

Jose Arcé: We are starting this LACRALO meeting. The first item on the agenda is the roll call. I don't know if Silvia would like to be in charge of that? We have a guest speaker.

Silvia Vivanco: Jose, this is Silvia speaking. Gisella is in charge of the roll call.

Jose Arcé: This is Jose Arcé speaking. Gisella, would you kindly proceed with the roll call, please?

Gisella Gruber: With pleasure, Jose. Welcome to everyone on today's LACRALO call on Thursday, the 14<sup>th</sup> of June. On the Spanish channel we have Jose Arcé, Alberto Soto, Natalia Enciso, Sylvia Herlein Leite, Sergio Salinas Porto, Juan Manuel Rojas, Alex Navarro, Fatima Cambroner, Humberto Carrasco, Antonio Medina Gomez. On the English channel we have Roosevelt King and Dev Anand Teelucksingh. Our guest speaker today is Oscar Robles Garay, welcome.

And apologies today noted from Jacqueline Morris, Carlton Samuels, Jose Luis Barzallo and Olivier Crépin-Leblond. From staff we have Silvia Vivanco, Heidi Ullrich, and myself, Gisella Gruber. Have we left anyone off the roll call? If so please say your name now... If not, if I could please remind everyone to state their names when speaking. This is not only for transcript purposes but this is also to allow our interpreters to

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*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.*

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interpret on the other channel. And welcome this evening to Sabrina and to David who will be interpreting today. Thank you, over to you, Jose.

Jose Arcé: Thank you, Gisella, this is Jose Arcé speaking. The next item on the agenda is Item #2, action items. Sylvia, would you like to work on the standing or open action items?

Sylvia Herlein Leite: Yes, thank you – this is Sylvia Herlein. The standing action items from last meeting, there is only one standing action item for the last meeting and I will give the floor to Dev so that he can explain the results of this action item. Dev, you have the floor now.

Dev Anand Teelucksingh: Okay, thank you – this is Dev Anand Teelucksingh. This is just regarding the action item to email David Clausen from ICANN IT staff. I've emailed, I've started an email detailing some of the issues regarding the translation of the mailing list [posts] and it's not 100% complete. But I have confirmed that he will be in Prague and will be speaking during the At-Large session on Sunday I believe, so with that in mind I'll probably want to take my time to document all of the steps and send it probably by this weekend or first thing Monday. I'll also share it with the list once I do so. That's it.

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Jose Arcé: Thank you, this is Jose Arcé for the record. Thank you, Dev. The next item on the agenda is a presentation by our guest speaker, Oscar Robles Garay. As LACRALO Chair and as head of the region I would like to thank him for accepting this invitation.

Interpreter: The interpreters apologize; Jose's line is not really that good and we are having trouble interpreting him. We apologize.

Jose Arcé: I will now give the floor to our guest speaker Oscar.

Oscar Robles Garay: This is Oscar speaking. Thank you, Jose, for your introduction. First I want to test the audio because I have trouble with your audio so I don't know if my audio is okay for you? Thank you for confirming this, thank you.

Sylvia Herlein Leite: Excuse me, this is Sylvia Herlein speaking. Jose gave the floor to Fatima Cambronero because Fatima wanted to introduce you briefly, so could you please give us a minute? Fatima, you have the floor.

Fatima Cambronero: Thank you, Sylvia; thank you, Jose. This is Fatima Cambronero speaking. First of all, Oscar, thank you for joining us today and for kindly taking the time to explain something to us regarding topics that are of interest to us all. Just a brief comment to remind you that we invited Oscar as

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part of the capacity building program we kicked off in Costa Rica and our focus is on continuing with this program throughout all our monthly teleconferences. We have had some special guests already and we have a guest speaker confirmed in each of the remaining teleconferences this year.

Today Oscar Robles Garay is here with us. He is a member of the Board of Directors of LACTLD so Oscar, thank you again for joining us. And now we give you the floor.

Oscar Robles Garay:

This is Oscar Robles Garay speaking. Thank you for this invitation. As I was saying, you have invited me to speak about registries and registrars and not only in connection with gTLDs but also how this applies to ccTLDs. And towards the end of my presentation I will address the issue of WHOIS, so I will devote some minutes of my presentation to this topic. I don't know if I am in control of the slides, of my PowerPoint or if you will be in charge of that – I don't know how that works. Can somebody please help me with the presentation? Thank you.

So this is the agenda, a very brief agenda for this presentation. Our goal is to have a more thorough notion of this topic, and a very clear idea of how registries and registrars operate in TLDs – that is internet domain net IPs. You must have heard about generic domains such as .com – this is one of the widest spaces in terms of domain names on the internet. Today, these are the generic top-level domains. The open generic top-level domains are the ones we see on the top left-hand side of the slides, and we have the restricted generic top-level domains; and then we have the sponsored top-level domains that have to meet certain

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characteristics. The owners of these domains have to be members of a geographic region or members of a museum association, or members of the US government. I mean these sponsored top-level domains have very specific features in terms of registration.

Then there's a very specific set of domains, testing domains that ICANN uses in order to test interoperability within the DNS or between the DNS and the IDNs. And of course we have .arpa, that is an infrastructure domain and it is the oldest one – it is what we inherited from ARPANET at one point in time. Next slide, please.

We have ccTLDs, country codes that represent not only countries as their literal translation indicates but also some territories or states with some degree of independence as is the case of Martinique, .mq in the Caribbean or Puerto Rico in the Caribbean as well. These are two different territories. One of them is a French territory and the other is an American territory with some degree of independence, and both have their own country code. We have 293 country codes or territory codes, most of which are based on the ISO-3166-1 standards that govern the two-letter codes for countries or territories.

But there is also a list of IDN country codes or territory codes – these are on the left-hand side of the PowerPoint presentation; some of them are illegible on account of format reasons, but these domains are already in use in their respective countries. Some of them are replacing the two-letter territory code. We can see Russia's, Sri Lanka's, Korea's codes among others – they have their own domain names in their own characters. So these are the internet domain names upon which ICANN has some degree of involvement, that is from the point of view of the

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provision or policy definition that is in terms of specific policies that have to do with generic codes. But they have a common trait – they require a unique database administrator or manager. Next slide, please.

Well, the image is not clear but maybe if we click on this slide, if we can click on it? Excellent, thank you very much. Go back, please. Thank you, that's it – thank you. So each of these domains, internet domains needs a unique database manager or administrator. We should have sophisticated administration mechanisms to jointly manage the database and have different participants in charge of that – well, that is very complex and also very expensive. To this end, we have a unique database administrator or manager and that is the registry. That is the first and foremost function of a registry.

Also since the registry is in charge of the database administration, that requires policies or registration policies for elements that will be included in the database. So the registry is in charge of policies that will govern the database in the domain. So that database would have no sense without any way of publishing or knowing what is inside or contained in that database.

This database is published by means or through the DNS servers that are distributed in different regions or geographic locations, and scattered all around in different datacenters or facilities which place or host these servers. That is another responsibility of the registry; that is, to publish the files, the root zone files, in this case of the TLDs such as .br, .com – any domain administered by this registry that has to be published. Of course someone must have access to this database to define mechanisms to access this database. Then we have a distribution

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channel which we call the registrars in ICANN's jargon. Registrars are the ones in charge of selling domain names, but they need a permit to access this database so that they can perform these functions. Next slide, please. Next, please.

So today we see that we have registries in charge of the DNS, of policies, of dispute resolution and commercialization. This is what we call in the ccNSO jargon the monolithic approach – that is, the registry – is in charge of all functions. That was the case in the late '90s when there was not a lot of communication among registries and their communication mechanisms were not clearly defined, especially between the registries and the registrars; and we did not have the Extended Provisions Protocol or EPP that is an inter-registrar/registry communications protocol. And registries were in charge of all the functions. Latin America was no exception to this and we all had the monolithic model. Next slide, please.

Soon after that these registry/registrar communications mechanisms were defined and registrars had some delegated functions; and some registries focused specifically on the DNS and on database functions. Some of them even decided to delegate or rather to leave aside the policy function, the dispute resolution function, and delegate that to a third party. In some cases that third party was the government in specific cases, for instance for .us in the United States. The Department of Commerce is in charge of that. In the case of Australia we have a third party that is completely separate from the one managing the data phase and the DNS. It is the Australian Domain Authority that has no direct relation with the database management and the DNS but is in charge of these other two mechanisms – that is politics and dispute

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resolution. So they delegate the DNS and database functions to other registries. Next slide, please.

This is basically what I was telling you about Australia's model, where these two functions – that is politics and dispute resolutions are concentrated and then the DNS and database functions and commercial functions are delegated. So [registry's] responsibilities comprise the following: regardless of their functions, they have to cater for a global and local internet community. They have to focus on that, not only by means of service but also by means of maintaining the domain name space interoperability.

Oh, I am in control of my presentation now so I will go back. A registry's responsibilities also entail securing enough resources to keep this structure in a sustainable way, especially in a competitive market. Somebody might say "Well, ccTLDs have no competitors since they are in charge of their own TLDs." Yes, that is true but that is not really the case because really we compete against all other registries. A Mexican internet user can register on .mx but he is not forced to. He can register it within .net, .com, etc. - .me or .tm. So the user has nearly 80 options for his business product or idea, or pet or rock band.

So we live in a global world where we compete with very diverse economies of scale such as generic domains, and that is the main responsibility of a registry – to make sure that besides these diverse economies the registry's business model works and is sustainable in order to maintain this technology structure and a robust operational structure. So we have other stakeholders that we will be dealing with right now. We have the registrars that are in charge of the



commercialization or the commercial assets of the operation. They are in charge of reaching the clients by means of technology and customer service mechanisms, innovation, service options.

And diversity entails benefits: the registry never indicates prices or retail prices to registrars. Registrars know their market niche; the registrar knows his or her client portfolio and focuses on client-based solutions. Some of them will focus on a specific niche and some of them on a broader market, but at the end of the day the registrar is responsible for coming up with a comprehensive solution that will meet clients' or customers' needs, ranging from price to different domain registry services and related services. You know one of the most successful of these companies worldwide, Go Daddy, and they have many registered domains. That is, they not only register with .com or for .com or .net but also for .co, .mx, and also another one in Europe - .me, for instance, for Montenegro. And if we add up all of these domains then they are the largest registrar worldwide with nearly 50 million domains in their portfolio.

This did not come overnight but by means of a very wide service range, and also focusing on a very wide market. This has to do with the registrar is in charge of signing contracts or agreements with respective stakeholders in the service chain – that is registries and end user or registrant. Clearly the registrar is also responsible for registry accreditation. The registry sets the rules but the registrar is the one that makes sure they are observed, and these rules entail not only signing an agreement but also service levels, technology agreements, and policy requirements.

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What are the rights and responsibilities that the registrar has? Well, generally it's marketing the domain names, which as I said could be to the public in general or to market niches or very specific groups of customers that have very concrete needs for domain names. And in this case, one of the most common of which is the entities that protect those niches such as the lawyers that protect intellectual property, IP, or people who have very specific needs to protect portfolios of hundreds of brands for instance for large companies. And while these are very specific needs, they don't need to have large volumes of domains but actually they have specific needs for those brands, those marks. And those who are in the portfolio who have the Coca-Cola brand and their specific domain, the last thing they want is to have this domain eliminated; and so for those kinds of domains there are blocking mechanisms so that these domains are never eliminated.

Of course this is costly but those registrants do have those kinds of needs and they are the ones who can provide those specifications or can provide those very specific services for the needs of the customer. In the past as registries it would have been impossible to establish and define all those degrees of sophistication that are so different that can be given to registrants. And of course their responsibility also is to provide a good service to their customers. The registry established certain [issues] for what the registrar needs, and as I was saying with the Go Daddy example which can have different domains under its services.

Regarding the registration process, just to close this concept of the registry and the registrar, we can provide you with an example. When a customer that we call a registrant wants to register a domain, let's just

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mention home.alac for example, they go to a registrar which can be the (inaudible) or LACTLD for a ccTLD actually; or it could also be a registrar for some other kind of domain. NIC Mexico has its own registrar but there are also other accredited registrars – we have about 210 registrars accredited for commercializing the .mx domains. And so the person or company goes to one of them and this is how these registrars conduct their transaction on the database and the registrar makes sure that the domain is registered on that database.

So in this case it would be the .mx database which is handled by or managed by the .mx registry, and as I was saying we have some more than 210 registrars from different countries. It's around 20 countries and these countries are the ones that have a registrar operating with us. And this is how this happens with the different TLDs around the world. There is a registrant that has a need; the registrant approaches the registrar, and it is the registrar who conducts the transaction of the database managed by a registry. But if you pay attention very rarely is there a connection between the registrant and the registry or the administrator of a ccTLD or a TLD.

Just to provide you with some figures on the registries and registrars in the region to sum up this very brief presentation: in Latin America and the Caribbean there are .com, .net, .org and .info domains, but this doesn't mean these domains are physically located in the region – just we can say that any person in the region can have access to register on those domains. In Latin America as a population we have around 9% of the world's population, however we have over 10% of the registries that register generic domains. But there is no registry for the generic domains supervised by ICANN.

We have only 1.5% for names registered under those generic domains, that is around 1.6 million of the 115 million domains registered that are generic domains actually registered in Latin America. And a similar proportion applies to the registrars here. Here we are showing some resellers but we actually are showing and talking about accredited registrars. So they have around 12 of the 900 registrars who are accredited in the country by ICANN. Of course, most of them are in North America.

Now continuing with some more comparisons: in the case of the ccTLD there is some more balance right there. We have 9% of the world's population and we also have 9% of the domains registered under the ccTLDs – that is around 9 million out of the 100 million registered under the ccTLDs, that is the number of domains under .br, .cl, .co, .ar, .mx, [.ve] and all of the rest in the Latin American region provide us a figure of around 9 million. This is a good balance when considering the domains under the ccTLDs but we do see a gap, however, in the domains registered under the generic domain.

So continuing with the domain, the [rhetorical] domain, you know that there is a secondary market well which is better known in English as an “aftermarket” which is reselling domains; that is registries do not have any involvement in those markets. This aftermarket is actually controlled by the registrants, by the end users who want to sell the domains to another customer who might be interested in the perceived (inaudible) value. So in this aftermarket we only have 2%; we are talking about adding up the territorial domains and generic domains. And these domains are actually administered or held by Latin American

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users. These happen to be administered by a company called [Vito] which is a leader in the aftermarket issue.

So to give you a better idea, in Mexico we have 1.1 million domains, that is adding up all the .mx domains which is around 530,000 domains – we can have a bit less than 1 million domains. But only 70% of them have an active webpage, and this happens all around the world; this does not happen only in Mexico. This is just to provide you some context information to sum up the registry and registrars issue. If you have a question in this regard please go ahead and ask it.

Sylvia Herlein Leite:

Thank you, Oscar, this is Sylvia speaking. Your presentation is very clear. We thank you very much for your time and for having reminded us of some context and for having taught us some new things. Before continuing to the Q&A session, Fatima asked for the floor so I'm giving the floor to Fatima. Fatima, please?

Fatima Cambronerero:

Thank you, Silvia – this is Fatima speaking. I would like to apologize: when I presented Oscar I said that he was a member of the LACTLD but he is actually no longer a member of them. We talked to him in Costa Rica and he was the first person to get [to meet] and to participate in this call, and in these trainings; but because of agenda problems Oscar was (inaudible). So I apologize, Oscar, for my introduction.

Oscar Robles Garay:

This is Oscar speaking. There is no problem but we are ready here.

Sylvia Herlein Leite: Okay, Sylvia speaking again. I am seeing that Sergio Salinas Porto raised his hand, so I don't know if he actually wants to ask a question but we're going to open the Q&A session for those of you who have some doubts or would like to ask Oscar a question. Sergio, you have the floor.

Sergio Salinas Porto: Thank you, Sylvia, and thank you, Oscar – for the record this is Sergio Salinas Porto. I think everything that Oscar has mentioned is very, very important in this meeting. It is very important to have these presentations. It would be good if we could all have these presentations and work on this in the future, so if this is available we would appreciate it just to add. Thank you.

Sylvia Herlein Leite: Thank you, Sergio, this is Sylvia speaking. Natalia Enciso, she wants to ask a question. Natalia, you have the floor.

Natalia Enciso: Hello, this is Natalia – can you hear me? I wanted to thank Oscar for being with us in the name of this region, and he was the first person who helped us in Costa Rica in our program. My question is the following: I would like to know if there is a monolithic registry, and also I want to know about the price. In Paraguay we pay \$40 a year and I want to know how users can include some policies for prices to go down.

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Oscar Robles Garay:

Thank you, this is Oscar speaking. The first question: the monolithic registries that come to mind right now are NIC Chile and NIC Argentina – they have those models. At least in the case of NIC Chile I have had very good feedback about this. And the registry/registrar model, it is very clear that it's not a good solution for all. I think it works for most of us and it's a good solution for anyone looking to have a significant growth supported by policies or [senders] that are compatible with generic domains.

In our case, for example, we had a policy which actually worked that you could register a .mx domain even if you don't reside in the national territory. And in the case of .cl this was one of our restrictions for many years, that people needed to have a residence or an identification with Chile, whether it be through an ID card or some kind of identification document. This didn't really allow them to have a good deployment of the EPP and I think they are deploying it, but they did it after they had that growth. In the case of Argentina there are different reasons because it is [ministerially] managed by the government, but the bottom line is they do have the monolithic model.

Now, regarding the second half of the question, definitely there are different price levels. In the presentation by the General Director of NIC Mexico in Costa Rica, and before the Forum, I did discuss this issue of the rates. There is an important difference with the rates going from \$10 up to \$50 and some other can even sell them up to \$1000. So why do we have these big differences regarding the traditional or generic domains such as .com that is provided in \$10 or a .biz which is actually provided in \$4; or a .me that is given for free if you purchase a twelve-month hosting program.

The same logic applies here: they do not really have the registrar model. Registrars are the ones that provide this diversity and they create the options for [this market], and registrars are the ones who can provide a cheap service with lots of restrictions or an expensive service with lots of freedom. Why is that so? Because nobody has actually read the small print, or those of you who are lawyers probably already know about this. You do know that there are many cases, very sad cases that we have seen when very cheap domains are registered and you want to change the registrar, and they are actually tied by the contract or bound by the registry terms published by the registrar itself.

So this is one of the main differences. Now when we say that if a registry has very high prices or very fancy prices, the main concern here for you as users or as a community or as the civil society is not so much whether the price is expensive or not but whether the domain is sufficiently expensive so to say, so that you can ensure that you can have that infrastructure. I was saying before that the economies of scale are very different. The economies of scale that Verisign has as a .com is around 100 million domains. And so one ccTLD in Latin America is around 10,000 domains. This means that they are actually 10,000 times higher if I'm not mistaken... Verisign is 10,000 times bigger than a mid-sized ccTLD in the region, so we can't really expect the price to be the same.

I would be very concerned if the price were the same because it is very clear that a small registry would not have the capacity, the technology and the infrastructure capacity to attend to certain needs and so this model will not be sustainable in the long run. And so the concern here is whether we actually want to have cheap options. That from my point

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of view is not important if we don't really have a safe option where the registry has an infrastructure that is diversified and safe to cater not only to the needs of the registry but also to the possible difficulties in terms of economy and difficulties in general around the world.

So yes, this is a sensitive issue because the user wants to have cheap domains. If you will think of it from the perspective that I am offering you I think you will have a stronger pressure to exert by ensuring that the registry has the necessary safety independently of how much they charge, because their stability is to ensure that the domains that they offer are safe, are trustworthy for the [data they present] and that they keep and use privacy policies. I'm not sure if this answers the question.

Sylvia Herlein Leite:

Well, this is Sylvia speaking. I'm seeing that Dev is raising his hand so Dev, you have the floor.

Dev Anand Teelucksingh:

Yes, this is Dev – I think I'm unmuted. Yes, this is Dev. Thanks, Oscar, for the presentation. I was just looking at the LACTLD website and I noticed that there was hardly any Caribbean members in the LACTLD, any Caribbean ccTLD members in LACTLD. Any particular reason or any comments about that? Thanks, that's my question.

Oscar Robles Garay:

Yes, I can comment on this but first I would like to make the clarification that Fatima made. I am no longer a member of the Board of Directors.

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Dev Anand Teelucksingh: Understood, yeah.

Oscar Robles Garay: But basically what I want to say is that LACTLD was born as a ccTLD group in the Hispanic region in Latin America, which includes Brazil but it was a bit hard for them to get integrated, perhaps because of the language barriers. But of course the doors are open for other stakeholders, I mean not only for Hispanic stakeholders but definitely this is a barrier because it's not the same to have a Hispanic who can actually leverage this because that person (inaudible) various players that are (inaudible) or Spanish-speaking people than if you have someone from the Dutch language for example, like someone from St. Marten. We have accepted or at that time we did receive people who approached LACTLD to see how to participate, how to get involved; and I'm sure those people who are interested can get involved.

This could be one reason: not all the ccTLDs are interested in getting involved with and in communicating with each other. This could actually be a factor as well.

Dev Anand Teelucksingh: I see. Okay, thank you.

Sylvia Herlein Leite: Thank you, Oscar, for the time you have devoted to us. We hope to see you soon. Thank you very much.

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Oscar Robles Garay: Thank you, this is Oscar. I don't know if you would like me to devote a few minutes for the WHOIS issue? I would like to do that but if there's no time then just feel free to leave this for some other time.

Sylvia Herlein Leite: Of course, please go ahead and talk about that.

Oscar Robles Garay: Thank you, Sylvia – this is again Oscar. My [true] perspective of WHOIS is very particular and perhaps a little bit disruptive regarding what ICANN has designed and found within its processes. I was involved in the WHOIS Taskforce in the year 2000 – that is ancient history, and we didn't really reach any conclusion, or at least we didn't reach any conclusion that can be followed properly. From that moment on we had an experiment in .mx and we disabled, or rather we didn't show or didn't publish any information that contained contact issues – that is the email account, we didn't publish it and we didn't publish their street address. The only thing we published was of course the domain name, the name of the person which could be as detailed as the contact had established; and also the city in which this person lived. This is all the information that we included.

We have been going on like this for more than ten years – I can't really remember exactly – and we've never had any problem with it, that is, the law enforcement agencies or the local police that are the institutions that protect brands or intellectual property resolutions, they have been able to solve these issues without the WHOIS having this information. And we have been able to cater to those requests because

we didn't really have a massive amount of applications or requests. We do this manually.

And so this has allowed us to prove that the WHOIS doesn't really have the use that other entities have shown to us or have focused on for us. So from my personal point of view – this is not even an official position of NIC Mexico – the WHOIS issue is more useful where the law enforcement agencies can follow this up more deeply. If I can I'd like to provide you with an anecdote.

When we were getting involved in the WHOIS groups, the law enforcement agencies would approach us in the United States and they would tell us "Any information that you provide in the WHOIS is important for us to follow up a crime or some other kind of offense." So if they write "Mickey Mouse" in the contact field even if they do know and they are sure that this is not Mickey Mouse. But this is an idea for them because they can cross this information with other kinds of impersonations that the person may have had. And so this sounded like a *CSI* case on TV, and in my reality or in the reality of our countries this is very far from having that kind of benefit or that kind of use, because any person who wants to commit a crime would impersonate or would write an alias, an A.K.A. without really giving their information.

There's no criminal who likes to be a criminal and no person who will write this information there. So this is a very complex issue. This is what we have seen and we didn't really have a problem with WHOIS. It will start to be a problem at some point because we will get accredited as registrars for the .com domains or we will start operating if everything goes well with the ICANN process for new domains. We will

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start operating some kind of gTLD supervised by ICANN and with that we will have to follow these recommendations for the WHOIS and provide all the information that needs to be provided there. So we will have another challenge – how we're going to face it to the privacy [holders] in Mexico and in other places and how this is going to impact these laws that are a lot more restrictive even than European laws regarding personal data.

And of course, this will cause us to comply with these regulations and we will need to make [holders] sure that they are tied to these ICANN policies and that their information is going to be public, and any internet user around the world can see this information. But of course this is going to be a challenge . And of course, going back to the WHOIS issue just to sum up, the WHOIS issue has an additional complication. It is not only involved in the privacy issue and in the information resources for law enforcement, but it's also posing a technological part that's a strong challenge – that is, how we can establish a resource of information with these characteristics that also uses a uniform protocol, the standard protocol that we are all willing to use.

And this has been very complex because we have tried to solve social technology (inaudible) cultural problems at the same time and I think this is a very strong challenge. This is something that probably we'll need to discuss at some point. I don't know if you have a question as I really doubt that I can answer it, but you can ask a question of course if you want to.

Sylvia Herlein Leite:

This is Sylvia speaking. Fatima, you have the floor now.

Fatima Cambroneró: Thank you, Sylvia, this is Fatima speaking. Oscar, just a quick question: are you going to become a registrar to handle a new gTLD under ICANN's supervision? If that is the case, ICANN requires a thick WHOIS. This will not affect prior registrars because they operate in the way you were describing.

Oscar Robles Garay: This is Oscar speaking. Of course, and it's an advantage for new gTLDs because the ongoing ones have plenty of advantages and do not have to meet this thick WHOIS requirement. But since I know the rules from the beginning, somebody that becomes involved in these processes is aware that it's a requirement and that's it. There are some facilitations Alejandro Pisanty was mentioning that entail using proxy services or A.K.A's where the registrar is the contact point so that the end user cannot be concealed but privacy is protected.

This can be the case in a generic domain and these mechanisms entail that you can offer this service to end users that are concerned about privacy. But of course this has a cost and many a time we don't know to what extent are we taking WHOIS towards unthinkable limits to cater to law enforcement agencies' needs or to what extent are we stretching WHOIS so as to not affect the business of registrars offering privacy services as part of domain name registrations?

We will never know this. Of course we have a universal conspiracy theory... The truth is that we have many vested interests when we speak about changing or significantly amending or changing WHOIS – on

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the one hand from the law enforcement agencies and on the other hand from those already offering proxy or privacy services in addition to domain name registration.

Sylvia Herlein Leite:

This is Sylvia speaking. Is there any further question? Well, it seems there are no further questions, Oscar. If... Oh, Alejandro Pisanty is asking for the floor. You have the floor, Alejandro Pisanty.

This is still Sylvia speaking. It seems he has some audio issues so he's typing something in the AC room. This is Sylvia; I will read his questions – "What is your opinion on the opinion published by Andrew Sullivan on the DNS on the forum or in the WHOIS report?"

Oscar Robles Garay:

This is Oscar speaking. Well, if you could briefly update me on that because I am aware of the [thin DNS] and the benefits but also I'm aware of the risks. But I don't know what his opinion was.

Sylvia Herlein Leite:

This is Sylvia speaking. Well, since we have only half an hour left, Oscar, please take this point if you're going to be brief? Okay, Alejandro understands this very kindly and he will take it offline, so I imagine Oscar would be open to further questions via email and please feel free to post them in the AC room and we will forward the questions to Oscar.

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Oscar Robles Garay: This is Oscar speaking. Of course you have my email address, my Twitter account so feel free to contact me.

Sylvia Herlein Leite: This is Sylvia speaking. Thank you. So now we are proceeding with our conference call. We are focusing on Item #4 on the continuation of the General Assembly suspended in Costa Rica. We're working together with Jose and staff in order to continue with the assembly that as you all know was suspended in Costa Rica. I will post a link in the AC room. Please have a look at it. I have made some amendments to the proposal sent and this is what we need to analyze or review for the sake of the GA's continuity – that is, the first item we will be addressing when we resume the GA.

If you look further down you will see that there were some already-linked pages, and I introduced changes there. There are eleven child pages. In some cases I simply renamed them or changed some headings or titles for the sake of clarity. So if you click on the first child page, this is Fatima Cambronero's proposed amendment. You have the original proposal posted in Spanish and underneath you have the English version. The same applies to all other links.

So now we have all the proposals sent – one in Fatima's proposals, and then we have several other proposals sent by Dev. So I have simply named them and also named the person sending them, and in the last [but one] you will see there is a proposal sent by Cintra, an amendment proposal sent by Cintra. The idea is the following: staff will be circulating an email after the meeting in Prague in order to determine the date on which we will be resuming the GA that was suspended in



Costa Rica. But I wanted to share this with you so that you can take the time to have a look at these documents, some are rather lengthy; and so that you can have enough time to review them and then we can proceed.

I don't know if there is any comment on this Item #4 at this point in time? I am reading that Alejandro Pisanty has proposed a procedural motion. He wants to extend this for a further 30-minute period. I am afraid, Alejandro, this is not possible on the time allocated to interpretation so we will not be able to do so. Is there any comment on Item #4 please? Dev, you have the floor. Go ahead, Dev.

Dev Anand Teelucksingh:

Thank you, this is Dev. I guess my concern regarding the GA, well at least I acknowledge that you're saying it's going to happen after Prague and not before Prague which would have been very difficult to do. My question is, and I guess it relates to the next item: what's the point of the GA if we are establishing working groups to discuss some of the various issues that are affecting LACRALO – the governance and so forth? Wouldn't those discussions impact upon whether we should look at these motions? That's my question.

Sylvia Herlein Leite:

Thank you, Dev, this is Sylvia speaking. I think Sergio Salinas Porto was asking for the floor. Go ahead, Sergio.

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Sergio Salinas Porto: Thank you. For the record this is Sergio Salinas Porto. I want to reply to Dev. I suppose, I think that we're speaking about two different things. On the one hand we have our Rules of Procedure and on the other hand we have what is going on in the region – these are two very different things. What we're facing as a group has to be addressed and rounded off at one point in time when we have enough maturity. So Rules of Procedure and all the issues we have been working on imply that this is going to be a more normal part if you will with a view to future solutions. I may be wrong but I do not see any issue in proceeding with the Assembly and addressing issues that have to do with LACRALO's maturity to solve its own problems.

Jose Arcé: This is Jose Arcé asking for the floor. I am not in the AC room.

Sylvia Herlein Leite: This is Sylvia speaking. Thank you, I think Dev was asking for the floor so Dev, go ahead please.

Dev Anand Teelucksingh: This is Dev. I don't mind Jose Arcé speaking first before I respond to Sergio, so if Jose Arcé wishes to speak I will give him the floor and then I will respond to Sergio.

Sylvia Herlein Leite: It's Sylvia speaking. Jose Arcé, you have the floor.

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Jose Arcé:

This is Jose Arcé for the record. Thank you, Dev, and I apologize because I have no access to the AC room – I’m only on the Spanish channel. I specifically want to reply to Dev, and I want to express my view on this. This is a logical issue that can affect or impact upon the outcome of the group. There are some other issues debated in the region that can also have an impact, and we cannot wait until we round off the debate on all issues that can modify our view in order to complete or resume the GA.

And I want to make a point of clarification here. Since Costa Rica, up to date there has been no progress regarding the GA. This was a decision made by the Chair and the Secretariat on account of several reasons. First, because there were certain events or developments occurring during the GA and people did not feel very well about that, so I thought it might be wise to let some time go by so as to receive proposals for an already-adopted agenda. And we want these proposals to have the value that they deserve and to reflect these debates and the RALO’s will or intention.

But summing up and in reply to Dev, yes – there will be an impact. For instance, the Working Group on the Rules of Procedure will have an impact, and if we extend this any further this will be never ending. This is my opinion. I don’t know if there is any opposing view; I am open to a debate. Thank you.

Sylvia Herlein Leite:

This is Sylvia. Dev, you have the floor now.

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Dev Anand Teelucksingh: This is Dev. Thank you, Jose, and thanks, Sergio. Just to say that I mean I agree there needed to be a cooling off period after the GA given what happened in Costa Rica. I guess like I said, there's just [in total] two things that are happening. One: there is a Rules of Procedure Working Group that is looking to harmonize the bylaws of the RALOs so the thing is, one of the things that perhaps the GA could get to some agreement on this – perhaps – but that we [appreciate] to follow these motions until that RALO harmonizing takes place. That's one possibility.

And I would say also that to me it doesn't make sense. I think that the discussions need to happen in the working groups because these are the fundamental issues affecting LACRALO, and the GA may be more of a... So what can happen is that the working groups can have a discussion and then the GA would flow more easily rather than try to attempt to debate the issues and so forth during the GA. So that is my suggestion.

I also just want to note that there is going to be a meeting. Given the impact of the GA there will be a meeting with the Ombudsman person in LACRALO regarding certain outcomes that came out of the GA, so that is also something that might possibly impact how the GA will proceed. So that's all.

Sylvia Herlein Leite: Thank you, Dev. This is Sylvia Herlein. Fatima, you have the floor now.

Fatima Cambronerero: Thank you, Sylvia. This is Fatima speaking. I agree with Sergio and with Dev to some extent in both cases. Regarding the situation that we went

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through in LACRALO and what we started doing in Costa Rica and in the LACALO working groups set up in Costa Rica, I think that goes in parallel with all other developments. We need to keep working on these issues and I sense that of course it's going to impact upon results, but we need to continue working on this.

On the other hand, the GA has to be completed at some point in time. The agenda has been adopted and we need to vote to reach consensus. We need to finalize the GA to complete it. Personally I am a member of the ROP WG where we address the ALAC Rules of Procedure. Personally, I think that in LACRALO we have to focus on the results of this working group in order to avoid duplicating our efforts because we will be amending our Rules of Procedure in LACRALO on the one hand; and then probably we will need to amend them again to harmonize them with the At-Large Working Group's results.

Sylvia Herlein Leite:

This is Sylvia Herlein. Thank you, Fatima. I see that Sergio Salinas Porto is asking for the floor. Sergio, go ahead please.

Sergio Salinas Porto:

Thank you, Sylvia. This is Sergio Salinas Porto for the record. I must disagree with my friend Fatima. I think we have to be in charge of drafting, presenting and approving our bylaws; and after that we have to see what will be the outcome from ALAC and then amend things as needed. Maybe there's going to be full coincidence. So I think that we, like all other RALOs have our rules. We need our rules and then we will make amendments as needed, maybe some slight nuances because

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these are issues that need to be determined by the ALAC. But in principle we have to vote on and decide on what we presented during the GA, and we need to complete, to close the GA. This has to do with an organizational approach in LACRALO. We cannot be all the time amending or modifying things.

So I suggest, I propose that we should continue, proceed with the GA, close all open items; and after that if some amendment is needed it'll take place in the due course of time. But for the time being we have or regions can be autonomous to define their own rules. I believe we addressed this issue in both working groups – in the ROP WG and in the Metrics WG; and I think that regions should do what they need to do and then we can make the needed amendments. Thank you.

Sylvia Herlein Leite:

This is Sylvia Herlein. Thank you, Sergio. Natalia has the floor now.

Natalia Enciso:

This is Natalia speaking. I am more aligned with Fatima. Like Fatima, I think that we should proceed with the GA because it hardly started. We merely adopted the agenda, and then during the GA we should address these topics – the amendments, the bylaws amendments as needed. I agree with Fatima in that ALAC's Working Group should complete their work and then once we have the ALAC Rules we should make our amendments on the basis of the ALAC Rules. And I think that is a better course of action given that we cannot reach an agreement at this point in time amongst other things. Thank you.

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Sylvia Herlein Leite: This is Sylvia Herlein, thank you. Is there anyone else willing to take the floor? Jose Arcé, you have the floor. Go ahead, please.

Jose Arcé: Thank you. This is Jose Arcé speaking. I listened to all your comments. We have a serious issue. The agenda has been adopted. The proposals are the ones that are there; we cannot add anything. We just need to vote or reach consensus on the items on the agenda. If not, we will be facing issues. If we wait for them to finish...

Interpreter: The interpreters apologize but Jose Arcé's audio is really faint. We do apologize. We apologize again; we couldn't interpret Jose Arcé.

Sylvia Herlein Leite: Thank you, Jose, this is Sylvia Herlein and as Jose said, I listened to everybody's views and I believe that in Costa Rica we left a pending, open GA. We reached Item #4 that was the agenda, and I sincerely think we have to close and complete the GA and then set up working groups or focus on amendments as needed. As Sergio Salinas says, it is my understanding that RALOs have a certain degree of autonomy and we have to decide on our laws as has been the case since we created LACRALO.

So although current and future working groups will have an impact upon our decisions and upon our way of thinking, I sincerely believe that we should stick to the agenda as Jose said because it has been already adopted. Fatima, you have the floor now.

Fatima Cambronero: Thank you, Sylvia; this is Fatima Cambronero for the record. I fully agree with the fact that we need to conclude the GA and that we cannot include any further items into the agenda – I agree with you. However, we can vote not to approve any of the proposed modifications or amendments and work on each of them on a separate basis. That can be a way out. But if we do not vote on this, if we do not approve this, if we do not approve the Rules of Procedure then we avoid the duplication of our efforts. I agree that a RALO has autonomy and is a sovereign entity and we can define our own rules but my concern is that then we will have rules imposed upon us.

Sylvia Herlein Leite: Thank you, Fatima, this is Sylvia Herlein. I think you're right and we can do that, as long as we proceed or continue with the GA. Dev, you have the floor.

Dev Anand Teelucksingh: Hi, this is Dev. I wasn't too sure who was speaking previously – who was the previous speaker? Was that Fatima? That is my first question.

Interpreter: Yes, it was Fatima. And Sylvia Herlein then made the last comment after Fatima.



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Dev Anand Teelucksingh: Thank you, this is Dev. Just to say that I agree in principle with what Fatima is saying. I do want to raise a concern, well there's two concerns and I know we're running out of time here. I will just say two more things: one, I've heard some members talk of passing proposals which implies that it's a [fate in complie] without any discussion. So again, my thinking is that the Working Group can focus on the discussions and then with that knowledge go into the GA with a more nuanced understanding of the issues and to better understand about what it is to reject the proposals and so forth.

Finally, this talk about autonomy and sovereignty – again, I would hesitate. I think this is a concept where we do have a (inaudible) amount of disagreement with. We do not have that level of autonomy in the sense that... Well, it's a [non memorable] understanding. It is a memorandum; it's not a sovereign thing. I could say more about it but I know we're running out of time and we have other items on the agenda, so I will say also that we'll be discussing this in Prague; there's also going to be discussions with the Ombudsman and so forth. And given that all of this is happening after Prague then we'll see what happens then. Thanks, that's it.

Sylvia Herlein Leite: Thank you, Dev. Sergio, please, you have one minute or less than a minute.

Sergio Salinas Porto: Thank you, Sylvia, this is Sergio Salinas Porto for the record. I'm going to be brief. I don't agree with Fatima's concern. I think that we should

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sum up everything, finish off everything and perhaps those issues that we are discussing in the working groups, well maybe those issues, we could live with certain things that will fall on all of the regions. So perhaps at that point we've finished working, I think this is going to take some time but after this we can do it. But again, in the beginning we need to have clear rules in the regions.

Secondly, this is for Dev: we didn't really talk about sovereignty. I don't know how you call this in common law, but in our Roman law we say that organizations or in this case whatever is determined in an assembly is sovereign, which is different from the sovereignty that a country or a territory may have. So I don't know, Dev, what actually is it that you are referring to, but probably there is a translation problem in the Google translator which makes them make a mistake somehow when they translate some kinds of writings.

Now regarding...

Sylvia Herlein Leite: You need to stop, Sergio. This is Sylvia.

Sergio Salinas Porto: Okay, this is again Sergio. Regarding autonomy the RALOs have a certain degree of autonomy, and this is something we need to defend because otherwise we're going to fall into a different variable which is giving all the power to a supra-institution which is above our region and this is not possible. That's all, thank you and I am leaving now.

Sylvia Herlein Leite: Thank you, Sergio, this is Sylvia speaking and Jose is the last one who is going to have a word on this, and he's going to close the teleconference because we don't have any more time. Any pending items on the agenda we will just attend to them by email. Jose, you have the floor.

Jose Arcé: It's 8:39 so we need to finish. So I just want to thank you – this is Jose Arcé speaking for the record. There is something I wanted to discuss before going to Prague regarding the assignment of the ALSes and the applications.

Interpreter: It's very hard to understand Jose.

Jose Arcé: We would like to do this before Thursday. This is something I'm going to send you this week and we probably are going to adopt this on Wednesday. That's all; thank you.

Dev Anand Teelucksingh: This is Dev. What exactly- I'm so sorry, I just couldn't fully understand what Jose was saying there. Could you repeat that, what he was going to send by Wednesday?

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Jose Arcé:

I'm going to send a list so that all the regions can understand these and so that we can have a declaration, a document for the ALAC to finish off this issue. I thank you all for your participation and we will be in touch soon. I hope that you can answer all the emails that we will send to the list pretty soon. Thank you all very much and see you in the next teleconference. Thank you very much.

[End of Transcript]