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MARIO ALEMAN:

This is Mario Aleman speaking. Good morning, good afternoon, good evening everyone, welcome to the LACRALO monthly call on Monday, September 18<sup>th</sup> at 23:00 UTC. I would like to welcome our participant on the English Channel, Claudia Ruiz. On the Spanish Channel we have Javier Chandia, Claudia Ruiz, Humberto Carrasco, Ricardo Holmquist, Alberto Soto, Vanda Scartezini, Yoselin Vos, Diego Acosta Bastidas. We have no participants on the Portuguese and French Channels, and from Staff we have Silvia Vivanco and myself, Mario Aleman. I'm also the call manager for today.

Apologies have been sent by León Felipe Sánchez and our interpreters today are Veronica and David on the Spanish Channel, Portuguese we have Esperanza, and in French we have Jacques and Isabelle. I would like to remind all participants to please state your name when speaking and also to mute your speakers and be clear, not only for the transcript but also for the interpretation. With that, I will give the floor now to Humberto for you to begin with the call, thank you.

HUMBERTO CARRASCO:

Humberto Carrasco speaking for the record. Thank you very much, Mario. I know Maritza is not on the call so I will begin with the agenda. I know Maritza is in Australia so she's not on the call. She has some family issues and of course the time zone is complicated, so that's why she's not on the call. Now I will proceed with the agenda to read the items on the agenda. We have some items, for example the review of public consultations; this update will be delivered by Alberto Soto.

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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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Alberto, please let me know if that is correct, are you going to present this item on the agenda?

ALBERTO SOTO:

This is Alberto Soto speaking. Humberto, I'd like to go ahead, please. This is Alberto Soto speaking. Hello, Humberto. Well, I will just provide an introduction of what we did in Johannesburg because we had many important activities there and many tasks are being executed right now because of that, so I will be updating you on that. In ICANN56, the At-Large Community celebrated more than 25 years and also we had some meetings and events with different stakeholders and other important groups; so that is for ALAC.

And when it comes to LACRALO, we had some public interest discussions in relations to end users. I'm not going to mention everything of course, but for example we spoke about the [inaudible] of the safeguards. We also had an update on the working group for Competition and Consumer Choice. This is the CCT working group.

The community had a very important discussion; when we say discussion, of course we are referring to a meeting, we had an important meeting with some staff members and the idea was to have a better understanding of the definition of consumer and the contribution that ALAC may do together with ICANN.

The At-Large review had a very important aspect in our meeting. We debated the timeline; as you may remember, by now the items report was supposed to be ready, so we had to discuss the timeline and the method to evaluate the implantation plan and the different

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recommendations. Then I will talk about this and I will give some details.

We also spoke about the ALAC assessment on development, a project. We also spoke about registrants. We spoke about the empowered community, the ICANN empowered community. We also had some discussions on the RDS; this is the replacement of the Whois system as you may already know. We also had some other discussions and meetings.

As you know, this was a policy forum, the Johannesburg meeting was a policy forum and ALAC was able to participate in different meetings. For example in the GDPR and Cheryl Langdon-Orr was the chair of a session. As a decisional participant for the empowered community, ALAC was also able to participate in this public forum; it was for the first time because this is the first time in which the empowered community is ready so the idea was to discuss the policies that are still ongoing.

ALAC also met with GAC and with SSAC, as you know that is the stability, resiliency and security committee, advisory committee. Some At-Large members met executives from the stakeholder engagement group and the public responsibility group. The GSE team provided a general overview of their strategies to increase participation in ICANN policies. That was specifically devoted to ALAC. As you know, each ICANN meeting is dedicated or addresses different topics on the region.

We also had another discussion regarding the next ALAC summit, ATLAS III. This will be held in Kobe, Japan. The idea is to consider individual members to be able to participate in this next summit. So this means

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that we have to make efforts to be able to work together and participate. The idea is to participate in webinars, in meetings so as to have a better idea.

Also, LACRALO leaders and the At-Large working group, these are the engagement and outreach subcommittee of the public interest committee and the capacity building committee and also the technology task force; these working groups had a specific meeting during the ICANN meeting in Johannesburg.

Let me tell you how we work in ALAC as an advisory committee. Advice might be requested from ALAC or we can also provide our advice on our own. We need to take this into account because we are trained to represent end user interests. So we have three questions to take into account. Hello, can you hear me?

HUMBERTO CARRASCO: Humberto speaking. Yes Alberto, go on please. Go ahead.

ALBERTO SOTO: Alberto Soto speaking. So there is a very significant impact on a decision or an a policy, and the idea is to see if that policy has a significant impact on end users and an impact on ICANN as an organization. We also need to discuss whether these impacts may affect results.

We also need to provide advice based on that. For example, the Red Cross domain name in Spanish, we need to analyze and to see if that is

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of interest for the end user, and if that is the case, then we can provide advice. Nowadays, we are dealing with that.

Now I'm going to paste on the Adobe Connect a link, there you will see a list of all our participations in ICANN, the ongoing public comments and all the discussions we are having right now. Sometimes we do not deliver our input on certain issues because that is not requested, but even though we do not provided input that does not mean that we do not analyze the issue. For example, we discussed with the NCUC some topics.

So in the link I sent you can see, and let me see if I can provide you with another link with further information just in case you want to see specific information on the NCUC. Vanda Scartezini was participating on the meeting; this is a public comment for example, this public comment will be closing tomorrow so the purpose of this public comment is to obtain the opinion of the community regarding the amendments to the bylaws. This is just an example. Vanda was working on this issue.

Hello, can you hear me? Hello? Alberto Soto speaking. We need to take into account that this is an organization with some differences because we deal end users in a different way. This is the noncommercial unit and sometimes we have different points of view. One particular difference that we have is the way in which they deal with end users; they are quite restrictive in terms of allowing end users into the unit or into the community.

I'm just trying to read the definition, please bare with me. I mean, they use a kind of definition which is not a happy definition I would say, but

for example if they don't like someone they can ask for a change, and of course this is not what we do. I mean, I'm not going to read all the observations but just wanted to comment on that. I only have 10 minutes to speak about this, so I'm not going to get into details, but these are some of the differences.

Then the DNSO has a working group, this is a new gTLD subsequent procedure working group. I mean, the name is quite long but this is a working group. This working group is working on the new guidelines on a new track and the idea is to focus on geographic names in the top level, and this is something important because we as end users, we have some kind of interest in this. This is a very problematic issue, there are many points of view, it's quite difficult to get consensus on the topic, but of course the working group is working on this issue and participation is being requested by the community. The working group is trying to establish a leadership model, a shared leadership model with co-leadership in ALAC, the DNSO and GAC.

Just to finish, let's talk about the At-Large review. As I said before, and as I said in Johannesburg, in that meeting we began discussing the report and how we would implement recommendations. In that final report, we had different issues and we had recommendations, the recommendations that were accepted and those which were not accepted. As you know, we have a non-confrontation policy in our group and we were somehow accused of defending ourselves of something, but that was not the idea. We were quite passionate when discussing, that is true, but we had many issues.

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The working group was quite careful when using words and terms, so this a report which is an implementation plan and most of this recommendation, as we know, because we send those recommendations to LACRALO community, they have the report; if you want to see, if you want to read the report, you can find it in the link I sent before; but we were very careful in analyzing all the words and terms.

For example, we were very careful when writing a partial rejection or a full rejection, so wording was carefully started and the final report was submitted on September the 14<sup>th</sup> to the board. This board will discuss this report during this week. That's why we have a very limited period of time but we made it. We got plenty of consensuses. We discussed different words, different terms, but we decided to have four people reviewing the document and making the necessary corrections and replacing the necessary words without changing the period of the report.

That small working group was the one in charge of reviewing the final report, and as I said before, the idea was to avoid any mistake in terms of wording. This was done of course in a limited period of time and these four people worked really hard, they worked a lot, they were working during the Johannesburg people and of course our team as a whole worked very hard on this. The participants were Alan Greenberg, Maureen Hillyard; they were the ones making the review, the final review, and Cheryl Langdon-Orr and Holly Raiche, they were the observers of the review, if you will. And now we need to wait. So this all, Humberto. Thank you very much for you time.

HUMBERTO CARRASCO: Humberto speaking. Thank you very much, Alberto, for your report, for your update, thank you. We are aware of all the efforts made to address this report. Congratulations for your work and we hope to have a reply before Abu Dhabi. Now we have a presentation on [inaudible] violence on gender. This presentation will be delivered by Yoselin Vos. Please Yoselin, go ahead.

YOSELIN VOS: This is Yoselin Vos speaking. Hello everyone from Panama. It is an honor for me to show you a little bit of what we are discussing right now in terms of gender violence, which is also associated to social networking. The first thing we need to see in social media is that the situations we are seeing in terms of texting, grooming and cyber bullying, all of these are issues that are somehow affecting both girls as well as women, and we're also seeing situations where there are people with disabilities who are also having issues. We are very concerned in connection with these issues on how this is developing in Panama and how these people who are a vulnerable group are really far away from feeling that they are getting justice when they are involved in situations with violence and social media.

I also wanted to say that when there's violence against vulnerable people, what we're seeing in situations such as violence between couples, we see situations where partners are asking for geo localization information, they are limiting the information that their partner is

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posting online. We are also seeing pictures online, videos and all of these [inaudible] woman.

We will also find other situations; in Panamanian law for example, some sites have been included and we see that women are now an important aspect in media violence. This is also touching upon new technologies. We are seeing very clearly there is a media violence where there are messages, terrified messages that are shown in the mass media that are associated to humiliating women. Unfortunately, what we are seeing now in Panama in connection with this, especially in aspects that are related to women, is that even the mass media are being the way women are exploited because they go against the dignity of women.

We also wanted to show you a very simple example. A few weeks ago, a minor was assaulted by four individuals in a pub and this news which should have been really impactful for the Panamanian society, and it actually was, created a series of comments that we can see now on screen. A girl for example said that there were biblical issues or comments that this is 50% to blame for the women and the other 50% is to blame for the men, or another situation where I can say, "Well, at that age women are or girls have already been looking for that information." As we can see, these are misogyny comments that are opposing now in social media, are having a very strong impact on dignity.

There are some other news that we have been collecting in this research and we can see this kind of news, girls who are usually victims of this kind of assault and we can see that in their social network there are minors.

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We, interpreters, apologize; we can no longer get sound from the speaker.

There are even reports and what's interesting is the response from society with the violence we can get where they put into question their sampling as evicting and they make comments such as, "This is the attacker," or they say, "If these girls dress that way, they're actually looking for this sort of behavior." If you look at this picture that we see now on screen, is there anything sexual about it? This is just a girl walking on the beach. According to the media, she is now very exposed and the comments we see are really abusive. There even are some references that she may be a cause for sexual transmitted diseases.

Another thing we also need to say is that people who are homosexual or transsexual are depicted also in this way. What we see now is the first transsexual person in Panama that has changed his or her name, however, there's a lot of violence in the news against these people.

INTERPRETER: We, interpreters, apologize; we are not getting proper sound.

YOSELIN VOS: And even when you see this, we can see that there are comments on situations that can lead to depression, they can lead to attempts of suicide, and as I was saying, the consequences are really serious. The case we see right now on screen is this Italian girl who was a victim of the propagation of her own videos. She started a case in court, and even after all of this was published, she decided she wanted to move to

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another city, and when judgment was issued, she was forced to pay a fine, a very important fine because in theory she was the one who had caused, provoked this pornography. Unfortunately, she could not bear depression from society and she ended up killing herself.

There's also a case where someone killed an adult. What's interesting is that she made a statement that this will be caused because of what happened with her partner, and this happened only in a case of violence against a woman because they manipulate the fact that women are the ones who cause the situation, even though we are talking about an adult that may had nothing to do in the situation.

It is important to say that in this kind of videos, what we are no longer seeing is the amount of people who are viewing those videos and they can see the violence. I'm also very sensitive to these issues and very certainly what we are starting to see is the response we're giving them about [inaudible] policy and from the legal standpoint.

We are very concerned about how this issue is being magnified and there are certain aspects that are not addressed. In our criminal code, there are some points where it is said that we need to share the information that is stated in letters or in emails, and aside from that, the family code even includes the right to image and the fine is 15 days when we consider it's a very serious consequence.

INTERPRETER:

We, interpreters, apologize, but Yoselin is cutting out. We are not hearing her any longer. [AUDIO BREAK]

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Once again, this is the interpreter, we are not hearing the speaker.

MARIO ALEMAN: This is Mario speaking. Your connection seems to be a bit unstable. Perhaps if you can move from where you are. [AUDIO BREAK]

YOSELIN VOS: This is Yoselin. I can no longer see the presentation on screen, but I still have it here, so I'm going to move it from here. There is this semi state law that we are having and we are dealing there with this violence against women, both in private and in public, and one of the aspects mentioned there is the criminal code.

INTERPRETER: Once again, we interpreters are not hearing Yoselin.

YOSELIN VOS: There is some association to blackmailing women. There is also sexual assault at work or in religious settings. These issues such as bullying are also included in this law. There is another modification to that law where there is something in favor of social responsibility, civil responsibility. [AUDIO BREAK]

It is one thing -- actually, what's interesting about this law is the victim of an offence can have access to the civil procedure [inaudible] and also there is an official legal office that will not consider her economic status,

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and so now she will no longer have jurisdiction in the criminal field, but also in the civil field.

Another issue I'd like to state here is vulnerable people, specifically people with disabilities. This new law is also allowing not only protection for people with disabilities, but also claims can operate smartly in the civil field so that if someone who has disabilities has been feeling bullied or his or her rights have been [inaudible], they can access the right to make her claim in the civil field. This is an issue that is very concerning for us because we are seeing how social media are magnifying violence and they are putting us in a much vulnerable position, not only women but also senior adults, people with disabilities and people from other ethnic groups.

INTERPRETER: Once again, we are getting very bad audio from Yoselin.

YOSELIN VOS: So now, if you have any questions that you'd like to ask, we are here happy to answer for that. I hope I made a good use of my time.

HUMBERTO CARRASCO: This is Humberto Carrasco speaking for the record. Thank you, Yoselin. This was a very interesting presentation. At least here in Chile, and I think in all of Latin American, this is an issue that is very hot right now.

There is a question from Alejandro Pisanty in the chat room. He is asking of what you speak about civil responsibility, do you mean

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internet users? And then there's another question, how do you think you will connect this with activities where LACRALO has a mandate? And to add to this question, from my point of view, we need to see issues related to domain names and IP's. [AUDIO BREAK]

Humberto still speaking. Are these questions clear for you, Yoselin?  
[AUDIO BREAK]

Humberto speaking. Yoselin, are you online?

MARIO ALEMAN: This is Mario for the record. Apparently, she has disconnected.

YOSELIN VOS: Now Yoselin speaking. Here I am, I hope you can hear me.

HUMBERTO CARRASCO: So Humberto speaking now. Do you want me to repeat the questions or have you heard them?

YOSELIN VOS: This is Yoselin now. Please repeat them, I didn't hear them.

HUMBERTO CARRASCO: Humberto speaking now. There are two questions then from Alejandro Pisanty. The first is, when you speak about civil liability, do you mean internet intermediaries? And then the second question is, how do you think you're going to connect this with LACRALO's activities, the

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activities where LACRALO has a mandate? And I want to add something to Alejandro's question because LACRALO needs to somehow be interested in issues that are related to domain names or IP numbers.

YOSELIN VOS:

Yoselin speaking. As for civil liability, more than intermediaries, what they're looking for is that I can answer or that can go against the social media or the individuals that are making this kind of abusive comments online. As for what you were saying with LACRALO, the thing is these issues are transversal and of course we deal with domain names, but if I have a webpage or a blog where I have this kind of information where this is being published and I'm violating women, as LACRALO, I will have the responsibility of looking for mechanisms to make policies so that I can have or I can be certain as a citizen that there will be policies allowing me to protect these kind of rights that are [inaudible]. Hello?

HUMBERTO CARRASCO:

This is Humberto speaking. I can hear you. What you're saying is that it's actually more related to content.

YOSELIN VOS:

Yoselin speaking. Yes, it's associated to content.

HUMBERTO CARRASCO:

Humberto speaking now. Let me add something. Here in Chile, there are domain names that are targeted to bullying or target to gender violence, so there have been legal disputes on whether it is possible to

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attack the registry where the [inaudible] can attack the registry, and second if it is possible to revoke that registry that is going against gender equality, or some kind of attack, or cyber bullying to say simply.

YOSELIN VOS:

Yoselin speaking. At least from what I can understand, and I'm working in the legal field, we're taking some measures in terms of people trafficking, some in web pages and in social media, that if we are thinking of registering these web pages and mix Panama, well there is still is no policy about that in Panama.

HUMBERTO CARRASCO:

Humberto speaking. Thank you very much, Yoselin. Mario, can you please tell me if there is any other questions or comments for Yoselin? Otherwise we're going to go for our next item on the agenda.

MARIO ALEMAN:

Mario speaking now. Thank you very much, Humberto and Yoselin. There is one more question from Alexis from Venezuela. [AUDIO BREAK]

Mario speaking now. You can read it and then you can provide the answer.

YOSELIN VOS:

Yoselin speaking. Hello, Alexis. We are associating this to financial issues, but we are not associating it to service providers. As we can

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read it in the legal text, it seems that this is more targeted to the person that is exercising violence against the woman. As I said, there is no policy to hold the providers liable because they are seeing this from the point of view of who is violence.

HUMBERTO CARRASCO: Humberto speaking now. Thank you very much, Yoselin, this was a very interesting presentation. Personally, I think that you mentioned content, however I call on the members of LACRALO because there are records of internet addresses that are against certain issues in certain countries where there is cyber bullying, where there is gender violence, and these internet addresses are used for this kind of attacks. Let's go to the next item on the agenda, thank you very much, Yoselin, for your participation.

Humberto speaking. So let's proceed with the next item on the agenda. I would like to ask Ricardo Holmquist. Can you hear me okay? I know there is an echo on my line but I am on the phone. Can you please confirm that you can hear me?

MARIO SPEAKING: Mario speaking. Yes, you had an echo on your line. Now you're audio is much better

HUMBERTO CARRASCO: Humberto speaking. Okay, good to know. So I will be on the phone then. There are other topics of interest, so I would like to ask Ricardo Holmquist, he is a new ALAC member by the NomCom. He was

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appointed by the NomCom. He of course would be a good contributor to the region so I wish him success in all his activities.

There are some other topics of interest. I don't know if Sergio Salinas Porto is on the call because we have the gun letter, there are some delays. I know Sergio is leaving the governance working group so he was able to reactive all the activities of that working group, and we will continue working. Can you please confirm that Sergio is on the call? Is Sergio connected?

MARIO ALEMAN: Mario speaking for the record. Humberto, Sergio is not on the call today.

HUMBERTO CARRASCO: Humberto speaking. Okay, what about Steve? He is our next presenter, is he on the call?

MARIO ALEMAN: Mario speaking. Steve will be connecting shortly, in 10 minutes.

HUMBERTO CARRASCO: Humberto speaking. Okay, if that is the case --

ALEJANDRO PISANTY: Humberto, this is Alejandro Pisanty. Since we have some minutes, I would like to make a comment.

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HUMBERTO CARRASCO: Humberto speaking. Okay. Alejandro, go ahead, please.

ALEJANDRO PISANTY: Alejandro Pisanty speaking. Thank you very much, Humberto, this is Alejandro Pisanty for the record. Good evening, everyone. On Friday I received an email from ALAC. I know there is a review of the IDN's, I mean these are the code points for the Latin alphabet and alphabets that derive from the Latin alphabet. I think this might be relevant for some countries in our region. These include some letters and of course this is very interesting for us because for example the ñ is used in some other alphabets, for example in the Breton alphabet, and this has been forbidden in France for example, so we need to see if for example the ñ letter belongs to the same coding and if we can still use this letter on domain names.

So perhaps we need to tech phase with domain name policies and see if there is interest. I believe it would be good to propose to the LACRALO chairs this topic so that you can address the topic and be in contact with the relevant area in ICANN if it is the case and if it is necessary to develop a policy. LACRALO is waiting to have further information, I know.

HUMBERTO CARRASCO: Humberto speaking. Thank you very much, Alejandro. This is a very interesting topic. I know it might have a great impact, but I know Silvia is requesting the floor so this can be taken as an action item and then

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we will see if there is a comment. So I take notes on what you said, Alejandro. We will find out whether there is information and we will then decide the next steps. Silvia, can you please read Alberto Soto's comment? I cannot read it.

SILVIA VIVANCO: This is Silvia Vivanco speaking. I don't see any comment by Alberto on the chat. Let me check. I know Alberto is typing, he said he made no comment.

HUMBERTO CARRASCO: Humberto speaking. Okay, that's good. So Silvia, you have the floor, go ahead please.

SILVIA VIVANCO: Silvia Vivanco speaking. Thank you very much. I just wanted to make a reminder, please filling the survey about emails. We are working with the IT department who will have a new automatic translation tool in the mail list. This is a better tool in order to facilitate communication. We circulated a survey and the idea is that you provide your comments on that survey, so I sent a reminder to both lists today and the idea of course is to eliminate the translations issue that we have with the automatic translation tool. That's all, thank you.

HUMBERTO CARRASCO: Humberto Carrasco speaking. Thank you very much, Silvia. Yes, this is a very important topic. We discussed that issue on previous calls. We

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know all the problems we had in terms of translation of the mailing list. The result of the survey is relevant because we will be able to determine and understand that and the tools that we will be using in the future, so please fill in the survey, it's really important for us.

You know that we had many problems with the automatic translation in our mailing list, so as I said before, it is very important for us to make the most of the new tool being proposed, and in this case you will have a new tool. I don't know, Dev, would you like to make any comment on this issue? Mario, can you please tell me or Silvia if Dev wants to take the floor and speak about this?

DEV ANAND TEELUCKSINGH: Thank you. This is Dev Anand speaking. I can make a quick intervention.

HUMBERTO CARRASCO: Humberto speaking. Dev, go ahead please.

DEV ANAND TEELUCKSINGH: Thank you very much, Humberto. This is Dev Anand speaking. As Silvia mentioned, it's very important to please fill out the survey. For those who are still unfamiliar with the new continuing changes that are coming, we did conference call earlier this month. I'm sure we will be able to post this in the chat for people to look at the recording and look at the presentation. I'll be happy to answer any questions about the changes coming to the new tool and all questions regarding the survey. Thank you. [AUDIO BREAK]

HUMBERTO CARRASCO: Humberto speaking. Thank you very much, Dev, for you comment. Mario, do we have any other questions in the chat?

MARIO ALEMAN: Mario speaking. There is a comment by Alexis Anteliz regarding participation, but there is no question, so I can confirm that we have Steve Chan on our call. He's the next presenter. He will be ready in three minutes.

HUMBERTO CARRASCO: Humberto speaking. Okay, that's good. While we wait for Steve to be ready, let me tell you that we're carrying out activities in different countries, in Peru and in Chile as well. We will have a road show with ICANN people from NIC Chile and people from LACNIC as well. We will have this event in November and LACRALO will participate who will be delivering details in the future, but if you're interesting in participating, you can of course take these events into account because these are important.

Maritza, when she's back from Australia, will be providing details on this event, on the event in Peru. I think it will take place on October the 16<sup>th</sup>. I don't know, Mario, if we are ready to begin with the presentation?

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MARIO ALEMAN: Humberto, this is Mario for the record. I am waiting for conformation, please bear with me. Yes, he is ready.

HUMBERTO CARRASCO: Humberto speaking. Okay. Steve will be delivering a presentation and this presentation is part of the capacity building cycle. Please take into account that we decided that every two months in each LACRALO meeting we would have our monthly work and we will have these kinds of webinars because we have these capacity building webinars and we do it together with staff.

Mario, we are ready to begin with the presentation, so I would like to thank Steve for his time and for his presentation. So Mario, can you please introduce Steve?

RODRIGO SAUCEDO: Mario, this is Rodrigo Saucedo for the record.

HUMBERTO CARRASCO: Humberto speaking. Okay, Rodrigo, you have the floor, go ahead please.

RODRIGO SAUCEDO: Rodrigo Saucedo speaking. Okay, good evening everyone, thank you very much for giving me the opportunity to participate in this LACRALO monthly meeting and in this webinar as well. As Humberto said before, this is a project, this is a capacity building project that we have within

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the regional strategy. We have been working on this project together with LACRALO and this year we devoted ourselves or we focused our attention on PDP's.

This is the fourth addition of this capacity building webinar and in this case we have the pleasure of having Steve Chan; he's the member of the GNSO, and in this occasion he will be delivering a presentation on access to curative rights for UDRP, and he will also be talking about the URS for international governmental organizations and for nongovernmental international organizations. With that, I would like to give the floor to Steve. Thank you very much for you time and you have the floor, Steve, go ahead please.

STEVE CHAN:

Thank you very much, Rodrigo. My name is Steve Chan. As you noted, I'm a policy director for the GNSO support team and I will be discussing the GNSO PDP on intergovernmental organizations and international nongovernmental organizations, their access to curative rights protection mechanisms. This is the suggested agenda from Rodrigo. We'll talk a little bit about the background of this PDP. What this PDP is about. What the current status is. What the next steps are; and finally, how to get involved and some time for Q&A.

This PDP actually it originated from a different policy process on a similar topic; it was on IGO's and INGO's, but that previous PDP was more from the preventative side of things, so more towards protections for IGO's. In other words, how to prevent parties from registering the names of IGO's in the first place.

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One of the recommendations from that particular PDP was actually to request that the GNSO council have ICANN staff develop and issue a report on the curative rights aspect for IGO and INGO's. On the 25<sup>th</sup> of May of 2014 the final issue report was delivered to the GNSO council as drafted by staff and the PDP was initiated on the 5<sup>th</sup> of June in 2014. As you can tell, this PDP has been ongoing for several years.

What is this PDP about? I've touched on it a little bit, but in essence the purpose of this PDP is to really look at the URDP and the URS and to determine if they adequately allow for access by IGO's and INGO's, or if it's not adequate, then perhaps if the URDP and UDRS, if they need to be amended or modified to allow adequate access by these parties. Or separately, whether a specific narrowly tailored dispute resolution procedure, just for IGO's and INGO's, whether or not something of that nature is needed instead of just an amendment to the UDRP and URS.

So at its core, that's what this PDP is concentrating on. It also has a number of other questions looking at within its charter, but as I said at its core this is really what the PDP is concentrating on.

So the current status of this PDP. As I noted, the PDP was initiated in the middle of 2014, so the working group has been meeting and deliberating since then. I also mentioned that there's several other questions within the charter that the working group has looked at so it's been considering those as well as the core questions. There's also a substantial amount of previous work done on this topic, so they've also reviewed that existing work, some extending all the way back to 2001.

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They've also requested and received expert legal advice on the subject of IGO immunity and that was delivered I think some time 2016. So that was also taken into account, and on the 20<sup>th</sup> of January 2017 the working published its initial report for public comment. There were 46 comments received from many of those in the community. There is one from the GAC, of course. Several from the GNSO stakeholder committees, and then a number of comments from IGO's and one national government.

The PDP took those public comments into account to determine if changes are needed to their preliminarily recommendations. Where the working group is now is they've taken public comment into account and they are considering what changes might be needed. They're largely nearing the end of their discussions, which I'll touch on that in a second. Right now I just want to concentrate on the recommendations and what they look like at the moment.

Recommendation one is essentially that no changes to UDRP or URS are needed in respect to INGO's. That's inclusive of the Red Cross movement and the International Olympic Committee or IOC. So that speaks just to the IGNO aspect of this PDP's work and just to repeat the PDP working group is recommending no changes are needed for them. They already have adequate access to these mechanisms and they also don't have some of the challenging aspects that IGO's have, such as their jurisdictional immunity.

Recommendation two is essentially that IGO's, and having filed their names under Article 6 of the Paris Invention, that act of filing with WIPO should serve as one aspect to demonstrate that they have unregistered

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rights to their name or acronym. This is actually a change from the original recommendation which said that filing with WIPO, your Article 6 rights, was essentially automatic standing underneath the UDRP and URS. So taking into account public comment, this was actually softened a bit to say that Article 6 is some evidence of rights, it might be one aspect of rights that might allow you to meet the standing requirements for the UDRP. And of course, if they had trademark rights, they could use that instead.

Moving on to the next slide, recommendation three, there was a previous recommendation three that was actually removed based on public comments. This new recommendation three, which used to be four, it's essentially saying that the jurisdictional immunity aspects that IGO's claim be successfully claim in some circumstances, that there be no change to the UDRP or URS, and in respect to the mutual jurisdiction clause in those rules and policies. Essentially, if the working group determines that it didn't have a right to extinguish the registrants rights to seek judicial redress and therefore the working group didn't have a right to establish that as a policy in this working group.

What they also determined in this recommendation is that the IGO should be given some guidance on how they might be able to file UDRP or URS without causes for impact on their claim to immunity. So an example is that they are provided to file on behalf or have a signee or agent or licensee file on behalf of the IGO. Finally, that any claims of jurisdictional immunity would not be decided by ICANN in this instance as a matter of policy but rather that the claims of jurisdictional immunity would be determined by the national court in the applicable law of the jurisdiction.

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There's actually a second part to this recommendation, it essentially says where a losing registrant appeals a core mutual jurisdiction and an IGO succeeds in asserting its claim on mutual jurisdictional immunity in court of mutual jurisdiction, the working group is contemplating the options that would be available at this point. This is actually the sticking point for the working group, this is where they are concentrating their work currently. They haven't quite settled on the direction they're going to go but this is where they're focusing all their time at the moment. I won't go into too much detail but if there are questions I can go into detail there.

The final recommendation that the working has is simply that if these recommendations and this report are accepted by the GNSO council and ICANN board, that in the process of implementing the recommendations ICANN should investigate the feasibility of providing IGO's and INGO's with access to the UDRS at essentially no or nominal cost, which is in accordance with GAC advice.

So as I mentioned, the PDP's really nearing the end of its works, so what are the next steps? I had already mentioned this as well, but the PDP working group is focusing essentially on the option as it relates to recommendation three, which is quite specific to one circumstance where a losing registrant appeals in a court of mutual jurisdiction and an IGO succeeds in asserting its acclaimed jurisdictional immunity in a court of mutual jurisdiction. One instance is where the working group is concentrating its efforts.

The working group is seeking to finalize its discussions and recommendations in time to publish [inaudible], that is the goal of the

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working group. One thing that the working group is considering is whether or not the recommendations are changed in the substantive enough fashion that in addition a public comment might be needed, so that is also being discussed as well.

And then just to look for the normal PDP steps would generally be expected afterwards or in other words consideration and adoption by the GNSO council, a public comment before sending to the board, and then consideration and adoption by the ICANN board, and then implementation by ICANN staff.

So how to get involved? I've said this several times now, but the PDP working group is essentially nearing the end of its work so while certainly allowed it's probably impractical for any folks to join at this juncture, but as I mentioned, the working group is contemplating perhaps publishing its final report for public comment again, but even if that is not the case, then there is an additional public comment after GNSO council adoption of the recommendations. And I believe that's it. If you have any questions, I'd be happy to answer them, thanks.

RODRIGO SAUCEDO:

Thank you very much. This is Rodrigo Saucedo for the record. Anyone has any comments or questions? I think [inaudible] is typing. Alejandro Pisanty just raised his hand. Go ahead, Alejandro.

ALEJANDRO PISANTY:

This is Alejandro speaking, I hope you can hear me.

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RODRIGO SAUCEDO: Yes.

ALEJANDRO PISANTY: This is Alejandro Pisanty for the record. Have you thought that this situation maybe can help the Amazon agreement? They have a support organization to proceed the future steps in connection with their domain name registries. I think that the dot Amazon issue is in a stage where these policies or actually this PDP is no longer useful, that we need to make decisions, support decisions for the Amazon agreement, maybe we can just look forward. Thank you.

STEVE CHAN: Thank you Alejandro, this is Steve Chan from staff again. As far as I understand the dot Amazon topic, I would believe that while it's an important topic of course to many folks, it's not within scope for this particular PDP. In that respect, they have not discussed it and I don't believe they have any expectation that that topic will be discussed. Thanks.

RODRIGO SAUCEDO: Thank you, Steve. Any other questions? [Inaudible] had the same questions as Alejandro. I think we don't have any more questions. Thank you very much for your presentation, Steve. As always it's very much appreciated. Now we are going to do a quick survey for the community and --

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HUMBERTO CARRASCO: This is Humberto Carrasco for the record. I need to take the floor. That's right, let's now go to the survey. I want to thank Steve for his presentation and thank you very much for taking the time explaining these issues that are so [inaudible]. Let's go to the survey before we wrap up this meeting then. Go ahead, please. [AUDIO BREAK]

SILVIA VIVANCO: This is Silvia Vivanco from staff. Mario, if you would like to start with the first question on the survey, if you can raise it please, go ahead. [AUDIO BREAK]

This is Silvia speaking again. I don't know if Mario is speaking to me, if he's listening to me or not. Let's go to the question. How do you rank this webinar? Do you think it is extremely good, very good, sufficient or weak? Please vote now. We can also go to the next question.

MARIO ALEMAN: This is Mario speaking now. I hope you can hear me. Let's now go to the next question. What were the speakers like? Was it extremely strong, strong, sufficient, weak or extremely weak? [AUDIO BREAK]

Thank you very much. Let's now go to question number three. Do you plan on using this information directly with your ALS, with your At-Large Structure? If you plan to use it, first option is yes; if you do not, option is no. Please vote now. [AUDIO BREAK]

Thank you. If you answered yes to the previous question, please explain how you will use the information of this webinar on your ALS structures. [AUDIO BREAK]

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Thank you very much for your information. I can see some answers. I'm going to leave some 30 seconds more so that you can complete your answers. [AUDIO BREAK]

Mario speaking. Thank you very much for your answer. Thank you very much for participating in this question and if you have any additional comments please write it here on this fifth question, or if you have any further recommendation you can write it here as well.

ALEJANDRO PISANTY: This is Alejandro Pisanty speaking. Is there going to be something on [inaudible] tech, or are you going to be dealing with Steve's only?

MARIO ALEMAN: This is Mario for the record. Well, this is only in connection with Steve's presentation, Steve's last presentation only. [AUDIO BREAK]

Mario speaking. Thank you very much. I'm still receiving some of your answers. I will allow some 20 seconds more so that we can go on. [AUDIO BREAK]

Mario speaking. Thank you very much. This is the end of this webinar assessment. I would now like to give the floor to Humberto to go on with the rest of the issues.

HUMBERTO CARRASCO: This is Humberto speaking. Let me thank you all for your presentations and your involvement, and just to say good evening, good morning and

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good afternoon. We're going to meet soon in the next monthly meeting. This meeting is now adjourned.

MARIO ALEMAN:

This is Mario speaking. Thank you very much to you all. Let me remind you that you need to disconnect all your lines from the AC room and may you have a good evening. Thank you.

**[END OF TRANSCRIPTION]**