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GISELLA GRUBER: Good morning, good afternoon, and good evening to everyone. Welcome to the LACRALO call on Monday the 28<sup>th</sup> of May at 23:00 UTC.

On the Spanish channel, we have Humberto Carrasco, Sergio Salinas Porto, Vanda Scartezini, Carlos Raul Gutierrez, Maritza Aguero, Carlos Vera, Ricardo Holmquist, Lilian Ivette De Luque Bruges, Claudio Lucena, and Lito Ibara. Alberto Soto will be joining us 15 to 20 minutes late.

As it stands now, I don't believe we have anyone on the English channel, nor the French, nor the Portuguese, but please do speak up or if you are on any of those channels.

We have apologies noted from Gilberto Lara.

From staff, we have Silvia Vivanco; and myself, Gisella Gruber.

If I could also please remind everyone to state their names when speaking not only for transcription purposes, but also to allow our interpreters to identify you on the other language channel.

This evening we have on the Spanish channel our interpreters, Veronica and David. On the Portuguese channel, Bettina and Esperanza. On the French channel, Jacques and Claire.

Thank you very much and also please do speak at a reasonable speed to allow for accurate interpretation. Thank you very much, and I'll now hand it over to Maritza. Thank you.

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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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HUMBERTO CARRASCO: Thank you very much, Gisella. Maritza, can we proceed to the adoption of the agenda for today?

MARITZA AGUERO: Thank you very much, Humberto. Could you please confirm that you're hearing me well?

SILVIA VIVANCO: Yes, Maritza, we can hear you okay, so please go ahead.

MARITZA AGUERO: Okay. So, today we're going to start by reviewing the ALAC public comments and consultation. This will be delivered by Ricardo Holmquist. He is connected from a bridge. Thank you, Ricardo, for participating in this call.

Then we will continue with a presentation by [inaudible]. This presentation is also a very important presentation by Claudio Lucena. He comes from Lisbon. He's there.

Then we will continue with a domain name dot-com. This presentation will be delivered by Carlos Gutierrez. He's a GNSO Council member.

Then we will continue with the following item, and this is about the [inaudible] CPH, about the At-Large review.

Then we have any other business.

Humberto, please go ahead.

HUMBERTO CARRASCO: Thank you, Maritza. We will start by reading the public consultation, the ALAC public consultation. Ricardo, you have the floor. Go ahead.

RICARDO HOLMQUIST: This is Ricardo Holmquist for the record. I hope you can hear me okay. Very briefly ... Perhaps we have some issue with WebX. I cannot see the presentation on my computer. I see that everything is posted and everything is also posted on the agenda for today. You can get the information from the agenda.

The public comments that are now open are the following. Due to the reduction in the budget, ICANN is proposing to perform certain modifications to the review that will be conducted during fiscal year 19. This fiscal year will begin on July 1, 2018. So, these are the [inaudible]. There are reviews that are pending and there is also something pending and this is the beginning of the work track 3 and this is on accountability. ICANN is proposing short-term and long-term measures to address these reviews and on the work track 3 on accountability.

I believe that it would be interesting to have people from LACRALO to get their feedback because, as you know, at the end of the day, reviews are important for end users because they are the ones we represent. So, I believe that these are the ones pending as you can see. We have a period of two months for the end of the public comment, so perhaps we have the option of reviewing the consultation.

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On the other hand, we have another comment. In this case, we have the 1.com domain name. This is a single-character domain name. There is another consultation and this is the final report. This is the [inaudible] to review report. This is very important, as you may know.

Then we have this review of the [ISOC]. There is another consultation open and this is the Customer Standing Committee. This will be the next consultation. The public comment will close on June 1<sup>st</sup>. That is this week.

In the last month, we have the accountability work stream 2 final report, and as I said before, the working groups are finishing their tasks, so we have the report and then we have the NomCom final report. This is the NomCom2 review. Then we have the review of ICANN bylaws. As you know, there was a section that was amended.

Then we have some other consultations that have to do with the constituencies, ICANN constituencies. Then we have [inaudible] for non-public data. Then there is another consultation open and this is ICANN reserve fund and the discussion of how these funds should be replenished. There were many proposals in this regard.

There is another consultation open that has to do with data protection and this has to do with GDPR. We will be having a presentation in this call and of course we will [forget] ICANN's perspective of this topic. As you know, this is an ongoing topic, and at the end of the day, as Latin American users, we know that it is important to have WHOIS.

There is another consultation and this is the name collision analysis project. Of course, we have to take into account this issue of name

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collision, and if we go to the second page of the document, we have a screening process for board members and there will be a report for board members, for incoming board members.

Then there is a report on [inaudible] gTLDs. There was a report adopted in April and this document was discussed in LACRALO. This document has to do with the [KS Key]. This is a pending topic because the key signing key will be done or carried out in October this year.

One of the things being proposed by ALAC is posted in this comment and the topic will be addressed in Panama. There is a meeting, or there was a meeting requested in Panama, and the idea is to have a meeting with the people involved in the KSK rollover.

One of the things that I am a little bit concerned about is that in order to have no issue with this, because we know that when all the information or when this is taken away, we have to take into account the network security. So, for me, it makes no sense changing the root if we don't know the amount of people that will be affected by this. So, for me, it makes no sense. However, since I think that we can keep on waiting in order to be sure that nobody will be affected by this process.

Additionally, to the topics being addressed by this document, in May we should have received – we are at the end of May right now, but we should have received the following comment requests. This is the dot-corp registry agreement renewal. Then the proposal for the updated supported traveler guidelines. Something that might be of interest to us is the new gTLD subsequent procedures policy development process initial report. This is something for the new gTLDs. The implementation

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of privacy and proxy services accreditation program. Then the proposal for a new script for the root zone and this is [inaudible] script. In this part of the world, we have no clear idea of that.

Then, the draft report recommendations [inaudible] from the RSSAC review. This is something technical and very important for the functioning of Internet. There is another proposal for the [inaudible] script root zone. And there is something that is really interesting for us and this has to do with the fellowship program review consultation. These comments should have taken place in May. We have no news about this, but we still have a week to go, so perhaps we'll get some news on this.

In June, we will have the final report from the Competition, Consumer Trust, and Consumer Choice Review Team. I understand that ALAC is not providing any reply on this, but of course if anyone has any recommendation, you are free to express yourself. We will have the opportunity to make comments until July.

Then we have the recommendations of the International Governmental Organizations such as the Red Cross.

Finally, we have the initial report of the new gTLD auction proceeds cross-community working group. I mean, this has to do with the money coming from the new gTLDs. So, this is something of interest for the community, because at the end of the day, part of this money is used by the community in the form of education.

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I don't know if you have questions, or thoughts, or comments about these topics. I don't see anyone requesting the floor, but please, if you have any comment let me know.

Thank you very much for listening to my presentation. Now I would like to give the floor to the next speakers. Thank you.

HUMBERTO CARRASCO: Can you hear me?

MARITZA AGUERO: Can you hear me?

HUMBERTO CARRASCO: Yes, I can hear you.

MARITZA AGUERO: Okay. I don't see anyone requesting the floor. Ricardo, I have a question for you.

RICARDO HOLMQUIST: I will be here, so no problem.

MARITZA AGUERO: My question is this. You mentioned the KSK issue. You mentioned something about that. Can you explain further on that topic, please?

RICARDO HOLMQUIST: When the root, when the key signing key is changed, if the update is not properly implemented, our domain names will not work. There people proposing something and this is to eliminate the KPI and this should be taken away a week before the rollover of the KSK. And after that, there should be a review of the function, just to check everything is working well.

So, I believe that that is not a good solution because I believe those having [inaudible] not updated will suffer the consequences of that. If the [RPKI] is not well-implemented, we will have an Internet that is not going to be safe and stable.

However, the possibility of accessing the [root certificate] are not that good because, as you know, the certificate has an encryption. Therefore, we cannot say that if 1% of the people using Internet is not connected and that is not important. I mean, it makes no sense for me.

We had some meetings during ICANN 60 and we heard speakers such as, for example, having 5% of the population out of Internet. Of course, this means a lot of end users. Now we are talking about 1%. People still say that it is not important to have the [RPKI], but for me this makes no sense. I don't know, Maritza, if this replies to your question.

MARITZA AGUERO: Thank you very much for your comment, Ricardo. Humberto, you have the floor. Go ahead, please. I don't see anyone requesting the floor so far.



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HUMBERTO CARRASCO: Thank you very much. Ricardo, I have a question. Can you hear me?

MARITZA AGUERO: Yes, we can hear you, Humberto. Go ahead, please.

HUMBERTO CARRASCO: Ricardo, you mentioned something about the GDPR. I believe I can find a report in Germany. Do you have any comments on that?

RICARDO HOLMQUIST: Yes. I believe that our next speaker will be able to reply to that question. ICANN took quite a lot of time to define the aspects to deal with the GDPR while finding a final solution. Some registries and registrars took some actions based on ICANN's actions. So, because there are people understanding that WHOIS was eliminated, but if WHOIS is eliminated, that will be a problem for all of us.

So, I believe that there is the core of the matter. There is the main discussion because [ICANN file a report] and of course we need to set the limit for that. I don't know if that answers your question, Humberto.

HUMBERTO CARRASCO: Okay. So, if that is the case, Maritza, can you please give the floor to our next speaker? I don't have the agenda in front of me.

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MARITZA AGUERO: Thank you very much, Ricardo, for your information. We will now continue with our agenda. Today we have [inaudible] Claudio Lucena. He is going to address the GDPR, a very hot topic nowadays. It is very important to consider now what the implications [inaudible] and for the end users. So, Claudio, you now have the floor. Welcome.

CLAUDIO LUCENA: Thank you very much, Maritza. I have prepared two or three slides [inaudible] with some graphs for this presentation. I hope the operator has it available to upload it so that we can discuss this data protection regulation for Latin America.

I am right now in Lisbon where the [inaudible] on GDPR are happening and happening one after the other, and tomorrow we're going to be having another GDPR class to start putting this into practice.

It is a very significant change, specifically here in Europe, but as we all know, it has implications all around the world. So, if we can put slides on the screen, please. I'm not really following this.

As I said, I can provide you with a very specific outlook on GDPR and [inaudible]. This class is available from the data protection commissioner from the United Kingdom, and if they are dealing with [inaudible] to the general rules.

This idea – and I would like to apologize to the colleagues who have already been working with data protection for some time because we need to [contextualize] this issue.

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Why do we address data protection? Because throughout time, we have seen that the rights of an individual [inaudible] and the information they require ...

What I mean is in the first 100 years of existence of this notion of data protection, there was sort of a residual importance that when ... This just started happening when [inaudible] data were available, and because of that, it becomes a very sensitive issue when dealing with data protection.

In the past 20 years, these principles are the principles that regulate our interaction with data protection. These are principles that are developed throughout time and we have been dealing with very significant decision from a German court for the first 30 years, and from then on, principles have been developed, so now these are our guidelines almost all around the world.

Personal information needs to be processed in a legal and fair fashion. It has to be used for very specific limits with very specific boundaries. Items three and four states that the information needs to be adequate and relevant, not [inaudible]. It needs to be precise and updated. This information should not be maintained beyond whatever is necessary for processing. It has to be processed in line with the rights of people. It needs to be processed in a safe manner and it should not be transferred to a country that does not ensure the same level of protection.

So, these are the general principles of data protection that we have developed in the past 25 or 30 years and these include all the principles

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that we have in Latin America, in Europe, and some principles in the US as well.

Now, what happens is in the past two years since we adopted the general regulations in the European Union, I imagine we have never had any legislation that was [inaudible] commented on because the people who suffer the effects or tap into the benefits of it are the people who use the Internet as a daily tool.

So, in the past days, you all have received e-mails about changes in privacy policy and terms of service, and this is because there are some new rules to [inaudible] a directive that dealt with data protection that didn't exist as we know it today. The Internet was a way to exchange messages, etc., in the past that's not a way of expressing your rights. It was not an extension of the physical world as we see today.

So, that's why we see changes that were brought by the GDPR that go from a territorial scope for application that is a lot broader. The idea is to ... I hope this is a term in Spanish, to subject the subcontractors – that is, the controllers of subcontractors to the principles in Europe that this also applies to controllers or subcontractors that are not in Europe and they direct their services to citizens who are in the European zone. So, that is why it is important for ICANN and for us.

The idea is to expand the scope of a legislation that is thought of for the European Union only. So, the consent now has very restrictive content. You need to accept or you need not to accept an indirect consent and now you need to show that a person has expressed their consent and preferably to maintain [inaudible] for a future check by data authority.

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The right of access. The people have a right to see what is happening with their information and they also have the right to correct non-precise data.

There is also the right to remove and the right to [inaudible]. That is that an [inaudible] has no more [inaudible] to a piece of information that is available in a database.

So, now, what we want is to prevent access and also to consider the principles that I mentioned in the beginning.

There is also a right to data portability. You can also access and use your data in another platform that is available for the effects of the competition, an orientation to adopt privacy by design and privacy by default. This is, techniques you need to guarantee the adoption of security and safety techniques from design and from the inception, from the moment these measures have been conceived. This is a very controversial issue because these tools have been there for quite some time, and for follow engineers, we know that implementing safety [inaudible] project is already implemented. Well, it is not what you would usually do. You usually apply it when you start developing a tool that is already on the market. So now we need to know what the conformity and compliance regulation will be like.

So, now, there are more strict notification requirements. If there is a fault in that safety in general, there are some 72 hours to send a notice unless there is no knowledge of this or this is not expressly stated by the professor or the subcontractor. The rule is that from now on, once a

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fault is discovered in processing, then you have 72 hours to notify so that measures can be adopted.

There is an institution from specific professionals to be the source of communication between the companies and the data authority. They are an internal auditor and also a compliance officer for purposes of application of the GDPR in companies and this professional is also included in section 37 of the rules. A data protection officer. That is how we call him. In Europe, we say that with this provision some 50,000 job positions will be created for people whose profession has not been created. You need to have knowledge of the law, audit, GDPR, consumer resources, risk management, and a number of different areas of knowledge, and for this reason there is so much training in this field.

Then there are sanctions that are imposed. These are up to 20 million euros or 4% of the global turnover in the company. In this issue, there is a lot more concern with money and the imposition of sanctions than with the sanctions that will be adopted first.

We believe that very heavy fines will not be imposed in the beginning, mainly because these fines or these sanctions are included in section 83 of the GDPR, but they may be combined together with section 53. This includes restrictions, suspensions, and other administrative measures which are not as heavy as sanctions. These sanctions are the only concerns that we are having when we are discussing GDPR when the more significant concern is actually being prevented from continuing to provide services to subcontrollers or subcontractors within the European Union or located in the European Union.

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Finally, how these environments is conditioned, how it is adopted to the ICANN community. Well, ICANN processes data for several reasons. For example, we have received messages associated to the fellowship, community registries. We also have personal data registries and these activities, or these initiatives, also process personal data.

But, then, also, as Ricardo was saying, we process registry data and this registry data have been collected and they have been made available for some time and now they're no longer aligned with the specific provisions stated in GDPR.

So, from the day 17, the board has adopted a protocol for data access. I'm not sure if you can see the slides. There are the links for this protocol, for this new protocol. And let me say that in this new protocol, the requirements are specifically in annexes A and C. The information adopted is the minimal information, and so we need to collect just some data for data protection. So, we are referring then to appendixes A and C. The link is right there on the slide.

This is a temporary model. It's been in effect for only four days. It's a temporary model that has followed the interim model that has been presented a few meetings ago. We need to see how the data authorities are going to interpret the agreement effort. The idea is it was presented in the process. It was accessed in different layers.

INTERPRETER:

I can no longer hear the speaker.

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CLAUDIO LUCENA: So, we have different tiered levels of access for data in different categories. This is an idea that has been [inaudible] and reach this very difficult balance. That is to collect data and to provide cooperation with the legal authorities when necessary. There is also the collection of data protection that is so significant in this time. So, this is a very, very brief summary of the application of GDPR.

I see there is a question here, whether this is the model that can be adopted in Latin America. Well, it is a model that the colleagues of Uruguay and Argentina can discuss it. I suppose that Colombia has a model that is very similar to GDPR. I can also say that the project in the senate, in parliament, in Brazil is a bill that is very similar. We've been discussing this bill for 25 years, that now with the GDPR [inaudible], I suppose we will finally have a data protection legislation.

In Latin America, there are also some similar models. So, in essence, we don't really have very significant conformity problems. Ricardo? This is what I have to say so far and I'm open if you have any questions. I'm not sure if I have responded to all of your questions.

HUMBERTO CARRASCO: I don't see any hands up yet.

SILVIA VIVANCO: Humberto, there is Carlos Raul who has raised his hand. Carlos Raul, you have the floor now.



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MARITZA AGUERO: Vanda has also raised her hand.

VANDA SCARTEZINI: I haven't really raised my hand, but since I now have the floor, I am going to ask a question to Mr. Lucena who is basically ... The question is basically what is the hierarchy that we can think about in terms of liability in connection with providers, for example, of solutions that are in the hierarchy level as the third or fourth provider? How are we going to apply this legislation? Are we going to apply it to the whole chain of providers or is there a hierarchy when there is no need for compliance?

CLAUDIO LUCENA: Great. Thank you for your question, Vanda. Well, the idea is to establish a relationship between controller data processors and subcontracting processors. The idea is to eliminate any difference in terms of responsibility, but section 58 states that these authorities have been [inaudible] to apply fines for each controller and there we see a hierarchy, an objective one, and from the authority point of view, the authorities will be sending or will see controllers as those having an option or a possibility to control. They are the ones selecting the legal basis for the implementation. They need to direct the services, and from a hierarchy point of view, based on that, this will apply to processors and first, third, and second-level contractors taking into account their compliance obligations.

So, there is a hierarchy for controllers, for subcontractors, and so on.

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VANDA SCARTEZINI: Thank you.

CLAUDIO LUCENA: Thank you for your question, Vanda.

MARITZA AGUERO: How compliance is proved?

CLAUDIO LUCENA: Thank you for your question. This is done by providing a report. This is a new tool. This is a questionnaire. We have different templates. We have different commissioner, data protection commissioner, providing these templates that are simple and complex templates. There is privacy template coming from the UK. There is a template coming from the National Commission from France. The idea is to measure the impact. For example, those working with environmental impact or economic impact, well, these are tools being used.

In the NCUC we are presenting a report on impact on human rights and we also have this scenario and this is a tool being used to prove compliance or to reduce or at least to show that compliance is being taken into account. This is a metrics tool, a measurement tool. This is already covered by the rule with the different models, but from the authority point of view, with have already received templates free of charge, and of course we have the data protection authorities that are also creating their own tools. But, this is the main tool that will be used.

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HUMBERTO CARRASCO: Thank you, Claudio. I have a question. I would like to know what happens, for example, if a Latin American company is sanctioned, is fined, in Europe for not complying with this regulation? What are the mechanisms being applied in terms of money? Is there any criminal fine to be applied to this Latin America company?

CLAUDIO LUCENA: Thank you very much for your question, Humberto. This is a very important question because this is the biggest concern for those processing data for the European Union and that are based in Latin America. There is no criminal functions or criminal fines to be applied. The sanctions is the [inaudible] to hire the surveys or certain fine to be applied. I believe that receiving or having this fine [inaudible] to resort to international corporation. Of course, we need to take that into account and we need to follow the necessary steps. So, I don't think or I don't see this as a concern for data protection or data authorities because if there is someone in Brazil or in Colombia processing information for a company in the European Union, that would be an agency or a company under the GDPR or subjected to the GDPR.

But, the money, the fines, are not a main priority. What we need to take into account is the controller hiring services is based in Latin America, that controller will have to prove conformance or compliance of the processes with the GDPR. But, this process will get lost, because if you cannot prove compliance ... We need to prove compliance, but if we cannot prove compliance, there will be a fault and therefore it is not possible to offer the same level of security.

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So, to sum up, no other possible sanctions can be applied. Money fines are applied. But, of course, you can lose the possibility of offering your services. I don't know if I am answering your question, Humberto.

HUMBERTO CARRASCO: Thank you very much, Claudio, for your complete reply. I don't know if there is someone else requesting the floor. Maritza, can you help me with that before giving the floor to Carlos?

CARLOS RAUL GUTIERREZ: Can you hear me?

HUMBERTO CARRASCO: Yes, we can hear you. Carlos, you have the floor.

CARLOS RAUL GUTIERREZ: Claudio, this is the best presentation we had ever. I have a particular comment in terms of WHOIS. The board requested the GNSO Council to consider having an expressed policy to review the temporary measures being taken by the board. So, this is an additional effort that we have to the other policy processes because this policy will only be applied for one year, so the council should be working on a report, on an interim report, in less than six months. So, this is just an announcement. There is [inaudible] involvement of the board with the policy and this will take a lot of effort and attention. Thank you very much.

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CLAUDIO LUCENA:

Thank you for your comment. Thank you for this comment and I imagine that this is an ever-ending process because we have to review everything. In fact, we have the [four] main processes. This is requesting information or data, for example, and we have different processes already implemented [against] Facebook, WhatsApp, for example. We have Instagram and Google. So, there are [four] claims being filed against those companies and claims are for 4 to 7 million euros.

Data processing authorities have an issue because ... This is not an ICANN problem. We have this model. We have this interim model being implemented. We have to work on the model and we have to improve the model. But, DPAs in the European Union are still working. We had an interview with Professor [Sosa Pinero]. He is a member of the Data Protection Commission and he says that authorities cannot reach an agreement. So, we have to work very hard in the next month and we also have to take into account the feedback from DPAs to the society.

HUMBERTO CARRASCO:

Okay. Thank you very much, Claudio, for your reply. Is there any other questions? Maritza, you have the floor. Do we have any further questions?

MARITZA AGUERO:

No, we have no further questions for Claudio. I don't see anyone requesting the floor.

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HUMBERTO CARRASCO: Okay. So, thank you very much, Claudio, for your presentation. This is a very interesting topic. Once again, thank you for your time and for your presentation. Now I will give the floor to Carlos Raul Gutierrez. You have the floor to proceed with your presentation. Thank you.

CARLOS RAUL GUTIERREZ: Thank you very much. I hope you can hear me okay. I'm not going to take too much time because the public comment period closed on May the 25<sup>th</sup>, so we are quite late for this. Voting will begin on the 29<sup>th</sup>. This week we will have a voting process. So, I'm going to speak very briefly on this process.

The comment is this. The first comment has to do with policy consistency in relation to domain names during the last round. In the last round, we have reserved list of two-character domain names and country codes. We also have a list of three-character domain names. And we learned, surprisingly, that single-character names were not reserved.

In my case, I have been participating in this since 2011, so [positions] about single-character names were taking in 2007. But, when we discussed about reserving the rest of two-character domain names, when we speak about reserving three-character domain names, I believe that the community taking into account consistency should provide further feedback. I believe that it would be good to reserve two-character names and to [inaudible] three-character names that are not country codes or country names.

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We have been discussing this with GNSO and with the GAC, but nobody ever noticed this lack of consistency and nobody paid attention to that to the fact of releasing these two and three-character domain names.

So, we are facing a time where we see that policy has no consistency, and when I read the proposal made by our colleagues I think this proposal was supported by Alan, but I believe that this is not satisfactory from my personal point of view because there is no consistency in terms of two- and three-character domain names at the second level.

The second topic I would like to mention is this. If there is going to be an auction, I believe that this should go to the auction proceeds. I believe it is really good to define or create a new fund for universal acceptance, but I also believe that it would be proper to include all these in the funds that we already have. So, along these lines, I would like to say that perhaps it makes not much sense to discuss this proposal. Perhaps some things might be changed. But, we now have to participate in the voting process.

If you have any questions, of course I am open to answer questions. I would like to thank the colleagues in the mailing list, Carlton Samuels, because he provided me with a lot of information about this situation. Thank you very much.

HUMBERTO CARRASCO:

Thank you very much, Carlos Raul, for your presentation. You have been very clear. We know that the comment period is now closed, but in order to understand the process in a better way, sometimes we need to

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discuss this topic. So, in this case, this is very useful for us. Thank you for providing your point of view and now I would like to give the floor to the participants to see if you have any questions for Carlos Raul. Maritza, please, can you help me to see if someone is requesting the floor?

MARITZA AGUERO: I don't see anyone requesting the floor. I don't see questions posted on the chat. You have the floor in case you have questions for Carlos.

HUMBERTO CARRASCO: Okay. Is there any questions?

MARITZA AGUERO: No, there are no further questions posted on the chat and no one requesting the floor.

HUMBERTO CARRASCO: So, if that is the case, Carlos Raul, thank you very much for your presentation. This is something very interesting. Now I would like to proceed with the next item on the agenda. I think that we have another speaker. Maritza, is that correct or is Carlos Raul our last speaker?

MARITZA AGUERO: Well, this is an item on the agenda. We need the participation of the community because we have been working very actively on the mailing list. This is the [inaudible] issue. We have no speaker to present this



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topic on the agenda, but we have plenty of interaction on our mailing list. So, the idea is to discuss today the ideas that were published on the mailing list.

HUMBERTO CARRASCO: Okay. So, this was a motion put forth by Alejandro Pisanty and supported by Carlos Gutierrez. I don't have the motion available right now, but as far as I know, there was a letter being sent and there was a reply to that letter. The reply was provided by ALAC. I have a rough translation with Google Translate of the document. From that point of view, ALAC would be replying [inaudible] critics and other comments in the letter.

So, if you have any question or any comment, I would like to give the floor to the audience.

CARLOS RAUL GUTIERREZ: If nobody else is requesting the floor, I would like to make a brief comment. I'm not sure whether Ricardo is [inaudible] or not. He probably should be [sleeping].

Maybe on the ALAC call, I think it was held last Tuesday, maybe [they] dealt with this issue. This is about the internal review of all the [communities]. So, the ALAC review and implementation plan for the recommendations were submitted and I was surprised by the strength by which the contracted party [house] responded. I usually am involved in the contracted party [house] calls because I am assigned to those calls.

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I think it is very concerning and I think all of these deserve the attention of the community. In the next [inaudible], we need to see what the response will be because the contracted party [house] has asked before not to accept the ALAC proposal. They were very strong and I am not going to refer to the opinions of [inaudible] in this regard. This process actually existed before the transition and, in my view, they are even more important after the transition.

I think that many of the issues mentioned for the implementation are actually reflected in our mediation process in LACRALO. ALAC's response actually mentions LACRALO several times as one of the subgroups that is implementing this issue.

So, in the interest of having a significant debate, I think we need to pay a lot of attention to this in the next few weeks to try and see if we can lower the tension [inaudible] and to try to have the ALAC implementation plan be respected and recognized by all the rest.

Also, LACRALO needs to take note that many of the recommendations and implementations in the ALAC review have a name and they are directed to the next steps that we are going to take in the next few months. Thank you.

HUMBERTO CARRASCO: Thank you very much, Carlos Raul. There is an item that is very significant here and that is that we've had a very important participation. This week ... Who is asking for the floor and who is interrupting?

INTERPRETER: There is an overlap with all the speakers.

HUMBERTO CARRASCO: Before giving the floor, I would like to make a comment. One of the issues was to try to insist on the empowered membership by eliminating the ALSes. This is what that letter said. They wanted to insist on the ICANN recommendations. They mentioned LACRALO and we are in reform process to add the individual users. This process, this motion, will be put for discussion for the community in the next few days and we will also put it to vote. This is just a small comment.

Now, Maritza, you say ... Please tell me who has the floor right now.

MARITZA AGUERO: There is a queue. We have Vanda, then Sergio, Ricardo, and [Alejandro].

VANDA SCARTEZINI: Alright. As I was part of the ALAC Review Team, I know that have been discussing this for quite some time now. The letter is a little bit aggressive, a little bit too much, but answering more than what has been written in the response to the board because this letter was not directed to us, but it was directed to the board. So, the response to the board has already been made. It was a kind of a very diplomatic letter and I think we need to proceed in this way because I don't think we should answer with the same kind of aggression, but we actually need

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to show what we have been showing so far. We need to show what we're doing, why ICANN's proposal is not [inaudible].

So, I'm not really sure why there was such a level of aggression from the group, from the non-commercial group at the GNSO, but I think their response was sufficient.

My question is this motion that we were thinking to provide, my question is whether it's still good to serve its purpose because the response has already been prepared. I'm not really sure whether if we answer as LACRALO this can make some sense after the response sent to the board. This is one issue.

I supported Alejandro, but now my question is should we go on with this or should we just accept what was written by ALAC and sent to the board? Thank you.

MARITZA AGUERO:

Sergio, you now have the floor.

SERGIO SALINAS PORTO:

I just wanted to build on what Humberto has said before. The governance group sent the chair and the secretariat a document to amend the LACRALO bylaws, so we can add the end users or actually the individual users to participation within the region.

I think we are giving a very clear signal to show where LACRALO is going. I think ALAC's response is enough unless there are more developments of ALAC. But, basically, the [inaudible] that the Non-Commercial

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Stakeholder Group [inaudible] is just not understandable. We don't really understand [inaudible].

HUMBERTO CARRASCO: Thank you very much, Sergio.

MARITZA AGUERO: Ricardo, you now have the floor.

RICARDO HOLMQUIST: I lowered my hand because Vanda has [inaudible] her response. Though both letters are directed to the board, the ALAC has also sent a letter to the board. Let me also clarify that on today's agenda, we should've included a letter sent to the contracted party [house] which is different from the letter sent from the Non-Commercial Stakeholder Group which is a rather aggressive or rather strong letter [inaudible].

Now, the letter from the [CCH], even though it is very strong, it feels more with [inaudible] part of it. ALAC has responded part by part all of the items, issues, that were presented there. And even though we did not agree with some of them, we explained why, and that is why the board is asking them to [inaudible] what ICANN is saying and what ALAC is asking and to show what the reality is. I think this is an [inaudible] that is now in development. I think ALAC response is very adequate, especially with this NCSG letter that is very strong. My question is whether we are discussing this letter in today's agenda as well.

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HUMBERTO CARRASCO: Alejandro, are you there? Alejandro, you now have the floor.

ALEJANDRO PISANTY: The discussion now has no more [inaudible]. ALAC's response to the letter that you mentioned has already been sent. In this response, we assume some of the issues that we objected and that we wanted them to discuss. We needed to stop discussing this when we received a message to our discussion list that supposedly are [inaudible] and they took about [inaudible] and they used really unusual verbal dialect. This verbal dialect has caused us to refrain from complaining from any of the responses from the [BPH] and the NCSG.

But, because the [inaudible] on the resolution was [inaudible] to after ALAC's response, it really makes no sense to have this discussion. We will have our point of view and we will inform it independently. Thank you very much.

HUMBERTO CARRASCO: We have not [inaudible] anything, Alejandro. We have put the motion to vote. But, the staff has asked to clarify the motion. This is what we did and [inaudible] the letter and we wanted it to be discussed in this meeting. So, thank you. We know that we need to withdraw the motion because it doesn't make sense anymore.

ALEJANDRO PISANTY: Actually, yes, the motion has been withdrawn by us, but let me ask, Humberto, maybe as a chair you should have known that the

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preparation of the response was already being made. If you did know this, then you have abandoned your function.

HUMBERTO CARRASCO: Thank you. I think, unfortunately, Alejandro, everything for you is black and white and this is not what life is like. Things are not black and white anymore, so you cannot assume that there is a bad intention when there is not such a thing. I think that I have worn [your hat] sufficiently and [inaudible]. This is not the case.

ALEJANDRO PISANTY: Then you have abandoned your function.

HUMBERTO CARRASCO: Okay, but this is not correct, Alejandro. I'm sorry to contradict you. Maritza, is there any other person that would like to speak?

MARITZA AGUERO: There are no hands up. There is only one comment from Dev, and if he would like to speak because he is [inaudible], then maybe you can give him the floor and he can address it.

HUMBERTO CARRASCO: So, Dev, you now have the floor. Please, go ahead.

MARITZA AGUERO: He doesn't want to speak. He has left a comment on the chat.

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HUMBERTO CARRASCO: Maritza, is there any other issue that [inaudible] on this agenda?

MARITZA AGUERO: We have some other issues that have been scheduled for the last part of this call. Maybe we can deal with the working group, the governance working group, just to provide an outlook. We could also deal with the mediation issue very briefly. We can just start with this as I compile the rest of the information.

HUMBERTO CARRASCO: Okay. So, we can now give the floor to Sergio Salinas Porto to address the governmental [inaudible]. It seems Sergio has dropped because he did participate before but he doesn't seem to be online now.

MARITZA AGUERO: There is a proposal for a motion. Maybe we can deal with that. Since you have been working on the document with Sergio, perhaps you could give us a head's up.

HUMBERTO CARRASCO: Tomorrow or day after tomorrow, we will release the proposal of what I call the short amendment to the operating principles. This will be available for the community. We will [build] the inclusion of individual users and their participation in LACRALO so that we can open the debate to the community as a whole.



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Even though in the beginning we did discuss this in the governance group, it is time to discuss this with LACRALO users and [inaudible] issues in a webinar or teleconference included as well. We will put this proposal to vote. This is simply what we intend to do.

SILVIA VIVANCO: I think Sergio is online now. Is Sergio online?

MARITZA AGUERO: I think he is connected.

HUMBERTO CARRASCO: If he is not connected, then maybe we should go to the mediation issue. We have had some meetings where our mediator has actively participated. Sergio says he is connected, but he cannot speak. There are some technical issues there. Okay. I'm going to go on, unless Silvia Vivanco, if you can solve that. I will continue speaking in connection with mediation. Sergio, we can hear you now.

SERGIO SALINAS PORTO: Thank you very much. What I was saying is [inaudible]. At the beginning of last week, we [inaudible] the new document so that there is an amendment of the current regulation. This amendment is a short amendment that [inaudible]. It just includes individual users in our regulations in the region and we continue processing on some issues that may have been left for [inaudible] the project as soon as possible. I think in one week we should be able to send, or at least in ten days – I

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don't know how many meetings we have. We may be able to send them the [first large] document which is the operating principles document so that it can be discussed in the region and then it will need to be approved by our colleagues.

So, very briefly we will be sending these documents which is the first [inaudible] we have [inaudible]. That is all. Thank you very much.

HUMBERTO CARRASCO:

Thank you very much, Sergio, for your comment. When it comes to the mediation process, in our last meeting in Puerto Rico, we had some commitments and in this commitments that we made we commit ourselves to carry out the amendments and David Plum has been actively working in this regard. He is still working very hard and this is the intention, at least from our leadership, up until the end of our term. The idea is to have that reform so that we can finish with our mediation process.

I think Maritza is leaving. I don't know if we have any other item on the agenda.

MARITZA AGUERO:

I'm here, Humberto.

HUMBERTO CARRASCO:

Is there any other pending issue to discuss apart from the mediation issue?

MARITZA AGUERO: No. I just wanted to inform the community that the election results were already sent to the mailing list. Harold will be the new LACRALO secretary. We will have a new NomCom delegate and a new ALAC member.

HUMBERTO CARRASCO: Thank you very much, Maritza. I didn't want to mention that particular item because I am involved with that, but thank you for mentioning that point. Is there any other item or any other person requesting the floor?

MARITZA AGUERO: No, but Alejandro, would you like to take the floor? Sorry, but staff is controlling WebX and we have some technical issues with WebX, so Alejandro, if you have any question or comment, please go ahead. So, I think it is [inaudible]. Congratulations to the candidates.

That would be all. I would like to thank the participants for their time. I would like to thank staff and interpreters. Thank you very much.

HUMBERTO CARRASCO: We will now adjourn this meeting. Good morning, good afternoon, and good evening, everyone, and have a nice week. Thank you for your participation.

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GISELLA GRUBER:

Thank you very much. This call has been adjourned and the audio will now be disconnected. Do please remember to disconnect your audio on your side as well. Thank you very much and enjoy the rest of your day, morning, or evening. Bye-bye.

[END OF TRANSCRIPTION]