

Adobe Connect Chat Transcript
RDS-WHOIS2 Plenary #40 – 27 August 2018

Brenda Brewer: (8/27/2018 09:25) Good day all! Welcome to RDS-WHOIS2 Plenary #40 on 27 August 2018 @ 15:00 UTC.

Brenda Brewer: (09:25) Please note this meeting will be recorded. When not speaking, kindly mute your phones by pressing *6. Press *6 to unmute. Thank you.

Belyavskiy Dmitry: (09:52) Hello everybody,

Brenda Brewer: (09:52) Hello Dmitry!

Belyavskiy Dmitry: (09:52) Hello Brenda,

Belyavskiy Dmitry: (09:52) Unfortunately I'm in listen-only mode today :(

Chris Disspain: (10:00) I am currently in listen only mode

Chris Disspain: (10:03) and now i am phone connected

Erika Mann: (10:03) Hi everyone. Alan, I forgot my phone in the office. Will therefore only be able to listen and to type comments in the chat room.

Carlton Samuels: (10:05) Howdy all. Is it just me or audio off?

Brenda Brewer: (10:06) The sound is on, the microphones are off

Brenda Brewer: (10:06) Can you hear, Carlton?

Jean-Baptiste Deroulez: (10:07) We are now looking at edits submitted to Executive Summary p5.

Brenda Brewer: (10:08) Cathrin has joined by audio only.

Stephanie Perrin: (10:09) I will point you to the reference.

Erika Mann: (10:09) Registration Data (Access)

Erika Mann: (10:09) Alan - are you speaking?

Jean-Baptiste Deroulez: (10:10) @Erika yes Alan is speaking

Lisa Phifer: (10:10) As noted in the report glossary, The terms RDDS (Registration Data Directory Service) and RDS (Registration Directory Service) are often used interchangeably. See definition for RDDS.

Erika Mann: (10:10) @Jean-Baptiste - I hear him and the discussion again. Thank you.

Jean-Baptiste Deroulez: (10:11) good. thanks for confirming.

Lisa Phifer: (10:11) I have not see REGISTRANT data services.

Stephanie Perrin: (10:13) well if you have not seen it Lisa, That makes me worried! :-D

Stephanie Perrin: (10:13) I am sure I have seen it, will check my notes

Stephanie Perrin: (10:14) How many people are we missing?

Stephanie Perrin: (10:14) looks like nobody

Stephanie Perrin: (10:16) I dont see any hope we can get this all done in one call today.

Stephanie Perrin: (10:16) just saying'

Jean-Baptiste Deroulez: (10:16) p17

Erika Mann: (10:17) Fine with me too

Erika Mann: (10:19) Can't hear a thing

Jean-Baptiste Deroulez: (10:19) We are now looking at submitted input on WHOIS1 Rec #1:
Strategic Priority (p17-29)

Belyavskiy Dmitry: (10:19) Don't hear anything :(

Jean-Baptiste Deroulez: (10:20) @Erika, you are connecting via your computer/AC only?
might be your internet connection.

Erika Mann: (10:20) @Brenda - back now. I can hear again. Not sure what the problem is.

Erika Mann: (10:21) @Jean-Baptiste. Yes, might be.

Erika Mann: (10:22) Which page are we?

Lili SUN: (10:22) Page 22

Erika Mann: (10:23) Got it! Thanks!

Jean-Baptiste Deroulez: (10:23) We are now on page 26.

Erika Mann: (10:23) Got it Jean-Baptiste!

Stephanie Perrin: (10:24) I would describe it as a necessary first step

Jean-Baptiste Deroulez: (10:24) We are now looking at the first recommendation on p27

Carlton Samuels: (10:25) The Global Meeting number is unfriendly to me! Even when I spend
my own money to make the toll call to the US. Pain in the butt!!

Jean-Baptiste Deroulez: (10:25) @Alan, would it be possible to speak a little bit louder? You
sound far from our microphone

Jean-Baptiste Deroulez: (10:25) *your

Erika Mann: (10:26) ... as long as Alan is not fainting ...

Jean-Baptiste Deroulez: (10:26) comment from Stephanie on screen: Doubtless I brought this
up before and was rejected....but here is a hint for the CEO and Board: when the data protection

authorities, particularly the Chair of the Article 29 Working party, and the European Data Protection Supervisor write to you repeatedly telling you you are breaking the law, pay attention. Reply. NCSG held a workshop on data protection with participation from the DPAs in June 2014 in London, same time as I dissented from the EWG report.

Carlton Samuels: (10:29) I'm now on! Thank you Brenda,

Lisa Phifer: (10:31) Proposed text to be added to Findings: ICANN did not take any action to address...

Volker Greimann: (10:31) " especially as regards to addressing impacts of data protection laws in a forward-looking manner"

Volker Greimann: (10:32) happy with that suggestions

Jean-Baptiste Deroulez: (10:34) comment from Stephanie on priority: The previous recommendation is a higher priority, but as it serves to create overall accountability and transparency of the Board's activities in a key field, it is nonetheless of strategic importance.

Jean-Baptiste Deroulez: (10:35) We are on page 29: Rec. 1.3

Lisa Phifer: (10:35) Can the RT agree to "medium"

Erika Mann: (10:36) Yes

Carlton Samuels: (10:37) Yes to medium

Carlton Samuels: (10:40) Acceptable

Jean-Baptiste Deroulez: (10:40) comment from stephanie on p34: I object to this section. Firstly, it is very unclear. What does "insofar as the EWG's final report recommendations are actioned..." mean? The report never achieved consensus. What is green field RDS policy making? When did the team decide that had the plan seen execution to the end, the single policy would have emerged? I doubt it, given all the other bifurcated policies being implemented on separate time frames. Further, "the Expedited PDP that conforms to by-law and raised to anchor that specification as consensus policy will suffice and produce the single RDS (WHOIS) policy as anticipated." is factually inaccurate, this is not what the EPDP is doing. This section needs a rewrite.

Lisa Phifer: (10:43) Note the paragraph refers to the question addressed by the review team, with the finding that follows. Possibly what is requested here is an addition to the finding?

Jean-Baptiste Deroulez: (10:47) SP16: The temp spec may be affirmed, it may be changed, or it may be thrown out, Whereupon we will have nothing. I find this assumption to be in denial of the facts. Object strongly.

Erika Mann: (10:48) I would drop it as well

Erika Mann: (10:48) Not totally correct. The EPDP is only a must for European personal data

Erika Mann: (10:49) Stephanie it doesn't work with Google Chrome

Jean-Baptiste Deroulez: (10:50) SP17: The EWG report was accepted by the Board. I have no idea what the official status of my dissent was, it was described by staff and the contractor who managed the EWG as a “blog” for some time. However, referring to it as “adopted” seems to imply it now has some kind of policy status, which it does not. Valuable research, but that is where it ends.

Volker Greimann: (10:51) Erika, also not totally correct ;-) It is also for worldwide data processed by European processors

Erika Mann: (10:52) Similar to what I said Volker.

Erika Mann: (10:54) Volker - actually I believe European processors could, and often must if they operate on a global scale - in principle - differentiate between European and third party personal data. Pretty sure SWIFT must do this (as an example).

Volker Greimann: (10:55) GDPR forces us to treat all data equally. GDPR applies to all data we process as European processors.

Volker Greimann: (10:55) personal data, of course

Jean-Baptiste Deroulez: (10:57) We are now on rec. 36 (rec #3)

Carlton Samuels: (10:57) I'm trying to say SOMETHING!!!

Jean-Baptiste Deroulez: (10:57) reviewing comment SP19 from Stephanie: I realize we say this for every section, but are we dead certain that every member reviewed every document? if not, lets delete the word ALL....

Jean-Baptiste Deroulez: (10:58) *p36

Lisa Phifer: (10:58) The board adopted the motion but accepted the report

Erika Mann: (10:59) Not sure if that is fully correct Volker but I would have to read the text again. If a European operator is managing personal data from China, then the operator will have to respond to European but to Chinese law as well ... depending on the specific accase /feature of

personal data. In the financial service environment - for example - the treatment of personal data must follow different laws - including international ones. But, I agree, it's a tricky area.

Lisa Phifer: (10:59) "Resolved (2015.04.26.10), the Board reaffirms its request for a Board-initiated GNSO policy development process to define the purpose of collecting, maintaining and providing access to gTLD registration data, and consider safeguards for protecting data, using the recommendations in the Final Report [PDF, 5.12 MB] as an input to, and, if appropriate, as the foundation for a new gTLD policy; Resolved (2015.04.26.11), the Board directs that a new Preliminary Issue Report that follows this framework [PDF, 612 KB] be prepared and delivered to the GNSO"

Jean-Baptiste Deroulez: (11:00) We are now reviewing comment SP20 on p38.

Jean-Baptiste Deroulez: (11:02) We are now reviewing R3.1 on p38,39

Carlton Samuels: (11:03) Audio dropped suddenly!

Carlton Samuels: (11:03) I'm deaf now. Totally.

Carlton Samuels: (11:03) Still connected to the bridge however

Volker Greimann: (11:04) none

Lisa Phifer: (11:05) The first sentence should end "gTLD domains. The content should be revised..."

Carlton Samuels: (11:05) Audio is back!!

Erika Mann: (11:06) None

Carlton Samuels: (11:07) I don't think you should change it. The documentation should read as a policy development narrative

Jean-Baptiste Deroulez: (11:09) Comment SP22/ Given the length of time that the NCSG and the DPAS have been talking about the impact of data protection law, I find this repetition of the need for outreach because ICANN was unaware of GDPR a wee bit eye-rolling.

Lisa Phifer: (11:10) This need was further supported by parts of the ICANN community

Lisa Phifer: (11:11) Above text to be inserted in Rationale for 3.2

Jean-Baptiste Deroulez: (11:15) We are now discussing rec. #4 Compliance, and comment SP24; Should we not determine whether or not a new policy/PDP is required, rather than just say maybe it might? on rec 4.1

Lisa Phifer: (11:15) Insert "contract negotiation or" after "in which case" in Feasibility

Jean-Baptiste Deroulez: (11:16) suggested priority is high

Jean-Baptiste Deroulez: (11:16) for r4.1

Carlton Samuels: (11:16) None

Jean-Baptiste Deroulez: (11:17) We are now discussing rec. 4.2 on p 46, and comment SP25 (We should do a document check to ensure that when we use the acronym I a way where we know it will be read as ArrDeeEss, the letters, the “a” becomes an “an”) on recommendation rationale

Volker Greimann: (11:17) Arrr!

Carlton Samuels: (11:17) None

Jean-Baptiste Deroulez: (11:19) We are now reviewing rec 5-9, p47-62.

Jean-Baptiste Deroulez: (11:19) no comments other than on rec.5.1 on page 60

Erika Mann: (11:20) No objection

Lili SUN 2: (11:21) Agree

Carlton Samuels: (11:21) Keep TBD

Jean-Baptiste Deroulez: (11:22) We are now on section 3.7 WHOIS1 Rec #10, starting on page 62.

Lisa Phifer: (11:25) By 31 December 2019

Lisa Phifer: (11:26) Delete - implementation timeframes notwithstanding -

Carlton Samuels: (11:26) None

Carlton Samuels: (11:27) Low because outcomes by GDPR could make it moot

Jean-Baptiste Deroulez: (11:29) we are now on Rec.11 Common Interface, p69-73, and looking at rec. R11.1 (p72)

Jean-Baptiste Deroulez: (11:31) we are now on rec11.2 p73-74

Carlton Samuels: (11:31) Yes, results is what we're after, never mind the process

Belyavskiy Dmitry: (11:32) I think everything is OK with it

Jean-Baptiste Deroulez: (11:33) We are now on p80, reviewing R12.1

Belyavskiy Dmitry: (11:33) I agree with low priority

Carlton Samuels: (11:34) As priority it is low given the timelie

Jean-Baptiste Deroulez: (11:35) We are now on section WHOIS1 Rec. #15-16: Plan & Annual Reports, p84

Jean-Baptiste Deroulez: (11:36) We are now reviewing Anything New (p85-88)

Jean-Baptiste Deroulez: (11:38) We are now reviewing recommendations LE.1 and LE.2 on p102.

Lisa Phifer: (11:39) "regular data gathering through surveys and studies IS"

Carlton Samuels: (11:39) I think LE 2 is about sharing the results of studies. I feel as the ODI progress this would be the default position!!

Volker Greimann: (11:40) I think it is worse now

Volker Greimann: (11:43) I like Stephanies suggestion with regard to some form of empowerment

Lisa Phifer: (11:46) Add "on a regular basis" to the end of LE.2

Carlton Samuels: (11:46) Good enough!

Jean-Baptiste Deroulez: (11:49) We are now reviewing recommendations of subgroup 5 on Safeguarding Registrant Data

Jean-Baptiste Deroulez: (11:49) p114

Carlton Samuels: (11:50) None

Jean-Baptiste Deroulez: (11:51) We are now on reviewing Subgroup 6: ICANN Contractual Compliance and are now on recommendation CM.1 on p124

Carlton Samuels: (11:53) None!

Carlton Samuels: (11:57) Leave as is

Jean-Baptiste Deroulez: (11:58) we are now on p126, recommendation CM.3

Carlton Samuels: (11:59) I would agree is Low

Jean-Baptiste Deroulez: (12:00) we are now on p127; rec.CM.4

Lili SUN 2: (12:00) no

Carlton Samuels: (12:01) No objection to set at Low. And, yes, to addition to footnote.

Lisa Phifer: (12:01) Alan: Do we want to consider a footnote saying we are considering expanding the Rec to include a Rec that CC consider different, more efficient methodology in analyzing bulk data submissions where such data identifies patterns of problems.

Carlton Samuels: (12:01) We have a loooooong discussion about a similar situation in the CCT RT

Lisa Phifer: (12:04) Note that we are over call time and still have recommendations to adopt

Lisa Phifer: (12:05) Briefly please Carlton?

Lisa Phifer: (12:06) Alan: Do we want to consider a footnote saying we are considering expanding the Rec to include a Rec that CC consider different, more efficient methodology in analyzing bulk data submissions where such data identifies patterns of problems.

Lisa Phifer: (12:06) CC = ICANN Contractual Compliance

Carlton Samuels: (12:06) @Lisa: Your wording would work for me, yes.

Carlton Samuels: (12:08) None! And High

Jean-Baptiste Deroulez: (12:09) We are now reviewing ICANN Bylaws section, starting on p129

Volker Greimann: (12:09) i am happy with this

Carlton Samuels: (12:10) Good to go!

Carlton Samuels: (12:10) Medium is good on consideration

Volker Greimann: (12:10) Medium is good

Erika Mann: (12:10) Medium

Erika Mann: (12:13) URGENT

Erika Mann: (12:13) REPORT URGENT

Carlton Samuels: (12:13) Good enough

Lili SUN 2: (12:16) unless we receive some substantial objections/comments

Susan Kawaguchi: (12:16) Next Monday is a holiday in the US and I won't be available

Lisa Phifer: (12:16) Please note that the report is now adopted; substantive changes on the draft would be exceptional at this point

Susan Kawaguchi: (12:16) I can meet on Tuesday

Susan Kawaguchi: (12:19) Thanks All

Carlton Samuels: (12:19) Thank you all

Lisa Phifer: (12:19) Goodbye all

Belyavskiy Dmitry: (12:19) Thanks all!

Lili SUN 2: (12:19) thank you all