

2018-11-27 EPDP Team call #30

The meeting of the GNSO Temp Spec gTLD RD EPDP is scheduled on Tuesday, 27 November 2018 at 14:00 UTC for 2 hours. Please note, will plan for 90 minute discussion with 30 minutes to run over if needed.

06:00 PST, 09:00 EST, 15:00 Paris CET, 19:00 Karachi PKT, 23:00 Tokyo JST, (Wednesday) 01:00 Melbourne AEDT

For other times: <https://tinyurl.com/yaavtzaf>

PROPOSED AGENDA

1. Roll Call & SOI Updates (5 minutes)
2. Welcome and Updates from EPDP Team Chair (5 minutes)
 - a. Publication of Initial Report and public comment forum new style – initial reactions?
 - b. Review of outstanding action items
 - c. Other updates, if applicable
3. Letter to EDPB (10 minutes):
 - a. Confirm questions per Initial Report
 - b. Confirm next steps
4. Review list of topics for further discussion (60 minutes) – see attached
 - a. Any items missing?
 - b. Confirm deadline for reviewing and adding any items missing.
 - c. Commence deliberations on topics for further discussion.
5. Preview of Thursday's webinar (15 minutes):
 - a. Outline & proposed approach
 - b. Confirm next steps, if any
6. Wrap and confirm next meeting to be scheduled for Tuesday 4 December 2018 at 14.00 UTC (note, on Thursday 29 November a webinar to present the Initial Report and public comment forum has been scheduled)
 1.
 - a. Confirm action items
 - b. Confirm questions for ICANN Org, if any

BACKGROUND DOCUMENTS

[Topics for further discussion - updated 25 November 2018.pdf](#)

AUDIO CAST INFORMATION AND VIEW ONLY ADOBE CONNECT FOR ALTERNATES AND OBSERVERS

To join the event, click on the link:

Listen in browser: <http://stream.icann.org:8000/stream01>

Listen in application such as iTunes: <http://stream.icann.org:8000/stream01.m3u>

View-Only Adobe Connect room for alternates and observers: <https://participate.icann.org/gns0-epdp-observers>

RECORDINGS

[Mp3](#)

[Adobe Connect Recording](#)

GNSO transcripts are located on the [GNSO Calendar](#)

PARTICIPATION

[Attendance & AC Chat](#)

Apologies: Benedict Addis (SSAC), Emily Taylor (RrSG), Alan Woods (RySG)

Alternates: Greg Aaron (SSAC)



Notes/ Action Items

Action item #1: EPDP Team to encourage respective groups to participate in the public comment forum and participate in the webinar scheduled for Thursday 29 November. For sign up to the webinar, please contact gns0-secs@icann.org.

Action item #2: Staff support to schedule a call on Wednesday 28 November for small group of volunteers to compose letter to European Data Protection Board - to pose questions for them that were formed during the discussions leading to the formulation of the Initial Report.

Action item #3: EPDP Team to review list of topics requiring resolution for a final report and indicate if any topics / items are missing by Monday 3 December COB.

Action item #4: Leadership team to develop schedule of topics described in item above to be addressed per meeting.

Action item #5: Staff and leadership team to consider team-suggested updates to be made to the webinar slides to reflect input received during today's meeting. For example, could include having some materials in reserve should there be few questions.

Action item #6: EPDP Team to provide input on what points, in addition to those called out in the webinar slides, should be made.

Questions for ICANN Org from the EPDP Team:

Is there any further information that can be provided in relation to the discussions that have been held with the EDPB and/or DPAs in addition to the blog posts and correspondence that have been shared, such as briefing notes and summaries of meetings?

Notes & Action items

These high-level notes are designed to help the EPDP Team navigate through the content of the call and are not meant as a substitute for the transcript and/or recording. The MP3, transcript, and chat are provided separately and are posted on the wiki at: <https://community.icann.org/x/ZwPVBQ>

Proposed Agenda:

1. Roll Call & SOI Updates

- Attendance will be taken from Adobe Connect
- Remember to mute your microphones when not speaking and state your name before speaking for transcription purposes.
- Please remember to review your SOIs on a regular basis and update as needed. Updates are required to be shared with the EPDP Team.

2. Welcome and Updates from EPDP Team Chair (5 minutes)

a. Publication of Initial Report and public comment forum new style – initial reactions?

- Initial Report published for public comment last Wednesday in conjunction with the launch of the public comment forum (google form). See <https://www.icann.org/public-comments/epdp-gtld-registration-data-specs-initial-2018-11-21-en>.
- Some issues with the word version of the form - staff to check what the issues might be.

Action item #1: EPDP Team to encourage respective groups to participate in the public comment forum and participate in the webinar scheduled for Thursday 29 November. For sign up to the webinar, please contact gns0-secs@icann.org.

b. Review of outstanding action items

c. Other updates, if applicable

- See documents that were distributed prior to this meeting (draft letter to EDPB, slides for webinar and topic list of outstanding items).
- Constituency travel should be sending out travel information shortly for January F2F meeting in Toronto.

3. Letter to EDPB (10 minutes):

a. Confirm questions per Initial Report

b. Confirm next steps

- During deliberations, a number of questions were identified for the EDPB which are also documented in the Initial Report. These questions are documented in this letter. Some additional context / background has been provided to ensure that the issue is understood and questions are specific.
- Note feedback provided by Thomas and Diane - issue of controller wasn't raised during the deliberations as a question to be asked to the EDPB.
- EDPB is meeting next week - important to get letter in before that time. EDPB only meets once a month.
- CPH to provide additional input shortly. Are there other avenues through which this input can be provided? Are these questions intended to provide advice? Could the letter flag to the EDPB that there are enough open questions that it may cause concern on their part. Is this the right moment to ask for this input? Does this look half baked without the proper explanation?
- Note that the Initial Report foresees the Initial Report to be submitted to the EDPB to request feedback on the applicability of the law in relation to the proposed recommendations.
- Also note that delaying sending this letter may mean that input is not received in time for consideration prior to finalizing the report.
- Sending this letter doesn't foreclose going back or sending additional requests.
- Important to get it right first time. May not get a response as there is no obligation to respond.
- Consider forming small drafting team to review / rewrite the letter. One rep per group to volunteer. Volunteers to date: Mark S, Diane Plaut, Stephanie Perrin, Hadia, Amr, Ashley, Margie, Georgios, CP rep, Thomas.

Action item #2: Staff support to schedule a call on Wednesday 27 November for small group of volunteers to review / rewrite letter.

Question for ICANN Org: is there any further information that can be provided in relation to the discussions that have been held with the EDPB and/or DPAs in addition to the blog posts and correspondence that have been shared, such as briefing notes and summaries of meetings.

4. Review list of topics for further discussion (60 minutes) – see attached

a. Any items missing?

b. Confirm deadline for reviewing and adding any items missing.

c. Commence deliberations on topics for further discussion.

- See topic list shared prior to the meeting.
- Contains items raised during review of Initial Report as well as flagged in the report as requiring further input. EPDP Team encouraged to review and provide input on whether any items are missing.
- Concern in relation to having small teams reviewing public comments - should this be done by the full group? Idea is to see if it is possible to undertake some preparatory work that will help facilitate review by the full group. Could mean that discussions are held twice instead of saving time? All EPDP Team members do have an obligation to review all input received.
- See recent EDPB guidance on territorial scope - that may help inform deliberations on geographic basis.
- Item #1 - why is removing 'implementation' recommended as that does include the processing of personal data? Were more thinking about implementation of policies at the ICANN level with the use of an IRT - this would require processing of personal data at a future date? Does coordinate belong here? May need to revisit this - current language in Initial Report says 'Coordinate, operationalize, and facilitate policies for resolution of disputes regarding or relating to the registration of domain names (as opposed to the use of such domain names), namely, the UDRP, URS, PDDRP, RRDRP, and future-developed domain name registration-related dispute procedures for which it is established that the processing of personal data is necessary'. Isn't it ICANN's role to coordinate? Is language that is taken from the Bylaws. Proposed to remove "coordinate" from current language so it would read 'Operationalize and facilitate'. Leave current language as is - original comments seems to have been already addressed in the language that is currently in the Initial Report.
- Item #2 - recommendations currently do not differentiate between requirements for thin or thick registries. Thin/thick is a topic that hasn't really been tackled head on. Need to look at the implications of the recommendations on a policy like Thick WHOIS. EPDP Team may need to spend a bit of time on what impact, if any, of these policy recommendations on other policies such as Thick Whois. Is there anything that needs to be adjusted as a result of this consideration.

Action item #3: EPDP Team to review topic list and indicate if any topics / items are missing by Monday COB

Action item #4: Leadership team to develop schedule of topics to be addressed per meeting

5. Preview of Thursday's webinar (15 minutes):

a. Outline & proposed approach

b. Confirm next steps, if any

- Would it be worth to specifically ask about recommendation #13 during the webinar? Why calling this out over others? Recent input from ICANN Org may warrant spending additional time on this?
- What is the breakdown between presentation time and Q & A
- Slide 18 – change that EPDP chose the google form
- Can comments also be uploaded to google form? That option is available for those who cannot use google forms – they can submit the form directly to staff who will input the information. The google form is intended to facilitate review of comments after the fact, having inputs provided in different ways will make this challenging, also noting the short time available. The google form does provide for general comment boxes to provide input that is not related to the questions.
- Should webinar go more into the substance of the recommendations? Time available may not allow to do justice to the substance. People need to read the report.
- Purpose is to call attention to the fact that the Initial Report is published, how to read the Initial Report and how to use the public comment forum. Allow time for Q & A. Consider establishing a resource for asking question.
- See how to emphasize which subjects are addressed in the recommendations.
- Make sure that people are informed about what input is sought.
- Consider assigning people to respond to questions. Staff expected to lead on the webinar, but members are free to join – consider having one rep from each group to be available and assist with questions.
- Kurt to provide intro for the webinar – if there are any points he should call out, EPDP Team to provide input on those.

Action item #5: Staff and leadership team to consider what updates to be made to the webinar slides to reflect input received during today's meeting. For example, could include having some materials in reserve should there be few questions.

Action item #6: EPDP Team to provide input on what points, in addition to those called out in the webinar slides, should be made.

6. Wrap and confirm next meeting to be scheduled for Tuesday 4 December 2018 at 14.00 UTC (note, on Thursday 29 November a webinar to present the Initial Report and public comment forum has been scheduled)

a. Confirm action items

b. Confirm questions for ICANN Org, if any