

MINUTES	TUESDAY, 13 MARCH 2018	<b>15:15 – 18:30</b> <b>LOCAL TIME</b>	IN-PERSON MEETING
<b>MEETING</b>	IPC		
<b>CHAIR FOR MEETING</b>	Brian Winterfeldt, IPC President		
<b>MINUTES TAKEN BY</b>	Chantelle Doerksen, IPC Secretariat / Approved by Kiran Malancharuvil, IPC Secretary		

<b>Start</b>	<b>End</b>	<b>Agenda Items</b>
15:15	15:25	Welcome and Roll Call
15:25	15:35	Introductions: New Members, Fellows, NextGen Participants
15:35	15:45	Report from Council/Review of Motions (Heather & Paul)
15:45	16:00	Discussion of IPC Policy Positions and Issues; Public Comments
16:00	16:25	<u>Compliance</u> : Jamie Hedlund, SVP, Contractual Compliance & Consumer Safeguards & Bryan Schilling, Consumer Safeguards Director
16:25	16:45	<u>Global Domains Division (GDD)</u> : Akram Atallah, President – Global Domains Division
16:45	17:05	<u>GDPR Discussion with Multistakeholder Strategic Initiatives (MSSI)</u> : Theresa Swineheart, SVP - Multistakeholder Strategy and Strategic Initiatives
17:05	17:20	<i>Tea/Coffee Break</i>
17:25	17:45	<u>Finance Discussion</u> : Xavier Calvez, SVP - Chief Financial Officer
17:25	18:00	Reports from the Working Groups <ul style="list-style-type: none"> <li>· CCT-RT (to the extent not covered in CSG meeting)</li> <li>· Review of All RPMS in All gTLDs WG</li> <li>· Next Gen RDS WG</li> <li>· New gTLD Subsequent Procedures WG</li> <li>· IGO-INGO WGs</li> <li>· CCWG-Accountability WS2</li> <li>· Others?</li> </ul>
18:00	18:30	All Other Business
18:30		Adjourn

**1. Introduction**

Brian Winterfeldt, IPC President, opened the meeting by welcoming guests and members to the meeting. Introductions were given by those present in the room and on-line. Brian requested for newcomers, ICANN Fellows, NextGen Participants, Leadership Program Participants and members of the Community Onboarding Program to identify themselves in order to be recognized.

**2. Report from Council/Review of Motions (Heather Forrest & Paul McGrady)**

It was noted that Heather and Paul’s report was shared during the IPC Closed meeting. This item was removed from the agenda.

**3. Discussion of IPC Policy Positions and Issues; Public Comments (Brian Scarpelli)**

Brian Scarpelli provided an update on the IPC’s work submitting Public Comments to ICANN and included a status report on current open comments. Since 1 January 2018, seven comments have been submitted by the IPC to ICANN. Brian discussed the comment development process, and how the IPC uses a chart to track open public comments, and how many volunteers are participating.

Recent open public comments that the IPC is working on includes the Proposed Replenishment Strategy for the ICANN Reserve Fund, other projects that IPC members are currently working on include a Draft Project for Name Collision Analysis Project, and the ICANN Board Member Integrity Screening Process. Brian sends out a weekly newsletter on Mondays to IPC members which tracks all volunteer opportunities and to encourage new members to volunteer.

**General Data Protection Regulation (GDPR)** – Brian Winterfeldt reviewed the work being undertaken by the IPC and discussion topics for IPC guest speakers. Topics included ensuring an easily implementable accreditation model before GDPR goes into effect. He remarked that any accreditation system must be easily accessible to brand owners and that obtaining a one-time accreditation will mean unfettered access to all nonpublic data elements without latency. One key question the IPC had drafted for its guests related to what would be considered a violation of interim-GDPR model (specifically focusing on implementation and compliance), and how ICANN would enforce the model?

**4. Compliance- Jamie Hedlund & Bryan Schilling, ICANN Staff**

Jamie Hedlund, Senior Vice President of Contractual Compliance & Consumer Safeguards; and Bryan Schilling, Consumer Safeguards Director, for ICANN joined the IPC meeting to answer questions from IPC Members.

Bradley Silver (IPC) opened the discussion, requesting feedback from recommendations on the complaints process that were presented to ICANN by an ad-hoc IPC working group in 2017. Jamie acknowledged that follow-up is still needed and promised to review the recommendations. Jamie also noted that Bryan is doing a qualitative analysis of all abuse complaints, and a paper is forthcoming for public input and review. Maguy Serad (ICANN Org) has also increased the amount of transparency around reports including abuse complaints. There is a quarterly report, which goes into detail about the types of complaints received. Additional discussions included the work of the Competition, Consumer Trust and Consumer Choice (CCT) Review Team; enforcement obligations and the interim final compliance model in relation to GDPR. Brian Winterfeldt thanked Jamie and Bryan for their time and willingness to meet with the IPC.

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**5. Global Domains Division (GDD) – Akram Atallah, President of Global Domains Division**

Brian welcomed Akram to the IPC meeting, and explained how the IPC was concerned about compliance in relation to the interim model being adopted by ICANN. Further, there is concern about having an accreditation program that functions when the compliance model is implemented so that the data doesn't go dark. Brian explained that the IPC and the BC submitted joint comments on the model and are concerned that ICANN risks potential over-compliance.

Akram acknowledged the concerns and noted that ICANN is expecting to hear back from the Data Protection Agents (DPAs) on the model shortly. At the moment, ICANN's contractual mechanisms do not allow ICANN to force somebody to break compliance with local law. Akram noted responses from the French DPA (shared during a recent Article 29 Group meeting), which he agreed to send to IPC member Flip Petillion to share with the IPC.

Brian thanked Akram for his time and agreed that GDPR was an ongoing discussion and that there was much work to do over the upcoming weeks.

**6. GDPR Discussion with Multistakeholder Strategic Initiatives (MSSI) – Theresa Swinehart, Senior Vice-President of MSSI**

Brian welcomed Theresa to the IPC meeting. ICANN's General Counsel, John Jeffrey, also joined Theresa for this meeting. Kiran Malancharuvil (IPC) thanked Theresa and John Jeffrey for joining the meeting, and expressed concern regarding the community updates on GDPR, as they are infrequent and often incomplete, falling short of ICANN's standards for accountability and transparency. Lack of notice, and community members' inability to participate in meetings with the DPAs, Article 29, and European authorities was cited as one example. More visibility is needed into the process.

Theresa responded by acknowledging the need for transparency, and also the multiple requests for community discussions that are being received in a short period of time. John Jeffrey noted that there have been two DPA discussions so far, and that processes are needed to determine the best way to engage and further the interest of the community.

Steve Metalitz requested comments on the third installment of the Hamilton Legal Advice that was secured by ICANN, specifically on how maintaining the domain name registrant's name and physical address might be compliant with GDPR and a publicly available Whois. John Jeffrey responded that all documents that ICANN has are publicly posted with references that have been provided to the DPA. He does not have a comment on Hamilton's position specifically, as that was an independent legal position.

Brian Winterfeldt asked for information on accreditation. Theresa agreed that this was an important conversation to have, and something anticipated as a discussion topic during the ICANN Board's meeting with the Governmental Advisory Committee (GAC) later this afternoon. John Jeffrey added that the accreditation piece is critical, but also that it will be very hard to have an accreditation model in place by May. Brian thanked Theresa and John Jeffrey for joining and stated that the IPC looks forward to continuing GDPR discussions with their team.

**7. Finance Discussion – Xavier Calvez, Senior Vice-President and Chief Financial Officer at ICANN, and Becky Nash, Vice President of Finance**

Brian introduced Xavier Calvez and Becky Nash of ICANN’s Finance Team to the IPC. Becky opened the presentation by providing an FY’18 financial overview and the proposed FY’19 draft operating plan and budget process. She also discussed the reserve fund replenishment strategy, which is currently available for public comment. The end of the presentation provided time for the IPC members to ask questions and express concerns.

Brian opened the question and answer period with questions the IPC had prepared in advance. An explanation of how budget requests can be made for studies requiring data initiatives as part of the policy development process, and what the process for submitting such a budget request would be. Xavier responded that there is not a specific budget for such projects and that if a need arises to go through the policy development support staff who will in turn gather relevant information and produce a request for funding.

Scott Austin asked a question of what type of records exist to show what funds have been allocated for such studies, and if there is anything that would demonstrate a pattern as to how much money on an annual basis may be needed. Xavier noted that no such reporting activity currently exists, but that ICANN could produce a report if the community felt it was necessary.

Brian asked about funding for the Community Regional Outreach Program (CROP), as it was proposed to not be funded in the FY ’19 budget. He asked if other outreach or engagement programs were being considered. Xavier acknowledged that CROP was indeed not funded in the current FY’19 draft budget but that several organizations have solicited that CROP be reinstated. ICANN’s engagement teams would be able to discuss additional outreach programs to provide a more specific answer to the IPC. Xavier noted Brian’s question about other outreach programs in addition to CROP and promised to provide an answer to the IPC in the short term.

Xavier provided a brief update on the reserve fund replenishment, which is currently undergoing a public comment process that opened last Tuesday. Xavier stated that the Board has suggested and designed a strategy that contains three main elements: first, a replenishment over a five-year period; second, is to use a fraction of the auction proceeds from the new gTLD program for the purpose of the replenishment; and the third mechanism is an additional amount of contribution from the ICANN organization. This public comment closes on 24 April 2018.

**8. Reports from the Working Groups**

- a. Competition, Consumer Trust and Consumer Choice Review Team (CCT-RT).**  
David Taylor provided an update to the IPC, noting that the report should be finished within the next two months. A final review of Rights Protection Mechanisms (RPMs) is underway, and David thanked the IPC for their comments. He drew attention to DNS abuse previously discussed, and two specific recommendations: URS Recommendation 41 and the Trademark Clearinghouse Recommendation 42.
- b. Rights Protection Mechanisms (RPMs) Working Group-** Susan Payne (IPC) discussed ongoing work focused on the Uniform Rapid Suspension (URS). Susan noted the final RPM session to be held during ICANN61 that is scheduled for Thursday morning, which the URS providers will attend.

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<p><b>9. Any Other Business (AOB)</b>          Brian reminded everyone that the IPC-INTA reception that is being sponsored with a local law firm, Ferraiuoli. The reception begins at 19:00 at the La Concha hotel, which will be honoring the Ricky Martin Foundation and providing a donation to help with the hurricane relief effort.</p> <p><b>10.ATTENDANCE:</b>   <b>Audio Only:</b>   <b>Apologies:</b>   <b>Staff:</b> Andrea Glandon</p> <p><b>11.Adjourn</b></p>			