ICANN Transcription
GNSO Temp Spec gTLD RD EPDP – Phase 2A
Thursday, 21 January 2021 at 14:00 UTC
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TERRI AGNEW: Good morning, good afternoon, and good evening, and welcome
                   to the EPDP's Phase 2A Team Call taking place on the 21st of
                   January 2021 at 14:00 UTC.

                   In the interest of time, there will be no roll call. Attendance will be
                   taken by the Zoom room. If you're only on the telephone, could
                   you please identify yourselves now.

                   Hearing no one, we do have listed apologies from Matthew
                   Shears, the Board liaison. And no alternates have been assigned
                   at this time.

                   All members and alternates will be promoted to panelists for
                   today's meeting. Members and alternates replacing members,
                   when using chat, please select All Panelists and Attendees in
                   order for everyone to see the chat. Attendees will not have chat
                   access, only view to the chat access.

                   Alternates not replacing a member are required to rename their
                   lines by adding three Z's to the beginning of your name, and then
                   parenthesis at the end (your affiliation –"Alternate") which means

you are automatically pushed to the end of the queue. To rename in Zoom, hover over you name and click rename.

Alternates are not allowed to engage in chat apart from private chat or use any other Zoom room functionalities such as raising hands, agreeing, or disagreeing.

Please note, the raise hand option has been adjusted to the bottom toolbar. That is, if your Zoom has been updated to the most recent update, we're discovering.

As a reminder, the Alternate Assignment Form must be formalized by the way of the Google link. The link is available on all meeting invites.

Statements of Interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. Seeing or hearing no one, if you do need assistance with your Statement of Interest, please e-mail the GNSO secretariat. All documentation and information can be found on the EPDP Wiki space.

Please remember to state your name before speaking. Recordings will be posted on the public Wiki space shortly after the end of the call. As a reminder, those who take part in ICANN multistakeholder process are to comply with the expected Standards of Behavior.

With this, I'll turn it back over to our chair, Keith Drazek. Please begin.

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KEITH DRAZEK: Thank you very much, Terri. Good morning, good afternoon, good evening, everyone. So, welcome to our call of 21 January 2021 of the EPDP Phase 2A. I'm going to kick things off here today by handing it over to Berry Cobb from staff to review some action items. And that will lead into a reminder for each group to select its representative member on the legal committee.

But Berry, let me hand it over to you and we'll follow on. Thank you.

BERRY COBB: Thank you, Keith. I just wanted to touch on the new format or tool that we're using for action items. And what you see here in the screen is the Google sheet that helps us to track these. Only the members and alternates of this group have access to this. But I wanted to point out a couple of things about how this tool works. Not only are we assigning the action item or listing it here—and hopefully you enjoy the beautiful colors that we have—but there is a differentiation between the different types of items that you're seeing here. We're listing the meetings and the meeting numbers, and typically these will have kind of a short title as to what will be reviewed for that particular meeting, or specifically the action items.

And there's also a column here for a Work Breakdown Structure which is meaningless to you, but it's going to be helpful for me in terms of aligning our action items and our meeting topics with the tasks that we have loaded in our project plan. And that will lead to better reporting at the close of all of this in terms of trying to gauge how much activity is spent around each of the tasks in our plan.

There's also a status column that's essentially either open or closed. When these are closed, we really don't need to see them anymore. So, a lot of times, you'll see me filter this out to where only the open ones will float to the top.

Each action item has a date that it was assigned and, more importantly, a due date. And as you can see, for example, the EPDP team to respond to the legal committee appointments by the 20th of January. Once that date is expired, it will let us know by changing to red.

So, I wanted to point out that this is hopefully going to be a little bit better way of making sure we're all being held accountable to completely our action items on time, and in particularly this one about appointing members to the legal committee and the fact that we're really trying to get the first legal committee call scheduled. And the sooner that we can get the members for the legal committee confirmed, we can get that calendar invite onto your calendars.

And of course, there's also who the task is assigned to, the responsible member as well as the staff member. As we move further into our deliberations, future action items could be at a per person or per group level, and we have that capability to show those assignments.

So, short of the long is this is really just a different form of a ticketing system, and I believe probably for moving forward into our future calls, we will be reviewing through the open action items.

And so, most of the time when you come into the tool, you'll only see just the ones that are remaining open that the group needs to concern itself with, such as, again, just the legal committee. And I'll be filtering out.

But what's kind of neat, once you'll have the ability to view these, is that we can start to move across these other tabs and do a summary count of which ones are closed or not closed as well as starting to develop a tally of the number of action items that we are completing over the time.

And to Sarah's question, the WBS column. This is really for me. It's called Work Breakdown Structure, and each particular task in the project plan has this Work Breakdown Structure numbering assigned to it. So, what this is just going to allow me to do is to connect these particular action items or deliverables or topics within a meeting back to that project plan so that I can do better end-to-end reporting.

So, I'll turn it back to you, Keith. Thanks.

KEITH DRAZEK: Great. Thanks very much, Berry. A very well-structured, very logical, and I think it will be a tremendous help to me as well as chair in terms of keeping track of my own action items. So, thanks for all of that.

If anybody has any questions or further comments, feel free to weigh in. In the meantime, I will, again, remind everybody formally that the legal committee is being reformed. It is expected to reconvene on February 2nd with homework assignments in

advance of that call. So, it's really important that everybody confirm or reconfirm your representatives to the legal committee so we can get that scheduled.

And even if your representative hasn't changed from Phase 2, please just reconfirm that with our staff colleagues. And thank you in advance for that.

I have one other brief update before we get into the review of our homework assignments, and that is just to let everybody know that we're still working on the discussions around the vice-chair selection for the group.

And my action items from last week were to reach out to Brian Beckham and ask him for some additional information for the group to consider as our sole volunteer at this point for the vice-chair role. And so, I contacted Brian and he responded, and he's going to be submitting a formal EOI as I did as the chair. So, we'll have that, ideally, in the next several days so we can consider that, discuss that further in our next call.

Concurrently, I had an action item to reach out to the GNSO Council leadership to advise them that we may at some point need to get the blessing of the Council in terms of appointing a vice-chair that's not a member of the group. We discussed that last week about the charter language and the charter not being explicit one way or the other, but that we just want to make sure we're following the rules to the extent necessary. So, anyway, I've advised the Council leadership as well.

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So, that's where we are on the vice-chair. Before next week we'll have the EOI from Brian, and hopefully some feedback from the Council leadership. And then, ideally, we can move this forward.

With that, any questions? Any comments?

Okay. Let's get right into business then. A review of our homework assignments. So, we're going to start with the feasibility of unique contacts. And there's a couple of sub-bullets here. I want us to review proposed definitions and terminology, and review the EPDP team input. And then we will get to a review of the problem statement. And, again, review of EPDP team input. The goal of trying to—on both of these—make sure that we have a common understanding as we begin the actual substantive work.

So, we have the document on the screen in front of us. Thank you for that. And I just want to note at the outset that the relevant recommendations from Phase 1 were inserted in this document. Note it that Alan Greenberg has raised a question on the status of implementation of Rec 6 which recommends that "registrars, as soon as commercially reasonable, must provide the opportunity for the registered name holder to provide its consent to publish redacted contact information, as well as the email address."

So, I'd like to ask for the Contracted Parties to take an action item here to provide the team with an update on this question—written update— so I'm not putting you on the spot here today. But I just wanted to flag that as a question that's been posed and that it would be helpful for us to have a common understanding there.

And as we discussed during our last call, our ICANN staff colleagues took a stab at deriving some definitions and descriptions from the various different materials available to the EPDP team. And I know that there was some good input provided by several of you, and what the staff has done is to highlight in yellow in this document some bracketed language or updates that aim to reflect the input that's been provided.

So, there's an opportunity to review this, see if there's any concerns about these clarifications. And really, again, where we are today is to try to make sure everybody has the same sort of understanding, the same thing in mind you're using certain terms or concepts.

So with that, let me pause there and see, Marika, if you have anything that you'd like to add at this point in terms of the document in front of us. And then we can open it up to discussion of the team. Thanks.

MARIKA KONINGS: Thanks, Keith. I really appreciate all the input that everyone provided on the terms and definitions that staff aimed to derive from the different documents that the group has available and have been developed over the past. As you can see, there is some language here highlighted in yellow in which we've tried to incorporate [inaudible] at least from our perspective seem to hopefully clarify some of the terms and make it more consistent.

One thing that we did observe … And I think it was also pointed out by a number of you that some confusion seems to have arisen

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from the fact that the original language in the temporary specification in the Annex refers to an anonymized e-mail address. And I think several of you have pointed out that the actual question that we're trying to address here is about pseudonymized e-mail addresses.

And this was, of course, something as well that the legal team picked up when they posed the questions to Bird & Bird. So, I think the suggestion has been made as well that in our conversations, maybe that should be the terminology that is referred to or understood when we look at the question.

So, I think everyone maybe had a chance now. And Berry, I think there are a few more underneath here, but I think there weren't actually any specific changes proposed to those.

So, I think the question here for the group is really, are there any concerns about the proposed changes we've made? I don't think we're aiming here at getting formal approval on these and having every word signed off on. I think, as Keith said, this is really about making sure that when we use certain terms, everyone has the same understanding of [inaudible].

KEITH DRAZEK: Marika, your audio is cutting in and out occasionally. I'm not sure if that's a connectivity issue or not, but we're losing you for a few seconds here and there.

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MARIKA KONINGS: Apologies about that. I think the kids are doing their online schooling at the same time, so it's probably affecting the bandwidth here. If it gets too bad, I'm hoping that maybe Caitlin can step in, or Berry. I don't know if you caught everything I said.

KEITH DRAZEK: Thanks, Marika. Thanks for that. And we caught most of what you said. So, I think this is now our opportunity to open this up for discussion, for further contribution, for any questions that folks may have.

So, again, this is input received from the team, and here's our opportunity to discuss it further with, again, the goal of making sure we have a common agreement, common understanding around the terms that are being used—what they mean. And if there's any further clarification required, let's get to it.

So, would anybody like to get in queue at this point? Okay. I see Brian and then Alan. Brian, go right ahead.

BRIAN KING: Thanks, Keith. Good morning. I just wanted to point out, it looks like we're not quite there yet if I'm reading the Google Doc correctly as far as agreement on terms. So, I don't have all the answers to that, but I definitely agree that we need to start from a place where we're all talking about the same thing when we use the same words. So, it looks like there's some comments in the margins there that imply that we have different ideas about definitions. So, I definitely agree that we need to agree. Thanks.

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KEITH DRAZEK: Thanks, Brian. And I think this is our opportunity to get into that actual discussion/conversation to see if we can bridge any gaps. So, Alan and then Marc.

ALAN GREENBERG: Thank you very much. I think Marika said that what we're talking about here is pseudonymization. My recollection is when the Bird & Bird memo came and it said, "Even anonymized data is personal …"—now maybe it's personal that warrants publication anyway, but it is technically personal information—I don't remember whether our recommendation changed, or simply many registrars essentially said, "Well, if it's personal then we can't publish it, and we'll only use a web contact form."

So, I would like some clarity as we go forward on the status of anonymization. Even as we're looking at the possibility of pseudonymization, I think we need clarity on whether anonymization is allowed in part of the policy that we're coming up with going forward. Thank you.

KEITH DRAZEK: Thanks very much, Alan. Marc, go ahead.

MARC ANDERSON: Thanks, Keith. Can you hear me okay?

KEITH DRAZEK: Yes, I can hear you. Thanks.

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MARC ANDERSON: Great. I raised my hand for a similar comment to Brian. It looks like this isn't quite done, and I want to echo what Brian said. It's clear from our discussions already that we're not using these terms the same across this group, and so we really need to have a common definition, common understanding of these terms. We have enough trouble talking past each other without using different definitions for words, so we need to lock this down.

I'm wondering … And I may be thinking a little bit out loud here, so if this is horrible idea, please go easy on me. But I'm wondering if asking for a small team of volunteers to work on the definitions and finalize them would make sense. I'm not sure opening it up to the entire group to edit it, or editing definitions in plenary, is efficient.

So, maybe asking for a small group of people who care about and are knowledgeable about these definitions to come up with definitions for the entire working group to adopt would make sense.

One other thought. I found it a little confusing having the definitions as part of this document that has a number of other items in it. It might be helpful to have a dedicated document for definitions that this working group can refer to throughout its work.

KEITH DRAZEK: Thanks, Marc. I think those are good suggestions, and I'm fully supportive of this team working in small groups intersessionally between our plenary sessions to try to advance our work.

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So, Hadia, you're next.

HADIA ELMINIAWI: Thank you, Keith. So, to me there's a clear conflict or incompatibility between the two definitions we have on the sheet for anonymization. So, the last two blocks for anonymization—in one of them we say, anonymization in the context of unique contacts, the string would be unique for each registration by the data subject.

Well, that conflicts with the above definition of anonymization which states that it means that it can no longer be identified directly or indirectly either by the data controller alone or in collaboration with any other party.

So, if we do actually have a string that is unique for each registration by the data subject, definitely that data subject would be identifiable by the controller.

So, again, I'm not sure. Are we here asking for a legal advice, or are those definitions that we are putting in there?

KEITH DRAZEK: Thank you, Hadia. I see Marika has her hand up, so I will kick it over to her.

MARIKA KONINGS: Thanks, Keith. Just a note on the point that Hadia just made. That is language that comes from the EPDP team's questions to legal counsel that were developed by the legal committee, so it may be

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worth asking maybe the legal committee to look at that and see if, indeed, that is inconsistent or whether clarification is needed.

Similarly, many of the definitions come from either existing documents or document that were previously developed by the EPDP team. And we did try to address the comments and I think someone noted there are still quite a few comments there, but just to clarify [inaudible] flagged which is maybe a question for the [legal] [inaudible] comments that have been raised at this stage of the process and may be worth …

And I know, of course, that the group hasn't had time to review in detail the changes we've made, so maybe before diving into another small team, maybe it's worth …

And we can, of course, create a separate document for this specific exercise, put that out back to the group so you can all review and see if there's still further comments or concerns. And based on that, see if we can make further changes, or whether, indeed, a small team is needed to look at these.

Or, as said, some of these terms come from the legal committee and memos and it may be worth having them have another look at that to make sure, indeed, that they are clear and there's no inconsistency in them.

KEITH DRAZEK: Thanks Marika. So, it sounds, if I understood you correctly, that perhaps the legal committee can take a first crack of review of the terminology and the definitions and acknowledging the source material and the previous work that's been done as a first step.

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And then assess whether a small team is needed. And you can correct me if I got any of that wrong.

But I have Melina and then Milton in the queue. Melina.

MELINA STROUNGI: Yes, thank you. I agree with the comments I heard. It will be really useful to have a clear understanding on the definitions, just to know it's not as innocent as it seems because some definitions also kind of define, also, the scope of what we're trying to do. Right? So we have to be sure that we're all on the same page when defining those terms.

Just to give an example, uniform pseudonymized e-mail which currently is defined as a unique registrant across domain name at a given registrar is consistent with the description of the scope of this Phase 2A. But at the same time, for instance, I don't know if this definition would serve the purpose of correlation later on. I don't know. Just some open questions, things we need to consider.

And regarding one comment. I think it was from Hadia. She's absolutely right. We have to distinguish between anonymized and pseudonymized from the side of the controllers, so from the side of the Contracted Parties, registries, and registrars. And then there's another story from the side of third parties.

So, we really have to have this in our mind. I think we all agree that from the side of the controllers, they will always have this personal data. Right? So, irrespective of whether we would [have

these] pseudo anonymized e-mail addresses, they will always have certain personal data on registrants.

If we decide to anonymize from their side, it wouldn't be in a nonreversible form. They would always have the real data. Even if we pseudonymized, they would always have the mapping to be able to have this link or string attached to the individuals.

So, the real question is if they will be truly anonymized from the side of the third parties, like established. Because in all scenarios as I understand it, and maybe I'm wrong, at all times contracted parties will have this personal data. And that's fine. It's how they operate.

So, these were my comments on the substance. And I also have a general comment on some technical difficulties. I cannot access the chat of this Zoom meeting. It appears disabled, so I don't know if someone can assist me with that. Thank you.

KEITH DRAZEK: Thank you very much, Melina. I'm sure staff will get right on that, so thank you very much. And thanks for the input.

I guess I just want to note that what we have here in the document is basically a compilation of the input that was received, so I think that there's clearly some more work that needs to be done. But this is a resource for us all to react to. And I think we'll, as noted, refer it to the legal committee for discussion.

But I have Milton and then Alan in the queue. Go ahead, Milton.

MILTON MUELLER: Yes. This is Milton Mueller, Georgia Tech, NCSG representative. I'm going to be a voice in the wilderness here, and I'm going to assert that this discussion of definitions is completely unnecessary and beside the point.

What we are really doing is having a debate about the amount of information that is published and how registrants with redacted contact data will be contacted. Certain groups have said that web forms are not acceptable to them even though they are what the initial phase decided we would do, and now we're discussing whether we will move from that to some form of an e-mail address.

The question of whether it's called pseudonymous or anonymous is actually much less important than whether this e-mail is unique to a particular registrant and can be correlated—which is what IPC and BC and GAC seem to want—or not. Whether it is unique to every registration and, therefore, cannot be correlated.

And those are very important policy issues is because the whole point of this exercise was to reconcile what we publish with GDPR. And I would assert—and I think the legal committee has already told us this, as have the European Data Protection Board—that if you have a unique e-mail address for a registrant that can be correlated, you're publishing personally identifiable information and that is not legal.

There is no doubt about this, folks. So, why are we not only engaging in hours of debate about a definition and then referring it

to a committee so that they can debate it for another ten hours when we know that this is really about policy of decisions that we have to make regarding contact information?

So, why don't we debate what we can do with contact information and start with whether, in fact, web forms are not acceptable? Thank you.

KEITH DRAZEK: Thank you, Milton. Alan Greenberg, then Hadia.

ALAN GREENBERG: Thank you very much. I both agree and disagree with Milton, which I guess is not all that unusual. I agree that what words we use don't really matter, but in having the discussion, if we are using these kinds of words, then we need to use them consistently and we need definitions.

If we avoid the terms anonymized/pseudonymized and use a long descriptive sentence each time to describe what we're talking about, fine. We can avoid having definitions. But if we're going to use the shorthand of these words, then we must use them consistently.

And I'll point out that what we know for certain is, personal data does not necessarily imply it can't be published or can't be made available. It's a balancing act in all cases of whether there's a redeeming merit in doing it even if there is a slight chance of it being used properly. That's the balancing test that we're supposed

KEITH DRAZEK: Thanks, Alan. Hadia, you're next. And then I'm going to refer to some of the chat discussion that's going on, including Sarah's input about drawing the team's attention the problem statement discussion which is next on our agenda. So, what I'm going to suggest is after Hadia, perhaps we move from this discussion on definitions down to the next section. And then we can circle back if needed in terms of next steps.

So, Hadia, you have the last word on this one at this point, and then we'll move to problem statement.

HADIA ELMINIAWI: Thank you, Keith. So first, I want to note quickly that Recommendation 13 of Phase 1 already establishes the idea of having an e-mail address. It says we could have e-mail addresses or web forms, and I think most of the Contracted Parties decided to use web forms. However, the idea itself of having e-mail addresses is already established.

Second, if we all agree, or if the legal people say, that pseudonymized e-mail addresses are personal information, that doesn't mean that it cannot be processed. It still can under 6.1(f). And for that, we will need to define the purpose of processing or publishing. Thank you. Or purposes.

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KEITH DRAZEK: Okay. Thank you, Hadia. So, let us move to the next item which is the problem statement. Sarah, I don't mean to put you on the spot, but is this something you'd like to speak to as far as an introduction?

As you noted, it was submitted by the Contracted Party House team, so if you'd like to speak to this one to tee up the conversation, that would be great. Thank you.

SARAH WYLD: Sure. Thank you, Keith. I'd be happy to help. As you noted, this is a suggestion from the Contracted Party House team, not just me personally. You can see it on screen now at the bottom.

So, what we did when considering how to approach this phase was that we returned to the instructions from the GNSO Council and considered what problem are they actually asking us to solve. And, has Hadia so correctly pointed out, we do already have a recommendations that tells us that an e-mail address can be used in certain circumstances. And so, we think that what we're supposed to figure out now is whether it's possible to do so— possible to provide an anonymized e-mail address while adhering to the GDPR or whatever other data protection law the given controller has to follow.

And if that is possible, when they do implement such an e-mail address, should they be required to follow certain guidance? And what guidance would that be? That's what we think we should be solving here in this phase. Thank you.

KEITH DRAZEK: Thank you very much, Sarah. I appreciate that. Marika, you're next.

MARIKA KONINGS: Yeah. Thanks, Keith. I just wanted to note as well that—if Berry scrolls a little bit back up above [inaudible].

KEITH DRAZEK: Marika, I think we lost you again.

MARIKA KONINGS: Sorry. Can you hear me now?

KEITH DRAZEK: I can hear you okay now. Thank you.

MARIKA KONINGS: Okay. I'm really sorry about that. I just wanted to point out that there was some further input received from team members on the problem statements that staff had put together as a starting point based on the input that was provided during the last call. And Sarah just explained, as well, the approach the Contracted Party House team took to do this.

And from a staff perspective, we don't think necessarily the work that was done here is incompatible because it seems that the problem statement above focuses more on trying to understand what the underlying reason was for the question that appeared in

the temporary specification in the Annex, trying to understand why that question is being asked.

And then the Contracted Party House statement further narrows this down based on the Council guidance that has been provided. So, from our perspective, it seems the first part is really about trying to understand what the underlying reason was for the question. But of course, indeed, the focus for the group at the end of the day needs to be the Council instructions that were provided on the question the Council would like to hear the answer on and expects a response to.

So, I just wanted to provide that input as well that you can see here highlighted on the screen, too.

KEITH DRAZEK: Okay. Thank you, Marika. Would anybody like to get in queue for further discussion on this point? I'm not seeing any hands at this point. I think the key here is, I guess, the CPH group has put forward a suggested problem statement and it's now up to the team and up to the group to react and to indicate whether that's a problem statement that the team can acknowledge and rally around. Would anybody like to react?

Okay. Margie, go right ahead. Thank you.

MARGIE MILAM: Hi, everyone. I haven't had a chance to look at this, so I'm not in a position to accept it without consulting the rest of the BC folks. But it does seem to be something that doesn't get at what we're

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talking about. It doesn't address the correlation issues that we were just talking about, which is obviously one of the main reasons we're talking about this. And I still think we need to get to the bottom of whether or not we're defining anonymized and pseudonymized. And that should be part of the problem statements. So, those are my initial observations. Thank you.

KEITH DRAZEK: Thank you, Margie. Chris, go right ahead.

CHRIS LEWIS-EVANS   Thanks, Keith. [Also, obviously,] to be honest, this is the first time I have managed to read the CPH suggestion, so it is a very off-the-cuff reaction. I think, like Margie, I would like a little bit more time and really compare it against what we're being asked to do.

I do have to think, is the whole publication of the e-mail address a lot more than just around Recommendation 13? We had, during the Phase 1 discussions, a lot more discussion around what we were able to publish and how we were able to publish it.

We keep talking about not being able to publish pseudonymized data because that is still, effectively, personal information. But publishing anonymized data isn't a problem and I think, as Melina has already said, what is pseudonymized for the Contracted Party could be anonymized for third parties.

So, I think that needs to be rolled into this suggestion a little bit better, but I need some time to properly formulate that. Thank you.

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KEITH DRAZEK: Okay. Thank you, Chris. Alan, I'll come to you next. And then I'll note that there's also some activity in the chat. Manju has submitted a comment about following Bird & Bird's definitions in the legal memo, so we'll come to that next.

Alan. And then we'll come to Manju's input and then to Brian. Thank you.

ALAN WOODS: Thank you, Keith. Obviously, I'm happy to provide the time for our colleagues to digest that which has been put out there. But what I would ask is, in that time and in the responses that could come from this, I personally continue to scratch my head as to whether the concept of correlations come from. And I would really appreciate just if, in responding to the problem statement that we have suggested, that that is specifically addressed as to what is the provenance of this concept of correlation given what the GNSO has asked us to do.

So, I think it's very important that we understand where our colleagues are coming from in this so that we can move forward past this question. So, I would encourage them to think about that as well in their response. Thank you.

KEITH DRAZEK: Thank you, Alan. And I agree that there's more time for folks to react to this as needed, but this is something that we need to address so we can move on and actually get to some of the

substantive discussions. So please, everybody, focus on this and make sure that you've got your input provided prior to the next call. Thank you.

Let's see. So, Manju had typed in … And Manju, if you'd like to speak, you're more than welcome to do so. But I'll just note that Manju has suggested that it would be good to follow what Bird & Bird suggested as definitions in their legal memo. "If it's the same e-mail used for multiple entries from one person, it's pseudonymized. If it's one address for one entry and never repeated, it's anonymized."

And then the question of, "Why did we ask for legal advice if we're not listening to them?

Brian, you're next. Go ahead.

BRIAN KING: Thanks, Keith. We have a reputation for asking for legal advice and not listening to it. It's just an observation I'll make on a cheeky note.

I'm glad I was after Alan because I can tell Alan where the concept of correlations is coming from. It's the concept of having the uniform pseudonymized e-mail address. That's why the word "uniform" has been used throughout, and I understand that we have a definitions challenge to meet here.

I raised my hand specifically to talk about the way that the second sentence, the second question here is worded. I'm getting a little tired of this, honestly, Keith. Are we intentionally ignoring the fact

that we're saying that the web form isn't working? I mean, this language clearly is carving out registrars who do implement a public e-mail in a way that just lets the web form madness continue. It's unacceptable, Keith, that we're not …

A form implies that it's fillable. We see many registrars now, including some of the largest, not even allow you to put anything into the form besides who you are. So, it's unacceptable. I don't know how to say that more clearly.

We can ignore that. If we're going to ignore that, just, I guess, let's say it so we can agree. But this isn't cute—this kind of language, just carving this stuff out. So, I'd like to be constructive going forward. Thanks.

KEITH DRAZEK: Okay. Thanks, Brian. And I guess the question is … And not having been as involved in Phase 1 as the rest of you, I'm curious whether the web form issue is a compliance concern for ICANN. Is that something that ICANN …? And this is a question. If you're experiencing web forms that are not functioning, I guess the question is, is that an ICANN Compliance issue that should be brought to ICANN's attention?

I'm just asking the question because I don't know the answer in terms of what the obligations are on this particular point. So, I apologize for that.

I see James has his hand up, and then Alan. So, maybe James could help clarify this a little bit. Thanks.

EN

JAMES BLADEL: Yeah. Thanks, Keith. And I would tend to agree that that is a compliance issue if the web form, which is kind of a subtle topic from Temp Spec Phase 1 /Phase 2 and now here … If it's not working or if it's not being implemented properly, that would be more of a matter for Compliance than reopening the issue in our very tight time frame. And I put something to this effect on the list.

I just want to point out that … And I posted a link in the chat last week, and I'm trying not to go too deep into the substance here, but those web forms had been horrendously abused. They've been scripted. They've been spammed.

And we are trying to strike a balance as registrars—and then as one of the largest registrars—between having some degree of operational contactability without opening the door to junk. Because if the channel is flooded with spam, then the legitimate contact requests don't get through. And then it doesn't work for anybody either. So, it's a cat and mouse game, and it's something that we're trying to resolve.

But I do note that … I'll just be upfront. GoDaddy has implemented a kind of a menu system as opposed to a free-form text, because that's where the code inserts were coming. And that seems to have cut down on the abuse significantly while still maintaining contactability. Thanks. But I agree. It's a compliance issue.

KEITH DRAZEK: Thanks, James. I have Alan and then Margie. Alan.

ALAN GREENBERG: Thank you very much. Certainly, if the web form, whatever you fill in is not being relayed to the registrant—that is, it just goes into the [bit] bucket—that's a compliance issue. But we never specified in any detail what a web form should be made up of. And we all know … We fill out web forms all the time. Some of them give us very little ability to enter what we want to enter. Others allow freeform text and attachments and whatever. So, we never defined "web form" and exactly what it should contain or how it should be implemented.

So, anything any registrar is doing … And I sympathize that you don't want web forms to be spammed any more than you want e-mail addresses to be spammed. And it's a problem in our world, but it's not a compliance issue if a registrar chooses to severely limit what can be input and makes it effectively unusable. That's not a compliance issue because we never specified in any detail what capabilities a web form should have.

The only compliance issue is if it's not being relayed at all, and that certainly is a problem. It's been a documented problem, but it's not the only problem. Thank you.

KEITH DRAZEK: Thanks very much, Alan. Margie, you're next. And then I'll put myself in queue.

EN

MARGIE MILAM: Sure. There's so much wrong with this conversation. I don't even know where to begin. First of all, if there's a stated problem—and there is clearly a stated problem—with the contactability forms, there's no reason we should be not talking about clarifying it in policy so that there isn't a concern.

We all know that ICANN Compliance needs more guidance, if you will, on how to enforce particular policies, and that they always ask for more specificity. So, what you're hearing from the BC, the IPC, the ALAC, and others is that we need specificity here. So, I don't believe that simply saying this is a compliance issue that doesn't need to be addressed here is appropriate.

And the other concern that I have, Keith—and I raised this the last time—was with your intervention driving the conversation. Again, as chair, I think one of the things that we really need here is neutrality. So, this is an example of where, rather than simply driving a conclusion so that we can address this issue in policy, my, I guess, advice would be to solicit and hear the viewpoints from the other stakeholders who are clearly telling you this is a problem. And I'm talking about the issues is a problem.

And what I'd like to see from the chair of this group is really hearing both sides and not driving a conclusion in a particular way. And so, in this case, I feel that this is an issue that we need to talk about, we need to address in policy, and we need to ensure that this problem isn't continuing.

And with respect to James's observation that the forms might be abused, let's talk about how we can address policy to do that because we obviously don't want forms to be abused. But having

a policy that addresses both sides of it, I think, would benefit the entire community.

KEITH DRAZEK: Yeah. Thanks, Margie. And your points are well-noted and well-taken. I think, really, what I'm trying to achieve here is a dialogue and conversation on this, and I think that's exactly what we're having.

Okay. Melina, I see your hand. Go right ahead.

MELINA STROUNGI: Yes, thank you. I also see Milton's comment, and I agree, that we're [inaudible] problems. But just to try to come up with some solution suggestions, and taking into account that we also have this very limited timeline of, what, two months I think to see whether consensus can be reached.

I'm just wondering whether at least we can agree on baby steps, like at a minimum some solution where we would all agree. For instance, one of the issues is contactability. Right? The web forms maybe do not work or they have to go through registries. Or for some reasons, we want to have the possibility of contacting, directly, the registrant. So, this is one issue we want to tackle.

Another issue is that we want to make sure that these e-mails are fully anonymized towards third parties, of course, because towards registries and registrars, this would not be the case.

So if, for instance, we would agree that as a minimum it would be possible to contact the registrants via e-mails that are completely anonymized from a third-party perspective, not being able to trace back to the individual, maybe that would be a minimum, let's say, basis where we would hopefully all agree.

And then, as far as once we achieve that then we can, on top of that of course, continue discussions about additional purposes or additional steps. But I don't know. Just to give a suggestion. Thank you.

KEITH DRAZEK: Thank you very much, Melina. I appreciate the suggestion. I'm noting that Marika has typed into chat something about Recommendation 13 still in the implementation phase. Marika, do you want to speak to this?

MARIKA KONINGS: Sure, Keith. I'm going to have to say up front I haven't been following the IRT conversations very closely, so maybe this is being discussed there or it has come up. I'm not sure.

But Recommendation 13 basically reaffirms the temporary specification approach to requiring registrars to either provide an e-mail address or a web form to allow contactability of the registrant. So, I was just wondering if, indeed, there are concerns around how a web form needs to be implemented, if that conversation belongs there, and if additional guidance could be provided through the implementation process with regard to the expectations of how registrars can implement a web form; but also

looking into addressing, I think, some of the concerns that James flagged as the practicability of just leaving it open for abuse.

So, I was just wondering if that was maybe a path where that currently, at least, belongs.

KEITH DRAZEK: Thanks, Marika. So just to summarize, what we've heard here is that there is a view that the web forms are not sufficient, not working, not achieving the goal or the purpose that was outlined in Phase 1. And I think, as Alan noted, if the web forms are not actually forwarding information and ensuring contactability, that that's potentially a compliance issue.

But I've heard from Brian and Margie that there's additional guidance or clarity or specificity that's needed in terms of what a web form is and what a web form should do, and basically to set the parameters to guide the expectations and also the implementation.

And Marika has raised, I think, an important questions about is, "Is that clarification or that additional specificity around web forms something that the Phase 1 IRT can tackle?" So, I'm interested in folks' feedback or thoughts on that, particularly from those of you who are engaged in the IRT from Phase 1 which is obviously still underway.

And then I think we also will need to make sure that we refer back to the GNSO Council's guidance, essentially, on our topics of discussion including the charter that we have. So, I just want to make sure that we're being guided by the charter questions and

by the guidance from the Council in terms of what this group is really supposed to be focusing on.

So, let me pause there and see if anybody would like to weigh in further on this topic. Any further feedback on this particular issue? Or we will move on to the next item on our agenda which is discussion around the practical application of pseudonymization.

And I see that James has put some info into chat as well. Okay. Any further discussion on this point?

So, I'm going to ask for an action item—Berry, if you could capture this is—that we have some feedback from the IRT, or members of the IRT, for our next call on the topic of where things stand with regard to Recommendation 13 because I'm not following that closely either, as Marika noted. So, I think it would be helpful to get an update on where the IRT stands specifically on the topic of web forms.

Okay. Alan and then Sarah.

ALAN GREENBERG: Yeah, thank you. That question is related to the one that you gave the Contracted Parties an action item on to report where the actual implementation is. So, those two are complementary. Thank you.

KEITH DRAZEK: Thanks very much, Alan. Thank you. Okay. Sarah, you're next, and then we should probably move on. Thanks.

SARAH WYLD:

Thank you. I have pasted into the chat the section from the draft policy that the IRT team is working on right now which is relevant to the implementation of Rec 13. So, there you can see the text that is what we've got at this point, and it does not have any open comments so that is kind of how it will be unless somebody in the IRT reopens that for further discussion.

And in terms of where we are in general with the IRT or, more specifically, for Rec 6, I would say it might be better to request an update either from Berry or from Dennis who's leading the IRT rather than from one of the team members who might not have the more holistic view. Thank you.

KEITH DRAZEK:

Thanks very much, Sarah. That's a good suggestion, so we'll take that action item. And thanks for pasting that into chat. That's helpful.

Okay. I think we need to move on at this point. And I did note earlier that Laureen had suggested in chat that we need to divide our time as a group between the two topics of the unique e-mails and the legal and natural question. And I agree with that, Laureen. So, maybe for the next call we'll lead with legal and natural to make sure that we spend sufficient time on it. And hopefully we'll get to more of it shortly.

Okay. So, next items on the agenda was a discussion around the practical application of pseudonymization. And there's, I think, a note here for the CPH teams to share examples, if available, of how pseudonymization is used in practice providing input on

questions such as, "Do different registrars communicate at the time of registration and exchange any unique string along with other personal data of the registrant, etc."

I think the question here is, is there a practical application pseudonymization today? Are there examples that we can look to? Is this something that's viable? And are there examples today that we could look to?

I see Sarah and Volker. If anybody else would like to get in queue, please go ahead and put up your hand. Sarah.

SARAH WYLD: Thank you. I just raised my hand to speak to the CPH team response to the highlighted text which is at the very bottom of Unique Contacts document. (If you scroll down a bit more.) Honestly, personally, I was a little bit surprised at this question. Why would registrars who are … We're a team in this context, but we are also competitors. I'm not sharing my customers data with my competitors for a variety of reasons, including [that] it's personal data for which I need a lawful basis to process.

So, no. The real-life experience among Contracted Parties is that such pseudonymization is only a thing that happens within an individual registrar or registrar family, but there is no shared database of e-mails—anonymized, pseudonymized, or real—among Contracted Parties. There is no functional or policy reason for registrars to share registration data among ourselves. Thank you.

EN

KEITH DRAZEK: Thank you, Sarah. Volker, you're next.

VOLKER GREIMANN: Yes. One thing that I notice is that I'm not aware of any registrars actually using pseudonymization for contacts in the first place. I've not seen any so far, and I think it would be hard to find an example of something that doesn't actually exist. Thank you.

KEITH DRAZEK: Thank you, Volker. Alan Greenberg, you're next.

ALAN GREENBERG: Thank you. I agree completely with Sarah that one shouldn't be expecting registrars to share data about their registrants. But you can have pseudonymized data across registrars by sharing an algorithm or sharing a service for that matter—a third-party service—but more likely an algorithm which provides the pseudonymization across registrars and doesn't involve sharing data. So, just to be clear, the question I think was wrong, but the concept behind it is not necessarily invalid because registrars shouldn't be sharing data. Thank you.

KEITH DRAZEK: Thanks, Alan. Very helpful. And I note that Sarah has typed into chat, "That may be a thing that could exist, but certainly does not at this time." So, I think, in response to the question of, are there practical examples of this in the wild, the answer today is no. But anyway, Alan, thank you for that.

James and then Chris.

JAMES BLADEL: Yeah. Before we invent on the fly here, I think that also poses some interesting and potentially challenging, or even disqualifying, legal questions about sharing data. An algorithm, of course, could be reversed by those seeking to uncover the underlying data.

But I just wanted to note that I think there was a previous conversation about whether these exist in the wild. To some extent, I don't know if these qualify, but there are some privacy services that offer some functionality in terms of pseudonymized e-mail addresses by putting, for example—and this, I guess, would qualify as an algorithm for Alan maybe in the weakest sense—by putting the domain name like example-tld@privacyservice.tld. That might be one way of doing that.

Now, as far as sharing them across registrars, that currently does not exist insofar [as that] would be transferred to a thick registry and it would be shareable across registrars there.

So, that's my only very tenuous example of these existing in the wild today. Thanks.

KEITH DRAZEK: Thanks very much, James. Chris, you're next.

CHRIS LEWIS-EVANS Thanks, Keith. Yes. James just hit upon one that … I was going to ask the registrants and registrars if they have their own privacy

proxy services. How do they go about masking the data? And as James says, the e-mail address is a good example of that, and that's a form of pseudonymization, as he says. So, maybe the practicalities of that might be quite interesting,

And then secondly, Sarah's point around sharing data amongst registrars. I totally get that. You're not going to be sharing stuff with your competitors. However, you do need to share stuff with the registries. And I don't know a lot about this, and this is maybe helpful for the group. I believe there's like a [nick] handle that you share. Is that generated in a pseudonymization form of the personal data that's in there? And is that may be an example that is worth investigating? Thank you.

KEITH DRAZEK: Thank you, Chris. I have Volker and then Milton in queue.

VOLKER GREIMANN: Yeah. With regard to the question to the privacy proxy services in place, I think that's conflating anonymization and pseudonymization again. And most privacy proxy services use some form of anonymization or even a link to a web form as well. So, I don't see anyone doing pseudonymization there.

KEITH DRAZEK: Okay. Thank you, Volker. Milton and then Hadia.

MILTON MUELLER: Yes. I'd just like to say that to NCSG, the discussion of examples of pseudonymization are kind of beside the point because, again,

using the definition that we have which is the same unique string being used for multiple registrations, presumably across registrars, we believe very firmly that that would be illegal to publish that.

And so, I see we are having some interesting debates about the feasibility of actually doing that, but to us those debates are somewhat beside the point because, even assuming there are efficient and feasible ways of doing that, it would be illegal to do so. It would not be compliant with GDPR. So, maybe we can save ourselves some time by asking, "Do people who want these examples really think that we're going to do this? And if so, why do they think it is consistent to publish what is, in effect, an e-mail address?"

You can call it pseudonymized only in the sense that there is a level of indirection between that and the individuals' formally registered domain. But it's still a unique identifier for that individual registrant, so it's just not something you can publish. So, I'm curious as to whether, by asking this question, are you assuming that we can go there or are you just curious?

KEITH DRAZEK: Okay. Thanks, Milton. If anybody would like to respond to that, feel free to get in queue. I have Hadia, Chris, Margie, Marc, Melina, and I'll have to scroll down to see any others. Hadia, you're next.

EN

HADIA ELMINIAWI: Thank you, Keith. I was just wondering if Contracted Parties do not pseudonymize or use pseudonymization at all. Because I was thinking one team or one department of the Contracted Party might need the personal information to contact a data subject for billing purposes or whatever, or for other purposes.

While another team working within the same company could actually require the data or need the data for other purposes that does not require identification of the registrant—so maybe statistical issues or issues related to marketing, sales, or something like that—in which they require the data but they do not need to identify the registrant.

And for that team working within the company, that kind of information or the identity of the registrant would be pseudonymized so that a different team would be able to access the data without identifying the data subject. While those who actually need to have the data with the identity have it as it is.

So, I was wondering if there are no cases of pseudonymization that actually takes place in the Contracted Parties companies. Thank you. And if they do have examples to that.

KEITH DRAZEK: That you, Hadia. I'm sure some other Contracted Parties that are in queue may be able to respond to that. Margie, you are next. Then Marc, then Melina, then Chris.

MARGIE MILAM: Thank you. So, there's a lot of reasons why correlation could be possible and perfectly legitimate within GDPR, and, I think, where we need to think more broadly about how it could be applied in the domain system. I'll give you a couple examples. And this is certainly not a complete.

If the domain name contact information relates to a legal person, those records could easily be correlated. Those could be published. There's absolutely no requirement that those remain subject to protection when there is no personally identifiable information associate with it.

The other thing that I think we have to understand is that when we make these decisions on whether we're going to allow for a uniform contact, they could be available on request as opposed to being published. So, there's a lot of layers of policy that we can look at here.

And so, to give you an example so you can understand what we'd be talking about, you could make a request for a domain name, say, with a phishing attack. Okay. You get the contact information for the registrant behind that name. You could make a request that you get all other domain names with that contact information, thereby being able to identify other potential phishing attacks.

That's the kind of scenario we're talking about here. There's nothing that anyone can point to in GDPR that would prevent that type of analysis and policy being developed. And the reason we push so hard for this is because we want to protect the Internet from multiple layers of attack from bad actors using the Domain Name System.

And so that's the kind of correlation that we're talking about, and there are many layers of policy we can look at to find a way to accommodate that use case.

KEITH DRAZEK: Thank you, Margie. Marc, you're next.

MARC ANDERSON: Thanks, Keith. I raised my hand to respond to Chris Lewis-Evans. It's a little older at this point, but he was asking about the information registrars send to registries. And when registrars create a domain registration with a registry, they're required to create a unique identifier. But that identifier is unique to the registrar and is only visible to them, and it is tied to the domain registration not the contact information.

So, for example, if the domain is transferred to a different contact, that unique identifier doesn't change. So, it's a unique identifier for the domain. It's visible only to the registrar that is the registrar of record, and it does not correlate to a contact at all.

So, hopefully that answers your question, Chris.

KEITH DRAZEK: Thank you, Marc. I see Chris is in the queue shortly, so if he has any follow up, he will do that at the time. Melina, you're next.

EN

MELINA STROUNGI: Yes, thanks. Just to answer shortly to a point whether this question … Because I also have raised a similar question whether it was out of curiosity or a suggestion that we should move towards that direction.

It was … Well, just to get a better understanding on how it all works, not a suggestion in any case. We just need to understand how such a scenario would work in the context of registries and registrars.

As far as I understand, that's unfortunate that there are not currently examples of how pseudonymized e-mails would work because it would be extremely helpful. But then maybe we can discuss in an even theoretical level how it would work so that we can start excluding, already, some options if they're not feasible.

For instance, if we accept that we have a unique string attached to each registrant and that would be the same across multiple registrations, not only within the same registrar but also with other registrars or registries, then I will only assume that for this to happen, they would share this string or link among themselves. Which, of course, I understand that this is just not happening right now.

Right now, we don't share any personal data. We don't do any of these things. But if we would go for such a scenario, this might happen. So, we need to understand that this is possible, feasible, or desirable. If not, then indeed we narrow down and we say that the option we examined is only within the context of the same registrar.

I'm just trying to solve one issue by one because I understand that it's an [overload of] information also for me. And it would be just useful to really understand how it could work in practice. Thank you.

KEITH DRAZEK: Thanks very much, Melina. Chris, you're next. And then Laureen.

CHRIS LEWIS-EVANS   Yeah, thanks. Just quickly, on to Marc's thing. It does answer the question, and I can pull up separately. Just to Milton's point, we all agree that if it's pseudonymized towards all parties, then it is still considered to be personal information. And whilst that is a security measure you can put onto data that you're utilizing, it's still considered to be a high risk for publication.

And I think this comes back to some of our definition problems. If a registrar was to anonymize an e-mail address such as the example we had from James on the privacy proxy side, to them that's pseudonymized because they are in control of the data and will always be able to transfer that back. But to the third parties, that is effectively anonymized and is available for publication as the privacy and proxy services do at the moment.

And I think, to help us move on, we really need to get some of these definitions sorted and then look at when is an e-mail address anonymized, pseudonymized? Who is it anonymized to? And then, can we publish it?

EN

So, I think if we can stay on that, then I think we're all in agreement [that] we don't want to be publishing openly personal information. Thank you.

KEITH DRAZEK: Thanks, Chris. So, I have Laureen, Volker, and then Stephanie in queue. And then we may need to draw a line under this one so we can review action items and assignments. So, Laureen, you're next.

LAUREEN KAPIN: Thanks, Keith. And just to build on what Chris is saying, and also to partially respond to Milton. If we look at the Bird & Bird memo, particularly at the end, it is not an outright exclusion of being able to use pseudonymized techniques. In fact, the memo very clearly, at the end, refers to risk reduction through the use of a Data Protection Impact Statement.

And also, if we look at the study that weas referenced with the ENISA study—the European Network Information Security Agency study—that is all about pseudonymization and the techniques and analysis that must be used to make sure that whatever mechanism you use are not transparent in a way that the public could actually decode it. That's the whole point of that rather lengthy memo, is to look at risk reduction techniques.

So, as a starting point, I don't think we start, from Milton's conclusion, that this is illegal. The issue here is how do we reduce the risk so, in fact, the data, if published, is anonymized vis-à-vis the public.

EN

KEITH DRAZEK: Thank you, Laureen. Volker, you're next. Then Stephanie.

VOLKER GREIMANN: Yes. I think we need to make a very important differentiation here. What we're concerned about, what we're supposed to be talking about is data that is either being published in the RDS, publicly available, or can be requested through the SSAD. Everything else is data that can maybe be requested through a subpoena or that is used for internal purposes but has nothing to do with data that we publish or make available for the SSAD. Consider those two separate data sets even though they may contain the same data.

And yes, internally there are ways of pseudonymization that we use to handle that data, obviously. In some cases, the data is even in clear text, but that is probably entirely down to how the internal code of the registrars and registry systems is being developed.

I think we need to make sure that when we talk about this topic, we focus only on what the SSAD and the RDS require and not look at anything else. If you want that data, for example, for correlation—like Margie suggested, what does this spammer or phisher also-known-as domain names—there is a way for that. It's called a subpoena. And we have a way to find that out. It's called a database query.

But that's nothing that has anything to do with what we're talking about here, or are supposed to be talking about here. So, let's

leave the other external stuff aside and focus on what we're supposed to be focusing on—SSAD and RDS. Thank you.

KEITH DRAZEK: Thank you, Volker. Stephanie, you're next.

STEPHANIE PERRIN: Thank you. Volker has said some of what I wanted to say, so I'll try to be brief. I think we are paying the price for not having done the DPIA that Laureen referred to, and the thorough discussion of where the lines are in terms of who is doing what processing activity.

Now, it seems to me that our earlier work all pointed to the registrars being accountable for the release of this data, and therefore being the key processor when it comes to contacting the individual registrant because, as we have discussed in the definition clarification, even if you pseudonymize the e-mail, if you are contacting the individual and arriving at heir inbox through that pseudonymization process, then you are achieving contact which is an intrusion.

And you are, therefore, connecting the third-party requestor with the individual registrant which is … One of the goals of this is to protect that registrant from having the world show up in their inbox.

Now, if you publish it, you have not done anything that the old WHOIS didn't do. That seems to be a wrong negative, but I hope

you get my drift. You're just replacing the WHOIS with a more complicated system.

It was my understanding that the registrars would be in control of this data. And no, they don't share their data. And correlation. Remember, if you permit correlation at the level of the SSAD, you are also permitting all kinds of uses that are not compliant with the GDPR. We went to considerable work to avoid that, so I kind of wonder why we're having this deep discussion on this stuff.

That correlation can take place at the registrar level providing there's a valid purpose for it—for a criminal investigation such as phishing, which Margie brought up. Odds are good that other registrars are going to be involved since it's unlikely that they're going to use only one registrar. Then that means a separate request concerning other registrations. And if there's no criminal activity from that individual registrant in the other registries, then that will be a more complex request.

This is all happening at the registrar level in order to protect the individual, and we had these arguments back on the PPSAI, so I'm having a terrible nightmarish case of déjà vu. But everybody should realize that by finally getting around to implementing data protection, we have moved some of the aspects of that debate in the PPSAI to the forefront now. It's in this discussion, but we still have to protect the registrant. Otherwise, the registrants will simply be all buying a different kind of product from the registrars as a privacy proxy protection. Thanks.

KEITH DRAZEK: Thank you, Stephanie. Look, everybody, thanks for the important discussion and dialogue and input here. We're coming to the end of our call and we need to go through the discussion of the assignment for the various questions. So, I'm going to hand it over to Marika here shortly.

But I just want to note that, clearly, we've identified that there's a distinction between contactability and correlation. I think there's been some input in the chat and in the discussion today about … I mean, it's just the fundamental question of the legality of publishing pseudonymized or anonymized e-mail addresses. And again, that's sort of a fundamental question here.

And then I just need to remind everybody—and we're going to have a little homework assignment here—for everybody to review the charter and the scope of what we're supposed to be focusing on here. That has been raised several times in the chat, so I'm acknowledging that.

I've been reminded by our staff colleagues that part of my job as chair is to make sure we're following the guidance that we've received from the Council and that we're focusing on what's in scope for the work of this is group. So, I'm going to ask everybody to make sure that you review the charter and make sure that we're all on the same page as to what is before us in terms of the next steps of our work.

Marika, if I can hand it over to you now for a quick review of the assignments. And then we will probably move to wrap things up.

MARIKA KONINGS: Yeah. Thanks, Keith. And on the last item, also make sure to review the Council instructions. And if you all may recall, the background briefing paper should contain all the information related to what's in the charter as well as the Council instructions on this is topic.

So, relation to the assignments. As you may recall, there were a number of clarifying questions that were identified by the group. We went through some of those on the last time and assigned those. There were still a couple that were unassigned, and we actually didn't receive any input on the assignments which basically leaves, for feasibility, questions 6 through 10 without assignment at the moment.

We would like to suggest that these are assigned to the legal committee for further review as most of these seem to relate to the memos. Not all of these may be further clarifying questions, but they may still help inform the legal committee's consideration of all the questions that are passed to them, and they can maybe identify which of those need further follow up or review.

So, I think the question is, indeed, if the group agree with that, we can move forward and compile the questions for the legal committee so they can start their homework assignments in advance of the call.

And as we're running out of time, I would propose that we do the same for the legal and natural questions. Those we did get all assigned during the last meeting. We also did not get any input on whether those should be assigned differently, so we're assuming that the group is fine with how that's been done.

Just one note on the questions on the ICANN Org study. You should have all received an invite for a webinar that's taking place on Tuesday next week at 14:00 UTC. All the questions related to the study have, of course, been assigned to ICANN Org. I think if there are still further questions that come in, please feel free to add those so our colleagues can take advantage of that and prepare, accordingly, their presentation for it. And as said, the other questions will be assigned to the legal committee.

So, that's all I had.

KEITH DRAZEK: Okay. Thank you very much, Marika. Would anybody like to react or respond? Any objections to the suggestions from our staff colleagues? Seeing none. Okay, Marika. Thank you very much for running us through that.

So, yes. Just to reinforce that next Tuesday we have a webinar presentation from ICANN Org on the legal versus natural study. So, if you don't have a planner for that, check your spam folder or certainly reach out to staff and let us know, but that's next Tuesday, 14:00 UTC. And so, please come to that session prepared with any additional questions. But if you've identified questions that haven't been captured or been submitted, please do so, so they can come prepared to discuss it.

Our next meeting of this is group will be next Thursday, 28 January at 14:00 UTC, the same time. I'll ask if Berry has any captured action items that he would like to speak to today. We can do that, or we'll circulate it to the list as usual.

EN

And then I just want to pause and see if there's any other business, any other topics would like to discuss.

Berry has noted in the chat that we'll circulate the action items to the list. Thank you very much.

So, with that, any other business? All right. Not seeing any hands or further input on the chat, we will go ahead and move to close today's call.

Thank you all very much for your attention to homework and for your contributions today to the dialogue. And I look forward seeing you all on Tuesday at the webinar. Thank you very much. We can close the call.

TERRI AGNEW: Thank you all. Once again, the meeting has been adjourned. I will disconnect all remaining lines. Stay well.

[END OF TRANSCRIPTION]