ICANN Transcription

Registration Data Accuracy Scoping Team

Thursday, 02 June 2022 at 14:00 UTC

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TERRI AGNEW: Good morning, good afternoon and good evening. Welcome to the Registration Data Accuracy Scoping Team taking place on Thursday, the 2nd of June 2022 at 14:00 UTC. In the interest of time, there'll be no roll call. Attendance will be taken by the Zoom room. If you're only on the telephone, could you please identify yourself as now?

Hearing no one, we do have listed apologies from Roger Carney, Becky Burr, Owen Smigelski, and Steve Crocker. No alternate names were put forward.

Statements of Interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. Seeing or hearing no one, if you do need assistance, please email the GNSO Secretariat.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

All members will be promoted to panelists for today's call. As a reminder, when using the chat feature, please select everyone in order for all to see your chat. Observers will have view only to the chat access.

Alternates not replacing a member are required to rename your line by adding three Zs to the beginning of your name and at the end in parentheses, the word alternate, which means you are automatically pushed to the end of the queue. Alternate should not engage in chatter apart from private chat or use any other Zoom room functionality such as raising hands, agreeing or disagreeing.

All documentation and information can be found on the wiki space. Recordings will be posted on the public wiki space shortly after the end of the call. Please remember to state your name before speaking. As a reminder, those who take part in ICANN multistakeholder process are to comply with the expected standard to behavior. With this, I'll turn it back over to our chair, Michael Palage. Please begin.

MICHAEL PALAGE: Thank you, Terri. Good afternoon. Good evening, everyone. As far as a quick administrative update, not much to really do. Obviously, we are going to have a meeting next week, and then we will be meeting in person. Well, some of us will be meeting in person at The Hague. As a result of that meeting in The Hague, we will be cancelling the regularly scheduled Thursday call. So I think that is it as far as an administrative update. Just a little heads up. Alan, I noticed that you're going to be leaving. I also similarly will be

dropping off about halfway through the call. And Olga will finish chairing the rest of the meeting.

So with that, let's dive in and really get to item number two, which is the scenarios for the European Data Protection Board. So Marika, would it be possible to pull that up? And could you perhaps identify quickly if there has been any new comments or suggestions raised?

MARIKA KONINGS: Thanks, Michael. Just to note that Brian has his hand up. I don't know if he wants to talk about something else first.

MICHAEL PALAGE: I did not see that. Thank you for that. Brian, you have the floor.

BRIAN GUTTERMAN: Hey Michael and everybody. Good morning from LA. Just a couple things. Apologies, I wasn't on the call last week, I caught up on the recording, and just wanted to say thanks to everybody for providing comments, both to the draft report and to this scenario work.

Just want to emphasize—I know everybody knows this already, but my colleagues at ICANN org have access to this Google Doc where you some of you have provided comments. And we've also been listening obviously on the calls to what you have been saying about this scenario work, the engagement work that that org is undertaking. So we appreciate it. And we're listening.

And on that, this morning, I've invited Elena Plexida from our government and IGO engagement team, she is one of the sort of leaders of this engagement work and has been working behind the scene with others to think about this as we've been talking about it since ICANN 73 because it's of strategic importance to the org for many reasons.

So I think she is with us here and if she can be promoted to panelist, we wanted to hit invite her on just to say a few words. We can address some of the comments in the document that had been put in in the last couple of days. Again, thanks for those. But I think just with a little more clarification from our side. I think we're pretty close to sort of finding some common ground on understanding what's going on and how this work that we're doing is meant to help our scoping team. So, Elena, if you want to say a few words, and then we can try and answer some questions, because I know some people have to drop early today.

ELENA PLEXIDA: Thank you, Brian. Hello, everyone. And thank you for having me today. I don't have that much to say I think in addition to what my colleagues have said already, but I'm very happy to take more questions.

On my side, as you know, I'm part of the government engagement team of ICANN Org. Therefore, lots of engagement, including engagement with data protection authorities is kind of in my turf.

What I wanted to share with you is that we will be sending out a high-level letter to the European Commission. We are aiming to

have it sent within the week. The idea—and I'm sure my colleagues have talked to you about that before, is to ask whether the European Commission would be willing to help introduce this particular issue that we're talking about at the level of European Data Protection Board.

And we're not talking about the facilitation to have a dialogue, we're talking about a formal process that is foreseen under GDPR whereby the European Commission can, if there is an issue of global obligation, an obligation to all EU member states, apparently, the DNS is such an issue, can introduce an issue for opinion at the level of European Data Protection Board.

Just to reiterate that this would be very helpful, because in this case, if you are under this specific article of GDPR and having the Commission ask for an opinion, it is much more imperative on the European Data Protection Board to look at other questions and an opinion from the European Data Protection Board will help go a long way on this. That's really it from me. And I'm very open for any questions or your comments. Thank you so much.

MICHAEL PALAGE: Thank you, Elena. So I have a couple of questions there. What you just told us, I think, has a tremendous amount of significance that was just brought to our attention. So let me just kind of run off the top my head my initial thoughts and then obviously, other team members could raise their hands.

So to me as an attorney, one of the things I was always taught was you never ask a question at trial that you do not already know

the answer to. So I guess my question is, ICANN Org is looking to send this formal request to the Commission, I would assume that this formal request is going to have a certain time element. So before ICANN just communicate with the European Data Protection Board, I would assume that going and requesting this to the Commission is probably going to—I guess my first question is it seems like that would take more time., part one. Part two, has ICANN Org discussed this with the Commission? And do they think that this is the best thing? Because if they don't think it's the best thing, then that would ... So those are my I guess first two questions. Has ICANN Org discussed this, and has the Commission said, yes, this is what we want you to do?

ELENA PLEXIDA: Thank you. Excellent questions. So this particular avenue that I refer to, it has been a longstanding avenue that could be explored. And there has been exchanges with the Commission on that one, but not really something concrete as such. So just to give you a little bit of history on that part.

The last formal exchange we have with data protection authorities was in 2020, just before the lockdown, actually, which of course stopped a lot of activities. At that time, at the urge of the European Commission, we engaged with the Belgian Data Protection Authority, because the European Commission was insisting that it's better to discuss with just one authority and the one that is leading [for EU—leading in many square brackets] because we have an engagement office in Brussels, but then again, this engagement office has nothing to do with the processing of data. So anyways.

So when we had this exchange with the Belgian Data Protection Authority, it was a very fruitful one. It was the Belgian authority that actually said to us that these questions that you have for us are global, and we alone as one Data Protection Authority, we cannot answer them. So your extension level [inaudible] the level of the European Data Protection Board.

So this is not an avenue that we thought of ourselves. It is something that was proposed by the Belgian authority itself and European Commission representatives were present at that meeting. So since then, it has been up in the air, if I can put it that way, whether we can actually take this avenue, and how to.

So what we will do now is ask the Commission if they are willing to take this avenue. If yes, that would be great. If no, if they think they cannot do it, or they don't want to do it, or they think it's not— Again, GDPR gives them that right. We will still continue with this engagement, way we have done it before. Like we ourselves are going to reach out to the European Data Protection Board and ask our questions.

So timewise, I'm not sure how to answer whether it will affect the expected time or not. Because in the meantime, we are doing the background work as to preparing more concretely for the scenarios. Because of course, the scenarios, the way that you see them right now in the Google doc are just high-level ideas. That's not what you go to the European Data Protection Board with apparently. Thanks.

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MICHAEL PALAGE:	Okay. Thank you. So I guess I do want to come back to your original comments. You said you were going to submit a formal request to the European Data Protection Board. Did I get that right, that you're going to do a formal request?
ELENA PLEXIDA:	No, I confused you. I'm sorry. We're going to send within the week, a letter to the European Commission, asking whether the European Commission is willing to go under the avenue of GDPR and them submitting them issue at the European Data Protection Board. If they say no to that, then yes, we will do it ourselves.
MICHAEL PALAGE:	So I guess my question is, isn't that something that you would normally just ask them? It seems like by sending a formal letter, or by sending any communication that has significance in it, as opposed to, hey, they should be able to answer that verbally. That's what I'm just a little confused with. And let me just stop because I see Lori. Lori, perhaps yourself as someone who has extensive experience in regulatory and matters, particularly in the EU, maybe you could shed some light. Maybe I'm just confused.
LORI SCHULMAN:	Yeah, I wanted to chime in and support what Elena has been saying. In other words, my understanding is that the Commission itself has standing to contact the board. So we're asking the Commission formally to use its standing in order to strengthen the request. That's how I see this.

If the Commission says no, there's nothing to prevent ICANN from independently requesting an opinion. But having the European Commission as a political ally in the request, I think strengthens the request. That's what I hear Elena saying, number one.

And number two, I also think I heard an agreement with a concern that I've had generally about the wording of these scenarios. In reading the other correspondence that we've received from data protection authorities, there have been times when ICANN, in my view, has very in good faith entered high level examples, but those examples were so high level, they didn't meet a degree of specificity required in order for either the data protection board at the national level or at the supranational level to evaluate how the data would actually be processed. And that's key to any determination about the validity of a plan. And I do believe that that has been a bit of a shortsightedness on our side in terms of we're trying to anticipate In answer without building a program. And this is the frustration that I heard from in the letters anyway that I read into some of the responses to ICANN in the past, and I would just want to make sure that whether we approach through the Commission, or we were approached independently through ICANN Org, that there's enough degree of specificity to elicit an answer that we can rely upon.

MICHAEL PALAGE: Okay, so that helps. But I guess what I guess my question back to Elena is. And I agree with what you just said, Lori, generally what happens is we did not have a lot of specificity in previous communications. But don't we have to have—so what I heard

Elena say is they're going to ask for engagement, they're going to ask the Commission to engage the European Data Protection Board directly.

But I would think—and maybe this is a question for Melina—before the Commission would be able to determine whether they want to do that engagement, don't they need the level of specificity regarding what that communication is going to be? Because I would not see the Commission say, "Yeah, we're going to send something" without them knowing what is going to be sent. So this to me is a chicken and an egg. We need to have the specificity on the scenarios. We need to have the DPIA, data processing agreements, we need that level of—if I was going to a DPA, I would have that level of specificity. So if we are going to position ICANN to best succeed, that level of specificity should be in the scenarios and communicated to the Commission to say, this is what we're going to propose. To go to them and say, "Hey, we want you to ask some questions," I don't know, that just seems—and I see Melina's hand up. So thank you, Melina, I'll let you—I'm just a little confused.

MELINA STROUNGI: Yes. Hi, everyone. I see Alan's hand also raised. I don't know, I think before me, I don't want to steal his turn.

MICHAEL PALAGE: I see that. I'm sorry. And yes, he's going to be leaving early. So I want to be mindful of that. ALAN, you have the floor.

ALAN GREENBERG: Thank you. I'll be very brief. And Lori said some of what I want to say. My understanding from what Elena said is we're not going to go to the Commission and say, "Hey, go ask some questions for us" and that's it. We obviously have interactions with the European Commission, Melina's here. So we clearly have not been told, informally, "No, this is something that we're going to reject out of hand." But this is a formal request to say, are you willing to work with us? And we will ultimately formulate questions which you can then present to the European Commission, to the Data Protection Board. This is not a request that they immediately run off and ask a random question to the Data Protection Board. This is simply asking for confirmation that they're willing to work with us and then approach the Data Protection Board with respect to whatever it is we come up with. That's how I understood it anyway. Thank you.

MICHAEL PALAGE: So Melina, perhaps if you could shed some light and clarity on this, then that would be incredibly helpful.

MELINA STROUNGI: Yes, hi, everyone. Of course, I'm going to just voice my voice. I don't want to just speak on behalf of the entire Commission. We do have two elements to add. The one is it has to do also with what Volker wrote in the chat, because actually, it's a very fair question, how is this discussion relevant for our work? And to that, I just have to add a general remark that we also made as a comment in the Google Doc that we don't think that asking—receiving the answers to these scenarios should pause what we do in the accuracy scoping group, we don't see why the work has

to be paused until when and if such feedback is received. We don't see the direct relevance.

Of course, it has some merit to know the answers to these questions. But in the end of the day, assignment three is about assessing the effectiveness of the accuracy requirements as stipulated in the contracts. And I believe that we can continue doing so while at the same time waiting for some feedback. So indeed, these are a bit of course relevant questions, but this shouldn't be dependent, our work, on the outcome of these questions, I would say.

Just to now come to the scenarios specifically. I mean, the Commission in general has been trying to assist as much as possible. With Elena, we have very good communication. We have discussed about it on a few occasions, of course, she knows. And we're doing our best to try to facilitate any communication between ICANN and the data protection authorities.

As many of you may know, there was a ping pong game between—the Data Protection Board referred for a lot of questions to the leading Data Protection Authority, the Belgian Data Protection Authority, we tried, again, to facilitate a communication with the Belgian Data Protection Authority. But you know, Commission is an independent institution. We're trying to initiate communication, but we don't have any control of what other institutions do. And we can't force them to reply, or we can't really do much more. We of course, will keep trying and facilitating any dialogue to the extent possible, but we can't be the penholder of these specific scenarios. This should come from ICANN, and the

best will be for time efficiency purposes for ICANN to submit the questions directly to the board. Of course, I'm more than happy again to share some views on the scenarios. I have already provided comments on the doc on the scenarios to help formulate these questions to a more targeted way possible. But I think this is the most efficient way forward for now. Thanks.

MICHAEL PALAGE: Thank you. Let me just go next in the queue. I see Elena, you have your hand up. Is there anything that Melina just said—did you agree with everything? Or is there a perhaps a divergence of opinion?

ELENA PLEXIDA: Thank you, Michael. Just to let you know, I always agree with Milena, [and she's a gem.] I raised my hand a while ago, based on your questions and what other colleagues said. Lori put it much better than me. It's what Lori said and what Alan said.

So this request that we're talking about, for right now is just a procedural one. We're asking the European Commission if they are willing and able to help, and I put the article in the chat. Under Article [60.4.2,] We're not sending the scenarios. Right now. We're not at that position. We're just asking this very simple question.

To Thomas, yes, the request, the request that I'm talking about now, which is a procedural one, we really have nothing very particular to say. The request is as follows. Dear colleagues in the European Commission, according to Article 64, para two of GDPR, you have the right to request an opinion from the

European Data Protection Board if this is a matter of general application.

Can you do that? That's the request. And then there is a yes or no. The yes or no has to do with us knowing how to proceed. But that does not mean that in the meantime, the work on the scenarios and the questions is not ongoing. And I guess it is the questions in the scenarios that you care about really, not the procedural stuff, of whether it will be the Commission to put in a request to the European Data Protection Board, or ICANN to put questions to the European Data Protection Board.

Now, if we could use article 64 2 of the GDPR, that would be amazing if I can say so, because in that case, the European Data Protection Board has to give an opinion. Whereas when ICANN Org is asking for something, there's not that they have to give an opinion. And as Melina said, in the end, we worked a lot in the background on that. There's been lots of back and forth and frustration has been both on the part that at some points, we didn't have, according to the DPAs, very specific questions as Lori said before. And the other part of the frustration that was we were being ping ponged between the European Data Protection Board and the Belgian Data Protection Authority and vice versa. Thank you.

MICHAEL PALAGE: So Thomas, I see your hand raised and I will get to that. Beth has kept her hand up. And there you go, Beth, you have the floor.

BETH BACON: Thanks. Hi. And I just want to say a huge thank you to Elena for making the time and coming and talking us through this. I think it's very interesting concept. I agree with Melina that this is—and I think I've said this in previous calls, that this is for sure ICANN's work to do. And I think we're supportive of that and appreciate you guys taking the time and effort. And this is a different route, it's a little bit different than the engagements we've tried in the past or ICANN has tried in the past with the European Commission. So maybe this will bear a bit more fruit. But just appreciate that you're kind of taking another tact and appreciate ICANN spending time on this.

I do agree with I believe what Melina was saying, is that this is ICANN's work to do and you guys have to craft this internally to kind of get the request to where you want it so that we could then follow up with questions or more detail. But I do appreciate you coordinating with this group and just letting us know that this is the path you're on. Thanks.

MICHAEL PALAGE: Thomas, you have the floor.

THOMAS RICKERT: Thanks very much, Michael. And hi, everybody. So thanks. I would like to echo what Beth has said. Thanks so much for engaging with us, explaining all this to us and looking for constructive solutions in order to plow forward.

And let me just explain what I wrote in the chat and what I've mentioned during previous meetings, is not because I want to be

particularly difficult. I think that we are just in a situation where we are trying to get the attention of the European Commission to be helpful, or for that matter, the attention of the European Data Protection Board to be helpful.

And therefore I think it's important that we really make a solid case, that we explain the complexity of what this exercise entails. We are potentially—depending on the scenario that we're envisaging—we are looking at providing access to or transferring personal data from registrars that might be sitting in all countries of the world to the US. So that has an awful lot of international data transfer aspects to it.

And whilst we've taken great care, and I want to make sure that we limit transfers to the best possible we can, I think it's important that we explain all the niceties of how this would actually work or how it is planned to work from ICANN's point of view and why this is relevant to the European Commission or why it should interest the European Data Protection Board to help with this.

And this is why I think that we increase our chances for this dialogue to, number one, be fruitful in the first place so that they say, well, this is really something that we should put our energy into, but also that we help them understand all the factual parts of the scenarios, and also the legal implications and the procedural implications, so that they have something that they can actually mull over, discuss and give a response to.

And I think that, as Michael said at the outset, as a lawyer, we tend to try to work out the answers before we ask the questions. And although we are at this early procedural stage with the

European Commission, I think it makes sense to write it up in a solid fashion so that they are sufficiently interested in order to help. Thank you.

MICHAEL PALAGE: Thank you, Thomas. Always good when lawyers agree with each other. So I guess if I could ask a larger question to Elena, Brian and Amy as well. So obviously, what we've just heard is that I assume next week, ICANN will be sending this communication, which will obviously become a major focal talking point of ICANN 74. I don't think anyone here wants to impede on ICANN moving forward with that clarity.

I guess the concern I would have here is everyone has talked about specificity, and I don't think we really, as a group, have done enough on our end regarding those four scenarios to put ICANN in the position to succeed with the level of specificity that I think should be there.

So I guess my question back to Elena, Brian and Amy is, can we sit there and maintain an open dialogue? Can we keep this dialog open, or after we're done here, this is it, ICANN has consulted with the community, and then they're off? Or will the community as a whole be able to see those scenarios before they're submitted? That's my question. Beth, I think you're up. Go.

BETH BACON: Thanks very much. So again, I think that this we're speaking at this moment about a very technical, would you be willing to do these things under this particular citation in GDPR? So I don't

know that we need more. I don't know what ICANN would need from that. And again, I do want to stress—I know that I've said this before. I think this is ICANN's work to do. I think that if we have these scenarios, we've given feedback that we think it seems likely that I think it was three and maybe four were the ones that would involve or possibly involve personal data, and those are the ones that ICANN should explore and flesh out.

But again, ICANN, they are making the request, they are making the risk assessment, this is an action from ICANN. The community is not making a risk assessment for them. So when we get to the specificity of the questions, I think we have given some feedback. But for this particular action, from what I'm hearing from Elena and Brian and others is that this is going to be a pretty procedural, is this a possibility? So I don't know how much more we would need to give them now. But again, thanks again, I think it's an interesting avenue to pursue. Thanks.

MICHAEL PALAGE: So I'm agreeing with you, Beth. And what I heard from Elena, when she read, she read, I think it was one or two paragraphs of what that communication is going to be. There will be a separate—so depending—that communication will be sent and there will be two potential outcomes from that communication from the Commission. Yes, we will use the formal channels to submit this, or no, we choose not to.

Now, depending upon either of those outcomes, ICANN will then submit something to the European Data Protection Board, in

conjunction with the Commission through the formal mechanism, or by itself. Those are one of those two outcomes it's going to do.

But regardless of what that outcome is, they still need to submit the detailed scenarios. The other thing, just following up on that was May last week specifically talked about how there would be a data privacy impact assessment, most likely in connection with scenario two. So given that Stephanie Perrin has been asking for a data privacy impact assessment for about the last eight years, I think having that, having the community be able to look at that. And that's where I'm going to push back on there. I don't think this is just up to ICANN, I do think the community should be able to weigh in on this. Again, that's just my personal two cents on that. Who's next? Brian, I see your hand up, you have the floor.

BRIIAN GUTTERMAN: Yeah, sure. I'll be quick. And maybe Elena or Amy can jump in after me. But I just wanted to affirm, I think, what the initial question was about continuing to engage on this beyond this sort of formal communication that's going to be sent to the EC. Like other correspondence that will be posted to the correspondence page for purposes of transparency, and it's kind of a simple ask to sort of re get the ball rolling, so to speak.

But in terms of the specificity of the of the scenarios, we appreciate the feedback we've gotten thus far. But I think we're sort of—not talking past each other. But the Org is going to hold the pen on that and we're doing a lot of work behind the scenes to flesh out the scenarios, taking into account this input. But this ask,

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obviously, we hope this will support the scoping team's work. But we're asking for feedback for a multitude of reasons.

So, I hope that helps, but obviously, we're going to keep working iteratively and in good faith with this group, getting additional feedback on the scenarios to what you've already provided, respectively would be great, and we'll take that into account. But yeah, ultimately, I think we can agree that it's work for the Org to carry out. So I hope that's helpful, but I don't know if Elena or Amy want to jump in and add anything additionally, but I think we're close and all the feedback we've gotten so far has been great. So I, again, thank everybody for that.

MICHAEL PALAGE: So let me ask you this question, Brian. And again, this is a much broader—I mean, the impact of what ICANN is doing here, literally, again to Volker's question seems to be almost above our pay grade in the accuracy scoping group, because if ICANN is going to be asking the right questions, it's much more than just accuracy. It's about access, it's about all—it literally goes to the broader EPDP Phase 1, the purpose of WHOIS, of the registration data.

So if in fact ICANN is going to be asking those questions, what I think is important from an ICANN bylaw standpoint is, is ICANN going to share these documents, the data privacy impact assessment, the proposed draft scenarios, with the broader community to get feedback? Because if ICANN is only going to use this group to say hey, we consulted, and then use that to rubber stamp it, I think there really needs to be a broader

engagement with the ICANN community before data privacy impact assessment and the scenarios are submitted. That's my concern just from an ICANN transparency provision under the bylaws.

I guess my question to you is, can you come back and say, yes, ICANN will reach out and will hold a public comment or a full public comment period in connection with the bylaws before this is submitted, or is this good enough and we'll just wait to see after the fact? That's my concern.

BRIAN GUTTERMAN: Fair points, Michael. I think May is happy to jump in and maybe say a little bit in response to what you've asked.

AMY BIVINS: I've been sitting on the call and listening to the discussion today. And obviously, ICANN org understands that the community is very interested in the work that we are planning to do and are doing already concerning assessing data protection impacts around steps that can be taken related to registration data accuracy.

We're in kind of a tricky space, where some of the assessment or all of the assessment that we'll be doing is related specifically to ICANN's processing of personal data. So the assessment will have a lot of privileged and confidential information in it. We haven't discussed specifically what could be shared with the community in the assessment, but we want to maintain an open dialogue and specifically around the scenarios, but we haven't discussed in detail what can be shared at this point.

MICHAEL PALAGE: I guess my question as a domain name registrant who you have access to my data, as someone who is an ICANN participant, and you have access to my data as part of ICANN systems, at what point in time do individual ICANN participants and domain name holders have the right to know how ICANN is processing their data?

AMY BIVINS: From a GDPR perspective, data subjects have the right to ask ICANN for that information anytime. ICANN has a data subject request process that can be followed if any particular data subject has questions about how their data is being processed by ICANN.

MICHAEL PALAGE: So you're not claiming confidentiality over that?

AMY BIVINS: There are requirements under the GDPR for parties to respond and consider requests from data subjects.

MICHAEL PALAGE: All right, tell Dan I'm filing a [DPIA.] So just give him a heads up on that.

AMY BIVINS: Just to be clear, though, I do want to clarify that the proper process for requesting that information wouldn't be under the document disclosure or whatever the acronym is for, but a DIDP. It would be under the data subject rights request process which the requests would go to privacy@icann.org

MICHAEL PALAGE: And I'll still do a [DPIA,] but I will use both channels. Thank you, Amy. Marika, do you want to go through some of the additional comments? I think we've addressed all the high level, I think the key now is just to drill down through the specific scenarios to see if there are any other feedbacks or comments from participants. And I'm probably going to be transitioning over to Olga. So if you want to start driving on that, Marika.

MARIKA KONINGS: Thanks, Michael. So I think that the questions that were put in here by Lori, I think they have been addressed by the feedback has been provided by Elena and Amy. if not more, please feel free to of course raise your hand.

I think there were a couple of additional comments that were provided, or suggestions for scenarios. And I don't know if it's helpful to talk to these. I know that I think both Elena and Amy have seen these. So I don't know if those that have provided that the scenarios want to introduce those or if there any further questions on those.

I think the first new one here, if I'm not mistaken, I think these we covered already in the last week, I think Susan has added her

input on the different scenarios. And then we have Melina who provided some input. And I actually think that Alan also provided some additional input. I think that's what's found here. So I don't know if Alan is ready. ALan is still with us. So I think you are the first one that provided us some new comments here. So I don't know if you want to speak to those or take questions.

ALAN GREENBERG: Yep. Thank you. I'm expecting someone at my door any moment. So I may have to leave quickly. I tried to expand on my original comments, and there's my call. But let me just very briefly say I tried to add some more flavor to what I was saying. Originally, I had been very specific and targeted. And I realized afterwards that there were more generalized things we could do.

I tried to describe them in my additional notes, that basically we could be asking not only about the ARS, but by other forms of looking for accuracy, or measuring accuracy in both in both the ARS type request or the targeted registrar one. And I did that very late last night. And I'm happy to try to elaborate and give some more examples.

The one point I'll make, though, is that if we're going to ask questions about other types of accuracy, that's the kind of thing that we should be discussing here. And I'm not sure if Steve Crocker is on this call. But it's the kind of thing that he's been mentioning a number of times of maybe we want to look past what the 2013 RAA says and look at other scenarios that we might want to be looking at. With that, I'm going to have to leave now. But I will try to flesh this out more on the Google Doc. Thank you.

MARIKA KONINGS: Thanks, Alan. Olga, I don't know if you want to take over the queue, or would you like me to go through the next common here?

OLGA CAVALLI: Hello, yes. Let me check the agenda. We have hands up in the queue, or no more comments requested?

MARIKA KONINGS: No, but we still have a couple of comments that were provided here that people may want to speak to.

OLGA CAVALLI: Go ahead, please.

MARIKA KONINGS: Alan introduced his and I think the next one is some input that Susan provided. So Susan, I don't know if you want to speak to those.

SUSAN KAWAGUCHI: I agree with Alan and ALAC on scenario one doesn't seem very fruitful. And I'm not sure that it would be worth the time just to look at you know, redacted who is records or registrar and data? Though that's a very interesting scenario outside of accuracy, just to see how many different ways the data is redacted, but I don't think that applies to us.

Scenario two, I think would be very worthwhile, especially if we aimed at or targeted for example phishing or malware abusive domains, and we have a lot of lists in the internet world that identify those domains used for phishing and malware, and it would be interesting to target those. That would give us a little bit more of a reason to see the data, in my opinion. And so DNS abuse in general, if we targeted that, I thought that would be interesting. And maybe I'm not a lawyer, and I have not been part of this debate, really, but serve a purpose that's legitimate. We agree there's no objection to scenario three. And scenario four, we also agree with.

OLGA CAVALLI: Thanks. Do you see other comments, Marika, that we can point to?

MARIKA KONINGS: No, I don't see any hands. The next submission was from—and I think that's also the last one that we received—was from Melina.

MELINA STROUGI: Yes. Hi. The comments are really short, but I'm happy to further explain orally. As [inaudible] comment, just to try to get maximum results, we have to be—again, it's the same argument about specificity, we have to be as specific as possible, because from the side of the Data Protection Authority, they will need to know when, if, how, by whom all these kind of questions about data being processed and the specific circumstances in order to get a meaningful and targeted reply.

So vague questions would most likely get vague answers, or not even answers at all. So to be more specific, regarding scenario one, as a lot of colleagues also said, we don't see the merit of asking the question on the publicly available data, in the sense that first, there are not any personal data publicly available. So there's no relevant with what [EDPB] does on personal data, and also, there's not a lot of data available in general. So a lot of data have been redacted. So the merit of the scenario seems really limited if nonexistent, so we would propose to strike scenario one so that we really focus the energy on question that could make a difference.

So scenario two, and scenario three, in that sense, are quite, perhaps similar the way I understand them, but they need to be phrased in a more specific way. So basically, as the current situation is that a lot of data have been redacted, the real question is if ICANN has a legitimate interest to access data that are not publicly available? That's the real question. So any scenario has to evolve around this.

And for instance, it has to be the given specifics, for example, does ICANN have a legitimate interest to access nonpublic personal data following a complaint or when there is a suspicion of abuse or during a proactive periodic audit, for example. So it needs to be really phrased in setting a specific context or even adding, like in light of ICANN's mission to do this and that, does the board believe that ICANN has a legitimate interest to do periodic audits in this data set? And then really explain in a footnote, what is the exact data set? It is explained in the background information, but it has to be clear and easy for the

board to understand the full context and conditions when replying to these questions. So really two and three, we do see some merit there, but they need to be phrased in a more, as I said, specific way.

And then scenario four, we really don't understand, again, what is the relevance of the scenario here because the survey, we understand, that aims at getting information about the verification procedures that registrars have in place, but they're not going to get any data, any personal data during the survey, so we don't see the relevance of asking the question to the board here, or the relevance of ICANN having legitimate interest. The survey does not concern any data. It's about getting information about the procedures. So again, we think this could be striked out.

But I will stop here and see if there are any questions. I'm sorry. Yes, exactly. To reply to your question, indeed, I mean, this is what I mean, like you should specify what data, because the Board maybe doesn't know all the contracts so well. And you have to specify what kind of data and what kind of personal data you're talking about to make sure that the board understands that, for example, there are no sensitive data, or there's [inaudible] consideration of the board have to take into account. So explain what is the exact data set and what data they include, what is the setting, what is ICANN's mission under which scenarios, abuse, complaint, audit, like really have everything cleared out. Thanks.

OLGA CAVALLI: Thank you very much. Brian, go ahead.

BRIAN GUTTERMAN: hank you, Olga. And I'm also watching the chat, but first off, Melina, thank you so much for the comments and for taking the time just now to sort of walk through it.

Again, I think we're on the same page. And I'll take some blame maybe for not being clear in in my initial email to this group that forms the basis of this document. What we had there, the four scenarios, basically one line each, these are just hypotheticals, and I think it was meant to sort of kickstart this discussion that we're having now.

So I think what Elena and Amy have reiterated is that we are doing our homework, we will be specific, we are thinking through all the points that you are all making collectively here. And this will absolutely inform the scenarios that are ultimately sent along. So thank you for that. And I hope again this kind of clears the air and also touches upon some of the Lori's comments that were in the document before that were spot on about being more specific.

And I hope we've talked a little bit today about what we hope we can share, understanding that some of the things that we are doing behind the scenes might be privileged and confidential, but we are absolutely working in good faith with this group, with the rest of the community, like Michael has rightly emphasized before, about doing our best to get this right, understanding that we don't know what we're going to get back. But we are collectively going to put our best foot forward. So I hope we can all sort of agree on that. So the granularity, the specificity, that will all be hashed out with input from this group. So maybe I can pass to Lori who might

have a comment on this or something else. But thank you, Melina, for all the feedback.

OLGA CAVALLI: Thank you, Brian. Lori, the floor is yours.

LORI SCHULMAN: Thank you, Brian, you have addressed some of the concerns and answered my question. But again, not to overemphasize the importance of specificity. But also, even with the scenarios themselves, when I commented for the IPC, I didn't comment, per scenario. But ICANN certainly go back into the document and do that. I wanted to make sure I made the deadline by today. And so I didn't look at each specific scenario, just the overall concept of the paper, which is the point of my high-level comment.

But it seems like from where people are going on this, that we agree that scenario one wouldn't necessarily be helpful to any information that we might be looking at some inaccuracy perspective. If that were the case, I would propose to eliminate scenario one and keep the scenarios limited as well, so also not overwhelm the board to keep the suggestions focused, since we do expect there will be a lot of detail in the questions we ask. So if we could eliminate some of the scenarios—and I proposed one, again, just based on what we've heard today. I think that also could go a long way to help you drafting because then you don't have to worry about that one and you can focus more on some others.

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OLGA CAVALLI: Thank you very much, Lori. Any other comments we have to review, Marika, from the document?

MARIKA KONINGS: No, I think we've covered all the input that was received. I think the remaining question is and it was something that I think Michael asked at the outset of the meeting, what, if anything, further does the group want to do? Is there a desire to try and translate this input into the form of a letter? Or having Amy and Elena on the call, both of them have reviewed this input. And of course, Brian is here as well to take anything further that may come in back to them. Is that sufficient at this point?

So I think that's the question. Is there anything more that the group thinks is necessary? I think some have indicated that they may want to provide further details. And, of course, I think, as my colleagues have indicated, there is an open dialogue here. But can we at least, from the group's perspective—is this the end of the conversation, at least for now? Or is there anything further add that needs to happen?

OLGA CAVALLI: Thank you, Marika. There is a comment from Sarah in the chat. I thought ICANN was going to turn into a letter. She thinks that we have been discussing that. Can we clarify that somehow? And we have a hand up from Beth. The floor is yours.

BETH BACON: Thanks, Olga. And thanks for taking over for Michael today. So I think I have maybe the same question as Sarah. I appreciate everyone's input. And I'm glad we've had this conversation and closed out the consideration of comments on this section, because everyone took a lot of precious time to put it in there. But my thought was that we're complete and that this feedback is complete and ICANN use it to inform what they're going to do on the scenarios and their letter. But I didn't think that we had any more action here. It may just be that I'm confused.

OLGA CAVALLI: Thank you, Beth. I have a hand up from Brian. And there's a comment from Marika in the chat. Marika says to clarify, the letter that Michael referred to was to communicate the scoping team's input to ICANN Org to formalize the scoping team's input. Thank you, Marika, for the comment. And, Brian, the floor is yours.

BRIAN GUTTERMAN: Yeah, just quickly to sort of answer Sarah's questions in the chat. Yes, you are, right. The email that I sent was a vehicle to try and encourage feedback from the group, which you've all done. So we thank you for that. But of course, yes, in terms of ultimately communicating the scenarios, the specificity of that, whatever we're going to send later on after this communication, another letter, separate communication, informing the EC that we are intending to undertake this work, and hopefully with their help. So I guess we're talking about two different letters, but then the scenario work, we will be, of course, holding the pen there and drafting that. That's what we are doing using this feedback. So

hope we're good there. And then I think what Marika was talking about was sort of another question for this group, specifically about what we're seeing here. Does the group want to formalize this in any way to sort of send back to me and to Elena and to May to sort of put a bow on it? Hope that helps.

OLGA CAVALLI: Thank you very much, Brian. I have Beth again. The floor is yours.

BETH BACON. Thank you. So I think that we the registries and I personally have mentioned that we don't necessarily think that formal input to ICANN is necessary. This is a lot of work, ICANN has access to this, you guys have been involved as we've talked about it. And it can inform your work that you do on the scenarios. And I think that was kind of the purpose of this, is to give you all the perspectives to let you know what we think is relevant to the scope of our work.

But then I still believe that it's ICANN's work to do to develop those scenarios and that work there. So I believe this is shared and I see Lori in the comment. I like that. Let's not over process this. I think we're done. [ICANN can see it.] Please go forth and use it as you like. And I think that kind of checks two boxes for us. So my preference is to just draw a line. Thanks.

OLGA CAVALLI: Thank you, Beth. Marika, your hand is up.

MARIKA KONINGS: Thank you. And just to confirm, I get an alert whenever anyone adds anything to this document. So if anything further comes in, I'll make sure as well that this gets flagged to Brian and Amy and Elena so they can look at that.

So in that case, it's not just because someone said something late, it doesn't get seen. So I can make that commitment as well. But of course, any input, the sooner, the better, because as you've heard, they're all working on this. So again, if there's further detail that people want to provide, please do that as soon as possible.

OLGA CAVALLI: Thank you very much Marika. I have Lori and there are many comments in the chat. Maybe I could go to them after Lori. Lori, the floor is yours.

LORI SCHULMAN: Thank you. And thank you, Olga, to you for taking over in the middle. That's not so easy. So much appreciated. I just wanted to go back to my point about eliminating scenario one. If there's consensus that scenario one isn't helpful to the group, I don't see why any more time should be spent on it. And if we're not sure about the others, then ICANN do its thing and move along. I just was hoping maybe we could add a little efficiency. That would be my only sort of tie up with a bow suggestion, because it seems like what we've heard across the board is scenario one is not something likely to yield a result that we would find useful.

OLGA CAVALLI:	Thank you very much, Lori. Some comments in the chat from Scott. Maybe important to mention. [ICANN's role and concern on privacy of registrant state unique or have any other registry managers such as ccTLDs contacted the EDPB for similar guidance or opinion on collection and use of domain name registrant data in light of GDPR. Have any ccTLD requested consideration of their processing or access to registrant data for registries they manage or oversee?]
	Answering Scott, some ccTLDs have had exchanges with their lead, national DPA on issues related to registration data processing. I have not seen anything related to accuracy. Thank you for that. Scott, your hand is up. Thank you.
SCOTT AUSTIN.	Thank you, Olga, and I concur with Lori. I have spoken with Lori on this. And I did not contribute much at this point, because I just feel I'm somewhat at a loss in terms of where we fit our comments into this. But especially dealing with the EDPB, I just think we have to be very careful in terms of what we say we want to encourage at the dialogue. And yet, as a rights holder representative, we still are in a very difficult situation with just an incredible rise in phishing and an incredible rise in abusive domains that was highlighted in the recent EU report, which I highly recommend. And I think there's some statistical evidence there that's very useful for this group. And frankly, probably could be used in the communications. And I'm sure it's been read by the folks there.

But the reason I raised this question was I've seen some remarkable work done by some of the ccTLDs in terms of reducing specifically rights holder issues. And although—and I greatly appreciate Elena's response, that's the whole reason I asked the question, if there are some examples of communications and dialogue that has gone back and forth, I don't know if any of that is public. But it would be useful just to even see the types of questions being asked, the way that they're being asked, because that's why I just felt very much at a loss in how to respond or how to give a meaningful response. And I'm thankful that Lori did come up with, I think, some very good suggestions.

I also appreciate Susan's comments and Alan's comments. And I feel very similar. Obviously, I support what Lori has said with regard to the scenarios. Anyway, if there's any way that we get some hands-on communication with ccTLDs, because to me, there is a somewhat of an analogue, they're obviously not operating on a geographic basis, the way ICANN is, global. But by the same token, I think that that will be very useful. Thank you.

OLGA CAVALLI: Thank you very much, Scott. Elana, your hand is up.

ELENA PLEXIDA: Thank you, Scott, for this question. And you are very much right, they don't operate at the same global level of ccTLDs. And that makes a whole huge difference in the way they interact with data protection authorities. I know of interactions that .cat had for example with the Spanish Data Protection Authority, where they

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were testing with the Spanish data protection authority whether they can put in place a system whereby the email of a legal person could be published with consent or not consent, okay, but that's only .cat.

Then the European Data Protection Board told us something different than what the Spanish Data Protection Authority told .cat. I've seen some other interactions between the Danish ccTLD and the authority there. Again, they're in a very special situation, because they have a law that allows them to publish all registration data.

We can dig out some of these exchanges. Actually, early on in this process, we had the same question as you just very rightfully raised now, look at European ccTLDs. European in particular, because they've been there before, and see what sort of interactions they had. They have had some, but they're very different and very specific to their situations. And they have a very easy exchange with the data protection authorities or none at all. One of the two. Thank you.

OLGA CAVALLI: Thank you very much, Elena. Any other comments, hands up? I see none. Any other general comments about the document that we can share?

MARIKA KONINGS: No, I think we're clear that there's no need to further translate this into a letter or formal input. And as said, we can keep an eye if anything further comes in and flag to our colleagues who have

committed to keeping an open dialogue on this. I'm sure we'll hear further about this in the near future.

OLGA CAVALLI: Thank you very much. Can you help me show the agenda and which is the next point, which is number three, right? writeup for Section 2.1.2, measurements of whether current goals are met. Do we have a document to review?

MARIKA KONINGS: Yes, we do. I'm putting it up on the screen. And maybe a brief introduction about this. As you may recall, we initially shared the writeup for assignments one and two, but there was a placeholder in there that dealt with the measurement of whether current goals are met, as we're still having the conversation around in what ways can accuracy be measured. And of course the conversation we just had is one part of that. But also a number of other proposals that were considered and discussed by the group. So that is what is captured in this section, which basically would get integrated into the writeup for assignments one and two.

I think we shared this already over two weeks ago, and people have, I think, reviewed it. And there are I think some minor edits that have been made, more editorial. I think there was one specific suggestion as well, and I'll go there first, for flagging potential incentives. And I think that is a conversation that the group did have as part of its conversation on the registrar survey.

So our suggestion here is to flag that as something to be considered as part of the survey. But I think where the group may

want to focus on is there are two specific recommendations here in this document. As said, I think on the first one, we did not receive any comments or concerns that's about the registrar survey.

But the second one basically suggests that there might be a need to pause the work until such time it is sufficiently clear whether proposals that require access to registration data are a viable path to assess the current state of accuracy.

And I think Melina already referred to the GAC's view here that they are not supportive of pausing the work. But I think the question is, how could assignment three start without that ability to measure accuracy? So I think it would be helpful to have a conversation probably around that if the group thinks it can continue, at least from a staff perspective, we would be interested to hear how that would work. Because again, I think the way that assignments are structured is that at the end of assignment two, there would be kind of have an idea on how data can be obtained, and then how accuracy can be assessed so that then can inform assignments three and four. And as said, although we may get some data through the registrar survey, there are of course limitations to that.

So I think that is at least the main input I've seen that has come in. And of course, if we've missed anything or anything people have certain thoughts on the comment, and of course, if Melina wants to speak to the GAC comment here, that might be helpful.

OLGA CAVALLI:	Thank you very much, Marika, for the introduction. I see a hand up from Beth. The floor is yours.
BETH BACON:	Thank you. I just wanted to apologize. This is a big mea culpa from the contracted parties. We were working on our comments and we made a copy of this because we were just going back and forth. And we have forgotten to put them into, Marika, your beautiful document. So we do have comments and we can put them in after this call and maybe tomorrow, but I do apologize. We had some questions or comments. But we just forgot to put them in here. And I just noticed as you were scrolling, so we apologize.
OLGA CAVALLI:	No problem. Thank you for mentioning that. And we have the comments from Melina from the GAC. Melina, I don't want to put you on the spot. Just to mention that we are showing that on the screen. Any other comments, questions, inputs to this document? Lori says that she agrees with Marika, not sure how we don't pause without answers about the tools we propose. Thank you for the comment, Lori. Lori, your hand is up. Go ahead.
LORI SCHULMAN:	Yeah, I'm going to re ask my question to the group, maybe even to Melina herself. I know that you said that you felt value in pursuing the work. But I am a little gun shy that if we go down these roads and scope out possible tools, and they're not in compliance with GDPR per a board decision, I'm a little worried about wasting time. I don't know how else to say it. And I don't want to do that.

Everybody's time is precious. And on pause, we could do other work.

But on the same token, I do believe if we'd go on pause—and we went on pause in the rights protection mechanism review and the pause ended up being almost two years. So I certainly don't want to risk that either. So what constructively could we do if we didn't pause? Like I'm open to not pausing. I just don't know what we would do that would be constructive.

OLGA CAVALLI: Thank you, Lori. Any reactions, comments to Lori's comment, question? Melina, the floor is yours.

MELINA STROUNGI: I understand Lori's point. I mean, the way I see this is a bit different. I mean, okay. Of course, the replies to these questions are relevant and may help with one of the solutions to measure accuracy. But it's not the only one. I mean they're also self-audits and the ability of registrars themselves to assess accuracy and assignment three is about evaluating the efficiency of the current requirements.

So there are also other questions to be to be answered. Not everything is linked to this particular outcome. And because precisely, we can't know how much time it will take until we get any feedback, and if this feedback will be useful, if it will be meaningful, if it will really help us, if the answers will be specific enough. We're just a bit worried that pausing it might delay things

even further. But that's it. I mean, if the group feels like that, we're not going to insist, but this is the general feeling. Thanks.

OLGA CAVALLI: Lori, go ahead.

LORI SCHULMAN: What I think I'm hearing is—because I want to understand this—is, do you think that really, it would then be incumbent upon us to talk about voluntary practices in terms of testing accuracy? Is that where you're heading, Melina? I just want to be clear, because without a contractual compliance angle to this, then we're talking about voluntary measures. And if that's what you're thinking about, I think it's certainly something to discuss. But I wanted to understand.

MELINA STROUNGI: This is not what I suggested. Indeed, there are some issues in general with voluntary systems. For instance, in particular, for the survey, the voluntary survey, that's another point that I wanted to make before and forgot. We don't see a lot of added value in having such a survey, for example, voluntary. I think it would make sense if it was made mandatory. Because what if we put all this effort in the questions in the survey? And you get in the end only one reply or none, keeping things—I mean, of course, it's good to discuss about voluntary schemes, but they may not necessarily help. Sort of the way I understand it is—but maybe I'm wrong. And please correct me.

I mean, for the audit, it could be more even intrusive or even—and that's the question that we are asking also to the board, for example, if ICANN would have access to the data themselves, but the survey would be about not the data but about the procedures that are currently in place. So in my view, in my head, at least, it's less intrusive, I would say, just to get to understand what procedures there exist currently, but not getting access to the data themselves. That's two different things, at least in my head. So yes, I will just stop here. Thanks.

OLGA CAVALLI: Thank you, Milena. Marika, your hand is up.

MARIKA KONINGS: Yeah, thanks, Olga. Yeah, just wanted to note that even though, of course, we talk about pausing I think overall scoping team's work, there is a recommendation here that kind of recommends moving forward with the registrar survey, as the group has discussed. So that obviously might include some work or some consultation with the group. But it would be more on an ad hoc basis, as it will be something that ICANN work will be requested to roll out based on the guidance that the group has provided.

And there are already conversations as well, I think, about audit as a potential alternative, but based on the conversations, the group at least seems to have discarded that idea for now, or didn't really see the value in pushing on that. Of course, if that opinion has changed, it is something that the group can reconsider and I think we documented the conversation in the proposal document.

And similarly, I think for the survey, there have been conversations as well around the incentives that could be pursued. I don't know or I'm not sure. And maybe the group can think about—I'm not sure how you could require something like that. I don't think there's any contractual obligations that ICANN could use to force registrars to respond.

But again, if people have specific ideas or thoughts about that, it would be helpful. Some of this was also discussed as part of the proposal conversation. So this is what the document at the moment looks like. if people have alternative suggestions or ideas, I think it'd be really helpful to put those in writing and bring those back to the group.

I think as we've indicated previously, and it's also been communicated to the Council, the idea is to finalize this document very soon, so it can be submitted to the Council shortly after ICANN 74. So again, if there are any specific recommendations that the group wants to put forward, or modifications to these— and I think these will need to come in as soon as possible so that the group can review those at the latest during ICANN 74 because I think we're somewhat running out of time here.

OLGA CAVALLI: Thank you very much, Marika. Any other comments? There are some comments in the chat from Sarah and Lori. I don't know if you want to speak up about them or we move to the last point in the agenda. I see no hands. So maybe Marika, we can go to the agenda again, please. Thank you so much. So I have point four,

for write up for assignment number one, and number two, and there is a document also to review. Marika, your hand is up.

MARIKA KONINGS: Yes, I know that we're basically getting at the end of the call. So maybe it's easier to just speak to what at least I think we've done from the staff side. And we haven't shared it with the group. We hoped to share after this call.

So basically what we've done, we've gone through the comments that have been provided to date. There are a couple of items where we have disagreement, where some say we want to do this, and others say, no, we don't agree.

So what we've done is gone through the documents, and basically made that support team suggestions for how to proceed, to kind of try to resolve these issues. And in certain cases, that just means leaving the status quo, the language as is. Certain cases, I think there is already kind of a compromise that has been suggested.

But again, I think what we're trying to call out for each of the remaining items, a possible way to deal with that. And so our suggestion would be to share that document with the group after this call. We basically highlight—and I think the easiest might be—either we can share it as a Word document, or we can introduce it in the current version of the writeup and basically highlight in there, basically our proposed approach.

And I think we would like to ask the group to basically review that and see, is there anything in the approach that we're proposing that you cannot live with, because I think we are getting to the

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stage where there are certain things that we can maybe discuss for many more meetings, but still not get to a point where we can find that middle ground or alternative approach. I think what we're trying to do is really try to wrap up some of those outstanding items with a proposed path forward.

But of course, if your group cannot live with what we're suggesting, please flag that. And then we can maybe consider if there's another way of dealing with it. And as said, it would be really helpful both on the document that we just discussed, as well as this one, to get those kind of obvious specific suggestions or kind of red flags we cannot live with in time for next week's meeting. Because as indicated, we really would like to get to a near final version of the write up so that we can use the ICANN 74 session for anything that's still outstanding and might benefit from face-to-face interaction and resolution. So that will be staff team's suggestion. Of course, if anyone has any concerns about this or other ideas on how to approach those remaining outstanding items, of course, happy to hear that.

OLGA CAVALLI: Thank you very much. So this is work for the group to review the document. Scott, the floor is yours.

SCOTT AUSTIN: Thank you. I was just trying to enter something in the chat and I can't seem to be able to do it. Is there any kind of [inaudible]?

OLGA CAVALLI: Sorry, I couldn't hear you very well.

SCOTT AUSTIN: I'm sorry. I was trying to enter something else in the chat and I couldn't seem to do it. Is there any kind of—are we at the end of a time period where we no longer can do that?

OLGA CAVALLI: I think the chat is working. If you want to speak up and say it in loud ...

SCOTT AUSTIN: I was thinking Melina for her comment on the detailed analysis under those several ccTLD registry communications with EDPB. My point is, and I guess I said as a simple country lawyer, I'm looking for some precedents on how a judge would try to persuade rules, fines and things in the laws within the regulatory purview. I think that would be useful. And I recognize the distinctions that Melina raised with ccTLDs. But still, it's a registry dealing with the processor, collector, the various GDPR issues. And I think it'd be interesting to see what issues came up and if any of those are translatable or transferable to the ICANN scenario with WHOIS, with SSAD, etc.

OLGA CAVALLI: Thank you very much, Scott. Reactions, comments to Scott's questions? I see none. So point four—any other comments about

point four, or reactions to Scott's comments? I see none. And so we go to the final point of the agenda, which is action items.

Our next meeting, Thursday 9th of June. Marika, any comments about next meeting and the ICANN 74 and others? Oh, finally we got your comment in the chat, Scott. I can see it now.

MARIKA KONINGS: Thanks, Olga. And just to note, I think Scott is referring to Elena and not Melina, as I think Elena commented on [inaudible]. Yeah, so we have a meeting next week. I know maybe just before some will start their travel. We really hope to kind of get through some of the outstanding issues that are still in the write up. And I think we will also have a conversation around how to approach the meeting at ICANN 74, or a part of that will be dedicated to briefing the community on where things stand and we hope as well to be able to finalize there the report or the writeup so it can be submitted to the Council shortly after ICANN 74. That's at least the current thinking.

OLGA CAVALLI: Thank you very much Marika. I see comments from Sarah in the chat. I don't know, Sarah, if you want to comment about that. If not, any other hands up, comments, questions? I see none. So we'll give you three minutes of the time to you. And thank you all for your participation and for having me as chair, and wish you a good rest of the day and the week. Let's keep in touch. Bye.

TERRI AGNEW: Thank you everyone. Once again, the meeting has been adjourned. I will stop recordings and disconnect all remaining lines stay well. Oh

[END OF TRANSCRIPTION]