
SAN JUAN – GAC: PSWG Update
Sunday, March 11, 2018 – 11:30 to 12:00 AST
ICANN61 | San Juan, Puerto Rico

GHISLAIN DE SALINS: So we are about to start agenda item 11 which is big so it's our GAC Working Group on public safety which is scheduled 11:30 so we are almost on time for 30 minutes. So we can start the recording now. So welcome Cathrin. Welcome Laureen, very good to have you with us in the GAC and we know that the work PSWG is very important. We are very happy with all the input and the expertise and various issues including something called GDPR but we will talk about that later. So giving the floor to you.

CATHRIN BAUER BULST: Thank you so much. Thank you for your kind words and thank you GAC members. I notice the beautiful weather and admire your stamina even more your in this room. So thanks for listening to us. We have a couple of updates we want to run you through. Laureen and I and also a few other colleagues will join us up here in a minute. Because there was a lot of points and we are trying to keep up with the schedule, we want to cover 6 months briefly with you. News on the co chair situation, as you know I'm currently the only co chair. PSWG work plan. And update and the inter sessional meeting in brussels a few weeks

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ago. A brief update on the efforts of the Public Safety Working Group and abuse mitigation. And on the privacy proxy service as accreditation work and finally we just want to touch upon the issue that GHISLAIN mentioned. The job we are tackling jointly. So we are moving into the slides. Next slide please. So as you are aware since our founding chair from the African union commission stepped down quite a while ago I've been the only co chair and have much explained how I'm the only co chair for a while. Of course we had to fix that situation and as you may remember at the last GAC meeting we shared with our our proposed selection criteria for a new co chair of the GAC Public Safety Working Group which a number of you commented on and for which we received endorsements. Now based on those criteria we have tried to identify or we've asked for volunteers to step forward to fulfill the criteria and I was happy when Lauren Kapin from the federal trade commission stepped forward she has made extraordinary contributions to the work of the GAC. Not the least in very ably representing the GAC on the consumer trust consumer choice and competition working group and review team where she led one of the team's drafting the reports and recommendations which are fundamental importance for the subsequent rounds. And she's been leading efforts on the very complex issue of the GPR and who is so appointing her as co chair simply is sort of serves to fish lies the unofficial leadership role she's opinion fulfilling for a while. She's received

endorsement from the GAC Public Safety Working Group and I'm very glad to welcome here and work along side her as fellow co chairs. So that's our first very happy news. Thank you Lauren for volunteering. We very much looking forward to to having you as the co lead. An update and the intersessional meeting Public Safety Working Group held with European law enforcement. Representatives in the Brussels a few weeks ago it was a very successful meeting with more than 60 participants including experts from law enforcement from 25 of the European Union member states and 3 associated countries, and also my colleagues from the data protection side of the European commission. And we basically did a sort of impact assessment of what the interim compliance models that ICANN has put forward would mean for law enforcement, and how those could be implemented in such a way as to not negatively impact the necessary possibilities for law enforcement, to access information for their investigations. We also updated the group on our efforts on common system use mitigation and we had an opportunity to discuss the Public Safety Working Group work plan and outreach efforts to make sure that also for those stakeholders who cannot regularly travel to meetings, but who have important points in the game that there is a good way to participate in our work, and to provide input at key junctures. So that we have representative input from all the various countries. And there were some very good ideas raised in that

meeting. Now in terms of outcomes from that meeting we have 2 concrete products. First of all we identified a number of specific needs for law enforcement access to the HWIZ that can serve as a base I to guide our efforts in making sure that the interim model first of all and then the more permanent efforts on the redesign of the policy match public security needs when it comes to law enforcement access. And then secondly we updated the public safety working group work plan with concrete proposals on how we can better co operate with law enforcement practitioners especially also from outside the usual ICANN meeting participation. And then moving on to the next point on our agenda, next slide please. We have the Public Safety Working Group work plan which Laureen will present to us please.

LAUREEN KAPIN:

And this was in your briefing materials, so I'm not going to go over it in elaborate detail. I will commend it for your reading pleasure, and what I'll do now is I will just give you some of the big buckets of activities that we are going to be focussing on. So we've had sessions and discussed or in many previous meetings abuse and cyber crime mitigation capabilities is a priority for us and we are happy to note that ICANN has several work streams and initiatives currently that are really working on so gathering data regarding DNS abuse and making that public for the

community, and it's our hope that additional information will help drive policy efforts that the policy efforts will actually be informed by that information about where the hot spots are in terms of DNS abuse. In terms of repeat offenders, and in terms of effective steps to take to combat those bad behaviors. So that's one of our continuing priorities and it's in our work plan. Regarding the topic that is very much in ICANN news these days, the who is, and the next generation registry directory services, that is another priority for us. It's very vital that we ensure that this information which is so key to protect the public by law enforcement and by private actors working on security and preventing cyber crime to continue to make sure that this information is maintained and available, and also fully complies of course with applicable laws including the GDPR so we want to continue that access. Accuracy is always an issue, and, in fact, the GDPR has obligations regarding data accuracy so that is also something on our radar screen. Third bucket is to make sure that we ourselves, as the public safety working group, are effective and resilient, and in that regard we are constantly working on self improvement, dedicated to the or the of self improvement, and we welcome your feedback and in particular we are trying to recruit people to take ownership and leadership on various issues that, that are priorities for us, so you don't always hear from the same people on the same issues, and when we are out of commission. The PSWG isn't in commission

because we have a deep bench and we are working ongoing recruiting people and indeed our recent meeting in Brussels was very reassuring because we had over 60 participants and it shows us that there's a lot of interest and commitment out there and we just need to make sure people have an effective way to participate separate and apart from coming to these meetings which have been very resource intensive and expensive. And finally a related point for 4 is to continue to expand our membership in the public safety working group, and also, ICANN is a multistakeholder organization so we want to make sure that we actually are very mindful of reaching out to the different stakeholder groups in the community, and having a dialogue to figure out where we may have differences, and if there were paths for common ground and ways to resolve those differentials so that is also our priority. So that's just a brief overview of the big picture issues in our work plan. And again the whole nitty gritty longer chapters of that is in your briefing materials and we are happy to discuss it with you face to face, or answer any questions about that.

CATHRIN BAUER BULST: Thank you Laureen, and one key opportunity for that will of course be at the Public Safety Working Group meeting on Tuesday morning where you can provide further input but of course we also welcome your comments, if any, via e mail or

stop any of us around the GAC when you have a chance. Now onto abuse mitigation, here in view of time I will just provide a very quick update, you have been following the work and the various cross community sessions that have taken place on DNS abuse reporting, Laureen has already highlighted that there are some very promising work coming out of that also on the ICANN organization side in the form of the abuse reporting tool. The DAR that will hopefully generate reliable and detailed information on abuse rates, on specific issues with abuse, and that can then enable feedback both to help evaluate existing policy, and their effectiveness and also to be able to design policies for any subsequent rounds that more effectively address abuse and one key aspect in that work has been the work of the competition consumer choice and consumer trust review team which has provided detailed recommendations also related to DNS abuse in its draft final report on which the GAC commented in detail. And another WorkStream related to that is on the is the ICANN consumer safeguards initiatives where we are working also with the consumer safeguards director to see what other opportunities exist to further improve the implementation of the existing policies, and make sure that DNS abuse is prevented as much as possible and where it appears as mitigated quickly and its effect on consumers and users of the domain name system is reduced and in one WorkStream that we expect to follow up on here also in the near future we have to

say that given on going work on the who is and GDPR this has taken a back seat the last couple of months but one WorkStream we want to pick up again was one you well OMD at the last ICANN meeting name literature idea of designing a set of abuse mitigation principles that would govern GAC policy input on measures for abuse mitigation that would set out for the community what the public policy expectations are in terms of effective action on abuse mitigation. And with that we can move to the 5th point which is the update on privacy proxy services and I'm not sure Peter is in the room and wants to provide an update on this. So I see him waving from the back. I guess that means he's in the room but doesn't want to provide an update on this, so what we. What we should focus on here is basically this is the implementation of the policy development process that had had concluded in January 2016, and the reason that implementation has been taking a long time is that also in the GAC there were a number of concerns related to the outcome of that policy development process, namely as concerns the use of privacy proxy services by commercial entities in particular so should a commercial entity that offers services for a transactions on line be able to benefit from privacy and proxy services? Or should that entity be forced to have its name publicly available? That was one issue that the GAC raised and the second issue related to law enforcement access to that data. If an individual uses privacy and proxy services, how can law enforcement

discover who is behind a given domain and behind the privacy and proxy service? And those issues have been discussed in detail during the implementation team, and one of the remaining open issues that we are currently looking at in that WorkStream is a disclosure frame for law enforcement access and the main striking point here is whether or not there is a possibility to provide for an emergency procedure by which law enforcement can have access to privacy and proxy services data within a 24 hour period. So if there was this is an urgent need, for example, because there is a danger to life and limb who identify who is mind a domain name and the name of the registrant is shielded by a privacy and proxy service. Does that privacy and proxy service have to provide a response within a 24 hour time frame? And that is still a contentious issue. We are having another meeting here to try and make headway on that point and if that is closed we can advance. There is a detailed draft accreditation agreement in place and you can see the time line on the slide, so there should be the launch in the imminent launch after public comment period where all participants in the community can weigh in again on the work of the implementation team, and then hopefully in August the finalized program would be announced in good time for implementation before the current interim arrangements run out. So that's where we stand on this issue. And then to round out our update. We have the GDPR who is our favorite topic of the moment

which we very much appreciate the strong leadership of Ghislain because it is a key issue and we want to thank you all for active participation in the recent very last minute phone calls. I think it really speaks to the capabilities of the GAC that the GAC was able to provide detailed comments on a document within one week from its publication. Namely the proposed interim model so that is something that's I think we can all be proud of and that shows that this issue is not just important to the GAC but that the GAC is able to come to a common position in such a short amount of time when it is important. So you won't be surprised to see that the GAC the GDPR issue continues to dominate the agenda and this committee meeting. We have highlighted a number of sessions for you where this will be discussed starting with the cross community session tomorrow where the whole of the community is invited to discuss the interim model at the GAC and the business community have taken the leadership in organizing that session. We expect that it will also come up at the public forum and then there's a number of other sessions of which we just want to highlight 3 in particular. On Tuesday there will be a possibility for us in the morning to discuss a GDPR issue following the public session and the cross community session and to review in detail the proposed compliance models. And then at the end of day on Tuesday there will be the GAC meeting with the ICANN Board at which we might want to flag certain points where the especially the more detailed reasoning

that ICANN put out on the same day we submitted comments where that does not quite fit with the comments or where we would see further need for, elaboration and we will share these slides with you and invite you to see to what extent you or a member of your delegation with attend the meeting to gauge where the community stands on this issue. And in particular we think that in view of the fact that the model will need to be implemented the final decision on this must be imminent so this week really is crucial from the point of view of providing the last input from the public policy side on how the interim model can be fine tuned, and how we can deal in particular with the interim period before a fleshed out accreditation system developed but we will have more opportunities to get into this and I will just looking to Laureen to see whether you would like to add any points on this.

LAUREEN KAPIN: No, I think you've said it.

CATHRIN BAUER BULST: Okay. So that's concludes our very quick run through for our update. We didn't stop for questions in the between the different points, but we would very much invite your comments on any of those points now. And yes, thank you very much for

pulling up that agenda slide again so if there are no comments from among the GAC remembers I return the floor to Ghislain.

GHISLAIN DE SALINS: Thank you for this update. It's a great opportunity for us to glimpse into the wide range of activities and the intense work plan of Public Safety Working Group so thank you very much. We are happy to have Lauren as a co chair of PSWG so thank you very much for that, and for your involvement in the issue of GDPR compliance. We are going to open the floor. If you have questions or comments on on my list I have Norway. I have China, is there anybody else. Okay. So please Norway go forward and then China thank you.

NORWAY: Thank you. And thank you for the briefing on the ongoing PSWG work and I would like to comment on the importance of organizing as you said, a face to face meeting on public safety. Also outside of the ICANN meetings because I appreciate it and it gives a good opportunity for other parties other than GAC representatives as such to attend and be focussed especially on the public safety and abuse questions in there, and the DNS. So thank you very much for the effort you have done. Thank you.

CHINA: Thank you Ghislain. I would like to congratulate Laureen on your status as one of the co chairs of the working group. Really looking forward to your leadership in the following processes in the Working Group, and second, in terms of the work plan for PSWG I find this document is wonderful. It's we are all prepared document, but it would be good if perhaps you can include in this document your meeting plan, perhaps you are planning for some workshops or intersessional meetings between ICANN meetings so if you have the meeting plan, other GAC members can plan their trip in further before the time line.

LAUREEN KAPIN: Thank you. That's an excellent point. Our meetings have been somewhat ad hoc, and when I say that I mean that they haven't our intern intersessional meetings haven't occurred on a sessional time but what we have done and will continue to do is as soon as we have a plan for a meeting. We publish size that so that peek can participate, but I think your suggestion that we plan perhaps things a little more regularly for perhaps a regular intersessional meeting for example to occur at to occur periodically, that is an excellent suggestion which we will take on Board. So thank you.

GHISLAIN DE SALINS: Okay thank you. Is there any other delegation which wishes to take the floor SO to ask questions or make comments on the work of PSWG? Okay. I see none. Well, Cathrin and Lauren do you want to wrap up or make any more remarks? Okay well thank you very much for coming. Congratulations again and see you on Tuesday morning for the PSWG GAC session. Thank you so we are closing the agenda item number 11. PSWG activities update. To the GAC. The session is now adjourned. And we will move to the next session in a few minutes when the team technical team tells me it's okay.

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