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ICANN Transcription

IDNs EPDP

Thursday, 11 July 2024 at 12:00 UTC

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JULIE BISLAND: Good morning, good afternoon, good evening, everyone. Welcome to the IDNs EPDP call taking place on Thursday, the 11th of July, 2024. For today's call, we have apologies from Dennis Tan, Edmond Chung, Manju Chen, and a tentative apology from Maxim Alzoba. All members and participants will be promoted to panelists. Observers will remain as an attendee and will have access to view chat only. Statements of interest must be kept up to date. Does anyone have any updates to share? If so, please raise your hand or speak up now. And seeing no hands, all documentation and information can be found on the IDNs EPDP wiki space. Recordings will be posted shortly after the end of the call. Please remember to state your name before speaking for the transcript. As a reminder, those who take part in the ICANN multi-stakeholder process are to comply with the expected standards of behavior. Thank you. And over to our chair, Donna Austin. Please begin, Donna.

DONNA AUSTIN: Thanks Julie, and welcome back everybody. As Julie's already mentioned, we only have an hour for this call this week because there's a

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GNSO council meeting scheduled starting in an hour's time, so we'll lose people. And just a reminder that for next week, I think our call is 24 hours earlier than usual and that's because there's a council meeting at our regular slot. So just a reminder that we're 24 hours earlier for meeting next week. So with that, I'm not going to dilly-dally. I think we'll just get started. So Saewon, can you kick us off, please?

SAEWON LEE:
Sure. Hi everyone. Saewon Lee for the record, and though I know we have low attendance from the Registries Stakeholder Group today, it is good to know and hear from Jen. Let me first share with you. So today, like two weeks ago now, we will continue with the review of the public comment through this tool. And let me share with you the spreadsheet. And this is also in the wiki page.

So though we know there is low attendance today from certain groups, leadership and staff did not think to change our course in any way and just move on with the next outputs that received comments, which as you all remember, it was going into preliminary recommendation and implementation guidance 15. So we will start discussions on this, and it may not conclude in the hour slot that we have. But again, we'll just continue on from where we finished today from next week.

So these outputs, and let me share with you where it is. Again, I'm so sorry that it does look very small on the screen for you all. So these outputs are related to the registration mechanism and service, including RDDS. And like we did before, I'll try to recap on the charter question and the outputs with the team. So charter question D8, what additional updates to the registry agreement are necessary to ensure the labels under variant TLDs follow the same entity rule? And the main question is, are there any additional updates that need to be considered that are not included in this list of the example that you can see in the question? And I won't go into the details right now.

The two outputs that were provided were preliminary recommendation 14, which states to account for the same entity principle and its implications for variant domain names, a service must be enabled to discover the allocated variant domain names for a given domain name, including an indication of the source domain names of the variant domain set. ICANN ORG and relevant stakeholders must consider ways to enable such a requirement. The grandfathered variant domain names pursuant to preliminary recommendation 3 are exempt from this requirement.

And then I'll read the 15 together. So the implementation guidance 15, it shows preliminary recommendation 14 is intended as a minimum requirement. A registry or a registrar may choose to enhance the behavior of the service registration data directory services, RDDS or otherwise, or other alternatives to provide additional information or enable other methods to provide the following information. For example, bulk services.

15.1. If leveraging the RDDS, the required data elements for the given domain name in accordance with the registration data policy, 15.2, all the other allocated variant domain names under a given gTLD and its dedicated gTLD variant labels, if any. And 15.3, the source domain name used to calculate the variant domain set.

So to go back to recommendation 14 and look at the comments for this recommendation first. There were two supports requesting just wording change, and those were by ICANN Org and Registries Stakeholder Group, and two significant concerns, again, by ICANN Org and NCSG.

Starting with the easy one, so the supports. Again, the support from ICANN we've dealt with already, so we won't go into that today. And then straight going into the comments by the Registries Stakeholder Group, and let me share this in one screen for you again. So the Registries Stakeholder Group, and again, I know we don't have all the

representatives today, but still, if Jen can provide any additional information or clarity, please do. The suggestion was to revise the wording of this recommendation to, and it is in the box, as you can see in column C, I'll read what they have advised or suggested.

So the wording that they have requested is, to account for the same entity principle and its implications for variant domain names, which is all the same, ICANN Org should work with relevant stakeholders to develop and enable a service to discover the allocated variant domain names for a given domain name, including an indication of the source domain names and initial source domain name of the variant domain sets. The grandfathered variant domain names pursuant to preliminary recommendation three are exempt from this requirement.

So basically, the second sentence, which starts with ICANN Org, has been moved to the first sentence to after the names, and they've deleted that sentence to make it what it is. Even though Registries Stakeholder Group agrees with the intent of this recommendation, and they do believe that it will already be available as part of the ordinary operation, they mention that if it is left with the wording in the recommendation itself, it suggests that a public discovery service is required, which the Registries Stakeholder Group does not agree with, as none of this is a public service. And also, the Registries Stakeholder Group rejects the mandated operational requirement given the potential operational complexities, but obviously is willing to accept the requirement to work with relevant stakeholders to identify a possible solution.

Before I open the floor for discussions and any additional input from Jen or any other Registries Stakeholder Group members that may be present, for example, Maxim, I don't know if he's here yet. No. I do want to quickly see ICANN Org's main comment together with this so that we can discuss all this together, though ICANN Org's comment has a different support level to Registries Stakeholder Group and focuses on

providing a consistent and standardized mechanism and service. I do just want to look at all this together so that we can discuss this all at once.

So again, like always, ICANN Org did not explicitly link this to this support level. The staff classified it here as it was marked as substantive and suggesting review of policy-related language. And for this, again, Michael, please chime in if there is anything to add or if I have anything wrong in the explanations. But ICANN Org understands that this service is heavily dependent on the registry operators and as registry operators know what the source label is and oversee and manage the IDN language table. And although ICANN Org does not directly maintain such data, the Org believes that a standardized mechanism and service should be provided to retrieve and display the allocated labels.

Obviously, the issue being that there may be any negative impacts on the Org or other implementers who provide these lookup tools. And especially the Org also states that when offering the recommended service for registrants and registrars or even for the general public that is out of the registry system, the registry operators should take into account personal data considerations and consider whether to include domain label ownership information along with allocated labels.

And I know this was a lot and we, again, don't have all the members or representatives here to provide any additional information, but I would like to pause here and now open the floor for additional information from these groups that have provided these comments and also for any questions or comments related to these two comments.

DONNA AUSTIN: Thanks Saewon. So Jen, I know that you may not be in a position to speak, but if there's any context or anything you'd like to add to the registry comments, please feel free to do so. It seems to me that the

change in the wording suggested by the Registries Stakeholder Group is kind of taking the onus of the registries to enable a service and in preference for ICANN Org, working with relevant stakeholders to develop a service. And I may be reading this wrong, but it also seems to kind of suggest that ICANN Org would operate the service, but that's not really clear to me the way that it's written. So it would be good to get some clarity on that. So Jen, I see your hand is up, so go ahead, please.

JENNIFER CHUNG: Okay, so, Donna, I don't think the intention for the registries comment is to say that ICANN has to provide this service. I think the baseline that the registries are concerned with is that there's no requirement for the service to be publicly facing. And I think if we take a look at the registrars who also made a comment, I believe, in this particular recommendation, they suggested something along the lines of EPP service as an example. And I think during our discussion within the registry small group, this was suggested as a possible solution, but not included into the recommendation text, obviously, or as suggested, rewording of the actual recommendation. So, just hopefully this is clear.

DONNA AUSTIN: Okay, thanks, Jen. So the Registries Stakeholder Group comment then may actually be consistent with ICANN Org's comment in some respects in that ICANN Org is looking for a uniform, has a preference for a uniform solution. Is that what the kind of registries are driving towards as well?

JENNIFER CHUNG: We didn't get to the point where it would be a uniform solution, but it's definitely along the lines of the operational items and requirements that we are already required to provide in respect with our communications, obviously, or the workflow that we usually have with our additional

planners. I will take it back as an action item to be confirmed, but at the face of it right now, I don't think there's anything conflicting with ICANN Org's comment.

DONNA AUSTIN: Okay, thanks, Jen. Satish.

SATISH BABU: Thanks for that. So from ALAC perspective, we are absolutely fine with the original formulation. And we would like, from an end user perspective, that there is an official service that allows us to see all the variants and the source of a given name. And we would absolutely like it to be a public service, because from our DNS abuse perspective and even from a right to know perspective, there has to be an official way to list out all the variants and the source domain. Thanks.

DONNA AUSTIN: Thanks, Satish. So I guess that seems to be a little bit of a sticking point for the registries, that idea that this be a public service. So I guess that's something we might need to resolve. But Satish, the revised wording from the Registries Stakeholder Group, did you see that as problematic?

SAEWON LEE: Not at all. As long as it's a public service, we are fine with this.

DONNA AUSTIN: Okay. Thanks, Satish. Michael, just wondering there was support for the recommendation from the registrars. Do you on face value have any concerns with the revised wording by the Registries Stakeholder Group?

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MICHAEL BAULAND:	No.
DONNA AUSTIN:	Thanks, Michael. So I think we're probably okay to adopt the revised registry language. But I think we're going to have to have another conversation about whether this is a public service or not. And the reading of the recommendation, I don't see where that's inferred. But maybe I need to go back and have a look at that. But it seems that we'll have to come back to this notion of whether it's a public service or not, and how we address that. Sarmad, go ahead, please.
SARMAD HUSSAIN:	Right. So in the revised language from the registries, they're actually asking ICANN Org should work with relevant stakeholders to develop and enable a service. I guess my question was if it can be explained in a little more detail on what kind of role is being suggested for ICANN in this context. And also if this is like an EPP service, then is it like an EPP service or is it something different? And is this something which is happening at IETF? If this is something happening at IETF, then obviously ICANN could play a role, but it is still a limited role. I'm just trying to understand and clarify the role at being assigned to ICANN before I just comment further. Thank you.
DONNA AUSTIN:	Thanks, Sarmad. I think we have a couple of recommendations that are along this line of ICANN or relevant stakeholders to XYZ and I guess in many cases, we're not kind of specific about the way that that should or could be done. But it seems like this is something else we have to consider. Sarmad, go ahead, if that's a new hand.

SARMAD HUSSAIN:	Yeah, it's a new hand. So yeah, so for example, are we being asked to set up a panel to do this? Are we doing it with IETF? What you're thinking is exactly what I was also sort of suggesting, that maybe a little more clarity on what is actually being asked specifically from ICANN Org if that can be added on or either not in the recommendation language, but either implementation guidance or even a rationale, some clarity, I think that would be very helpful.
DONNA AUSTIN:	Okay, thanks, Sarmad. So, Saewon, to what extent does implementation guidance 15 cover any of this? Sorry, I'm having trouble multitasking.
SAEWON LEE:	Thank you, Donna. So, if the multitasking part was about the chat, basically regarding the question that you had asked, the rationale does not include any motivation for a public service. Registries Stakeholder Group also acknowledges this in the comment as well, that there are no motivation that requires this, but I think they're just trying to make sure, and Jen has also confirmed that they're just trying to make sure that this is not going to be something mandated that the registry group has to comply with. Obviously, we will be looking into the implementation guidance 15 shortly and it is linked, but basically, they do suggest RDDS as the service method, and I did want to wait until we got to this because there's a lot of disagreements or significant concerns related to this specific guidance stated in implementation guidance 15. So, do we want to get into that now or wait until we conclude 14?
DONNA AUSTIN:	Does anyone else have any other comments on 14? I think where we're at is that the revised language from the Registries Stakeholder Group seems to be acceptable. Sarmad's point, whether it's in the rationale or

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somewhere else, we need a little bit more information about the how or what role ICANN or will play, and then the concern from the registries is that this isn't to be a public discovery service, I guess like WHOIS was. So, we'll need to come back and address those concerns. I don't know that we can get any further in the discussion on this right now. I don't think we'll find anything new, so I think it might be worthwhile just moving on to IG15, Saewon.

SAEWON LEE: Thank you, Donna. There was an additional comment by ICANN Org, so if it's okay, I'll just touch on this briefly and then move on to IG15. So, again, it's just an additional comment, and I just wanted to run this by the group. So, the question is, if pre-existing domain labels are excluded from the response because they are not associated with the same entity, and if the recommendation implies that there will be no indication of when labels are allocated to different registrants. So, this is the additional clarity that the Org is seeking, and again, Michael, please feel free to chime in or provide any additional information, but I do want to run this with Org and the team before we move on to 15. Org does require an action on this, it seems. So, I did want to get some input from the team related to this question, and Michael is saying that there's nothing more to add than what is written. Sarmad, please go ahead.

SARMAD HUSSAIN: Yeah, so I guess it may be a simple answer, right? It's just a clarification question, and it may be that the answer is no, there's no indication, additional indication provided. It could be as simple as that. I guess it's just a matter of what is being documented, not trying to suggest that there should be a remediation effort or something.

SAEWON LEE: Thank you, Sarmad, and thank you, Michael, for that support. Michael?

MICHAEL BAULAND: Yes, thanks. I'm just wondering if this maybe also relates to the topic. If I have a domain name and there maybe exists a variant belonging to some other entity due to grandfathering, is there a way that I can find out that such a variant exists, or is there no way that I can find out that someone else is actively using a domain which is considered to be a variant under the new rules? I think this question relates to this topic, right? And I'm wondering if there should be such a possibility for users to find out that other entities own a variant of my domain.

SAEWON LEE: Donna, would you like to speak to this?

DONNA AUSTIN: Yeah, thanks, Michael. So as I said, I think we need to come back to this idea of what the concern from the registry is about. I think the term they've used is a public discovery service and what the what the concern is around that. It may be a terminology thing. I'm not 100% sure. It may be some nervousness because of GDPR. I don't know, but I think we have to understand what the concern from the registries is in relation to a public discovery. If this is a public discovery service, what's the problem with that? I seem to recall that the conversation that we had around this charter question was really about if somebody wants to register a domain name, how are they going to know whether it's part of a variant set or not? So I thought that was our discussion. And I think the only way that they would know is if they went to what I would think is a public discovery service or the old WHOIS and put in a, although I guess in that case, you put in the name and all the information you would get back is whether it's available or not. You wouldn't necessarily get that complete information

about whether it's part of a variant set or not. So I don't know, Michael, I think we have to have a conversation about what the what's the concern from the registries about it being a public discovery service. Go ahead, Michael.

MICHAEL BAULAND: Yeah, I'm not sure whether public or private is concerned with this question from ICANN because we say that grandfathered variant domain names are exempt from this requirement. So the question is, is there any way for a registrant to find out whether other entities have a domain that is a variant of their own? Because we as registrars have no opportunity or no technical possibility to tell this to our customer if they would ask because we only see our side of the domain and we don't know whether other registrars have registered a variant. So maybe it makes sense to not exempt grandfathered domains. Thanks.

DONNA AUSTIN: Okay. It seems we're probably all coming at this from a different perspective at the moment and we're getting a little bit confused. So let's consider this the first conversation we've had around this and understand that we have to come back to it. And I think I need to go back and listen to the recording just to get a better … Because I think I may have confused what was being asked here. So I think we'll move on and we'll come back to this at another time.

SAEWON LEE: So in preliminary recommendation 14, under the comment of significant concerns, you can also see the NCSG's comment, but this is actually related to or within IG15. So I'll go straight on to implementation guidance 15 in the sense that when NCSG submitted this comment, I think there was a bit of a typo in the sense that the content itself is

actually referring to implementation guidance 15, but the comment came in referring to preliminary recommendation 14. Either way, they are linked, but we have linked the comment itself to both outputs. So we can deal with it here through implementation guidance 15 as we are eager to move on.

So basically, NCSG states that if this recommendation is in any way expanding access to RDDS, that they object. So the next comment that we will actually be seeing from Registries Stakeholder Group, which is here in the do not support recommendation section, they actually also agree to this, which we will get to right after. But basically, NCSG before that is asking—what they were saying before, if this recommendation is not in any way expanding access to RDDS, that they are just asking for any clarification as in the preliminary report itself that the team does not introduce any new protocols or systems. I do believe we do need some additional information and clarity from NCSG. But again, let me get to the Registries Stakeholder Group's comments first, and then we can all look at it together and open the floor and have discussions after. But basically, they are in the same lane. They're kind of in the same lane as the, simply put, they request that IG15 needs to be gotten rid of. And they state that implementation guidance 15 does not appear to add anything that is not already stated in recommendation 14. And the problem seems to be that the RDDS being the solution is not agreed with, especially when referring back to the fact that it's not a public service, which the service does not need to be or expected to be. Now, if not deleting this recommendation, the Registries Stakeholder Group asks for amendments in the guidance, and they haven't really suggested any language for the guidance itself. But they have asked for deletion of parts in the rationale of IG15. And it is in the comments. But to share with you exactly what those parts are, I'll put it in the chat for you. So that's one part that the Registries Stakeholder Group wants deleted in the rationale of the report. And I think two, okay. And this is the other part.

So these two parts of the rationale is what the Registries Stakeholder Group once deleted if this output itself is not taken out. But they have not suggested any new language in the guidance itself. So obviously here, I would want to open the floor for any inputs or additional inputs from our NCSG colleagues or Registries Stakeholder Groups. And I just want to see if any of our NCSG colleagues are here today. I think we have Peter. And not to put you on the spot, obviously. But if anyone wants to provide any additional input on the comments provided, I think we can start with that and open up the floor for discussions. Donna?

DONNA AUSTIN: Yeah. Thanks, Saewon. So I wonder, given that we need to do a little bit more work on recommendation 14, we need to dig a little bit deeper on that to make sure that we're all on the same page. But I wonder, I think the registry stakeholders, optimally, what they would like is for implementation guidance 15 to be deleted. And I wonder if there's anyone on the team that would object to that. Jen's noting that the registries are very uncomfortable with RDDS being listed as a suggested solution. And it looks like the NCSG is quite nervous about that as well. So I guess, at a fundamental level, is there any objection to deleting IG 15? Do we lose anything if it is deleted? Michael or Satish, do you have any initial thoughts on that? Okay. Thanks, Michael. So for Satish, the implementation guidance is not as important as getting the recommendation correct. And the thing we have to come back to on 14 is whether … the delivery mechanism. And I think what we probably need to drill down on is, let's go back to the rationale and our discussion and understand what the reason for recommendation 14 was and see if we need to add a little bit more to that about you know, the intent that it be used for whatever purposes, then we need to do that. So for now, I think it's on the table from the registries that implementation guidance 15 be deleted. If not deleted, there are some suggestions, but my kind of sense is that if we do the work on 14 and get that right, then we can probably—

and ensure that the rationale captures accurately what the group was trying to achieve, then I think we probably can remove implementation guidance 15, given the concerns around using RDDS and also NCSG were uncomfortable with that as well. Taiwo.

PETER AKINREMI TAIWO: Thank you, Donna. So with regard to NCSG's comments, so I put it on the chat that let me get back to you on that because I kind of lost touch on why we made that recommendation. Okay, so I'll get back to the group and I'll maybe post something today to the chat later.

DONNA AUSTIN: Okay, thanks, Peter. All right. Anything else, Saweon?

SAEWON LEE: There is an additional comment by NCSG, but again, maybe what I can do is just share it with the team. And if Peter can go back and discuss with the group, maybe we can get back to it then, but I'll just share it for now. So here, as you can see, so NCSG's additional comment is again, just re-emphasizing or requesting that the rationale should include a detailed discussion on the conditions that justify additional data access to ensure user privacy and data security. And we have been discussing this, but again, I just wanted to remind maybe Peter again, when he brings this back to the group, that this was an additional request from NCSG.

I do believe that we just discussed it and ICANN also addressed this issue during the comments for the recommendation 14, but I just again wanted to share this so that we don't miss any part of the comments that was provided, but we'll move on from here as it was just a request that when we do look into revising the wordings or the languages for maybe recommendation 14 that this is considered.

Moving on, honestly, I thought we would have a longer discussion on 14 and 15, but I guess that's not the case. Obviously, we will need to revisit these recommendations, but for now, we'll move on to recommendation 17, 18 and 20.

DONNA AUSTIN: Seeing the time, I think what we might do is call it for tonight because I'm conscious that some of the team here have to move on to the ccNSO-GNSO Council meeting that's happening in about 15 minutes. We'd probably barely get started on the next rec, so let's call it for tonight and we'll pick this up again next week. And just to remind me, it's 24 hours earlier, isn't it, next week?

SAEWON LEE: Yes. So next week, exactly, it's 17th of July at 12:00 UTC for two hours. So it's not the Thursday 18th of July, but Wednesday 17th of July, 12:00 UTC. So hopefully, next week, we'll have a longer time to at least finish the review of the recommendation comments.

DONNA AUSTIN: Okay, sounds good. Thanks everybody for joining. I'm sorry it was a shortened call, but it is what it is. So we will see you all next week.

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