PSWG Update to the GAC

11 March 2018

ICANN61 GAC Meeting
Agenda Item 11

ICANN

Agenda

1. **Co-Chair News**
   Cathrin Bauer-Bulst, European Commission, PSWG Co-Chair

2. **PSWG Work Plan**
   Laureen Kapin, US FTC

3. **PSWG Intersessional Meeting (Brussels, 12-13 February 2018)**
   Cathrin Bauer-Bulst, European Commission, PSWG Co-Chair
   Gregory Mounier, Europol

4. **Abuse mitigation**
   Iranga Kahangama, US FBI

5. **Privacy/Proxy Services Accreditation**
   Peter Roman, US DOJ

6. **GDPR/WHOIS: Relevant ICANN61 Sessions**

2. PSWG Work Plan 2018-2019

See: Attachment 2 of GAC Briefing (Agenda Item 11)

- Current PSWG Work Plan dates back to 2016
- Updated work plan based on 4 strategic goals:
  1) Develop DNS Abuse and Cybercrime Mitigation Capabilities
  2) RDS/Whois: Ensure continued accessibility, improved accuracy, consistent with applicable privacy law
  3) Build effective and resilient PSWG operations
  4) Develop participation in PSWG work and seek stakeholder input

- Next Steps
  a. GAC Members to review and seek clarifications as needed
  b. Proposed for endorsement in ICANN61 San Juan Communiqué

3. PSWG Intersessional Meeting (12-13 Feb.)

- Face to face meeting hosted by the European Commission
- 60+ participants including cybercrime experts from 25 Member States and 3 associated States

- Agenda
  - Focus on LEA Access to Whois Data in a GDPR Compliant Whois
  - DNS Abuse Mitigation
  - PSWG Work Plan and Outreach

- Outcomes
  - Access to Whois Data for LEA: specific needs identified (searchability features, data retention for changes of domain registration information, confidentiality of access, etc.).
  - PSWG Work Plan: proposal to improve PSWG outreach to law enforcement practitioners (call for contributions, webinars, LEA IG mailing list, PSWG Newsletter)

ICANN57 > ICANN59: Follow up on DNS Questions to ICANN, led to the identification of key initiatives for GAC involvment:

- Abuse Study and Recommendations of CCT Review
    - GAC Public Comments (22 Sept 2017, 16 January 2018)
    - Will require follow-up on recommendations and further studies

- Domain Abuse Reporting (including DAAR)
    - ICANN60 Cross Community Session on Abuse Reporting
    - Possible GAC Principles on DNS Abuse Reporting
    - Engagement planned on DAAR at ICANN61

- ICANN Consumer Safeguards Initiatives
    - Exploring opportunity to fill policy gaps such as collection of reseller information

5. Privacy/Proxy Accreditation Services

- Background
  - GNSO PDP concluded in January 2016
  - PSWG identified public policy concerns
  - GAC Advice (Helsinki Communiqué): concerns to be addressed in implementation
  - October 2016: Implementation Review Team launched

- Open Issues
  - LEA Disclosure Framework: 24-hour emergency response time
  - De-accreditation for providers harboring actors engaged in deceptive, or fraudulent conduct or repeatedly not responding to LEA requests

- Next Steps
  - March/April 2018 (est.): Public Comment Period
  - May 2018: additional work per Public Comment/GDPR
  - August 2018 (est.): announcement of program
  - November 2019 (est.): compliance enforcement begin

6. GDPR/Whois: ICANN61 Sessions

- Monday 12 March
  - 10:30   Cross-community Session (Ballroom A)
  - 17:00   Public Forum 1 (Ballroom A)

- Tuesday 13 March
  - **09:30   GAC & PSWG Discussion on GDPR**
  - **10:30   GAC: GDPR & Whois Compliance Models**
  - 10:30   Registrar Stakeholder Group Meeting (104)
  - 13:30   Commercial Stakeholder Group & ICANN Board (Ballroom A)
  - 15:15   Contracted Parties & ICANN Board (Ballroom A)
  - **17:00   GAC & ICANN Board Meeting (Ballroom B)**

- Wednesday 14 March
  - 15:15   Contracted Parties & Commercial Stakeholder Group (IPC/BC)
             On Moving Forward with GDPR/WHOIS Compliance (104)
  - 15:15   GNSO RDS PDP Working Group Meeting (208-BC)
  - 15:15   SSAC Session (Ballroom A)

- Thursday 15 March
  - 09:00   Q&A with ICANN Organization Executive Team (Ballroom A)
  - 12:30   ICANN GDD: Registry & Registrar GDPR Compliance Model (104)
  - 13:30   Public Forum 2 (Ballroom A)