

Dear All,

Please find the EPDP Phase 2 Small Team summary update ahead of next week's ICANN. This is intended to be shared with the Board and the Community, as required, during our bilateral meetings.

Disclaimer: It is important to note that this high-level summary update is based on the input received from small team members to date. Not all groups may have provided or finalized their input, nor has the Council considered this input. The small team will continue its deliberations post-ICANN73 in view of providing a response to the GNSO Council on the questions that are part of its assignment, namely:

- Whether the ODA has correctly interpreted the intent of the SSAD recommendations in the proposed implementation;
- Whether the ODA has overlooked any key aspects of the SSAD recommendations that should be factored in by the ICANN Board when it considers the recommendations;
- Its view on the concerns identified by the ICANN Board and potential options that could be considered, either in the form of changes to the proposed implementation or the policy recommendations themselves, to address these concerns (note, these are expected to be high level suggestions at this stage);
- Any other aspects that help inform the Council's deliberations and consultation with the ICANN Board.

The Council did think it would be of interest to the Board and the broader community to get a sense of the direction of travel based on input from the members of the small team to date. This is what this high-level summary aims to do. It is worth pointing out that many of the comments are in line with comments and suggestions that have already been raised in the meetings to date.

High-level summary of small team input to date (2 March 2022):

1. The small team has identified several clarifying questions in relation to the ODA. These have been shared with ICANN org. The small team expects that the responses to these clarifying questions will assist the small team a better understanding of the findings of the ODA;
2. Similarly, small team members have identified a number of assumptions that seem to be inconsistent with the intent of the policy recommendations such as the intent for the Central Gateway to be the single point of contact for requestors instead of going directly to Contracted Parties or having governmental accreditation authorities have a role in the relay of requests;
3. The small team also pointed to a number of issues that may not have been covered or not sufficiently covered in the ODA such as: the concept of "signed assertions" which may have been misunderstood and as a result not included in the ODA; lack of clarity in relation to controllership and roles and responsibilities of the different parties, and; the breakdown of cost could have been clearer about operational costs that are not expected to recovered and the costs that would be expected to be recovered from users.

4. In relation to the concerns expressed by the ICANN Board, the small team has attempted to determine through a number of questions whether small team members share these concerns, and if so, what could/should be further considered to address these concerns:
 - a. Most small team members seem to be of the view that the ODA does not provide enough information to confidently determine the cost / benefit. Some point to the inability to predict costs based on usage, the high variability and range of costs and lack of information on the specific costs of the different components of the system.
 - b. Although some note that this the determination of costs / benefit is one that the Board is expected to make, many small team members are of the view that for certain aspects of the SSAD the costs / complexity outweigh the benefits and point to the different minority statements that accompany the Final Report for further details.
 - c. Some support is expressed for implementing either an SSAD Pilot (possibly on a voluntary basis) or a lightweight ticketing system that could serve as a central point of collection of disclosure requests. These options could provide further insights into the demand and other metrics to help inform subsequent decisions on the SSAD.

Kindly,

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