
ICANN86 Seville | PF – GNSO: CSG Membership Work Session
Tuesday, June 09, 2026 – 14:45 to 16:00 CEST

DEVAN REED

Hello, and welcome to the CSG membership meeting at ICANN86. Please note this session is being recorded and is governed by the ICANN Expected Standards of Behavior, the ICANN Community Anti-Harassment Policy, and the ICANN Community Participant Code of Conduct concerning statements of interest. Please observe the following guidelines to participate in the session. I will also post them in the chat for your reference. Only questions posted in the Zoom chat identified as a question will be read aloud in the session, as directed by the chair of the session. If you wish to speak, please raise your hand in Zoom. When speaking, please state your name for the record and speak clearly at a moderate pace. Thank you, and I will now hand the floor over to CSG Chair, John McElwaine.

JOHN MCELWAINE

Thanks, Devan. Welcome, everybody, to this CSG work session. As you can see from the agenda, we've got a packed agenda here, so hopefully we can make it through all of this. And so, with that comment said, I want to move on to the second part of the agenda. And I'm really excited to have Anne-Sophie de Brancion from the EU Intellectual Property Office. She spoke at the IPC meeting earlier, and it was a really interesting discussion. I know she's going

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.

to tweak it a little bit for the CSG crowd, but I can turn it over to you, Anne-Sophie, and thank you for joining us.

ANNE-SOPHIE DE BRANCION

Well, thank you very much. Thank you very much for having me. It's a pleasure to be back one year after Prague to talk to you. And apologies in advance indeed for those who might have heard some of this in the IPC this morning. I work for the EU Intellectual Property Office, which is the EU agency based in Alicante, so not that far away, responsible for trademarks, designs, craft, and industrial GIs now as well. But I work for the Observatory, which deals with infringements of IP rights, so broader than the rights I just mentioned. And as part of that context, or in that context, we also work on domain names and IP enforcement. Next slide, please.

The Observatory is a network of stakeholders, which includes representatives of all the EU member states, but also private sector representatives, civil society representatives, and a number of other European and international organizations. And we come together to discuss, or they come together under the aegis of the relevant department of the EUIPO, to discuss and provide facts and evidence to shape European IP enforcement policies, to support IP enforcement with tools and knowledge building, and to raise awareness of IP and the consequences of IP infringements. Next slide, please.

I would like to highlight one particular work stream, which relates to cooperation with intermediaries, and how their services can be

misused for IP infringement, and what good practices or what existing practices can be developed further to prevent this misuse. We have had for a number of years an expert group on cooperation with intermediaries, which has looked at a number of different players, intermediaries in the ecosystem. And this work actually started with domain names, with a discussion paper in 2021, which I also mentioned last year, which is one of our most successful discussion papers. Raises a lot of interest. Still gets downloaded quite a lot. And we've continued looking at a lot of different online intermediaries. Yes, there might be... I can't, but maybe it can be reframed a little bit.

VIVEK GOYAL

Devan, can we get some help here? The slides are getting cut on the right. Thank you.

ANNE-SOPHIE DE BRANCION

Well, in any case, I will keep going, and hopefully this can get fixed. But perfect. Thank you very much. And the latest work stream that we have initiated recently relates to hosting and related services, which should lead to some first results at the end of the year. And now that we've gone through all of these different intermediaries, we are looking at a more transversal approach of regularly updating the IP threats and the intermediary practices that have been identified in a repository that would be updated regularly. And this could also feed into our work supporting the European

Commission on the implementation of the Digital Services Act, which is what I will talk about next. In the next slide, please.

You may have heard of the Digital Services Act, which is a regulation applying to online intermediaries. So it aims at tackling illegal content and products as well as harmful content. And in this definition of online harm enters IP infringements as well. There are different obligations for different actors, online intermediaries, hosting online platforms, marketplaces, ad providers. Domain name services are actually not in scope here, but I thought that this is still an important development that might be interesting for you to be aware of. And there are some specific requirements for very large online platforms and very large search engines. Very large means more than 45 million users per month that are more regulated than others and have to submit to risk assessments, et cetera. And this is, as we say here, regulation with teeth. So, there are some real investigative and sanctioning powers for the national digital services coordinators, and the European Commission can impose fines of up to 1% of the worldwide turnover. So there are consequences. Next slide, please.

So in this context, we have a five-year agreement with the European Commission to provide IP expertise, to provide IP training for the purposes of implementing this Digital Services Act as concerns IP enforcement. Of course, it's very narrow to that, and we will not do any enforcement ourselves. That stays squarely with the European Commission and the digital services coordinator in the member states. But we will provide training, capacity building,

facilitate meetings and workshops. And what did I want to add? That, of course, this repository of existing practices of online intermediaries that I was referring to previously in the context of our cooperation with the intermediaries expert group is also going to be a relevant tool here. Next slide, please.

So these are, yes, examples of some of the activities that we will do. Actually, I've covered this indirectly. So support specifically to these very large online platforms and search engines, and then some more general activities supporting the new procedures for the new orders under the DSA, et cetera, and this repository that I was talking about. Next slide, please.

Completely unrelated to the Digital Services Act, but related to ways in which the EUIPO supports the European Commission and more specifically, DG Connect, so the department that deals with all things digital. We also work with the European Commission on IP enforcement in the domain name space. This has taken the shape in the past of consulting the Observatory stakeholders, so this diverse network that I was referring to at the beginning, for input on IP-relevant topics, for example, on the GAC agenda. And we have also organized several updates, or there have been several updates on domain name developments in general, but also actually on ICANN meetings in some of our stakeholder meetings. And I've also had the chance to join some of the Commission discussions on the new round. Generally, we also provide support to other parts of the Commission and more specifically, the so-called DG Grow, which deals with industrial property and related

policy on other aspects relating to IP enforcement and domain names, including their recommendation on measures against counterfeiting, to shorten the name of that recommendation. Again, IP-infringing. I can see Marie laughing at my shorthand, but that's fine. I'm trying to simplify here. But this recommendation does include specific provisions for domain name service providers as opposed to the Digital Services Act, and we were quite involved in this aspect. Next slide, please.

I also wanted to briefly provide some information from my legal department colleagues who thought that this would be a good opportunity to inform you of the work we do in the area of anti... Oh, there's an animation here that I wasn't even aware of. Or maybe it's not an animation. Maybe it's just a bug. The work we do on anti-scam, and this basically relates to impersonations of IP offices requiring... Well, scammers pretending to be IP offices requiring payment to maintain an IP right. So the EUIPO works on this as concerns misleading and fraudulent invoices pretending to be the EUIPO, but has also established a network to coordinate activities more broadly against this issue, bringing together representatives from national, regional IP offices, as well as the EPO, WIPO, Europol, Eurojust, and some user associations, including my neighbor. What was I going to say next? That there have been a number of legal actions already, including on the basis of criminal cases, and that we have been reporting and requesting the takedown of domain names registered and used by scammers.

And perhaps also just to mention some of the broader trends that we see. Next slide, please. Yes, please go ahead.

VIVEK GOYAL

You said you have been requesting the takedown of domain. Whom have you been requesting to? And how successful have you been?

ANNE-SOPHIE DE BRANCION

So once again, I can only answer generally on the basis of what my colleagues have said. But there have been, I think we're talking about requests to registrars or to hosting providers, not very successfully so. And so the legal route has proved more successful.

VIVEK GOYAL

I think you should put that in a slide wherever you present it in ICANN. That requests made, not very successful.

ANNE-SOPHIE DE BRANCION

Well, actually, you will see here in this slide, no response from registrar or hosting provider as a general observation of, or we have just received a template reply that if there is no court order, then the information cannot be provided. So this is not something that I have experienced directly, but this is the information that I get from my colleagues, that they are experiencing a lot of difficulty. They are also not being very successful with referring to UDRP conditions. Much more effective if referring to phishing, but even so, a lot of difficulties. And I should also mention that it's at the top

of the slide, but I got a bit sidetracked here, that we also have an agreement with the cybersecurity service of the EU institutions, euinstitutions.eu. They provide also support in case of very narrowly defined takedown cases where EUIPO is explicitly included in, or something very similar in the domain name, but otherwise, there's not much chance of success. So these are some of the challenges reported by my colleagues, and that I was asked to pass on. So this, if you could please go to the next slide.

To summarize, I hope to have introduced you to the work of the EUIPO that could be of relevance to this community. We work on domain names as part of our work on cooperation with intermediaries more broadly, supporting the Commission with stakeholder input, IP expertise. We support implementation of various recommendations. And more generally, we try to improve the interactions between IP rights and domain names within the context of our mandate. So that is also informing trademark applicants within the registration process of the possibilities of having to look for the corresponding domain name, and the possible overlaps, but also opportunities that exist between the two because there are some mutual interests here. Trademark registrations can drive domain name registrations and vice versa. So there's lots of opportunity to promote better registrations, unintended overlaps, and avoid misuse and issues in this regard. And so we'll continue this awareness-raising work, and we'd love to stay in touch with you on any initiatives that could improve the

interaction between IP rights and domain names. Thank you very much for your attention. Yes.

JOHN MCELWAINE

Go ahead, yeah, but let's run a queue for it all.

LORI SCHULMAN

Yeah. I'm not blocking.

JOHN MCELWAINE

Yeah, I know. I just wanted to...

LORI SCHULMAN

I'm not blocked.

JOHN MCELWAINE

I know. That's fine. I just wanted to mention that I was going to run a queue. I didn't want to jump in on you. Okay. You have a question?

LORI SCHULMAN

Do a queue now?

JOHN MCELWAINE

Yeah.

LORI SCHULMAN

Oh, I thought...

JOHN MCELWAINE

Just wanted to announce I was going to run a queue.

LORI SCHULMAN

I thought you were going like, "Don't talk, we have a queue." I'm like, "Okay." Thank you so much for the talk. We haven't seen each other in person for a while, but I have a few questions. Number one, on the anti-scam program, is that a program that you're working with the Signal project, the Global Signal Project? Because they're also running an anti-scam. They're not saying anti-spam, they're specifically saying anti-scam. They're also based in Europe, well, actually the UK. Sorry. I don't know if you're aware of this organization or movement. It's co-chaired by Emily Taylor of the Oxford Research Group. But I think it might be worth it. They've approached INTA. This is Lori Schulman from IPC representing INTA, the International Trademark Association. Got it all. INTA is also very pleased to be part of the Observatory and to also work with your group, and we always appreciate when you share what's going on at the Observatory, particularly in our space, because my organization tends to focus a lot on anti-counterfeiting versus sort of the more internet governance piece when it comes to EUIPO. But I did want to bring that to your attention because I noticed the programs have the same name, and I was wondering if there was any sort of relationship.

ANNE-SOPHIE DE BRANCION Well, thank you, Lori, for bringing it to my attention. So it might well be that my colleagues who work directly on this are aware of this initiative. I personally am not. Perhaps, I'm looking to my right on whether this has come up in the discussions. I'm not aware of this having come up, but I will definitely bring it up with my colleagues and...

THOMAS RICKERT Excuse me for jumping in, but the name of the program is Global Signal Exchange. So just in case.

MARIE PATTULLO It's different. It's not GSE.

LORI SCHULMAN No, it's not GSE.

MARIE PATTULLO Sorry.

LORI SCHULMAN Yeah.

MARIE PATTULLO It's GASA. I just put it in here. G-A-S-A.

LORI SCHULMAN Yeah.

MARIE PATTULLO It's part of, GSE feeds into that, but it's not...

LORI SCHULMAN Right. There's a whole bunch of programs going on, but I just found it interesting because the topic is the same, more or less. And they have a con... Well, offline, I can explain more, but they have a consortium, includes the platforms, by the way, that looks at signals online in order to anticipate where to find malfeasance. They'll say real bad behaviors, and then that's acted upon. So, I think it would be worth the Observatory and that program at least... Sorry, that's my glucose meter. I apologize. I had lunch. We know. I apologize. I can't turn it off. It's a problem. Anyway, my apologies. But I want to thank you because we appreciate all the efforts, and that is a program that came to mind when you were speaking.

ANNE-SOPHIE DE BRANCION I'll bring it up with them. I already have a whole lot from various follow-up conversations.

LORI SCHULMAN Mm-hmm.

ANNE-SOPHIE DE BRANCION Lots of follow-up from my colleagues from the legal department, so thank you.

LORI SCHULMAN Yes, but I just want to say on behalf of just my own organization, we really appreciate all of the research that you do, and I think it helps the cause enormously. So thank you.

ANNE-SOPHIE DE BRANCION Thank you.

JOHN MCELWAINE Thomas.

MARIE PATTULLO I'm in the queue.

JOHN MCELWAINE Oh, sorry.

ANNE-SOPHIE DE BRANCION Oh, go, Thomas.

MARIE PATTULLO I'd like to ask.

JOHN MCELWAINE

I was looking at the GASA thing, and I didn't have...

THOMAS RICKERT

Yeah. So we have GASA, which is Tamba Juri, and then we have the Global Signal Exchange, so it's different projects. So just in case you ask your colleagues that you can ask for the right initiatives. Thank you so much for your presentation. Since we are at an ICANN meeting, I have a question for you because, just to bring everyone up to speed, Recital 28 of the Digital Services Act reads that companies or services can qualify for exemptions from liability set out in this regulation to the extent that their services qualify as mere conduit, caching or hosting services. Such services include, as the case may be, wireless local area networks, domain name system, DNS services, top-level domain registries, registrars, yadda, yadda, yadda. So a lot of people, including myself, assume that registries and registrars fall under the DSA, yet there are some ccTLD operators that have solicited legal opinions and claim that they don't fall under the DSA. I'd be interested in learning what your position on that is. And I don't mean to put you on the spot.

ANNE-SOPHIE DE BRANCION

Well, my position is that I'm not going to be able to give you a very simple answer on this, but that for the purposes of our activities, of supporting the IP enforcement aspects of DSA enforcement, we do not specifically do anything relating to domain name services.

Except that our repository, which is a summary of all the different discussion papers, which brings together the findings of all the different discussion papers that we've conducted over the years, will look at domain name service providers as one of the intermediaries that we will sort of look at emerging trends, issues, misuse trends, and existing practices to address them. Not the answer that you wanted, but the answer that I could give you.

THOMAS RICKERT

It's a perfectly valid answer. But I think that the applicability of the DSA or not has quite far-reaching consequences for the service providers. So it's, I think, of interest for this community at least, whether they fall under these obligations or not. But thank you so much.

JOHN MCELWAINE

Okay, Marie, I'm paying attention now. Over to you.

MARIE PATTULLO

Thanks, John. Marie from the BC. If I may, I wanted to go back to your question, Lori, from the other side. Because the history of the anti-scam network was, and we all know this happens in the trademark world, but it happens more generally, people receiving bills, not from the person that you think sent the bill. So it started originally with trademark owners, rights owners, and we all know this happens. You get a letter, you must register, you must renew, pay X thousand billion euro to this address on something that looks

valid, but of course, is not valid. Now, you know this, in particular, your IP departments know this, your financial departments do not know this. And if it looks close enough to the bill they paid before, they will rubber stamp, they will pay. That was the history. That's how this thing that's called the anti-scam network was created. Then it went a little bit further to bring in working with Europol, working with some investigators, because of course, now in today's wonderful world, things are a little bit more technical than that.

At the last meeting we had last October, a number of the... I don't want to get into the weeds here, but the European Intellectual Property Office is run by the national intellectual property offices in Europe, and a number of the national offices were realizing that invoices were being sent out in their name, or in the name of their minister, or in the name of Lori.Schulman@, and people were terrified and didn't quite know what to do. Which is why, at the upcoming meeting in October, I am very, very pleased that CleanDNS, who are hiding at the back of the room, Alan, please do wave. Thank you. Have agreed to present to this group of people. Now, Lori, what you're talking about goes a bit wider than that. This is what I've explained is its core. There's a little bit more that I can share with you offline.

Thomas, on the DSA, you need to talk to DG Connect, because these guys aren't the policymakers. And at the moment, as you know, the enforcement under the DSA hasn't really happened very much. It's mainly concentrated, although the DSA is a horizontal instrument that covers all illegal content. As you know, 99-point-something

percent is freedom of expression and these issues. Now, on goods, there have been a couple of moves, but not terribly big moves, and on IP, as yet, nothing. But with this new contribution agreement, have I got the terminology right? The team that Anne-Sophie is part of, they're going to be... You know that every year people like you, because you're a VLOP, aren't you? Very large online platform, yeah? Very large online search engine. Have to provide a transparency report.

ANNE-SOPHIE DE BRANCION And Google writes, we participate in that.

MARIE PATTULLO Exactly. So the team that Anne-Sophie is talking about will be looking at that to make sure. For example, I'm picking on Google because Google's sitting next to me. So if you come up with a new algorithm, obviously you do a risk analysis. Obviously, if there's a chance it could affect IP, you have to tell the Commission. What happens now is that you'll be working with the Observatory as well, who will just be making sure that Google's doing what Google promised to do. That's a slightly simplified version. I should stop talking. I'm not Anne-Sophie. Thank you.

JOHN MCELWAINE Thanks, Marie. Philippe, over to you.

PHILIPPE FOUQUART

Thank you. Philippe Fouquart, I'm with the ISPCP. So that's going to be the AI question, bear with me. So we had a session yesterday where my own takeaway was nothing new under the sun. All the mechanisms that we got work, with the exception of Mason's intervention. So it was all arguably data-driven. On the other hand, sort of anecdotal evidence and conversations with ccTLD operators based on their data would suggest otherwise. Given that you listed AI on your slide and you being somewhat associated with an observatory and supposedly data-driven, what's your view on this? Is it data-driven precisely, or is it just the impression that moving forward, AI with the usual thing, provide new devices, et cetera, new ways to abuse these things? But just being curious, and again, the conversations I've had with ccTLDs, at least some of them, would seem to suggest that in terms of scale, it does make a huge difference.

ANNE-SOPHIE DE BRANCION

Thank you for the question. I don't think that I have the information to answer. I did mention AI on my slide, but it was actually a very specific input from my colleagues that were seeing the use of AI to do voice generation to make fake calls to support these fake invoices. So this is how AI was used, which is completely different from what was discussed in the session, the very interesting session yesterday. But we simply... Yes, we are an observatory, but we can't observe everything, so we have not sort of specifically looked. We have looked at some important aspects of AI and generative AI and the applications in terms of copyright, but in

terms of domain names, it's something that we haven't looked specifically at at this stage. Thank you.

JOHN MCELWAINE

All right. Any other people want to get in the queue? All right. I don't see any hands up. Anne-Sophie, thank you so much for that informative presentation. We really appreciate it.

ANNE-SOPHIE DE BRANCION

Thank you.

JOHN MCELWAINE

All right. I'm going to move on now to three on the agenda and turn it over to Mason to talk about Standing Committee on Abuse.

MASON COLE

Thank you, John. Mason Cole here, chair of the BC. Devan, could we have the slides on item number three, please? Okay. Thank you. All right. So just to set context, a while ago, probably late last year, the BC and the CSG advanced the idea of a standing committee on DNS abuse, that would sit sort of adjacent to the GNSO Council and would inform the Council on various trends developing in DNS abuse, and that would presumably help the Council decide on where to focus its abuse policy development efforts. Next slide, please.

So, the PDP framework, as you well know, is capable in some areas but is underprepared for what's happening in terms of abuse

trends as they're developing right now. If you were in the session yesterday afternoon on artificial intelligence and its impact on DNS abuse, you heard some very compelling information about what's happening with AI and how it could impact DNS abuse in general and very specifically as well. So, what we're faced with here, in terms of the people that we represent here in the CSG, is that when we developed our list of priorities for DNS abuse mitigation, we sort of had this promise from ICANN and from the contracted parties that there would be highly focused, narrowly scoped PDPs that would take only 12 months to deal with DNS abuse. And that followed the contract amendments back in, gosh, I can't remember. It was two years ago, I want to say, that dealt with the five defined forms of DNS abuse that ICANN is dealing with now. But these promised 12-month time frames, they didn't come to pass. We're dealing with two-year PDPs at a minimum, and those PDPs are not yet concurrent, meaning they're happening sequentially. So we're dealing with a PDP right now on associated domain checks. There purportedly will be a PDP kicking off sometime on the use of APIs and bulk registration tools. We don't really know when that's going to happen, whether it'll be after the conclusion of the current PDP or sometime before its conclusion. But if you looked at all the gaps that were identified and documented in the GNSO process leading up to the first PDP, the timeline established for dealing with the CSG's priorities and the community's priorities would be completely insufficient to meet the threat. So even if we dealt with PDPs on a one-year timeline, you're looking at something like 10 years to get all the current priorities through the

ICANN system, and that's not sustainable. And as we all know, DNS abuse is highly fluid. It changes tactics all the time. And so what's called for right now may not be called for in a year or two, so we need more flexibility. Okay, next slide, please, Devan.

So here's the proposal. We know that the board, the SSAC, and the ccNSO all have standing committees on DNS abuse. The GNSO, where the main thrust of policy development happens inside of ICANN, does not have one. The idea was that this could be useful as a body that would inform the GNSO on trends and abuse, and anticipate, document, advise regarding these abuse threat vectors over time. This is a committee that would exist in perpetuity, not that it would have the same people on it all the time. Like any committee, people would come on and off, but it's certainly not meant to replace the existing GNSO small team. Although that may need discussion over time, because when we first ran this up the flagpole, everybody sort of entrenched in ICANN processes says, "Whoa, wait a minute. What about the small team? What are we going to do about the small team?" This is just an idea. We're just trying to help the situation. So small team, no small team, standing committee, no standing committee. What we're interested in is doing something about DNS abuse. So that's what led to this proposal.

Devan, is there another slide? I can't remember. Yep, there you go. So, the idea would be in terms of composition, at least this is a straw person for the idea, one GNSO councilor per stakeholder group or constituency, one further appointed member from each

SG or C, a liaison from or including what you see below there, who would be charged with advising the committee regarding abuse trends and their impact on their representative communities. So, a liaison from the SSAC, one from ALAC, one from the GAC, and potentially one to the board's caucus on DNS abuse as well. Because what we really need here is a much more integrated community-wide effort on DNS abuse rather than just sort of nibbling around the edges, which is what we're doing now. Next slide, Devan. Okay, that's it. So, John, that's pretty much it. The idea was to re-raise this with the CSG to see if this is an idea that the CSG can get behind, and then we'll bring that to the attention to GNSO leadership and see if we can make some progress. So I'll yield now. Want to go back one slide? Yeah. Devan? Yeah. There you go. Thanks. Okay. Yes, I'll take a queue on this if anybody would like to talk. Susan.

SUSAN MOHR

I think Thomas actually had his hand up first, so I...

MASON COLE

No, go ahead.

SUSAN MOHR

Are you sure? Okay. This is Susan mohr for the record. I guess I have a couple of comments. One is, I'm speaking for myself. What I recall in one of the GNSO meetings was that there was a discussion about establishing the standing committee and that it seemed like a

natural evolution away from the small team, and I'm trying to remember if there's an end date to the small team. So is the small team going away? I just don't remember that. But I think that's one point, because it does seem like it would be a natural evolution to create something that is like an advisory body. The question that I have is, I see a lot of value in establishing an advisory body so that we can be more aware of issues as they come up. I'm not sure where I see that it would shorten the process for establishing a new policy, but it certainly would be a vehicle for raising issues sooner.

MASON COLE

Thanks, Susan. In order of what you just raised, I don't know if the small team has an end date or not. It doesn't really matter if it does or not. If this idea can take over or it can be additive to the small team, it doesn't matter. What I'm particularly interested in is doing something about DNS abuse, whatever form that takes. And then remind me the second part.

SUSAN MOHR

The second part was just specifically how are you envisioning that this might shorten the timeframe for a policy process? And if I can respond to your first, I don't disagree with you. I do think that it might be helpful to think through that as part of the proposal because some pushback you're going to get back is that everyone is really busy, and you don't need duplicative. So what is the goal of each, and how can we be most efficient?

MASON COLE

Right. Thank you. So, I don't think it's going to shorten the PDP timeline. What it might do, or at least what I hope it does, is focus the GNSO's attention on the most pressing issues that deal with DNS abuse. If we can shorten the timeline, that's all the better. But, I don't necessarily anticipate that. The idea is to make the GNSO Council as smart as possible about where it should direct its energy on DNS abuse. Yeah. Okay. Thomas, Vivek, and Chris. Thomas?

THOMAS RICKERT

Thanks so much, Mason. I think that the point on the slide before this on the 12 months is difficult because the minimum time under the PDP lifecycle is 12 to 30 months. So we can't, under no circumstances, do 12 months. So I think it would be more convincing, in my view, if you said that the PDPs are not as fast as we think they could be. But as you know, we've pushed back on the initial timeline that was proposed and have now stripped it down to, I think, one or two months more than the minimum time, and I think that's almost as little as we can get. The second point is that, and we've discussed this when we last spoke about this, and it adds to what Susan was saying, that there will be questions regarding resources. We have the PDP that is absorbing a lot of time already for the folks that are dealing with DNS abuse. So I think if you want to proceed with the proposal to come up with a standing committee, that should be a replacement for the small team so that there's no anxiety that we're building yet another structure that

needs to be fed with resources. And also, I forgot. The example that we try to mimic is what the ccTLDs did with their standing committee, and I guess that is an argument for maybe duplicating that structure.

MASON COLE

Yeah. Thank you, Thomas. That's good input. Yeah, I don't want to make this more bureaucratic than it already is. So, if it can replace a small team, or it can supplant the small team, or whatever, and I recognize the resource argument, and you're correct about it. But either we're going to pay attention to an important matter, or we're not, and if the community decides, "All right, DNS abuse just isn't that important to us, we're going to tackle some other things," well, then we have our answer. So, there you go. Okay. Vivek, and then Chris.

VIVEK GOYAL

I'm going to look at Susan and Paul there to confirm or reject what I'm about to say, so maybe Susan and Paul quick. The small team on DNS abuse was assembled to identify the gaps, prioritize the gaps, and then decide which PDP will start first. Once it has done that, it has been disbanded. There is no current small team on DNS abuse. Susan, am I correct? Paul? He was the genesis of small teams and small team plus, that's why.

SUSAN MOHR

We got Sam back there. Sam, let me know.

PAUL MCGRADY

I just work here. So if I were asked in...

MASON COLE

I think I'm losing control of the queue here.

PAUL MCGRADY

Yeah, here we go. This is Paul McGrady for the record. So whether or not there is one really isn't the question. PDP 1 is gathering things that were out of scope that we think are worthy of attention, and those are going to go back to Council via Jen. So they're going to go somewhere, and Council will do something with them. So it's not like it needs to have a standing committee or a standing small team to deal with that, so it is going to happen. One thing that Mason said that I kind of wanted to challenge, which was a 10-year timeframe. So PDP 1 and PDP 2 were meant to be kind of running side by side. PDP 1 jumped out of the gate, and I don't know exactly what's happening with PDP 2. But there's no obligation to run these things sequentially. And so, there may be 10 years if we stack it door to door. There may be three years total or however it works out. But it may be that not only do these need to be narrowly scoped, but they need to be lightly manned as well, right? Our representation model, we may just have way too many people on it if we're going to burn the community out doing them, and so that may be a thing that Council wants to look at. Because as people get more and more comfortable with representation models instead of models

designed to run the clock out, we may be able to slim that down and get more done. So I would encourage everybody to stop thinking about these things sequentially and thinking about them in terms of maybe one kicks off, and three months later, the next one, three months later, the next one.

MASON COLE

All the better, Paul. I think we'd agree with that. So I want to make sure we have an orderly queue here. So we have Philippe wants two seconds on that, and then we're going to go to, I think it was Chris, and then Anne. So Philippe.

PHILIPPE FOUQUART

Thanks. Yes, just Philippe Fouquart here from the ISPCP. Small point on the small teams, sort of by design, they are limited in time. They are ad hoc structures that are convened, and sort of by design after every AGM, just because the composition of those small teams will have to change. So either they're limited in scope, and as Paul said, once they've completed their mission, they're sort of disbanded, or they have to be reconvened every year sort of by design. So I don't think we need to worry about if something like this were to be created, there's nothing specific to do, if you see what I mean. For this small team to be disbanded, it would go naturally. Thanks.

MASON COLE

Okay. Thank you, Philippe. Chris and then Anne.

CHRIS LEWIS-EVANS

Yeah. Thank you, Mason. Chris Lewis-Evans, CleanDNS, for the record. Just on one aspect I've not seen here, and it was discussed in the gap identification process, is there's a load of stuff we can do against DNS abuse that isn't policy and is work in the community. We talked about DGA identification, I think, was the main one that was flagged as probably not suitable for policy work, but suitable for work within the community. This would be a great place to identify work in the community and actually get that done, because you're right, we need to be more sequential... Well, sorry, less sequential, more concurrent. And nothing's really happening on the DGA without knowing what the SSAC is doing, if they are, sorry. But I think something like this would really help identify those things you can do outside of policy as well. Thank you.

MASON COLE

That's a great point, Chris. Thank you for raising that. Speaking personally, it doesn't matter to me how we structure some of the work and how it flows through the ICANN system. If it means there are things we can do outside the Council, great. If there are things we do inside the Council, that's great, too. I don't want to get hung up on following certain procedures all the time or whatever. The community needs predictability, of course, but the BC is more interested in actually dealing with abuse, whatever form that takes. So, thank you. That's very helpful. Anne, and then Crystal. Anne.

ANNE AIKMAN-SCALESE

Thanks. It's Anne for the recording, NomCom non-voting councilor. I think it's not a good sell to come to Council to say, well, either you care about DNS abuse or you don't, because what actually happened, and I'm going to suggest something that might work for this, but what actually happened was there was a scoping, and I think there were five things identified, and then, it's all about what's the pace of Council work, and I understand the BC feeling frustrated about that. The GAC's frustrated about that. I'm just wondering if rather than proposing a standing committee on DNS abuse, if it would make more sense because of the urgency that I hear, that you would ask for a committee on the effect of AI on DNS abuse. In other words, something very current, very trend-oriented that could be looked at on a committee-level basis because right now there's a matter that's of increased concern in the community regarding AI, but that wouldn't say to Council, "Hey, you guys aren't dealing with DNS abuse." Because I think what you would hear back from most of Council is, "Well, actually, yes, we are." So, just trying to suggest an approach that I think might have a better chance of success.

MASON COLE

No, thanks for that PR point. You're right. I don't want to pretend like nothing's happening, so thank you for that. Yeah. Crystal.

CRYSTAL ONDO

Thanks, Mason. Crystal from Google and BC. The one thing I will say, and I agree with what Thomas said about the speed. I think it's going as fast as they can at this point, but ultimately, even if PDPs are produced at an accelerated rate, if ICANN Compliance isn't doing anything about them, there's no progress, right? We're seeing a world in which a handful of registrars have the majority of abuse. That's something for ICANN Compliance to do. They have agreements in place right now with the Registrar Accreditation Agreement amendments. They don't have to wait for these PDPs. So if we're interested in speeding up DNS abuse being actually mitigated, we need to encourage ICANN Compliance to do more. So I actually think it's not just these PDPs, it's not a standing committee at GNSO. ICANN org has a responsibility here as well.

MASON COLE

Good point. Thank you, Crystal. Okay. The queue's clear. Rick wants in. Rick?

RICK LANE

Rick Lane, for the record. I've written two pieces recently on the impact of AI on DNS abuse, and this tsunami is coming very, very quickly. We have a perfect storm of the ability of anybody in this room developing a website, a cloud storage, running spinners all through agentic AI. If you talk to law enforcement, this is what's coming. So I call it scam in a box, right? It's going to be there. Anyone can do it. The threat vector is going to be so vast and wide. We have new gTLDs that are going to be coming online, so that the

threat vector is going to become even wider in all this. So it's not just stopping, figuring out how to be preventive. If we're not preventive in this space, it is going to devastate not just trademark owners and businesses, but consumers and children and others. So what Mason is proposing of a strike team, we have to move quickly. If we're looking at this six months from now, eight months from now at ICANN88, whatever we're going to be doing, and we're still having this conversation, you're already going to see the threat vector passing us by. So it's that urgent right now of what we're facing, and so I'm hoping that with Mason's idea and focusing, if we don't focus on it, it's just going to overwhelm us, and it's going to decimate sort of what we've all strived for in the multistakeholder process in ICANN. Governments are going to step in. They have to, because it's a national security threat. And that's the next stage if we don't do something quickly in this space.

MASON COLE

Okay. Thanks, Rick. I think the queue is clear. Anyone else want to raise a hand? Okay. All right. I just want to say thank you for the constructive feedback. That was very good, and I'll take that under consideration, refine this proposal a bit more, and then we'll start working it up into GNSO leadership to see what we can get done. So, thanks everybody. John, back to you.

JOHN MCELWAINE

Thanks, Mason. Let me get the agenda back on. We are at the review of reviews and the structural review that Philippe, you were going to cover.

PHILIPPE FOUQUART

Got it. Thank you. Thank you, John. Just an update on the work of the CCG, which I'm not a member of. But you may have seen the refined proposal moving forward, and probably not today, we'd be interested in hearing views of this stakeholder group. I've heard that, and it was a bit of a surprise to me, that the ISPCP was the only group that chimed in at this point within the CCG, at least as a constituency. I'm mindful of the public comment that's coming. I would think that others may chime in. We consider that it's an important effort, or at least, some of us feel strongly about the second bucket, that structural review, that we're interested in. I'm happy to share a pointer to the position paper that we developed as an input to the group. So that's the update. It's not 10 minutes, but I thought that it'd be useful and probably something to consider for future work in the context of day zero and discussions with the board as well as our NCSG neighbors.

JOHN MCELWAINE

You have the next topic as well too, the UA standing committee.

PHILIPPE FOUQUART

Oh, yes. So that's more like floating an idea. And it's certainly not as mature as a standing committee on abuse. But you would be

aware of the final report from the, I think it's called the expert group, that was convened after the closure of the UASG on Universal Acceptance. I think the report is subject to public comment. I think, off the top of my head, the final report will be published or has just been published. And the next step is for the SO/ACs, the ACs, to take the recommendations of that final report and implement them. The GNSO is the only SO that doesn't have a UA-related standing committee. So for the others, surely those standing committees will be in charge of reviewing the recommendations, see whether they are relevant within their remit, and implement them. We do not have that, neither for the output of the final report, as I said, or for any other related UA issues. So we've got several members that would think it a good idea to create something similar to what others have, given that by and large, there's a lot of UA-related activities that are related to GNSO policies. So at this point, this is essentially just, as I said, an idea being floated around and see whether we can get some traction. But possibly also something to discuss with our colleagues within the House. But maybe as an initial thought, I'd be curious to hear about what people think. Thank you, John.

JOHN MCELWAINE

So Lori, over to you.

LORI SCHULMAN

Thank you. Thank you for those, both updates, Philippe. Appreciate it. I have a question about a UA committee in the CSG. I understand

for the ISPs, this would be an absolute critical technical issue, I would imagine. But I'm thinking in terms of the IPC, maybe the BC, I'm not sure. I know from an IPC perspective, there are issues in terms of interplay between different character sets and whether or not they would create confusion to a consumer. But I view UA as more of a technical issue on the technical side, even though there are policy implications. So I guess other than your group, the ISPs, I'm not 100% clear why it would be the same type of critical standing issue.

PHILIPPE FOUQUART

Thank you, Lori. That's useful. And maybe I wasn't clear, but the intent would not be to create that at a stakeholder group level, but GNSO level, just to sort of mimic, replicate what the others have done, and just to have a structure that would be in a position to process the outputs of that final report I was referring to. So that's not limited to the CSG. That's A. And, B, I can certainly subscribe to what you just said in terms of this being potentially a threat. Well, not a threat, but a mechanism that can be used for DNS abuse at some extent. But beyond that, especially for the road towards a multilingual internet, and beyond the CSG, there are people that consider that is critical, and I'm sure that even within the House, we'll find people that would think likewise. So, point taken as to sort of how people would see this within the CSG. We would like this to be considered more broadly.

LORI SCHULMAN

Yeah, I did think I misunderstood that. But with that being said, then that would make sense for certainly registrars and registries and the root. So just to be clear, do the registrars and registries have their own groups that look at this now and then we're talking... No. So the point is it's not being addressed inside the GNSO? Okay. I missed that somewhere, then. I'm sorry, can I... I just feel like I missed something in the message. Because we know UA is a problem. It's a well-documented problem. There's a big coalition inside of ICANN that has been working on this problem for years. So that's the part I get. I guess that the part I don't get is, why the GNSO and why now? Simply because there is another group that is addressing it aggressively. So I'm not clear about adding that to a GNSO plate adds value.

PHILIPPE FOUQUART

Right, John. Yeah, thanks, Lori. I think we need to go back to the history of all this, just for a second. The reason that we are where we are, and that expert group being convened partly with a limited number of community members and a limited number of CEO-appointed members, is that it resulted from the closure, as I said, of the UASG, which was meant to be a transverse structure that would go across SO/ACs. Some of those standing committees that I was referring to, the ccTLDs, et cetera, were created after the closure for them to have an overarching structure that would manage those UA-related issues. For whatever reason, there's no such structure within the GNSO. And I guess that, well, the proposal here or the thought here would be to do just the same. But to your

question, that's the reason why the GNSO doesn't have such a thing, because originally there was something that was meant to be broader with the UASG at that time. Am I making sense?

LORI SCHULMAN That is clarifying.

PHILIPPE FOUQUART Okay, thank you.

LORI SCHULMAN And I do appreciate that. And just in terms of, I don't have another response because to myself personally, I have not thought it through. And I think it does require a bit of thinking through.

JOHN MCELWAINE Thanks for that. The one thing I would mention for both the potential standing committees, I took a moment to look, is that their charters are in the archives of the GNSO Council wiki. And so you can take a look at that to figure out what information is needed to kind of put together a straw man, just kind of like what Mason had done a big chunk of that in there, but doing the scope and membership and things like that would be a good starting point for both, I think. Okay. Is Chris Buckridge here? I don't think he is. Yeah. So which is perfect, because we are right at about schedule then, because we're 10 minutes behind. And I definitely want to have some prep for the Contracted Parties House meeting.

And so the topics that we identified as potential topics to cover. The first, A and, let's see, A and D were suggested by the contracted parties with literally nothing much more than just, "Hey, let's talk about it." So I think if we could kind of assign leads here to this, that would be great. Does anybody want to kind of take at least a lead of kicking off a discussion on the DNS abuse PDP? Yeah. CPH meeting. Thomas, are you volunteering? You got a comment.

THOMAS RICKERT

I have a comment. And that is related to what Crystal was saying earlier. I think it would be good to start a conversation with the Contracted Parties House on what happens after the PDP is through. And to maybe jointly approach the org through the board on how they envisage ICANN Compliance to take a look at that. And it even goes beyond ICANN Compliance. It also involves OCTO, and we had a conversation about that yesterday that I think, and you maybe have a slightly different view on that, but I think that we need an outside source of expertise to complete the puzzle in terms of how to see whether the ADC policy is effective. Somebody who goes beyond an individual registrar takes intel that shows what campaigns have been involved and what domain names have been involved in what phishing campaigns, and then see whether there have been reports that have been hitting the abuse desks of individual registrars and whether they took action. So I think we need the support of the org together, Compliance and OCTO, to complete the picture so that our policy work is then supported by action of the org. So it's not directly on PDP 1, but it's subsequent

action that I think we need to kick off a discussion on so that everything's landing on time once the PDP's over.

JOHN MCELWAIN

Well, I would just ask, please mention that to start. I'm not sure that there's going to be... We're all sort of familiar, and I don't know if we really need an update, but I think having some topics in mind when that arises, that'd be great for you to mention that. Anybody else have anything they would want to raise with respect to DNS abuse PDP 1? Mason?

MASON COLE

Thank you, John. Got a queue going. So, I just wanted to alert the CSG that there will be a discussion on DNS abuse tomorrow with the CPH to...

THOMAS RICKERT

Or Thursday.

MASON COLE

Thursday, sorry. You're right. Thank you, David. There will be a discussion about DNS abuse, not a prescriptive one, but one where we basically raise the issue to the contracted parties about, okay, we're finishing PDP 1, PDP 2 is on the horizon at some point, hopefully very close. And then the question to the CPH then becomes, what would you like to do next? Because we're prepared to cooperate. So that sort of combines items A and C on your

agenda, John, but I just wanted to alert the CSG that that's approaching.

JOHN MCELWAINE

Thanks. Vivek, over to you.

VIVEK GOYAL

So, combining a few things of DNS abuse we have been talking and DNS PDP 1. So imagine, what we have been hearing is most of the registrars who participate in ICANN already do ADC. The aim of this policy is to force registrars who don't do it to be able to do ADC. The only way we can force them to do ADC is once ICANN Compliance finishes with a lot of registrars and reaches those registrars and like, "Hey, you're not doing ADC," which we don't know when it will happen, right? Because unlike normal DNS abuse, an external party cannot check whether an ADC has been done or not. Once everybody starts doing independent ADCs, the next step for a threat actor is to start registering domains with separate registrars. Done. The moment we reach that stage, doing ADCs will not give any benefit to DNS abuse at all. The only way it will benefit is there is cross-registrar collation of data where they can check whether this has been happening across registrars or not. Now, registrars won't do this, or I don't know if they would like to or not, but this will fall into remit of ICANN Compliance. One thing on DNS abuse that we have just been thinking about is shouldn't there be some piece in DNS abuse to ask ICANN Compliance, "Okay, ICANN Compliance, how many registrars will you proactively check in a

month? And by when will you check all the registrars, and at what frequency will you do this proactive checking?" This has nothing to do with the registrars. This is to ask ICANN Compliance, at what frequency will you do the checking? Because if it takes you two years to go through all the registrars, this policy is moot. It will not do anything. So, wanted to raise this across in CSG, see what you think, and then maybe we can ask CPH what they think about it, and then include it in the DNS abuse discussions we are having on PDP 1. Thank you.

JOHN MCELWAINE

Thank you for those. Marc, over to you.

MARC

So I actually did ask this question to ICANN Compliance earlier today and discussed generally some of the topics that were being discussed in the DNS abuse PDP. I think they were not particularly excited to understand that probably the only way to determine compliance is through rolling audits that will go on forever. That was not something that they loved so much. They also pointed out that they can only follow what's in policy and not what's in implementation guidance, so implementation guidance is not really meaningful from an ICANN Compliance perspective. And they emphasized that it will be important to have data that the registrars are collecting that demonstrate their conducting of the ADC and how it was conducted in order for them to be able to determine whether the registrars are complying. But there is a big

question as to how they will meaningfully make this determination without rolling audits, which I don't think that they really want to do, and they suggested that they may be more proactive in using data like OCTO to basically approach certain registrars, to investigate abuse that they learn from third parties, but I don't know how registrars will feel about that when Compliance is coming to them with this third-party data, and the report is not really coming through a traditional abuse reporting channel. So, this is something that probably should be discussed as well.

JOHN MCELWAINE

Thanks, Marc. Paul?

PAUL MCGRADY

Yeah. So, I think that two things there. Thing one is, I think there's a presupposition of rolling audits. I don't know where that came from. And ICANN Compliance is not under any obligation to rollingly audit. They know who the bad guys are, and I think our pressure point should be to go to ICANN Compliance and say, "You know who the bad guys are. Go after the bad guys first." I don't know where that came from, but we should definitely not buy that bit.

And then thing number two is on the... and this is nerdy, I apologize, but this has been consistently misunderstood this week. Implementation guidance is to the IRT. It's not to ICANN Compliance. Right? And so when ICANN Compliance says, "Oh,

well, we can't act on implementation guidance," that doesn't vitiate implementation guidance. It's just directed to the wrong party. And so I tried to cover that yesterday in the PDP to explain the difference between implementation guidance to an IRT versus Compliance staff. So, again, let's not get bogged down in that. We need to get this PDP done with all deliberate haste, with good quality. And then all you all need to put pressure on ICANN Compliance to go get the bad guys, because then they'll have the tool to do it. Thanks.

JOHN MCELWAINE

Marc, is that a new hand or...? All right, Marc, over to you.

MARC

I would just point out that we don't really need the ADC for ICANN Compliance to go after all these bad registrars. That tool already exists, which is the DNS abuse amendments in the RAA. And to the extent that they know or have indicators that certain registrars have an inordinate amount of abuse, whether it's 60% like Interisle said, who knows whether that number is correct. But there are some indicators that certain registrars have extremely high levels of abuse, and we could do that today. ICANN Compliance could go today to those registrars and investigate using existing third-party data, whether they're appropriately monitoring their own systems for DNS abuse.

JOHN MCELWAINE

Okay. Let's see. We've got, what does that say?

MASON COLE

We've got three minutes.

JOHN MCELWAINE

Three minutes. Great. Well, maybe I can at least give a little bit more clarity of what these topics are, and so that people can start thinking about whether they might speak on it. I think the RDP implementation, I will probably take, and the concept behind that is just to... Again, I think most of the registrars that are going to be in the Contracted Parties House meeting are complying with that, but it's really going to be talking about what are some best practices and how do we get that information out to registrars that are not complying with the RDP. DNS abuse PDP 2 and others. Mason, is that something you want to take? It'll naturally dovetail a little bit with some of your comments.

MASON COLE

Is the question that I would take 7A and C for...

JOHN MCELWAINE

Well, no, you don't have to take 7A. I'm talking about just 7C.

MASON COLE

Oh. Yes.

JOHN MCELWAINE

Done. Sold. Since I'm going to be doing RDP implementation, does anybody want to sort of cover SSAD progress? So, thinking maybe Susan?

SUSAN MOHR

Yeah, I can. Maybe we can talk about it in advance. But yeah, I'll do that.

JOHN MCELWAINE

Perfect. I got one minute left. Any other business, any other issues that we want to raise in the meeting? Vivek, over to you.

VIVEK GOYAL

In tomorrow's session with GAC, I have been given four minutes to represent the CSG and talk about DNS abuse PDP 1, and I'm second to last, so I don't know what new can we say about PDP 1 that we have not done over the last six months. What I was thinking of using this opportunity was to say that AI is increasing DNS abuse to a rapid pace. If ICANN does not step up, governments will form their own regulations, and then ICANN will become irrelevant, and contracted parties will have huge compliance burdens to follow the regulation of every government that they are working in. It will make small registrars inefficient. They will cease to work because they cannot afford that load, and it will impact the availability of domains in small regions which are not served. So ICANN needs to step up and take cognizant fact that things are changing rapidly,

and it needs to follow that up, and it is in benefit of the whole internet community that is present here. Not just CSG, but the contracted party, even those who are... Human rights is involved here. So that's what I was going to cover. If anybody has any challenges, something else I should cover, happy to take your feedback.

JOHN MCELWAINE

Yeah. Well, thank you. That sounds great. We can chat offline.

RICK LANE

Very quick. 110% correct. Unfortunately, I won't be here for Thursday's meeting because I'd love to be there for that, just for the fun of it. But if we don't react, if ICANN doesn't react, and registrars, registries continue to dig in their heels, they themselves become the threat vector that governments have to go after to protect the people, to protect all of our services. And the financial services are already freaking out over Mythos. It's all coming to a head, and the next vector will be ICANN and the contracted parties. It's up to them to help save themselves.

JOHN MCELWAINE

Okay, on that cheery note.

RICK LANE

I'm always cheery.

JOHN MCELWAINE

You got a smile. Lori?

LORI SCHULMAN

Yeah. Hi, thank you. I'm just going to end it out to reinforce something that Rick said. We got confirmation from Indian-based practitioners that the court orders that have been the concern about registry responsibilities for collecting data, verifying data, and providing access to data are in force. They were not stayed on appeal. There were some people who weren't sure. I myself wasn't sure, and we went back and got confirmation. So this idea that Rick said is not hyperbole, and we're going to see other jurisdictions follow, and I would bet the next one might be Japan. So, just to keep that in mind.

RICK LANE

Not the loudest voice in GAC, so she...

JOHN MCELWAINE

Okay. Thank you for all that, for this great session. Really appreciate it, and we'll close it up. Thanks.

[END OF TRANSCRIPTION]