

DEVAN REED:

Good morning, good afternoon, and good evening. Welcome to the IDNs EPDP call taking place on Thursday, 12 September 2024 at 12:00 UTC. We don't have any apologies today, but Nigel Hickson will be joining us late. All members and participants will be promoted to panelists. Observers will remain as an attendee, and will have view access to chat only. Statements of interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. If you need assistance updating your statements of interest, please email the GNSO Secretariat. All documentation and information can be found on the IDNs EPDP wiki space. Recordings will be published shortly after the end of the call. Please remember to state your name before speaking for the transcript. Please note all chat sessions are being archived. As a reminder, participation in ICANN, including this session, is governed by the ICANN expected standards of behavior and the ICANN community anti-harassment policy. Thank you, and back over to our chair, Donna Austin.

DONNA AUSTIN:

Thank you, Devan, and welcome everybody to today's call, which may be one of our last. So pretty exciting and pretty sad, I suppose. So I don't have much by way of updates, although I did get an email from Justine today saying that the board had approved the pending recommendations from our Phase 1 work. So that's good news. And congratulations again, everybody that was involved in Phase 1. It's good news to have the Phase 1 report adopted by the board as we intended it. So I guess it's good to have that milestone.

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.

Alrighty, and also thanks to folks for letting us know on the list, you know, any concerns or comments about the last of the recommendations that we're going to work through here today. Given Jen's message that the registry stakeholder group has some concerns with IG15, what we might do is leave the discussion for 14 and 15 until the end. So we'll just, you know, for administrative purposes, we'll get through the grandfathered 10 to 12 and then 18 and 20 and then we'll come back to 14, 15, and 17. And then we'll continue on with the agenda. So with that, Saewon, can you start to work us through the slide?

SAEWON LEE:

Thank you, Donna. This is Saewon Lee from staff for the Record. So yes, I'm hoping not to spend too much time on the ones that you mentioned. And as Donna just mentioned, I'll not go in the order of how it's presented here, but mix up the order. But just before we go into each outstanding item to close the loop, I just want to say thank you to all those members that expressed support through the mailing list or left any comments in the working document. And for the comments, I hope that they were all answered too.

So to kind of go into grandfathered first. So there have been no objections from the team to date and none through the mailing list either or the working documents. So from all the support that was shown in the discussions and chat during the last team meeting, support staff will delete all the footnotes as presented last time. So the terms will be presented through the overview and explanation in the executive summary, glossary, and the first part, as well as the rationale

for recommendation three of section four. So as agreed, the changes will be made to exempted, excluded, exemption and exemption period based on the context. Again, we've received support, but just before we go on to the next one, just want to check if there are any final objections or critical concerns.

And I don't see any, so I'll move on. The next one is for the outputs 10 to 12, which is related to the transfer policy reference. So this was referring to, or we were waiting for feedback from the transfer policy review working group. And we finally got feedback that our outputs do not conflict with their recommendations and there are no critical concerns. And if at all, they may need to update the transfer policy as a part of implementation. But other than that, for us, there's no change that's needed. And here you can see the language for the three outputs, which I won't read right now. And again, before I move on, I just want to see if there are any final objections or critical concerns.

Okay, I guess I don't see any again. So I'll move on. Again, as Donna mentioned, and thank you. I see some support in the chat. So I'll go on to 18 to 21st and come back to 14 and 15 and 17. So for 18 and 20, which is related to the idea and implementation guideline updates. So as you'll remember, the latest discussion was related to the ccNSO's role in both the outputs. And the language and rationale was all updated and shared. And again, to date, we have received no comments or objections in the mailing list, or the working document. So again, I think with the language that's presented in the slides, I think we can conclude this one too. But again, just in case, I want to see if there are any critical concerns or final objections.

DONNA AUSTIN: Thank you, Hadia. I realized that I haven't shared the slides with you.

PETER AKINREMI TAIWO: The recommendation, 18, just reading through, there is a part that says that the ICANN Board will be responsible for documenting the process, and also approving the process, the documentation as well. So I don't know how that aligns. Because they will be documenting and they will be approving. In terms of governance, is that not conflicting? Because is there any mechanisms to ensure that that's documented rightly and know that they didn't document some things that don't make sense? And the ICANN Board is also still approving the process. I know that will be in consultation with the GNSO and ccNSO. But I don't know how that's fitting.

DONNA AUSTIN: Thanks, Peter. And I understand from a governance perspective, you know, that this might look a little bit odd that the Board is responsible for documenting the process, and then also approving it. Essentially, what's being done here through this recommendation is that there is an existing process which the Board is primarily responsible for, in terms of being the shepherd, I suppose. So all we're doing with this recommendation is formalizing that. And what we're saying here in terms of the Board being responsible for documenting the process is that I guess when we look at the implementation process and the community starts to think about, well, who has responsibility for documenting this process? I think what we're trying to say here is to

make sure that it's the Board that is responsible because they kind of, you know, are the shepherds of the process. And then once that process has been, you know, done in consultation with the community, then we need a formal process to approve it. And that's why it's the Board, GNSO Council, and ccNSO. So I know it's a little bit odd from a governance perspective, strictly speaking, but this is really just to say, document the process that already exists. And then once the community is okay with that, then it needs to be formalized or ratified in some way. So what we're saying is that the Board has to do that in consultation with the two existing structures, which are the GNSO Council and ccNSO Council. So I hope that sits okay with you.

PETER AKINREMI TAIWO: Yeah, thanks.

DONNA AUSTIN: Okay. Thank you. Okay, so I think we're okay to continue with the next recommendations, which are really the ones that, you know, we got a heads up from Jen that there are concerns with implementation guidance 15 from the registry stakeholder group. So just a little bit of a refresher of how we got to the language that is currently in the drafts that folks were reviewing. So Saewon, would you mind just going through the history of how we got to here? And then Jen, if you wouldn't mind, I'd like to hear from you about the concerns from the registries and we'll start working through and see if we can reach some kind of agreement on how to move forward.

SAEWON LEE:

So, as Donna mentioned, I'll quickly go through how we got to this language. So the language that you see in the slide right now is the most recent updated version as of last week. Again, I'm not going to read the whole output right now, but with this, just to kind of go through how this language evolved. So as everyone remembers, at the initial report stage, this was the language or these were the preliminary outputs or the preliminary recommendations that were published through the initial reports and out for public comment. Again, I'm not going to read them all, so I'm going to go just to the next slide.

So the public comment submissions boiled down to three substantive issues that caused the next language change, or at least the consideration of it. And as I've also marked in this slide here, the focus of the comments that I'll be presenting here relate to the substantive language change, not any supportive comments or those that are irrelevant to the current discussions that we'll be having today.

So the first relevant comment was by the registry stakeholder group, where they asked the wording to be revised in recommendation 14 so that it does not imply any public service will be granted, but rather focusing on the future collaborative work among the stakeholders. And they also requested in implementation guidance 15 that it be deleted as it adds no value, and they also objected to RDDS. So again, this related to the public service aspect and that the transactions, it was just a simple transaction system with a contractual obligation where the functionality of it suggests that it's out of scope and it requires a review of the agreement itself.

The next relevant comment was from ICANN org asking for a standardized mechanism but also seeking clarity on ICANN's role in the process if ICANN.org were to be included in recommendation 14.

The next relevant comment was from NCSG, and this was related to implementation guidance 15 objecting to the expansion of RDDS again and also then expressing data privacy concerns. And so reflecting most of these comments, and not just to the language itself, but also some of it adding it into the rationale, the updated language came to this slide here. So it was accepting registry stakeholder group's suggested language for 14 and then taking RDDS out of 15.

So while this language was taken back to each group and during the two-week break that we had, there were new developments where ICANN Legal came back with data privacy concerns. And then a new language was proposed by leadership and staff. And then during the 29th of August meeting, we had the number two and number three discussions. And so after the data privacy concerns, as you'll remember, as we had provided, leadership and staff separated the outputs with two distinct purposes with 14 focusing on the contracted parties communicating to find a mechanism, and then 15 focusing on the end users' access to information. And this language was put out to the team for another week.

And if you'll again, remember last week during the debate, these three items were allowed for another or caused another language to be proposed. And the three comments or the discussions were, one, the registrar stakeholder group asking if registries could be involved in implementation guidance 15, ALAC and GAC requesting a mechanism

for access to non-private information. And then suggestions from Dennis related to the objective of communication between the contracted parties, as well as deleting the last sentence in recommendation 14.

And so this came to this final updated version, which I already shared with you in the first part, introducing 14 and 15. I think this kind of concludes the evolution of how 14 and 15 updated language came about. As Donna mentioned, I would like to open the floor and maybe ask Jen to speak first on this as she stated in the mailing list.

JENNIFER CHUNG:

Thanks, Saewon. This is JENNIFER CHUNG from the registries for the record. Really appreciate that you brought us through the history and the evolution of where we got, how we got to this language that we see before us. As I mentioned to the list a little earlier before this call, the registries took a look at this language quite extensively this week. We had a call, the small group call on Tuesday, the tech ops had a call Wednesday morning, and we also had a full stakeholder drop-in call yesterday afternoon. So this was discussed pretty extensively. As I mentioned as well on the email, we are okay with the recommendation 14 language as it stands, but we do have pretty strong objections to implementation guidance 15. The overwhelming sentiment right now from the stakeholder group is the removal of 15.

Obviously, I understand that we've had a long discussion on what Saewon brought us through. There've been a lot of different concerns and that has contributed to what looks like, I mean, what it looks like

right now on the screen. I think several items I do want to highlight for the registries and the reasons why we are having this reaction to 15. There has been concern and examples given. I think right now in the draft final phase two report regarding the registrant, the security researchers, and situations where there are complaints or subpoenas for information in URS or UDRP or the courts. These already have simpler solutions that allow this information to be discovered. Normally, this is done via the registrars. Obviously, if there are court orders, registries do have to respond.

There is a very big difference between a need to know, a right to know, and a want to know. We don't see, I mean, the reactions to all of these different categories are also different. And for the registries to be able to assess this, there doesn't seem to be, at least explicitly stated, a sufficient motivation for us to possibly have to create a new mechanism for a discoverable service to balance a want to know. We also have to justify that and balance that and measure that against those who have the burden to provide this information and the normal costs of doing day-to-day business and our operations as well.

It's also a fact that it's the registrars who are normally client-facing, and they do, of course, have very robust frameworks in place and policies in place for data disclosures of all sorts of different categories. This could be considered as one category as well. And I think I already mentioned earlier as well, the formulation of 15 right now, in the first sentence, there is the word "should" twice, and that implies a positive obligation on us to provide something that we have not seen sufficient justification for.

That all being said, there has been some discussion and some alternative texts that were circulated internally late yesterday, because we've had a series of three calls between Tuesday and Wednesday, which is yesterday, about this. There hasn't been sufficient reaction and response to allow us, Dennis, Maxim, and myself, to be able to present this as a stakeholder group position. But I mean, I would be okay with sharing this on the chat just for people to take a look at, with the caveat that this has not been vetted by the full stakeholder group and nor have a lot of relevant parties weighed in on this text yet.

So hopefully this has given people a little bit more context on why the registry stakeholder group is expressing these reservations and concerns. Dennis and Maxim, please feel free to add if I've missed anything crucial. And so I'll, you know, pause here for any questions and reactions. Thanks.

DONNA AUSTIN:

So thanks, Jen. And, you know, it will be good to see the language that's currently being circulated within the registry stakeholder group. So I'm interested to hear, it sounds like you're suggesting that, you know, ideally this is something that the registrars would do. So there shouldn't be any burden here on the registry. So would taking out the reference to the registries satisfy the registry concerns? And Michael, would that create an issue for the registrars? And I guess the other question I have is, is there an objection to the idea that, that, you know, an interested party should be able to discover the allocated variant domain names for a given domain name, notwithstanding the purpose for that? So I kind of would be interested to understand that a little bit better.

HADIA ELMINIAWI: Thank you so much. And thank you, Jennifer, for your feedback. My question to Jennifer—I thought she was saying that discovering allocated variant domain names would also require having a new mechanism. And my question is, why are we coupling discovering, if my understanding is correct, why are we coupling discovering allocated variant domain names with the necessity of having a new mechanism? Thank you.

DONNA AUSTIN: Jen, are you in a position to answer Hadia's question, or even Dennis or Maxim?

JENNIFER CHUNG: Hi Donna, this is Jen. Yes, sorry, I was just finding the language to put in the chat. Hadia, if you don't mind repeating your question.

HADIA ELMINIAWI: Okay, thank you, Jennifer. And I thought, or I understood that discovering allocated variant domain names would require a new mechanism, or I thought you were saying that this would also require having a new mechanism. And my question was, if my assumption was right, why would discovering allocated variant domain names, why would this be coupled with a new mechanism? Like, I thought this could happen even without having a new mechanism. The new mechanism is between the registries and the registrars. And this is something that recommendation 14 is talking about. But recommendation 15 is

basically talking about the right of interested parties to be able to discover allocated variant domain names. So if it is, if the applicable law allows for it.

JENNIFER CHUNG: Thanks, Hadia. This is Jen. Donna, if I may.

DONNA AUSTIN: Please, Jen.

JENNIFER CHUNG: Thank you. So two items from your question. The first thing is, and I think also Maxim did put it very briefly in the chat. Regarding 14, of course, you're correct. There is talking about a mechanism right there. The problem with 15 is when I mentioned it, we don't know what this mechanism looks like. We don't know if we need a new mechanism to allow this discoverability of the domain names, variant domain names, or any given domain. And this is precisely the reason why there is definitely a lot of concern there. I am not an expert on our operations. I think both Maxim and Dennis have more information on that. And I see Dennis's hand is already up there. And perhaps Michael also has more. And perhaps Michael also has more to share about his thoughts on that as well. So the short answer is we don't know what this mechanism looks like. We may need a new one. And this is why, you know, there is a lot of concern there, because not only does that put a burden and cost on the course of doing business ... The second point I wanted to highlight, slightly in your question, is you talked about a right for an

interested party to know. That's something that the Registries Stakeholder Group is also taking some concerns about. We're talking more about a want to know instead of a right to know at this point. We haven't actually been convinced that there is such a thing yet. So I'm just going to leave it there, and I guess I'll pass it back to Donna to manage the rest of the Q&A.

DONNA AUSTIN: Thanks, Jen. So Dennis, do you have your hand up in response to Hadia's question?

DENNIS TAN: Hi, Donna. Yes, if I may. I also put it in the chat briefly, but to put it simply, Rec-14 is about transactions. It's a mechanism to allow the transactions between registrants and registrars. And Interpretation of Item 15 is asking for a public-facing interface to discover information, and that's what we have not heard a substantial reason as to why there has to be a requirement. And not just, you know, right now, as Jen said, there are current ways in order to find that information.

DONNA AUSTIN: Thanks, Dennis. So, Michael?

MICHAEL BAULAND: Yes, thanks, Michael for the record. I wanted to respond to your question, Donna, which you kind of asked—I don't know—like 15 minutes ago by now. You asked whether the registrar would be okay

with providing that information. I think that was the question. And as far as I know, I think we are okay with providing that information. Of course, only restricted to those domains which have been registered by this registrar. So, if domain A has been registered by registrar X, then you cannot go to registrar Y and ask for the list of variants allocated to A. So, the restriction would, of course, be to only include the domains and variants which are handled by the respective registrar, not to provide a full service for the full TLD.

DONNA AUSTIN:

Thanks, Michael. So if I could just clarify then, Michael. So if in a grandfathered or exempted situation, it's possible that the allocated domain names of a variant set are with different registrars, but in a situation where the recommendations of this Phase 2 have become policy and the same entity principle is in play, then the information should be with a single registrar. Is that correct?

MICHAEL BAULAND:

Yeah, exactly. If we ignore the exempted domains for now—I think that's what we should call them now—then for one domain and all its variants, that information is with a single registrar. And the registrar stakeholder group is okay with people coming to that registrar to get the variant information for that specific domain and its variants. But if the domain and its variants have been registered by a different registrar, of course, the request would have to go to that registrar that has registered that domain.

DONNA AUSTIN: Okay. Thanks, Michael. Nigel.

NIGEL HICKSON: Thank you very much. Good afternoon, everyone. Yeah, obviously, I'm no expert here, but I thought this was a fairly fundamental part of the whole equation, so to speak, that there was this transparency on the variants. We had assumed, I think, as Michael just said, that it was in relation to what the registrar had, so to speak, so it wouldn't cover the whole of the TLD, it would cover those names that had been registered by the registrar. But I think, and in terms of what the exact language is, and we discussed the carve out for data protection concerns and the language that Jen kindly put in the chat seemed okay as well. And clearly, there needs to be something in this text that says that there is a way for interested parties to find out this information. You know, this is, I think, fairly fundamental. Thank you.

DONNA AUSTIN: Thanks, Nigel. So from what I understand from Jen, I think how she characterized the want to know, the need to know, or a right to know, I mean, they're reasonably fundamental principles, I suppose, is my understanding for the registry and the registrar and how they go about their business. So it's not just if somebody's curious, then should there be a requirement to provide that information? I think what Jen was getting to is that it needs to be stronger than that.

It seems the language that Jen put forward in the chat, which has not been ratified by the registries, it seems that it's consistent with what we have for IG15 now, but it's taken out the reference to the registries. So

the obligation is for the registrars. And I think what we heard from Michael is that shouldn't be problematic with the caveat that it probably won't be, it won't be something that is necessarily possible for exempted domains. But this is for, this is moving forward, so it seems to me, unless I've misunderstood or something that was in Jen's suggested language, that we're not far away from the implementation guidance 15 as it stands now. So it doesn't seem that there'd be much angst here if the registries were to come back and say, this is the language that we could support, then I think that's probably okay with everybody. So I think if folks have got a couple of minutes just to go back, scroll back up through the chat and have a look at what Jen has provided and see if there are any concerns in that regard.

Alan, I see your hand is still up. I'm not sure whether you wanted to speak to this. We couldn't hear you before if you were trying to speak.

ALAN BARRETT:

Thanks, Donna. I have two points. The first is on the public interest. I believe that it's in the public interest for people to be able to get this information on which domain names are registered. They already can. There's WHOIS and related protocols. And maybe they don't get the name of the registrant because of privacy or something, but at least they get the fact that a name is registered. And that should not go away. So, I think it's important that there should be a way for them to get all the variants associated with a registered name. If they get it from the registrar or from the registry, I don't think that's terribly important from a public interest perspective, as long as they can easily get it. I've heard some people saying that it should be from the registrar who has one of

the names. You can provide them with a list of all the other registered names. To me, that's fine as long as they can get it.

And then on the interest of the requester balanced with those of the data subject, I'm struggling to understand what the privacy concern there might be. Because the requester can just as easily iterate through all possible names and ask the same question multiple times about all possible domains, whether they're allocated or not. And in that way, they can get all the information. So, why not just let them have it all at once from the registrar? So, yes, that's right, from the registrar. Thank you.

DONNA AUSTIN:

Thanks, Alan. To your last point about the data privacy concerns, I mean, that's based on information that our support had received from ICANN Legal. That while it doesn't necessarily look like you're devolving or breaching any privacy laws, it could be that it's possible. So, that's the reference to data privacy that we had in IG15.

Your other point about that people should be able to find out information about allocated domains. I think one of the things that we don't fully understand—and this is because we've come up with a set of recommendations throughout this Phase 2 work and also in Phase 1 that are a body of recommendations. And you don't really know until it's all implemented and things are in place whether there are gaps. And I think your assumption that anyone should be able to find the information pretty readily through WHOIS or RDAP, whatever the protocol happens to be, I'm with you on that one.

I think probably the information that we're focusing on in IG15, that may be readily available anyway. But we don't know because none of this stuff has been implemented or tested before. I know in our Phase 1 work, we actually had we were getting quite prescriptive about things in the future. And we pulled that back and suggested that—I can't remember which recommendation it was, but at some point in time, there'd be a review of the IDNs once they've been implemented to see if there are any gaps or things that need to be revisited.

And it kind of struck me that maybe this is one of those things where maybe we need something for Phase 2 as well. You know, but I guess with Phase 2, what's also in the back pocket is the IDN implementation guidelines. So if there are gaps that people become aware of or community members become aware of, it's possible that that could be a discussion that's had in the IDN implementation guidelines. So I think we certainly need to hear from the registries and see if the language that Jen shared with us is confirmed by the registries. But I think what I'd like to hear is whether folks are okay with the language that Jen shared, because I think it doesn't seem to have changed that much to me, except we've taken out the reference to the registries and we just have the registrars that have the responsibility.

DONNA AUSTIN:

Michael has a note in chat that he would like to adjust the wording slightly to make sure the right registrar is asked and we're not forced to provide information for arbitrary domains. So I think that's probably something that we could make sure it's clear in the language that that's what we're doing. Okay, so. All right, I'm seeing a bit of chat here. So,

Alan, it looks like your note in chat is kind of taking issue with the take on privacy, but we can only go on what's been the suggestion that's been made to us by ICANN Legal. I find it pretty hard to go against any suggestions or input that we've had from ICANN Legal.

ALAN BARRETT: Yeah, sorry, just jumping in here, Donna. Yeah, I agree with you. It's very hard to go against ICANN Legal. So if there really is a problem, of course, we'll accept that. But I remain skeptical.

DONNA AUSTIN: And Alan, you may not have been on the call a few weeks ago when we discussed this, but Steve and I were also skeptical because we're not lawyers. But we accept that we're not the experts, so we leave it to those that are.

So, Jen, I don't think we have additional information from Legal. It was just information that Steve conveyed to the group a few weeks ago. So coming back to, I guess, to Jen and Dennis and Maxim. So, Jen, when you introduced the IG15, I thought it was a lost cause because it seemed like the objection to the language was really against the full text. But it seems, based on the language that you've provided, that that's not the case. That there is a path forward here that I hope is acceptable to the rest of the group. And certainly having the registrars being okay with what the registries have suggested, with the caveat of Michael's language, I think that will still probably work for everybody.

JENNIFER CHUNG:

Thanks, Donna. I like your positive take on what I just shared earlier. The fact of the matter is we haven't had sufficient response and comment on this language. And I will be happy to circulate Michael's edits to that language as well, to the registries IDN small group. There was a very strong reaction when this was discussed. Not this current language, this new language that was circulated, but the original formulation. And I suspect—and I cannot confirm—that it is a lot to do with the fact that the registries are named in IG15. I can't confirm whether that is the only reason why there was a very big reaction to it. It's certainly a large portion of the reaction.

I hope to be able to update the group either on our next call or sooner than that on our mailing list regarding the reactions from the rest of the registries in the IDN small group, as well as the larger stakeholder group. But, I mean, it is as I have updated. Thank you.

DONNA AUSTIN:

Okay. Thanks, Jen. So any other comments from folks? I know there's been a little bit of back and forth in chat, which I haven't really been keeping up with. But, Nigel, I get the sense that you're probably okay. Satish, I know that you're in listen mode only. But Satish and Hadia, I'm wondering if you're in a position to say whether what Jen has suggested is workable. Nigel.

NIGEL HICKSON:

Yes, thank you very much. And just briefly, yes, I think with the clarifications that Michael has given about the registries, that what Jennifer has put down looks fine. But it's just, I think we don't want to

be in a position where we lose this. So, because I think that would be really regrettable. I mean, and I accept that we can't necessarily agree at all today, but it would be nice to go forward. Yeah, thanks.

DONNA AUSTIN:

Thanks, Nigel. Hadia or Satish, are you? Okay, well, we're going to have some elevator music. And we're going to see if we can get Saewon, rather than put it in the chat, maybe if we can also put it on the screen in some way as well. So it's in bigger font. So Hadia, go ahead.

HADIA ELMINIAWI:

Okay, thank you so much. So, again, we definitely need to go back to our group. And we haven't also discussed this among ourselves as well as members of this group. However, I would say initially, it looks fine. What Jennifer has proposed looks fine as it still provides a means through which interested parties could actually discover a variant domain name set. Thank you.

DONNA AUSTIN:

Thanks, Hadia. Okay, so I know Saewon's kind of doing double duty here at the moment. But to the extent that we can move on from this topic, I think we still have recommendation 17 to have a quick look at and then we can move on to the rest. If you're in a position to do so, Saewon?

SAEWON LEE:

Yes, I was trying to move it onto a bigger screen, but somehow it's not working. But yes, I'll try to get to that soon. So, just to move on—I'm

sorry. So, 17 does not require, again, much of a debate. It's more, again, very much subject to how 14 and 15 conclude. So currently—and this was again supported through the mailing list of how 14 and 15 were before, based on how 15 concludes—so currently, with the current language, because everyone's supportive of 14, contrary to the public comment submission itself, we will include 14. And then 15, we'll decide once 15 is concluded. Again, does that sound okay to everyone? Okay, so 18 and 20, we have done. So, before we go into the next agenda item, do we want to recheck the language for 14? Sorry, 15 again, or shall we just share this through the mailing list?

DONNA AUSTIN:

We can. So that's what you've put in chat or Jen has put in chat that has Michael's edits?

SAEWON LEE:

Yes.

DONNA AUSTIN:

Okay. So what I'll do just for transparency in the recording is I'll just read out what Jennifer has put in chat, which is the formulation for the registries plus that now incorporates Michael's edits. And this is what the registries will come back to us and confirm whether it's okay or not. And also, ALAC in particular, Hadia and Satish will also take this away. And I assume the other groups that are represented here will do the same.

So there's potential that we change implementation guidance 15 to the following language, which is in order to allow a requester to discover the allocated variant domain names for a given domain name, the corresponding sponsoring registrar should accept and consider whether disclosure of this information should be granted. In considering whether to disclose the information, the corresponding sponsoring registrar should balance the interest of the requester with those of the data subject where such balancing is required by applicable law.

So that's what we're looking to change it to. Potentially, depending on how folks feel. And my preference is that we will probably need to do this over email, because we're probably in a position where this would be the only thing we need to have a conversation about if we can wrap everything else up here today. All right, so with that, I think we'll move on to whatever's next on the agenda. Thanks.

SAEWON LEE:

Okay, so again, we will definitely share this via mailing list after the call, but based on how this concludes, recommendation 17 will just be an update on which recommendations are set and included in the policies to be published at the registry operators' websites.

To move on to the next agenda item, as you all know, in the background, support staff is currently finalizing the language and building the report so that we are ready to go on with the consensus call as well as submit to the GNSO Council. And just to kind of... before going into presenting the table of contents itself, I do want to note that based on how recommendation 6 is a combination of 6 and 7, previous

6 and 7, the numbering will change, and that will be done all at once once we conclude 15. So this is the table of contents that the leadership and staff propose, and it's following the same structure as the Phase 1 final report as well as the Phase 2 initial report. And basically, it's all the same, apart from Annex B here with the consensus designation section, which will be added on from the initial report. It's pretty much the same as how it was done for the Phase 1 final report. Any questions or any other suggestions related to how the table of contents will be structured?

DONNA AUSTIN:

I have one request. I don't like the glossary sitting up front. I know that one of the reasons we have it there—and maybe it's a formula for all PDPs—but I think one of the reasons we had it up front was during Phase 1, there was a concern that people wouldn't understand the terms, and so it's important to read the glossary. But I really think what's important here are the Phase 2 recommendations. So my preference would actually be to move the glossary to an annex, but I know that's not going to fly. So maybe if we could swap Section 3 and Section 4, that would be something I'd like considered. I just think from a readability perspective, people are going to be looking for the final recommendations, not the glossary. And given the glossary is a few pages, I think I'd like to see Section 3 and Section 4 swapped.

SAEWON LEE:

I do see some support. Again, just from a support staff perspective, we'll have to change a bit of language in the executive summary and the

beginning because it does say what you just mentioned, Donna, as in, you know, please check the glossary first to understand the rest of the recommendations. But again, if the team agrees to this, I think there's no problem.

DONNA AUSTIN: Any objection from anyone in the group to swapping Sections 3 and 4? All right, so I think we'll swap Section 3 and Section 4.

SAEWON LEE: Okay, so Section 3 and Section 4 will be swapped, and the language with it will also be changed. And obviously, once this is all built and before that, the leadership will review this, but it will also be shared with the team. Moving on to the next agenda item: as everyone seems to be supportive of the current table of contents with the change of the glossary to Section 4, the next one is the consensus call process reminder. For the consensus call process, I know most of you have gone through it for Phase 1, and this slide must be familiar to a lot of you, as it's identical to what was in Phase 1. There's just been a bit of a language update, but other than that, it's pretty much the same.

So, just as a refresher on a high level, the leadership will propose a consensus designation for each output through the mailing list. The consensus designation is categorized not only here, as you can see in the first column, but also the next page. Again, I'm not going to go through all of it because I know Ariel already in detail explained everything to you, but for us, we won't be doing or initiating the consensus call today, obviously, because we do still have the outputs to

stabilize. But once it is stabilized, the same as Phase 1, the leadership team will propose a consensus designation for each output, and then the consensus call will be conducted for 10 days. And if the members wish to submit a minority statement for those outputs that did not gain full consensus, again, please do so within that time frame, which is also mentioned here in the fourth column. And then this will all be documented in the final report here, if there are any minority statements.

Again, for any details that you just need to be refreshed on, not only is it in this slide, but you will also see it in Section 6 of the charter, and there it's also referencing Section 3.6 of the GNSO Working Group Guidelines. We'll be checking the timeline again in the next agenda item, and I'll be going through it again for you there, especially related to the consensus call. But just related to this, are there any questions? Donna?

DONNA AUSTIN:

No.

SAEWON LEE:

Moving on to the work plan and next steps, which we briefly went through last week. So, please note that obviously there might be a bit of a change based on today's conclusion or discussion.

So, today is September 12th, and I've marked it faintly just to show that, you know, this is kind of done for today. So, though we did not agree on all the outstanding items, and in the action item I do say to agree on things, it doesn't mean that we've fully concluded on everything yet.

But based on this, we will need to stabilize the outputs and then circulate them for final review. Where I've marked it as Friday, September 13th, this can be flexible. It can start this day, but my hope is that we could finalize it by Monday, September 16th, to initiate the consensus call process then. Just because, as you can see in the timeline, we are actually running quite a tight ship here. So, let's say we initiate the consensus call on September 16th. This will go out on the mailing list with the leadership's proposal, as I mentioned in the earlier slide.

Then the consensus call will go on for 10 days, which will conclude on September 26th. We'll try to resolve any challenges, or let's say we have some flexibility until September 30th. We'll still need to stabilize the final report and circulate it to the team for final review by October 1st, if we were to submit the draft to the GNSO Council by October 7th. It's actually not giving us much room or time for the team to review the Word document in detail, and it is a very tight schedule. I can see in the chat that there's a bit of conversation going on regarding reconfirming the timeline, but just to continue with what we propose...

Related to until October 7th or October 1st, the support staff will be building the final report in the background so that we can conclude by the 1st, so that it can be circulated to the team by then. And then, if everything goes as planned, then on October 17th, which is the October Council meeting, Donna will be presenting to the Council that Phase 2 is complete. Hopefully after that, we'll incorporate any minor changes to the document if necessary. But if not, we will submit the Phase 2 final report for final consideration on November 1st, to motion the Council's

action on November 13th at the Council meeting in Istanbul during ICANN 81. Before I go on, I do want to check the chat.

DONNA AUSTIN:

Thanks. I'm just trying to get a sense from Jen if she knows what the timeline is for finalizing the registries' position on IG15, because that's going to have an impact on this timeline. One of the things we could also do is put the consensus call out without implementation guidance 15 and come back to that later, just so that we've got all of this out of the way. My strong preference is to do this all together. So that, you know, I appreciate that it takes time to get these things back to your groups and have conversations, so I'm trying not to double up on those things. So, the 16th is—well, where I am, it's only four days away. Four days away. Yeah, today's the 12th. Jen?

JEN CHUNG:

Thanks, Donna. I'm looking at this timeline as well that has just been presented by Saewon, and I appreciate that we are running tight on certain, you know, immovable dates. That being said, I just circulated that new text with the friendly edits from Michael, as we were on the call, to the registries. I have to give them some time to respond. I'm hoping, of course, that the response rate is as soon as possible, but I need to give them at least today and tomorrow to be able to do that.

I do note that we don't have a chance to meet with the entire stakeholder group to have an actual voice call until next week, but I will also circulate this to the full list once the small group has opined on it to make sure everybody's in the know, because we've had some calls this

week that expressed a different opinion as to what this is. So, hopefully this is helpful, and I will keep in mind this timeline that I see on the screen right now.

DONNA AUSTIN:

Thanks, Jen. Much appreciated. And I see Hadia has put in the chat that their next—I think that’s your policy working group—is the 18th. So, we’re waiting on the registry input so that it can be circulated in other groups too. But I appreciate that everybody understands the work plan and the deadlines that we’ve got up on the screen. And I have faith that folks are working toward that. So, thank you.

Just noting Hadia’s chat there that their next policy call is the 18th of September. So, I’m just curious, I suppose, about the respective processes that the groups have to go through with the consensus designation. So, Hadia, how often does your policy working group meet? Weekly. Okay. All right. So, hopefully that’s not going to be a big deal.

All right. Saewon’s just asking me in another chat whether I’d like to make any closing remarks, as this may be the end of the journey for our meetings with this team. So, while I have complained about the fact that I have to get up on Thursday nights at 10:00 PM to lead these calls, I am going to miss it. And I’m certainly going to miss this group because you’ve all been fabulous to work with. I didn’t know many of you three years ago, I guess, when I took over from Edmon as the chair. And I’ve really appreciated the spirit that everybody’s come together with on what was often topics that I was clueless about. But thanks to

everybody's expertise and input, we seem to have found a way to come together and get some good work done.

And I think that is reflective of the fact that our Phase 1 report has had agreement from the board without changes, as I understand it. So, I think that's a pretty significant bit of feedback that perhaps what we did was good work. So, I've enjoyed the ride. We're not done yet. We still have the loose ends to tie up. And certainly, if I'm presenting our recommendations to the Council on October 17th, then it would be great if the team could join that call, even if it's only as an observer. That would be greatly appreciated.

So, just to mark this exciting yet somewhat sad event, that this might be the last call that we have. So, thanks, everybody. Is there anything else?
Dennis.

DENNIS TAN:

Thank you, Donna, for the record. Since you're saying this might be the last call that we're going to be together, I just want to reflect upon this experience and remember a conversation that Donna and I had before she became chair. She wanted to jump at the opportunity, but she was undecided and on the fence because of the subject matter expertise and all the things.

And Donna, let me just say that you've done a fantastic job in catching up really quick as to the knowledge of the subject matter. And of course, you already had experience in managing a diverse group with different opinions and trying to come to consensus. So, if everybody were [inaudible] a glass of whatever you like to drink right now, just a

toast for you, Donna. Again, you've done a fantastic job. And yes, I think we'll all miss these conversations, but I'm happy for this. Thank you.

DONNA AUSTIN:

Thank you very much for your kind words, Dennis. And thank you for your support and guidance along the way. Dennis is one of those in the community that's been following along with this topic for the last 20 years, I think Edmon said it's been going on for. So, I'm not sure if Dennis has been there for the full ride, but he's certainly been there for a very good part of it. So, I've appreciated your support and guidance as I took over from Edmon, because I was on shaky ground for a while, I have to admit.

Okay, so thanks, everybody. I think this means we are concluding early. Is there anything else, Saewon?

SAEWON LEE:

No. We can conclude early.

DONNA AUSTIN:

Okay, thanks. So, Jen, I guess we're eagerly waiting for you to come back to us and tell us one way or the other where the registry language is on Implementation Guidance 15. And if we're in good shape to put the consensus call out on the 16th, then we will do that. If not, hopefully we're only going to lose a day or two so that we can still meet our deadline to get this to the GNSO Council for their consideration.

So, thanks, everybody. And I won't see you soon, but anyway, it's been great working with you all. Bye for now.

[END OF TRANSCRIPTION]