EPDP Team Meeting

23 August 2018

Meeting #7

Agenda

1. Roll Call & SOI Updates
2. Welcome and Updates from EPDP Team Chair
3. Preliminary input on Triage Report (deadline for input: Friday, 24 August at 19:00 UTC)
4. Proposed approach for moving forward, including review of proposed project plan
5. Commence deliberations and review of Appendix D – Uniform Rapid Suspension
6. Commence deliberations and review of Appendix E – Uniform Domain Name Resolution Dispute Policy
7. If time allows, commence deliberations and review of Appendix G: Supplemental Procedures to the Transfer Policy
8. Wrap and confirm next meeting to be scheduled for Tuesday 28 August at 13.00 UTC.)

Preliminary Input on Triage Report

Agenda item #3

Proposed Approach for Moving Forward

Agenda item #4

Principles

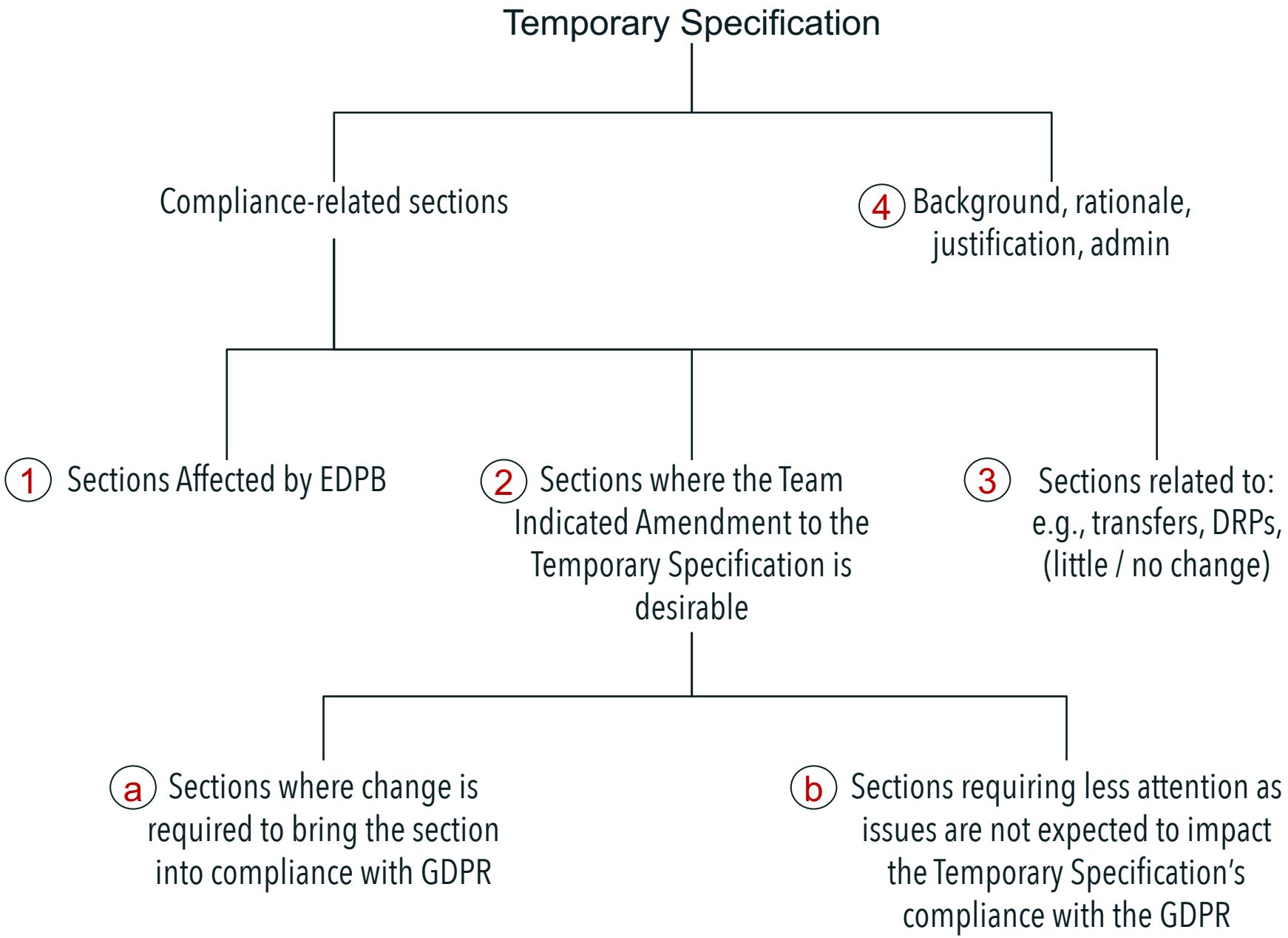
- A GDPR-compliant specification is required by 25 May, requiring a good portion of our work to be completed in October.
- GDPR-compliance requires, among other things, that the sections specifying processor requirements must have the consensus support of this team
- Some prioritization is required that takes into account:
  - The time available
  - Sections that require registrar / registry & other processor actions
  - Issue complexity
  - Which sections are already in operation and functioning
  - Availability of EDPB and other guidance
- Further guidance is possible (dependent on timing)
  - New questions for EDPB or DPAs
  - Clarification requests of existing guidance
  - But case law and standard practices will be lacking

Proposed Criteria for Discussion Planning

- Priority must be assigned to those sections:
  - affected by EDPB advice, i.e., where change is mandated by advice received after the specification was written
  - where the Team has indicated the likelihood that change is required to bring the section into compliance with GDPR

- Requiring less attention are issues that are not expected to impact the Temporary Specification's compliance with the GDPR, such as:
  - operations changes to existing consensus policy such as UDRP or Transfers
  - requirements issues that can be settled after the initial report is launched, e.g.,
    - SLAs to be negotiated between contracted parties and ICANN
    - Best practices and reporting requirements where it is thought the Temporary Specification is overly prescriptive

- Unless a pre-requisite to the issues above, those items that do not direct registry and registrar actions can be considered as time is available such as: background, rationale, justification, administrative sections.


Temporary Specification
Compliance-related sections
4 Background, rationale, justification, admin
1 Sections Affected by EDPB
2 Sections where the Team Indicated Amendment to the Temporary Specification is desirable
3 Sections related to: e.g., transfers, DRPs, (little / no change)
a Sections where change is required to bring the section into compliance with GDPR
b Sections requiring less attention as issues are not expected to impact the Temporary Specification's compliance with the GDPR

Proposed Approach

For sections where there is pertinent EDPB guidance or
where the Team has indicated a likelihood that change is required

- Allocate time to ensure a common understanding of:
  - The Temporary Specification section
  - Existing EDPB advice or other authority
  - Previous discussion and the issues raised
- Deliberate what changes, if any, are required, to ensure that the advice has been addressed.
- As these are more complex issues the discussion might be plan to extend over (a part of) two or three sequential meetings.
- If it becomes clear that additional information, research or guidance is necessary, or that progress might be facilitated by offline discussion between two or more parties, then a small group might be assigned work, that will operate based on the task assigned:
  - Populated by interested and necessary parties
  - Working methods (e.g., email, conference) based on the task assigned
  - With delivery set to support a delivery of the initial report

Proposed Approach

For sections that are not expected to impact the Temporary Specification's compliance with the GDPR, or those items that do not direct registry, registrar and other processor actions

- Time will be allocated for a briefing on these items during meetings to review the previous discussion and issues raised.
- In many cases, attaining consensus might be attained in a brief period.
- Where addition refinement is necessary an expert group might be asked to provide additional information or recommend an amendment:
  - Ex: where the Temporary Specification recommends content for Privacy Notices to be posted by registrars: a registrar and GDPR expert might be asked to create a better approach
- Wherever possible, this additional work would be considered and included in the initial report. If not and based on the subject matter, the Team will consider the timing of inserting the new draft into the successor specification for approval.
- Depending on the review and the approval cycle, inclusion into the successor specification might occur before or after the final report. (This is a "parking lot" where issues will be recorded and resolved.)

Discussion Summary Index

- For each section (and relevant sub-sections) a scorecard will be prepared to facilitate the deliberations which will include:
  - Current text
  - Identification of category
  - Related charter question(s)
  - Support indicated as result of triage effort
  - DPA/EDPB Advice (if any)
  - Proposed changes / rationale for change (as provided by EPDP Team in response to triage surveys)
- Information to be completed:
  - Proposed response to charter question(s)
  - High level summary of the deliberations and/or recommendation(s)
  - Proposed modification of text (if appropriate)
  - Level of consensus
- Data Summary Index to facilitate development of Initial Report

ID	Task Name	Duration	Start	Finish	Predecessors	% Complete
1	**EPDP Preparations**	**149 days**	**Tue 4/10/18**	**Thu 11/1/18**		**85%**
2	Preparatory Discussions, including preparation of EPDP Scoping Document and EPDP Team Charter	73 days	Tue 4/10/18	Thu 7/19/18		100%
3	Effective date of temporary policy / specification by the ICANN Board	0 days	Fri 5/25/18	Fri 5/25/18		100%
4	Drafting of the EPDP Charter	40 days	Fri 5/25/18	Thu 7/19/18	3	100%
5	Adoption of EPDP Initiation Request	0 days	Thu 7/19/18	Thu 7/19/18	2,3,4	100%
6	Approval of the EPDP Charter	0 days	Thu 7/19/18	Thu 7/19/18	2,3,4	100%
7	Appointment of EPDP Team Chair	0 days	Thu 7/19/18	Thu 7/19/18	2,3,4	100%
8	Formation of EPDP Team	0 days	Thu 7/19/18	Thu 7/19/18	2,3,4	100%
9	Chair / Staff preparations for first meeting	8 days	Fri 7/20/18	Tue 7/31/18	8,7	100%
10	First meeting of EPDP Team	1 day	Wed 8/1/18	Wed 8/1/18	8,9	100%
11	**EPDP Deliberations to Initial Report**	**68 days**	**Wed 8/1/18**	**Thu 11/1/18**		**21%**
12	Meeting #01 - 01 Aug - Orientation, Background, Operating Mode	1 day	Wed 8/1/18	Wed 8/1/18	8,9	100%
13	Meeting #02 - 07 Aug - Temp Spec Triage - Part 1	1 day	Thu 8/9/18	Thu 8/9/18	12	100%
14	Meeting #03 - 09 Aug - Temp Spec Triage - Part 1	1 day	Fri 8/10/18	Fri 8/10/18	13	100%
15	Meeting #04 - 14 Aug - Temp Spec Triage - Part 2	1 day	Tue 8/14/18	Tue 8/14/18	14	100%
16	Meeting #05 - 16 Aug - Temp Spec Triage - Part 3	1 day	Thu 8/16/18	Thu 8/16/18	15	100%
17	Meeting #06 - 21 Aug - Temp Spec Triage - Part 4	1 day	Tue 8/21/18	Tue 8/21/18	16	100%
18	Meeting #07 - 23 Aug - Deliberate Appendix D (URS), E (UDRP), G (IRTP)	1 day	Thu 8/23/18	Thu 8/23/18	17	0%
19	Meeting #08 - 28 Aug - Deliberate	1 day	Tue 8/28/18	Tue 8/28/18	18	0%
20	Meeting #09 - 30 Aug - Deliberate	1 day	Thu 8/30/18	Thu 8/30/18	19	0%
21	Meeting #10 - 04 Sep - Deliberate	1 day	Tue 9/4/18	Tue 9/4/18	20	0%
22	Meeting #11 - 06 Sep - Deliberate	1 day	Thu 9/6/18	Thu 9/6/18	21	0%
23	Meeting #12 - 11 Sep - Deliberate	1 day	Tue 9/11/18	Tue 9/11/18	22	0%
24	Meeting #13 - 13 Sep - Deliberate	1 day	Thu 9/13/18	Thu 9/13/18	23	0%
25	Meeting #14 - 18 Sep - Deliberate	1 day	Tue 9/18/18	Tue 9/18/18	24	0%
26	Meeting #15 - 20 Sep - Deliberate	1 day	Thu 9/20/18	Thu 9/20/18	25	0%
27	Meeting #16 - 24 Sep - LA	1 day	Mon 9/24/18	Mon 9/24/18	26	0%
28	Meeting #17 - 25 Sep - LA	1 day	Tue 9/25/18	Tue 9/25/18	27	0%
29	Meeting #18 - 26 Sep - LA	1 day	Wed 9/26/18	Wed 9/26/18	28	0%
30	Meeting #19 - 02 Oct -	1 day	Tue 10/2/18	Tue 10/2/18	29	0%
31	Meeting #20 - 04 Oct -	1 day	Thu 10/4/18	Thu 10/4/18	30	0%
32	Meeting #21 - 09 Oct -	1 day	Tue 10/9/18	Tue 10/9/18	31	0%
33	Meeting #22 - 11 Oct -	1 day	Thu 10/11/18	Thu 10/11/18	32	0%
34	Meeting #23 - 16 Oct -	1 day	Tue 10/16/18	Tue 10/16/18	33	0%
35	Meeting #24 - 20 Oct - Barcelona - EPDP Team	1 day	Sat 10/20/18	Sat 10/20/18	34	0%
36	Meeting #25 - 21 Oct - Barcelona - HIT	1 day	Mon 10/22/18	Mon 10/22/18	35	0%
37	Meeting #26 - 24 Oct - Barcelona - EPDP Team	1 day	Wed 10/24/18	Wed 10/24/18	36	0%
38	Meeting #27 - 25 Oct - Barcelona - EPDP Team	1 day	Thu 10/25/18	Thu 10/25/18	37	0%
39	Meeting #28 - 01 Nov -	1 day	Thu 11/1/18	Thu 11/1/18	38	0%
40	Meeting #XX - Parking Lot -	0 days	Thu 11/1/18	Thu 11/1/18	18,39	0%
41	Publication of draft Initial Report	25 days	Wed 10/3/18	Mon 11/5/18	30	0%
42	Publish Initial Report	0 days	Mon 11/5/18	Mon 11/5/18	41	0%
43	Public comment forum on the Initial Report	30 days	Tue 11/6/18	Mon 12/17/18	42	0%
44	**EPDP Deliberations to Final Report**	**48 days**	**Tue 11/6/18**	**Thu 1/10/19**		**0%**
45	Meeting #29 - 06 Nov - Placeholder during public comment	1 day	Tue 11/6/18	Tue 11/6/18	39	0%
46	Meeting #30 - 08 Nov - Placeholder during public comment	1 day	Thu 11/8/18	Thu 11/8/18	45	0%
47	Meeting #31 - 13 Nov - Placeholder during public comment	1 day	Tue 11/13/18	Tue 11/13/18	46	0%
48	Meeting #32 - 15 Nov - Placeholder during public comment	1 day	Thu 11/15/18	Thu 11/15/18	47	0%
49	Meeting #33 - 20 Nov - Placeholder during public comment	1 day	Tue 11/20/18	Tue 11/20/18	48	0%
50	Meeting #34 - 22 Nov - Placeholder during public comment	1 day	Thu 11/22/18	Thu 11/22/18	49	0%
51	Meeting #35 - 27 Nov - Placeholder during public comment	1 day	Tue 11/27/18	Tue 11/27/18	50	0%
52	Meeting #36 - 29 Nov - Placeholder during public comment	1 day	Thu 11/29/18	Thu 11/29/18	51	0%
53	Meeting #37 - 04 Dec - Placeholder during public comment	1 day	Tue 12/4/18	Tue 12/4/18	52	0%
54	Meeting #38 - 06 Dec - Placeholder during public comment	1 day	Thu 12/6/18	Thu 12/6/18	53	0%
55	Meeting #39 - 11 Dec - Placeholder during public comment	1 day	Tue 12/11/18	Tue 12/11/18	54	0%
56	Meeting #40 - 13 Dec - Review Public Comments & Prepare Final Report	1 day	Thu 12/13/18	Thu 12/13/18	55	0%
57	Meeting #41 - 18 Dec - Review Public Comments & Prepare Final Report	1 day	Tue 12/18/18	Tue 12/18/18	56	0%
58	Meeting #42 - 20 Dec - Review Public Comments & Prepare Final Report	1 day	Thu 12/20/18	Thu 12/20/18	57	0%
59	Meeting #43 - 27 Dec - Review Public Comments & Prepare Final Report	1 day	Thu 12/27/18	Thu 12/27/18	58	0%
60	Meeting #44 - 03 Jan - Review Public Comments & Prepare Final Report	1 day	Thu 1/3/19	Thu 1/3/19	59	0%
61	Meeting #45 - 08 Jan - Review Public Comments & Prepare Final Report	1 day	Tue 1/8/19	Tue 1/8/19	60	0%
62	Meeting #46 - 10 Jan - Review Public Comments & Prepare Final Report	1 day	Thu 1/10/19	Thu 1/10/19	61	0%
63	Review of public comments	20 days	Tue 12/18/18	Mon 1/14/19	43	0%
64	Publication of Final Report	20 days	Tue 12/18/18	Mon 1/14/19	43	0%
65	Submission of Final Report to the GNSO Council	0 days	Mon 1/14/19	Mon 1/14/19	64	0%
66	**Post EPDP Activities**	**86 days**	**Thu 1/24/19**	**Thu 5/23/19**		**0%**
67	Approval of Final Report and Recommendations by the GNSO Council	1 day	Thu 1/24/19	Thu 1/24/19	65	0%
68	Report to the Board	15 days	Fri 1/25/19	Thu 2/14/19	67	0%
69	Publish Recommendations for Public Comment	0 days	Thu 2/14/19	Thu 2/14/19	68	0%
70	Public comment forum on Board action	30 days	Fri 2/15/19	Thu 3/28/19	69	0%
71	Inform GAC if Recommendations affect public policy	5 days	Fri 2/15/19	Thu 2/21/19	68	0%
72	Board Paper	10 days	Fri 3/29/19	Thu 4/11/19	70	0%
73	Board consideration / approval	20 days	Fri 4/12/19	Thu 5/9/19	72	0%
74	Notice of Policy actions	0 days	Thu 5/9/19	Thu 5/9/19	73	0%
75	Implementation Direction	10 days	Fri 5/10/19	Thu 5/23/19	74	0%
76	Implementation Effective Date	0 days	Thu 5/23/19	Thu 5/23/19	75	0%
77	Temporary Specification Deadline (1 year from 25 May 2018)	0 days	Fri 5/24/19	Fri 5/24/19		0%

Commence deliberations and review of Appendix D – Uniform Rapid Suspension

Agenda item #5

Commence deliberations and review of Appendix E – Uniform Domain Name Resolution Dispute Policy

Agenda item #6

Commence deliberations and review of Appendix G: Supplemental Procedures to the Transfer Policy

Agenda item #7

Wrap Up

Agenda item #8

Wrap Up

Review actions items and questions for ICANN Org, if any

Next meeting to be scheduled for Tuesday 28 August at 13.00 UTC

Note: Deadline for input on the Triage Document - Friday, 24 August at 19:00 UTC