
YESIM NAZLAR:

Let's start the recording. Good morning, good afternoon, and good evening to everyone. Welcome to the At-Large Consolidated Policy Working Group (CPWG) call taking place on Wednesday 5th of September 2018 at 13:00 UTC.

On the call today, we have Olivier Crepin-LeBlond, Jonathan Zuck, Holly Raiche, Tijani Ben Jemaa, Abdulkarim Ayopo Oloyede, Etienne Tshishimbi, Harold Arcos, Yrjo Lansipuro, Joel Thayer, Gordon Chillcott, Marita Moll, Alan Greenberg, Joanna Kulesza, Hadia Elmiawi, Maureen Hilyard, and Alfredo Calderon.

We have received apologies from Satish Babu, Kaili Kan, Alberto Soto, Eduardo Diaz, Bastiaan Goslings, Justine Chew, and Cheryl Langdon-Orr.

From staff, we have Heidi Ullrich, Evin Erdogdu; and myself, Yesim Nazlar. I will be managing today's call.

Before we start, I would like to remind everyone to state your names before speaking for the transcription purposes, please. Also, a kind reminder for those who are on the phone bridge to use *6 to mute your lines and *7 to unmute, please.

I would like to leave the floor now back to you, Olivier. Thank you very much.

OLIVIER CREPIN-LEBLOND:

Thank you very much and welcome, everyone, to this call of the Coordinated Policy Working Group. We've got a full agenda that looks

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very similar to last week's agenda. Surprise, surprise. Starting with review of action items and then we'll be focusing on the Google Doc and the [inaudible] report on the new gTLD subsequent procedures policy development process overarching issues one to four. After that, we will have hopefully an update from Greg Shatan if he is on the call on the unified access model. I know that this is still on the agenda. Maybe that should have been taken away. I'm not sure. We'll see. Then we'll have the update on the EPDP from Alan Greenberg and Hadia Elmiawi. The EPDP being the Expedited PDP that has had yet another two calls since our last call. Are there any amendments or changes to the agenda at this point in time? I'm not seeing anybody. No? Okay. If no amendments, the agenda is adopted as it currently is on the screen.

Please note that Justine Chew is away on this call today. She's on another call that is clashing with this one. For some reason, this hour, this time, whether it's earlier or later always clashes with something. Wednesday is a busy day for ICANN. But, she has sent in the details and her update and so on. She will be going through this whilst we go through the work track one through four subsequent procedures PDP.

I'm not seeing anybody put their hand up, so let's move straight to our action items from our call last week. There were only two action items and they've both been completed. The ALAC having provided the statement of support for SSAC 101. This was sent to the EPDP mailing list by Alan Greenberg. And the last item of the CPWG agenda could be deferred to today's call, so let's try and go a little faster in the earlier part of this call, if we need to spend more time in the latter part of the call.

Still seeing no hands up. Let's then move to the review of the Google Doc. There is a link to a [inaudible] presentation here. I think we can put this aside. We're all working on this big proposal, the Google Doc, the volunteer penholders. We've got a list of volunteer penholders here, but we also happen to have Jonathan Zuck on the call and I think that's the time when I should ... We do have Jonathan Zuck, don't we? I'm not seeing him on the ...

JONATHAN ZUCK: I'm here.

OLIVIER CREPIN-LEBLOND: Oh, you are. Okay. Yes, you are. I have seen you in the Adobe Connect and then for some reason, I scrolled down and couldn't see you anymore. I was panicked. But now I'm not panicked anymore and I'll hand the floor over to Jonathan.

JONATHAN ZUCK: Thanks, Olivier. We are seeming to make some progress in the penholders that are drafting some responses to questions. Some folks are responding in the Google Doc sheet and some are responding in Justine Chew's Word Processor Google Doc. We tried to collect them up.

What we want to do is just hear from people. I did actually throw together some slides for this call, just so we had some organization to walk through. One of the things that we were asked to discuss by Justine, for example, was about the definition of community. I don't

know if people have had an opportunity to read the drafts that have floated around. But, let's go through since we have them listed on the right. This may not be the same order that I did them in the slides. Perhaps we can just try to hand the microphone over to Holly and Evan if he's on – maybe it's just Holly – to talk about metrics for [inaudible] choice and try to [preform]. Holly, if you have some idea how you want to lead that conversation.

HOLLY RAICHE:

Sure. Okay. Thanks. I've actually put a fair bit and it's [just into] the Wiki page. There's only one line item in the appendix in the report that refers to metrics. I had to hunt it down. There's one question about metrics. I went back to the very beginning because [inaudible] involved for a very long time on this one. Way back when there was a consumer trust working group set up, probably I think 2013-2014, we made some initial comments. In particular, Evan did a lot of work on what were projected metrics for consumer trust. I didn't put all of them in, but some of them are in my response.

The next couple of documents – and all of these documents, by the way, are on the website under our policy page. The consumer choice/trust report, there was an initial report and then an additional report was [inaudible] sections. We made comments on both of them. The first comment, set of comments, that we made, probably we spent a lot of time saying there's an awful lot missing here. The second lot, we adopted a lot of the recommendations including, Jonathan, the one that you put in. So, I put those in.

The third thing that I mentioned, we noticed [inaudible] or made some comments on some marketplace health and I've put some of those in. But, when you look at the final, the beta index, for the actual marketplace health index, the one thing they say is [by the way] they don't have any metrics for consumer trust, which is one of the things that we were [always] saying we need to find metrics for.

So, in my response on the actual Wiki page, the recommendations that I put down in terms of metrics are probably a combination of all of those documents, so if I can ask people please to have a look and see if they can think of any others. But the ones that I've adopted really come from I think those four places. They're the ones that we identified that were more of concern for end users because there's a huge number of metrics that were developed, but a lot of them are not directly relevant for end users. So, I have very few metrics, but if people would just have a look and add to or object to. There's a lot on that [inaudible].

I haven't put links to those documents, but if Evan or anybody wants to find those documents, they're all on the policy page. And have a read of the various documents that are already there just to have a look because we've actually had a lot to say on metrics, and what I've tried to say on the Wiki page is to say these are the metrics that we think are important. So, there's a fair bit there, but I would obviously welcome any further comment on that. Thank you.

YESIM NAZLAR:

Jonathan, if you are speaking, you are on mute.

JONATHAN ZUCK:

I wasn't speaking. I was waiting to see if people were going to raise their hand. I guess I'll speak quickly. One of the challenges with a number of the proposed metrics that came from At-Large at the time, I was the chair of that working group that was trying to collect metric suggestions for the board request, was that there wasn't necessarily a direct causation to follow between them. For example, once this metric was increased use of non-DNS web identifiers, like using social media or things like that as an indicator of trust in DNS and that felt like a stretch to call that a metric. I'll be interested to see how people feel about trust metrics in particular.

We ended up reaching the conclusion the only way to measure trust was do a survey and instead looked at issues of trustworthiness, and the ultimate CCT report looked for indications of trustworthiness in DNS abuse, statistics and things like that as opposed to direct metrics associated with consumer trust. I'll be curious how people feel. Alan, you've got your hand up.

ALAN GREENBERG:

Yeah. Thank you. What you're talking about is part of what I wanted to say. The other half is to make sure that what we're asking for is actionable. The two together I think are important. For instance, on trust, is use of other alternative ways of finding content an issue of trust? I don't think trust is the right word. People use Facebook because they get a Facebook pointer and it's the natural thing to do or if you point your phone at a little funny square box, then it takes you to a website. It's not that you're consciously choosing not to enter a URL. You're just following the obvious bread crumb trails to get to wherever

you want to go. Are other things more attractive? Perhaps. But I'm not sure it's a trust issue.

I want to make sure that what we're asking for is something which is going to end up going forward in a way that will help us. The kinds of things we're looking for in many cases – and you just pointed out certain [inaudible] surveys – are going to be expensive. The board is not likely to approve all of those things purely on spec. So, I think we need to be a little bit picky and choosy to make sure that what we're asking for is going to end up with results and a good use of the resources we're going to put into it.

I don't have a warm feeling right now that because we do a lot more work we're going to end up farther along than we are right now if we're not careful with what we're looking at. Thank you.

JONATHAN ZUCK:

Holly, go ahead.

HOLLY RAICHE:

Yeah. It is for exactly the reason that you and Alan articulated that I didn't put any or indeed most of the things that were recommended in that early document about trust into the metrics. I tried to keep it to something that (a) is measurable and (b) you can tie back to end user stuff.

Some of the stuff we talked about, some of the metrics, were basically that the domain name actually resolves, that it gets you to the place you think you're going to go. Those sorts of things I did include, but there

were a lot of metrics, Jonathan, that for the reasons you and Alan articulated I actually didn't include because I think I was thinking the same thing you are.

I did pick up a couple of things that we asked for and surveys I appreciate are costly, but I would point out that the CCRT Working Group has commissioned surveys and may still commission others. I really tried to get to the things that can tie back to statistics that probably will be gathered and that do relate to the [name] actually working and that there be sufficient information for customers to know about that.

So, invite everybody just to have a look and I'm [inaudible] open to have stuff added or subtracted. Thank you.

JONATHAN ZUCK:

Thanks, Holly. I confess I'm reacting to your oral presentation here because I missed [inaudible] go through in preparation for today's call. So, I'll take a look at what you've recommended there. I've obviously been through the [mill] on this issue. Like I said, some of the stuff associated with, like I said, DNS abuse feels like ... Indicators of trust worthiness which might be the closest [thing] yet.

If nobody else has any other comments, though, we should probably keep the ball rolling here. Marita, are you ready to talk or lead the discussion a little bit on the community prioritization applications?

MARITA MOLL:

Yeah. Sure. I'll say what I can. We're talking about the definition in my group. I don't think anyone else from [inaudible] is here as well. We're talking about the definition. I've tried to put some markers in the various spaces that people are working on to suggest that we'd like to have some more feedback on a potential definition which aligns with a definition from a couple of Europe reports. Basically, it's a broader definition that's currently in the AGB. It says, very briefly, any group of individuals or legal entities brought together in order to collectively act, express, [inaudible], pursue or defend a field of common interest. That's a potential definition which is maybe broader than what's there now.

But, I'm having some serious apprehension about all of this because, on the one side, comments I read are that, well, if we broaden the definition, even whoever tries to use that broad definition is not going to be able to accumulate enough points to get through as a community priority and the same thing happens if we narrow the definition. So, I don't know where we're going with this honestly. I really hope some people can enlighten me. Thank you.

JONATHAN ZUCK:

Thank you, Marita, for your confidence-inspiring presentation on community applications. It's definitely [inaudible]. Alan, go ahead.

ALAN GREENBERG:

Thank you very much. One of the real problems that happened in the prior round was the evaluation looked and said do they really represent the worldwide ex-community? That's almost an impossible target to meet. So, I think we have to be relatively clear that that is not our

expectation. It is certainly reasonable to say it should target the worldwide community, but not be able to demonstrate that it's already representing them. I'm not quite sure how to put that in words, but I think that is the crucial difference between the groups that, for instance, are community TLDs right now but did not suffer, did not have to defend themselves in a CPE because there was no contention where the contention was resolved in other ways.

I really think it's problematic if we set the bar too high. This is a worldwide resource we're talking about, but if you claim already ... If you need support already from the worldwide resource, I think that's a target that very, very few communities will be able to sustain unless they are a community of the people in a city, for instance, and supported by that city government. Then it's relatively simple. But, if it's a community which is not physically constrained to a very small population in terms of the world, then I think it's a target that's completely unreasonable. And if we are going to try to define it, I think the definition has to include that. I personally think we should not try to define community, but simply attributing characteristics to communities to be able to recognize them. Thank you.

JONATHAN ZUCK:

Thanks, Alan. That's [inaudible] complication. I don't know whether or not the feelings of this group [and somebody] with history can react. But about whether or not our love of community is a function of the quasi non-commercial aspect or something like that because that's certainly going to be the context that you described where somebody is not going to have worldwide support but as something as a kind of

commercial enterprise, [inaudible] community as venture funding, does that [inaudible] feel like a community application? As you say, we need to figure out what those characteristics are that we actually are supportive of. Olivier?

OLIVIER CREPIN-LEBLOND: Thanks, Jonathan. Indeed, that's one of the main problems of this community thing. ICANN in this previous round was not really in the business of defining a community. It got this community priority evaluation process to be dealt with by an external organization and their definition of community was not transparent at all. In fact, they basically made some stupid decisions based on their definitions of community.

You mentioned or Alan mentioned you don't think that many communities manage to actually fit within the community definition. In fact, if my understanding is right, none of them ended up being defined as a community. The application for dot-gay, for example. We hear about the gay community worldwide and that was defined as not being a community because one of the biggest things that this organization that was defining communities was to say, well, a community is something where you have a defined membership with the names of members and full details of the people that are in that community. And of course, in our case, the At-Large community, there is no such thing because we don't only have the community of people that are part of our At-Large Structures and our At-Large Structure representatives, but also those people that are in those At-Large Structures. So, providing full detail listings and so on is one problem. The other being that in the

wider sense of community for generic top-level domains we're talking about worldwide, we're not going to get directory of all the people there. It's just ridiculous.

So, I would say we really have to work at a sense of defining a community in a much looser way and make sure that ICANN and its subcontractors – I think we can call them this way – are bound by this and follow that rather than defining their own stupid terms for community. Thanks.

JONATHAN ZUCK:

Thanks, Olivier. I guess the issue might be to back into a set of characteristics by exploring what characteristics we might like to see more of in top-level domain, registries, or even just top-level domain business models or something like that and see, because we like to talk about community domains. This is an area where ICANN can really shine and there could be a real evolution of the DNS, etc., but figuring out what we mean by that might help us back into some kind of ... It's not a definition, as Alan said. It's [a] characteristic that people should be looking for that might result in the kind of outcome that we would ideally seek. Marita, you're next.

EVAN LEIBOVITCH:

Jonathan, by the way, this is Evan. Sorry. I'm in the queue. I can't get into Adobe Connect. Can you put my hand up, please?

JONATHAN ZUCK:

Yes, sir.

MARITA MOLL:

Thank you for that and sorry for my not overly optimistic account of what we're doing. It seems to me that [inaudible] the community, our community and the penholder group, is spending their efforts on the wrong thing. Maybe we're spending our efforts on the wrong thing. We're trying to work on the larger definition of community where the problem seems to be at the level of where can you get the point?

Was it Alan who mentioned, or Olivier, if you don't have a defined list of members, you can't get enough points to make it into the CPE. You have to get 15 points or something. In the instructions, it says you get more points, you'll score high, if you have a list of members but you'll get some scores if you don't. So, maybe that's where we really have to address our attentions in how you score the point. Forget the top-level definition. It's broad enough. It's not really stopping. What's stopping people is their inability to get points on this scale and that's where we have to maybe address our initiatives, our limited resources.

I'm just not sure how to attack this, but that seems to me to be maybe a better use of time to just kind of try and dilute some of those more stringent ways of getting points. So, that's my comment for the moment. I find it terribly discouraging that absolutely no community applications got through in the last round. That's kind of driving my [inaudible].

JONATHAN ZUCK:

Thanks, Marita. I think we share it. Alan, if you don't mind, I'm going to throw Evan in and then come to you. Evan, go ahead.

EVAN LEIBOVITCH:

Thanks, Jonathan; and thanks, Alan. It's just I don't have Adobe Connect, so there's no other way for me to get in the queue. I guess I'm going to echo what's been said, especially what Marita just said, and sort of take it to the next level.

I was there with some of you on the front lines as we went through applicant support and, as Marita had correctly said, we didn't get a single successful application into that. So, maybe we as At-Large should be looking maybe at a different question. That is, how do we better enable communities to get involved in domains and identities? I'm wondering if, perhaps, the [inaudible] of facilitating communities to get TLDs is worth it.

I remember I was one of the people chairing the gTLD committee at the very first summit in Mexico City, the very first At-Large Summit, and there was a fellow named [Richard Kindle] that sat in the back of the room and as we were going through communities and this kind of thing, he just sat in the room, and at the end, he said, "You know, whatever you come up with, the industry is going to game it to the point of uselessness." We all thought that was absolute craziness, but you know something? He was absolutely right. And if I'm correct, [Richard Kindle] is now working at Donuts, a company that was very good at getting what they wanted in terms of TLDs.

So, I'm just wondering if this is even a useful road for us to go down in terms of how do we best serve communities in the DNS [inaudible] communities is facilitating a process for communities to get TLDs that

was proven to be so heavily gamed in the last round as to be useless. Do we just keep tilting at that windmill or do we look for different ways to actually engage communities? Thank you.

JONATHAN ZUCK:

Thanks, Evan. Alan, please go ahead.

ALAN GREENBERG:

Thank you very much. I think we need to look at the community TLDs that exist and there are lots of them. None of them passed CPE, but there are community TLDs and many of them I believe we would class as TLDs. The challenge is how do we set the CPE rules so if there were contention they would win? And I think that is the challenge. Many of them are city TLDs, but the classic example perhaps that isn't is dot-bank. They did not claim to represent all of the banks in the world when they applied and they still don't represent all of the banks in the world but they are providing a service which I believe is a good one and I think marginally, but reasonably, can be classed as a community TLD because of how they operate it.

I think we need to look at some of the examples of community TLDs – the geographic ones are good, but there's others – and try to understand the characteristics that make them something that is for the public interest. That's the whole bottom line. The whole concept of the CPE was a public interest statement. Perhaps the only one that was made. I think we need to reinforce that. Thank you.

JONATHAN ZUCK: Yeah. Thanks, Alan.

ABDULKARIM OLOYEDE: This is Abdulkarim. Please can I get in the queue?

JONATHAN ZUCK: Yes. Yrjo?

YRJÖ LÄNSIPURO: The Council of Europe before criticized the previous round for the fact that the community applications, they went like [inaudible]. That is to say, firstly, policy [inaudible] to say that policy [inaudible] the guidebook made the [inaudible] and finally the economic intelligence [inaudible] was using criteria that filled sort of most of that. That's why I like this [inaudible].

JONATHAN ZUCK: Your voice just faded out.

YESIM NAZLER: Yrjo, we cannot hear you anymore. I think you're having an issue with your microphone. I see you're muted now. I just unmuted you. He lowered his hand.

JONATHAN ZUCK: Okay. I guess come back when you can. Marita, go ahead.

MARITA MOLL:

Thank you. Appreciating what Alan was saying there. I don't know where to get the information in one concise format about the current community TLDs that exist that we can look at – dot-bank, okay – and what their actual characteristics were that could be emulated in this current process that we're going through.

I have been leaning towards supporting broadening the definition, but the more I think about it, if the current definition which people consider to be too narrow still couldn't get anything through, although those people should've been able to because the definition was narrow. They could've been able to score high points. And still, they couldn't get through. It seems like a fool's errand to try to ... It can be gained one way or the other, like Evan said. Maybe this is the way to go, to just look at some of the ones to change the question, change the whole process, because I think we might be doing damage one way or the other if we continue just trying to play with the words in the current situation.

So, if someone can lead me towards some of these things that we can look at and see how they're set up and models that we could possibly follow and suggest. Thank you.

JONATHAN ZUCK:

Thanks, Marita. This is a good conversation because this is something that comes up quite a bit within this At-Large that we have this ideal that we want to pursue. I think Alan is on the right track in terms of trying to identify characteristics. It might be they have a way of providing a public service by filtering who can get this TLD or something

like that. We need to maybe look at characteristics as opposed to definitions.

I'm going to go ahead and call on Abdul on the phone bridge and then I'll come back to you, Tijani.

ABDULKARIM OLOYEDE: Thank you very much. I want to say, I want kind of ask Olivier [inaudible] definition because I was thinking the fact that if you have a loose definition [inaudible] more applications are going to be rejected, because if it's too loose, then it is going to be too vague and a lot of people will not be able to [inaudible]. So, I want to have [inaudible] what Alan said, that [inaudible] best way to go about it is what he has proposed and the question [inaudible]. So, I think the best way to go about this is look at the characteristics of the existing TLDs that are community-based and see how we can strengthen these ones, and I think the definition can now be coined around that in order to strengthen those ones and probably next round there will be more success for the community applications. Thank you.

JONATHAN ZUCK: Thanks, Abdulkarim. Tijani? We can't hear you if you're speaking, Tijani. There you go.

TIJANI BEN JEMAA: Okay. Now you hear me better?

JONATHAN ZUCK: Yes, sir.

TIJANI BEN JEMAA: Okay. Thank you very much. I would like to say that I agree with most of what Alan said and I [inaudible] that the CPE was really a problem for the community applications for the last round. I think that the definition is very important and Alan said we cannot define it. Yes, we have to approach it differently, but we have to define it to put the criteria for the CPE because the CPE was a problem because two things. First, its composition and second the criteria used for the CPE. So, I think that a definition is absolutely necessary, but we have to operate it perhaps differently. Thank you.

JONATHAN ZUCK: Thanks, Tijani. Sebastien?

SEBASTIEN BACHOLLET: Thank you very much, Jonathan. Don't forget that you have Olivier who is not on the same queue as us because he is [graduated] member of the team.

JONATHAN ZUCK: I see him.

SEBASTIEN BACHOLLET: Yeah. I'm sorry I was late and I hope I will not repeat things that you have already said. I think I would pick some of the intervention

previously. Yes, the CPE was defined by Registry Stakeholder Group and stakeholder was stronger than others and we were not so strong. One name given by Evan knew very well what they wanted to do and they wanted to not allow really a CPE to succeed because they will be in competition with them at the end of the day if the CPE is not [inaudible] and it's what happened.

I'm sorry, I don't like too much the example of dot-bank because for me it's business-oriented and dot-bank was two candidates, one in English and one in French. French was an organization of the Francophone banks and decided not to apply finally, but they were thinking [inaudible].

But, if we take example and we try two of them, the first one is dot-eco, not dot-eco for economy but dot-eco for ecology. Yes, there will be competition. But at the end of the day, how we define the [inaudible] community. We are [inaudible] or nobody is and that's part of the problem.

My other example is dot-[inaudible]. At the end of the day one of the applicants who might not apply for a CPE [inaudible] because they knew that they will lose time, they will lose money, and at the end of the day they will be [inaudible] other candidates. Therefore, it's why the current situation of CPE is not good for real communities [defining] something useful for end user. Thank you.

JONATHAN ZUCK:

Thanks, Sebastien. One of the things that the CCTRT found is that it's particularly difficult because of minimums and things like that for niche

TLDs to survive which isn't necessarily a community TLD, but I think there's probably a lot of overlap, that if part of what you're doing is trying to restrict how the TLD is used it becomes very difficult to put together a good business model if you don't have a big enough community at the outset. I think Olivier is next.

OLIVIER CREPIN-LEBLOND: Yeah. Thanks very much, Jonathan. I hope we're not confusing people by mixing so many things together. Oh, my God. Oh, dear. Where do I start? Dot-bank. Dot-bank was never a community TLD, so please do not take dot-bank as an example. It just confused people. I have put down in the chat a link to the TLDs that were subjected to community priority evaluation. There's a whole page on the new gTLD website about this. There are links from each one of these strings that were applied for. Some of them, you might even laugh. Yes, industry tried to jump for something. For example, dot-taxi. Is taxi a community? I have no idea, but it's just trying to pull your hair a little far. And there were quite a few that were listed there that you can see on that page.

Now, dot-eco was an interesting one because that was indeed the one that was suggested for the ecology side of things. The evaluation was complete on this and guess what? That was deemed to be a community. But, others that I mentioned before were deemed not to be. Dot-music was deemed not to be [inaudible] correctly. It's just a mess there.

So, please, have a read through this and you'll even find the reasons given by the community priority evaluator why something was deemed not to be a community and why it was deemed to be a community.

Now, that dot-eco did finally make it to the end with the community side of things. It has got nothing to do with community priority evaluation. It's got to do with the fact that if there's a contention set for the same word, then really the only thing that decides between the applicants is the amount of money they're going to put into it, basically. Usually, through an auction fund. Completely different debate.

Yes, I also agree that this really puts communities at a disadvantage because if you've got big hot-shot commercial organization on one side with deep pockets wanting something and a community of individuals or a small community wanting the same string, they're never going to win it. But that's not part of the community priority evaluation debate. Thank you.

JONATHAN ZUCK:

Thanks, Olivier. I guess that's why I'm saying we need to really reach consensus on what we would like a community TLD to look like in order to [inaudible] into a set of characteristics or something that seems to be like a definition. Tijani, is that a new hand? Alan, go ahead.

ALAN GREENBERG:

Thank you very much. I think we're confusing two things here. We're confusing the community priority evaluation with the definition of community. Anybody could have defined themselves as a community and if there was no contention, they are a community by definition. There was no evaluation. But, being a community gives them virtually nothing in the current round. In future rounds, we have not talked – although I have suggested a number of times that we give communities

some level of priority or benefits that may not be there for other applicants. That is not something that seems to be on the table right now and it won't be unless we make a strong case for it.

So, anyone can call themselves a community. It doesn't matter. What matters is if you were in a contention set, then the CPE, the Community Priority Evaluation, kicked in and, for all intents and purposes, nobody made their way through it. And that is the point that I think we need to focus on. That's the public interest part. If you and someone else are competing for dot-something and you are claiming you are representing a community as opposed to just an opportunity to make some money, then you would get priority. That's where the "definition" (I put in quotes) or the guidelines for how to recognize a community kick in and that's the important part.

So, yes, there are lots of things that we might not have deemed to be communities. On the other hand, if you look at the list, you look at things like dot-ngo. Well, NGOs are not a community in the sense of they all belong to a club, but they all meet certain qualifications and even though the applicant did not have every NGO signed up prior to the application, it can be easily construed as a community and that there is a public interest in having them defined that way.

I use bank not because I'm a great lover of that domain, but they are at least attempting to have a safe place for users on the Web that you can trust. That I think has some merit.

So, the question is, how do we define it? How do we put constraints around it so there is a public benefit to its existence? And more so than

someone simply making money trying to sell domains off the same TLD in a purely commercial way. And that's the target. Thank you.

JONATHAN ZUCK:

Indeed. The elusive grail. I don't know where we're ending up from a consensus standpoint. Hopefully, [inaudible] has been useful in terms of thinking about how to examine the nature of community and what [inaudible] looks like in terms of public interest or something like that. But that might need to be the approach that you take. Marita, I'll give you the last word on this and then we'll probably move on. Go ahead.

MARITA MOLL:

Okay, thanks. [Due to this] conversation, I'm going to step back myself. I don't know about other members on my team, but I'm going to step back myself, take a look at the history here and just try to [inaudible] feeling that I have that we're addressing the wrong problem or trying to answer the wrong questions. So, we'll talk to you next time on that. Thank you.

JONATHAN ZUCK:

Thank you. Tijani, you have something else to say on communities?

TIJANI BEN JEMAA:

Yes, please. To go forward, I think that we may perhaps to form a small group that will be tasked to think and to see what the history [inaudible] to come up with some definition of the community, thinking always of

the evaluation that might be done with the CPE if there is contention.
So, I think it is the [inaudible] us to progress on this issue. Thank you.

JONATHAN ZUCK: Thanks, Tijani. We're going to move on. Who do we have that's on the call? Bastiaan is not on the call. Is that right?

YESIM NAZLAR: That's right. He's an apology.

JONATHAN ZUCK: So, then, in general ... Sorry, who's speaking? Is that Olivier?

YESIM NAZLER: Sorry. That was me, Yesim.

JONATHAN ZUCK: No, I heard a man, also. That's all. Let's skip ahead to Alan. What did you want to talk about?

ALAN GREENBERG: Just a very quick comment. Olivier said in the chat that the links that we provided, links to the agreements and to the contract and to the PICs. Just to note community TLDs did not necessarily use PICs. There was a separate specification for the commitments that community TLDs made. So, they may be comparable to PICs, but they're not listed as PICs for community TLDs. Thank you.

JONATHAN ZUCK: That's right. Olivier, you have your hand up still or is that old?

OLIVIER CREPIN-LEBLOND: Thanks, Jonathan. Moving on, Bastiaan has e-mailed that he has not worked on the piece for this week but will work on it for next week. So, the next thing is the PICs, which I believe will be Holly.

JONATHAN ZUCK: Alright. Holly, take it away. Holly, did we catch you unaware here? I'm sorry, you have your hand back up or is that your old hand?

HOLLY RAICHE: No, no, no. Sorry.

JONATHAN ZUCK: We hear you now, Holly. Go ahead.

HOLLY RAICHE: I don't mean to have my hand up. Sorry.

JONATHAN ZUCK: Oh. Holly, we just have you on the agenda associated with PICs.

HOLLY RAICHE: Okay. I've had my say on PICs and there's [inaudible] PIC comment around them. I'm not sure what else. Do you want me to draw all those comments together and come up with something?

JONATHAN ZUCK: I guess, ideally, if something is coming to the surface as a point of dispute or a point that requires discussion by the group to reach consensus, that would be ideal at this point, if you knew of one. But I'm trying to put you on the spot.

HOLLY RAICHE: No. The only thing I think ... There's something that maybe voluntary PICs are a good thing and I guess that surprises me because they haven't been of much use. So, if people really do think voluntary PICs are a good thing, please put it in the chat. Sorry, put it in the Wiki page or whatever.

JONATHAN ZUCK: Okay. Alan, are you speaking about PICs?

ALAN GREENBERG: I certainly am. Holly I think at the last meeting basically said that voluntary PICs have no value. I sent an e-mail giving examples of voluntary PICs that I believe have great value. I just cannot see us saying voluntary PICs have no value because there are counter examples showing that they were used and they were used effectively.

Now, not everyone may have provided a voluntary PIC and some had weasel words saying they could cancel them, but that doesn't alter the fact that the concept was there and it gave an opportunity for people to make commitments and some people did. So, I don't see how we can say they have no value.

JONATHAN ZUCK: Well, they became the primary way of addressing the GAC objections as well.

ALAN GREENBERG: Well, that's exactly what the issue was.

HOLLY RAICHE: Look, I can talk about the GAC thing because the GAC intervention on that whole issue I didn't [inaudible] treat that whole issue separately because the GAC had a lot to say about particular classes of PICs. So, I can add that.

ALAN GREENBERG: Sorry, I don't understand what you're saying. PICs were introduced to address specifically objections raised by the GAC and others to allow a TLD to sidestep problems that were raised. They were used in response to some of the GAC things. The board, then, in response to GAC advise added the concept of a mandatory PIC to address some specific issues in the GAC advise, but that didn't alter the fact that there were voluntary PICs still there and some TLDs did use them. They weren't required to,

but they chose to use them to address GAC advice or other issues that they thought were important. I just don't see the merit in saying we shouldn't give people the opportunity to do that.

JONATHAN ZUCK: Let me see if other people want to speak up on this. Olivier?

OLIVIER CREPIN-LEBLOND: Thank you, Jonathan. I think Christopher was before me.

JONATHAN ZUCK: Okay. Christopher?

CHRISTOPHER WILKINSON: Thank you, Olivier. I would never expect to take precedence over your good self. Look, it's a matter of trust, isn't it? I've always been rather skeptical of voluntary PICs because there was a risk that they were [inaudible] and there was a risk that they would not be respected in permanence and they would start off with good intentions, but within a few years, they might be forgotten. So, it is a matter of trust and on balance. I said in the past that I would prefer the PICs to be contractually enforceable. But, on the other hand, there may be circumstances, if sufficient trust prevails, then there would be circumstances to allow voluntary PICs.

The trouble there is that once you do allow for voluntary PICs, the opportunity to game them or to [inaudible] temporary those

opportunities reappear. That is a problem and on balance and [inaudible] skeptical point of view without, however, having had the opportunity to review in any detail the extent to which voluntary PICs were in fact respected since the first round. That's also a relevant question. Thank you.

JONATHAN ZUCK: Thanks, Christopher. Olivier?

OLIVIER CREPIN-LEBLOND: Thanks, Jonathan. So, is there any reason why we cannot, as the ALAC, ask that the voluntary PICs be enforceable but not only enforceable, but also be void if they contain any language such as we reserve the right to unilaterally drop those PICs after six months or whatever? Yeah, I think that the issue of saying, well, we're going to get voluntary PICs that can effectively be window dressing, then I would go with [the line] and say at that point they're worth absolutely nothing. But, if we are to have the ability for a registry to file for an application with a voluntary PIC that is meaningful, then we need to make sure – and I think it would probably be in the interest of the industry – that registries, that applicants, when they [inaudible] voluntary PIC actually have to stick by it, and therefore it's one of these cases where they say we voluntarily decide that we are going to do that and we are going to stick by that and not change our mind in the future. That would be something good for them and something good for the public interest and current users as well. Thank you.

JONATHAN ZUCK: Yes, thanks, Olivier. A lot of it does come down to language. Alan, go ahead.

ALAN GREENBERG: Thank you very much. I guess I don't see the merit of making that a requirement which is going to be difficult to put forward. Anything in a contract can be changed by renegotiating it or submitting an RSEP. But the public interest is evaluated in doing that.

If an applicant – and there was only one applicant who did it, by the way – says that they reserve the right to unilaterally remove it after two years, we recognize that right away and said, “Fine. That has no value.” Period. And discarded it.

There was another applicant for a TLD and the applicant is deemed to be one of the good guys, people who in general do the right thing and they participated in At-Large. I won't go into the specific details. They were one of the highly sensitive TLDs identified by the GAC. And when we did our evaluation, we classified it as red, dangerous. That is that the registry was not doing the right thing and they came back to us and said, “But, how come?” And we pointed out that their language said they could change the particular thing that was the criteria and we evaluated it as red. I'm sorry. That doesn't count if you can unilaterally change it and if it's not enforceable. I don't think there's any harm in people doing that. We recognize it for what it's worth.

And just to be clear PICs in a contract are enforceable. They are not window dressing. Now, if the PIC says it can be changed, it can be changed, yes. But, most of them did not say that. Thank you.

JONATHAN ZUCK: That's exactly right, Alan. Greg, you just added into the chat. Did you want to speak up here on the PIC issue? It seems like we're starting to have a consensus that voluntary PICs are important and we should be supportive of them in subsequent procedures. Greg, go ahead.

GREG SHATAN: Thanks, Alan. I think [inaudible] clearing out the semantic issue around voluntary PICs which I was not completely clear on myself, that they are voluntary to adopt but once they're in the contract they are an enforceable part of the contract and subject to any kickbacks like Alan was talking about. They're as much a part of the contract as anything else. So, the voluntary nature is that you can take it or leave it, but once you've taken it, you've taken it as a contractual obligation. Not that you can [inaudible] good intention or words of encouragement [inaudible] in the contract. So, I think that's what I was looking to clarify and it seems like we've clarified that. Thanks.

JONATHAN ZUCK: Thanks, Greg. That has, in fact, been clarified. I think the other issue that came up with CCRT is the one you raised as well which is that they're not audited at all by contractual compliance so it still requires a complaint to go in and then it's this usual process of complaints on where they end up, etc., that's still an issue. But, we shouldn't confuse these with being something that are automatically audited by compliance. But, it sounds like, Holly, that there's some consensus around voluntary PICs.

HOLLY RAICHE: Yeah.

JONATHAN ZUCK: So, let's make that a part of our submission and seek help if you need it for that part of drafting.

HOLLY RAICHE: [inaudible]. Thanks.

JONATHAN ZUCK: Thank you very much. The next is batching applicant's assessment in applicant support. Somebody prepared a talk about where that draft stands.

NADIRA AL-ARAJ: This is Nadira.

JONATHAN ZUCK: Yes?

NADIRA AL-ARAJ: Is it the community applicants? Because I think if it's the 2.9 ... Yes?

JONATHAN ZUCK: Is what 2.9?

NADIRA AL-ARAJ: The items. Are we discussing about the 2.9? Because if we [inaudible] Justine joined, I kind of sent my comments, my personal comments, to get the feedback and nobody has commented. But, anyway, now I'm joining because also I start with the community [inaudible]. Now maybe we will be working with Marita on the same issue as a continuation because that's [inaudible] started at the 2.9 from Justine [inaudible] document. [inaudible] something by e-mail, on the Wiki, and got no responses. Anyway, I will be waiting until working with Marita and we will continue with it because we are discussing the 2.9. It's all about community.

JONATHAN ZUCK: Okay. Thank you.

NADIRA AL-ARAJ: By the way, something raised up by Marita's group about the applicants and this also would be worth discussing. [Aren't] the applicant for community has to be a community themselves or community rather or not? Because, from my perspective, they're not necessary to be community because they can work community serving, [inaudible] serving the community. But they don't have to be a community registrar. That's a raised question by one member of our group. Thank you.

JONATHAN ZUCK: Okay. Thank you. Marita, you have some more comments to address there as well. Tijani, are you ready to talk about batching?

TIJANI BEN JEMAA: No. I want to speak about applicant support, if you don't mind.

JONATHAN ZUCK: Okay.

TIJANI BEN JEMAA: Okay. Just an example here. You asked me to say some words about this. In general, all the comments agreed that the applicant support program should continue for the coming round. The [inaudible] points are, first, the underserved region [inaudible] this and said that it shouldn't be [inaudible] to some region and they mentioned that there is [inaudible] countries that will need applicant support for their application.

I think that we don't have to [remove] the underserved region words from the [recommendation] but we may [inaudible] underserved regions and communities because most of the underserved communities are in the underserved regions. So, we will not exclude other communities from other regions. We can add communities to region. This is the situation. There is no [consensus] about it. [inaudible] to eliminate the location of the applicant and others don't want it.

There is another point of discussion in the community which is the criteria of the applicant support program. Several community members

find that their experience of 2012 showed that the criteria was very [inaudible] and led to zero application support and others say that we don't have good criteria [inaudible] game. The discussion was about gaming the system. It is a very large discussion about it. So far, there is not a clear consensus about it, but all agree that we have to work again the criteria.

I think those are the points of discussion that were raised in this section. Thank you very much.

JONATHAN ZUCK:

Alan, go ahead.

ALAN GREENBERG:

Thank you. One of the things that I think we need to discuss and come and take a stand on is the condition that if you applied for applicant support and did not get it that your application died and that was put there as a disincentive for people trying to game the system. That is, if you tried to do it, did not meet the criteria, your application could not go forward. Unlike a community TLD, for instance. If you did not meet the community priority, you could still participate in an auction or something like that. Whether you had the money or not is a different issue, but it didn't die altogether. Whereas an applicant support one did die. That was a strong disincentive for anyone who really wanted a TLD to do that. Yes, they might have saved \$100,000. That's not a lot of money in terms of the operational costs of a TLD and it was too high a risk for many people to take.

You could also argue, however, if they didn't take that risk, then obviously they didn't need the money that much. So, I really think that the [in kind] support probably has more merit than the dollar support and I think we need a strong program on that side, not just a bunch of people putting up their hand and no one in response to them.

I do think we need to consider that aspect of it. Thank you.

JONATHAN ZUCK: Alan, by [in kind], you mean that for mentor exchange.

ALAN GREENBERG: Mentor exchange or service.

JONATHAN ZUCK: Right. Which we didn't have before. Tijani, is that a new hand?

TIJANI BEN JEMAA: Do you hear me now?

JONATHAN ZUCK: Yes.

TIJANI BEN JEMAA: Okay, thank you. Yes, I had mentioned this point, Alan, because there was [inaudible] discussion about it, but indeed the recommendation of the preliminary [inaudible] did [inaudible] opportunities to applicants

for applicant support program to continue their application if they are not successful in the applicant support program.

But, I would like to highlight that it is preferable to [inaudible] words limited time or limited period of time by sufficient period of time because if it is too short, the applicants will not have time to continue their application. Thank you.

JONATHAN ZUCK:

Thanks. Is there anything else anybody wants to discuss on applicant support? And was there anybody that was able from the team to talk about [batch] to applicant assessment? I'm not sure what that is. I thought that was related to service providers, but ... Okay. Thanks for the discussion on that. We're chewing up a lot of time on this call. I think it's good stuff, though.

The next thing is universal acceptance. Eduardo, do you want to talk a little bit about your proposals there and the discussions you had? Is Eduardo on the call?

YESIM NAZLAR:

Eduardo is not on the call.

JONATHAN ZUCK:

Thank you. Is Satish on the call? It looks like no.

YESIM NAZLAR:

Satish is an apology for today's call.

JONATHAN ZUCK: Okay. Alright. Great. There's something here on UA predictability and I confess I don't know what that is either, but Christopher, I'm assuming you know what that is. Olivier, sorry, I just saw your hand. What is that about?

OLIVIER CREPIN-LEBLOND: Yes. Thanks very much, Jonathan. There's one small thing. Before this call, I e-mailed most of the – or in fact, all the participants – that are there to provide us with updates and many of them had responded, such as for example Justine Chew had responded but she copied the CPWG mailing list. Others, some others did not copy the CPWG mailing list. So, we have their updates.

For example, Eduardo is currently working on the universal acceptance (UA) and he has asked Don Hollander and Satish has asked Don Hollander for some input. The three points from Don on UA were as follows. Getting local developing communities aware of the topic so they can start building universal acceptance readiness into their code. Secondly, getting very large, like [inaudible] dot-com, the big e-mail providers out there, to get their systems able to get at least send and receive all e-mails and that includes IDNs and ones that have these new generic top-level domains. Then getting all the large mail operators like the Microsoft and Gmail people to be able to host non-English mailbox names as well, which apparently is currently not the case.

Obviously, the [inaudible] to having these apps that today use the gTLDs or require input where you put your details in and so on and it recognizes it as a domain name, these also have to be updated.

Eduardo added something else on the IDN. He has spoken specifically to – what’s his name? I was just with him two days ago. Edmon Chung, sorry. I don’t know why I just forgot his name just now for a second. Must be old age. Basically, he said that it’s the lack of recognition by third parties [inaudible] domains of enough ccTLDs or legacy TLDs. So, we should basically get registry, all registries, because [inaudible] to be able to handle all types of domains. That includes IDNs. That’s the update just on this topic. Thank you.

JONATHAN ZUCK:

Thanks, Olivier. So, those who have suggestions – I don’t know if there’s other suggestions we want to make with respect to reaching out to the ... It’s definitely a boiling the ocean type of problem but I continue to believe that it might be a unique role for the At-Large to play to try and evangelize universal acceptance, but I don’t know if anybody else thinks that that’s a useful use of our time. But, it seems like it could be. Any other comments on universal acceptance? Olivier, go ahead.

OLIVIER CREPIN-LEBLOND:

Thanks, Jonathan. Indeed, many of our At-Large Structures do support universal acceptance in their local communities. Many of them have been involved with creating those character sets in IDNs and those feature sets of the label generation rules, etc. So, they are aware, but maybe not enough. Unfortunately, with no funding for this, it’s very

difficult for our communities to do more than what they currently are doing.

JONATHAN ZUCK: Well, maybe we should be proposing funding for it, presumably. A lot of this is just using our large number of members to be engaged in a systematic process of reporting sites that are non-compliant and reaching out to those sites, etc., to help bring around the voluntary part of universal acceptance which is the biggest part. Alan, go ahead.

ALAN GREENBERG: Sorry, this is coming a little bit late, but could you explain the difference between item seven and eight on our agenda?

JONATHAN ZUCK: Yeah. I don't know either, so I was going to just get through this discussion and then give Christopher a chance to discuss this predictability issue.

ALAN GREENBERG: Okay. Thank you. So, I'm not missing anything. Okay.

JONATHAN ZUCK: No.

ALAN GREENBERG: Or we all are. Okay.

JONATHAN ZUCK: Exactly. [John] was talking about it being a temporary issue. It's just a big issue associated with realizing the benefits of [inaudible]. That's all. Christopher, do you want to speak to this idea of UA predictability? I don't know what that is, either.

CHRISTOPHER WILKINSON: Have you got the right Christopher? Frankly, I'm not [inaudible] to do anything on this particular point for this call. [inaudible] the last speaker. For local reasons, I've had very little time to cover anything other than the PDP and work track five. What exactly was I supposed to be doing?

JONATHAN ZUCK: I guess I'm not sure of that either, so we're not going to spend time on the call resolving that.

CHRISTOPHER WILKINSON: Please pass on that.

JONATHAN ZUCK: We'll figure it out afterwards. Then I think that was it in terms of things that we had on this, so I will hear late – pass the microphone to Greg to talk about unified access model.

GREG SHATAN:

I'm currently in overtime in getting the draft up for review. I really hope to get it posted today. It's been a little bit more of a bear than I expected it to be, plus time. As Christopher also said, the last couple of weeks has been eaten up by other things.

In any case, I received several inputs from members of the group and also I'm relying significantly on the ALAC comment from April I believe it was on the interim model in which there were quite a number of comments on access-related issues which were quite on point with the questions and issues raised in the framework for the UAM.

There were a variety of opinions expressed, some of which cannot be made to fit together. So, there will be some perhaps choices to be made when the document is posted. I've tried, in some ways, to [inaudible] a middle path or found areas of concern without making it seem like there is no way out. The framework itself, although it's four times as long as the previous document, is still rather parsimonious with detail, and while some of that can be said to be left to implementation, in some cases there's just no clue how it would be implemented and that's, to my mind, a little loose for this sort of thing. In part, it's because there are issues that haven't settled down yet, and in part it's not.

So, as I said, I hope to have this out later today. While there's no firm deadline, this is obviously part of a very fast-moving stream, so we'll want to concentrate on turning it around fairly quickly and I apologize for having eaten into that time myself by not posting it timely. I'm not sure that there's anything ... I've been following the EPDP and while there's been a number of references to access issues, it's mostly been

[parked] for their work plan. So, I don't think there's anything that's happened in that group in the last couple of weeks that would change or inform our comments, but if our representatives, Alan and Heidi, have more insight because they're more involved, it will be great in particular to hear about that.

I agree with Heidi that how does not really matter. What the issue is that there's, in some ways, the guidance is still so high level. There are so many different possible hows that could be done that it's impossible to take a clear policy position from it and that leads to inventiveness in the implementation process which sometimes ends up with concerning results. Thanks.

OLIVIER CREPIN-LEBLOND:

Thank you very much, Greg. Jonathan has had to run off to his next call, so I'm now taking over. Are there any comments or questions regarding Greg's update on the proposed unified access model? I'm not seeing any hands up. This is going to be a work in progress, so please follow-up directly. As soon as we've got your text, Greg, we'll continue work on the Wiki and we'll revisit this next week with a little more time allocated to this today. That's a little bit running out of time since we ran a bit late.

We're now moving to the updates in the PDP from At-Large with Alan Greenberg and Hadia Elmiawi.

ALAN GREENBERG:

We are officially out of time in a minute, so there's not really going to be a lot of opportunity. A couple of comments. There's been a lot of discussions, issues, been brought to the table in the EPDP. We discuss each of them, don't really come to closure in general, and I believe the hope from the EPDP leadership and staff is that we do some consciousness raising on some of these issues and when we come to the face-to-face, either miraculously or whatever, we will be able to come to closure on them. We're sort of at a funny state.

There was a long conversation at the meeting yesterday on whether a particular appendix to the EPDP should be removed or not. It turns out there's an interesting concept. The EPDP was given the task of essentially deciding which items in the temporary specification should be maintained and which should not. But, there's a problem there in that the temporary specification was written essentially as a contract, so it has terms that must be obeyed. There are appendices and various other things that essentially would slip into the contract if they had actually been inserted into the contract.

What we're doing here is building a policy which will then be translated into contractual terms. So, the concept of an appendix doesn't make any sense in a policy. It's an appendix to what? It's going to take a different form when it actually goes into the contract.

So, we've been having discussions on things like we should not have this appendix, which I agree. It should not be called an appendix, but that doesn't mean the terms of what it is talking about do not have to be carried forward in some meaningful way.

So, I think we were talking across purposes a fair amount and I think that's the conclusion we came to towards the end of the discussion. I'm not sure there's a lot to raise and look for guidance here.

I would like to talk for a minute on the e-mail discussion that was going on on whether the EPDP results should be balanced or should be purely one-sided from a privacy point of view or a cybersecurity point of view. I think we're getting off track on that discussion.

The end product will be balanced because the GDPR itself is designed to say we have to balance the competing needs. The only question is where exactly does the dividing line come on each particular question and a lot of that is going to depend on accreditation models and things like that which we're nowhere near right now.

But, I have some concern that there seem to be some people saying that we, At-Large, have to take a [very] balanced position. If we were the ones writing the whole document, I think that is completely true. But, it's not. This is a multi-stakeholder model where each of us are presenting the things that are most important to us to try to end up with a balanced compromise in the end.

I have some worry that if we don't have a strong mandate from At-Large then when we come to the face-to-face meeting – and that's in two weeks, two-and-a-half weeks from now. There are two more CPWG meetings before it. We are not going to be in a position to make strong statements at the EPDP. There's going to be no opportunity for us to go back and consult. We have three days of solid meetings.

So, I really have a concern that if we don't have a strong statement as to what we are there for, that we will not end up being able to serve the community well. Hadia, please go ahead. You had your hand up.

HADIA ELMINIAWAI:

[inaudible] is that the contracted parties [inaudible] contractual [inaudible] provided that the activities and the [inaudible] which leaves actually the opportunity for the contracted parties to do their own contracts while [inaudible] contractual agreement. In some of the [inaudible] proposed, [inaudible] are good proposals. References made to [inaudible] fundamental rights [inaudible] was put in there, but it was really difficult [inaudible] many other places as well. But, it does [inaudible].

Also, a big thing for the mandate was proposed to be a [inaudible] data would be [inaudible] at least for one of the columns [inaudible] and I think this is also something that [inaudible] with only some legitimate purposes. So, [inaudible] what Alan has said and then we have our face-to-face meeting in [six months] and hopefully we can try to [inaudible] the main issues that we are [inaudible]. Thank you.

ALAN GREENBERG:

Olivier?

OLIVIER CREPIN-LEBLOND:

I was waiting for you to speak, Alan. You're running this part.

ALAN GREENBERG: Oh, sorry. I didn't realize.

OLIVIER CREPIN-LEBLOND: I had trouble understanding some of what Hadia was saying. It was a little difficult.

ALAN GREENBERG: Yeah. I've said my part. I think we need strong direction, and if we don't have it, we're not going to be very effective when we get to the face-to-face. But I'm not quite sure where to go from here.

OLIVIER CREPIN-LEBLOND: Thanks, Alan. Thank you for this update, Hadia. I must say I missed some of it because the line quality wasn't that great and you sounded quite far away. But, the floor is open for questions and comments now. We have Greg Shatan.

GREG SHATAN: I've been following the e-mail thread, although did not participate yet as much as I'd like on this issue of balance versus taking a stand or a position. From where I sit, I tend to agree with Alan, that it's very important that we take a position and a stand for the end user and not for the minority, small minority, of end users who are registrants. They have more than enough [inaudible] for their position.

Of course, when you approach consensus, you have to get out of your own positions and look to common positions, so ultimately there can be

movement toward balance. But, I think the starting position needs to be clear. Then, in the cases of how you can move away from that to try to accommodate competing concerns and how you might expect others to move away from their positions to accommodate your concerns, that's where the balances comes in.

But, the idea that this is a privacy versus security dichotomy I think is incorrect. Of course, one of the great false dichotomies along with policy and implementation and [inaudible], we don't really need to dwell on. But, I think it is important to have a distinguishable position and to stick to it. There's a lot of weight ... The weight distribution in the group is not kind to ALAC and therefore strong representatives which we have, and strong positions strongly stated – not stubborn positions – are really, to my mind, the way to go. And I have some people may look at this all through a privacy first lens. I don't think anybody is proposing anything that would not comply with GDPR. So, that's in a sense as far as we need to go in terms of privacy. Obviously, we can take other concerns into account, but they'd have to then be the concerns of the end user. Thanks.

OLIVIER CREPIN-LEBLOND: Thank you very much for this, Greg. I put myself in the queue to ask a question based on the discussion that we did have on the mailing list. The question on the list was what always comes back is, oh, it's a privacy versus law enforcement thing or privacy versus opponents of privacy. I just wanted to mention I'm completely against this whole binary debate that some are trying to pull us into and I hope we can stay

out of that [inaudible] binary debate and just use the stupid word in there as well.

On top of that, though, my personal concerns of this is whether we can actually [inaudible] whatever our needs are compliant with the GDPR. I'm not sure there is a full understanding of the GDPR at the moment when it comes down to how much information can be there. What is our ... The most information and the least amount of information. Well, clearly, the least amount of information is going to be no WHOIS whatsoever and the most amount of information is clearly unknown at the moment and this was a question that I had, whether anybody has an answer here or whether you can answer in the future by e-mail. Does anybody wish to answer that? Let me go through the queue and hopefully somebody will give an answer in the queue. First, Tijani Ben Jemaa.

TIJANI BEN JEMAA:

Thank you very much, Olivier. I do agree with you that this division between privacy access – no, privacy protection – of consumers is a good approach. It is a very bad approach and it is from there where the majority/minority came and I am absolutely against this concept. There is no minority, there is no majority. We are here to defend the end users' interest and it is clear. The end user interest, it is clear.

So, now, the discussion should be where? I think it should be on, first, what are the data that we as At-Large prefer to be collected? And the second thing that we have to discuss very clearly is to whom? The third party. To whom we [inaudible] give access of the non-public data.

Because we all agree that we need the third party to access to the data to protect consumers. We all agree that we don't have to give all the data to people who will use it for criminal use.

So, if we want to give Alan and Hadia a clear message, a clear message that they can transmit in the PDP Working Group, we have to discuss those two points clearly and give them how we see it, how everyone sees it, because if we continue to discuss like this, we will never, never give anything to Alan and Hadia. Shall we tell them please let the access open to everyone? I don't think that anyone on the group accept it. Thank you.

OLIVIER CREPIN-LEBLOND: Thanks for this, Tijani. Next is Alan Greenberg.

ALAN GREENBERG: Okay. A few points. Discussions like – and I'm afraid, Tijani, like that last sentence of should we give access to everyone is a waste of our time. We are subject to GDPR. GDPR is never going to give access to everyone for all the data. There are people in the world who want that and they may be correct and perfectly have valid points why they should get access to that, but it's not going to happen.

So, I have an aversion to hitting my head against the wall, against brick walls, on things that there's no chance they're going to happen.

There is very little, probably no, disagreement within the EPDP on what data can be collected. There will be some disagreement when we get to it on whether it is mandatory or voluntary to collect that data and what

happens if they do not collect it. An example, for instance, is technical contact. The argument that we should only be collecting data which ICANN needs for its own purposes is I believe spurious and we have to figure out a way around that and there are ways around it. The GDPR explicitly allows us to collect data based on needs of third parties.

ICANN has virtually no need for the technical contact, but if we do not have a technical contact, then when something is broken, it cannot be fixed and the reliability of the DNS depends on being able to fix things that are broken. That's simple.

Now, if I have a personal domain, chances are the technical contact is me, the same as the registrant and the administrative contact. But, for Facebook or IBM or ICANN for that matter, it is not the same. It's absolutely essential that when someone says, "I need a technical contact point," that it be made available. So, if someone doesn't fill it in, it needs to default to something that is reasonable.

Those are the kinds of things that we do need to debate, but I don't think there's going to be any discussion, any real debate over whether the field is there or not. That's pretty well accepted by everyone. The real question is whether it's mandatory and ultimately the question will be who gets access, but that's not today's discussion right now. The access model and gated access and things like that is going to be a very difficult discussion because there are certain people and registrars and registries among them who do not want any automated basis, any automated access because they feel they cannot certify with 100% certainty that they are meeting GDPR if it's not an automated basis. So, there's going to be some really difficult discussions and those are the

kind of things I think we're going to need to fight for because access to information which takes four months to get is not going to address today's problems. So, I think that's where a lot of the discussions are going to have to come and I believe it's not an issue of privacy versus balance. The GDPR demands balance. It's putting the arguments in place to get the point of balance at the right place. And from a user point of view, I think that right place is we must restrict access to those who need the data, but we must make sure it's readily available to those who do need the data and there's a time issue there. Thank you.

OLIVIER CREPIN-LEBLOND: Thanks very much for this, Alan. There indeed is a time issue for this call, too. Hadia, please, you have the closing words on this, then we need to finish this call very quickly very soon. There's another call after this one. Hadia Elminiawi?

HADIA ELMINIAWAI: So, [inaudible].

OLIVIER CREPIN-LEBLOND: Now we have an echo as well.

HADIA ELMINIAWAI: [inaudible].

OLIVIER CREPIN-LEBLOND: Hadia?

YESIM NAZLAR: Hadia?

OLIVIER CREPIN-LEBLOND: I don't think she can hear us.

YESIM NAZLAR: No, I don't think so. Hadia, can you hear us?

OLIVIER CREPIN-LEBLOND: Hadia, I'm really sorry but we have real difficulty hearing you, unfortunately. I checked with others on the call and no one is able. I think the line has gotten worse. Is it possible for you to type or write maybe not on the chat today, but fire off a quick e-mail to the mailing list and let us know of your comments? That would be really helpful. I'm concerned of the time here and trying to dial out to you again and so on will definitely take us over time. Well, we're already over time, but very much over time.

ALAN GREENBERG: Olivier?

OLIVIER CREPIN-LEBLOND: Yes, Alan?

ALAN GREENBERG: May I ask staff to try to figure out what was going on. I don't know whether Hadia was on Adobe Connect or on a phone bridge, but we do have to fix this or these calls are going to be less and less useful.

OLIVIER CREPIN-LEBLOND: Yeah. Thanks, Alan.

YESIM NAZLAR: She was speaking through the phone bridge, but we'll definitely take a look at it with our operators. Thank you.

ALAN GREENBERG: Thank you because if that's the quality of the phone, then we have a real problem and I think we need to fix that.

YESIM NAZLAR: I agree.

ALAN GREENBERG: Thank you.

OLIVIER CREPIN-LEBLOND: It sounds very far away, yes. Thank you for this. Now, we are under very tight time constraints here. The follow-up discussion on penholders and drafters, there is one thing in there. It's the IPC BC accreditation and access model for non-public data version 1.7. Jonathan Zuck has been working on this. There is a draft that is in there for discussion. He has

asked me to relay to you if you could please comment on this presto, as in quickly, maybe this week because this needs to be coming out pretty soon as well. So, he would appreciate some comments. The link is in the agenda, so you can go on that and it's a public comment page further down, drafts submitted for submission. There are only two comments at the moment, one from Holly Raiche and one from John Laprise. That's the point that he asked me to relay to you.

On the 6B penholders and [inaudible], as you know we're always looking for new people to join as penholders or to help out, enlist themselves as penholders.

Alan Greenberg, is there anything else to add in agenda item six?

ALAN GREENBERG:

The only thing I have to add is I have to drop off right now because I've got to prepare for another call in a few minutes. But, I have nothing else substantive to add at this point.

OLIVIER CREPIN-LEBLOND:

I think that means quite a few people on this call then need to jump off to the next call. I'd like to thank everyone for having spent all this time on the call and go to any other business. Hadia, your hand is up. I'm not sure if this is for any other business or that probably was a hand for the previous section. Thank you.

In which case, the next meeting will be next Wednesday again. We will be ... Unless we're told that the rotating time will clash with something, we should be rotating. As always, there is always a few people that are

not able to be at specific calls, so hopefully we won't clash with anything. Marita Moll, you have your hand up. You have the floor, Marita.

MARITA MOLL: Sorry. I just wanted to know if we stick with this 9:00 AM time, we're going to be clashing with the work track five meeting on the 13th.

OLIVIER CREPIN-LEBLOND: Right. Thank you.

MARITA MOLL: Which is a related topic.

OLIVIER CREPIN-LEBLOND: Yeah. Are you saying we need to stick to the current time and not do the rotation, otherwise we will clash with work track five?

MARITA MOLL: No. I'm saying let's not stick to the current time, because in that case, we will definitely clash.

OLIVIER CREPIN-LEBLOND: Okay. So, we will rotate. Yesim Nazlar?

YESIM NAZLAR: Thank you, Olivier. I just wanted to confirm that we are not clashing with any of the scheduled calls for next week, so we are good to hold our call at 19:00 UTC next week, next Wednesday. Thank you.

OLIVIER CREPIN-LEBLOND: Fantastic. Thank you for this. I think that answers the comment from Marita. And with this, I'd like to thank all of you for having been on this long call. We've made some excellent progress. Very interesting discussions. Have a very good week and speak to you next week. In the meantime, of course, we'll continue that activity on our mailing list. Have a very good morning, afternoon, evening, or night. This call has ended.

YESIM NAZLAR: Thank you, all. This meeting is now adjourned. Have a lovely rest of the day. Thank you all for participating. Bye-bye!

[END OF TRANSCRIPTION]