

2018-08-01 EPDP Team call #1

The first meeting of the GNSO Temp Spec gTLD RD EPDP is scheduled on Wednesday, 01 August 2018 at 14:00 UTC for 2 hours.

07:00 PDT, 10:00 EDT, 16:00 Paris CEST, 19:00 Karachi PKT, 23:00 Tokyo JST, (Thursday) 00:00 Melbourne AEST

For other times: <https://tinyurl.com/y8o6qvkw>



PROPOSED AGENDA

1. Roll Call & Brief Welcome by EPDP Chair (5 min)

2. EPDP Team Appointing Organizations Introductions (30 min) Please provide a brief introduction of your group to the team representing your appointing organization

Document to be reviewed during this item: <https://community.icann.org/x/4lpHBQ>.

3. EPDP Team Leadership – selection of vice-chair(s) (5 min)

4. Orientation (30 min)

a. Statement of Participation

Document to be reviewed during this item: <https://community.icann.org/x/OgFpBQ>

b. Key Background Documents review

List to be reviewed during this item: <https://community.icann.org/x/iwE5BQ>

c. Early Input from GNSO SG/Cs & ICANN SO/ACs

Document to be reviewed during this item: [EPDP Team Request for Early Input](#)

d. Charter Deliverables

i. Triage

ii. Initial Report: Temporary Specification

iii. Initial Report: Access

Document to be reviewed during this item: <https://community.icann.org/x/0opHBQ>.

e. Timeline & development of work plan / project plan

Document to be reviewed during this item: [EPDP_summary_timeline_v0.2.pdf](#)

f. Operating mode: e.g., proposed speaking order, issue identification methods

g. Use of a Moderator / Facilitator

h. Meeting Frequency; Face-to-Face Meetings; ICANN Barcelona

5. Substantive Discussion (45 min)

a. Temporary Specification content

Document to be reviewed during this item: <https://www.icann.org/resources/pages/gtldregistration-data-specs-en>

b. Survey on temporary specification to inform triage effort

6. Wrap and confirm next meeting to be scheduled for Tuesday 7 August at 13.00 UTC (5 min)

BACKGROUND DOCUMENTS

[4c. EPDP Team Request for Early Input - 26Jul 2018.docx](#)

[EPDP Meeting 1 Slides.pdf](#)

[Links to Triage Surveys Parts 1 - 4](#)

****Please note: surveys are to be completed by EPDP Team MEMBER ONLY, and only one response should be submitted per Stakeholder Group/Constituency/Supporting Organization/Advisory Committee.****

Part 1: <https://www.surveymonkey.com/r/CC6F9F8> Due: **Monday, 6 August 2018** by 19:00 UTC

Part 2: <https://www.surveymonkey.com/r/7BMRCNS> Due: **Wednesday, 8 August** by 2018 19:00 UTC

Part 3: <https://www.surveymonkey.com/r/7PWQPP7> Due: **Monday, 13 August** 2018 by 23:59 UTC

Part 4: <https://www.surveymonkey.com/r/9KD5K79> Due: **Sunday, 19 August** 2018 by 23:59 UTC

[Part 1 EPDP Survey MS Word.docx](#)

[Part 2 EPDP Survey MS Word.docx](#)

[Part 3 EPDP Survey MS Word.docx](#)

[Part 4 EPDP Survey MS Word.docx](#)



RECORDINGS

[Mp3](#)

[Adobe Connect Recording](#)

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



PARTICIPATION

[Attendance and AC chat](#)

Apologies: Matt Serlin, Emily Taylor, Georgios Tselentis, Thomas Rickert (alternate not assigned)

Alternates: Theo Guerts, Jeff Yeh, Chris Lewis-Evans



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/2lpHBQ>.

1. Roll Call & Brief Welcome by EPDP Chair (5 min)

- Attendance will be taken from the AC room
- All information related to this meeting can be found on the EPDP Team wiki space: <https://community.icann.org/x/ugBpBQ>
- See also welcome email circulated by EPDP Chair to the mailing list prior to this meeting

2. EPDP Team Appointing Organizations Introductions (30 min) Please provide a brief introduction of your group to the team representing your appointing organization

Document to be reviewed during this item: <https://community.icann.org/x/4lpHBQ>.

- Thank you for sharing short intros on the mailing list. These have also been posted on the membership page (see <https://community.icann.org/x/4lpHBQ>).
- BC: Goals are to reinforce our beliefs that privacy is a human right and GDPR is a step forward, but that there are also legitimate purposes for access to registration information. A balance should and can be found between these two objectives.
- RrSG: Registrars are eager to get started, have a lot of skin in the game. As contracted parties on the front line for issues being addressed here. Temp Spec is a band-aid and temporary, eager to find something that can take its place on a permanent basis that provides certainty and mitigates legal risks. Looking to lock down what we can agree on as soon as possible, ideally well ahead of the expiry date of the temp spec.
- ISPCP: see individual intros provided. Representing ISPCP in this effort.
- IPC: see individual intros shared on the mailing list - skills provided are very relevant to the task. Want to participate actively, productively and respectfully on working on these issues. Listening, learning and contributing to solutions that support the mission of this group.
- RySG: Goal is to participate actively and in good faith to address the questions that are set forth in the charter. Any consensus policy must provide a clear path for compliance with GDPR, commercially viable and not inhibit innovation.
- NCSG: representing non-commercial policy objectives, protect and support non-commercial communication online as it is enabled online. Fundamental rights of natural persons during collection, processing is protected as foreseen in the GDPR and not overridden by third party interests. Looking forward to collaborating with everyone in the group.
- GAC: welcomes EPDP and invitation to participate. Group has important role to play what GAC believes should be a comprehensive model which should include access model which is in line with GDPR and data protection models elsewhere. Welcomes proposals from Chair to maximize effectiveness of this effort. GAC is also working on internal mechanisms to ensure timely input. See also GAC Advice that has been provided on this topic - should be added to the resources list. WHOIS should be maintained to the fullest extent possible while ensuring compliance with GDPR.
- SSAC: happy to participate. SSAC is focused on issues that may negatively impact security and resiliency. Main goal is to make sure that security and stability issues are thought of from both perspectives (providers and those who would consume it). Properly implemented data registration system will help protect the Internet, while recognising that making available personal information too widely, there are different security issues such as spam and other abuses.
- ALAC: EPDP must succeed and will be working to that end. The earlier the better. Support structure put in place to ensure that it has the input and support from the ALAC. Looking out for the interests of end-users. Main concern is for access for third-parties who ensure that the Internet is safe for internet users such as law enforcement and security researchers, as long as it is in compliance with GDPR.

3. EPDP Team Leadership – selection of vice-chair(s) (5 min)

- See proposal circulated by Kurt in the welcome email
- Proposal to select the GNSO Council liaison (Rafik Dammak) to the EPDP Team as the Vice-Chair. The liaison is already required to serve in a neutral capacity so that would align well with the role as foreseen.
- In what capacity will Rafik fulfil this role? Able to meet time commitment? Will be participating as Council liaison - independent and neutral, without taking positions on any of the issues. Assisting the chair in its work. Is able to meet the time that is expected for the liaison role and vice-chair role.
- With agreement of the EPDP Team, will go to the Council to ask for agreement to take this approach, as the charter originally foresaw that the Council liaison would not serve in this capacity, but noting the special circumstances, it is the hope that it will not meet any objection.
- Liaison is first recourse for issues with the leadership - how is that handled if liaison is part of leadership?

EPDP Team Agreement: No objections to appointing GNSO Council Liaison, Rafik Dammak, as the Vice-Chair of the EPDP Team

Action item #1: EPDP Chair to write to the GNSO Council to confirm that the EPDP Team has confirmed the GNSO Council Liaison, Rafik Dammak, as the Vice-Chair of the EPDP Team and request if there are any concerns / objections for having the Council Liaison take up this role.

Action item #2: EPDP leadership team to consider alternative escalation paths and make recommendations to the EPDP Team

4. Orientation (30 min)

a. Statement of Participation

Document to be reviewed during this item: <https://community.icann.org/x/OgFpBQ>

Action item #3: All EPDP Team members and alternates to review the statement of participation and reflect on these items.

b. Key Background Documents review

- List to be reviewed during this item: <https://community.icann.org/x/iwE5BQ>
- If there is a need to have an overview session of these documents, it could be scheduled, either separately or collectively. Suggestions / requests to be shared with ICANN staff.
- Add relevant GAC Advice to the list of documents.

Action item #4: EPDP Team members and alternates to make sure they are familiar with these documents. Must reads are temporary specification, team charter, ICANN correspondence with EU privacy authority, proposed access models.

c. Early Input from GNSO SG/Cs & ICANN SO/ACs

Document to be reviewed during this item: see <https://community.icann.org/x/ugBpBQ>

- Early input is a requirement as part of the PDP rules to solicit input from all GNSO SG/Cs and ICANN SO/ACs. Especially targeted at those that are not actively participating, but in this case most groups are represented and actively participating.
- Short timeframe for responses - 21 days, but likely redundant with input that team is expected to provide in relation to the temporary specification in the form of a survey. Request for early input will be in the form of a letter sent by EPDP Chair. As time is limited, request to comment on first deliverable and request input at a later stage on access models.

d. Charter Deliverables

i. Triage

ii. Initial Report: Temporary Specification

iii. Initial Report: Access

Document to be reviewed during this item: <https://community.icann.org/x/0opHBQ>.

Note the three deliverables that are outlined in the charter:

- a triage document of the Temporary Specification, which includes items that have the Full Consensus support of the EPDP Team that these should be adopted as is (with no further discussion or modifications needed).
- the Initial Report which will include the items that received Full Consensus support per the triage document as well as all other items of the Temporary Specification (not including the Annex) that were considered and deliberated upon.
- an Initial Report outlining a proposed model of a system for providing accredited access to non-public Registration Data.
- A detailed work plan is being developed which will be informed by the triage results and completed immediately thereafter as the triage effort should bring clarity around the # of issues in the temp spec need to be addressed.
- See high level timeline shared during the meeting (slide 11 of the slide deck). Initial Report on Temp Spec expected to be delivered around ICANN63, following that, deliberations could start on the access related questions (provided that gating questions have been answered).
- First two deliverables are tied to the expiration date of the temp spec (25 May 2019), for the third delivery more time is available.

e. Timeline & development of work plan / project plan

Document to be reviewed during this item: EPDP_summary_timeline_v0.2.pdf

f. Operating mode: e.g., proposed speaking order, issue identification methods

- See proposed operating mode outlined in the slide deck on slide 13 and 14.
- Start an issue (not necessarily in the order presented here) by asking GNSO reps to state their position so that the GNSO position is clear, followed by AC viewpoints, following which consensus discussion / resolution would take place. Ordered discussion on each issue to see if that gets the group to a consensus position quicker.
- Avoiding parallel discussions in the chat room on non-related topics.
- Will require listening and understanding from all involved.
- Detailed road map of issues to be discussed is expected to be developed following triage. There may also be overlap / iteration on issues.
- Need to make sure that there is time to consult with respective groups. Need to make sure that there is consensus and not declare consensus when there isn't. See also provisions in the charter dealing with consensus assessment.

g. Use of a Moderator / Facilitator

See thoughts expressed in welcome email as well as slide 15

h. Meeting Frequency; Face-to-Face Meetings; ICANN Barcelona

- Tuesday & Thursday at 13.00-15.00 UTC
 - based on the location of EPDP Team members, alternates and liaisons
- Face-to-face meeting
 - Consensus discussions
 - 17-21 Sept or 24-28 Sept
 - Likely Los Angeles
 - Still need confirmation on resources being available to organize this meeting, including travel support.
 - Deciding on dates may depend on availability of group as well as availability of ICANN resources.
- ICANN Barcelona, preliminarily:
 - Full day Saturday for EPDP Team meetings
 - host a high interest topic session, and
 - have two additional 90-minute meetings later in the week
- Need commitment to complete work on list / off-line – this may also help reduce the need for meetings. But will require everyone putting in the time.
- Proposed duration for meetings 120 minutes – some concern expressed about the length of the meeting, but others noted that this time may be needed to get through all the items the EPDP Team is expected to deal with.

5. Substantive Discussion (45 min)

a. Temporary Specification content

Document to be reviewed during this item: <https://www.icann.org/resources/pages/gtldregistration-data-specs-en>

- The first deliverable of the EPDP Team shall be a **triage document** of the Temporary Specification, which includes items that have the Full Consensus support of the EPDP Team that these should be adopted as is (with no further discussion or modifications needed). These items need to be:
 - In the body of the Temporary Specification (not in the Annex)
 - Within the "picket fence" (per limitations on Consensus Policy as set out in the Contracts)
 - Not obviously in violation of the GDPR / Assumed to be compliant with GDPR [Presumed to be legal according to the members' best knowledge of GDPR]
 - Consistent with ICANN's Bylaws
- Deliberations of this first deliverable should include at least one round of elimination of clauses, if appropriate, and a second round of Full Consensus approval of a whole set of clauses.

b. Survey on temporary specification to inform triage effort

- A survey has been created so that each group can formulate written input
- The form of written input will be, for each clause:
 - Agree
 - No opinion
 - Edit or deletion required
 - Recommended edit
 - Rationale
- The survey is remarkably similar to the Early Input request described earlier and your contribution here can replace that
- Survey is not the driver of consensus, but should allow determination where additional work is needed, and which areas there appears to be agreement
- **Part 1 = Sections 1-4 + Appendix A; (Lawfulness & Purposes)**
- due 6 August for discussion on 7 August
- <https://www.surveymonkey.com/r/CC6F9F8>
- **Part 2 = Sections 5-7 + Appendices B & F; (Contracted Parties)**
- due 8 August for discussion on 9 August
- **Part 3 = Appendices D, E, & G (Other Consensus Policies)**
- due 13 August for discussion on 14 August
- **Part 4 = Appendix C & Annex: Important Issues (Access)**
- due 19 August for discussion on 21 August
- Annex in Part 4 should not be covered now per the charter as it will only be dealt with after gating questions have been answered. Update survey part 4 and remove annex part from questions.

Action item #5: Staff to finalize surveys for other parts and update part 4 as discussed. Links to be circulated to the EPDP Team with relevant deadlines.

Action item #6: EPDP Team to complete survey part 1 by 6 August at the latest (survey link: <https://www.surveymonkey.com/r/CC6F9F8>)

6. Wrap and confirm next meeting to be scheduled for **Tuesday 7 August at 13.00 UTC** (5 min)

All Action Items:

- EPDP Chair to write to the GNSO Council to confirm that the EPDP Team has confirmed the GNSO Council Liaison, Rafik Dammak, as the Vice-Chair of the EPDP Team and request if there are any concerns / objections for having the Council Liaison take up this role.
- EPDP leadership team to consider alternative escalation paths and make recommendations to the EPDP Team
- All EPDP Team members and alternates to review the statement of participation and reflect on these items.
- EPDP Team members and alternates to make sure they are familiar with these documents. Must reads are temporary specification, team charter, ICANN correspondence with EU privacy authority, proposed access models.
- Staff to finalize surveys for other parts and update part 4 as discussed. Links to be circulated to the EPDP Team with relevant deadlines.
- EPDP Team to complete survey part 1 by 6 August at the latest (survey link: <https://www.surveymonkey.com/r/CC6F9F8>)

Please find a high-level summary of Meeting 1 here: [EPDP Team Meeting #1 - 1 August 2018.docx](#)