ICANN76 | CF – GAC LAC Capacity Development Workshop (4 of 4)
Saturday, March 11, 2023 – 16:30 to 17:30 CUN

KAREL DOUGLAS: Hello. Good afternoon, everybody, and welcome back. Okay. So this is the last session for today. And just to remind you that this evening we are having our social. And it's so important that you all, as many of you, as possible come. So it is another opportunity for us to gel and bond and know each other and even discuss topics that are close and dear to us. So by all means this evening at 6 o'clock, and we'll provide more details a little later as to the location of the social. All right. So without any further ado, I do know people do have things and places to go.

We're now going to move to the WHOIS and registration data. Let me make sure I have it right. The WHOIS and domain name registration data with an overview of GAC positions on the issue. We know this is an extremely important issue for all of us. But given the time frame, I want to introduce Gabriel and Elena who would provide some perspectives, and then Eleeza.

GABRIEL ANDREWS: Hi. So we're starting off with me. My name is Gabriel. I am a member of the Public Safety Working Group, which advices the GAC. So this is perhaps less GAC perspective so much as it is a Public Safety Working Group introduction to WHOIS and a little bit of storytelling to go with it before I hand over to ICANN org to talk about the WHOIS disclosure system, and then the regional perspective with my co-speakers to my

right. So I will try for the benefit of all to speak slowly for the translators. Thank you very much for your work.

If we can flip to the next slide here. Well, that's the agenda I just covered. So one more if you please. I'm going to go from a very high level. And so please forgive me if I say things that most everyone in the room already knows. But there are three English words that sound very similar, but it is so very important to know the difference when you're here speaking about ICANN matters. And these three words are the registrant, the registrar and the registry.

And again, very basic, but it's still very important to know that the registrant is the person who buys the name, the registrar is usually who they go to, to buy the name from, and the registry is the entity that controls the top level domain, what comes after the dot. For example, VeriSign has .com, PIR has .org, Identity Digital has .ninja and .pizza. Which I think are really cool and funny. There are many more registrars than there are registries, and who knows how many registrants in the world.

Next slide, please. This is really cool. What you see here is the world's very first Internet message. So way back in the October of 1969, computer lab at the University of California in the lab of Dr. Leonard Kleinrock sent a message to the Stanford Research Institute. And they caught this. This is so awesome that they noted even at the time that they're doing this, how important it was to keep a record of what's happening to know who was doing what and when. And when I spoke to Professor Kleinrock whose is still around, he's kind of retired

professor status, he told me that there was one man in particular that was responsible for this.

Next slide, please. And that man was a man of the name of Jon Postel. You can see here, this is the very same log, but two weeks prior to that first Internet message being sent. And I want to call your attention to the note at October 14th, 6:50PM. It reads the above is unreadable and not signed. Please try harder, Jon. Which just makes me laugh. Because even before the Internet's first message was sent, there was somebody that was getting upset, they couldn't identify the name of the person on the hands on the keyboard. Jon Postel was the first administrator of the Internet's names and numbers. He was ICANN before there was an ICANN. And for many years, Jon was the authoritative source of who had what name and what number online. And you can bet he kept the logs.

Next slide, please. And so fast forwarding to today, it's ICANN that administers this task, and it's ICANN policies that govern the WHOIS System, policies that were all involved in developing. WHOIS is often described as the phone book of the Internet. And it's a database or more accurately, it's a collection of databases of information about the domain names that are registered now. At its most basic level, it's answering the question of WHOIS using, what the main name when.

If you input a name, and here in this example, I put cnn.com just because I know it still has full records. You see information like when was the domain name registered? Which registrar was the domain name registered at? And critically, who is the person behind that domain name? How do you contact them? There's more information I

have to note that's returned by WHOIS query than I can easily fit into a single slide. So I did the selective cutting and pasting as much as I could fit into this, but at its most basic, this answers who is using the domain.

And end users can make this request in a lot of different ways. If you flip to the next slide, you can see, for example, a commands line query. Thank you. There are a variety of different ways that you could submit the request. But critically, it's public information. It's free to use. It's not something you have to pay for. As you can imagine, this tool is incredibly useful to cyber security practitioners, folks like myself involved in public safety. Anytime you need to know who's behind a website, and you might think that it's for attributing the bad guys, subject attribution, we call that. And that's true, but it's not just that either. Anytime that we need to perform victim notification, this is an incredibly useful resource.

As an example, I know we've done work in the past where we might see IP address is being communicated with where we know that this is a bad guy server that drops ransomware on people's machines. And if we see a brand new victim IP address reach out to it, we know that we might have 24 hours, 48 hours to reach out to them and let them know, hey, you got something bad that you need to address. And if we don't have that conversation, bad things can happen to them. And so these resources are useful for both the subject attribution, the victim notification, and a variety of other purposes by private sector folks that are protecting their own networks.

Next slide. In recent years, WHOIS has been changing. The public access to the information has been decreasing for lack of a better word.

You can see here there's a site, the really bad guy online. Full disclosure, I'm the really bad guy online there. But you can see it's registered. And then instead of my information, privacy proxy information pops up. If we could flip to the next. There's really two general trends of privacy redaction we've seen occurring. And here, I'm referring back to slide that was previously used in the GAC presentation from June of 2020, I believe. We were in the midst of COVID pandemic. And the FBI had referred about 1300 domains to registrars that were reported to us as being potentially used in COVID-19 related fraud. We wanted to do the best we could to share that information with the registrars, and it was a very collaborative effort. And so we think all the participating registrars that received that information from us.

After the fact, we wanted to do some analysis to see how much domain registrant information was available for those demands. And this is what we saw that about two thirds of them had privacy proxy redactions of the data. About 17% indicated redacted for privacy, which to us typically means it's GDPR based redaction. And only about 13% head unredacted information. And that was the state of affairs about two years ago. I don't have a better figure today, otherwise I would tell you.

This is relevant, however, because depending on which register you're dealing with and whether they're using a privacy or proxy service versus GDPR redaction in general, there might be different levels of effort required by folks that seek access to that. And I can tell you from experience that some registrars that they have a privacy or proxy service in place, will require a court authority to get that as opposed to others.

If it's GDPR based, we'll just allow a law enforcement entity to make an authorized request and if they recognize that authority provided. And so there's a lot of nuance that goes into this and a lot unresolved questions about where this is headed in the future, all of which is right before ongoing discussion.

Next slide. Here in ICANN, a lot of that conversation has been occurring to develop a process for a GDPR compliant evolution of WHOIS. And you're going to hear more about this in a moment from someone smarter than I am on the issue. So we have that to look forward to. We have this process that's been called the expedited policy development process. Everyone says EPDB for this and it's talking about this desire to create a system for standardized access and disclosure of WHOIS information. That's kind of become now this WHOIS disclosure system.

And there are many policy issues that still remain linked to this as well. Issues such as registering data accuracy or the new technical protocols that will convey this information back and forth. That's RDAP, if you hear RDAP. Or even privacy and proxy accreditation policies, which were put on hold while all of this WHOIS and SSAD conversation occurs with the EPDP. And so there's a lot of linked issues that all surround us WHOIS. And it's important to have an idea though at the basics that we're still talking about the same information that boils down to who gets access to this information.

Next slide. And ultimately, whether we want to have a WHOIS system that returns information like that on the left or one that evolves into something more like that on the right. And it's an ongoing debate. But at its heart, it's still about whether or not we want there to be a record

of who is using what domain name, when, and how public that record should be. And I will pause there and allow you to ask any questions that you have about this for me, for others here. And if you are too silent, I will pass the reins over to my colleagues to my right. So this is an opportunity, but not your only opportunity to ask questions. Seeing no takers.

ELENA PLEXIDA: Okay, so everything was crystal clear. Actually, following Gabriel, I will be even shorter. There are a couple of comments I would like to make for everyone's collective understanding on what has happened or what are the key problems that community is still facing. And then I will pass over to my colleague, Eleeza, who will tell you about where we are right now, which is the WHOIS disclosure system.

So if we can go to the next slide, please. ICANN has bylaws obligations relating to the WHOIS. The WHOIS, as Gabriel described just before explained to us just before, existed before ICANN. Internet operators were using it to contact each other, to resolve network problems such as [00:15:14 - inaudible]. So why does ICANN have bylaws obligations relating to the WHOIS? Well, the stable operation of the Internet relies on a very basic concept and it is that you cannot run a hierarchical and decentralized system like the Internet if you cannot find the people who operate it and talk to them about problems, coordinate responses to operational issues, etc.

Now in addition, as Gabriel explained, the WHOIS system helps serve the public interest because it also helps to support issues related to consumer protection, investigation of cybercrime, DNS abuse,

intellectual property, as well as to address appropriate law enforcement needs. Now important, I think when the whole discussion about bringing in line with data protection laws around the world the WHOIS, when this discussion started, there was a fundamental misunderstanding, which is now resolved, but it's important maybe to highlight. People thought that this the WHOIS is one database. It's one single.

No, that's not at all the case. Each registry and registrar maintains its own database. So we're talking about gTLDs, they have their own database. ccTLDs who are outside the ICANN policies, of course, they have their own databases, regional Internet registries, they have their own databases for the IP addresses. Which is, of course, another discussion. Okay? Here, we're making policies for the gTLDs.

Now, so gTLDs, which are the contracted parties with ICANN, right? The registries and the registrants, they collect on data and they hold that data. That means that they are that data controllers, meaning that they have the responsibility for the data processing of the data that they are holding under GDPR and under other data protection laws around the world, as a matter of fact. Importantly, for the disclosure, as Gabriel mentioned, this whole discussion boils down to after all who will have access to what that is necessary to be done.

So what does it mean that the contracted parties have the responsibility for the processing of this data? They have to assess every request that they get for access. And there needs to be a legal basis for disclosing the data. The contracted parties have to perform the so called balancing test, which means they have to assess what is the legitimacy

of the request and what is the legitimacy of the access seeker that is saying, hey, I have a legitimate interest here. I have to access this data. Visibly, the rights to privacy of their registrant. That's it.

We also need to note that for law enforcement, there needs to be a legal basis for disclosing data. That's probably interesting and goes back to talking about the region. So for example, law enforcement that need to have access to data that is not in the jurisdiction. There needs to be a legal basis there. There needs to be a law. To give you an example, the second additional protocol of the Budapest Convention is discussing, is trying to put a legal basis there, but it applies to countries that have access to the protocol.

Next slide, please. So come GDPR, as Gabriel explained, many changes had to be implemented. Importantly, the Board approved temporary specification right before the GDPR came into effect. That made personally identifiable information to be masked in public WHOIS and the tied access was created. Some were public, some were not public. For the ones that were not public, again, legitimate access seekers would have to go to the registry or the registrant that holds the data and asks for it.

You might hear a lot of discussions about the distinction between legal and natural persons. GDPR does not cover the information of legal persons. So therefore, one could say there could be a distinction there. The only thing I wanted to share with you on that part is we had interactions with the European Data Protection Board, which is the party that is responsible for interpreting and give you advice on GDPR.

And they told us that all legal personal information, if it contains personal identifiable information, you still cannot publish it. So for example, they referred specifically to the example of an email. And they said even email is elena.plexida@icann.org. Although this is your professional email, it still reveals information about you, about you working for ICANN. Therefore, it is deemed personal information. Has an effect the model did not differentiate.

Another thing I would like to share with you is important for this discussion to keep in mind, local laws supersede the ICANN contracts, right? So when a law comes into place, apparently, the contracted parties, they have to follow the law. Now GDPR is not a law that is black and white. Put it that way. And that is intentional in the sense that it is in that way.

So different industries can adopt and use it to their own circumstances. That meant that we had different interpretations of that early on in the discussion. I'm sharing that just to give you a sense of the difficulties around this discussion. We had contracted parties whose legal departments were advising that GDPR meant that not only they have to stop collecting data, but they have to delete the data that they were really holding. That is one interpretation against the other.

In that regard, I would like to highlight that the engagement with the European Data Protection Board had been important, very important at that time. And I have put the statement there that the European Data Protection Board adopted. And it was actually given to ICANN through letters even before, which literally I would say allowed the WHOIS to

continue existing because as I said before, there were a lot of discussions about whether data could even be continued to collected.

And going forward, it will continue to be important that we maintain an open dialogue with the European Data Protection Board on other issues that might be open. So that was a very short where what has happened and some of the key problems. And Eleeza will take you today.

ELEEZA AGOPIAN: Thank you, Elena. Hello, everyone. Thank you for having us here today. My name is Eleeza Agopian. I lead the strategic initiatives team within ICANN and our team is leading the efforts to develop this new WHOIS Disclosure Systems that I'm going to give you a little bit more background on as we're working to get something operational by the end of this year.

So as Elena mentioned, part of the effort that the Board asked from us and that the European Data Protection Board specified when the GDPR came into effect is that we should work on an access model for those users with the legitimate purpose for seeking nonpublic gTLD registration data. So the policy work that the community did was split into two pieces. One was the first phase, which was focused on the registration data policy, which is coming into for soon, that's something that's still undergoing, but is nearly finalized. The second phase was how to approach creating a model, an access model.

And what the community came up with in that policy development process was called the SSAD, which is short for system for standardized access/disclosure, or SSAD for short. So you'll see that referenced in a

lot of places. And the policy recommendations outlined there in which the GNSO Council adopted and shared with the Board effectively asked for a system that would allow any user to come in from around the world, have their identity verified, and be able to submit a request to the relevant contracted party, register or registry.

The Board in considering the policy recommendation asked the org to embark on what became our very first operational design phase, which resulted in this document called an ODA, an operational design assessment, to see what it would mean to actually implement these recommendations. And what we found was it would be a really complex and very expensive system. This gave both the Board and the Council some pause. And the count and the Board asked the Council, well, what should we do with this? Should we move forward or not? It kind of brought into question how useful a very expensive and complex system would be, how many people would really use it.

One of the things that we had found in the ODA or that we didn't find actually was we couldn't accurately estimate what the demand for such a system would be. We have numbers on how many people were accessing WHOIS prior to the GDPR. So when all the data was public, we have some information that contracted parties have shared in terms of the requests they're getting now, but we didn't really have a comprehensive picture of how many people had a need for the nonpublic, the redacted data. This was a kind of a gaping hole.

And what the Board and the Council came up with and what the Council asked the Board consider was to take a different approach. What if we did it in a simpler way to test the use case? What they called a proof of

concept approach. So the Council and the Board asked us to come up with a design. How would we do this? How would we approach it? How long would it take to build this simpler system? For a while we were calling it as SSAD Light for lack of a better term. And what we came up with is what is now known as WHOIS disclosure system. And I'm about to confuse you even further the name is going to change again. But I'll get to that in a moment. But effectively, it would strip out some of the layers that we're adding the complexity to the EPDP's recommendations for the SSAD.

So there wouldn't be an accreditation or identity verification piece to the simpler system. Rather anyone could submit a request and simply attest to the fact that they are, for example, an IP attorney with a trademark client, or law enforcement, or all these other different types of categories, enumerate what their reasons are for making that request. If you had, for example, an affidavit that said that you're acting on behalf of a certain client, all of these different ways of demonstrating what the request is, that would then come through this one system. And it would be directed to the relevant registrar of record, which the system itself would determine so you could put in the domain name and know that it needs to go to a certain register.

So this simpler approach is something that both the Board and the Council seem to get behind. My team, the org worked together with the GNSO small team that had recommended this to make sure it was something that registrars would be interested in participating. And the Board just recently on the 27th of February, so about two weeks ago now, adopted a resolution directing the org to begin work on this

system. So if we can go to the next slide. I'm going to tell you a little bit more about what this is going to be.

So as I explained, the system is a one platform for requesters and registrars to submit and receive requests for the nonpublic data. A requester would come in, submit a long form of questions, and I can provide you some more information at what that looks like right now. And it would go to the registrar of record, as I mentioned. That registrar, as Elena was explaining, is responsible for determining whether or not to disclose the data. So that happens outside of our system, outside of ICANN org's control.

And depending on what the registrar's decision is, whether or not to disclose, they would report the decision back to the system. So we'll be capturing data on who is requesting, what sort of answers they're getting, and so forth. But the actual data, for example, if a registrar approved the request, would be submitted, would go back to the requester outside of our system. So no personal data, no registration data would be living within our system. As Elena mentioned, we don't have access to that data. That lives with the individual registrars and registries.

So the system itself is a lot more cost effective. It's nimble. It's easy to put up. We're anticipating launching it in November of this year. A big part of that is there is no identity verification piece so anyone can come in and claim who they are. But we have no way of verifying, for example, Eleeza Agopian works for ICANN org represents ICANN org and is asking for this.

It is up to the registrar to assess the data that for example, I as a requester would submit to determine whether or not they believe that I am who I say I am. This obviously makes the system simpler, but it also puts a burden on the registrars to verify that this person, individual that they may be passing nonpublic data to has a right to that data and that they in that balancing test that Elena had described, their rights would outweigh those of the registrant potentially.

Ultimately, the reason the Board and the Council have asked us to build this and to build it quickly and get it operational so we could get registrars and requestors in there and see what's happening is for the data, to fill that data gap that we had to find out who's using the system, how many requests are coming through. The challenge really is that this is voluntary. There is no policy that requires registrars to participate. There's also no policy that requires requesters to participate. So really the onus is on all of us, I think, but particularly the org at this moment, to promote it, to get interest in it, have registrar sign up.

We've had a lot of really good conversations with registrars and we're working with them as well. Many are very interested in signing up. I think some see the benefit in having a sort of one stop shop where they're getting requests from one place that are in a standardized format and actually include the information they need to make that determination, whether they want to disclose not. Right now, as there is nothing formal or standardized, many registrars receive requests in different forms, and I think some will tell you that it can be, you know, they don't always include all of the information they need to make that disclosure determination.

So I think those are kind of the key points. If we can move to the next slide, you'll see a very simple, very basic diagram that shows you effectively how this would work. So the system will be built, and maybe this is a good place to tell you what the new name is. Which you'll be hearing about more. It's going to be called the Registration Data Request Service. As we are moving away from WHOIS as a protocol, we're moving into the RDAP protocol and we want to focus on the more generic term of registration data. We'll be building it on some tools that ICANN org already has.

So you would use your ICANN account, which if you registered for this meeting, you already have an ICANN account. So this would be another use for that account. And it would be a simple page where you can log in. You want to use the service and submit your request and it would get routed to the correct registrar record, who, as I said, would determine what they want to do with that request. And they in turn, the registrar in turn, would report back into the service so that we're capturing that data about whether or not they responded, how quickly they responded, whether it was in the affirmative or negative and so forth.

Can we go to the next slide, please? So I mentioned earlier the Board just took action on this and asked the org to actually begin implementation. I wanted to highlight a couple of pieces for you from that resolution. So one is that the system should be launched within 11 months from the date of the resolution. We actually plan to have it up and running by November into requesters, November of this year. That the system will be operated for up to two years from the date of launch

and that we'll be collecting and reporting on data on a monthly basis actually once it's up and running.

But the Board and the Council will periodically check-in with each other. So they may determine after a year that they have enough data for the Board to take action on those policy recommendations. They still haven't. They've put those policy recommendations on hold until they have this data from the system. We'll continue to work with the GNSO Council on that.

And of course, as I mentioned, one of the biggest elements is ensuring we have comprehensive usage. So, requesters are all using the system as many registrars as possible are signed up and this is a piece that's really important. The Board felt it was so important to get registrars on Board as it were with the system, that they actually urge the GNSO Council to make a policy on that and consider requiring registrars to use it. That's a topic that the Council will be discussing this week. That was a part of the Board's resolution.

So we go to the next slide. That's my last one I promise. In here, I think I say the name of the system is expected to change. We just learned today that we are changing it after our meeting with the small team, Registration Data Request Service. We are planning on launching by the end to the year. And between now and the launch, there will be many, many more community updates on this. So I'm sure you'll be hearing from me again or from my team. And that's quite a lot. So if you have questions, I'm happy to answer them.

ELENA PLEXIDA: What's the new name again?

ELEEZA AGOPIAN: Registration Data Request Service. I have to say it slowly.

GABRIEL ANDREWS: What do you really call it for short?

ELEEZA AGOPIAN: No more acronyms, I promise. I'm just going to spell it out every time.

GABRIEL ANDREWS: So I'll ask you a question if it's okay. So I understand you're saying that it's going to be operated for up to two years. Realistically, where are the checkpoints during that two year process?

ELEEZA AGOPIAN: So I believe the Board and the Council have already committed to absolutely checking it after a year. I think there will be check-ins before then. I mean, we've launched, we have to hope that people sign up first. I think it'll be a few months before there's really enough data there to get a sense of where things are going. And as I said, we're planning on publishing monthly usage statistics. We don't know the format yet. But that is something that will be available. So I think it'll probably happen before a year, but certainly that counts on the Board have committed to meeting a year after launch.

GABRIEL ANDREWS: And I'm checking to see if there's other questions before I ask another, but I've got another in the queue. All right. And then forgive me if this is a little bit technical, but are you planning an API for organizations that might want to engage machine to machine?

ELEEZA AGOPIAN: Good question. And it's one we got during the design phase. So for the initial launch, no, just to get to where we want to get and actually be launched, we won't be able to do that. We are already looking at what a version two would look like and how quickly after we could consider that. So it's in the cards, but I don't have a clear answer for you yet. And I should add, again, it kind of depends on usage, right? So that might drive some of these different milestones and resources. We're about to launch in next round, so how will all of that come together?

UNKNOWN SPEAKER: Eleeza, besides usage statistics for updates, are there going to be any other updates in terms of data collected, for example number of requests approved, number of requests rejected. I'm sure there are lots of other data points that the community would interested in, so I'm just curious about that.

ELEEZA AGOPIAN: Thank you for asking that. So when I say usage statistics, that's exactly what I mean. That's my shorthand. So there are many, many fields we'll be capturing. And if you've seen any of the presentations we've done,

we've already done some mock ups of what the request form looks like, which is I think maybe two dozen questions at this point. So it will include everything. We have a pick list. What is your request? What is your reason for requesting? Similarly, a registrar would say, for example, if they denied it, we have a pick list of what are the reasons for denying.

So we'll have a pretty good granular level of detail on each request. And of course, how they were dispositioned, and how quickly they were answered, what types of requests? Again, is it law enforcement? Is it an IP attorney? Is it a cybersecurity researcher? We have different categories. So there's quite a lot of detail in there that I think will be hopefully quite useful.

TRACY HACKSHAW: All right. So thank you very much to the topic leads and the colleagues from ICANN. This helps us understand, I think, what's at stake and what colleagues should understand about to move forward. So thank you very much ICANN org for agreeing to speak about this. But I do want to tune to the regional perspective that I had mentioned earlier about DNS abuse.

If you look at the screen, there are several questions that we want to zero in on with regards to the Latin American Caribbean region. And so I've asked first of colleagues on the panel to look at these questions, to see if there's any of-- Can they detect any potential impacts that would be facing the Latin American Caribbean region with regards to this overall topic of WHOIS and including the new RDRS system? I just did it.

And also, from the audience, especially new GAC colleagues, do you see this overall approach as being challenging for your governments in the LAC region specifically? And what impacts do you see as well within the region that this may have. So for example, I was actually hearing some colleagues asking, and behind me, what happens if are registrar simply does not respond to any requests. What happens then? Things like that. And that clearly could happen, I guess. So let me pause and see if the panel has any responses to these questions and then we could take questions from the audience. Thank you.

ELEEZA AGOPIAN: Thank you. To the specific question you asked, that's a really good question. Part of, I think, what many in the community and the Board have seen as a value in the system is in so far as a registrar chooses to participate. And again, this is voluntary. They are not required to participate in the system. There is current policy that requires registrars to provide reasonable access to requests.

That doesn't mean they have to grant it, but they do have to consider every request. And so far as a registrar receives a request, they have to consider it and answer it. If they don't answer it, we can certainly inquire about that. And I know that we've gotten some complaints about that from my compliance colleagues. But that's kind of where the limit is in terms of compelling a response. So I hope that helps.

But having a system also gives us a little bit more visibility into that communication because right now those requests are coming in without ICANN in the middle, right? It goes directly to a registrar, for example. And we don't have visibility into what the request itself looks

like and so forth. So I think this arms us with more information to understand what those requests look like, what our registrar is responding to and so forth. But again, the decision will, at this point, always remain with the registrar.

TRACY HACKSHAW: Thank you very much. Kavouss?

KAVOUSS ARASTEH: Yes. Thank you very much for the presentation. I was involved in the Phase 1 of this EPDP. For Phase 2, I did not have of time. I had some other mission, and then Page 2A and so on and so forth. How much works we have done on that? I think GAC has been very deeply involved that. Fabien is here. He organized this GAC small group for many years and so on so forth. And now we found that we are far from what we were thinking. We're doing something, entirely something else we call them simple, simple, simple. So I don't know. We have to wait to see what has come out of that. But that is not what we're thinking of and that is what not we have designed of. Thank you.

TRACY HACKSHAW: So I'm not sure if that was a question or a comment for the panel. They may want to respond that. No? All right. If you'll focus on the regional topic. So since no one has yet is responding, I'm going to ask you and the panel to see if you have any responses on the specific issue of LAC? And does this have any impact in the LAC region? I see Elena may want to respond.

ELENA PLEXIDA: I want to offer a comment. I'm not sure I will respond, but colleagues.

GABRIELA SZLAK: Just a comment. Thank you. I'm Gabriel from Argentina. The impact on the region, I don't know if it will be easy to answer. Because for example, for Argentina is difficult to know how many agencies, the law enforcement agencies, prosecutors, consumers, it's very difficult to know how many and how often they use WHOIS. And to know the impact, it will be very important the statistics that you mentioned because from there, we can get the feedback from the users. Thank you.

ELENA PLEXIDA: Yes, make perfect sense. The comment I wanted to make, which is not maybe a direct reply to the question [00:43:25 - inaudible], but basically the system as well as the SSAD was not doing something different in that regard. And he's going to facilitate the intake of the request, right, and we will have hopefully very good information to know what's happening there. But it's not going to change the underlying thing. There needs to be the application of the law. So as I said before, when it comes to the region, you have to bear in mind that there needs to be a legal basis is for whoever comes in with the request. And of course, the duly substantiated request. So that's something to keep in mind.

TRACY HACKSHAW: So maybe I could follow-up. There's a question. But the question I wanted to ask is, who do you think would be using this the most in the region. Anybody has any thoughts on that?

UNKNOWN SPEAKER: Hi. My name is [00:44:20 -inaudible]. I'm from Taiwan. I would like to actually share some of my view from the Asia Pacific region. I'm a privacy lawyer and I did quite a lot of research of the privacy law among the Asia Pacific countries. And I have noted that recently, more and the more countries in this region are adopting a more rigid privacy protection laws. So with those legal obligations, I'm a little bit concerned that the registrar in LAC region may not be freely respond to the request from the requestors because they need to first comply with the national law requirement. That's my first concern.

And then the second concern is that when I assisted different parties in the domain name industry, when they reviewed any request, they must understand and confirm the identity of the requester. If that cannot be done, then it's very difficult to proceed with the next step. I understand that for cost efficient reason for this new system, there will be no mechanism to help to confirm the identity of the requesters. But still I think that's a very important point for the local registrar to consider when they use the system. So I'm just wondering whether there will be any next phase or step to help the registrars to confirm the identity of the requesters. Thank you.

ELEEZA AGOPIAN: Thank you for the question. I think one of the, as I said, the biggest challenges that was identified in the SSAD policy recommendations is this question of identity verification. And I think it remains to be seen where the actual policy ends up, but that is a big piece of making determinations about disclosure requests. That may be a piece of whatever the ultimate system is, whether it is this registration data request service or something else that is actually ultimately adopted by the Board as the policy.

But once we have a policy, I think then we can also look more carefully at how registrars are participating in the information they need and whether that is an element that is a necessary part of their evaluation of each request. So we may then have to revisit this discussion about verifying identities of requesters. I hope that answers part of your question.

TRACY HACKSHAW: And may you want to take my question about who might be using the system the most you think in the LAC region from what you think you can project usage. Is it low enforcement? What do you think?

ELEEZA AGOPIAN: My crystal ball is not working today.

TRACY HACKSHAW: All right. So I'm not seeing any further questions. All right. So I think that's good. So thank you very much. And we wrap up. This is a regional perspective aspect of today's session. Thank you very much

for your time and for your willingness to share with us. And I will now toss back to Pua to wrap up todays' session. Thank you.

PUA HUNTER: Thank you, Tracy, and thank you, everyone. We're actually at the closing stage of the capacity development workshop. So I just want to thank each of you, our GAC colleagues for attending in person as well as those of you joining us remotely. Thank you so much for your time. I want to thank each and every one of our presenters from the start of the session this morning right up to the last lot this afternoon. Thank you so much for your time. Also those from ICANN org, the GAC topic leads and colleagues from the other advisory and supporting organizations and committees for your time to share your insights on the topics for today's workshop. Thank you. Thank you to our GAC support team, Rob, Julia Fabien, Gulten and Bernadette for the incredible efforts in organizing the logistics for this workshop.

Thank you to our interpreters and to the tech team for the complex work in the background. We don't see it, but it's happening. Thank you. Thank you to my other co-chair, Karel Douglas for always being there. Co-chair for the underserved Regents Working Group. And thank you, Tracy Hackshaw, who volunteered your time to assist support us with this workshop. And I'd like to encourage all our GAC colleagues to reach out to the speakers and even to our seasoned GAC colleagues like Kavouss during this week for any assistance you require to enable you to be more active in the wake of the GAC.

Moving forward, the GAC support staff will send out a post-capacity development workshop survey. It will take you about five minutes to

complete. Your feedback would be very much appreciated as it will help us to tailor future events to your needs and to improve on our delivery methods. We intend to continue the capacity development initiative under the mandate of the Underserved Regions Working Group in a remote sitting with webinars. And if there are specific issues or topics you'd like to learn more about, please reach out to myself, to Karel and to Tracy. Reach out to the GAC leadership Nico and vice chairs, or to the GAC support staff.

Finally, GAC colleagues present in the room, just a reminder about our off-site social event organized for us at 6pm. The GAC support team will provide the details to us. The social event will be hosted by our incoming chair, Nico, who welcomed us this morning. Thank you. I look forward to seeing you all there. Thank you and have a good evening.

[END OF TRANSCRIPTION]