

20130130_LACRALO_WG_GOVERNANCE_ENGLISH

Gisella Gruber: Welcome to everyone on today's LACRALO governance working group call on Wednesday the 30th of January at 2200 UTC. On today's call on the Spanish channel we have Antonio Medina Gomez, Aida Noblia, Sergio Salinas Porto, Sylvia Herlein Leite, Alberto Soto and Jose Arce will be joining us shortly.

On the English channel we have (inaudible), Dev Anand Teelucksingh. Apologies noted from Juan Manuel Rojas. And from staff today we have Silvia Vivanco, and myself, Gisella Gruber. Interpreters are Veronica and Sabrina.

If I could also please remind everyone to state their names when speaking, not only for transcript purposes, but to allow the interpreters to identify the speaker on the other language channel. Also a transcript of this call will be made available within 48 hours, so staff will be taking just the main action items. Thank you. Over to you, Antonio.

Antonio Medina Gomez: Antonio speaking. Good afternoon, everybody. Welcome to this meeting.

Interpreter: Interpreters apologize, but there is an echo on the Spanish channel.

Silvia Vivanco: Silvia Vivanco speaking. Gisella Gruber was in charge of roll call already.

Interpreter: Interpreters apologize again, but we have an echo on the Spanish channel.

Antonio Medina Gomez: Antonio Medina Gomez speaking. Okay. I will now proceed to read today's agenda. Reading today's agenda.

Interpreter: Interpreters apologize, but we still have echo on the Spanish channel.

Antonio Medina Gomez: We have indicated that to Antonio Medina Gomez on the Spanish channel.

Interpreter: Interpreters apologize.

Antonio Medina Gomez: Antonio Medina Gomez still speaking. Now reading item 5 on the agenda that is the creation of a team for the working group thought analysis. Yesterday we circulated emails and Sylvia Vivanco reported work on other groups. And we thought it was worth including this in this governance working group.

Item 6 on the agenda is LACRALO's participation in other scenarios. And finally, any other business.

I would like to know if there is any suggestion regarding today's agenda or if the agenda can be adopted.

Antonio Medina Gomez speaking. Okay, I will ask you kindly to type anything you feel like typing in the Adobe Connect chat room because I am having some audio issues today and my audio is not very clear. I cannot hear very clearly or properly. So I will kindly ask you to do that.

Antonio Medina Gomez speaking again. So if we all agree, I would like to comment on the three items that we have defined with the objective of this governance working group.

Interpreter: Interpreters apologize, but we have an echo on the Spanish channel.

Antonio Medina Gomez: Antonio speaking again. I think the audio issue comes from my end because I have turned off my computer speakers and I will only use my mobile phone. But if you have any questions or any concerns, please feel free to type that into Adobe Connect chat room.

Antonio Medina speaking again. So if there are no -- okay, before that, is my sound clearer yet? Okay, thank you.

So three of the aspects we want to highlight in terms of our objective for the LACRALO governance working group is an analysis, objective analysis of LACRALO as an organization. Then we need to determine LACRALO's characteristic as an organization and in terms of its autonomy. And then we have to focus on LACRALO's legal autonomy.

Okay, I see that my sound is much better. My audio is much better now. Good, that's good. So, I see that Sergio Salinas is asking for the floor. I don't know if he has any question right now.

Sergio Salinas Porto: Sergio Salinas Porto. For the record from Internauta Argentina. Thank you, Antonio for starting with these conference calls for giving me the floor. I have just one comment, Antonio. And this will help us put things on order for what is coming -- the forthcoming job.

We have some items that I think are on today's preliminary agenda that we had agreed on before. And these items were the creation of a working group or a team to focus on the (inaudible) matrix. So my question is the following. Are we going to devote these three items that you put forth in what is left of this conference call? Or is it something that we have to work within our own organization?

Antonio Medina Gomez: Antonio Medina Gomez speaking. I'm sorry. Could you speak again please? The audio was not that clear to me.

Sergio Salinas Porto: Sergio Salinas speaking again. Okay, is that better now?

Antonio Medina Gomez: Antonio speaking. Yes, that's better. That's better.

Sergio Salinas Porto: Sergio Salinas speaking. So, do we have to work on these items and then submit our work in writing to the working group coordinator? Because we do not have plenty of time left. Or were you planning for us to perform the analysis or the debate of these three items in what is left of this hour? What remains of this hour?

Antonio Medina Gomez: Antonio Medina Gomez speaking. I don't know if I got your question, Sergio, but the proposal is to work on a thought analysis according to our working group framework, in line with the strategic planning working group. Mainly what we want is to make the most of these inputs from the strategic planning group to bring them onboard and incorporate them into the governance working group.

- Sergio Salinas Porto: Sergio speaking. Okay. Sergio Salinas Porto again, for the record. So, I still do not understand what is the intent? Are we going to debate these three items now? Is that the objective, the intent?
- Antonio Medina Gomez: Antonio Medina Gomez speaking. Well, we are on item 2 of the agenda. This is what we are doing.
- Sergio Salinas Porto: Sergio speaking. So when are we going to focus on item 1? You said that we are dealing with item 2, but we haven't dealt with item 1. Correct me if I am wrong.
- Antonio Medina Gomez: Antonio speaking. I'm sorry, I really cannot understand you. Cannot get your words.
- Sergio Salinas Porto: Sergio speaking. Okay, you have put forth three items. And you said that we are going to start with item 2. When are we going to discuss item 1?
- Antonio Medina Gomez: Antonio speaking. Well, I can see that Dev is posting a link to show what he and Mr. Pisanti have been doing. I think this is very relevant and we should take it into account. I see that Dev is posting that.
- Sergio Salinas Porto: Sergio speaking. Okay.
- Antonio Medina Gomez: Antonio speaking. Okay, so you had put up your hand and then you put it down, Alberto Soto. Have you got any concern?
- Alberto Soto: Alberto Soto speaking. Yes, I was going to post that in that link you will find a matrix -- a proposed matrix with items for each of the strengths and weaknesses. And then we have a broader proposal or extended proposal in an Excel file. So it would be highly advisable to work in unison, at least part of the members of each working group, because time is really of the essence. We have made quite a lot of progress within our group. We have a matrix, but okay. We can do that together, but we still have to rank the items, assign priorities because -- well, why are these priorities important? Because then we will have a confrontation matrix where we will see that -- well, it's simply adding up. It's a mathematical calculation, but we will see LACRALO's possibilities in terms of strategic planning. That's it.
- Antonio Medina Gomez: Antonio Medina speaking. Thank you, Alberto. I think your comment is very positive because the idea is to make the most of the strategic planning working group input. However, before that, I would like to share some very important aspects that we should take into account.
- Any question regarding the objectives of this working group?
- Silvia Vivanco: This is Silvia Vivanco from staff speaking, Antonio. Could I please suggest that we should type the objective on the AC room chat because personally these objectives are not very clear for me and it's not very clear to me how they can interact or supplement the objectives of the other groups.
- Sergio Salinas Porto: Sergio speaking. Antonio, Dev has raised his hand and I have raised my hand as well. Dev is first.
- Sylvia, could you --?
- Antonio Medina Gomez: Okay, Antonio speaking. Thank you, Sylvia. The thing is that it's important to make the most of these elements that Dev is posting on the dashboard. So this is important for each of the (inaudible) working group.
- Antonio speaking. Okay, if there are no further questions, I would like to quickly deal with some of the aspects that we should be taking into account related to this analysis that

we are carrying out. I will post that on the dashboard. I will post that on the Adobe Connect so that you can review them.

So, I would like to remind you of the difference between ICANN and LACRALO because somehow organizations and ALS's that are part of LACRALO -- well, and we need to take into account what it means to be an organization. ICANN is the Internet Corporation for Assigned Names and Numbers. It is a global organization that coordinates Internet identifiers to enable a single global and interoperable Internet for the sake of public benefit. It works with an inclusive multi stakeholder model and community policies that are characteristic of ICANN. That is important because we have structures within LACRALO and these structures are Internet users, associations, companies. So we basically represent Internet users against the backdrop of a digital and global economy.

This is very important and I want to put it forward because I think -- well, I wanted to post plenty of material on the chat room, but that is not entirely visible. Hmm. It's partly visible. So, anyway, the second aspect is ICANN's vision and mission. ICANN's vision is one world, one Internet and its mission is to coordinate global unique identifiers on the Internet and assure the stable and safe operation of Internet unique identifiers. So, this is published in a document that we know and that we use on a permanent basis in our meetings and activities.

Another important aspect is ICANN's model. ICANN's model seeks first of all to build an example model in terms of governance of multiple stakeholders coordinating the global security, stability and resiliency. Also the internationalization of the stakeholders, also access to the DNS by means of quality services through IANA. And also launching the gTLD program and the IDN program.

So here with these as comes into play in terms of LACRALO because since LACRALO is a component organization within ICANN, well we have incumbency and these are worth considering. The first aspect is that LACRALO is mainly made up of ALS's. That is, people, companies and organizations representing Internet users in Latin American and the Caribbean. So contrary to ICANN, LACRALO is not a multi-stakeholder governance body. Within ICANN's model it is established -- this model rather is established, but since we LACRALO members are -- or fall within this category.

Another important aspect on the basis of LACRALO's operating principles is that once again we see that LACRALO is made up of the ALAC accredited Latin American and Caribbean ALS's that promote user engagement within the region in ICANN policy development processes.

Secondly, LACRALO will promote the formation of user associations and its accreditation by the ALAC. However LACRALO will hold mechanisms so that users within the region that are not part of an ALS can express their opinion on the development of -- or on policy development processes within ICANN.

And finally, LACRALO is a multi-lingual organization.

Sergio Salinas Porto: Sergio speaking. Antonio, can you hear me?

Antonio Medina Gomez: Antonio Medina speaking again. So, it's important to highlight the Internet users' associations have been created in different scenarios and somewhat represent civil society against a backdrop of a new digital economy.

Sergio, I will give you the floor shortly, but I still have some points to present. Please, Sergio, bear with me. Kindly give me two minutes of your time.

Further, LACRALO is characterized by having members defined as At-Large chapters, at least in 15 countries. These ALS's represent Internet users in their regions and

communities. Likewise, LACRALO -- or it's worth noting that LACRALO has governing bodies -- our governing body for excellence is the GA that is made up of two representatives per ALS -- per accredited ALS and the GA operates on the basis of consensus to the extent possible. We have operating principles and bylaws and that is something that needs to be taken into account in any LACRALO governance model or any corporate governance model.

Sergio, now you have the floor, please.

Sergio Salinas Porto: This is Sergio Salinas Porto for the record. Thank you very much, Antonio. I couldn't follow your exposition or speech. When you say that on the contrary to ICANN, ICANN is not an example -- sorry, LACRALO is not an example for the multi-stakeholder users or models. So, in the fourth matrix I would like to see that there -- or I would say that there are certain issues, similar issues. First of all, LACRALO is what it is. LACRALO is the result of different cultures and different points of view and different ways of living. And that is the main characteristic, the cultural diversity of our region. So that is important for governance. And what we can do in that respect is to improve that.

But in any sense, we can say that -- I mean I say what I am saying because I know that most of you or many of you will understand me. During the process of creation of LACRALO, many of the fellows in the region were in charge of saying that LACRALO was not working and that LACRALO was kind of ravished to put it somehow. But I don't think that is so. I think there are many people devoting quite a lot of time to this effort. They have made their best to work and against activities and the bad news on the part of our -- some fellows, well, LACRALO is not working. But LACRALO is not working not because we are bad people.

Antonio Medina Gomez: Antonio speaking. Could you please repeat the last part of your speech, Sergio?

Sergio Salinas Porto: Excuse me? This is Sergio speaking. I'm really concerned about that because we are echoing what had been said in the past. So let's revise all this because we cannot say LACRALO is not an example or an example model. We are creating and building LACRALO every day with all the ALS's and end-users who work in this structure. And we have been working very hard regardless what people may say. Regardless what people may say, LACRALO does work with some deficiencies of course, but it does work. Thank you very much.

Antonio Medina Gomez: Antonio speaking. Thank you very much, Sergio. Alberto Soto has the floor now.

This is Antonio speaking. Alberto, can you hear me? You have the floor.

This is Antonio speaking. Alberto, I see your hand up but I cannot hear you.

This is Antonio Medina speaking. Thank you very much, Alberto, for your comment. I would like to make a clarification in that sense. We're going to discuss because LACRALO as a part of ICANN -- is a part of ICANN, but we are not an organization that has an autonomy to put it somehow. For example, we are not constituted as an organization at the Chamber of Commerce for example. So what I am saying is that the organizations that are participating in ICANN as At-Large structures within LACRALO, well we have a reference and that is ICANN. And I think it makes no difference in thinking that LACRALO has an administrative structure, a financial structure objective resources. So this is where I would like to show you the scenario of what we already know. This is something, an everyday issue.

Antonio Medina speaking. Is there any other questions?

Jose Arce: This is Jose Arce speaking. I've joined the call. Sorry for the delay.

Sergio Salinas Porto: This is Sergio speaking. Hello, Jose.

Antonio Medina Gomez: Antonio speaking. So now I would like to show you the work developed by the working group -- the strategic planning working group, where you will find very important information and it is worth taking into account. Among the activities carried out by Dev Anand and Alejandro Pisanti, well they have created a very important table regarding the trends, weaknesses, opportunities and threats for LACRALO. So this is very important for you to take into account.

There have been some comments by Alberto Soto and Fatima Cambronero in that respect. Of course they were recorded.

Antonio Medina speaking. So, I would like to remind you that before the previous call, the governance working group is a working document related to the corporate government, so I would like you to take that document into account in order to generate or have the results that we are expecting to have. And to be able to present the final work that this governance working group in LACRALO.

Now I would like to go to item number 4 regarding the legal information independence of LACRALO. Jose, I would like you to confirm with me if -- or staff, I would like you to confirm with me if Jose Arce is already in the call because I think he has dropped.

Antonio speaking. So I would give the floor to Jose Arce for him to speak and to discuss this item on the agenda regarding the independence and legal information of LACRALO. Jose, you have the floor.

Jose Arce: This is Jose Arce speaking. Thank you very much, Antonio. Good afternoon to you all. My name is Jose Arce. I apologize first of all for being late to the call, but I had to go to the doctor, so I apologize for that.

Secondly, taking into account the remaining time, I would be very brief in discussing item 4 because we can work this item with the members of the working group offline.

First of all, I would like to comment -- a comment that I read on the AC room. (Inaudible) says LACRALO is a creature of ICANN and is governed by the MOU with ICANN. And I see Alberto and Dev are typing plus one -- and Sergio, sorry -- are typing plus one. I don't know if my translation is okay.

Jose Arce speaking. In English, I will read it in English. LACRALO is the creator of ICANN and is governed --

Sergio Salinas Porto: Jose, sorry for interrupting. This is Sergio Salinas Porto. I agree with that. What he's saying I think is this, LACRALO is born from ICANN, is a creature of ICANN and our connection with ICANN has to do -- or is from the MOU. So LACRALO is born when we signed the first memorandum of understanding.

Jose Arce: Jose Arce speaking. Okay, perfect. I would like to -- I wanted to read that comment because that is a clear description of our reality. We still do not know, and I think of item 4 it's a very important point because we do not know what LACRALO is in fact. Is it an association of group of people gathering together? These people gather together and they are recognized by ICANN but they don't have any legal force.

Item 4 on the agenda in fact is one of the issues I wanted to include within this working group. And it is just because in order to evaluate the pros and cons of our region and to see if our region can be legally constituted in any part of a region, regardless the country. I don't know if it has been evaluated deeply or if we have evaluated and analyzed deeply the pros and cons of having a legal figure. Can you hear me?

- Sergio Salinas Porto: This is Sergio Salinas Porto speaking. Jose, we are listening to you and after your speech I would like to say something.
- Jose Arce: Jose Arce speaking. Could you please mute the speakers because I have a lot of background noise.
- Sergio Salinas Porto: This is Sergio speaking. Yes, there is a lot of background noise and it might be Antonio's cell phone.
- Jose Arce: Jose Arce speaking. So, I go on with my idea and developing the idea in point number 4. So the idea is just to -- well, in fact there have been a lot of comments and repercussions regarding this item 4, so the governance working group should evaluate the pros and cons of this legal formation. This is I think part of the strategic planning and we should need or we need to have certain knowledge and a concrete knowledge based on a study regarding what is more convenient. I think that the working group should draft a document in this respect and we should ask the staff -- ICANN staff about this issue.
- We still have eight minutes in the -- for the call and I don't want to waste anymore time. So the idea would be to draft a document with the main ideas and to post it on the Wiki for the other members of the group to read. And once we have the final document, you will see that, Antonio. We will discuss what is the specific issue with the ICANN staff.
- Sergio Salinas Porto: Sergio speaking. I have my hand up. May I speak?
- Jose Arce: Jose Arce speaking. Yes, Sergio. But before that, just to finish my comment and my idea, I see the comments on the AC room of many people and happily LACRALO is part of the -- and the RALOs are part of the ICANN multi-stakeholder model. So if ICANN supports this model, of course we are part of that model. And we also support the creation of RALOs and I support and we support continuous work. That's all. I just wanted to shed some light on the comments that we see on the AC room. We need to take into account this model and many people believe that this model does work and many people don't. I have finished my speech, so Antonio, could you -- you can go on.
- Antonio Medina Gomez: This is Antonio speaking. So thank you very much for your intervention, Jose. Now Sergio Salinas has his hand up. Sergio, you have the floor and then Dev Anand Teelucksingh.
- Sergio Salinas Porto: This is Sergio Salinas Porto for the record. Some topics. First of all, it's a pleasure to hear you, Jose. And it's good to hear other regions. I may say that I do not agree with you on item 4 to some extent. I think that the composition of the formation of LACRALO, the legal formation and the independence of LACRALO should be considered in other means, not within ICANN. For those people who understand that they should be together, well, we need to create something as by ICANN and ICANN will have clear models and rules. And we have rules to follow, according to what we have signed with ICANN.
- But there are certain organizations that govern other organizations and that work outside ICANN, what might be the national or the Argentine Association of Computing Rights, for example, or Computing Law, sorry. So it would be great that those organizations are part of a region at outside. So I don't know if LACRALO should have legal independence or if it should be an NGO.
- Well, I would like to be very clear because taking into account the signing of the MOU, well, the ICANN expectations in terms of users should be taken into account. So, if we need to work together or we need to work for the region, well, we can work outside ICANN. We do not need a relationship within ICANN. We can all work together outside, but within ICANN, we already have a relationship. And we do not like that relationship. We would like to have a stronger relationship with ICANN. We would like to have stronger participation.

So we would all like to be able to present issues and to have certain ideas and decisions that should be respected. So I do agree with you, but I'm not sure of creating an organization as such. I believe that LACRALO rules are not compulsory. That is the point. We participate because we want and we contribute to it because we want to do it.

For the rest, well ICANN does not demand anything from us and we cannot demand anything from ICANN. So, this should be discussed in another call. We should only discuss this single issue, but this working group is discussing this point, but there might be some other point of views and perspective that I am not taking into account, and perhaps in some other opportunity you can convince me. But up to now, Jose, I don't have any need to be part of an organization to work within ICANN because we will have -- they will have the same relationship. Exactly the same. This is my point of view. That's all.

Antonio Medina Gomez: This is Antonio speaking. Dev, you have the floor.

Dev Anand Teelucksingh: Thank you. This is Dev Anand Teelucksingh speaking. Are you all hearing me? Okay, I'm hoping people are hearing me.

So, I'm thinking through what Jose has said regarding point number 4. And I agree with what Sergio has said. To me, the memorandum of understanding establishes who LACRALO is, what our responsibilities are under the memorandum of understanding, what ICANN's responsibilities are. And it's up to us if you want to wish to look at say, revising the terms of the MOU, I suppose that is one thing. However, my concerns are that we're trying to, as the English expressions, go -- says, putting the cart before the horse. Putting the cart after the horse, I should say, sorry. Because we're trying to do this and we're not understanding the reasons why we want -- we should even contemplate such a situation where to create some sort of -- and I have difficulty understanding what could be even the possible benefits. I'm not seeing it in the sense of creating an entirely legal structure outside, created somehow of At-Large structures and somehow interrupting with ICANN in that fashion. I'm not seeing it.

And in a sense, I don't think doing this type of exercise, especially if you think that we do not have -- if we are not fulfilling our, how should I put it, our governance right now in terms of how we will coordinate our work together and so forth, I don't see how creating an entirely new legal structure is going to solve these problems. So, I guess if you want to try to look at the reasons why it should be done and so forth, fine, but in my mind it's really not a necessary thing.

I posted a link to the chart earlier on. It speaks to each different characteristic of what is good governance. Participation, ruler's law, transparency, responsiveness, consensus oriented, equity and inclusiveness, effectiveness and efficiency and accountability. Each characteristics of good governance.

So I think that what we should be doing is looking at these, what we consider to be to each characteristic. And are we measuring -- do we measure up to those characteristics? And if not, how can we then improve our governance structure in terms of -- so that we can be a better LACRALO? That's it. Thank you.

Antonio Medina Gomez: This is Antonio speaking. Thank you very much, Dev. I think that we are somehow achieving the objective during this discussion in terms of these issues. These are issues that are not generally discussed or we do not dare to discuss them because they are really complex issues. But we are now opening a door to carry out a very important revision to review this scenario, our own scenario, which is LACRALO.

Antonio speaking. I'm reading the chats of the comments posted on the AC room, which reflect different points of view that we should take into account.

This is Antonio speaking. I see Alberto Soto has his hand up. Alberto, have you got any question? You have the floor now.

Antonio speaking. Alberto, can you hear me? I see Alberto has his hand up on the AC room.

Antonio speaking. We have discussed item 5. Somehow this is the importance of the creation of a team for LACRALO's squad. This was done by Alejandro Pisanti, so this is not to double efforts and to make the most of the analysis that have already been done.

Point number 6 has to do with the participation of LACRALO in other scenarios. This is somehow related and I would like to refer to the survey sent by Sylvia Herlein some days ago. There are certain issues which are very important and they have to do with those other scenarios that in which we should participate or engage. So we need to define which type of organization LACRALO would be in the future.

Antonio speaking. I would like now to give the floor to Jose for him to explain this about the possible scenarios in which LACRALO should participate. We have only five minutes to discuss the agenda. Jose, you have the floor now.

Jose Arce: This is Jose speaking. Antonio, sorry but I was paying attention to the discussion on the AC room and I heard that you were giving the floor to me, but I was not paying attention to you. So could you please repeat your last sentence? Thank you.

Antonio Medina Gomez: Antonio speaking. Sorry, Jose, I could not understand you. I am giving the floor to you for you to comment about the possible scenarios in which LACRALO should participate. Taking into account that we might introduce certain changes regarding its rules on autonomy.

Jose Arce: This is Jose Arce speaking. Okay, Antonio. Well, I don't really know how we are getting on with time. I think we are exceeded. Can we go on speaking? I think that we should end this call. I don't know what the staff might say. Sylvia?

Sergio Salinas Porto: This is Sergio speaking. Sorry, Jose. Antonio, I need to leave.

Antonio Medina Gomez: Antonio speaking. Could you please tell us your input or comments about the possible scenarios in which LACRALO should participate?

Sergio Salinas Porto: Sergio speaking. Antonio, I'm sorry, but I must leave. So I will -- if you go on with the call, I will listen to the audio files or read the transcript. I think this is an issue that we should deal with deeply and not in this five remaining minutes. So you should send this in written and we should keep in touch with the governance working group to see what we can decide on this issue.

Antonio Medina Gomez: Sorry. This is Antonio speaking. We have already -- we have exceeded the top of the hour, so we need to have certain conclusions about today's call. And despite the fact that we have been talking about different aspects as Alberto Soto said, about issues that we already know, well, for the sake and -- for the essence of the work we are developing, these are issues and topics that we need to discuss and deal with to be able to create or build a future LACRALO in a concrete way since we are an ALS in ICANN. So I suggest that if you have any suggestion about this call, so please say your comments and we are going to structure them in a way so that we can draft a document to have a clearer idea so that we can develop the document in a few days.

Antonio speaking. Is there any other questions?

Antonio speaking. I am reading Sylvia's comment on the AC room. So I would like to thank you for participating in this meeting. So as I said before, any suggestion, comment, please send them by email so that we can enrich this working document that we will be developing in a few days. Next week we will define the time and date for next call. Thank you very much.

Unidentified Participant: Well, thanks, everyone. And thanks to the interpreters. And have a good day, everybody. Bye-bye.