

# At-large ICANN 64 Talking Points

## GDPR

Privacy is on the top of peoples' minds all over the world and new legislation is cropping up in many jurisdictions all the time. Philosophically, the At-large are supportive of this trend but, as always, find that the devil is in the details and want to ensure that legitimate access to data continues to mitigate the instances of fraud, illicit content, malware and other illegal activities. Consequently, we are frustrated that the Expedited Policy Development Process (EPDP) that has taken place over the past year has focused almost entirely on liability with little or no discussion of consumer protection. This *must* be address going forward. Specifically, any long-term implementation must

1. **Preserve and facilitate access to non-public data by legitimate 3<sup>rd</sup> parties.**  
Registrant data is currently used by law enforcement, IP holders and researchers to help prevent illegal activities, malware and spam. It's critical that they are allowed to continue with these efforts.
2. **Allow for geographic distinctions**  
There will be many jurisdictions with conflicting privacy laws and the system much remain flexible enough to accommodate them.
3. **Provide a Unified Access Model (UAM) for legitimate parties to access the data.**  
We're supportive of using the RDAP protocol to create such an interface and ICANN's efforts to take on some of the downside risk associated with implementing this framework.

## Subsequent Procedures

ICANN has added roughly 1200 new generic top-level domains (gTLDs) to the root since 2012 and there's a lot to be learned from this most recent round. The Subsequent Procedures Working Group (subproc) have labored hard over the past couple of years to propose a path forward and while we are impressed with the work thus far, the At-large believes there's a lot more to be done before any more applications for new strings are accepted. The At-large are particularly interested in consumer welfare and the encouragement of applications from communities and underserved regions.

1. **There's NO RUSH to have new applications!**  
Let's get it right out of the gate this time rather than having to so many mishaps during implementation. There are plenty of domains available now from a consumer perspective so rushing a new round has very limited upside.

2. **Priority should be given to international domain names (IDNs), communities and underserved regions.**

There are parties in the ICANN community with a financial interest in a new round but the area of least success in the previous round should be addressed first.

3. **Recommendations from the CCT and RPM Reviews Need to be Implemented**

There is considerable DNS abuse in the new gTLDs, increased infringement, some consumer confusion and overall a lack of data to evaluate the success of the program.

## Strategic Plan

Overall, the At-large community participated in and agree with the principles contained in the draft strategic plan. Of particular interest is ICANN's role in protecting and continuously improving the multi-stakeholder model for which it is a significant example and beacon in the international community. ICANN should

1. **Strive for community balance in policy development.**

There are many aspects to achieving balance including continuing to fund the participation of those without financial incentive to participate in ICANN activities. Also, greater end user representation on the board would provide more balance at the top.

2. **Link metrics to the budget**

There should be metrics that are used to continuously measure progress towards strategic objectives and ICANN should not be afraid to make course corrections (and back them up with budget adjustments) should progress not be realized.

3. **Facilitate Periodic Participation**

ICANN participation shouldn't just be for "lifers." The internet community is rife with experts in all the fields touched by DNS policy but the overhead of participation in working groups and review teams can be quite high. ICANN should explore ways to allow outsiders to participate on an as needed and as interested basis.