GULTEN TEPE: Welcome to the dialog with ICANN CEO on Abuse Mitigation Conference Call taking place on 15th of June, 2017. This call is meant to be interactive, so if you have questions or comments at any point, you are welcome to raise your hand in the AC room. If you are not in the Adobe Connect room, please let us know on the call. Also, we will need you to state your name for the transcription purposes. With that, I would like to give the floor to David Olive, senior vice-president of Policy Development Support team who will be the moderator of this call. So, over to you, David, the floor is yours.

DAVID OLIVE: Thank you very much, folks, and welcome, everyone. Thank you for taking the time to be on this call. I just briefly wanted to go through the agenda as you see it before you, and to note that as is the tradition, the call will be recorded for note purposes. And we see the opening remarks by Göran, and possibly comments, if he prefers. A discussion of compliance developments by Jamie Hedlund. Then some developments by the office of the CTO, David Conrad.

And then a discussion relating to the various questions and answers that have been exchanged. And further comments by the GAC's PSWG Co-Chair and members. And with that I turn it over to Göran for his opening comments. Göran, please. (NO AUDIO - 00:01:42 - 00:02:03) Did we lose Göran? Hold on. (NO AUDIO - 00:02:06 - 00:02:50) Göran, can we hear you please? (NO AUDIO - 00:02:52 - 00:03:05)

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

GÖRAN MARBY: Hello, can you hear me?

DAVID OLIVE: Yes, we can, please proceed.

GÖRAN MARBY: Thank you very much. First of all, I'm very sorry, I seem to have some technical difficulties this morning. Anyway, thank you very much for taking the time to have this call with us. I think it's very prudent, I think it's very important, and I'm looking forward to some constructive discussions about this. I will let most of my team give the talking, but I would like to also add on another discussion, which I hope we can have with you. I don't know how much aware you are about the upcoming new legislation that is soon going to be implemented, data protection in Europe.

Along this call, I really would like to hear your view [inaudible] as well, and maybe especially from the European members, because we are in the investigation mode [inaudible] right now. We don't know the end result, but there are fears that this could have an effect on the usage of WHOIS for anyone who operates in Europe or has relationships with anyone working in Europe. So what we're talking about here is something that many countries and many representatives of different organizations are talking around the world.

I hope this also is sort of a start where we try and facilitate what we call a facts-based discussion between the ICANN organization and members of the GAC. I think this is the other example that we're having in a very

short while when I participate with my team in the conference call. With that, I will leave over to Jamie who will talk a little bit more about what we're doing right now when it comes to compliance and then also over to David who's going to talk a little bit about more about the practical steps we're doing when it comes to looking into how this market evolves. Thank you very much.

DAVID OLIVE: Thanks, Göran. So, this is -- sorry, go ahead.

JAMIE HEDLUND: I wanted to know if Thomas wanted to say a few words before we started?

THOMAS SCHNEIDER: Yes, can you hear me? This is Thomas.

DAVID OLIVE: Yes, Thomas, please.

THOMAS SCHNEIDER: Okay, I'll be brief. I just wanted to, like Göran, welcome this dialogue which I think is dealing with a number of important issues for law enforcement and other agencies but not only them, but in fact for governments in general and I think this is very welcome that we have this dialogue. And as you probably already heard we consider that this

is a dialogue that should be ongoing because these cases will not go away, they will develop.

We also need to develop our cooperation with (inaudible) in order to be always up to date to the latest changes and work together in order to (inaudible). So I'm very happy that we have this and I'm ready to hand over to our experts in this which are the Co-Chairs and the topic leads from the PSWG from our side. Thank you.

DAVID OLIVE: Thank you, Thomas. We now turn it back to Jamie Hedlund, Senior Vice-President for Contractual Compliance and Consumer Safeguards. Jamie, please.

JAMIE HEDLUND: Thank you, David, and thanks, Thomas and Göran. As you all know, many of the issues raised in the Annex 1 questions have been raised by others in the community, many of whom share exactly your concerns regarding data transparency, data availability, the collection and publication of data, surround DNS abuse, contractual compliance and related issues.

And in that vein, just wanted to first introduce Bryan Schilling, who's on our call. Bryan is the new Consumer Safeguards Director and will be in Johannesburg and looks forward to meeting with members of the GAC and the PSWG. There are a handful of issues that we've undertaken that are related to some of the GAC's concerns.

Number one, on data transparency, we have actively solicited from virtually all the stakeholder groups in the community for their views on what data they think is missing, what data would be helpful and how we publish that. Those are ongoing discussions. Laureen Kapin, as you all know, and we all know, is also leading the Consumer Safeguards portion of the CCT Review, which has a number of recommendations that have been echoed and supported through other parts of the community as well regarding data.

Another initiative that's underway is working with David Conrad's team at OCTO and the data that they're now getting through DART, and identifying ways where we might be able to engage, or if we can't engage directly, where we could engage other parts of the wider internet community who might have the ability to take action. And that's a exciting area because it does seem to be identifying what looks like low hanging fruit in terms of easily proven bad activity, whether it's activity that ICANN can go after is another issue and we're working on that as well.

And then finally, one of Bryan's roles will be to facilitate the creation and support for an ad hoc community wide working group on contractual compliance and consumer safeguards. To date there has been lots of discussions of those issues and (inaudible) issues in silos and the hope is that a community wide discussion will foster greater awareness and potential for consensus on what's working, what's not working, what improvements could be made, either without policy development or with policy development. And we hope that representatives of all stakeholders, and particularly the GAC, would

participate in that. So those are the handful of things that are going on and look forward to continuing the conversation. Thanks.

DAVID OLIVE: Thanks, Jamie. And just some brief remarks from David Conrad, as Senior Vice-President and Chief Technology Officer at ICANN. David, please.

DAVID CONRAD: Hello, everyone. I hope you can hear me. So I was asked to talk a bit about some of the activities that are occurring within the Office of the CTO, or OCTO. We have, as I'm sure many of you know, been also developing a tool that we've named the Domain Abuse Reporting Tool, or DART, and it's a platform for reporting on domain name registration and abuse data across top level domain registries and registrars. It aggregates information from all top level domain registries and registrars from which we can get data that includes the New gTLD's, the legacy gTLD's, and some ccTLD's who have volunteered and offered to participate in the DART effort.

The DART tool also maintains or collects curated reputation data from over 20 reputation data feed providers. These data feeds include information about abuse that's occurring within the domain name system and that's collated against the data that we get from the registries and registrars relating to the zone data, the actual domain names themselves, and registration data that we pull in from the WHOIS system.

That system is still under development. We've made significant progress. We'll be presenting that tool in its current form in various venues with Johannesburg and elsewhere. It is, at this stage, internally we're actually using it to do various analysis of DNS abuse across a number of registries and we're actually trying to figure out the best way that we can provide that data out to the community. That is an ongoing topic of discussion internally and with various others about how we want to report out the statistics and information that we're seeing via the DART tool.

Other efforts that we have underway within the Office of the CTO includes a project known as the Identifier Technologies Health Indicators, and that's looking to identify metrics, including abuse related metrics, that can provide some indication as to whether this phase of the internet system of identifiers is improving or degrading over time. These metrics will be used and tracked over time just to see what changes are occurring within the system, the identifiers systems, and as those changes impact the system we should, through these metrics, be able to obtain information as to whether the state of the identifier system is improving or is degrading.

We continue, within OCTO, to provide training and subject matter expertise to governments, law enforcement, public safety groups, registries, registrars and others, in an effort to improve the understanding of DNS abuse and its mitigation, and we're going to continue to provide that training and other resources moving forward, hopefully helping the community understand the implications of DNS abuse and allow them to take whatever steps are necessary to reduce that abuse and mitigate the effects across the domain name system and

other aspects of the identifiers. And with that I will, I guess, hand it back to David.

DAVID OLIVE: Thank you very much. I would now like to turn it over to members of the GAC and I know the Co-Chair of the GAC Public Safety Working Group, Cathrin Bauer-Bulst is on the call. Cathrin, would you come on and make a few comments and/or start the discussion?

CATHRIN BAUER-BULST: Yes, thank you very much, David. This is Cathrin Bauer-Bulst, Co-Chair of the GAC Public Safety Working Group. First of all, let me thank the ICANN CEO and leadership for making yourselves available for what we think is a really important conversation to be having. The GAC very much welcomes this dialogue, and as was highlighted in your letters, this seems like a more productive way to come to a comprehensive set of answers.

And thank you, Jamie and David, for the very succinct introduction and also for the new measure that ICANN is putting in place. We're very much encouraged by the movement we see and also by the recent publication of the Spec 11 3b Advisory. And I would also like to take this opportunity to welcome Bryan Schilling in his new role as the Consumer Safeguards lead, we very much look forward to meeting you in Johannesburg and to working with you on what we consider as really key matters.

I just want to make two or three points before we delve into the details of the follow-up on the questions, because we see this dialogue really as a key opportunity to set the way forward together, and while we should also spend some time looking at the specific questions and answers that were included in the GAC Advisory and to which you replied, I think this is really the key opportunity to set some strategic lines for the way forwards and for how we can work together in the follow up to this call.

So as Thomas Schneider has already mentioned, we would very much welcome to have an opportunity to have this conversation take place on a regular basis to continue to address concerns as they evolve and to work together in a constructive manner, of course, in full transparency with the other stakeholders.

And we very much appreciate the development of the different tools right now to facilitate abuse mitigation. We look forward to a presentation of the DART system and the other new ways in which contract compliance and abuse mitigation might be managed in the future. Now, as this process shows there are still some areas where, also to us, it is not quite clear how ICANN and the other contracted parties comply with their contractual obligation.

Now, I just want to highlight as a general point, that of course this is a general challenge as we're working in a complex environment. We're dealing with obligations in a two-sided contract which serves the interests of a third party that is not actually a party to that contract, namely, the public. And we need to find a way to verify that these obligations are being implemented on behalf of the GAC.

So, in terms of concrete measures, what does that really mean in our view? We would like to build on this set of questions and take it one step further. So specifically, we would like to work with the relevant departments at ICANN, and I think Jamie and David and Bryan are probably going to be key counterparts for this, to create measurable outcomes, to create metrics and standards for the reporting of DNS abuse and contract compliance, including outside reporting actions.

And I'm really encouraged by what David just explained now about the DART system and how it should take account of outside reporting also. So with that and the DNS health indicators, I think we're already working on this on both sides and probably just need to join up the dots a bit. And in our view, but this is just a side note, we would very much welcome if this also would include information from sectorial sources.

I mean, just to cite one example that's been also related to recent news, and mentioning of ICANN in the news, the Internet Watch Foundation's 2016 Report shows that just for generic top level domains, there's been a rise in the use of these for the publishing of child sexual abuse images, in one year of 250%, which of course is not welcome. And so we would really like to work with you on how we can create metrics and transparency around what's happening on the contractual side and what's happening on the abuse mitigation side.

Now in our view, these metrics of course should be monitored on a consistent basis and reported. As a first idea we would propose quarterly reporting. And then on behalf of the PSWG we could create a digest for the GAC to brief the full GAC on where we stand, to enable them to take an informed view on these issues. I fully subscribe to what

Jamie was saying about how others in the community are also very interested in this. So we should look at how we can create a transparent and comprehensive dialogue that is inclusive of everyone that is interested.

At the same time I think there's a specific stake that the public sector has in this because it is the duty of the representatives of the GAC to represent the governments whose primary role is also the protection of their citizens, and so there we do have a bit of a special position and we would need to reflect on how that is best done. So this idea of an ad hoc compliance group, I think is very interesting and deserves further analysis.

I think, one, especially before we come to policy developments, we should really look at how to implement what's out there, and that's not so much a discussion on what people's opinion is of their contractual obligations, but really it is a matter of complying with contractual obligations which in many cases are quite specific and simply need to be complied with. So before we discuss what needs to be changed I think we should really look at implementing what's out there. And the Advisory in Spec 11 3b could be one thing that deserves further discussion. It's a first step and we could look in this group, or elsewhere, at how we can make this more comprehensive to address the legitimate concerns also of the public sector on this.

And I fully understand also Jamie's caution about that we need identify activities that ICANN can go after which addresses the very important point, especially of content releasing, and that is of course always going to be a very difficult subject to address. At the same time, it is that all

these parties come together and even though not everything might be achieved through contract compliance through ICANN, there's a lot that can be achieved through making information available about what's happening.

And I think that's really one key role that we can play together to make it transparent. What is happening, what is not happening, and then to allow other actors also to form their views on that basis. But right now what we're missing is the complete evidence space, and I think we're working on both sides on this.

And to turn to our specific bit here, to the specific follow-up to answers provided in response to the GAC Copenhagen Communiqué, I would now like to turn it over to Iranga Kahangama, who's been the topic lead on this issue for the GAC Public Safety Working Group, and who has analyzed the responses in detail and can give some more input on what further details we would very much like to see. David, if that's okay for you, Iranga could go next.

DAVID OLIVE: Cathrin, I know Göran wanted to make a comment. Thank you for your overview and the concerns and matters you want to move forward. But can we have Göran just make a comment, then we'll turn to your colleague, how about that?

CATHRIN BAUER-BULST: Sure.

GÖRAN MARBY: Catherin, I have a question for you.

DAVID OLIVE: Göran, please.

GÖRAN MARBY: Can you hear me? Catherin, I have a question for you.

DAVID OLIVE: Yes, we can.

GÖRAN MARBY: One of the things we talked about earlier is our contracts can't never take over any legislation in the country. And also my question in the beginning, we have this concerns or questions about the European data protection, which could have an effect on those things. What is your comment and what do you think GAC should do when it comes to, because you're actually talking about some of the things that we are talking about with the contracted parties about the European legislation right now. Have you and GAC discussed this at all? Have you had any views on this? Because this goes to the heart of some of the matters you're talking about. I would be very happy for the learning experience if you can help me with that. Thank you.

CATHRIN BAUER-BULST: Yes, this is Cathrin Bauer-Bulst. Thank you, Göran. I think for the GDPR, for the Data Protection Legislation, we could probably schedule another

three hour session to go through all the details. But to give you a very succinct reply, and I know there will be a cross-community session at ICANN 59 which will address this on which I will represent our data protection colleagues from the Commission which I'm very much looking forward to.

But to give you a very short answer, in our view, the GDPR changes nothing about abuse mitigation. The GDPR changes the way we do things but it doesn't change the outcome of what we can do. And specifically, I mean, when it comes to abuse mitigation, the information that we would process and publicize does not necessarily have to include personal data even. I mean, I think we're having two separate discussions here. It would have an impact specifically on how we develop the new WHOIS policy. The RDS PDP will have a strong interest in taking GDPR requirements into account when they develop their policy.

And I think they're really striving to do this and have engaged specifically with the data protection authorities to get some responses to questions on how the new RDS could be constructed in such a way as to respect GDPR obligations. But what I'm a bit concerned about is that the GDPR is now being characterized as this white elephant in the room that will just fundamentally change the way we do things and that's simply incorrect. And I'm very happy to provide further details but I think for the purposes of the present hour that will probably take us a bit too far.

DAVID OLIVE: Okay, thank you. And now I think we wanted to turn to your colleague, Iranga, is that correct? And then people wanting to ask questions you can (inaudible) in the Adobe Connect Room. Iranga, you have the floor, please.

IRANGA KAHANGAMA: Thank you. And to thank everyone for taking some time to come and talk to us, I really appreciate it and just wanted to echo Cathrin's appreciation of all of your time and efforts on answering these questions and having a dialogue. I think Cathrin's point, the most important, is that we see this dialogue as the start of a consistent dialogue where we can have a back and forth, realizing that the answers to these questions, in my view, represent broad concerns that the PSWG, the GAC and the larger community have on DNS abuse and security issues.

And I think thematically to start to look at, you know, registrar, accreditation agreements, WHOIS validation, and DNS abuse reporting, and the new gTLD applicant guide book, are very broad level categories that I think we can look and have a consistent look at. In terms of getting into some of the specifics, I think we can talk about some of the things. I think regarding the first set of questions about the requirement for WHOIS cross-validation. We were encouraged to see that you guys had submitted a timeline, but I guess, some concerns we had heard from the community is that, since this is a 2013 contractual obligation, it's been about four years and this seems to have been circling.

And I think a combination of not having clarity on what the potential is going to be or how the definitions and implementation of something that is commercially viable, and the relevant associated costs with that, are a bit of a concern. So I think from clarity, in terms of how the level of specificity that this group is looking at in terms of, you know, is it a city and zip code level issue? Is it just going to be a street address validation? Are you going to consider piecemeal solutions that may give you the possibility to cross validate in certain regions or countries? Or is it a all-for-one or nothing kind of situation, where if there's not one global solution you're not going to consider that?

So, getting into the specifics of what level of certainty you're going to get? How that is going to be able to mitigate and validate some of the WHOIS information? If you're going to propose solutions that may be regionally or country focused, if not able to validate lots of the world's address, you know, if there are certain regions, would be interesting to hear. As well as where is it going to go if you can't find a commercially viable solution, do you have alternatives, have you considered those types of situations? Just as a first example of a question follow-up. Thanks.

DAVID OLIVE: Thank you. Should we hold on to that and get back on this and ask some questions, or do my colleagues wish to address the timeline question and the concerns about some validation, I guess? Cyrus, would you want to say a few words on that one at this stage?

EN

AKRAM ATALLAH: David, this is Akram.

DAVID OLIVE: Yes, Akram. I think Cyrus is having some audio problems. Excuse me.
                      Please go ahead.

AKRAM ATALLAH: No problem. So basically we are working with the --

DAVID OLIVE: Akram, I think we lost you. There we go.

AKRAM ATALLAH: Sorry, can you hear me?

DAVID OLIVE: Now I can, yes, please.

AKRAM ATALLAH: Yeah, so we are looking at different solutions with the (inaudible) charts
                      on global databases that can do cross-validation, and none of the
                      solutions do cover worldwide. There are some solutions that do better
                      than others, the cost becomes prohibitive, and of course none is in real
                      time but they're still prohibitive. So we're continuing to work with them
                      on what the best way to do this. We have not come to a conclusion
                      right now but we will be more than happy to give you a summary in
                      writing of where we are right now in the negotiation and what are the

solutions we've been looking at. And maybe we can discuss in Johannesburg where we can show you some of the solutions that we've looked at as well. Is that satisfactory?

IRANGA KAHANGAMA: Hi, this is Iranga. Yes, I think it'd be great to continue having an open, transparent issue. I guess from the PSWG perspective, like, on the record, we'd just like to note that we hope that the feasibility factor and cost factors won't prevent or mitigate a potentially viable solution, or the fact that, you know, certain regions may be able to be validated more easily than others, would not take issues that would prevent something like cross-validation from happening.

DAVID OLIVE: Thank you. And if I may, Cyrus is back, connected, so he has hand up. Cyrus, please, you have the floor.

CYRUS NAMAZI: Thank you, David. Thank you, Iranga. I just wanted to augment what Akram was saying, that there is actually a working group of registrars that is working with our team and the organization side. There is a detailed project plan on the ICANN wiki, I think we put that link in the responses we sent back to PSWG, and I presume you've looked at it. But what I wanted to add to this was that there is actually an in-person working session in Johannesburg that's been planned and you're quite welcome to come actually participate and observe to see the latest and what's going on.

At the moment the focus is on, as you probably know, identifying a commercially and technical feasible solution. And we fully understand, I think we've come to terms with the fact that there is not going to be one solution that provides all the elements that we need on a global basis, considering all the factors that are involved.

But that's where we're at and once we actually finalize the requirements from a commercial/technical feasibility, an RSP will be issued, hopefully sometime in late quarter three or early quarter four of this calendar year to solicit proposals from providers and be able to go forward from there. Also I think it's important to note that alternately, any solution that we come up with will have to be approved both by ICANN Organization as well as the Registrar Stakeholder Groups, so they have equal say from a purely contractual perspective, and what ultimately will get adopted. I hope that helps. David, back to you.

DAVID OLIVE: Thank you. Iranga and Cathrin, any other comments or should I open it to the floor, people raising their hand in the Adobe Connect or otherwise are indicating they would like to ask a question? Is that a way to go or do you have other questions at this stage?

IRANGA KAHANGAMA: I have another topic or two to bring up, if that's alright?

DAVID OLIVE: I see no other hands up. Please, Iranga, go ahead.

IRANGA KAHANGAMA: Thank you. I think the PSWG was really interested in your responses to pro-active monitoring, and I think this is a very timely and relevant conversation given that Jamie and David gave some great points earlier on this about what they were doing to kind of shore up the environment in order to have a more data driven focus, which is something I also appreciated Göran mentioning.

So given that we have all these factors, I guess we thought that the pro-active monitoring seemed to be a bit ad hoc, there didn't seem to be an centralized or streamlined consistency around it. So we were interested to hear more about the mindset of how, and when pro-active monitoring is done, if it's possible to use some of the data and the metrics that Cathrin had mentioned and everyone else, to create some sort of streamlined process so that we can have better pro-active monitoring done to prevent some of these DNS abuse issues.

DAVID OLIVE: Thank you. Would one of my colleagues want to provide some further background relating to the pro-active monitoring and its form? Maguy, please. Maguy Serad, our Vice-President for Compliance, yes.

MAGUY SERAD: Good morning, everyone. Yes, good morning. Iranga and the team, so the pro-active monitoring interest and the data driven focus, ICANN approaches that in two sides, as I responded in Annex 1 Draft. There is a structured approach to pro-active monitoring through the audit that

are existed structure Andy posted on. There's also the technical approach to pro-active monitoring that we collaborate on with the GDD technical team.

I think the area that you might be more interested on is what you refer to as the ad hoc monitoring, and the ad hoc monitoring in this aspect is conducted based on different criteria. For example, if there is some kind of a risk underway or blogs or reports being generated, then we launch an ad hoc monitoring. So I'm happy to discuss and share with you more at the ICANN meeting if you are present there and try to understand more what you mean by some of the questions you've asked further detailed questions about.

DAVID OLIVE: Thank you, Maguy. Iranga, I'm sorry, another question. And then I'll go to Mark Carvell's comment in the chat.

IRANGA KAHANGAMA: Sure. So, in terms of auditing, we appreciated your answers on contract compliance and using (inaudible) sure that the intent of that question comes through, and that we want to have ICANN have its ability to maximize use of its contractual agreements and parties in terms of audits and things like that.

So, has ICANN ever done an on-site audit as I think is make available in one of the contracts? I guess, beyond specifics of the questions, the intent of these questions is to just make sure that ICANN has the most ability to use all of its tools in its toolbox. So I guess with audits, have

you done on-site audits ever, is that something that's a possibility, are you open to doing these types of issues?

MAGUY SERAD: So, to answer your question, no, we have not conducted on-site audits. As you know, being a global ICANN presence, and I mean by contracted party perspective, the business models vary so much and the complexity is you've got the back-end service providers and all the data, based on the initial assessment of what type of audits we want to do, we decided from a resource perspective and efficiency and effectiveness perspective, that the audits and the data can be provided for us and uploaded for review.

We have, based on the questions that were proposed in Annex 1, and also in dialogue with Jamie, started kind of discussing what would be the value of an on-site audit, what would we gain? Because of the spread and breadth of the business models out there by contracted parties will cause some, I don't want to say challenges, but opportunities of how do we, you know, what would be the goal and what would we accomplish differently by doing on-site audits? So it is in discussion and we'll keep you updated if we identify certain business needs or value to conduct that.

DAVID OLIVE: Thank you, Maguy. Iranga? In the chat, Mark Carvell, GAC Vice-Chair, writes that when the GAC meets with Bryan Schilling in Joburg, they suggest that it'll be valuable to focus on the terms of reference and modality for his cross-community working group and how it will link to

contractual compliance operations 1 and 2, GNSO policy development. Thank you, Mark.

We will note that and Bryan is on the call as well and so that will be noted. Thanks so much. May I turn to anyone else in the Adobe Connect room if they have any questions? If not, I'll return back to Iranga if he has some others. And just a time check, we have about 15 more minutes left on the call scheduled today. Iranga, would you have another comment or question?

IRANGA KAHANGAMA: Sure. I mean, I think we can go down the rabbit hole with these questions and back and forth for a very long time. I think it would be more prudent to use the remaining limited time that we have to discuss larger themes and potential next steps in terms of regularizing this conversation, and some of the goals that I think we should aim to achieve for. I was really encouraged by things like Bryan mentioning that there was an ad hoc working group working on compliance and safeguards. It would be interesting to join that definitely.

I think it would be key to figure out what kind of influence and power this working group would have in terms of recommendations. I was really encouraged, as mentioned before, by DART. I think if we can hear more about the vision for DART, I really think that having all the data feeds feed in will be a very good authoritative data source, but I think it's important that DART just not produce statistics and numbers for the sake of having them out there. I think we need to figure out a methodology or a framework with which those numbers can have

meaning and apply to different contractual agreements of how they can be enforced, and things like that. So I just want to put out there for any large thematic issues that I think we should discuss that has concrete steps in terms of moving forward.

DAVID OLIVE: Thank you very much. Duly noted. Cathrin, your hand was up, did you have a comment?

CATHRIN BAUER-BULST: Yes. Hi, can you hear me? This is Cathrin.

DAVID OLIVE: Yes we can.

CATHRIN BAUER-BULST: Perfect, thank you. I think Iranga's approach probably makes sense because I think on any of the questions we could probably have a very long discussion. And if we can agree to continue our work in full transparency, but not necessarily on this phone call, to get further details on the questions where we see that that is still necessary. I just wanted to take the opportunity of the last question that was discussed also on contractual compliance and the on-site audits, to just once again highlight the specific situation that we find ourselves in.

Because these on-site audits, as Maguy was saying, there's possibly no business need from the perspective of ICANN to do them, or in fact to

do much of an audit on some of these issues. And really there, again, ICANN is acting a bit in a role of an agent for a third party that's not included in this contract because obviously there's other actors that might have an even larger interest in abuse mitigation than ICANN itself.

I'm not questioning ICANN's commitment to the fight against abuse mitigation, I'm just saying really you have a role, not just as your own organization and for the needs of your own organization, but you're also representing a large group of stakeholders that have an interest in abuse mitigation. And that's just one specific example of this challenge and this illustrates why we need to keep discussing these issues because from a public safety perspective there may very well be a need for further audits, for more ad hoc audits, and even for on-site audits, that may not be necessary from an ICANN business perspective.

So that's just as a quick comment on this, but I fully agree with Iranga's proposal. I mean, unless there's specific questions that others on the call want to ask, that we should perhaps return to the question of how we continue to engage in this process and what we see as the most constructive way forward together.

GULTEN TEPE: Thank you, Cathrin. I see Göran has raised his hand. Göran, please take the floor.

GÖRAN MARBY: This time we lost David. I find going forward one thing. I mean, you mentioned and a couple of things that [inaudible] my mind. Over the

last couple of months I have increased personally, and also with my team, a lot of discussions with different members of the GAC and also ministries behind them, and as you know, within the GAC, as well as within the community overall, there are discussions and a balance between, you know, privacy, surveillance, data protection and so on.

And one thing that I think we need to make sure -- and I don't believe they're sure about that because there's also on this call people who represent what I would call interests in this [inaudible] who are well aware there are other interests that are not represented in this call. I'm asking you how can we make sure in the ICANN module that the things that we are doing we are doing firstly transparent, but also balanced. And I leave this question for you in the working group. But I would really like to -- because I don't want to create a problem. I really want to make sure that we encompass other representative GAC views and other interests in this one, because that's really ICANN. It's about a balanced view. Thank you.

DAVID OLIVE: Iranga, your hand is up. I'm sorry, I'm back on. Iranga, please.

IRANGA KAHANGAMA: Thank you. I guess to briefly address Göran's comment, I think we really appreciate that and in terms of balance, I think one thing that's important to note is that, you know, especially from the Public Safety Working Group perspective, ICANN and internet governance is something we consider very important, but for us is also one of many hats that we wear as public safety officials.

And so I think realizing the kind of challenges that that pose when we are often times working with individuals who this is their full-time job and this is the primary vision that they're doing, whereas we balance a lot of things and that we, as Cathrin has nicely mentioned, have commitment to a very larger community, being the public, in who we defend and stand up for. So we often face challenges but I think we do well for our size right now, but I think it's something that we are interested in remaining transparent on and any assistance we can get in terms of having good dialogue, having things explained to us, but then having some concrete action steps is always helpful. So we appreciate the comments.

DAVID OLIVE: Thank you very much. Cathrin, you're next, please.

CATHRIN BAUER-BULST: Yes, thank you, David. And thank you, Göran, for this very important question. I think it's a great opportunity to clarify what I think is a very important distinction in this debate. I think, first of all, this should be conducted in full transparency and should be open to everyone who is interested in joining. And I think we have stated as much also in the written comments that we provided up front to ICANN. So we would welcome also to have the opportunity of a more public discussion, possibly at ICANN 59 or elsewhere, but in any case, welcome engagement from the full breadth of the multi-stakeholder community.

Nonetheless, I think what we are talking about here is not necessarily new policy development. It's the implementation of commitments that have been designed by the multi-stakeholder community under full participation of all the various stakeholders that you mentioned. And I think there it is also key that we look at implementing what we have, and there we have specific words on pages that have been agreed by the multi-stakeholder community, that we now need to look at turning into action. And there I think we're still a bit remiss on some of those points.

And that, of course, can be done with full participation of everyone in the specifics of how we implement it, but in places where we haven't actually done anything to implement them, I think the first step would be to start implementing and then in that context we can have a discussion with the community at large. But again, I mean, we're not talking about radically new developments here, we're really talking about taking what has already been agreed by the full multi-stakeholder community and making it come alive.

DAVID OLIVE: Thank you very much, Cathrin. Anyone else have any other comments or questions? Mark Carvell, your hand's up. Please, you have the floor.

MARK CARVELL: Yeah, thanks very much. And I just want to echo, first of all, what everybody has said about the great value of this dialogue and that we should continue it on a systematic regular basis, and in a way that we can report to the full GAC membership in an easily understood and

digestible way and a fully transparent way, so that the whole community understands how the GAC is gaining information and the basis for our determining any advice that we want to provide. So, very much support this initiative.

I think as a first step, if we could have a summary of the various initiatives that were recounted at the start of the call by David and the others, and Jamie in particular, but also, as I mentioned in the chat, Bryan, Bryan's plans. And also some explanation about how these initiatives intersect and mutually reinforce and where the registries and the registrars have obligation really to contribute to the success of these initiatives.

For example, on the DART, forgive my ignorance perhaps, but I don't understand what the levers are on the registries and registrars to provide the data that would feed into the DART. So some explication of that would be valuable too. And then we can engage with the registry and registrar community accordingly to ensure the system all works and that tool is truly effective.

And I do note that some of these initiatives are still in the course of development and we would certainly appreciate being kept up to date through the PSWG. And we will certainly consider how we can engage, for example, in Bryan's community wide working group, once that starts to firm up as what seems to be a very positive initiative. But as I said in my question chat, we will have to understand, what is that working group going to deliver and how will it link into these established processes of policy development and operational issues like contractual compliance. I hope those comments are helpful. Thank you very much.

DAVID OLIVE: Thank you, Mark. Yes, indeed helpful. Other comments or questions from members of the GAC, the Public Safety Working Group or our ICANN executive colleagues? As we have five more minutes before we do a wrap up and some next steps. Okay, Jamie, why don't you take the floor. I recognize Jamie, please.

JAMIE HEDLUND: Thanks, David. So, first of all, from my perspective, for what it's worth, I think this is a really helpful and productive call and we'd definitely support more exchanges like these going forward. Obviously we did not have a chance to go into individual responses in any depth and so would be grateful for your guidance on how to conclude this round of correspondence. If you want to add additional questions about some of our responses and we can respond in writing?

I would be great if we could avoid getting into a prolonged cycle which may not be as effective as actually talking about some of these things in person. So another approach would be to have a smaller group of ICANN staff from Compliance and OCTO and other places, and GDD, to discuss any questions or concerns you may have on some of those outstanding issues.

So we'd be happy to set up calls to discuss that. And then finally, the thing that would be really helpful, as I mentioned in the chat to Mark is, as we move forward with this ad hoc community wide working group, the success of that group would be much higher if representatives from the GAC participated. I understand all the challenges that that creates,

but at the very least submitting your written comments on what you believe the objectives of the group should be, how often it should meet, topics it should tackle.

We're trying to move forward with that. As you know, the GAC and ALAC were both major supporters of the creation of the Consumer Safeguards role that Bryan is fulfilling and we obviously appreciate your input and participation to help Bryan succeed, 'cause if he succeeds then I look better. But it's also good for the model. So with that I turn it back over.

DAVID OLIVE: Thank you, Jamie. And the other point that I heard was it would be helpful to have a short summary of the comments, Jamie, you made, and David Conrad on the DART, comments and development of compliance. That would be useful for this group going forward. Cathrin, your hand is up.

CATHRIN BAUER-BULST: Yes, thank you, David. And thank you, Jamie, for these very helpful suggestions on possible next steps. I think that would definitely be a very good idea, either in a dedicated call or possibly in a meeting in Johannesburg even. But in any case, to take this forward in a smaller group and make sure that it doesn't overburden everyone. You may have seen that we did share already some feedback on the answers that you gave, and maybe we can discuss that in more detail at the dedicated call or at a meeting in Johannesburg. I think in terms of other next steps, I think Mark's suggestion of having the summary is very

helpful and we look forward on that basis to learn more about the different initiatives, how they join up, and what source of indicators and metrics those will be looking at providing.

And then maybe we can continue after the more high level conversation, on what possible metrics we would need, how those different systems can feed into that on an ongoing basis. And maybe the best thing would be to briefly touch base in Johannesburg and then set ourselves a little schedule and possibly aim to have one of these more high level calls where we would welcome participation from any interested parts of the community. I think on a regular basis maybe, in the run up to each of the ICANN meetings as we're doing it now. How would that sound to everyone?

DAVID OLIVE: That sounds like a good plan. And I also heard the possibility of maybe a separate session with this group to talk about data protection issues and that's also something that could be on the table and in the future discussion going forward.

Okay, with that, and seeing no other comments or questions, it would be good to say we appreciate everyone taking the time to be on this call, on behalf of Göran Marby, my ICANN colleagues. And I want to thank the GAC Chair, the Co-Chair of the GAC CCWG, Iranga and others, Cathrin and others, for being on this call. And we'll proceed to take those suggestions and move to those next steps, either through a dedicated call, some informal discussions in Johannesburg and others,

including the summaries, and possibly other discussions on data privacy and protection going forward.

So with that I'd like to end this call and thank again everyone for their cooperation, participation and willingness to spend time on a very fruitful discussion and continuing that discussion going forward. Thank you all.

[END OF TRANSCRIPTION]