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OLIVIER CRÉPIN-LEBLOND: Welcome, everybody, to this call of the cross-community working group on Internet governance on the Friday, 2<sup>nd</sup> of March, 2018. The time is 14:04 UTC. Today we're going to be dealing with setting our agendas for the public meeting that we have in San Juan and also, if we have time – hopefully we will have time – for the WSIS Forum session that will take place immediately after the ICANN meeting. Let's get a roll call going, please. Dierdre is running the call today. So, Dierdre, could we please have a roll call of who's on the call.

DIERDRE SIDJANSKI: Yes, of course. We have Hector. Would you like last names as well? I'm sorry, I'm not familiar.

OLIVIER CRÉPIN-LEBLOND: No, just list their names please to the record.

DIERDRE SIGJANSKI: Hector Manoff, Jim Prendergast, Judith Hellerstein, Mary Uduma, Nigel Hickson, Olivier Crepin-LeBlond, [Sherdet Rayamjahi] – I'm sorry about pronunciation. Timea Suto and Veni Markovski.

OLIVIER CRÉPIN-LEBLOND: Thank you. Who is on the 408 number?

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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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DIERDRE SIDJANSKI: This is a connection, just part of the global need Adobe Connect.

OLIVIER CRÉPIN-LEBLOND: Ah, okay, thanks. Have we missed anybody else in the roll call?

DIERDRE SIDJANSKI: I don't see anybody. Nobody is responding. No hands up.

OLIVIER CRÉPIN-LEBLOND: It doesn't sound like it. So, the roll call is complete. Thank you and welcome. The first thing is a review of the last conference call action item. There's only one action item and I wondered where we were on this, which was for staff to look into a calendar of Internet governance events.

I noticed that on our set of pages the calendar is way out of date. Do we have an updated one? Has any updated one been created?

NIGEL HICKSON: Yes. Good afternoon. Yes. We've got a draft which we've been looking at in the last couple of days. We shared it with Matthew Shears. I'll see if he had any comments on it. I'll now share it after this call with the CCWG for input. So, yeah. We're well on our way to having something and we'll certainly have it ... We'll have a not final version, but we'll have an updated version for the meeting in San Juan.

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OLIVIER CRÉPIN-LEBLOND: Okay. Thank you very much, Nigel. Let's then go to agenda item three, designing the agenda of the public meeting. In fact, on the agenda at the moment, we have two links. One to the public meeting and one to the face-to-face meeting.

I'm thinking that the face-to-face meeting is pretty straightforward. It's one that follows the same sort of line as we've done in the past. So, discussion with the Board Working Group on Internet governance. Then, we would hopefully have received by then some proposed revisions to the charter of the CCWG. Well, it would be actually the CCEG at that point, cross-community engagement group on Internet governance. We'll spend about 20 minutes on this.

Then, we can spend 15 minutes on planning for WSIS Forum. It might well be that because we might not get a lot of revisions yet to the charter, we make the proposed revisions to the charter slightly shorter and we make the planning for WSIS Forum 2018 slightly longer, depending on how far we've gotten with that.

Then, we can do a brief look at [domain] activities and issues and any other business. So, that's the face-to-face meeting in San Juan. Are there any comments or questions on the face-to-face meeting?

NIGEL HICKSON: Olivier, if I may, I'll send the draft agenda for it to the Board Working Group on Internet governance and ask them if they would be able to join us in the usual way for that meeting. I haven't had a response yet, but I'm hopeful it doesn't clash with any board activities. I don't think it does on a Thursday, but yeah, I'll update you.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Nigel. Let's hope it doesn't because that's our face-to-face meeting. A major part of it is talking with the Board Working Group on this.

So, now the meat of today's call, the public meeting. At the moment, there's a link over to a draft agenda which is effectively a copy of what I had sent to the mailing list about a week ago with some proposals, if you want, on this. On the mailing list, we got some responses from several people. I'm hoping that perhaps some people ... Well, I'm hoping that everyone has read those. So, one of the questions and comments and so on, the main idea being why Internet governance is important for ICANN. There were some people that were effectively in support of this, but I'm reading through at the moment. I was just hoping ... Let's just open the floor first for any feedback on this. I know that there was some response from Marilyn Cade who felt that it was ... She didn't find this to be totally useful. There are issues, risks, threats, and venues where these are presenting themselves, so she would suggest that we first identify the risks, the threats, and the issues and then highlight where they are being actualized.

So, rather than going through the list of speakers as listed here with [Tarek Kamel] and Tatiana Tropina and Steve DelBianco and [inaudible], the idea would be to start first by identifying the issues and then going into them and saying where are the issues likely to come up. That's the substantial piece of feedback we received there.

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A town hall meeting is just an open meeting where everyone can participate. I gather that means that the panelists are not there to just speak about what's been happening there. They're effectively just there to relate to the audience.

Then, there was a feedback from [inaudible] as well mentioning that ... She suggested that we change the title to Why is Participating in Fora that Discuss Internet Governance Issues Important for ICANN. A slightly different angle. I like the idea, but I feel that the name is a little long. The question is a little long here. But, effective, we might be looking at two sides of the same coin as well.

So, that's where we are. I'd be interested in some feedback and some suggestions as to who we should have. There's been further feedback from Marilyn regarding Ambassador [Cauklins], Ambassador [Fonseca], various potential speakers. One of the problems of course is we always end up at the end of the day with the same speakers in the room. But, at the same time, it doesn't seem to be that anybody else wants to stand forward and say, "I'd be really interested in speaking there and taking a front row seat."

So, starting with the title, are there any alternative titles that anybody wishes to suggest? Do we have a doc to look at? Yes, the doc is ... I'm going to put this in the chat. That's interesting. It's not working.

DIERDRE SIDJANSKI:

It's not going on the chat. Do you want to mail it to me and I can put it up on the screen?

OLIVIER CRÉPIN-LEBLOND: There we go. Now it's going on the chat. I'm not sure why it wasn't working. Diedre, I don't know if you can share this on the screen somehow.

DIERDIRE SIDJANSKI: Yes. Just give me a moment and I can get it up on the screen.

OLIVIER CRÉPIN-LEBLOND: The current agenda page. We have introduction, welcome, then evolving Internet political ecosystem with [Tarek Kamel] providing us with a good opening statement as what's happening out there. Notice that we're calling it Internet political ecosystem. There has been some increased discussion regarding whether Internet governance is the right term for ICANN. Currently, some people absolutely don't even like the term Internet governance as such. Without going into this, Internet political ecosystem might be a good tradeoff.

Then, going into the more detailed threats that have been identified here. But, here, of course we're not really looking at the issues. We're looking at the actual fora. So, maybe with your assistance, if we could have a list of the threats and put them in what fora of those threats, that could effectively put us with an agenda that works well.

Okay, the floor is open and I'm not seeing anybody put their hand up at the moment. I gather you're all digesting this as we go along. Any thoughts? Let's proceed then stage by stage.

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Are we okay with the title?

NIGEL HICKSON: Yes.

OLIVIER CRÉPIN-LEBLOND: Great. Somebody has opened their mouth. That's really nice. Thank you, Nigel. Okay, I see [Trudy] as well is saying yes on this. That's the first one. So, why is participating in Internet governance important for ICANN or Internet ... What was the? Participating in the Internet political ecosystem important for ICANN. How about that? So, why is ...

Why is participating in Internet political ecosystem important for ICANN? If you're okay with this, then you can indicate this either by putting a yes or a green tick. That would be helpful. At least I get some feedback. A green tick from Judith. [Trudy], thank you. Acknowledged.

Let me just ask the other way. I can see some yeses at the moment. Some [inaudible] in the house. How about anybody that disagrees or would you have an alternative? Anybody with an alternative title? Or just that you don't like this one? Put a big, red cross or text me or put your hand up, whichever. I don't see anybody rejecting, so the title is there.

Now we've got the two ways, either looking at the threat, so identifying specific threats. Then pointing out in what fora these threats are or going through each one of the different fora and each time speaking about the threats in those fora. That's a sort of A or B system.

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The A system is to have the list of threats and showing in what fora they're being discussed. The B plan is to have a list of the different fora as they currently are on the screen. So, end of [CSDD] discussions, ITU processes, WIPO processes of World Trade Organization, and to list the threats or discuss the threats in each one of these organizations. A or B? Or if you wish to propose an alternative, then put your hand up, please. Alan Greenberg, you have the floor.

ALAN GREENBERG:

I don't much care which it is. I would prefer not to see the word threat used. Something indicating that these may cause a change in relationships or whatever, but threat has a negative connotation that I don't like advertising in an agenda.

OLIVIER CRÉPIN-LEBLOND:

Okay. How about using the word issues then?

ALAN GREENBERG:

I could live with it. It doesn't quite convey what we're talking about. We want to say threat, but we don't want to say the word. We want to simply say these are ... And I can't come up with the right noun right now. Maybe someone else will have an idea.

OLIVIER CRÉPIN-LEBLOND:

Challenges?



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ALAN GREENBERG: Yes, that's much better. It's not a negative, anyway.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you for this, Alan. I'm putting on the chat your choice of A or B. I noticed Nigel has written he would prefer B. So, A is starting with the challenges and listing what fora they're being discussed in. And B is starting with a different fora and then listing the challenges in each.

NIGEL HICKSON: I got it the other way around then. I prefer A.

OLIVIER CRÉPIN-LEBLOND: Aha! So, starting with the issues and then listing which fora they're discussed in. Okay.

NIGEL HICKSON: I think that makes more sense because there might be some challenges which there aren't necessarily a for a for or the fora is more generic. I think it makes more sense to do that. Or there might be several fora.

OLIVIER CRÉPIN-LEBLOND: Thank you for this, Nigel. I note that [Shrideep] has also selected A. I gather that this idea was proposed by Marilyn Cade, so I believe she would also be going for A. Anyone else? I'd be interested in seeing A or B. A, we start with the – and welcome [inaudible] on this. Competing for our time with Mrs. May. Yes, unfortunately. The wrong time for us to speak. But, it's fine. This is more important than this [inaudible] stuff.

So, I see Greg Shatan selecting A as well, starting with issues and listing what fora they're being discussed in. Okay, I can only see A at the moment, so let's then move on and let's get starting with the issues.

Let's start going and list them. I guess to start us off, the easy one is the distribution of IP address logs. Is that well-summarized [inaudible] an issue? The As indeed have it, Greg, yes.

So, what issues are there? What challenges are there at the moment that relate directly to ICANN? I can certainly put a few down, but I'd be interested to having a bit more participation here. I know it's early. I know it's Friday as well. It's early and late at the same time. Christopher Wilkinson?

CHRISTOPHER WILKINSON: Hello, good afternoon. I apologize for late arrival and I'm not quite sure what I'm about to say addresses the question that you've asked. [inaudible].

In my recent experience, the major issue between ICANN and the rest of the world is going to be geographical names at the top level. Geographical names are not generic. They're very specific to the communities and locations that use them and they cannot be [inaudible] by a TLD process.

Furthermore, I would go so far as to say that the registry for a geographical name should absolutely be prohibited from selling premium names at a profit. The [rent] for a name at the second level must accrue to the registrant, not to the registrar or the registry.

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Some of you know that I've gone out on a bit of a limb here. I have with great relief relinquished my position as co-lead of TW5 for the simple reason that I feel it's absolutely important that significant political changes result in ICANN in order to avoid a future conflict between the ICANN decision-making process and the views of most of the world as to the justice of their own rights to their own geographical names.

OLIVIER CRÉPIN-LEBLOND: Thank you, Christopher. May I ask in what fora are geographical names being discussed outside of ICANN, if at all? Bearing in mind, we are looking here effectively as where some of these debates are being held that could affect ICANN at the end of the day. At WIPO? Okay. Thank you, Nigel, for this. We can certainly add this.

CHRISTOPHER WILKINSON: First of all, I don't see [inaudible].

OLIVIER CRÉPIN-LEBLOND: Now we cannot hear Christopher. Okay. Let's move to Greg Shatan, please. Christopher, at the moment, we're unable to hear you. I don't know why. And we've lost Greg as well. Greg Shatan?

DIERDRE SIDJANSKI: Excuse me for interrupting. Nigel, can you hear us? Can you speak please if you hear us?

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NIGEL HICKSON: Yes, why? I'm here.

DIERDRE SIDJANSKI: Okay. It just seems that Christopher and Greg have both been ...

OLIVIER CRÉPIN-LEBLOND: They've both appeared to have dropped for some reason.

DIERDRE SIDJANSKI: I see Christopher speaking, but I do not ...

OLIVIER CRÉPIN-LEBLOND: This sometimes happens with Adobe Connect when the connection doesn't work too well and one speaks and then it doesn't go anywhere. It seems to be silent at that point. Okay, well, that's a pity. Let's go back then to the challenges.

Distribution of IP address logs. The second one I certainly have seen is the coordination of the domain names. The third one being the geographical names which takes place at WIPO. Nigel, perhaps you can help us on this. So, the distribution of IP address blocks, that being primarily discussed in ITU I've seen certainly. I can't remember if it's a WTDC or a WTSA or whichever one of those was it that was [inaudible] proposals from some of our [inaudible] democracies asking for country Internet registries.

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NIGEL HICKSON: Yes. It was WTF, but it's quite likely to come back as the plenipotentiary in one form or another. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay. So, we'll put it also plenipot as well. And the coordination of domain names. First, I see Greg Shatan back with his hand up. Greg, you have the floor. I cannot hear Greg at the moment. Can anybody hear Greg? We seem to have some real problems. Greg, I'm afraid we're not able to hear you, so perhaps if you can select the little handset and ask to connect your phone and it will dial out to you. Whatever number you give, it will call the number automatically and put you on the call. It seems Adobe Connect doesn't work today on this system. We certainly have heard Christopher in the past, but then we stopped hearing him. It's not working. Greg says, "Judith, Christopher, and I can hear each other." Oh, dear. Now we have a bridge which has gone into mute. Can we please unmute the bridge? I think it's the 408 number that needs to stop muting or something. Dierdre?

DIERDRE SIDJANSKI: Yeah, I am here. I just don't know how to unmute a bridge ... I haven't done anything to it. Unmute all users.

OLIVIER CRÉPIN-LEBLOND: Oh, dear, now the bridge is gone. Just what we needed.

NIGEL HICKSON: How come we can still hear each other? Well, some of us.

OLIVIER CRÉPIN-LEBLOND: Because we're dialed in. We've asked for a dial out or we've dialed in, so we're on one system. The Adobe Connect is the other system. If you're dialed into the Adobe Connect via the computer.

DIERDRE SIDJANSKI: One second. I'm getting IT on the line.

OLIVIER CRÉPIN-LEBLOND: Oh, dear. Really sorry about this. I did hear something going on about cannot hear.

DIERDRE SIDJANSKI: Well, my IT said they all have to reconnect. They have to hang up and dial back in. He cannot [inaudible] system.

OLIVIER CRÉPIN-LEBLOND: No audio. Sorry about this. Can you hear me?

DIERDRE SIDJANSKI: I can hear you. Nigel I'm sure can hear you as well.

OLIVIER CRÉPIN-LEBLOND: All the people who have a phone next to them can hear each other but the ones that don't have a phone cannot hear us and we cannot hear them.

DIERDRE SIDJANSKI: If they're getting cut off, it's most likely a connection issue on their end. That's about 90% of the cases.

OLIVIER CRÉPIN-LEBLOND: But, the bridge seems to have cut off. Is that the 408 number that you had mentioned?

DIERDRE SIDJANSKI: It's still there, the 408 number. I don't see that it's cut off.

ALAN GREENBERG: So, are you suggesting that everyone on the phone bridge hang up and dial in again?

DIERDRE SIDJANSKI: That's correct. That's what I said to him. "All eight people?" And he said yes.

OLIVIER CRÉPIN-LEBLOND: Okay. I can certainly do that now. I'll do that now.

DIERDRE SIDJANSKI: Jim is on the bridge. The system rebooted. Hello Judith. Mary. No audio.

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ALAN GREENBERG:                    Alright. I'll be a guinea pig and hang up and dial again.

DIERDRE SIDJANSKI:                Thank you, Alan.

ALAN GREENBERG:                    it's Alan. Which side am I on now?

DIERDRE SIDJANSKI:                You're still on our side.

ALAN GREENBERG:                    I presume Judith and others cannot hear me.

JIM PRENDERGAST:                  I had Adobe give me a dial out and I can hear you fine. I don't know what zone I'm in.

ALAN GREENBERG:                    That's what I just did also, but since I did it through Adobe I thought that maybe I was going to be on the Adobe side again after the drop.

OLIVIER CRÉPIN-LEBLOND:          I've come out and I've come back in and I selected the Adobe line. Dial out, basically. So, it's dialed out to me and you can hear me again.



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ALAN GREENBERG: Olivier, I think you have two choices, end the meeting or restart the Adobe Connect room and everyone has to dial back in again.

OLIVIER CRÉPIN-LEBLOND: Can we just restart the Adobe Connect room, please? Let's keep everyone. Will you be able to do that Dierdre if you reboot it? Because you haven't got the codes, do you?

DIERDRE SIDJANSKI: Well, I'm checking into this right now. Thank you for asking.

OLIVIER CRÉPIN-LEBLOND: The other fun part. I'm really sorry about this, everyone. It's just one of these situations. It seems that all the people who asked for a dial out can talk to each other, but if you select connect via the computer, then you're not able to do so. It doesn't work. Let me try and go to the other channel and tell those people. I'll disconnect my phone here and I'm going to go into the Adobe.

DIERDRE SIDJANSKI: Still nothing from Judith. I think we're going to try to restart the line. What I have the option of doing is exit Adobe Connect and maybe I can reenter Adobe Connect or should I end meeting completely?

ALAN GREENBERG: If you can restart it, I would suggest end meeting and do a fresh start.

DIERDRE SIDJANSKI: Okay. Let me just inform everybody before I sign off.

OLIVIER CRÉPIN-LEBLOND: Thank you. This is the second part of the cross-community working group on Internet governance call on the 2<sup>nd</sup> of March, 2018. We've had a bit of a technical issue and had to reboot the Adobe Connect. Now everyone is able to hear everyone else thankfully until further notice. Due to time constraints, let's get moving then immediately back with our discussion.

We assume that the roll call is going to be the same as the roll call we had to start with. We might have lost a few people along the way, but that's fine.

We decided that we were going to go first for the challenges, list of challenges, and from there list where they are being discussed. The challenges at the moment, there are three of them. There's the distribution of IP address blocks. There's coordination of top-level domains. The third one is the geographical names at the top level.

So, distribution of IP address blocks, the ITU WTSa location where much discussion took place. Follow-up at the plenipot for geographical names at the top level, WIPO is the location where such discussions are taking place. Now I open the floor. Finally, Greg Shatan, let's see if we can hear you.

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GREG SHATAN: Can you hear me?

OLIVIER CRÉPIN-LEBLOND: Yes! Oh, success. Welcome.

GREG SHATAN: Thank you. It appears that the call divided into two halves, each of which could only hear its own half. So, Judith, Christopher, and I were having a jolly old time on one side of that divide while you were doing whatever you were doing on the other side.

In any case, I look at the geographical names question as kind of being indicative of a larger challenge or issue, which is continued ... [inaudible] basically the tension between multilateral and multi-stakeholder fora and the shift and continued exploration of how government stakeholders interact in ICANN and also outside of ICANN with ICANN, so the geographic names thing is much a symptom as it is an issue. I don't want to bore everybody because we have another group in which we can bore each other on this subject, but I do have a slightly set of views than Christopher and I'll leave it at that.

But, I think while the specific is a challenge and is a type of string that can cause a challenge, I think a larger challenge is both the issue of where ICANN is in the world and where governments are in their organizations ... Organizations where they come first. I think the collapse of the attempts at so-called enhanced coordination point to the fact that there is still no one way forward in which everyone seems to

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feel comfortable that they have the right amount of responsibility for their destiny and for the destiny of the Internet. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you for this, Christopher. That's very helpful. I noted down then that the geographical names are just a subset of the tension between multilateral and multi-stakeholder fora and part of a wider issue on how government stakeholders interact with ICANN, in ICANN and outside of ICANN. The forum where we've seen some of these issues, these challenges, is the [CSCD] I believe. Are there any other locations that you would point to as well as these tensions being present?

NIGEL HICKSON: Certainly, the ITU, given the proposals we saw at WGDC and which we're likely to see at the 2018 plenipotentiary.

OLIVIER CRÉPIN-LEBLOND: So, tension between multilateral and multi-stakeholder fora.

NIGEL HICKSON: Yeah.

OLIVIER CRÉPIN-LEBLOND: Okay. Any other thoughts? Any other suggestions? You can't tell me that there are just three things. So, the tension between multilateral and multi-stakeholder fora, how do government stakeholders interact in ICANN and outside of ICANN being a subset of this, [inaudible] of IT

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address blocks in coordination of top-level domains. Is that also in WTDC that there are challenges to the ICANN authority over top-level domains?

NIGEL HICKSON:

As I mentioned earlier, there was a proposal in WTSA that the ITU should allow the study groups to look at the whole nature of generic top-level domains and what is allowed and what's not allowed. That could repeat itself in plenipotentiary. We don't know because we haven't seen the proposals yet, but that's where it surfaced, in the ITU. So, we'll have to see.

It's also possibly worth mentioning that there has been quite a bit of dialogue on the so-called ecommerce agenda. Now, how much that touches on our remit is difficult to tell, but the WTO we're talking about. But, the ecommerce did extend in at least one incarnation to the domain name system.

OLIVIER CRÉPIN-LEBLOND:

Okay. Thanks for this, Nigel. I'll put this also under here. Any other suggestions? We've got three main challenges at the moment: IP address blocks, top-level domains, and the larger issue of multilateral versus multi-stakeholder. Greg Shatan, you have the FLOOR.

GREG SHATAN:

I think another issue and let me see if I can express this in a way that's intelligible because it's not coming together in my brain is how ICANN interacts with other organizations. Often the tension between ICANN

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the organization and ICANN the broader community or communities. For instance, I don't know how many people saw the alliance with the GSMA I think it is coming that ICANN signed at the Global Mobile Congress.

Also, the whole GDPR issue where ICANN the organization came very late to the party. One of their explanations was that the stakeholder should have communicated directly with the DPA and others. So, there's still I think a challenge of taking our unique organization and trying to figure out how it can either communicate in a unified way or at least even in a way where the communication within the organization and the communication between ICANN, however you define it, and these other organizations, ISTAR and beyond, can take place.

I don't think this is at this point ill will or a power struggle. It's more just a challenge that we have not yet met. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this suggestion, Greg. Question on this. How ICANN interacts with other organizations, is that something that this working group should be studying or should be tracking? Again, we're saying why is it important that ICANN engages in Internet political issues?

GREG SHATAN: I think if we frame the question that way, maybe frame my concern a little bit differently in a way that's not kind of so much of a third rail issue or CCWG or CCEG kind of sniping at the organization. But, that continued interaction and interaction between different parts of ICANN

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as they interact outside the organization is really necessary to have the communications be more productive and consistent and effective by only coming into the rest of the world from time to time, like an occasional guest like a second cousin. It leaves these continued gaps in communication.

When I say it's a challenge, it's the lack of sustained engagement and a lack of communication between different parts of ICANN's universe as to how they are engaging with other parts of the IG universe. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks for this. Thank you, Greg. Do you think, in your view, the GDPR issue, is that an issue ... We know it's an issue that is primarily for databases and privacy regulation, but is that an issue of Internet governance as such? Because that issue was raised by some community members a few years ago, and yet ICANN did not appear to have seized it early enough and certainly it comes as the big thing that something needs to be done about. So, is the GDPR Internet governance?

GREG SHATAN: [inaudible] and clearly in the case of WHOIS, among many other things but primarily WHOIS, GDPR has put a big fat boot right into the middle of Internet governance. I don't think we can say it's not Internet governance, even though plenty of other parts of GDPR aren't. Thanks.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Greg. I see a queue now. Christopher Wilkinson, you're next.

CHRISTOPHER WILKINSON: Thank you. My queue shows Alan in front of me, but I'm sure he'll be patient just a couple of seconds.

On your last question, Internet governance issue about GDPR is of ICANN's own [inaudible]. I'm prepared to say that there are limits to multi-stakeholder governance insofar as public authorities [inaudible]. ICANN has been warned for ten years that WHOIS was an infraction of European if not other countries privacy laws. The governance issue is not whether GDPR is parts of governance. The governance issue is why the hell did ICANN ignore the warnings that they received about the incompatibility of what they were doing vis-à-vis preexisting privacy law.

Bearing in mind – and I should come back to this as necessary – that the articles of incorporation of ICANN oblige ICANN to respect applicable local law. That, in this particular case, includes European privacy law which long predates the GDPR.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Christopher. Next is Nigel Hickson.

NIGEL HICKSON: Yes. Thank you, Olivier. Rather than debate GDPR ... But, I agree with Greg that this is an issue that affects ICANN, but I think we could code it rather more general and put data protection in the laws on data protection affect ICANN. Now, whether we should be aware of them or not or whatever is another issue, but they do affect the way we operate in the same way as potential laws on cybersecurity, again what's being

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proposed in the European Commission in terms of standards on cybersecurity could affect the way that registries and registrars operate.

So, I think cybersecurity and data protection are Internet governance issues as defined on the WSIS and they do affect ICANN. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you for this, Nigel. Are there any other thoughts on this? I'm taking a few notes about what you've said here. So, they've both been [inaudible] WSIS, both cybersecurity and data protection have been [defined] as Internet governance by the WSIS. So, these are all challenges that we are seeing here in various fora.

Regarding cybersecurity, where are the most discussions taking place these days for this? I'm always trying to relate the challenges to the fora after that.

NIGEL HICKSON: Well, others will have ideas. Again, we come back to the UN. I think Veni might have dropped off, but as he has told us before, in the resolutions that are likely to go in the second committee, the first committee, this year at the UN is likely to be the Russian proposal on cybersecurity and we're likely to see a proposal on cybersecurity. The Russians told us they were putting one into the plenipotentiary, the ITU. So, we're likely to see proposals on cybersecurity in these global bodies as well as being in the European Union, of course.

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OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Nigel. I see some plus ones in the chat. I'm really mindful of the time and the amount of time we've lost in our technical problems.

I wanted to also see what lineup of people we could have. The current suggested lineup is Tarek, Tatiana, Steve DelBianco, [inaudible] and [Raul]. Are there any suggestions for anyone else that we could have in there or any suggestions of people that we might not wish to have on this listing because they might have not followed up or they might have not been present in the new topics that we've been discussing here.

The current topics, as I said, distribution of IP address blocks, coordination of top-level domains, the tension between multilateral and multi-stakeholder fora and the engagement of government stakeholders in these issues, how ICANN interacts with other organizations and how ICANN interacts with the laws of local laws whether data protection or cybersecurity, etc. There are several issues that we have here now. Do we have the right lineup to discuss those? Nigel? Oh, Nigel has put his hand down.

Any thoughts on this? Do we have any other volunteer who might be interested in speaking who's present today who would be interested in speaking in that slot? There is an etc. here listed. No particular volunteers either. Okay, fair enough.

Let's follow-up then by e-mail afterwards with this small group to see if the lineup is fine. I think we have a good structure for the agenda now. I wish I could share it with you. Is there a way to share this? There isn't really, is there? If I cut and paste, it's not going to do correctly, so I'm

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afraid I haven't got the ability to write in a separate window so we can all see this.

DIERDRE SIDJANSKI: Do you want to pass it to me? I can put it up again if you like.

JUDITH HELLERSTEIN: You could become a presenter and [inaudible] in the window.

OLIVIER CRÉPIN-LEBLOND: Yeah, but I don't know if Diedre is able to make me a presenter. Are you able to make me a presenter?

DIERDRE SIDJANSKI: One minute, please. There you go.

OLIVIER CRÉPIN-LEBLOND: Aha, there we go. Let me just put it down here. So, in the notes section on the left-hand side, under topics/issues. This is not an exhaustive list, but that certainly provides us with some fodder to start the discussion and we can then move from there after that. We'll have 90 minutes. Great.

So, now we've only got two minutes to discuss the other thing that we needed to discuss. I guess we really have to just touch on it. That's designing the agenda of the WSIS Forum session that will take place in Geneva on Monday, the 19<sup>th</sup> of March. Monday the 19<sup>th</sup> of March is

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immediately after the ICANN meeting. So, it doesn't give us much time to prepare.

On top of that, I'm not quite sure that we will have that many people. I'm just trying to see. Let me just put it here. So, in the chat is the link to the page, the relevant page. The WSIS Forum at ITU 2018. I don't know if Diedre you can make an imprint of this and show it on the Adobe Connect.

DIERDRE SIDJANSKI: An imprint of the [inaudible] the link you just put on?

OLIVIER CRÉPIN-LEBLOND: Yes, please.

DIERDRE SIDJANSKI: Yes. Okay, thank you.

OLIVIER CRÉPIN-LEBLOND: So, the proposal was a dialogue on different cooperation models of approaches to Internet public policy development. That's all part of action line number 11. So, [inaudible] description is very vague. It says that the session organized by the ICANN CCWG on IG will look at varying patterns and examples of multi-stakeholder engagement across a number of different fora contrasting the reflectiveness and potential lessons to be learned. The view that experiences [inaudible] presence

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will be valuable for this roundtable discussion. Participants will include members of the ICANN community.

The first question is of those people that are currently on this call today, how many of you are coming to Geneva? Mary usually is. How many will be ... So, put a green tick or a checkmark or a yes, plus one, in the chat if you are going to Geneva. I see a red cross from Christopher Wilkinson. He is not coming. Greg is not either. I guess I can probably put a red for me as well. Unfortunately, there is the IETF taking place in London immediately after the ICANN meeting, so I have a meeting there. It's quite strange that the WSIS Forum takes place around that time. I'm not seeing anybody at the moment from our group in Geneva. Alan, are you going to be in the WSIS? Alan Greenberg?

ALAN GREENBERG: Not probably likely.

OLIVIER CRÉPIN-LEBLOND: Jim, you usually are. Are you with the MAG at that time?

JIM PRENDERGAST: I'm sorry. I'm dealing with six other things at once. Yeah, I will be in Geneva. I'm just not exactly sure what my schedule is that week yet. As you mentioned, the MAG is meeting and there are some other stuff going on. I'll do my best to be there, but I can't be speaker.

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OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Jim. I've seen on some discussion forum somewhere that there were some concerns that even MAG members would have difficulty attending some of the days because of the ongoing meetings in parallel with the WSIS Forum. Nigel Hickson, you have the floor.

NIGEL HICKSON: Thank you, Olivier. Just to note what took place on the chat a couple of weeks back when this was first discussed. Marilyn expressed she said she was going to be there at the WSIS Forum. [Louise Harel] who I think was on the call earlier, although she's dropped off, she's from NCUC and she's going to be there because NCUC have got a session. Mary I know said in the chat that she will be there if she can get her visa. ICANN Organization is going to be around because we're involved in it. So, potentially we had three or four names that could possibly do something. Wolfgang Kleinwächter might also be in Geneva at that time and I think he would be quite a suitable person to be involved in this exercise because he's obviously written quite extensively about the different approaches to discussing Internet public policy.

So, I think we have a number of people that could possibly do this. It's just that we have little time to organize it. As I put in the chat, although it's now gone obviously, we only have until Monday. Well, we don't have to do this, but if we want to update the WSIS website to put some people's names down, then we only have until close on Monday to do it. So, we [inaudible] but we do have the workshop session and I think if we didn't go ahead with the workshop session, that would look pretty

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bad, actually, because we have been allocated it. We ought to try I think if possible to do something for it.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Nigel. I noticed from last year that last year we also had [Yovanka Balisha] that was listed and we had Lori Schulman. Is Lori going to make it this year? It's a pity because we had Lori a bit earlier on the call. She might have dropped off. Does anyone know?

NIGEL HICKSON: We can certainly ask her, but I don't know.

OLIVIER CRÉPIN-LEBLOND: We can ask her if she's going to be there. Bill Drake, also. It's quite likely that Bill will be there, I believe.

NIGEL HICKSON: We did ask Bill Drake. He's teaching at that time in Zurich.

OLIVIER CRÉPIN-LEBLOND: Okay, so no Bill. Let's have an action and ask if Lori will be coming. You mentioned [Lee Terel]. That's good. Mary, Marilyn, Nigel, Wolfgang. I think we've got a small group. There's still a bit of time to come up. You can certainly put those speakers down if we're all okay with it. Mary, if you're okay with being listed. I think that's what we did last year. Then have some minor adjustments at the time saying whoever could come or couldn't come.

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I recall there was remote participation last year from Rafik and Tatiana. So, we could actually have some remote participants if we wanted to, especially since this particular session is taking place in the afternoon, I believe.

NIGEL HICKSON: Yes.

OLIVIER CRÉPIN-LEBLOND: That means it's friendly enough for the Western hemisphere and North America and Latin America as well. We could certainly have somebody intervene from remote participation if required. But, that we can always set up in the next couple of weeks. As long as we've got a core set of people that are ready to speak about the different cooperation models for approaches to Internet public policy development.

Are we okay with this?

NIGEL HICKSON: Yeah, [inaudible]. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks for this. I guess, Nigel, you can follow-up with me and Rafik and the co-chairs afterwards and I think we've got a direction that we can go into. I certainly will follow-up now with the putting together of the main agenda for the ICANN meeting. Really, with six or seven minutes past the top of the hour, I'm not sure we have that much more time. This



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was supposed originally to be a 60-minute call. I know we lost some time with it, but if there is any other business to discuss ... Is there anything that we've missed so far? Nigel, I'm looking at you specifically, if there's anything else that you need at this present time.

NIGEL HICKSON:

There was just the point on whether there was any feedback on the cross-community engagement group charter. I know it was sent to the GNSO. I think they looked at it as their council meeting and it's on the agenda going for that council meeting next week – well, the week after – in Puerto Rico. It's possible they didn't reach it. I don't know.

OLIVIER CRÉPIN-LEBLOND:

Thanks for this, Nigel. It's a little premature to obtain feedback at this point in time from what I understand. The ALAC also has a copy of the charter in their hands. I gather that most of the feedback we will receive will be in Puerto Rico. That will be part of the agenda and the discussions in our face-to-face meeting where the first part of the agenda we'll be speaking about discussions with the board on Internet governance and then we'll be discussing the proposed revisions to the charter.

We will also have 15 minutes to plan for the WSIS Forum if there is anything to plan, any last-minute planning required.

Well, thanks, everyone, for attending. It's been a bit of a disjointed call, literally, but we still managed to go through the agenda, although with a little bit of delay. Thanks for your participation and I look forward to

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meeting you all in San Juan, hopefully. For those people that are not traveling, then please follow us remotely. We've got our two sessions on Monday and on Thursday. With this, I'd like to adjourn the call. Thank you and goodbye.

**[END OF TRANSCRIPTION]**