

Notes CEO-ccNSO leadership Call

1 May 2018, 21.15-22.00 UTC

Attendees

- Goran Marby (ICANN CEO & President)
- Katrina Sataki (Chair ccNSO, .lv)
- Debbie Monahan (Vice-Chair ccNSO. nz)
- Byron Holland (Vice-Chair ccNSO, .ca)

Topics

ICANN CEO

- Defer ATRT 3 to FY 2020 and look at the cadence of reviews
- Budget planning
- Cooperation about GDPR

No specific topics ccNSO leadership

Deferral ATRT 3 to FY 2020 .

ICANN Org expects to put out an issue paper about cadence of the reviews.

In paper proposal to defer ATRT 3 to FY 2020 and take temperature. Goal is to manage reviews better. If cadence of the reviews is to be changed, requires Bylaws change.

Rethink some of the results of the transition discussion.

ccNSO leadership sympathetic to approach. One of the issues they identify is the cadence of subsequent reviews: new one has to start five year after start previous review.

It puts unnecessary pressure on timeline and implementation. Better to do five year after completion of review.

Suggestion to look into CSC related reviews. From a CSC, perspective multiple concurrent reviews of CSC (CSC Charter review, CSC Effectiveness review and IANA Function Review)

Would be nice to do something else.

Budget planning

Budget cycle for 12 months takes 15 months. Not very logical. Move towards a two (2) years' budget cycle. How to align IANA budget with rest of the budget.

FY 2019 Budget Challenges: we are doing what community wants 85% are fixed costs (for example reviews, meetings).

ccNSO invited for Strategic Trend outlook session in Panama. Session already scheduled, in principle members ccNSO Strategic Operating Planning Committee, which is tasked to provide feed-back and input ICANN Planning processes.

At their upcoming workshop ICANN Board to discuss next generation ICANN strategy planning. They are now talking about Strategic trends, resulting from previous Trend Outlook sessions

Cooperation GDPR

ICANN late in taking into account impact of GDPR. Further, as institution it needs to understand what is e-privacy legislation around the world. To use Europe as example GDPR is first of a set of legislative initiatives. GDPR is about storing data. e-privacy is about using data. e-evidence proposal: police forces across borders access to data sources. DNS is included. In addition:

- NSF directive (critical infrastructure directive)
- EU security directive WHOIS system

CEO ICANN invites ccTLD community to engage in a dialogue to discuss matters of mutual interest in these areas. To explain need for dialogue:

The Article 29 WG paper may impact ccTLD WHOIS. A DPA from one country can not make decision by itself anymore. With the GDPR becoming effective the DPA need to treat us all the same. ICANN and cc's are going to be challenged.

Question: "Engage" what is meant by this? Expectation is that after 25 May, when GDPRP becomes effective, there will be a mess. The ideas are harmonized, but effectively it will not happen. It might well take two year, because of different interpretation.

Response: Specifically article 29 issued guideline on WHOIS.

If cc has WHOIS, this guideline could imply that depending on what is happening in other country, could directly impact ccTLD in another country. There are sleeping cases. Anything that will happen, will happen on EU level. We are all part of DNS, we will be seen as one and hence need to unify. We have a joined issue/opportunity. Communication is important.

Further in communicating with DPA's, they ask questions about ccTLDs. Another example, Finland and Denmark by law open system. In addition there a lot of misconceptions, for example around consent. Consent needs to be specific.

More frequent conversation about GDPR and other legislative initiatives. Share information and understand impact. Would be beneficial to all parties involved.

EU ccTLDs come together at CENTR meetings. Legal regulatory WG. GDPR high on their agenda for last two years. CENTR community will welcome and share approach. Those meetings show approach is different. In consultation with DPA. Some will not change. There are no local laws.

Some ccTLDs are less affected and Interested observer. Different discussions. ccNSO creature of ICANN topic of GDPR not directly relevant to it. CENTR probably first group to engage. CENTR most informed views and most interest in legislative and regulatory topics.

If goal how to partner, needs to be of mutual interest. To create a mutual interest. Ask certain question, could have impact on ccTLD and want to avoid issues for ccTLD, to find partnership.

ICANN Org wants to find a way with ccNSO, ICANN Org and ccTLDs are both affected.

Response: partnership is about timing in the intersection of interests. The timing in ccNSO is not ripe. Some argue GDPR or any other specific legislative initiative, as it not their problem. Will take seasoning before it is every body's issue.

Suggestion is to have a look at the blog post on legislative initiatives. Also include those outside Europe (<https://www.icann.org/news/blog/improving-our-planning-and-preparation> and related initial report: <https://www.icann.org/en/system/files/files/legislative-regulatory-fy18-23apr18-en.pdf>)

ICANN missed GDPR when it happened. Many countries implement look-a like. Awareness problem. GDPR affects everybody and current state of play in every region, happening in every region coming fast.

Note: Issue is going on for many years. NZ is theoretically equivalent to GDPR. Why should be on par? Some things like E-Privacy typical European. Trade agreements Quid pro quo.