

## Summary Notes on the CEO-ccNSO Leadership Meeting - 23 August 2018

### Details

Thursday, 23 August 2018 from 15:45 to 16:30 UTC

### Attendees

#### ICANN CEO and President

#### ccNSO Leadership on the Call (expected)

- Katrina Sasaki
- Byron Holland
- Debbie Monahan

#### ICANN Org Staff

- David Olive Senior Vice-President Policy Support
- Bart Boswinkel, Vice -President Policy Support – ccNSO relations

**Action item:** David, Bart set-up informal meeting. Attendees: ICANN CEO and designated ICANN staff, and ccNSO leadership and some (lawyers from) ccTLD managers from EU region.

Goal: understand if and how ICANN and ccTLDs in European region to cooperate and learn from each other on dealing with impact GDPR.

Introduction Goran: Not many points to discuss

#### **Specific questions:**

Goran questions about ccSNO decision not to participate in expedited PDP. EU ccTLDs will be directly affected by ICANN questions and work on WHOIS and GDPR. Should be of interest to ccTLDs in EU. Most have ended up with same kind of temporary specification as ICANN. Access forms differ: could be good to share experience and considerations of choices made. Goran warns that a single DPA cannot make a decisions on WHOIS anymore. All decision are applicable through the EU and hence decisions of all DPA's have impact. Only way to circumvent impact GDPR is through legislation

ICANN interested in working with ccTLDs. The ccTLDs are invited to participate and bring experience to the table.

Katrina: The way GDPR is implemented by ccTLDs in EU differs.

Small fraction ccNSO membership affected by GDPR. Struggle with DPA: trying to ask for guidance/ delay in enforcing. Temp Spec is implementation, because no delay.

Goran: Maybe misunderstanding. Advises to check letters with DPAs.

After some discussion agreed to reach out to some lawyers from ccTLD in EU region, with experience in implementing GDPR for their registry. Consultation group/ sit down in Barcelona

Next level DPA: no provision for unified solution. No legal guidance: If legal advice what is legitimate interest. Leverage ccTLDs in EU is limited. Difference in how ccTLDs view legal responsibility. Data controller, some co-controller. Different interpretation. What matters, is what you are according to GDPR.

Byron: CIRA specific requirement: nexus requirement, under GDPR exemption. However also provides other services: Any cast services and back-end. They may be under EU services

Goran:

Additional related issues:

- In IANA function, IETF /ISOC is co-data controller. PTI/ICANN needs to go through databases if they are impacted by GDPR.
- No definition of legitimate interest: DPA will assist in defining legitimate interest.
- Currently the EU commission is looking into legislative solution ( like Denmark).
- ICANN interested in ccTLD participation

Re-iterate proposal to meet in Barcelona: Informal meeting

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Goal: understand if and how ICANN and ccTLDs from European region to cooperate and learn from each other on dealing with impact GDPR.

Goran: Draw attention to list of legislative proposals ICANN Org has compiled: California, Turkey, Brazil. As Internet drives societal change, there will be legislative proposals. Trend, to monitor and utilize ISOC ECO system to influence. Further, small commercial: complaint office. Do complaints, structural complaints, need to be addressed.

Byron: Concern potential overlapping reviews CSC Effectiveness/ IFR  
Same pool, more efficient way of dealing with it.

Goran: Out of Panama.

Delaying some of the current reviews. Paper on how should go about to be published next week. The current scheme waste of money and resources. Needs to be addressed.

AOB

Goran: contract extended, another 3.5 years. Next Strategic Plan

Congratulations, sends a good signal. Predecessors stayed on for a short time.