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HUMBERTO CARRASCO: This is Humberto Carrasco speaking. We will begin with this call. I would like to welcome you all. Good morning, good afternoon and good evening, everyone. We will begin with this call. So I will kindly ask the staff to proceed with the roll call, please. So please, Mario, you have the floor. Go ahead, please.

MARIO ALEMAN: Thank you, Humberto. We will start with the recording right now. So good morning, good afternoon, and good evening, everyone. My name is Mario, I will be managing this call today. Today, we're at 23:00 UTC.

I would like to welcome our participants on the Spanish channel, Carlos Raul Gutierrez, Harold Arcos, Ricardo Holmquist, Sergio Salinas Porto, Aida Noblia, Antonio Medina Gomez, Maritza Aguero, Humberto Carrasco, Alexander Cuenca, Adrian Carballo, Juan Manuel Rojas, Claudio Lucena, Alejandro Pisanty, Alberto Soto.

On the English channel, we have Albert Daniels.

On French, we have Nikenley Severe.

We have no participants on the Portuguese channel.

Apologies have been sent by Alberto Soto. Sorry, Alberto is on the call, so welcome. Vanda Scartezini, and Lito Ibarra.

From staff, we have Heidi Ullrich, Claudia Ruiz, Rodrigo Saucedo, Albert Daniels and myself, and I will be managing the call today.

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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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From the interpreters, on the Spanish channel we have Veronica and Paula, on the French channel we have Jacques and Claire. On Portuguese, we have Esperanza.

So with this, I would like to welcome you all again and remind you to please state your name at the time of speaking not only for the transcription but also for the interpretation. So with this, I would like to give the floor to you, Humberto. Go ahead, please.

HUMBERTO CARRASCO: Thank you very much, Mario. Maritza, I will give you the floor so that we can proceed with the approval of the agenda for today.

MARITZA AGUERO: Thank you very much, Humberto. We will proceed with the adoption of the agenda. I will read it very briefly. We will begin with a very brief announcement by the Southern School of Internet. This presentation will be delivered by Adrian Carballo. We will have GSE webinar from LACRALO. This is the purpose of the gTLD registry data PDP. This webinar will be delivered by the Chair of this working group, Chuck Gomes. Then, we will have a survey, the evaluation survey. This will be the last survey of the year. We will have some discussions and talks with Rodrigo Saucedo.

Then we will give the floor to Ricardo Holmquist. He will be talking about the ALAC public consultation. Then we will be speaking about privacy on the Internet, Claudio Lucena, he is now based in Geneva, and he is participating with us in this call, so it's a pleasure for us to have

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him here. Then we will have the participation of Alexander Cuenca from Ecuador. He will be speaking about cybercrime and challenges and cases. He's a specialist in cybercrime. And then we will have some other update on the formation of the future LACRALO Council. This presentation will be done by Sylvia Herlein Leite, and then we will have the governance working group by Sergio Salinas Porto. And then we will have Any Other Business. To finish this call, we will have a very brief and very important talk, and this will be delivered by Silvia Vivanco, and she will talk about the budget.

So Humberto, you have the floor. Go ahead, please.

HUMBERTO CARRASCO: Thank you very much, Maritza. Since the agenda is now adopted, I would like to give the floor to Adrian Carballo. He will talk about the Cyber South School on Internet Governance for 2018. So Adrian, you have the floor. Go ahead, please.

Hello, Adrian, are you on the call? Can you hear me? Hello? Are you on the call? Can you hear me? Hello?

MARIO ALEMAN: Humberto, we can hear you. We are trying to see if Adrian is on the call.

HUMBERTO CARRASCO: Oh, what a pity. Okay, let's wait for Adrian to connect. I see Aida Noblia is on the call right now. I see that Adrian is typing. He says that he's in Geneva, so he's sending me a private message. He's telling me that he's

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in Geneva, that he cannot hear us, but we cannot hear him. So perhaps we can call him again and change the order, because we are a bit complicated with the agenda. I know that he's typing. Let me give you the number, Mario. Could you please dial out to him?

MARIO ALEMAN: Yes, Humberto. We have his phone number and we will be dialing out to him. So he's now on the call. He has just joined. So Adrian, can you hear me? Can you hear us? Please, can you confirm that you can hear us okay? Hello, Adrian, can you hear us?

HUMBERTO CARRASCO: Adrian, can you hear us? I see he's typing something on the chat. He says that he cannot hear us. Perhaps it is because of the Adobe Connect.

MARIO ALEMAN: I see he's connected on the AC room and he's also via telephone line.

HUMBERTO CARRASCO: Unfortunately, we cannot hear him. Is he already on the bridge?

MARIO ALEMAN: Yes, he is on the bridge.

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HUMBERTO CARRASCO: Adrian is telling me if we can call him on the number that he has already provided to you. So can you please do a dial out to him?

MARIO ALEMAN: Okay, we have a number. It rings but there is no answer. Okay, we have his number now, and I am being confirmed that he's on the line, but we cannot hear him.

HUMBERTO CARRASCO: He's telling me that nobody phoned him. So we will have to rearrange to change the order of the agenda and see if Adrian can join a call later, because we have very little time and we need to continue.

So now let's go to the second item on the agenda. This is a presentation, a webinar, the last webinar of this year, and this is the purpose of the gTLD registry data PDP. This presentation will be delivered by Chuck Gomes. He's the Chair of the RDS PDP Working Group. So Chuck, you have 20 minutes for your presentation, and then we will have ten minutes for questions. So please go ahead.

CHUCK GOMES: Thank you very much. Can you hear me?

HUMBERTO CARRASCO: Chuck, you have the floor. Thank you very much for participating on this call, and we can hear you. Go ahead, please.

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CHUCK GOMES:

Okay. Thank you very much, and thank you for the invitation. There are slides, as you can see, in Adobe. I hope everyone's in Adobe. I'm going to go through the background part of the slides quite quickly. Please feel free to ask questions at the end if there's something I go over too quickly. I really want to leave plenty of time for questions and answers. And I'll keep you informed of what slides. Slide 2 just gives a quick outline of the presentation. Slide 3 is just a placeholder slide.

I'm assuming – I don't know if that's correct or not – that most everyone is familiar with WHOIS. Again, I'm not going to go through all the detail on this slide, but it was started in 1982, way before we had the broad use of the Internet that we have today. The GNSO, the Generic Name Supporting Organization, has had many taskforces and working groups on WHOIS over the last 15+ years, and then in 2012 in response to the Review Team's final report, the ICANN Board initiated the current PDP and the Expert Working Group.

Now, the PDP as you'll see really didn't start until a few years later after the Expert Working Group finished its work, and I'll go over a little bit more on that. So going on then to Slide 5, WHOIS is what we might call in English anyway an overloaded term. Sometimes people refer to it as a database of registration data, sometimes people refer to it as an access protocol, and sometimes as a directory service. You can see on the slide – and I think hopefully most of you have used some form of WHOIS –

UNIDENTIFIED FEMALE:

Bartlett left.

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CHUCK GOMES:

Okay. Not sure what that interruption was. So anyway, users all over the world can access WHOIS as shown on the diagram on the Slide #5, and get a reply. We'll look at that a little bit more. On Slide 6, you again see the relationship of the different parties with regard to WHOIS, including the registrant, resellers who work for registrars, registrars themselves which are accredited by ICANN, registry operators that registrars have to go through for specific top-level domains, and of course ICANN's involvement as well.

Going to Slide 7, you can see an example of what we refer to as ThickWHOIS, the contact information of registrant, admin contact, tech contact, registrar and status information. Again, I hope the slides are made available so if anybody wants to look at this in more detail, feel free to do so. And I'll say right now, if you don't get a question answered in this webinar, please feel free to e-mail me and I'll be glad to respond to questions. And Rodrigo has my e-mail address. I'm looking at some of the names in the Adobe room, a lot of others I think do too.

On Slide 8 then, there are a whole bunch of work products that have been created over the years. They're listed there. WHOIS data reminder policy, restored name accuracy policy, etc. I won't read all of them, and of course we have the registry and registrar agreements which have requirements related to WHOIS as well, and more recently ICANN procedure for handling conflicts with privacy law. That is of course a very hot topic right now.

So going on then, what's the Policy Development Process Working Group all about? Under Agenda Item 2 on the slides. Go to Slide 10, if you would, and you'll see very quickly some of the issues that exist with

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regard to WHOIS and have existed for most of the last 15-16 years. What's the purpose of it? What about accuracy? Data privacy of course is a very hot topic right now with the work going on in Europe, and data security, availability, cost, intellectual property theft, identity theft, etc.

So the issues involved are quite contentious with people on all sides of the fence, and quite often, views that are just the opposite of one another. And that's why it's been so hard to reach consensus decisions in terms of policy. So as I said early on in the presentation, the ICANN Board did launch a new effort to redefine the purpose of collecting, maintaining and providing access to gTLD registration data, and safeguards associated with that. And the policy development effort that I'm chairing right now has been going almost two years, and it's called the Next Generation gTLD Registration Directory Services to replace WHOIS. We generally just say the next gen RDS PDP or just RDS PDP.

Going on to Slide 12, you can see probably the easiest way to look at this is how the charter that the working group is following is organized. There were some pre-working group steps that are shown to the left of the flowchart there. Phase 1 is – we're in Phase 1 right now still, and its task was developing requirements for registration data system. Phase 2 would actually be tasked with developing policies to fulfill requirements from Phase 1. Phase 3 then would deal with implementation and coexistence with the current WHOIS system. And then of course, there will be steps following on on that. This is not a quick process, as those who have been around ICANN know, but we are making progress and I'll give you a little update on where we're at as we move forward.

Going to Slide 13, our charter – and in fact the charter for all three phases – covers 11 elements shown on Slide 13. Users and purposes, who should have access and why, gated access sometimes called tiered access, data accuracy, data elements, privacy, coexistence with the existing WHOIS system during any implementation period, compliance – in other words enforcing any policies that have come out of the working group – the system model, cost – and costs are a big issue. We're a ways from getting to that point, but somebody is going to have to pay for the cost of a new RDS system if one is approved and implemented. And then of course, what risks are there to all stakeholders?

Going on then to Slide 15, in Phase 1 which we're still in, we're going to try to reach consensus on the following questions shown on Slide 15. One of the big ones is, what are the fundamental requirements for gTLD registration data. And then a fundamental question is, is a new policy framework and next generation RDS needed to address these requirements? We're hoping to start getting into that question by the time of the meeting in Puerto Rico that ICANN has in March. Not sure yet we'll make that target, but that's where we're at now.

And then if it is decided that a new policy framework is needed, then we're going to have to make sure we develop requirements for all 11 of those topics that you saw on a previous slide. If it's decided that the current WHOIS policy framework is sufficient with some modification, then the requirements would depend on that. And I understand that some people would think that question is kind of silly. A lot of people already strongly believe that a new framework is needed, that a new RDS is needed, but we are required by charter to make sure we do our work and establish why that's the case, if it is.

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You can see on Slide 16 the first five areas of those 11 areas on the earlier slide, we are trying to complete the first five areas of that at least with rough consensus by March. We may not get to all of them by then, but we're trying to. And if one is postponed a little bit, it'll probably be data accuracy. Not because that's not important, but just for time. The working group has over 200 members and another 150 or so observers, and they're from all over the world and with very different viewpoints. So it is time-consuming.

Going to Slide 17, where we're at, what we're working on right now is what specific purposes should gTLD registration data elements be collected? For any of you who are familiar with the [GDPR] in Europe, the purpose is a real important requirement there. And purpose is also a big emphasis of the recommendations from the Expert Working Group that preceded the PDP.

Going on – and by the way, if you look back at 17, I gave an example there. We've reached – I don't know, I think close to 60 tentative agreements in the working group so far. Working Agreement 46 is an example of one related to purpose, and I'll let you read that on your own and keep moving so we have plenty of time for questions.

So what are the next steps? If you look at Slide 19, you'll see the workflow right now – going clear back to the Board resolution to officially initiate the PDP in April of 2015, charter approval. You can see that the working group started in January 2016, so you can see we're just about at the two-year mark, just a few weeks away. June 2016, the working group developed some policy, a possible list of requirements, and we have been deliberating on those since November of 2016, and

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we're hoping – as I think I indicated earlier – by March of 2018 to start work on a first initial report. We're actually going to have more than one initial report because of the complexity of the overall topic.

So our next steps are to finish deliberating on charter questions one through five. Again, out of those 11 items, the first five that I showed on a couple of slides, and we're hoping to make good progress on that by March so that we can start work on the first initial report. We have to answer at that time the fundamental question, is a new system needed, or can the existing system be modified to meet the requirements that the working group develops and recommends?

Then will come the first initial report, hopefully sometime in the spring. It may be later spring. And then based on the feedback we get from that initial report, we'll modify our Phase 1 workplan, and then of course after we finish all 11 of the topics for Phase 1, we will produce a final report for Phase 1. And Phase 2 and Phase 3 will only follow if the results dictate it from Phase 1.

Going then to Slide 20, I won't spend too much time on it, but it's a quick summary of where we're at and where we're going. And please note the key in the upper right of the slide that shows you the abbreviations. Those correlate to those 11 items from the charter that I previously showed you.

And we're really working in the UP category, Users and Purposes, right now we're spending a lot of time on that, and making pretty good progress. And then you can see in yellow there at the top, Step 12 H in our workplan, is that fundamental question: is a new system needed, or

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can the existing system be modified to satisfy the requirements we come up with?

There you see in 13 the first initial report, and depending on public comment, we then will move on to the other six items in the charter and come up with a second initial report. And the GNSO Council will have input after the first five questions, and of course after the public comment on the second initial report, to decide whether we go on. Now, we're primarily working right now on reaching rough consensus on the items that we cover. Before we get to the final report for Phase 1, we will have to reach formal consensus at that point.

Going on then to Slide 21, I've already kind of covered this. We're really working on the UP area, the users and purposes are right now, have been there for pretty much since the meeting in Abu Dhabi. And we're going to try to make real good progress on that in January and into February, I'm sure. And all of our work is very iterative, so we're reaching tentative agreements, but we can always come back and change those as we learn new things and as we develop new requirements. So we leave the door open for continuing deliberation as needed.

Phases 2 and 3 on Slide 22, I think I talked enough about those. I'll let you read that on your own when you have time, but those are a ways off right now because we have a lot of work to do in Phase 1.

If you go to Slide 24, there are some links provided that cover a lot. There's a lot of information in these links, and you can look at those when you get the slides, and certainly on any of these things, if you

have questions, don't hesitate to ask me or other members of the working group. Many of you probably know some of the members of the working group. If you go on the GNSO site, you can actually find all the members of the working group.

For how can you get involved? If you look at Slide 25, it's quite likely that most of you have some interest on the outcome of this PDP and collecting, storing, providing or using registration data. As most of you know, right now, ICANN agreements with registries and registrars require public disclosure of an awful lot of information, some of which is personal. So that's an important thing to recognize. The working group has and will formally and informally reach out to SOs, ACs, stakeholder groups, constituencies, and seek input. So watch for those opportunities.

The At-Large, we will reach out to the At-Large at various points. But you can actually provide input to the working group anytime. In fact, any of you are welcome to join the working group. I don't know if I can ask for a raise of hands, but are there any members on the call who are either a member or an observer of the working group right now? If you are, put a green check in the Adobe just so we can kind of take a look at that. Not necessary, but you are welcome to join. Members can join at any point in the process. They are just asked to get up to speed on their own so that those who have done a lot of the work don't have to backtrack.

That said, let me open it up for questions. And either in the chat or raising your hand, I'd be more than happy. I know I covered this very fast, but that's because I wanted – I know some of you know a lot of this

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already, and also, I wanted to make sure I had time to respond to any questions anyone may have. And every type of question is welcome. While we're waiting –

HUMBERTO CARRASCO: Thank you, Chuck.

CHUCK GOMES: Go ahead.

HUMBERTO CARRASCO: I have Antonio Medina Gomez who is asking, "What is the difference between changing the current system and creating a new system?"

CHUCK GOMES: Well, it's a great question. There are quite a few differences. First of all, the current protocol is terribly outdated. As I said, it goes back to 1982. It doesn't really support IDNs, which are very important, including for your community, right? It doesn't allow for what we're now calling gated access so that only certain qualified entities or individuals can have access to certain WHOIS data. That's really important for requirements like the [GDRP] in Europe and other regions, probably in some of your countries as well where –

UNIDENTIFIED FEMALE: I'm sorry, Chuck, we have an echo on the line. We will try to locate it because we cannot hear you well.

CHUCK GOMES: Okay. Sorry about that. The –

UNIDENTIFIED FEMALE: Okay, Chuck, can you continue, please?

CHUCK GOMES: Okay. Will do. Right now, there's no ability in the current WHOIS system to allow, for example, law enforcement to be the only ones that see certain elements of WHOIS. That capability doesn't exist in the existing WHOIS protocol. It does exist under the RDAP protocol that the IETF has approved as a standard.

So that's just a few examples of the differences. And again, we're going to have to answer the question, "Can we modify the existing one?" Well, the existing one probably can't be modified to support IDNs, so that may be a factor when we get in there. I hope that at least starts to answer the question. There's a lot more to it than that. Any other questions?

We're planning to have two face-to-face meetings in Puerto Rico in March, so if any of you are able to participate in the meetings in Puerto Rico, I welcome you to join us, and we allow everyone to participate in those meetings. So please, note those on the agenda. Right now – and it's very tentative – the first session will be on Saturday morning. The second session will be on Wednesday afternoon, but that could change. Just watch the postings from ICANN.

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Is there anything I said that didn't make sense or that I covered too quickly? Okay, well, thank you for your attention. I hope it's been useful to you, and again, feel free to send a question or questions to my e-mail. If I can help, I will be happy to. At this point then, I think unless you direct me differently, I will drop off the call and let you finish your meeting. Bye.

MARIO ALEMAN: Humberto, Maritza, you have the floor.

HUMBERTO CARRASCO: Can you hear me, Mario?

MARIO ALEMAN: Yes, we can hear you.

HUMBERTO CARRASCO: I don't know if there are more questions, I apologize, because I had to leave the call just for a couple of minutes. Adrian Carballo is connected now, so I would like to give him the floor for a couple of minutes. Is he connected? Hello?

SILVIA VIVANCO: I am being told that Adrian will have to call himself, so please go ahead with the next item on the agenda.

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HUMBERTO CARRASCO: Okay. Thank you. So now, we should continue with the next item on the agenda. We're going to do the evaluation survey now, or later.

MARITZA AGUERO: Humberto, now Mario should conduct the webinar evaluation survey.

HUMBERTO CARRASCO: Yes, that is what the agenda tells us.

MARIO ALEMAN: Thank you, Maritza and Humberto. So now we are going to proceed to do the survey for the webinar. We're just waiting for your instructions. So can we move to the first question on the survey?

How do you rank the webinar that we have just had that was delivered by Chuck Gomes in terms of the quality of information? So please select your option: extremely strong, strong, sufficient, weak, or extremely weak.

Well, now we move on to the second question. How was the present delivery? Extremely strong, strong, sufficient, weak, or extremely weak?

I thank you for your vote. Now we will proceed to question number three. The question is the following: do you plan on using the information directly on your ALS? The first answer is yes, the second answer is no. Thank you for your answers.

The next question, if yes, please explain how you can use this information with your ALS. This is a question where you have to add

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some comments or you can expand your answer if you want. Okay, I'll allow 30 more seconds to collect more information. I see that some of you are typing your answers.

Okay, thank you very much. Now, we'll move to the last question on the survey. Any further comment or recommendation about this webinar? As with the previous question, I will give you some time to write your answers. Thank you.

Thank you for giving us your answers to the five different questions that we've presented to you. So now we will move on to the next item on the agenda. Thank you.

Humberto, you have the floor to deal with the next agenda item.

HUMBERTO CARRASCO: Thank you, Mario. I hope we have good feedback that can benefit us all. Now we are going to review the public consultations. Ricardo Holmquist will deal with this part of the agenda. He's an ALAC member, and he has ten minutes. Ricardo, you hold the floor.

RICARDO HOLMQUIST: Mario, I don't know if you can display my presentation here.

MARIO ALEMAN: Thank you, Ricardo. I will do that immediately. I just need to locate your presentation.

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RICARDO HOLMQUIST: Can you hear me better now?

MARIO ALEMAN: Yes, your audio is good.

RICARDO HOLMQUIST: Thank you for letting me know.

MARITZA AGUERO: Ricardo, go ahead, please.

RICARDO HOLMQUIST: I sent the presentation earlier to Mario so that he could display it on time so that he would have it loaded.

MARIO ALEMAN: Just let me check what happened with the presentation. It's the report, right? I'll look into that immediately.

RICARDO HOLMQUIST: Just to save some time, we have four policies that are being worked on by the Work Stream 2, the Cross-Community Working Group on ICANN's Accountability. There are nine working groups. Four have already issued policies that are under review. There is one on the Ombudsman, another one on the Staff Accountability, and another one on the Jurisdiction. And on January 5, we have a deadline for the consultations

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with ALAC. So you have time to express your views. ALAC will have time until January the 5<sup>th</sup>.

Here, we have the recommendations also that deal with the new sections adding to the draft report on the CCT Review Team. Then there is another one on the operating standards for ICANN-specific reviews. The deadline is January 15<sup>th</sup>, and then the proposal for incremental changes to the ICANN meeting strategy, the deadline is February the 1<sup>st</sup>, 2018. So then we have another policy that has to do with the reserve fund. That reserve fund had a certain level of funding. That level of funding has been reviewed, and now there is a suggestion to try to replenish that fund and to add some more contribution.

In the last six months, there has been work done in terms of policy consultations, and I can share with you a link where you can see all the details.

ALAC has now since ICANN60 started working on the ATLAS III meeting with all the ALSes, and this will be held in Canada, not in Japan as the slide says. For ICANN60, we also have an update of the Selection Subcommittee. Here you can see the different regions and the different candidates, and the Finance Subcommittee update.

This is very important, because the Finance Committee is the one that is going to review the additional budget requests that we will discuss later on in this call. If you have any questions, just let me know. Thank you.

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MARITZA AGUERO: Thank you, Ricardo. Alejandro Pisanty has raised their hand. Alejandro, I was about to give you the floor. Thank you, Ricardo. Alejandro, you have the floor.

ALEJANDRO PISANTY: Sorry, I didn't want to interrupt you, Maritza. Ricardo and other participants from ALAC, which out of these consultation processes will be submitted for discussion, consultation and opinion by you to the ALAC community?

RICARDO HOLMQUIST: Alejandro, I don't have an answer right now, but I can find it out for you. I understand that all these policies are open for consultation to all the At-Large members, including all the RALOs. There is no restriction. The ones that are in yellow are policies that had been worked on within the context of the Work Stream 2 work, and they have already issued policies. And they are open for comment.

ALEJANDRO PISANTY: Yes, thank you, Ricardo, but which are the policies on which you are going to consult with the community? We see that the different individuals in the different working groups are also participating in these consultations, but they do not present any positions on behalf of LACRALO. So I would like to know which are the ones in which you're going to consult with the community. If the community doesn't want to give a position on one versus the other, that should also be clarified. Thank you.

RICARDO HOLMQUIST: Thank you, Alejandro. I will come back to you with an answer.

MARITZA AGUERO: Thank you, Ricardo. We have a question by Sergio Salinas. Sergio, you have the floor.

INTERPRETER: I apologize. The interpreter is speaking, the quality of the audio is very poor, so I cannot interpret.

MARIO ALEMAN: There is interference from other lines, so we will try to locate that and solve the problem.

HUMBERTO CARRASCO: Who is asking for the floor?

ALBERTO SOTO: I'm not connected through the AC room. I'm only through the bridge.

HUMBERTO CARRASCO: I also dropped. I don't know if somebody else was asking for the floor. Sergio, can you take the floor? We get an echo from your connection. And then Alberto will follow.

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Mario, do you know whether we have been able to solve Sergio's line problem?

MARIO ALEMAN: We still have a problem with his line. Sergio, we will try to contact you.

HUMBERTO CARRASCO: Alberto, you can speak now. You hold the floor. Alberto, are you there?  
Alberto?

ALBERTO SOTO: The ALAC members with LACRALO leaders were going to work together so that they could come up with some common procedure in order to get with that information within the scheduled deadline. In last year's budget, there was approval for those requests. I don't know why it hasn't been executed this year, because otherwise, we would have that possibility this year too.

HUMBERTO CARRASCO: Thank you, Alberto. Sergio, perhaps you can type your question in the chat window. We still have a lot of noise from your line.

MARIO ALEMAN: Sergio is also on the line. You can give him the floor now.

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HUMBERTO CARRASCO: Sergio, you have the floor. Sergio, are you there? It seems that Sergio cannot speak. He's asking to be called over the phone. He's saying that he asked for that call three times. Yes, I know, there is an echo on the line.

MARIO ALEMAN: Yes, we are trying to locate the problem.

HUMBERTO CARRASCO: Okay. Let's leave Sergio's question for later when we discuss Any Other Business. And then we can give the floor to Claudio Lucena who is in Geneva. He's a teacher at the university. He's a researcher from the Science and Technology Foundation from Portugal. He has 15 minutes. Thank you, Claudio, for your participation.

CLAUDIO LUCENA: Hello. Can you hear me?

MARIO ALEMAN: Yes, your audio is quite faint, Claudio, so could you please come closer to the mic? That would be great.

CLAUDIO LUCENA: Okay. I'll do the best. Thank you, Maritza. Thank you, everyone. I know that you're talking about the future, about tomorrow, and here it's very early in the morning. It's 1:00 a.m. in the morning. I see, and I would like to perhaps – my presentation is related to what Chuck said before.

INTERPRETER: I apologize, but Claudio's audio is really faint and there is background noise on the Spanish channel, so no clear interpretation is possible.

MARIO ALEMAN: Could you please speak louder, Claudio? Because we cannot hear you.

CLAUDIO LUCENA: Can you please tell me if my audio is okay? So I know people at ICANN, I know some colleagues, and people with different understanding of this topic of cybercrime and cyber intelligence. So the idea is to be here with you and to give you a little bit of information about this topic, because this issue was not important 20 or 30 years ago, but nowadays, we need to pay attention to these, and we have many things to do and many things ahead to protect the privacy law and privacy rights, and I imagine we are working together on this topic.

Like many other guarantees and rights that we know, privacy has a date of birth, if you will, because there's a section about privacy and privacy law. So this was generated some time ago. This was created some time ago, at a time when demands were not that high. So many people at that time had the idea to respect, but now we have a technical issue in-between, and we need to work on this technical issue because we are sharing information with many other people around the world.

So with the passing of time, we have many other questions, we have many other things. We also have the Latin American and the Caribbean region working on this topic, and we have been trying to guarantee this

privacy right. In the past, there were not so many data available, and data was not copied and was not distributed all around the world. Now, we have a different point of view. In the past, for example, 30 years ago there was no violation of privacy. And regardless of what might happen with Internet transformation, things have completely changed.

So the first idea that we have on privacy law is something that we need to take into account. This is a practice that we need to take into account because it is closely related to the economy, to the society. So this is a historical background that I wanted to give you, but this is just for you to understand the legal framework of this. And because this is important to coordinate and to manage domain names. In this case, we are talking about [inaudible] system, so therefore the treatment of privacy as a right or as a – it's very important for ICANN, because in order to deal with analogical data, privacy needs to be added, needs to be taken into account.

There is a very important issue which needs to be also managed is the focus on the organization that we need to give to this, and the relation of this topic with the domain names. In the past, there was no relationship between [this] and privacy. In the past when we spoke about data collection, we spoke about information. But at the very beginning of this debate or this discussion, the care that we have to give or the importance of privacy was out of the scope of many organizations. With the passing of time and throughout time, we started to recognize that privacy specifically and other human rights are really important, and that they fall into the scope of ICANN.

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A very important example is a report by the Cross-Community Working Group, the report that was issued on the responsibility of respecting human rights. This report was issued in July 2012, and in that report, we saw the participation of many stakeholders, and many organizations that were collaborating in the drafting of the report. So in that case, in that report, we see for the very first time the concept of human rights, and from then on, there was a new focus, a more careful focus on these issues, on the privacy issue as well.

In the ICANN environment nowadays, we have a deep concern with compliance and the GDPR approved by the European Union and why this is so. Because standards are really important for the European Union, and we also have standards in Latin America. We have standards in Colombia, in Argentina, and we have been working with this. In Brazil or example, we have a regulatory framework, and the Caribbean region for sure will have certain frameworks and protection mechanisms.

But from the international law point of view, the European regulation is the first framework that we have, and this is the GDPR, this is a strong standard for data protection. We don't have a clear idea of how the regulation will work. We see that the European Union is establishing, setting forth the general guidelines through the European Union and taking account the internal data protection regulations. On May 2018, this will change. The GDPR will be already enforced. So in May next year, this will change, as I said before.

And of course, we will have PDP processes, and privacy discussions that will get even deeper because we need to discuss this GDPR and the new regulation. Of course, these topics will move forward very fast, so this

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topic is so controversial that in Abu Dhabi in our last meeting, during one of the meetings that we had – I don't know if it was on November the 2<sup>nd</sup> or the [3<sup>rd</sup>] – the ICANN Contractual Compliance Working Group spoke about the data protection of the European union, and there were certain decisions being made. And they say that there are some standards that do not comply with the GDPR.

So these apply to very specific situations, and they explain the reasons for this. However, contractual obligations need to be met, and we need to have a clear understanding of the process and of the PDP. And we need to understand and to implement measures in compliance with the GDPR. Of course, we know that many Latin American and Caribbean countries, we have a regulation, but this is regulation that will be in effect as of May, and this will cover data collection and data management and data use, specifically of personal information. So this is important for ICANN. So in this sense, in Puerto Rico, we will be discussing this issue in order to analyze the internal processes at ICANN and in the European Union. This is very important, and we need to take this because this is something very significant for us.

I would like to thank you for the opportunity to give you this very brief presentation, and I am here to answer any questions. Thank you very much.

MARIO ALEMAN:

Thank you for your presentation.

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HUMBERTO CARRASCO: Thank you very much for your intervention. Now, I would like to give the floor to the audience to ask questions about privacy and Internet. Is there any question?

There is a question by Gilberto Lara on the chat, and the question reads, "Are we referring to the same thing when we refer to privacy on Internet and data protection? This is a question for Claudia."

CLAUDIO LUCENA: The answer is short and very brief. The answer is no, these are different concepts. Privacy is a complete and separate concept, and when we say data protection, this is referring to personal data. It is not just a question of protecting data, but of protecting personal data. There are certain requirements that need to be met, so this concept of data protection is a broad concept. It's a very good question.

HUMBERTO CARRASCO: Thank you very much. There is another comment by Alexis. "In the civil framework of Internet in Brazil, which was discussed in NetMundial, there was no framework. So can you please provide an update on this?"

CLAUDIO LUCENA: Yes. We have this framework in Brazil, this Internet framework in Brazil. We have a very good law on personal data protection. So this framework is a good opportunity for us, but in this case, data protection is not being addressed. And this is a very important topic to take into account in Latin America and the Caribbean region. So if this regulatory

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framework, even though it is a very important regulation, it does not cover all the necessary topics.

HUMBERTO CARRASCO: Thank you very much, Claudio. Is there any other question? I see someone typing. I don't know if the question has to do with this. I see Alexis, he's typing a new question. He says, "It is a very important difference, so it would be interesting to have an analysis in the region. Thank you very much." So Claudio, I would like to thank you for your presentation. It was a very good presentation.

Now, we will proceed with the next item on the agenda. Alexander Cuenca is not on the call, so now I would like to give the floor to Sylvia Herlein Leite who will speak about the Emeritus Council. Sylvia, are you on the call?

SYLVIA HERLEIN LEITE: Can you hear me?

HUMBERTO CARRASCO: Yes, we can hear you.

SYLVIA HERLEIN LEITE: I apologize for not being able to join the call earlier. My name is Sylvia Herlein Leite, and together with Vanda, as you know, we have been working on this group, on a working group, and I was looking at the names of the participants of this call, and most of you are aware of what

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we have been working on. But let's have a brief overview of the work that we've done.

LACRALO has undergone a process as a result of the last meeting, and we were requested to set up a working group in order to follow up on the recommendations made by the mediation team. Our report is called The Path Forward for LACRALO, and we were [under idea] that a Council of Elders had to be formed that would guide and provide support and assist us in strengthening our relationship and fostering our growth as a region.

I see on the screen that you have included the details of our wiki page. There, you can find all the detailed information of the work that we have done between May and November. We have just concluded the work, fortunately. We have chosen the name which is no longer the Council of Elders. There was a lot of back-and-forth discussion about the name, and now we are going to call it Emeritus Council of LACRALO. If you have any questions about the name, you can visit our page, and there you will find the explanation why we chose this name, Emeritus Council.

We have also discussed the role of this council. You also have the details on this page. We have discussed the requirement to be a member of this council, and in the final report, you can see all the details. Now it has been translated to both languages, and as the staff have indicated, we are currently starting a 60-day period for public comment.

So now we have the holiday season in-between, we also have the vacation period for the southern hemisphere, so we would like the

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entire community to have access to this document that has been developed with a lot of effort. We have been very careful in the choice of language. We have looked at all the items for the requirements to become members. With due care, we have work in detail on the renewal of the council, the terms, so we want the community to have access to this document right now, and from the week of February the 5<sup>th</sup>, 2018, we are planning to have a webinar where we will explore in more detail all these contents of the document, why we chose these options.

So on February the 5<sup>th</sup>, after you have had time to go over the document, we plan to have a one-hour session where you can clear up all your questions. So this is a nice gift, nice reading material for the holiday season. After the carnival celebrations on the third week of February, we will start with a process for selection of the members. We hope that this LACRALO Council will be already operational in [inaudible] time.

HUMBERTO CARRASCO: Thank you, Sylvia. Your presentation has been very clear. There is a question by Alejandro Pisanty. You have the floor, Alejandro. I think it was an old hand.

SYLVIA HERLEIN LEITE: Because Alejandro is a member of that group.

HUMBERTO CARRASCO: Are there any further questions?

ALEJANDRO PISANTY: It's not an old hand. I would like to make a comment, if you'll allow me. I've put down my hand and I raised it again. Can you hear me?

HUMBERTO CARRASCO: Yes, go ahead, please.

ALEJANDRO PISANTY: As you know, I am part of the working group that looked into the formation of this new council, a new body that will be set up within LACRALO. I would like to highlight that this council was put forward as a result of the mediation process that involved different parties of the community that had seemingly unresolvable issues. So a mediation process had to be undertaken. So this is the start of the agreements made through that process.

INTERPRETER: Alejandro's audio is choppy right now.

HUMBERTO CARRASCO: You've been cut off, Alejandro. There is some problem with your audio.  
  
I apologize, Alejandro, but we cannot understand what you are saying because your audio is now cutting off.  
  
I'm sorry, Alejandro, we cannot hear you, we cannot understand what you're saying.

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ALEJANDRO PISANTY: Don't apologize, because I cannot forgive you for interrupting me. I am about to finish.

HUMBERTO CARRASCO: The problem is that we cannot hear you. But complete your idea. Mario, is it possible to call him on the phone? Because the truth is that we cannot understand what he's saying. It is a long idea, a long comment that he's making, and we cannot hear what he's saying.

MARIO ALEMAN: This may take a few minutes, Humberto, so perhaps you can continue with the agenda.

HUMBERTO CARRASCO: Okay, so we'll wait. Humberto Carrasco typing in the chat window. "Dear Alejandro, we couldn't understand your comment." He says that he has already said it, that we can continue with the next topic. The problem is that we couldn't hear.

SILVIA VIVANCO: He made some comments in writing, so I asked him to put those comments on the wiki page so that we can read them.

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HUMBERTO CARRASCO: I think that his criticism is that we are putting in too many topics, so this makes it difficult to have a discussion. We will try to narrow down the number of topics of course. Now we have seen a reduction in the number of topics. Unfortunately, it was not deliberately, but there was a person who was unable to make his presentation. We will take your suggestion to try to narrow down the debate to fewer topics so that we can have a more meaningful conversation.

I don't know, Sergio, whether you're ready to go ahead and make your presentation regarding the governance working group. Is Sergio Salinas Porto connected? I don't know if you can hear me.

MARIO ALEMAN: Humberto, we are unmuting Sergio, and Sergio should be able to speak right now. Sergio, go ahead.

SERGIO SALINAS PORTO: Thank you, Mario and Humberto. I'm going to make a brief report on behalf of the LACRALO Governance Working Group that has been holding weekly meetings for some time now. We try to follow the conclusions of the LA meeting.

As Alejandro was saying, there were a lot of conflicts in the region that had extended over the years, so there was a mediation process. So after that process, we began working with a clear strategy. We tried to put together a document that would be submitted before the end of the year. The document would contain the operating principles, and that

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would be the basis for the work on another document that would be the Rules of Procedure.

The Rules of Procedure document will have all the information for the way in which the region should operate. We are a bit delayed, by 15 days from our original deadline, but we expect to be able to submit to the region in early January a report for getting feedback and probably getting it adopted, perhaps with some amendments. But we believe that we will be in a position to provide you with a document that can be discussed at the regional level.

This is the report that I can give you about the work done in the Governance Working Group. I can also report to you that before starting our monthly meeting, we sent a one-page document that has been prepared by a smaller group within the working group. It is a document on metrics. Some of us in the governance working group were interested in getting that document out.

In 2015, we had already submitted three documents. One that explained how to present documents, the rules for submission of documents. Another one was on metrics, and the third one was on the operating principles. Regarding metrics, we were able to summarize all the information into two items, and this will serve as basic rules for us to manage metrics within LACRALO.

And I suppose that once these rules have been translated, we will be able to submit it to the region for your consideration and adoption. That is all that I can report today. If there are questions, I will be glad to answer them, if there is time.

HUMBERTO CARRASCO: Thank you, Sergio. Can you hear me?

SERIGO SALINAS PORTO: Yes, Humberto.

HUMBERTO CARRASCO: Okay. So the floor is open for comments or questions about this topic. I know that you have been working hard. It seems that there are no questions. Let me make a comment. These two groups are very important. I said that there is a second mediation meeting that will take place in Puerto Rico. We will let you know all the details in due time. And of course, there will be a follow-up meeting on what we discussed in the previous meeting. Of course, because of budgetary constraints, not all the same people will be attending this meeting, but I remind you that we have also to consider here the budget that is incurred by the mediators. So the plan is to have a second mediation meeting in Puerto Rico, and to reach a final conclusion on these issues in Latin America and the Caribbean, and that meeting in Puerto Rico and the Panama meeting.

So this is what I wanted to comment on. I don't know if there are any other views or if anyone wants to take the floor to make any comments. I think Ricardo is writing. Oh, Harold is writing. Harold, are you asking for the floor?

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HAROLD ARCOS: Thank you, Humberto. Can you hear me?

HUMBERTO CARRASCO: Yes. With an echo though.

HAROLD ARCOS: Humberto, four days ago, there was as worrisome event as a result of the decision made by the Federal Communications Commission of the U.S. government on the elimination of the net neutrality rules, and this presupposes that in the region, we will need to deal with that.

HUMBERTO CARRASCO: Harold, I apologize for interrupting you, but there is a lot of echo. We have been having a lot of technical difficulties today with Adobe Connect.

HAROLD ARCOS: Yes, there is a lot of echo. Can you hear me better now?

MARIO ALEMAN: Harold, we are trying to solve this problem, but we still have some echo.

HAROLD ARCOS: Okay. So as not to cause any further delays, I will type down my comment. This is a proposal for the Chair and the secretary.

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MARIO ALEMAN: Humberto, you hold the floor. Humberto or Maritza, can you please take the floor?

HUMBERTO CARRASCO: You know, Mario, I don't want to continue with the meeting with all these technical difficulties. I think this is very disrespectful for all the participants.

MARIO ALEMAN: Okay. I agree.

HUMBERTO CARRASCO: So I adjourn the meeting.

MARIO ALEMAN: Okay. I would like to thank all the participants. I apologize for all the technical difficulties, so we conclude the call. Please disconnect all your lines. Thank you.

HUMBERTO CARRASCO: Thank you, Mario.

**[END OF TRANSCRIPTION]**