MARRAKECH – Joint NCUC-At-Large Outreach: Policy at ICANN demystified
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OLIVIER CREPIN-LEBLOND: Joint outreach session from the Non-Commercial Users Constituency and the At-Large community. We've got an agenda that's quite full for today. This is a session that's meant for newcomers. My name is Olivier Crepin-Leblond, I'll be ... I can't say representing the At-Large, but I'm from the At-Large community. Bruna?

BRUNA SANTOS: Bonjour. I'm Bruna, Users' Constituency chair, and yes, welcome to this outreach, and thanks a lot for coming.

OLIVIER CREPIN-LEBLOND: Okay, so thank you, Bruna. This session is meant to effectively provide you, newcomers and people that might have been to one or two ICANN meetings and still have a lot of questions to be able to ask those questions and to come in. I still see some spaces around the table, so if anybody wishes to have a desk and some power and their own microphone, they're very welcome to move a bit forward. I wish I could actually step into the middle and move around, but I see so many cables. It's a little bit treacherous.

So, we've got an agenda today that's going to look at both communities, the NCUC and At-Large. And after that, we'll be focusing on a number of policy topics. Sometimes both parts of ICANN are aligned in their views, and sometimes they're not. So, this is a session that will effectively provide you with more details about this. First, let's talk about our organizations. And the first thing is to hear about NCUC and its governance. So, Bruna, it's over to you.

BRUNA SANTOS: Hello. I think I'm going to stand as well. So, NCUC. NCUC is the Non-Commercial Users Constituency, one of the places at ICANN for civil society. This is an outreach for both places, for civil society at ICANN. So, on one side At-Large. On the other side, you have NCUC. NCUC is the place for us as well inside the GNSO, meaning the Generic Names Supporting Organization. So, we have been advocating for some of our values, such as privacy, human rights, consumer trust, within every single GNSO policy. So, meaning as well that every single generic name policy throughout ICANN.

About the governance. NCUC is one of the constituencies of the NCSG, which is the Non-Commercial Stakeholder Group. We have a sister constituency as well, NPOC, which acronym I never know

properly how to explain. So, if there is any NPOC here to help me …

But, yes. I'm going to keep it really quick and short, and this is it. If you want to know more about us, we'll be here throughout the day, and you're going to listen way more from us from Milton very soon, so welcome to the outreach.

MILTON MUELLER: Thank you, Bruna. And just one of the things in this session is that if any of the speakers use acronyms then they're going to have to pay a fee. Acronyms. Or you can use the acronym and then explain the acronym afterward. We'll have to decide what the fee will be, so if you have an idea then please let us know. The genius GNSO, of course, the Generic Names Supporting Organization, is the place where policy for generic names, .edu … Sorry, .edu. Of course, I take the only one that is not. .com, .net, .org, etc. gets done. At-Large, we've got John Laprise, who's going to be able to tell us what At-Large is all about.

JOHN LAPRISE: Hi. I'm an elected member from North America. So, I want to talk about governance, first, for At-Large. So, At-Large divides the world into five different regions. Each region elects two members and nominates through the Nom-Com a third member to the At-

Large Advisory Committee, the ALAC, which is what I'm a member of. In addition, each of those regions has a nominee or puts people into the NomCom, as well as regional secretariat.

So, we have global representation. One of the reasons you have headphones is because at every meeting we have people from all five regions, at all meetings. So, at a general meeting, we have those people come together. There are 15 of us all told, the ALAC. And we come together and try to represent the interests of end-users worldwide. And since we're an advisory committee, we're not solely restricted to intervening in policy discussions. We can also intervene directly to the board and to other advisory commissions. We can opine on anything that we think is relevant and important to end-users. So, that's us. Thank you.

BRUNA SANTOS: I just saw that you mentioned NomCom. Can explain what NomCom is? Do you want to go ahead?

MILTON MUELLER: I have no idea what NomCom is.

BRUNA SANTOS: What is a NomCom?

JOHN LAPRISE: So, within ICANN there is a nominating committee or the NomCom. This is one mechanism for evaluating people outside of direct elections. So, in our case for the At-Large advisory committee, each region has one member that's appointed by the NomCom, the nominating committee. People apply, put in CVs and statements of interest. And this nominating committee, which is comprised of members from across all the full community, evaluate these applications and then select someone to advance into that position.

BRUNA SANTOS: Thank you very much, John. Just to make sure, we just saw that there are cards being given out. It's a website that you can go to and learn about the acronyms. We know we drop a lot of acronyms on all of you, so there is a tool now for you to go ... We'll try to have it on the screen at some point to let you know.

OLIVIER CREPIN-LEBLOND: Yes, even our own staff doesn't know these cards exist, and I found out this morning. A colleague of mine brought it over. I have no idea where they sourced it from. If anybody knows where these cards are found, they are really worth their weight in gold. Actually more, because they're very light. Anyway.

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So, thank you, John, for this. And the next thing is really, well … Okay. So, we've got At-Large. We have NCUC. So, what common thing do we have, or what are our differences? Sometimes, as I said earlier, we have similar views, sometimes we have different views. I think I can turn to Milton, maybe? He was also intrigued by those cards. Everyone's intrigued by those cards. Maybe not Milton, then. Maybe I can start talking. Jonathan, you'd like to say a few words? Jonathan Zuck.

JONATHAN ZUCK: Hi, thanks, everyone, for coming and for showing interest in these processes that can be kind of complex and dense, and can last a very long time, sometimes. So, thank you for your interest. I think one of the key differences between the NCUC and the At-Large that sometimes doesn't matter, and sometimes does, is that the At-Large are looking at the end-user community generally, which includes people that have no idea what ICANN is, have never registered a domain name. And so, they're focused on online banking or making restaurant reservations, etc.

In addition to people that are trying to make use of the systems that are being put into place by ICANN. And so, we often refer to those people as registrants, people that are trying to get their own domain name, and how to protect their rights and make their process more fluid and legitimize that process. And I think,

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historically, the NCUC has focused on those registrants and protecting their rights and making sure that their process is the best that it can be. And the ALAC has taken on the task of boiling the ocean, which is what effect will this policy have on your grandmother who's just gone online or something like that. And so, most of the time there's complete overlap of those interests because even if you're a registrant, you still make restaurant reservations, right?

And so, there's still this end-user community across the board. But every once in a while, there either is, or is perceived to be, a conflict of interest between the two, and that's when sometimes we have to engage in some debates or discussions that we do together sometimes and try to do them as cooperatively as possible, but that's sometimes where we perceive there's an issue. So, for example, without opening this can of worms in this room, one of the things that we're talking about is privacy that's happening a lot in discussions around the world, in fact, right?

So, typical end-users that are using Facebook, for example, are concerned about their privacy. And end-users that are trying to use the DNS by registering their new domain for their new business, or for their blog, etc., they're concerned about their privacy. At the same time, there's end-users that are not trying to

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register a domain name that would like to make sure that they minimize how much malware or spam they get, etc.

And some of that information comes from information that was previously available about all these registrants. And so, that's a point of friction, right? That this information was all public, perhaps against the rights of those registrants. But it was very useful in helping everyone else see less spam, see less malware, see less phishing, etc. And so, how do we reconcile those interests ends up being a discussion that goes back and forth between the ALAC and the NCUC.

OLIVIER CREPIN-LEBLOND: Milton, I see you clearing your ears when you hear this. And what's your view?

MILTON MUELLER: I think we need to back up a little bit and be more basic. So, how many of you are newcomers to ICANN and have no idea what ALAC or NCUC are? Just raise your hand for a second there. Okay, so we've got quite a few people. So, hello. My name is Milton Mueller. I'm one of the founders of the Non-Commercial Users' Constituency. I've been around a long time. I'm older than ICANN and hopefully, we will come to an agreement here. So, there's two fundamental differences between NCUC and the At-Large.

Number one is structural, how we fit into the ICANN system. And number two is the definition of constituency.

So, for the structural part, the NCUC is confined to GNSO policymaking. We are concerned exclusively with domain name policy. I think this is important for you if you want to figure out how to get involved. One of the first things to understand is that you could be involved in both of them if you have unlimited amounts of time, and you can deal with complex systems. Or, you might want to focus on one or the other. So, number one, NCUC is focused on domain name policy within the structure of the GNSO, whereas At-Large can deal with any issue that it wants to. [inaudible] I thought we explained that already.

But the GNSO is the Generic Name Supporting Organization, which makes policies for domain names and consists of other constituencies. So, the other main difference between NCUC and At-Large is that we are the Non-Commercial Users Constituency. That is, our members have to be non-commercial in orientation. They are universities, like me. I'm a professor. They are human rights groups. They might be religious groups. They might be child welfare organizations or non-profit development foundations.

So, we are non-commercial. Whereas At-Large includes anybody and everybody. You could be a business consultant, you could be an intellectual property lawyer, you could be a non-commercial

organization, or you could be an individual. Now, both of our groups accept individuals as members.

So, again, you have a choice. You could be in either one or both, but if you're going towards NCUC, you will be focused on domain name policy, and you will be in an environment where people will be looking out primarily for the rights of non-commercial users and the interests of non-commercial users of the Internet. Whereas if you got in At-Large, you'll be in a much more heterogeneous environment. So, that, I think are the most basic differences that first you need to understand.

OLIVIER CREPIN-LEBLOND: So, what can we do together?

MILTON MUELLER: Well, we're already at togetherness?

OLIVIER CREPIN-LEBLOND: I think we are. We've explained the differences and similarities. As you can see, there are some people who are actually members of both, and as Milton mentioned, it is a bit time consuming, but it's also interesting because you basically have various ways to get involved in ICANN policy. At-Large comments on work that is done in the Generic Names Supporting Organization, and

comments on pretty much anything else as well, so it also comments on the ICANN budget. It comments on other policies that are not related to the GNSO.

So, for example, SSAC, the Security and Stability Advisory Committee that works on the security and stability of the domain name system. And this is one of the things At-Large can also comment on. There's various other topics that At-Large comments on. At-Large also does a lot of outreach. Part of its' mandate ... And I think that NCUC also does a lot of outreach. That's one of the things that we work in common, and this is why we actually have this thing that works together. And, oh, that's a good point. What is Q&A? That's an acronym, isn't it?

MILTON MUELLER: Well, we need to talk more about togetherness. Because there are parties and things we do together, right? But I think the most important thing is that in some sense both At-Large and NCUC are end-user-oriented policy advocates within the ICANN system. So, when we agree, which happens occasionally, we can be a force upholding the interests of Internet users and domain name registrants as individuals.

When we disagree, let's take the privacy example that Jonathan raised, we are focused more on the rights of the domain name

registrant, and, as Jonathan indicated, At-Large, because of its' heterogeneous composition, which includes many business interests, has a different perspective and attaches less importance to the privacy issue, if you think that's a fair statement.

JONATHAN ZUCK: It's all very nuanced, and there's a lot of things. It could be business, but it could also just be non-registrant end-users, which is most of them. Most of the end-users on the Internet are not registrants. Most of them, in fact, are individuals, not businesses, and sometimes their interests diverge from the interests of registrants, or at least we perceive that to be the case, and that's part of what we need to do, to sometimes discuss these issues.

And I should also mention just very briefly that you could end this session fed up with both of us, and you don't need to join either organization to participate in the policy development process at ICANN, because these Working Groups, you can sit on them, be on the calls, raise your perspective on them as well. You can pick and choose issues that are important to you. In other words, you don't need to take on the entire portfolio of issues of the NCUC, or the entire portfolios of the issues of the At-Large.

You could say that you're most interested in privacy and then operate in a number of different areas in that particular issue. So, there's a lot of entry points into the organization, and we're just two of them.

BRUNA SANTOS: We have a little moment for a little Q&A, questions anyone wants to ask. Any acronym that didn't come across, explained. So, does anybody have any questions? Anyone?

MILTON MUELLER: And this is an important part of the session, the Q&A. Now, there's no such thing as a stupid question, there's such a thing as stupidly not asking a question because then you won't have any answer. Just last week I asked a stupid question. Well, what I thought was a stupid question, and it turned around to be a pretty good question, supposedly. I can't remember what it was, but it was good. I'm happy to take the question. Oh, Joanna. Joanna Kulesza.

JOANNA KULESZA: Thank you. I wanted to ask a question on behalf of the newcomers if that's possible? How time-consuming is the participation in either group? I love the answer to that question. If the

representatives would be willing to answer, I think that's a very useful piece of information. Thank you.

JONATHAN ZUCK: You can do it on your coffee breaks of your regular job.

JOHN LAPRISE: Speaking of which, Jonathan's not too far off. You can put in as much time as you want. At-Large talks a lot offline. I mean, we come to the annual meetings of course, but we have e-mail discussions, we have a full meeting schedule every week. People can drift in and out of participation depending on their work schedule. Speaking for myself, my day job has nothing at all to do … Well, not quite nothing, but pretty much nothing to do with ICANN.

So, I come here to do something I love, and I invest time in it. And many members are the same way. Some of our members are directly involved in the Internet industry in one way or the other, whether they're running an organization or not. But it's really you to you as to how much time you want to commit, and if you want to commit lots of time, great. If you want to commit just a few hours, that's good too. We could always use more input.

BRUNA SANTOS: On behalf of NCUC and [inaudible], I'm just going to give a little time to this, too. So, Stephanie, the Chair of NCUC, and Milton as well, so …

STEPHANIE PERRIN: Thanks very much. I'm the current Chair of the Non-Commercial Stakeholders' Group. Now, this is probably confusing you right now. We already have NCUC, that's the Non-Commercial Users' Constituency. What is the Non-Commercial Stakeholders' Group? Well, that is the umbrella organization that participates at the Generic Names Supporting Organization Council. We elect six councilors, and they are not allocated between the two constituencies. The two constituencies are the NCUC and the not-for-profit operational concerns, or NPOC.

And basically, I'm grabbing the mic to tell you that work-load-wise, it's a lot. And we're actually focusing in the next little while on a metrics program to try to measure just how much time we expect our volunteers to give. Sitting on the council is a job. You have monthly meetings. There is a vast array of policy issues. We don't expect people to be expert on everything. Personally, I came in as a privacy expert and just handling that keeps me quite busy, because there's a lot of data protection work going on, and there always will be. There are people who are free speech experts, there are people who are intellectual property lawyers,

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but we are all working together on these comments, on complex policy documents.

So, expect, if you join the Non-Commercial Stakeholders' Group, to see somebody like me hounding you to do between ten and 30 hours of volunteer work a week. I know, you didn't invite me, but I'm crashing the party to say so because I think sometimes people think this is just a fun thing, come and see how the Internet works, and that's not what it is. There's a lot of work.

And we really care, in the Non-Commercial Stakeholders' Group, about whether the multi-stakeholder model works. And the multi-stakeholder model won't work if people don't participate at a high level of competency, representing civil society. So, that's my lecture for today. I know you don't love me, but that's okay.

MILTON MUELLER: I don't want you to be intimidated by what Stephanie said, so, she is correct that if you choose to get deeply involved in a policy issue, you could easily spend 10-20 hours a week, because … Okay. Well, if you're really stupid and you join the EPDP like I did, and Stephanie did, then it could be more. But, most of you, what you need to understand is you don't have to do that. Let's suppose you just join NCUC as a member, then you get on our mailing list, you spend some time reading the mailing list, seeing

what' going on, and then you vote for our officers. That would be an important thing.

You would get an idea ... For example, you could vote for Stephanie if you love her, or for somebody else, if you don't. And then you might start getting more involved, going to meetings. We do have some kinds of travel support for various people who are deeply involved. And so, there are benefits as well as work, and you would learn a lot about, let's say, how the domain name system works, what is the conflict between trademark laws and geographic indicators and domain name choices.

All kinds of interesting things there. But it really is up to you how much you get involved. Stephanie is correct, we really need deeply involved people, but you don't have to do that.

BRUNA SANTOS: Thank you very much, Milton and Stephanie. We have a question on the back.

[BILL JURAS]:   I'm not quite clear which organization is addressing the problem of regulatory capture. Which is to say, my perception is, after being around for a couple of years, the organization and the board of directors seriously prioritizes the financial interests of

the contracted parties, the companies that register domain names, over the interest of the people who use the Internet. Is there a group that's addressing that? And if so, who are they?

UNIDENTIFIED MALE: [cross talk] Well insofar as there is, this is it. So, we are precisely not the contracted parties. We are the user constituencies, and therefore we are frequently, although not always, looking out for interests that are not the same as those of the contracted parties. And one of the issues that's coming up now is the renewal of the registry contracts. So, we will be having debates about what's in those contracts, how much protection for end-users are contained in those contracts? This is the place for that.

UNIDENTIFIED MALE: Holly?

HOLLY RAICHE: I think we both are involved in speaking up for the non-contracted parties. What do you call them, the end-users or the registrants? But particularly the whole concerns of the end-user is very much what we're on about. And if you look at other statements we've made, that's exactly what we've said. So, I guess I'm a little bit surprised by, now... The question is, why don't we win? And win is

a very difficult term, what you mean by that. But if you're saying why do we not prevail every time, I think you could ask that as a much larger question in society about how come the people of money actually do very well, but we won't go there.

That isn't to say, though, that in fact we don't make very telling arguments and, on many occasions, actually win them. So, I'd be a little bit upset if I thought that the two of us actually were not on the same page in the question. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you, Holly. We could ask our board member, Leon, sitting in the room, why we don't always prevail, but we can't ask him that question, because that would be unfair, to ask why we don't always prevail. But, there you go, sometimes that's how it is. Any other questions? You can ask your questions in French as well if you want, we have interpretation here. So, excellent. Someone cross, let me run. And if you could please introduce yourself as well.

ADISA BOLUTIFE: Hi, everyone. I have two questions. I think the first one ... I'm a NextGen participant, so I think what's going on through our minds basically is how do we join? Are there requirements, and are there certain groups we need to be a part of? I think, for the

NCUC, we might have to be registrants of one of the ... I'm not sure. But this is basically a question. And also, I would like to know for people who are new to the ecosystem, to the mailing list. Are there mentorship programs, or ways in which the senior members can actually help them come up? Or do we just figure it out on our own? Yes, thank you.

BRUNA SANTOS: Does anybody want to take this question? Holly and ...

HOLLY RAICHE: Could I start by saying, luckily, as Jonathan ... And at least Jonathan said, ALAC is divided into five regions, and so we have a thing called APRALO, which is Asia specific, we have LACRALO, we have AFRALO. And each of those RALOs are formed to, amongst yourselves, actually identify your own priorities, talk through your own priorities, and develop your own strategies on the issues that are particularly of interest to you. Now, some of the issues are also ones that will be very much on the table of Stephanie's two groups.

But to your second question, which was how do you participate? One of the things that we hope about is this is the reason for the NextGen program, the fellowship program, and if you look on the website there's a thing called ICANN Learn. So, a lot of the

information about, if nothing else, the acronyms, the policies, that sort of thing, is on the website. But I take your point, that website is not necessarily easy to navigate, or necessarily friendly.

So, the fact that you're here, and the fact you're listening to the way that we debate, the way that we talk and so forth, far more valuable for you, because you can then go back to the website and start to make a little bit of sense as to how we all operate, and the sort of policies that we deal with. I would say from here though, over tea, talk to any one of us. Every one of us would be willing to talk about just what interests you and what can assist you. And I'm sure that Stephanie would be equally willing to look up from her hard-earned working schedule to talk to anybody, as will Milton. Thank you.

BRUNA SANTOS: Thank you very much, Holly. Before I give you the floor, Milton, just to mention NCUC also has regional representatives. We have a few of them here. So, Michael up here is North America, DC, and Antonella over there is for Latin America, and we just saw Dave coming in, Dave for the APAC region. So, you can also reach out to us, and we can also help bridging you with parts of our community, just so you're in the right place or in the right discussion. So, Milton.

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MILTON MUELLER: Yes, it's a very practical question, so I appreciate it very much. So, you're basically asking how to get involved, how to start, right? And there is a membership form. You have to join NCUC through the Non-Commercial Stakeholder Groups. In the case of non-commercial stakeholders, you do have to have a domain name of some kind, which you don't for the At-Large. You can join as an organization, or as an individual.

If you're an organization we will investigate a little bit and find out whether you're actually a non-commercial organization, or whether you're a commercial organization. If you're a commercial organization we will punt you over to the commercial stakeholder group, but if you're verified as a non-commercial organization, we will accept you into membership, and then you will decide which constituency within the stakeholder group to join.

Again, any officer ... So, she already stole my thunder about the regional directors would be willing to mentor you or any sort of established leader within any policy process. For example, EPDP, we have Omar, we have me. Stephanie would be an excellent mentor on any aspect of NCUC.

BRUNA SANTOS: Thank you very much, Milton.

OLIVIER CREPIN-LEBLOND: Yes, thank you. I would also like to point out the regional leaders that we have in At-Large. So, Eduardo Diaz is for North America. Do we have Africa? Oh. Tijani Ben Jamaa, waving his hand at me. Ye, I have seen you, sorry. Europe, I guess it's me. And then Asia-Pacific is … You can speak to Holly about this. And then did I miss an area? Latin America, yes. Not Tijani. Okay … [Lydia Novete] is here as well. Tijani Ben Jamaa, you have a quick intervention, and then we've got another question.

TIJANI BEN JAMAA: Yes, thank you very much. AFRALO brought to this meeting 30 local students, and we have a special problem for them. Some of them are at different sessions of different stakeholders, but 12 of them are supposed to be here. So, please stand up. Please.

UNIDENTIFIED FEMALE: We are putting you on the spot.

TIJANI BEN JAMAA: Okay. Thank you.

SOUAD ABIDI: We have one last question for this segment. So, hello, everyone. This is Souad Abidi from Algeria. I'm a NextGen participant. So, my question is how could the contribution be in the At-Large community? Is it just by contributing on the mailing list? Organizing local events, for example in Algeria, to promote for this kind of events or awareness campaign about this kind of information about ICANN? Thank you.

JONATHAN ZUCK: Yes, thank you for your question. The At-Large kind of has two mandates, and one is to comment within the ICANN community a perspective of end-users. And so, part of that is to figure out what that is. Reaching out through the regional organizations, the At-Large structures, etc. to get feedback and to understand what the end-user perspective is on a particular policy issue. So, that does involve outreach and events and things like that. So, there's opportunities to operate at that level of trying to gain that feedback, and also to help communicate to the outside world what's going on inside of ICANN, is sort of the other purpose of that outreach.

So, that communication channel is important. And then within the At-Large, there's a group called the Consolidated Policy Working Group that has calls every week, and that you can participate on as a member of the At-Large. It's not just the

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hierarchy, any member of the At-Large can participate. And that's where policy gets described in-depth, right? And so, there's these high-level conversations to try to go back and forth all the way to the end-users and back again, and then the CPWG is trying to sort out the intricacies of a particular policy every week on their calls, and on a specific mailing list. So, those are some of the opportunities to participate in terms of the formation of policy, or in the outreach.

OLIVIER CREPIN-LEBLOND: Okay, excellent. Well, we've got a round of questions. We'll have further questions afterwards, and now we … Oh. Hadia, you wanted to say something? Hadia Elminiawi, and then the lady at the end table, and then we'll move on to our policy topics. Hadia?

HADIA ELMINIAWI: So, thank you for your question. I just wanted to add one thing, that your first step, though, is to register as an individual user in your relevant RALO, if you haven't done that already. And I would say that's your starting point and from there … Of course, before doing that, look at the website, and read the data and the things available out there. And then after registering as an individual member, you can start participating effectively in different ways, which Jonathan described. Thank you.

UNIDENTIFIED MALE: And registration is free, both for At-Large and the NCUC.

HADIA ELMINIAWI: Yes.

UNIDENTIFIED MALE: Not many free things these days in the world. Let's go over to the end table.

UNIDENTIFIED FEMALE: We have one very last question here.

[WADI SHAHI]:   Hello, I am [Wadi Shahi] from Tunisia. I am a newcomer. Just I need to know the relation between NCSG and At-Large. Yes, the communication between them. Yes.

UNIDENTIFIED MALE: Yes, I think we should have an organigram of ICANN, because the whole point is between the supporting organizations and ICANN, that … So, the Generic Names Supporting Organization making the policy and the advisory committees, such as the Government Advisory Committee and the At-Large Advisory Committee that

provide advice both during the policy-making and also after the policy-making. It confuses everyone. I was confused for I don't know how many meetings until it finally fell into place.

We do work, very often, together, and as I mentioned earlier, many of our members are members of both the communities. So, shall we go to the first policy topic? So, now we're going to go straight into policy. And, oh, there's a question in the corner over there. Okay, cool. Excellent, we got good interaction. I hope you're cooking some more questions here. Sorry.

[CHRISTIANNE]:   Good morning. My name is Christianne, I'm from Ivory Coast [inaudible], and I have a question. I would like to know how long does it take for you to give an answer? Or, maybe to reply. To give feedback to someone who has submitted his application and wants to be a member? The reason why I'm asking is because, right after Kobe, Japan, I submitted an application to be a member, and since then I've not received any response, and I don't know how the submission is being treated, so …

UNIDENTIFIED MALE: Application to At-Large, or NCUC?

[CHRISTIANNE]:   NCUC.

UNIDENTIFIED MALE: NCUC.

[CHRISTIANNE]:   Yes.

UNIDENTIFIED MALE: So, who …

UNIDENTIFIED FEMALE: In a few words, no, I can answer it, yes. NCSG is the one who assesses the application. So, NCSG has an EC, so, and Executive Committee, who go through the whole lot of applications, and we do a little assessment on the work you've been doing, and if it matches the NCUC and NCSG's mission, and so on. But sometimes it takes a little time, because after meetings we get maybe sometimes, a huge amount of applications. So, that's probably why it's taking a little bit. Stephanie wants to …

STEPHANIE PERRIN: Stephanie Perrin again, the Chair of the Non-Commercial Stakeholders' Group. And it is the executive committee of the

NCSG that decides on applications, and we are guilty as charged. That's because one of our members … We operate on a full consensus basis, and I'm going to pin it on the guy who was on holidays, but we didn't get all of our membership applications processed. So, we will be wrapping that up this week, and you'll be hearing shortly. Hopefully tomorrow, but don't count on it. By the end of the week.

OLIVIER CREPIN-LEBLOND: Okay, let's go into policy, now. Let's have fun! So, the first thing is the most fun of all groups, the Expedited Policy Development Process. That's supposed to be expedited, i.e.., fast, but what it actually means is a lot of work for the people on that committee, and it deals with Whois. Whois records are records of the domain name registrants, the person that registers a domain name. They used to be public, they used to be open for anyone to see, but since the General Data Protection Regulation, GDPR, that is a European directive that started last year, it was not …

Well, it basically breaks the GDPR to be providing full open access to these details. So, for this, we have some of the slaves … Sorry, the workers. The people. Let's call them the people because you can call them workers, they work really hard. The people that are on this Expedited PDP and one of them is Amr. Amr is about to sit at the table. He used to have a lot of hair a few months ago when

he started at the EPDP. He's lost a lot of them due to the amount of work. But anyway, Amr, please.

AMR ELSADR: Thanks, Olivier. Hi, everyone. My name is Amr or [Ahmed], in [Sudr], if you speak Arabic. [inaudible] And yes, myself, Hadia, and Milton, who mentioned the insanity of getting involved in something like the EPDP, were all insane. And Stephanie, of course. Sorry, Stephanie. So, I was asked to give you a very short and high level of briefing of what the EPDP is meant to achieve. ICANN consensus policies, which they use to develop contractual language, is with the parties they contract with, mainly gTLD registries and registrars, and those are the … Yes, sorry. Generic Top-Level Domains, like .com, .net, .org.

So, this is how ICANN governs the domain name space, or at least the generic top-level domain name space. And these policies are developed by us and then adopted by the ICANN board. The process itself is complex. I won't go through it now, there isn't enough time, but I hope you catch any one of us and have us explain it to you if you like. Or I'm sure they will cover it in some of the other sessions covering the GNSO.

But, basically, when the GDPR that Olivier just mentioned, the General Data Protection Regulation of the European Union came

into effect in May of last year, the way that policies and contractual obligations imposed by ICANN on its contracted parties didn't really work, because they don't comply with the privacy regulations for the EU. And this could mean that these contracted parties, as well as ICANN, could be significantly fined, and so this was obviously a problem.

So, in the ICANN bylaws, there's this kind of shortcut to deal with emergency situations like this, where the ICANN Board can declare what they call a Temporary Specification, a temporary policy that takes effect but is only allowed to last for one year. This is according to the ICANN bylaws. So, the GNSO, the Generic Names Supporting Organization, which is the part of ICANN which is responsible for developing generic top-level domain policy, kick-started a process that we had never used before, which is the Expedited Policy Development Process.

And this process basically cancels out one significant phase of a traditional policy development process, where the scope of the process is clearly defined and relatively narrow.

So, this EPDP, the Expedited Policy Development Process, kicked off. The first phase of the EPDP we completed a few months ago, and more recently the ICANN Board adopted most of the recommendations that came out of phase one of that process. And right now, we're entering into phase two. Phase one was

focused more on understanding the processing activities required to handle Whois data, or gTLD, Generic Top-Level Domain registration data. This is the data that is either provided by domain name registrants on registering a domain name or generated by other parties, such as registrars and registry operators when the registration process takes place.

So, there's a bunch of processing activities. These have to be identified, and the EPDP team responsible for developing this policy had to also identify what the legitimate interests were for the different parties involved with the legal basis in the GDPR, in the Europeans' General Data Protection Regulation maybe, to sort of bring these policies in line with the regulation or amend them as needed.

Phase two, which has begun recently, is more focused on how to provide the legal basis for third parties to have this data disclosed to them. Now, up until the GDPR took place, I think Milton mentioned a little while ago, that gTLD registration data was publicly available online.

So, if a registrant registers a domain name and doesn't use a privacy or proxy service, the registrant's name would be published online, the address, their different contact information, like e-mail, telephone numbers, some cases faxes.

So, this isn't the case now. But there are a lot of parties that have been accessing this data freely for decades now.

And a lot of them are, let's say, alarmed at the fact that they can't do this anymore. It is not up to us to determine, really, the level of legitimacy of these third-party interests. But it is up to us to determine whether we can match those with a legal basis in the GDPR, and also consistent with ICANN's core mission. So, this is what we're working on, and what we'll continue to work on in phase two of the EPDP, the Expedited Policy Development Process. I'm trying not to use acronyms as much as I can. So, I think that's about as high-level description as I can give. Thank you, all.

OLIVIER CREPIN-LEBLOND: Let's get Stephanie, I see she's waving her hand.

STEPHANIE PERRIN: I just wanted to add in here that there is a focus on the General Data Protection Regulation. Why? Because it brings fines of 4% and potential liability to the contracted parties. In the Non-Commercial Stakeholders' Group, that's the overall umbrella group, when we assess membership, we ask our people to support our values in protecting human rights, in protecting free speech and protecting a free and open domain name system. And

that includes cost control on domain name prices and various other competitive issues.

So, it's much broader. And while we talk about the GDPR, and of course, I'm always reminding them there's 120 other data protection laws on the globe that are equally important. Beyond that, there are also constitutional rights. And when we fight for free speech, and we fight for protection of religious groups, we are doing that under constitutional protections in various regions and countries. And so we raise these issues on a regular basis. So, it is not just the Data Protection law. The Data Protection law will not protect a religious organization, because it's not an individual. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you, Stephanie. And since we have a limited amount of time ... I mean, we could speak for another number of hours on this. Keep your question, and then we'll deal with all three topics, and then we'll open the floor for questions on any of these three topics if that's okay with you. Yes. Excellent. Let's go to the second topic because there's so much going on. Hadia, I just asked you if you wanted to add something, and they said no, no!

HADIA ELMINIAWI: Thank you, Olivier. No, it's just a quick comment on what Stephanie was saying. I would just like to note that everyone on the EPDP team, including, of course, the ALAC, totally support what Stephanie said, in relation to protecting ... In relation to human rights, and vulnerable groups. And the ALAC perspective is not opposite to that, it's just we need to assure that in doing that, we are still allowing for the prevention, detection of fraud and DNS abuse. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you, Hadia. And you've noticed the slight differences in views. And yes, the EPDP is a huge topic, and we could go on. I just spoke with ... Said, well, we could talk about this for the next 45 minutes or so. But, there are some sessions about EPDP taking place at this meeting, and I really encourage you to go to these sessions. Right, the next topic is, and I need to slow down. The next topic is Universal Acceptance. Now, what in the world is Universal Acceptance? Let's hear from John Laprise.

JOHN LAPRISE: Hi. So, At-Large is rolling out a strategic communication initiative at this meeting later this week regarding Universal Acceptance, which in its simplest form means that if you have an e-mail or a website in a non-Latin script, it gets recognized everywhere by

everyone. At-Large is rolling this initiative out because we're interested in the interests of end-users. But part of this project is to really reinforce channels of communication throughout At-Large to the end-users.

So, working with the leadership. As I mentioned earlier, there are five different regional organizations working with the leadership in those regions to reach out to their … What were called At-Large structures, organizations within those regions, and to individual members, to communicate about Universal Acceptance, and then get feedback back from end-users and those At-Large structures, back up to the regional level, and then the global level is the strategy that we're rolling out later this week regarding Universal Acceptance.

So, there's a good end to this, but at the same time, we're also looking at improving communication within At-Large from top to bottom and from bottom to top. Thank you.

OLIVIER CREPIN-LEBLOND: Thank you, John. We have Abdalmonem in the room as well, who's the advocate …

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BRUNA SANTOS: He's one of the … Good to mention that he's one of the UA ambassadors, so we have one in the room, so …

OLIVIER CREPIN-LEBLOND: UA, Universal Acceptance, another acronym, there you go. UA.

ABDALMONEM GALILA: Thank you, this is Abdalmonem Galila, Universal Acceptance ambassador. Before going to the topic of Universal Acceptance, I should consider first internationalized domain names. What I mean by internationalized domain names is that you have a [label] or domain name that have at least one character which is considered to be English, maybe other than English, for [inaudible] internationalization. EI. That you will have an e-mail address in your own local language.

So, if you are going to the ATM machine to withdraw money, and this ATM machine has two languages, one of them English and the other one is your own local language. Which language do you prefer? Of course, you will go to your own local language. I am trusting my own local language. Am I right? Yes. Am I right? Yes, I am right.

So, most … I don't want to say all Internet-enabled application devices and system were developed using APIs, developed 20

years ago. These APIs couldn't handle the new internationalized domain names, e-mail address internationalization, and even the new generic top-level domain names. By the way, generic top-level domain names who have the old ones, org, net, com, the new generic one maybe contains non-ASCII [colored] characters, like Abu Dhabi. And there is also london. English character, but more than three letters.

So, if you are going to Facebook, or any social media, and want to sign up for a new account at Facebook, the first case you will go with ... My own was the English language, but I will use .africa for example as a top-level domain name. For example, my e-mail address would be abdalmonem@msit.africa. So, I want to sign up, I will get an error, as the developer who makes this application doesn't handle [using gorilla exhibition], then usually top-level domain names. He only makes validation for two or three letters. For top-level domain name, that's no problem.

If I can't write English, by the way, so I want to use my own local language. I want to use Arabic, for example, to make an account at Facebook. I will add my Arabic e-mail address. Rejected. It is not allowed e-mail address. It is not an e-mail address, by the way. Rejected. If I wanted to have https certificate for my [IDN] website, I couldn't have this.

So, you have to ask yourself a question now. Who would care about this issue? There is a community initiative supported by ICANN called Universal Acceptance [inaudible] group, this found by, I think, 2050. There is a lot of contributor with [USG in sight] for to fixing this issue. So, there is an important question for you all.

So, why do you think that Microsoft acting change, 2019, is EI enabled. I meant it could handle the new generation of e-mail addresses, with zero profit. Why? Why Microsoft is doing this? With zero-dollar profit? In every international company, there is a department called research and development. R&D. They are looking for the future. The future means, for us, now, there is a lot of people should be existing online, the next billion Internet user should be existing online. That is the way of Universal Acceptance. Thank you.

UNIDENTIFIED MALE: Judith? Judith Hellerstein has also got a few points on this.

JUDITH HELLERSTEIN: Yes. Thank you so much for Abdalmonem's comments and the other comments. But also wanted to add in, especially in At-Large, we are also looking ... The problems are not only with non-Latin script. The problems are also of the English language. All

Latin scripts have the same problem because if your domain is larger than three characters, you are going to have a lot of the same issues as Universal Acceptance, because they were not, as Abdalmonem said, they were not set up for that.

And so, that's also a main issue, is working with other non-profits, and working with other end-users who happened to pick a domain ... If they were photography, that was a .photography or .others, they're working in English, they think it's correct, but the systems are rejecting them because it's longer than the characters.

And so, that's also another issue on those. And they don't know what the problem is, and the ATMs, if they do another site if they have trouble booking a phone ... They're trying to get a ticket, and they're using their e-mail address to get their ticket issued to them, they can't get that. It's all the same issues. And the issues also ... It's not that the people are not aware, it's that larger companies are not made aware that they're having problems with the English language, because their focus has been on non-traditional characters.

But the problem is also in the English language, so there's a lot of awareness training that needs to be done, and education. Because they found that these organizations are willing, if they find out there is a problem, they're willing to change. But the

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problem is their change process is way too long. It takes months to get these software rollouts to go out, and, meanwhile end-users losing business, they can't survive that long. And so, that's also another issue. So, I wanted to make sure that we were aware about that.

OLIVIER CREPIN-LEBLOND: Thanks for this, Judith. And yes, there is nothing more infuriating than trying to set up an account for … Well, we mentioned Facebook earlier, but many other services out there. Type in your e-mail address as you log in and being told this e-mail is invalid when you've been using it for several years. But there you go. Hadia, you wanted to add one small point to this? I was going to move on to the next point but go ahead, Hadia.

HADIA ELMINIAWI: It's just a really small point in relation to IDNs. And sometimes you hear people …

OLIVIER CREPIN-LEBLOND: IDNs?

HADIA ELMINIAWI: Yes.

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OLIVIER CREPIN-LEBLOND: Internationalized Domain Names.

HADIA ELMINIAWI: Yes, Internationalized Domain Names. So, sometimes you hear people saying, or some organizations, maybe, or companies saying well, we do not care about using our language. We're actually fine with the language we are using right now, and that's why we are not interested. And my response to them would be, well, this is where everyone is moving and going forward, and if this is what you choose then you'll be part of the past soon. So, that's my quick comment. Thank you.

OLIVIER CREPIN-LEBLOND: Abdalmonem?

ADBALMONEM GALILA: I am talking to you to make your application to be universally accepted. All of us know English well, but you consider us … We are only 76 of the Internet population who cannot speak English well, who can write English. The other people will not be connected to be online! Two months ago, there was an event in Africa called Summit Transform Africa. One of the participants

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said that we took 50 years in order to have this amount of user connected online.

So, the [next unstable] Internet user will take another 50 years? Of course, the language is a barrier. So, you have to start by yourself as a first step. You should make your application to be Universal Acceptance ready if you are a developer. If you are a decision maker, you could ask your colleague to make your application to be universally accepted. For example, a small application like certificate ... Traffic violations.

Most of the people who have a car are not English people. But normal people, they try to speak English, can't write English. So, it is beneficial for them to use their own local language. Thank you.

OLIVIER CREPIN-LEBLOND: Super. Let's have a quick additional ...

BRUNA SANTOS: Additional agenda item. We're going to have a [critique] right now, talking a little bit about the CCWP-HR, which is the cross-community working party on human rights, and how we have been dealing with human rights inside the DNS.

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AKRITI BOPANNA:	Hi, everyone Akriti Bopanna. I work at The Center for Internet and Society in Bangalore, in India. So, as part of my role within [SES] in India, it focuses on ICANN engagement, and we've historically been looking at how ICANN's processes can be made more transparent, accountable. How to incorporate various parameters of human rights, like diversity, within them. And sort of the perfect space we found for this was the cross-community working party on human rights.

So, last year, at ICANN63, I presented a diversity analysis on the represented on ALAC at ICANN. And after that, I became the co-Chair, along with Collin, who works for article 19, but she couldn't be here. We like to think of the CCWP as our own little think tank. When it comes to issues of human rights, we like to be a forum where people can come and talk about anything [inaudible], anything they want to contribute to within human rights. We've had calls, we've discussed new members, people pertaining to ICANN and human rights.

We're currently doing human right impact assessments on different PDPs within ICANN. So, the first one that we started was in January of this year on the Subsequent Procedures PDP, and we very recently complete [other poll] that we'll send out next week, or next to next week, once they've finalized it. We're now

looking at doing the same for another policy development process.

So, if anyone has any suggestions or ideas about which PDP that should be, or how to contribute, we sort of have [HLIET] where a couple of us look at the meetings, every week, depending on our own schedules, and we have a tool where we talk about which issues within these PDPs are linked to fundamental rights. The most obvious one being GDPR and Whois. But apart from that, as well ... For example, in Subsequent Procedures we have different ones looking in the applicant guidebook, how to make some of the decisions taken by the community, all the [panel] more accountable.

This is broadly the main work we're doing right now, but feel free to comment, let us know if there's any other work someone else wants to ... I mean, any of you want to take, or if you just want to have a chat about human rights, and how that plays out at ICANN. Because there are a lot of decisions that ICANN's constantly making that's at the intersection of human rights, and we like to have these conversations and get back to ICANN, the board, or the community, and see how these can be steered towards a much better process which is cognizant of everyone's human rights. Thank you so much.

UNIDENTIFIED FEMALE: Thank you very much, Akriti.

OLIVIER CREPIN-LEBLOND: Thank you, Akriti. And you mentioned Subsequent Procedures a number of times. I wonder what these are? Let's ask Jonathan Zuck.

JONATHAN ZUCK: Yes, the Subsequent Procedures PDP wins the award for the most obtusely named group inside of ICANN, I think. And the reason for it is because we're trying to leave room for an open-ended discussion about how we might approach new applications for more top-level domains. So, in 2012 there was a round of applications for people that wanted to create new generic domains, like .photography, .gallery, .news, and things like that, and there was something like 1200 new domains that are added, all of which are not accepted by 80% of websites right now, that's the Universal Acceptance problem.

So, the Subsequent Procedures team is trying to figure out how to have a smoother next opening, or application process, compared to the one in 2012. And they're exploring a number of different issues to make it easier for the process to be more consistent and predictable for people trying to apply for a new domain, trying to make sure that the organization can grow with

the lists so that they're able to enforce all those contracts and things like that.

And so, it's a very broad set of discussions, and it's one of the ones that we focus on as well sometimes because there are issues related to some objectives that they had in 2012 that weren't met. One of them was to get more communities engaged in top-level domains. Particularly indigenous communities around the world. And the process they put in place to prioritize applications from communities didn't really work out. They didn't lead to a lot of successful applications from communities.

Another effort that they made in 2012 was to provide some kind of assistance to applicants that were coming from under-served regions, and that was meant to be a broad spectrum of assistance, and it ended up just being like a little discount on the application fee. And so, that process wasn't terribly effective either, and those are both issues that matter a great deal to the people in this room, and on this table. And so, those are some of the things being discussed in Subsequent Procedures. One of the controversial topics being discussed in Subsequent Procedures has to do with what we call geographic names.

And so, if you are trying to create something that you want to call ... I didn't come prepared to talk about this. But, let's say you want to create something called .africa, for example. Who should be

engaged in figuring out whether you're the right person to run that domain, right? Those are the kinds of questions that come up.

And there are certainly those that believe that people should just register whatever they want. There's enough words that everyone should be able to register whatever name they want to. There's other people that believe that governments and indigenous populations should have some say in what domains are granted to whom. Right? Should the people of Africa have a say in who gets to run .africa, for example?

And so, those kinds of conversations are taking place. And then there's other instances where countries have gotten a domain and then they just license it to someone, and it becomes a profit center. So, then when does it become rent-seeking rights to have that relationship? And so those are ... It's a very complex discussion that will be happening a lot of this week, actually, just on geographic names. But those are some of the things that they're trying to figure out, is how can we make this next round of applications go more smoothly, be less contentious than the round in 2012.

OLIVIER CREPIN-LEBLOND: Thank you, Jonathan. I'd like to take some questions. I note that Tijani had put his hand up, but is it just to add very briefly to this? Tijani Ben Jamaa, quickly. And then let's get your questions.

TIJANI BEN JAMAA: Just to say that .africa is already delegated, and we had every difficulty to have it because some other commercial parties wanted to have it. Now it is for the community, the African Union who took it. Thanks.

OLIVIER CREPIN-LEBLOND: Thank you. Okay, so let's start with the questions, on any of the topics, by the way, that we touched on. Any of the policy topics. Let's go.

[NORD]: Hello, I'm [Nord], from Tunisia. I actually have passed the last year working on GDPR because it's my thesis project. So, after hearing all of your interventions, I have a question about policy development. I want to know if making a policy or changing a policy needs to be enforced by law, or can it be a proposition from an individual? Because I've noticed that changing the ICANN policy about Whois, though making it a private instead of public, came after GDPR came into force.

So, I wonder, can it ... Because, for anyone who understands data protection, or have a minimum of information about ICANN policy, couldn't anyone of the organization of ICANN came with this idea to make the Whois private before the GDPR came into force? Just, I want to know if in the future as a newcomer, I don't know if I can come with a proposition, or I need to have a law be able to contribute. Thank you.

BRUNA SANTOS: That is one very interesting question that Milton and Stephanie might be answering to?

OLIVIER CREPIN-LEBLOND: I think Milton was waving his hands around.

MILTON MUELLER: Yes, we could both handle this. So, that's a very interesting issue. It's very fundamental to ICANN's mode of governance because it was set up as a non-governmental system of global governance, but the question of how it intersects with governmental laws is always troublesome. So, the reason we set up ICANN as non-governmental is because we wanted the domain name system to be global.

We wanted it to be consistent, to have consistent rules across the entire world so that we had a consistent Internet. And governments are not like that, they are territorial, and they have supreme authority within a geographic territory. So, there's always a tension between the global governance of ICANN and the territorial governance of states.

Now, with respect to Whois, this conflict reached a big problem, because it wasn't … We had been telling ICANN since 2000. Literally since the year 2000 that what they were doing with Whois was illegal according to data private protection laws. The reason nothing changed was because the stakeholder groups within ICANN were biased in favor of maintaining this open system and because the US government, which dominated ICANN at the time, wanted that to maintain.

And the reason things changed after GDPR was because it suddenly would become very costly for registrars and contracted parties, and ICANN, if they did not comply with GDPR. And because it was the European Union, and there's so much data interchange between Europe and the rest of the world, it became very difficult to separate the data movements into a territorial jurisdiction. So, in effect, almost everybody in the world has to comply with European law. Go ahead. You want to?

STEPHANIE PERRIN: I just completed my doctorate on basically this struggle on how ICANN has ignored the data commissioners. It actually started in 1996, when the then Chair, the incoming article 29 working party, Stephano Rodota, responded to the original intellectual property WIPO consultation prior to ICANN getting off the ground. So, this is a long-standing struggle, and I would say it's carry-over from the fight in Europe over the 95/46 directive. If you're troubled with insomnia, any of you, you can read my dissertation. But the thing is, we have been, as the Non-Commercial Stakeholders' Group and the NCUC prior to that, and the … What was it called, Milton? The DNR … The DN …

MILTON MUELLER: Domain Name Rights Group? No, the Non-Commercial Domain Name Holder …

STEPHANIE PERRIN: Whatever he called the first group that he started doesn't matter. We've been fighting this for decades, and ICANN didn't listen. Now, right on the eve of the GDPR coming into force, the contracted parties said, hey, we're on the hook! Our contract requires us to break the law. We're not going to do it. And that's when things started to happen, and we started the first EPDP, and we brought up the Temporary Specification basically to remove

them from this untenable situation where they were breaking the law in complying with the contract. This is an aberration in the normal multi-stakeholder model way of doing policy, and we're kind of limping along fixing it now, after the fact. But that happened in the summer of 2017, am I right? And the law came into effect in May 2018.

OLIVIER CREPIN-LEBLOND: I'd like to move on from probably one of the longest standing topics, the Whois thing. But not all issues take 25 years to deal with. You can probably push a number of issues a lot faster. And one of the things is though, because we operate by consensus, as a single individual wishing to push forward an issue, you really do need to speak to a lot of other people and actually get a group of people to then support you. Of course, getting the NCUC or NCSG or At-Large to support you is a good first step in actually getting your issue put forward to the board or to the rest of the ICANN community.

Although you will have seen that sometimes it doesn't matter if you talk so much about it, it just happens to get things to move on when it's really only a few months left. Which is unfortunate, and often our communities say, we told you so! But, there you are. Let's have a quick next question, and quick next answer, because we are somehow running out of time. Although I do

understand we have already touched on how to get involved. So, let's go ahead, please.

LEVY SYANSEKE: Okay, my name is Levy Syanseke, a NextGen from Zambia. My question is mainly around universal access. So, my realization is that the Internet mostly ... Most of the websites are actually [colored] in English. But then, around universal access, is there any policy that speaks to people accessing their Internet using their native languages? Because for instance, where I come from, there's seven other languages, apart from English. So, the majority of the population, they don't use English, they use the local language. So, if we're to enhance universal access, is there any policy that speaks to helping them access the Internet in their native languages?

JONATHAN ZUCK: Thanks. This is a very big issue, and inside of this community, Universal Acceptance is a technical term that means that when you type in a domain name for your e-mail address, for example, that a website will accept that as a legitimate web address, right? That's what we're talking about when we're talking about Universal Acceptance, it's acceptance of domain names by websites and e-mail systems and things like that. The broader

issue raised about people being able to use their native languages on the web is a very important one, and it has many different facets. So, one of the issues had to do with the alphabets of those languages.

So, in other words, lots of people using the Roman characters, the Roman alphabet, have been accessing the Internet in French, in Spanish and other languages that use that ASCII character set, right? And so, that's already been happening to some extent. They have an issue with indigenous content development that's also important. There's a domination of content coming from English language sources, and promoting content development in those languages is important, but it's a little bit outside the remit of ICANN.

So, what ICANN worked on was the scripts themselves so that people that have non-Roman characters, Cyrillic, Arabic, Asian languages, etc., are able then to type on the domain name in their indigenous script. The website itself has always been able to be that way, but you've had to go through a big exercise to get to the websites. And that's what we've tried to address with internationalized domain names. But this topic of content is a much broader one that we can facilitate, but it's outside our remit.

BRUNA SANTOS: Thank you very much, Jonathan. And it does also ... Yes, we have questions. We have one question here, and we're going to take just one other [cross talk]. Very short, brief. Yes.

EILEEN KWIPOYA: Eileen Nay, from Kenya. And my question is, is the effectiveness of these policies being evaluated? And if so, how is the effectiveness being evaluated of the policies? How can the effectiveness of these policies be evaluated?

UNIDENTIFIED FEMALE: We're just going to take the questions in bulk, maybe. Yes? Just so we can answer them all and wrap it up. Yes.

[JEDMA CORI]: Hello. My name is [Jedma Cori] from Kenya, I'm a NextGen. So, my question is more general to anyone. So, it's with regard to now trademarks, which are territorial. And in the event where we have a trademark that's been registered, then someone goes ahead and gets, say, a gTLD. So, in such a situation, this actually happened. So, how would you say ... I noticed the ICANN uniform domain name [this which is a leash on] policy, and in article 4a, it actually outlines up the requirements for these particular domain

names, but when it's territorial, and we're talking about gTLDs, how do you go about this?

UNIDENTIFIED FEMALE: Can I take the last question?

YASHVI PAUPIAH: I'm Yashvi Paupiah from Mauritius. My question is regarding ccTLDs. What is being done to prevent registrars from charging an exorbitant price for country code top-level domains? It is a real issue everywhere.

OLIVIER CREPIN-LEBLOND: Wow, three amazing questions. That's going to take another three hours to answer them. Let's go and see who wishes to answer the ... You know, let's pick the topics quickly. So, Milton has already been putting his hand up. And then we also have Michael, I think, who wanted to.

MILTON MUELLER: So, I'll take two of the questions. The trademark question is a very good question, but it's too complicated, so I won't go into it. Maybe we can talk afterward. The effectiveness question; there are in fact assessments and reviews of these policies. For

example, Jonathan described at length the SubPro, Subsequent Procedures process, which is really basically an evaluation of the new TLD policy.

On the ccTLDs, this is an interesting aspect of ICANN, is that there's no contractual relationship between the country code top-level domains and ICANN, in most cases. And therefore, ICANN does not regulate or contractually control ccTLDs the way that it does the gTLDs, which is where most of our policy work is concentrated. There is a separate supporting organization called the ccNSO, but that is really dominated by the CCs themselves.

So, the idea that they would be … It would really become a matter of national policy, rather than global policy, whether you have a competitive market for ccTLD registrations. For example, Germany has a very good competitive system with low prices. I know that some developing countries are using their CCs as a profit center, that are charging very exorbitant prices. So, ICANN really has almost no control over that.

OLIVIER CREPIN-LEBLOND: Yes, I mean, they wanted to have an answer. But ICANN actually has no control of this, it's very controversial.

YASHVI PAUPIAH: Yes, but for developing countries, that's really unfair. For a simple domain, it can be $70. Shouldn't you protect the end users instead of the contracting companies? The contracting companies are making millions on that.

MILTON MUELLER: You should talk to the ccNSO. You should go to their meeting and say that.

OLIVIER CREPIN-LEBLOND: But good luck, because you'll get quite a lot of fire from some of those. Michael, quickly, and then I think we need to not even move on, but wrap up.

MICHAEL KARANICOLAS: Yes, the trademark question's a really good one. Partly because this is an issue that the non-commercial folks have been banging our heads against for a very long time. I will try to answer this very quickly. ICANN generally takes a maximalist approach to trademark protection. If it is registered anywhere, it is respected and protected everywhere. Now, you're probably thinking, that's not how trademarks are supposed to work. And you're absolutely right. But that is the system that we're currently in.

There have been well-documented abuses, such as, for example, folks setting up shell corporations to trademark words like pizza and the, and using these essentially basically paper registrations that have no substance in actual business practices. They've been enforcing rights all around the world to get valuable domain names. There's been use of trademarks to chill political speech.

So, for example, if you want to register a domain like walmartsucks, you would think that's perfectly legitimate speech. No such luck. Not only would Walmart get the inside track on getting that domain, but if you do manage to register it, there are rights protection mechanisms that trademark owners can use to take that website down. So, the answer to that challenge is that it's a very legitimate problem that addresses issues like freedom of expression and intellectual property rights. It's something that the NCUC is very strongly engaged in.

I think that this is an area where our approach does differ substantially from ALAC, but this is one of those great questions that really cuts to the heart of some of the debates that we're facing. And I would also be happy to chat further about it.

BRUNA SANTOS: Thank you very much, Michael. I think we are in a time limit, so we're wrapping this session up.

OLIVIER CREPIN-LEBLOND: Yes, our interpreters have to go and get some lunch, and they have a very small amount of time. So, first I'd like to thank you all for coming here. I hope this was helpful. We both hope that this was helpful. As we said, this was just the beginning. You can talk to any of us around the table and standing up, and any people. I mean, it's a friendly community here, so we're all here to help you find your way through the forest that ICANN has. And if you're interested in participating, we mentioned it earlier. The best way is to get on the mailing lists. NCUC …

BRUNA SANTOS: You can go to NCUC.org and apply to be a member. We promise we're processing those membership applications as fast as we can.

OLIVIER CREPIN-LEBLOND: And in At-Large, each one of the regional At-Large organizations accepts individual users now to register. And again, for both it's free. Free to attend. And most of the work goes on online or in calls, and you can dial in through the Internet, so it's great.

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BRUNA SANTOS: One last thing. If you go to NCUC.org, there is also a newcomer's corner there. So, you can go from the foundation [letter] of NCUC to all of our comments and information. So, thanks, everybody, for being here.

OLIVIER CREPIN-LEBLOND: And for At-Large, it's atlarge.icann.org. Easy as well. Thanks, everyone, and have a great ICANN meeting. Enjoy!

[END OF TRANSCRIPTION]