

**ICANN Transcription
GNSO Sunday Session
Update on CCT Review
Sunday, 6 March 2016**

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On page: <http://gns0.icann.org/en/group-activities/calendar>

James Bladel: We now have a green light to begin the next session which is an update from the CCT review team. That's the Competition Consumer Choice and Consumer Trust. Am I getting all the C's and T's? Fantastic.

Giving this update will be Jonathan Zuck and we'll just go ahead and turn it over to Jonathan then. Thank you.

Jonathan Zuck: Thanks Chair and thanks GNSO Council for the invitation to participate in your session and give you an update on where we are. We've begun our work and I can tell you that after a year and a half and close to 150 calls for the CCWG there was nothing so (unintelligible) as receiving the invite to call number one for something and it's enough to make you run screaming from the room.

But of course the work for the CCT review actually began 5 years ago. It was a board resolution requesting the GNSO and ALAC make recommendations for data sources and potential metrics for 3 year targets for those data sources to look at ways to kind of quantify the measures of consumer choice competition and consumer trust which resulted in a list of 70 metrics between the GNSO and ALAC that went before the board.

And that was followed by an implementation advisory group whose job it was to look at which of those metrics were easily collectible, which ones then needed to begin to be collected in advance and then also if there was other work that needed to happen kind of in advance of the work of the CCT team convening.

And so a number of metrics had begun to be collected over the past couple of years that you can now find on the ICANN Web site. In addition to that ICANN commissioned essentially three two-phase studies.

One is an economic study and the phase 1 of that study is again available on the ICANN site. Another is a Nielsen led survey or poll of registrants and another Nielsen poll of end users, non-registrants.

And so there is those three baseline studies that have taken place. And where the precipice if you will of taking the phase two of those studies so that the CCT review team will have deltas.

So all of that's been a lead up to this particular review because in addition to the substance of this review the CCT review team has a mandate to attempt wherever possible to use data in both its findings and in its recommendations.

So the extent to which it makes findings those are - will attempt to make - support those with factual information based on various data sources. And then with the recommendations come the notion of how to measure the success of those recommendations using those same data sources and potential target metrics.

So that sort of process question is one of the other things that's very new for this review team. The fact that there's been a 5 year run up for a review team is a pretty unusual thing.

But we've actually begun the review itself in January. It's an affirmation of commitments mandated review and we're supposed to look at how the new

gTLD program has promoted competition consumer trust and consumer choice and also at the effectiveness of the application evaluation processes and the safeguards.

And so what's happened is that we've divided that up into three working efforts. One that's about the application process. One that's about safeguards and trust and the other that's about competition and consumer choice.

Next slide. The CCT team is 17 people that as you see has some geographic spread. There's six in North America, three from Latin America, three from Africa, three from Europe and what is the number from - is it two from Asia Pacific and Oceania?

So for a total of 17 including some independent experts that were appointed by the ICANN CEO and the chair of the GAC in the areas of economics and consumer protection.

Next slide. So you can see the breakdown of the representatives that have been assigned to the review team and again this information is available everywhere but you can see there's these independent experts and then also the representatives of the GAC and the ICANN CEO, Laureen Kapin from the FTC and Jamie Hedlund from ICANN staff.

All right, next slide. So as I mentioned these are the sub-teams that have been created. There's a competition in consumer choice that's being headed by Jordyn Buchanan.

There's a safeguards and trust team being headed by Laureen Kapin from the FTC and then the entire group is going to be working on the application evaluation process and the various aspects of that in that part of the review.

So we're all going to work on the application evaluation process together and split into sub teams for the other two.

Next slide. So to give you a sense of what we're doing and what we're up to we began our early calls by defining a terms of reference which is sort of like the review team version of a charter and we're in the midst of trying to finalize a work plan.

And so the first part of that work plan is about determining the issue areas. So really trying to figure out what the narrative of the review will be like and how we'll try to categorize the questions that we'll be asking as part of the review.

And that's where we need the most help and input from you all and from the community generally. So I in addition to today I hope that if you are interested or people that are interested will come to the session at 5 o'clock on Wednesday and take part in a more detailed discussion about these questions that we're asking because it's important to get feedback at this point in the review process.

The next thing that we'll be trying to do is actually trying to see if there is a need for additional data sets. So as I said it was 5 years of run up to this review in which people kind of guessed at what the review team might need but now it's up to the review team to decide what it is that they need.

And so there may be some requests for additional data that need to happen in conjunction with the review. And so that will be the next exercise if you will of the review team so that that data collection can begin sooner rather than later.

Then as I mentioned phase two of the consumer surveys and the economic study will be in progress shortly and they're expected in May and June respectively to come in.

Then in the second quarter of 2016 is the notion of interim recommendations. And so the idea was for the review team to look at what might be non-controversial recommendations about which there is pretty much community wide agreement but that might result in a PDP or other processes that might want to take place in parallel to the review team efforts so that everything is not entirely linear.

So I don't yet know whether there will be interim recommendations but to the extent there are we'll try to make them sooner rather than later again so that if there is a process that needs to take place to execute on those recommendations then it can begin right away.

Then in Q3 there's the notion of issuing of findings and there will be a draft public comment and these dates are, you know, aspirational in December and a public comment period and then finally deliver the final report to the ICANN board as is the case with all review teams.

Again another difference is that the review team will stick around and be a part of an implementation review process because one of the things that's happened with past reviews is that the team is kind of disbanded and staff and others are left to kind of implement the recommendations in a vacuum.

And so we're going to try with this review team as well to participate in the implementation process itself and make sure that the intentions of the review team are reflected in the implementation.

And I think that's it. No, sorry I asked for these slides myself. So one of the things I put in here is just one of the examples of the work that we're doing right now and that we need your help on.

So just in these safeguards and consumer trust area that Laureen is heading these are some of the kinds of high level questions that we're asking. Can the public safely navigate and use new gTLD's, the impact of pics and

safeguards, risk of confusions and DNS abuse. The impact on developing countries and what kind of trademark issues have arisen.

And if you go to the next slide you can see that those then get broken down into more specific sub questions. Safe navigations, were people able to reach their intended destination, destination, you know, filled with malware et cetera.

So you can see that that's the exercise that we're going through now and the one that we'll be discussing at the open session on Wednesday. All right thank you very much I think that's it for the slides.

There's some more slides about becoming more involved. Generally I guess I should get into as well we welcome participation in the form of observers. There's a way to get into an Adobe room and listen in on all of the calls.

There's no way to actively participate in the chat or voices but you can observe and then talk to your representative about something you want raised on the next call.

All of the email logs will be made available in the public Wiki and there is also an email address that's on the next slide that you can use to write to the review team directly if you have questions.

So we'd love to hear from you but most importantly we would love to have you participate or encourage others to participate at the session on 5 o'clock on Wednesday. Thank you, I'm happy for any questions.

James Bladel: Thanks Jonathan, appreciate the update. Just looking around the room I see (Stephanie) and anyone else? (Amar) and then (Denise) and I'm going to put myself at the end of that queue with a question, thanks.

(Stephanie Peren): Hi, (Stephanie Peren) for the record. Very interesting thank you very much Jonathan. On the RDS there is - always seems to be an issue with respect to Whois as to its utility as a mechanism of assuring consumer trust.

And I have two concerns about that. Number one is it useful and number two, what are we looking - do we stray over the ICANN remit into content on Web sites?

So I'm kind of deeply interested in what kind of polling you're going to be doing on consumer issues and where you're going with that and what the potential implications of your surveys on consumer issues might be on our work in other areas? Thanks.

Jonathan Zuck: Thanks (Stephanie). And one thing you can do is look at the phase one survey results that are published on the ICANN Web site to see the kinds of questions that are being asked.

And very similar questions will simply be asked again to see if there have been changes in the answers. I mean that's sort of the design of the survey. So there will be some slight modifications through phase two of the survey but they're not meant to be that dramatic because the whole point is to ask the same questions over and over again and so you'll get a sense of what it is that we're trying to ask.

I don't recall any questions that were specific to Whois in that survey and it just has more to do with people's trust in, you know, navigation around the Web et cetera and issues around the trust in DNS generally.

I don't know that it's going to deal so much with Whois specifically. Obviously Whois is something that's a constant topic of discussion inside of ICANN. I doubt that it will be a focus of what we'll be doing.

James Bladel: Thanks Jonathan. (Amar).

(Amar): Thanks this is (Amar). Thank you Jonathan for the briefing. I have two questions. First you mentioned that folks who were not actually on the review team could listen in.

I was wondering if the calls are going to be on the GNSO calendar or not so we could track those and know when the calls are taking place. It would be helpful if they are that way we could listen in if we choose to.

My second question is are you looking at all at definition of what consumers are? Are you thinking Internet users or are you also thinking registrants because both commercial and non-commercial registrants I think would easily qualify as consumers in the DNS context. Thanks.

Jonathan Zuck: Thanks (Amar). So the answer to your first question I don't see any reason why we couldn't put our calls on the GNSO calendar and as I said there's a separate Adobe Connect link for observers to listen in.

And obviously we're publishing the transcripts and the MP3's as well if people want to listen after the fact.

On your second question it is in fact a part of the effort to define what consumers are. In fact that was part of the effort beginning 5 years ago. And that definition of consumers dealt with both end users and registrants which is why in fact there is two separate Nielsen surveys that are actually - that have been fielded and that will be fielded again.

One that's aimed at registrants and one that's aimed at just end users. And so that - both of those are very much a part of the definition of consumer. And the other definitions that we're looking at are definitions of competition in choice, definitions of trust et cetera to try and figure out and put some boundaries on the work that we're doing in the review.

And then even defining the market itself when discussing competition is an interesting exercise. I mean some have raised the issue about whether or not the market is for domain names or if the market is for Internet identifies and should include social media or third level domains like on Square Space and things like that that are alternatives to getting a domain name.

So I mean those are all open conversations in which we're happy to receive input.

James Bladel: Thanks (Amar). (Denise).

(Denise): So I actually have two questions. So my first question is...

James Bladel: I'm sorry (Denise) can you make sure that microphone is on? I can't really hear you.

(Denise): Sure. Can you hear me?

James Bladel: Now we can, better.

(Denise): Okay so first question. Earlier this year there was an announcement that I think a lot of people missed on the ICANN Web site about reviewing new gTLD program, you know, DNS abuse issues.

Apparently staff facilitated a couple of conference calls and there was a questionnaire. No one I talked to was aware that that effort was going on. So I'm curious as to whether the CCT review team was and is aware and if that is connected to the review teams work.

And if it is, you know, I'd be interested in whether you guys think there was enough awareness in the community and enough robust discussion and contribution to that effort and whether you guys would consider doing something more? That's my first question.

Jonathan Zuck: Thanks (Denise). And so that effort is on the list of inputs to us that we're evaluating and looking at as potential data sources in addition to the metrics that were collected by the team itself.

The staff led program implementation review for example is one of the inputs also. So those are all things that we're looking at for that first exercise that identified about whether or not we need additional data.

So I can't give you any answer about what we feel about it yet because we haven't completed that exercise by any means that we've only just begun it. But the answer is yes we'll look at it...

(Denise): Okay.

Jonathan Zuck: ...and make that appraisal and then go back out to the field for more data if we find it's necessary.

(Denise): Great thank you. And then my second along the same lines the - there was a lot of robust comment and there are substantive comments on the draft new gTLD implementation report that the staff issued.

And I think a number of the points raised in the public comments I mean some of them were addressed broadly by staff. I think many of them were not. So you probably can't answer this question but as your work unfolds we'd also be interested in whether issues were raised in those specific public comments that the CCT review might want to take on and whether you're giving any thought to how the input as appropriate might be addressed by the CCT review? Thanks.

Jonathan Zuck: Thanks (Denise). I guess the answer is sort of the same. We're going to look at the review and also the surrounding comments, request for reconsideration

and other things that are indicators that we should be looking at in problems with the application process.

James Bladel: Thanks (Denise), thanks Jonathan. (Heather) and then (Marilia) and then I have a couple of hands I think still up, (Amar) and (Stephanie) are those older? Okay so (Heather) and then (Marilia). I went ahead and took myself out.

(Heather Forrest): Thanks very much, (Heather Forrest). Jonathan nice to see you thanks very much for coming and giving us this update. Can I ask you a question? I suppose it's - I suppose it's a follow on from (Denise).

One of the things that concerned me about the presentation by GDD this morning, one of the things that concerned me was the very long list of ongoing activities.

And as Denise pointed out there's this mystery DNS abuse review. On their list in addition to your work was consumer surveys not explained, RPM review, economic studies, DNS abuse review, TMCH review, route stability review, new gTLD subsequent procedures, PDP, the RPM PDP wasn't on that list as well as a program implementation review and (CDAR).

I guess we're asking - it's death by acronym. We're asking ourselves as the council how do we manage these PDP's that are within our control knowing that all these other things are happening in this environment.

And I guess my question to you is have you guys had a thought about this within the CCT given that there is other than just from the point of view of collection of data have you thought about that in terms of overlaps and those sort of things? Thanks.

Jonathan Zuck: Thanks for your question (Heather) and certainly we are equally overwhelmed by the amount of overlapping initiatives that are happening. And are trying to assess ourselves the best way to interact with those other

areas of interest to figure out what the timing of them is going to be and what areas can feed into our work and what things we can feed into with our work.

And so one of the things that the review team has done is identify tentative liaisons to each of those activities. I don't know that the - our list was quite as long as the one you just gave but many of the ones you mentioned we've identified on the team people that will be trying to follow the work at the least of each of those areas in attempt to look for synergies, look for ways to share information and not duplicate.

But I mean that will definitely be an exercise but it's at least something of which we're aware and are trying to solve through a kind of liaison role within the review team.

James Bladel: Thanks Jonathan. (Marilia).

(Marilia Masio): Thank you James. (Marilia Masio) speaking. Well I have two questions. My first one is related to the data and the metrics and the reports that have been produced.

If I understood correctly there will be another opportunity to kind of complete if you feel like there's any report or any data that is still missing there will be an opportunity to ask for this data to be produced if I understood correctly.

And just to signal that before when we represented two of those metrics and this first report to raise the point that my view there is not enough information produced in terms of the difficulties and the complexities that are specific of developing country markets.

And the person that presented agreed with me and I could not follow-up afterwards and make comments on how to make the metrics more complete. So if there is this opportunity and I'm asking if there is maybe it's a moment to

ask for this information to be completed. So we should take advantage of that.

And my second question is related to the intersection (Heather) just pointed out how many things are taking place in parallel. But particularly with the PDP or new gTLD subsequent procedures there is a part of the PDP that will look at accreditation application fees that maybe we will note is there will be a lot of correlation.

And since I'm relatively new here it's my first experience to have a review taking place in a PDP in parallel. I just wanted to make sure that when we get to the point of looking at those questions in the PDP our deliberations are not somehow precluded by the fact that the review has been produced because like I feel like they are not there yet we are just starting the PDP.

So it will be a shame that some questions don't go there because we have data and we have everything so don't discuss this. I think that we need to have this space to develop policy and even go back to what the review team has done complete information or try to corroborate or even kind of say no this information is not that we want to go in this other direction.

Just to make sure how this still will work the CCT does not preclude a policy development rights if I'm correct. So maybe this is a question more to staff or to more experienced councilors. Thanks.

Jonathan Zuck: Well I'll take the first stab at that. Thank you (Marilia) for your question and I'll call in (Carlos) as well. So part of what we were trying to do in the review is look at all these different kinds of questions and try to find cross issue constituencies to address to actually make up the framework for the review.

And so one of the larger questions being asked inside the review is whether the developing world was sufficiently addressed in the new gTLD community. And that question exists in all three of the areas.

So I can assure you that it's a priority, one. The second is that there's also no assumption by the review team that we have collected enough data to make that - to make that analysis.

And so trying to figure out what additional research needs to happen is the next step within the CCT. So it would be really good if you have an idea, if you're seen the metrics that have been collected that those documents are available.

And I'm happy to speak to you after. And do you see other areas that we should be trying to research that kind of input would be very critical because that's what we're considering right now is what additional research is necessary.

The third issue is whether or not the review in any way precludes any activities on the part of a PDP. The answer is definitely not. We're hoping to prevent duplicative effort simply by providing valuable data to you so that it could be incorporated into that review but we would in no way preclude anything that the PDP team wanted to try and do as well.

(Carlos) did you want to add to that?

(Carlos Gutierrez): Yes please. I would like to keep some concepts that you...

James Bladel: Maybe identify yourself.

(Carlos Gutierrez): Sorry, (Carlos Gutierrez) member of the review team I guess. (Marilia) we want to separate a little bit what you have mentioned and I think you mentioned three different levels and we are really trying to keep them separated.

The first level is raw data. And for competition we need two types of data, prices and market structure period. This is what we need to analyze the market and this is raw data and that we're looking after seriously.

Then in the middle is all this development that ICANN is doing on KPI's. That's perfect I mean they have to do it on an operational basis to control their business whatever and there are tons of KPI's and discussions.

We - yesterday had an explanation of a ASAC on the health index et cetera. This is not like our main line but we are considering all of them.

The third level and you saw an example in terms of trust. Our specific hypothesis we are trying to check what to understand as trust and the behavior of consumers when they use the domain name system.

There again the working groups that you saw are seriously defining the hypothesis they are going to check so we have clear boundaries. So the reason interaction with all these different efforts there is a lot of overlap.

We are not going to give an opinion on all of them but we are trying to have a very, very clear boundary of the study. If there are no numbers there is no problem because the assignment is to set the rules or the concepts that future review teams will have to follow.

So in case we come to a question where there is no data the recommendation might be just try to collect the data and wish luck to the second review team. I hope that helps but we are really in the process of structuring this work very clearly and delineating with other ones. We are not trying to cover everything.

James Bladel: Thanks (Carlos). (Steve), something to add?

(Steve): Thanks this is (Steve) from staff and I just want to echo some of the points that Jonathan just made in that I think there's recognition that the GNSO is responsible for the policy development process and development of recommendations.

And that the CCT is a valuable input to that process. And so while the PDP could discuss some of the same subjects at the same time it just - it's imperative that those - the outcomes from the CCT review are taken into account.

But, you know, ultimately the development of recommendations if the responsibility of the PDP or the GNSO. And I would also note that at least at a staff coordination level the support team that is responsible for our support in the CCT review and the PDP were in conversation and so even during Thursday's face to face for the working group it's going to be sort of a joint effort in the beginning of that meeting.

Where the CCT review team is going to join us in our face to face session to go over some of the history of the policy deal and process for the original 2007 round. So we're coordinated I hope as much as we possibly can and we recognize we should be coordinated. So thanks.

Jonathan Zuck: Well and (Steve) is being too modest because he was staff on the DMPM PDP that established the need for funding to be available for research efforts inside of PDP.

So if there is additional research the PDP effort wants to do there is now a gateway for doing that as well.

James Bladel: Okay thank you (Steve), thank you Jonathan. And I think the queue is clear and we're a little bit over our time. So...

Man 1: You're out of the...

James Bladel: Yes I took myself out sorry. So thank you for this. I understand this is important work it's just getting started but certainly we'll be monitoring this as you progress along your timeline.

Jonathan Zuck: Thanks for having us.

James Bladel: Absolutely. Okay just for announcements we are - essentially we are on break for the last 6 minutes and then we are headed over to the GAC room at the top of the hour.

Okay the GAC room is - and I'm going to say this and I'm looking at staff. The GAC room is where which room? (Crystal) and it is in the Palace Hotel. Okay so that's the hotel on the other side of this little shopping night club restaurant area over here.

And then we will be over there until I believe we have one hour with the GAC from 4:00 until 5:00. After that you are free to go about your lives but we obviously have a lot of follow up work that will be hitting the list so I ask that - excuse me guys if I could just make a few more announcements here before we lose the cohesion of the group.

There will be some important announcements particularly relative to - excuse me guys. Thanks. There will be a few additional follow-up announcements relative to some of the items we discussed earlier particularly the process for CCWG that will need - because we're not going to see each other again now until Tuesday night.

So we need to get those in front of your stakeholder groups and constituencies Tuesday morning and afternoon. So watch for those and then come to that Tuesday session prepared to button that up and dive in on Wednesday because I know we're all excited.

So with that we'll say thank you for your time. See you in the GAC room and if we can please you can stop the recording.

END