ICANN70 | Virtual Community Forum - GAC Meeting with the ICANN Board
Tuesday, March 23, 2021 - 13:00 to 14:00 EST

MANAL ISMAIL, GAC CHAIR: Welcome, everyone, to our GAC meeting with the Board, and good morning, good afternoon, and good evening, this is the bilateral between GAC and the Board scheduled for an hour. We have many things to discuss today but before we get started, allow me first to welcome all Board members in the GAC Zoom room and to ask if there are any opening remarks from the Board's side.

MAARTEN BOTTERMAN: Hi, Manal, this is Maarten, Chair of the Board, and it's a pleasure as always to use this hour to have a good dialogue with the GAC. As you know, this is not the only interaction with the GAC. There is a bylaw [indiscernible] that we carefully cherish and take care of and next the interaction with the [indiscernible] a term invented by the gentleman from Iran, that stands for Board [indiscernible] interaction group. And most of you know that I have deep respect for your ability to deal with the [indiscernible] that you have in the way not so much of new countries but new colleagues joining. So we have this channel co-chaired by Manal and Becky Burr from our side on the best possible interaction because that is important to us. So the coming hour we really

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look forward to discussing any issues you may have, and, yeah, Manal, please take it away.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Maarten, and thank you for spending your birthday with us today [chuckling] so happy birthday to you and to Göran, I understand yesterday, so the Chairman and CEO celebrating their birthdays during ICANN week.

So we had a very long list of questions, I'm sure you have received this initially. We had some like 16 questions, and we tried to work yesterday with the help of our amazing support staff to reduce them to five under three main themes. So I hope we can go through the questions and then maybe we can follow up later on the remaining questions, and we can see how we can do this better.

First, we have the new gTLD subsequent procedures, the registration data WHOIS, and the third theme is the DNS abuse mitigation. On new gTLDs subsequent procedures first on clarity and predictability of the application process, GAC members retain reservations on the functioning of the standing predictability implementation review team, SPIRT, specifically

regarding implementation guidance 2.3: Once the SPIRT has been formed, the ICANN Board and ICANN org should engage in dialogue with the SPIRT to determine the process required to consider future GAC consensus advice on new gTLDs where such GAC consensus advice could potentially have impact on any applications or the program in general.

So GAC members expect that the bylaws' treatment of GAC advice to the Board will be preserved and implementation guidance section 2.3 -- because implementation guidance section 2.3 could be interpreted to suggest that GAC consensus advice on new gTLDs adopted after the launch would need to be forwarded to the SPIRT without prior discussion between the GAC and the ICANN Board which would of course undermine the bylaws' treatment of GAC advice. Furthermore, GAC members note the importance of the opportunity for equitable and equal participation on the SPIRT by all interested ICANN communities.

I will stop here and just to pose the question, does the ICANN Board foresee an interaction between ICANN Board and ICANN org and the GAC in parallel to its consultation with the SPIRT on relevant GAC consensus advice?

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MAARTEN BOTTERMAN: Yes, thank you for that, various [indiscernible] final phase to be adopted by the GNSO Council on Thursday, I think. We have been preparing very much on this, and the caucus is following this in the Board led by Avri, and can you go into this, please.

AVRI DORIA: Sure, I can go into it a little bit. Yes, this is Avri, speaking. And following on what you said, we have been preparing, we have been spending the last year with the assistance of the org sort of doing medium dives into each of these issues, now, so anything I say is very much preliminary, at any time a decision of the caucus, not yet the decision of the Board. We don't have the recommendations yet but I don't see anything in there personally that would change the bylaws Vis-a-vis GAC advice. What I understand this as being, is adding something that A, gives the GAC yet another place to take an issue and as there may be issues you don't agree on making it advice, and yet it is still important enough to say something and try to have an effect.

I can also see cases where the Board after getting the advice and discussing GAC preliminarily might say hey, we need to take this to a SPIRT to see how it fits in with changes and its affect on the

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AGB and applications before coming back with an answer. So I see it as yet another tool, venue, to take discussions and to have the discussions with broader community instead of just the Board. But I do not see this as being any sort of diminution, decrease, in the power of the GAC bylaws for its consensus advice and as GAC consensus advice, remains what it is. Thanks.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Maarten and Avri, and thank you for the assurances, and just checking if there are any follow-ups from my GAC colleagues. I already see Kavouss' hand up, please, go ahead.

IRAN: Thank you, distinguished Board members, Maarten and Avri. In my personal view, we create a new layer between GAC and ICANN Board. For GAC consensus advice, that layer is not necessary.

Nothing prevents the board to consult any entity of any issue raised by GAC in an informal manner, but we don't want to have that layer to have a formal status. You can consult anyone that you wish before you are deciding on something, so I think we should not go to that path.

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In addition, not advice, the conclusion or the opinion of that SPIRT may influence indirectly the Board members or may mislead you in one way or the other. You don't need that, you are 20 wise people, you don't need anything. You have been elected, and you have been agreed on by the community. We don't know the composition of the SPIRT, we don't know the degree of participation of GAC and so on, so forth, and we don't want to override it by the others' influential conclusion of that which may impact the Board orientations.

So we suggest that if you want to do it, do it informally, in whatever way you want, but we don't want our GAC advice to be sent before going to the Board to the SPIRT. And in my view, it is not in line with the bylaw, because our own line of action is GAC and Board, that's all, we don't send our advice to GNSO, to GNSO one day from our GAC communique comments on the five, six, ten pages, but we don't send it to anyone at all and we don't want to send it to the SPIRT. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Kavouss. And I think it's not mandated, obviously, it's an additional venue as Avri highlighted, but I also see Vincent's hand up, France. Please, go ahead.

FRANCE:	Yes, thank you very much, Manal. This is Vincent Gouillart from France, for the record. Thank you very much Maarten and Avri, and happy birthday, Maarten, of course. Thank you Avri for your opinion on this issue.
	There is just an aspect that I would like to insist on. It is the readiness of -- or not -- of the Board to include the GAC in the dialogue that is recommended in implementation guidance 2.3 which says, as Manal has already described, that there would be a dialogue between the Board, the ICANN org, and the SPIRT but without the GAC on the matter that is at the center of the GAC's prerogatives. So I personally believe in France, and I think in the GAC several, many of us, have this interrogation of would the GAC be associated with part of this dialogue, be it of the very same dialogue or a parallel dialogue on this issue? Thank you very much.
AVRI DORIA:	Could I take that, Maarten?
MAARTEN BOTTERMAN:	Sure, please.

AVRI DORIA: And I can't imagine us talking about the GAC without the GAC being in the room -- so again, it's me speaking personally and the Board hasn't taken a position. I find it inconceivable that we would leave the GAC out of that conversation, and I think you having made a point of it and making a point of it, you know, just reinforces that. I just can't see the Board actually taking a path that leaves the GAC out of the room when the GAC is being discussed.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Avri, for the reassurances, and this is exactly what concerned the GAC and what brought up the whole issue. So I think with that, we are good to move on. Maarten, could we move on to the following question?

MAARTEN BOTTERMAN: Yes, of course.

MANAL ISMAIL, GAC CHAIR: Okay. So the next question, again, under subsequent procedures but on public interest commitments or registry voluntary commitments, GAC members continue to harbor serious

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concerns as per previous GAC positions on the lack of policy recommendations on DNS abuse mitigation with the SubPro PDP Working Group final report. Enforceability for PICS and registry voluntary commitments remains an open question since this is not addressed within the SubPro PDP Working Group final report, in light of GAC advice in the GAC Montreal communique and its rationale in particular where it reads: It is particularly important that a new round of gTLDs shouldn't be launched until the successful implementation of those recommendations identified by the review team as necessary prior to any subsequent rounds of new gTLDs.

It has been suggested that although some of the recommendations are for the Board to implement, other recommendations are for other parts of the community to implement. It would be helpful for the Board to monitor progress on all of the recommendations and support other parts of the community to implement the recommendations that are addressed to them.

The GAC recognizes that a number of the recommendations may have been taken forward in the work of the organization, the Board, or the community. We would note that ICANN 70 would be

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an appropriate juncture for such discussion and update in light of the adoption by the GNSO of the report on subsequent procedures.

So a question is, what are the ICANN Board's thoughts on next steps for DNS abuse mitigation, particularly on triggering the holistic method mentioned within the SubPro PDP Working Group final report and more broadly. In relation to the DNS abuse and other related issues, we would specifically like to ask the Board whether they could kindly update the GAC on their ongoing consideration and implementation of the GAC advice, Montreal ICANN 66 on the CCT rt recommendations marked as prerequisite or high priority, namely the listed recommendations, and I won't get to the numbers but will stop here.

MAARTEN BOTTERMAN: Thank you for that, indeed. On CCT recommendations, we would not have to [indiscernible] compel the GNSO to adopt those recommendations, nor can we make unilateral policy decisions. And in that regard, we thank you for providing clarification on the topics on the Montreal communique and the correspondence we have had since, and we agree there should be a clear shared

understanding of the roles and responsibilities of the community. So as for the SubPro recommendations, Avri, is that you?

AVRI DORIA: It's either Becky or me, and I can start or Becky can, your choice.

BECKY BURR: Go ahead.

AVRI DORIA: So when looking at the issues such as the registry voluntary commitments and those discussions and sort of the Board's ability to -- I think that is the question here, right -- and the Board's ability to enforce contracts. And basically since the conditions are very different now than they were at the last round, basically it is something that we're going to have to take a look at in terms of how that would work and what makes an RVC enforceable, and it is enforceable and it is possible to get contracts when we get to DNS abuse, is it possible to do contracts that are outside the mission? We think that answer is no but what exactly does it mean on some of these issues in terms of are they within or without, and what does that totally entail?

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So there will definitely be on all these issues, issues that have to do with what can be in a contract, issues specifically to do with the RVCs, there is going to need to be further legal analysis on that because we do have to be careful not to contract out or to take on obligations that we cannot enforce. And that has become sort of the baseline in a lot of this discussion is it in mission, and can we find a way to enforce compliance? Thanks.

MAARTEN BOTTERMAN: Becky, can you complement on that?

BECKY BURR: Yes, and I think Avri's points are exactly right. We want to be sure that we have an objective way to enforce any of the commitments that registries make with respect to operating the region registry and obviously want to be sure it is within ICANN's remit and the voluntary commitments are designed to be implementable within ICANN's mission. So to the extent that the Board asks the subsequent procedures PDP to contemplate this issue, we were very much looking for input on ways to make sure that the commitments that were made in registry voluntary commitments were in fact fully enforceable within ICANN's remit so that everybody -- the expectations of all concerned can be met.

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With respect to the other CCT recommendations, I think as Maarten said, there were a large number of them that were policy recommendations that were referred to the GNSO because the GNSO has authority with respect policy development the Board does not. There were a number of other items that the Board -- or that the GAC indicated they were concerned about completion prior to the next round of new gTLDs, and two things to say about that. The first is, as we have discussed as the Board, the GAC group discussed, the notion of completion can be very difficult to pin down. But the other thing is, there is a lot of work to be done and a lot of way to go before we come to the point of a new gTLD round. So there is time for continuing to work on those CCT recommendations.

The Board has taken steps on a number of the CCT recommendations, accepted six of them, including number 1 regarding data collection, 17, 21, 22, and 31. We understand that ICANN, that org has completed implementation of 17 and implementation is in progress for the other accepted recommendations, and we do understand that the GAC has some concerns about whether additional policy development is needed to fully implement number 17, and that is under

discussion between the public safety Working Group and ICANN and org.

For those that require additional resourcing to implement, they will be subject to the prioritization and planning process that the Board is adopting, and that I think you had a very good session with [indiscernible] on that process yesterday so we will be sort of moving forward on how to organize resources to do this work.

The Board has subsequently accepted another 11 recommendations moving these out of pending status, including a number of items on the GAC list, and then the remaining recommendations highlighted by the GAC in number 9, 12, 16, 25, 27, 29, and 32-35, as Maarten indicated, these were passed to the GNSO for policy development.

We have received the GNSO Council's recommendations on rights protections mechanisms. We do expect to receive the SubPro recommendations shortly, and we will be assessing -- once we do receive them, we will assess how these community groups assessed the relevance of the CCT recommendations.

There are three recommendations that were noted by the GAC that do remain in pending status. Number 5, relating to the collection of secondary market data, and number 14 and 15 relating to negotiating and amending ICANN's contracts relating to anti abuse measures, and the Board -- we understand that there is continuing work going on with number 5, including all of the data collection recommendations.

With respect to numbers 14 and 15 in particular, we have asked org to facilitate community efforts to develop an accepted definition of the kind of DNS abuse that falls within ICANN's remit -- we are following the community's discussion on abuse very closely and working very hard through org, through DAAR and a number of other efforts, to make sure that the community has the information it needs to understand the status of these various abuse streams and to understand the work going on in the community.

We have had a couple of efforts from the contracted party's house in this regard and I think a very good and helpful paper from [indiscernible] through the DAAR report to understand sort of the status and the level of the abuse activity underway, and I know that we will be spending much more time talking about these.

And as I said, with respect the GAC input from Montreal, we have a fair amount of way to go on implementation of the subsequent procedure's recommendations and the like, and we will be pursuing that deliberately and transparently and in full consultation with the GAC.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Becky, for this thorough response. I see UK and Switzerland in the queue, so allow me to give them the floor so that we can proceed. We still have three questions to cover. So UK, please.

UNITED KINGDOM: Yes, and good evening, Nigel Hickson, UK GAC, and thank you very much, Becky, and Maarten, for this comprehensive overview, and Maarten, happy birthday, I think I missed that earlier.

So Becky, in particular, this was enormously helpful, and we will certainly look at your response very carefully. As you rightly concluded, there were a whole range of recommendations, some of which are relating to policy and some to org and other issues. And as you know, the GNSO in their comprehensive report on SubPro obviously picked up a number of issues but did not

necessarily conclude some of these recommendations and will be looking very carefully at that. Clearly in the spirit of the GAC advice, I don't think there is anything specific to say that these implementations should be implemented between one piece of policy implementation or another piece of policy implementation; indeed, one has to take a pragmatic and holistic view on this.

But in terms of moving forward, all I would say, at some point I think it would be very useful to have some sort of table, some sort of reference document that we can work on together to track where the different recommendations are and how they're being taken forward. But thank you very much, indeed, for the comprehensive addressing of this question. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Nigel. Switzerland, Jorge.

SWITZERLAND: Thank you so much, Manal. Hello everyone. Happy birthday, Maarten, and belated happy birthday to Goran. Good to be here together, although only virtually. I think Nigel stole my fire, so I will just restate that it would be very useful for us to have a

common, shared tracking document of all the CCT recommendations which fall under this prerequisite or high priority categories so that we can have an overview of who is dealing with what and to what extent every and each of the recommendations have been fulfilled, be it with ICANN org or with GNSO or other parts of the community, the responsibility of taking them forward so we would have a common picture, and this would allow us to assess to what excellent the Montreal advice is being heeded by the community as a whole. So I hope this is doable and thank you very much.

BECKY BURR: Thank you, Jorge and Nigel. Let me say, there is documentation, but I think it makes sense for us to pass the GAC's request for a kind of comprehensive centralized documentation on to org.

GORAN MARBY: May I make a comment, please.

MANAL ISMAIL, GAC CHAIR: Please.

GORAN MARBY: I want to go back to the fact that we received the GAC Montreal advice and asked questions about that and we did receive answers back on those questions to the -- and that was part of the Board's deliberation of handling this, and in those letters the GAC by themselves recognized that some of those things report belonging to the Board but to other parts of the ICANN community and in the deliberation of the CCT reviews where we did earlier on which some of you probably knew because you followed that process, we were very careful of going through, which we do all the time with different recommendations, and many of those recommendations in the CCT review was deferred to the PDP.

And the definition of abuse, which is not a community supported one, belongs to the GNSO. So I just want to remind the GAC and maybe for new GAC members, if you only [indiscernible] local advice, that might bring you to one conclusion. But if you look at the clarification that the GAC gave the Board, you will get answers to some of the questions.

Thank you very much.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Goran, and in the -- all the information will be made available specifically for the benefit of new GAC colleagues, of course.

And if there are no further requests for the floor, maybe we can move on to the following theme, which is DNS abuse, so not any easier. And the question -- and I apologize for going through the background information, but yesterday when we reworked the questions, we pushed a few messages in the background information, so I am obliged to read it to ensure everything we agreed has been conveyed.

So the SSR2 report highlights the lack of substantive progress made on mitigating DNS abuse. Many of the recommendations contained in the report, if effectively implemented, may well help in reinforcing the security, stability, and resilience of the DNS.

The SSR2 report calls, amongst others, for improved risk management, which is recommendation 4, and improved business continuity and disaster recovery, recommendation 7, enhanced monitoring and compliance, recommendation 8 -- and

increased transparency and accountability of abuse complaint reporting, recommendation 13.

The question is, what is the view of the Board on the conclusions of the SSR2 report on DNS abuse generally, and particularly on the possibility to swiftly implement recommendations 4, 7, 9, and 13 which seem to be in line with standard cyber security practice?

MAARTEN BOTTERMAN: Thank you for the question, Manal. We have two liaisons.

Danko?

DANKO JEVTOVIC: My name is Danko Jevtovic, I am one of the liaisons and co-chair of the [indiscernible] focus group on the SSR2, and I will try to be brief in the interest of time, and of course you may ask some additional questions.

So the Board welcomes very much the SSR2 report because it is a long running report. We had as you probably know some challenges in the history, but now we do have the report and we are thankful for that and very thankful for community members

who did the hard work and created that important document. So the report has numerous recommendations, I believe there are 63 of them, and that adds to the great number of community recommendations we already have.

First of all, the public comment period is still open, I believe until the 8th of April due to the request of GAC, and the Board welcomes GAC in the public comment process, so as we receive that, we will look into all the details of this SSR2 report and try to -- not try, but act on the bylaws mandated by the 25th of July this year.

Looking at the report, there are a great number of recommendations. We can group them. Some are all outlined, and we agreed they are very important ones. Some of the recommendations are rather specific in the way that they are going with the way the recommendation formulated they are going against the bylaws' mandated bottom-up process. So we have to observe the bylaws and the Board's role is not to create policy but to accept policy recommendations by a policy-creating body. So we will have to engage with the GNSO with some recommendations and observe the definition we have in bylaws

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about policy development process and the role of voluntary negotiation with contracted parties.

So I don't know if there are any specific questions on the SSR2 part, and I believe Becky already mentioned some of the DNS abuse related aspects that are also present in the report. So we believe the report recommendations will help the community discussions also about general DNS abuse problem.

MAARTEN BOTTERMAN: Manal, back to you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Danko, and just checking if there are any follow-up comments from my GAC colleagues. Otherwise, I think we are good to move to the following topic.

Sorry, I have Olivier from the European Commission. Go ahead.

EUROPEAN COMMISSION: Sorry, hello, Olivier Bringer, just a short follow-up question on what Danko explained. So if I understood well, you will follow up on the recommendations from the SSR2 report, on one level you

will go back to the GNSO for future development process, and on another level you would engage with the contracted parties on a voluntary basis to see if certain of the recommendations can be implemented. And I guess the recommendations that you cover in this second level are recommendations related to contractual enforcement. Is my understanding correct? Thank you.

DANKO JEVTOVIC: Generally, I would say yes, these are two levels of how the Board can act. We didn't -- at this moment we still go into details of all the recommendations because the org stream is preparing that analysis document for the Board. And it's a rather complicated process also, because of the long running time of the review some of the effects have actually changed during the review process. So for example, one of the items that was mentioned in GAC's question is about improved risk management. So we have significantly improved the risk management system, on top of that is the Board risk committee, and there is risk function and the way how risk is handled inside ICANN org, and the ICANN ecosystem is now a bit different than envisioned by the problem statement in the SSR2 report.

So we will also by analyzing the recommendations find concrete ways to act on them, to instruct the Board to act, but I have to note that the actions and the recommendations will have to go through the further prioritization process, because so much work in front of us so we will try to find a way to find priorities and act on them with the community's process outline by the [indiscernible]

GORAN MARBY: The ICANN contracted parties as a whole has a wide space, and the only way we can fill that hole is if it goes through a community-led process, starts with the bylaws within the GNSO responsible for making policy through a multi stakeholder model, that is where it sort of gets enforceable through the contracted parties. They have accepted this hole as long as it goes through the multi-stakeholder model. And it is such an ingrained part of the model, yes -- it's GNSO Council, because it's you having been a part of deciding that and important to remember.

The second thing, there is a lot of discussion about the SSR2 report, the Board in constant getting information from the different parts of community, a lot of opinions about the quality of report, content of the report, and proposals about this one, and

I think it's important to think -- i listen to all those opinions before the Board goes forward, and this also contains some things -- definitely contains some things that should be part of the ICANN community processes because the multi-stakeholder model -- when it comes to things of like definition of abuse, we have a very strict definition, and I learned that in other sessions but I think it's good for individual GAC members to go back and check the actual law, some things that come out actually not in conflict with local laws, trademarks, free speech -- this is very complicated material. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Goran, Danko, and everyone. So we still have two questions, but I can see Kavouss' hand up. So if you can keep it brief, please, go ahead.

IRAN: Yes, very brief. As I mentioned when the issue was presented to GAC, we need to be very careful about the time frame of this, the implementation of the recommendation, and also after that we need to make sure that has been properly implemented and there should be some entity or measures or some arrangement to see whether they have been properly implemented and whether

during the implementation a need to have some sort of, I would say, adjustment, amendment, so sort of the rules to apply that not having a sort of, I would say, implementation oversight entity to see whether they have been properly implemented. This is what I mentioned at the meeting, and I wish to raise it to our distinguished Board members. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Kavouss. Sorry, Maarten, you wanted --

MAARTEN BOTTERMAN: Thank you, Kavouss, for your remarks.

MANAL ISMAIL, GAC CHAIR: And just bringing to the attention Jeff's comments in the chat as well, but meanwhile let's move to the following section and following question. And this is under registration data and WHOIS, and the GAC reiterates its position expressed in the GAC minority statement on EPDP Phase 2 final report that WHOIS data used for a number of legitimate activities including assisting law enforcement authorities in investigations, assists businesses in combating fraud and the misuse of intellectual property, safeguarding interests of the public and contributing to user

confidence in the Internet as a reliable means of information and communication.

The community has been discussing the WHOIS policy reform for several years. There is a need to conclude the process and establish a functioning SSAD without delay for the reasons set out above. So how is the Board going to ensure a swift implementation of the SSAD?

GORAN MARBY: Thank you, and also for EPDP, we have three liaisons, and Becky, the WHOIS system was completely open under the GDPR -- came around. We engaged with the data protection authorities in Europe to make most of it open continuously and have some information retracted and been trying to figure out different ways of having easier access to the retracted data. The WHOIS database is not one database, it is several, all contracted parties -- but not one thing that is important, it's not for commercial usage. The actual registrant, the buyer -- it comes from the register. The reason is because we have a policy that says the registrant has to do this, but it is up to them to ensure it is right information. What happens when we realize that it is not, we contact the contracted parties and either we make sure that the

information is there or there are other things we can do, but it's important -- this is not used for billing, any other services, it is a telephone book, and it was opened.

So our original propose of ICANN org was to make ICANN org legally responsible for doing what is called the balancing test. Didn't receive answers from the European Commission or the data protection authorities, the only thing the community -- was coming up was a tick the system. According to the law -- it is the contracted parties who does the active balancing test and has the legal responsible for that.

With that said, no one has done this before. No one has built any system like this, because talking about a system that might be having people from law enforcement in 190 plus countries around the world and in a safe way according to GDPR, [indiscernible] not legal or illegal in the sense we have to take into account some GDPR legislation, some things, but as long as the balancing test is done by the [indiscernible] party it doesn't make decisions in that sense.

But I tell you, it's going to take time to design, to build, we decided to do that in a design phase before the Board actually makes the decision. I hope this helps, and I would ask Becky to add to it.

BECKY BURR: Thank you, Goran. This is Becky Burr, for the record. So as Goran indicated, the final days of the comment period on the recommendations from Phase 2, including the SSAD -- and we have all acknowledged that this is very complex project and that in order to the Board to do its job, which is to determine whether a policy recommendation is in the best interest of the community and ICANN, we need additional information, we will need additional information.

We know now some of the additional information that we will need and we will no doubt learn from the community from comments, other parts of it, and indeed the GNSO has asked for some important information in order to understand the cost and benefits of this process. So it is -- we anticipate proceeding, asking org to initiate the operational design phase to collect the kinds of information that we need to make a determination and to effectively act on any recommendations that the Board accepts.

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In the meanwhile, and mindful of the GAC's advice and desire to have something -- some improvements in the meanwhile, org has been in discussions with the contracted parties regarding improvements that can be made. As you know, the registrars, for example, have produced some papers on effective requests, and org is continuing to work with the contracted parties to capture any kinds of efficiencies that we can capture and implement in the meanwhile as the operational design phase is underway and as the Board -- as org is collecting the information that the Board needs to move forward on this.

So of course we are -- so I think that answer is -- the ODP is designed to provide the kind of information that we need to implement quickly. It will take time to do that because of the complexity of this, but in the meanwhile org is working with contracted parties to enhance the functionality that exists through the [indiscernible] spec in Phase 1.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Becky and Goran. Kavouss, is this a new hand?

IRAN: Yes, a simple question, either to Becky or to Goran or everyone. What time frame are we looking for the implementation of SSAD? Approximately? Thank you.

MAARTEN BOTTERMAN: Goran?

GORAN MARBY: I don't want to answer that question before we start the work of deciding it. When the GNSO Council has decided to do a policy, our job is to make it happen. So it's not like we -- it's going to be a major investment, a lot of work, but I would rather come back with that when we are a little bit more deeper into the actual design phase.

                         I mean, you have to think about it: How do you identify the user the first time without meeting them? How do we know this person is actually Kavouss talking and not an avatar? I think it's you, Kavouss, but how do we actually know that? So that is one of the complexities with it.

IRAN: That is exactly the question that I had. So I think you may come back at ICANN 71 or 72 and let us know the time frame -- I hope 71 or 72 you have some answers. Do you have that answer by that time? Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss and Göran. We still have one more question to cover and only six minutes remaining. So if we go to our last question, also on registration data and WHOIS. Accessibility and accuracy of domain name registration data important for DNS abuse mitigation. This data been a key investigative tool for law enforcement and their cyber security partners in generating investigative leads, attributing crime and identifying victims of cyber crime.

Does the Board envisage short term measures, for example in terms of contractual enforcement to help improve the accuracy of domain name registration data?

MAARTEN BOTTERMAN: Becky?

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BECKY BURR: The Board is regularly updated and briefed by ICANN compliance on their contractual enforcement. As you know, there was -- a registry audit and a registrar audit is underway, and we check in with compliance very, very frequently to understand how compliance is working, whether it has the tools it needs for compliance and the like.

I think the data about the kinds of complaints that compliance gets including complaints about accuracy is publicly available, the public report on it. There are complaints about accuracy and we do know that that is something that the compliance division is pursuing and follows up on all the time.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Becky. Goran?

GORAN MARBY: I want to reinforce the facts of the WHOIS system, the data comes from the registrant of the owner of the domain name and not from the contracted parties. Sometimes in the discussions it feels like this is a system created by the contracted party, which it is not, it is a telephone book. Sometimes -- European Commission, if they

could rename the [indiscernible] to telephone directory, and we wouldn't be under a GDPR. Because in a telephone directory you can see who has a telephone number, available online. But that was me.

But we have provided how we do things and how we handle things, and somehow we still get back ICANN doesn't do anything. We look into [indiscernible] if we have the right rules and tools and the accuracy of data of WHOIS is something we receive complaints about and work a lot with. And I want to keep that in mind. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Goran. Kavouss, I am assuming this is an old hand.

IRAN: No, a new hand. Sorry, thank you very much. When we say accuracy, could the Board or Goran mention currently what is the accuracy that we have? 84 percent? And what is the threshold that we are looking to have in the future in percentage? Could you have that answer? Thank you.

GORAN MARBY: Also, we are talking about 2500 -- no, a couple of thousand different databases covering all countries around the world, with more than 215 million domain names. It's not a centralized system, not owned by anyone in that sense and was never intended to be that, an interesting discussion for the GAC, as well.

It's not like a trademark database. In Europe, for instance the trademark database is under EU institution and therefore doesn't have any GDPR, so it's a very different thing. But I don't have the answer, I will check if we have any views on that from the [indistinct] perspective. It was a good question. And we all believe that accuracy is important in the WHOIS databases. That is why we put it as one of the things that a registrant has to fulfill coming into it.

I think in another setting I provided you with a link of the responsibilities of the right of a registrant, and one is to have to put in the correct WHOIS data.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Goran. We are just at the hour. So any final remarks from anyone before we conclude? If not, then let me

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thank you all very much. Thanks to the Board members for their time and thorough responses to our questions, and thank you to my GAC colleagues for their active engagement. So we will be revisiting the rest of our questions, and we can agree later how to communicate the rest of the questions and get maybe [indiscernible] responses or otherwise.

Meanwhile, to my GAC colleagues, we have a long break now, as the cross community panel session has been canceled. So please be back in the GAC Zoom room at 1630 Cancun time, 2130 UTC, for our meeting with the ALAC. So please be prompt and thank you, everyone. The meeting is adjourned.

MAARTEN BOTTERMAN: Thank you, Manal. Thank you, everybody.

[END OF TRANSCRIPT]