKNOWN]

JONATHAN ZUCK: [LAUGHTER] Exactly. Contact me through private message or email if you want the memorial details on David Vyorst. Thanks everyone, thanks for the call.

DAVID TAYLOR: Thanks, Jonathan.

KAREN LENTZ: Thank you.

[END OF TRANSCRIPTION]