
ICANN76 | CF – Updates on Geopolitical, Legislative, and Regulatory Devs
Thursday, March 16, 2023 – 16:30 to 17:30 CUN

BECKY MCGILLEY:

... joining us for our discussion forum on geopolitical, legislative, and regulatory developments. My name is Becky McGilley, and I will be the session facilitator. Please note that this session is being recorded and is governed by the ICANN expected standards of behavior.

Interpretation for this session will include the six UN languages, plus Portuguese. On-site participants may pick up a receiver and use the headphones to listen to interpretation. Virtual participants may access the interpretation via the Zoom toolbar. Click on the interpretation icon in Zoom and select the language you will listen to during this session.

We will save designated discussion time at the end of the presentation for questions. For on-site participants, if you wish to ask a question, please go to the standing microphone in the center aisle and leave your Zoom microphone disconnected. The microphones at the tables have been disconnected. Please remember to state your name and the language you will speak if you will be speaking in a language other than English. Please speak clearly and at a reasonable pace to allow for accurate interpretation.

For our remote participants, please use the Q&A pod. I will read questions aloud during the time set by the chair, or we may answer them directly in the pod. Comments or questions submitted in the Q&A

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pod will only be read aloud during the designated discussion time and if they are in the proper format, as noted in the chat.

Thank you for being here today, whether virtually or in person. And with that, I will hand the floor over to Senior Vice-President of Government and IGO Engagement, Mandy Carver.

MANDY CARVER:

Thank you, Becky. And thank you, all. I am very mindful that we are the last session of the day and that we are standing between you and the wrap-up cocktail party. So, again, thank you for staying. Also, due to the scheduling reshuffling, we only have 60 minutes with you, so we will try and get through the material but still have time for Q&A.

This is a regular session that the ICANN staff provides at ICANN meetings. It's a collaborative effort between many functions. I represent government engagement. And we have a number of our team members here. Also Global Stakeholder Engagement—Rodrigo de la Parra will be speaking about Latin American trends. Jamie Hedlund will speak to some issues that we're seeing at the U.S. government.

So in brief, this presentation is going to cover where we see challenges emerging to ICANN's core mission, what the impacts of those challenges could be, and how we are attempting to mitigate them. We'll also share the observations about changes in the geopolitical space and some IGO activities. Elizabeth Oluoch will speak to that. Then Elena will also be talking about legislative developments, about some follow-ups to activity in the European Union.

Next slide, please. Challenges and priorities. We have noticed a growing focus on governments and IGOs on the DNS and IP space. This includes efforts sometimes to address political or social challenges with technological solutions. We are tracking regulations and legislation that isn't always DNS-related but could have negative, unintended consequences if implemented or implemented as initially drafted. We are monitoring more frequent and widely-dispersed discussions. The spaces for dialogue around cybersecurity are proliferating. And so this is moving us in a great many different areas.

There are challenges even from areas where we have traditionally had support from governments and organizations that participate in the multistakeholder model but for a variety of reasons have felt the need to go outside of the dialogue in order to solve those challenges.

And so there will be a request at the end for all of your assistance, both with the activities that are taking place but also the level of collaboration and cooperation we hope to see amongst all of you within the multistakeholder model here. The more that we can deliver on the priorities, the greater the support will be for the multistakeholder model, and lesser challenges perhaps in other spaces.

We are seeing in some instances the sense that the multistakeholder model is unbalanced. Maybe one group's voices are more represented than others or there's a loss of ability to address challenges.

We do want to point to the successes of the multistakeholder model, and that's a larger narrative that we're pursuing in spaces like the WSIS+20.

So in addition to the kinds of things that we've seen, as I've mentioned, we've talked about and you've heard a lot of conversation this week about the WSIS+20. I want to flag that a lot of the places that ICANN as an organization is present ... Our ability to be present is variable. ICANN is an ITU-D sector member. We also have special consultative status within ECOSOC. So we have the ability to participate in some spaces. We collaborate with other I-star organizations and friendly governments in some instances where we have community and staff members that can participate in other people's delegations. And we actively work with others that support the work of the multistakeholder organizations.

I am mindful of the time, so next slide, please. I don't want to just read things to you. Okay, I'm going to hand this over to my colleague, Elizabeth Oluoch, who's going to talk about specific things we're doing in the IGO space.

ELIZABETH OLUOCH:

Thank you, Mandy. Hello, everyone. As you may know, ICANN's five-year strategic plan direct the organization to address geopolitical issues impacting ICANN's mission. Several UN processes are currently underway that may have an impact on the multistakeholder model, particularly technical Internet governance, which could have an impact on ICANN's mission. We continue to keep the community up to date on the progress of these processes through the GE publications on ICANN's website, but today we will briefly provide some updates.

On WSIS+20, on Wednesday, there was a community session on WSIS+20, which you may have participated in. The WSIS+20 review

process will take place at the UN in 2025. The WSIS framework is significant for the technical community because it recognized that only governments have a role to play in digital transformation but so do various stakeholders and also the technical community, which are part of the multistakeholder model of Internet governance. Furthermore, it established the IGF.

The WSIS+10 review in 2015 resulted in an outcome document which reconfirmed the WSIS Tunis agenda. There was a heated discussion surrounding the outcome document with efforts by some to update the Tunis agenda in the section on Internet governance, making it more governments-focused, if you will, but were unsuccessful. Since then, statements have been made by certain UN member states, which are reflecting in some of the GE papers, that the WSIS+20 review could be used as a venue to try to push for change in the existing multistakeholder model of Internet governance by suggesting that a multilateral one might do a better job. If something like that happens, that might have direct implications on ICANN's mission. Therefore, we pay close attention to the deliberations at the UN and other relevant UN agencies.

We have to make sure the broader ICANN community—and this is an important note that we wanted to highlight—is well-aware that, because the WSIS+20 is a process that takes place at the UN General Assembly, it will follow the UN General Assembly rules of procedure. As such, neither ICANN nor anyone else but only member states would be allowed at the actual negotiations. As far as other stakeholders' participation, we would know closer to the meeting what that might look like and will keep you posted.

The UN Global Digital Compact is an anticipated outcome at The Summit of the Future in September next year. That will be negotiated by member states. The GDC is expected to reflect a set of principles that enable an open, free, and secure digital future for everyone as indicated in the Secretary General's Common Agenda report.

The GDC will touch on several digital issues. Informal consultations with member states and stakeholders were held beginning in February this year and will continue through May this year. ICANN was invited to speak during the consultations. A member of the ICANN Board had an intervention. We are interested in this process, as there are areas that could be impactful to ICANN. And we'll continue to monitor and report.

We are following a number of UN processes. The UN is discussing cybersecurity issues at the Open-Ended Working Group on developments in the field of information and telecommunications in the context of international security (or the OEWG), which will finish its work in 2025. We're closely observing the deliberations taking place in New York. The last session of the OEWG just finished last week.

Another group, the Ad Hoc Committee, to elaborate on comprehensive international convention on countering the use of information and communications technologies for criminal purposes (or AHC), continues drafting the UN Cybercrime Convention. We have seen that these processes touch on ICANN's mission, and that's one of the reasons for the GE team to follow deliberations. Please refer to our publications page for more details on this and other issues.

The ITU started the year with new leadership as elected by the Plenipotentiary last year. Doreen Bogdan-Martin is the ITU Secretary

General. The ITU has a busy year ahead with three major conferences in 2022 and the World Radio Communication Conference later this year.

Briefly, on some of the meetings taking place this year, the ITU Council meets on the 11th to 21st of July, and the Cluster of Council Working Groups and the Expert Group meetings, including the Council Working Group on Internet, the Council Working Group WSIS and STGs and the Expert Group on ITRs will take place later in the year.

It is expected that some member states might continue to contribute to the council working groups with proposals which may touch on ICANN's mission, a tendency we have seen often in the past several years. ICANN Org will continue to monitor and report on them. We have reported on these issues in our papers, and we invite people to take a look at them.

On some of the other conferences that we are participating in, preparations for the WTSA 2024 have started. The WSIS Forum 2023 is taking place this week in Geneva. ICANN Org is participating and had two sessions on IDNs and the Coalition for Digital Africa.

Thank you, and back to you, Mandy.

MANDY CARVER:

Thank you, Elizabeth. And as she mentioned, ICANN has just recently posted a paper on the WSIS+20 process, and I'm going to ask my colleague, Alexey, if he's in Zoom, if he can post the link to the GE publications page. Also, if you subscribed, then you'll automatically get notifications every time there's a change. But just to put in a plug for that paper.

Now we're going to go through some legislative and regulatory and some regional updates, so I'd like to turn to my colleague, Rodrigo de la Parra, who will talk about Latin America. Rodrigo, you're going to toss it to Jamie, and then Jamie will go to Elena.

RODRIGO DE LA PARRA:

Certainly. Thank you, Mandy. And good afternoon, everybody. I'm here to provide an update on some of the legislative and regulatory trends in the Latin American and Caribbean region. There's been a lot of activity over the last couple years, not necessarily all of them strongly or strictly related to some impact on DNS- or ICANN-related activities. But some of these are.

And let me start with one case, which actually created a lot of reactions from the country, which is an initiative in Peru but also in other organizations in the region. And it also reached out to us. This was called the General Internet Law in Peru. This was initiated in December 2021. This date is important because it was still in the midst of the pandemic, and this created a little bit of trouble with the interactions with the different actors proposing this.

It was a very broad law touching from definitions of what is the Internet to what they wanted about access, going through some e-commerce provisions. And one of the things that is relevant for us is that it touches on definitions around the DNS and domain name in general but more specifically about the activities of the registrations of domains under the ccTLD of Peru, dot-pe. And it provided various inaccuracies.

There was a lot of criticism about this law from many different actors, including other agencies in the government that provided some analysis of why this law wasn't desired from many different angles.

They got some criticism as well from the regional associations, like the Latin American Association for the Internet, ALAI. They were more impacted on the aspect of e-commerce in the region. The ccTLD of dot-pe of course sent a note—and also LACTLD sent a note—trying to explain why these law wasn't desired and what the impacts could be. It was full of inaccuracies about some definitions that were already there.

On the status of the law, it passed in some commissions, but it's now in standby. As many of you know, there is a lot of political instability in Peru at the moment. So that got the law to be stopped.

And we will be happy to provide a link to the initiative for you to see.

Others, as I mentioned, are not directly related to the domain name system, but still we're looking at those. Many of them have to do with a notice and takedown, whether the IP or the site or [inaudible] applications blocking, all of them from different perspectives. They're trying to remediate some other aspects of public policy—for example, dealing with sexual content or gambling or unauthorized sites or streaming support sites (as many of you know, they have become very popular). But the mandate of this is not necessarily only laws or regulations [but] presidential decrees mandating just to take some sites down. This is becoming increasingly difficult to monitor and follow because these laws or initiatives may come from different perspectives other than trying to regulate the ICT infrastructure or ICT content.

Another of example of this has not to do with notice and takedown but asking the ISPs to have bigger roles in trying to help authorities monitor or other kind of activities moderating content, which was the case for an initiative happening, I believe, earlier this year or last year on children's protection.

Can we move to the next one, please? And I just wanted to show the variety of things that we follow—again, not necessarily directly related to ICANN's remit. But we've seen also in Peru initiatives about net neutrality some of the examples of other countries in the region. In Argentina, they have been developing the national cybersecurity. Uruguay has been a champion on the topic of the information society, and the government continues to develop definitions around this. In Peru, the regulator [Hosiptel] has also been issuing some regulation around broadband speed. In Columbia, it was relevant to see how it's happening in other countries but it was to declare and put into the laws the statement that the Internet is a fundamental human right. And some others on data protection and privacy ... Actually just these last months in Argentina they are progressing on a proposal coming from the executive. It still hasn't reached the congress, but there's a proposal from that topic.

So as you know, in the Latin American and the Caribbean region, we work very closely together with other technical community organizations, like LACNIC, LACTLD, the Internet Society in the region, LACIX, and LAC-ISP. And we are facing the same challenges, some common challenges, and we're trying to find ways of collaborating in that regard, mostly in terms of monitoring what we see is important and could be impactful for the region. So that's one of the initiatives that we

have now. And we might be sharing monitoring systems and trying to do something together.

And the other initiative that we started actually last year ... There was a ministerial meeting in Uruguay hosted by the UN Economic Commission for Latin America and the Caribbean, and there was an academic initiative or capacity-building initiative for governments in the region just prior to the meeting. And we had the opportunity to present, as the technical community, in the region. And one of the topics that we tried to tackle is precisely this: the unintended consequences when trying to design new policies and legislation and what the impact can be to the general Internet infrastructure. Even if this is not the intent of regulating that, maybe there was this example about, if you're trying to take one service or one application out from one server, you may realize that, by taking down the server, you are also impacting other services that are not related to the behavior you want to stop as a government. It was very well-received. We're doing this again this year, now also in a face-to-face environment.

So I think, Mandy, this is what has been relevant from the LAC region. And I think I will now hand it over to Jamie. Thank you.

JAMIE HEDLUND:

Thank you, Rodrigo. My name is Jamie Hedlund. I'm the head of ICANN's Contractual Compliance and also responsible for U.S. government engagement. I thought it might be good to give a brief overview of three examples of activities at the level of the U.S federal government that illustrate both support for and potential challenges to the multistakeholder model of Internet governance.

So the first one is the Cyber Incident Reporting for Critical Infrastructure Act of 2022, abbreviated as CIRCIA. It was signed by President Biden in March of last year. Among other things, it requires the United States Cybersecurity and Infrastructure Security Agency to develop regulations requiring owners and operators of critical infrastructure to report cybersecurity incidents within 72 hours. This agency is required to launch a rulemaking proceeding within the next year which will identify who's subject to the reporting requirements, what types of incidents need to be reported, and the required contents of an incident report. That's just the part on incident reporting. Final rules have to be adopted within 18 months of the rulemaking, which by my math is September 2025.

As this legislation was making its way through Congress, ICANN supported and received an exception from these domestic requirements that would have resulted in regulation in the form of US-government-imposed reporting obligations of IANA services and the operation of the ICANN—managed root services, or the L-root.

It's important to note that we do not and did not oppose cyber incident reporting. In fact, we publish these reports for IANA and for IMRS or the L-root. We just believe that these types of requirements are best developed within the multistakeholder model.

The exception, which is narrow and limited to cyber incident reporting, demonstrates that, at least with respect to cyber incident reporting, the US government continues to support the multistakeholder governance approach towards Internet governance.

As I mentioned, the next step is a rulemaking. It will, among other things, determine which other entities fall under the exception of the cyber incident reporting. There's a link there which hopefully will also go in the chat, as well as an excerpt of the actual exception.

Another example. Last year the United States Federal Communications Commission launched a Notice of Inquiry or NOI that, among other things, sought input on whether to impose federal regulations on Internet service providers, carriers, content delivery networks, and others requiring deployment of secure versions of the Border Gateway Protocol or BGP, including possibly Resource Public Key Infrastructure or RPKI and Border Gateway Protocol Security or BGPSEC. And NOI or Notice of Inquiry is an effort by the Federal Communications Commission to gather information that it might later use to launch a formal rulemaking.

While ICANN does not play a direct role in Internet routing, the proceeding was of concern because it represented a potential departure from the US government support for the multistakeholder approach, particularly with respect to standards development.

Approximately 50 parties filed comments and reply comments in the NOI. They were nearly unanimous in opposing a regulatory role for the FCC with respect to Internet routing. They were also nearly unanimous in supporting the FCC and other US government agencies in collaborating with non-governmental stakeholders to develop voluntary best practices, providing funding for research, and improving routing security and participating in voluntary standards development

and coordinating at a global level in support of the deployment of more secure routing technologies.

Some US government agencies, however, continued to urge the FCC to launch a formal rulemaking that could result in federal regulation of Internet routing. We're continuing to monitor it to see what next steps, if any, the FCC may take.

Lastly, just earlier this month, the White House released its national cybersecurity strategy, which articulates support for shifting the burden for Internet security towards owners and operators of critical infrastructure and away from Internet users. The strategy contains calls for a more regulatory approach to securing critical Internet infrastructure. At the same time, the administration also reiterates its support for voluntary, collaborative, and multistakeholder approaches to solving cyber-related challenges, including explicit support for non-governmental standards development and specific references to the declaration for the future of the Internet signed by 60 nations, which itself calls for the protection and strengthening of the multistakeholder approach to governance "that keeps the Internet running for the benefit of all."

The next step is implementation, which could entail a mix of voluntary collaboration among public and private stakeholders, the administration leveraging existing authorities to impose new requirements on federal agencies and already-regulated industry sectors, and efforts to secure new legislation that could impose cyber-related obligations on private sector critical infrastructure owners and operators. We'll continue to monitor these activities and engage as

appropriate in support of the multistakeholder approach and raise awareness of any negative consequences of potential legislative and regulatory proposals, particularly as they might apply to ICANN's unique identifiers.

And with that, I will turn it over to Elena. Thank you.

ELENA PLEXIDA:

Thank you, Jamie. Hello, everyone. Some updates from the European Union. So the NIS Directive has now been adopted and is currently in transposition states. What does that mean? In order for it to become applicable, its member state of the EU has to transpose it into national law. Member states of the EU have until October 2024 to do so.

Now, remember, NIS2 is part of the cybersecurity package of the EU. It is about cybersecurity measures for essential and important entities. DNS operators, with the exception of the root servers, are in scope as essential entities.

If a DNS operator is not in the EU but offers services to the EU, they have to appoint a representative. The European Commission has to specify the specific cybersecurity measures and reporting obligations for DNS providers by October 2024 via implementing acts. This is secondary legislation.

In addition, we have the registration data provisions, which are now in Article 28. The directive recognizes the importance of maintaining accurate and complete databases of domain name registration data “to ensure the security, stability, and resilience of the DNS as well as

providing lawful access to search data,” as essential to security, stability, and resiliency of the DNS.

Now, we obviously have to wait for the implementation laws of the EU member states. We do not have the time to go into the different provisions. We have provisions about collection, maintenance, obligation, and access. And besides, this is not the purpose of this session. But I will say this: considering this is a directive that has to be implemented by its EU member state nationally, depending on the implementation, it could potentially result in a patchwork of 27 different sets of national requirements in addition to the ICANN ones made the multistakeholder model.

Now, that said, that’s not the idea. And we know that member states are setting up for the nation mechanisms.

Also, importantly, NIS2 itself states that “the guidance and standards developed by the multistakeholder governance structures at the national level”—these are the policies that this community is making; this is the ICANN model—“should be taken into account to the extent possible.[”] We trust that the EU member states will do exactly that: will implement the NIS2 directive in a way that preserves and supports the multistakeholder policymaking model and avoids creating a patchwork of national requirements while at the same preserving the uniqueness of ccTLDs to serve the local community, something also recognized in the Tunis Agenda, because, remember, Article 28 is not only about gTLDs. It’s for both gTLDs and ccTLDs.

On the next slide, [there are two] initiatives that are in the making. We have said during previous plenaries that are currently two proposed

regulations that are under “decision legislative processes” in the EU. The regulations are about protections for geographical indications for agricultural products—feta cheese as one of them—and for craft projects—Murano glass for example—as the other one.

Now, there are provisions related to domain names, such as the creation of an [informational alert] system to be maintained by the European Union Intellectual Property Office. The original proposals restricted the domain-name-related provisions to ccTLDs established in the European Union. During the negotiations, which are ongoing, as I said so at the beginning, co-legislators are considering, in the case of the agricultural legislation, suggesting that it expands to all TLDs operating—not just established but operating in the union.

That’s it. On the other hand, in the case of the craft regulations—so the second regulation, the council is suggesting deleting all domain-name-related provisions altogether but [inaudible] that recognizes that the protections would apply in the [distal] space at the same time.

We’ll keep updating you. This is where the negotiations stand at the moment.

Lastly, regarding developments in European, in late February the commission presented a set of initiatives on connectivity. Among those, we have an exploratory consultation on the connectivity sector and its infrastructure. This consultation is open until 19 May. We are bringing this to your attention, as this is related to very prominent-at-the-moment debates that have been referred to as [inaudible] or some sort of contribution of a role from content and application providers to Internet service providers.

It's not clear what is going to be, if any of it. The idea precisely is that, based on the outcome of the consultation, the European Commission will consider the most appropriate actions for the future of the electronic communications sector.

Why are we paying attention to this? To see if anything coming out might have an effect or touch on the routing of Internet traffic.

And with that, I'm giving it back to Mandy. Thank you.

MANDY CARVER:

Thank you, Elena.

We would like to now open this up to questions. We're going to alternate between questions that are online and those in the room. We're going to ask if you can come to the mic and form a queue rather than our trying to track whether there are table mics. So we've asked to centralize this.

I do want to say we do encourage everyone to collaborate. I know there were a number of comments and questions both in the plenary session and the public forum, etc., asking whether or not and shouldn't we be working. We absolutely agree that we should be working actively with the other I-star organizations. I do want to assure you that there has already been a call amongst the I-star leadership about the Global Digital Compact. And of course, the staff in the field have continued to work together. But we agree with you on the reinvigoration of those dialogues and the coordination and collaboration.

We want this to be a two-way flow of information. We've provided some of the things that we have seen come up in different jurisdictions, but we're always receptive to hearing about concerns or items that you may be tracking. We believe that we need to have a broad view, although we specifically focus our activities where it comes down to ICANN's technical remit.

As I said earlier, part of the narrative we're dealing with internationally right now is a concern over the efficacy of the multistakeholder model. We believe the multistakeholder model has delivered a great deal of things, but increased participation and collaboration inside this space will help deliver on those wins and assist in that global dialogue.

Alright. Becky, do you want to go? Do you want to read the first one?

BECKY MCGILLEY:

Sure. So we'll start with, "How has the MSM delivered on WSIS?" or also, "How has some of the outcomes from the multistakeholder model delivered on WSIS?"

ELIZABETH OLUOCH:

I'd like to just respond to something first that was mentioned during yesterday's discussion on WSIS+20: the suggestion to highlight some of the successes or outcomes of the multistakeholder model and to focus on the good rather than the perfect. So I guess this boils down to the question that was just raised: how has the multistakeholder model delivered on WSIS? I think there are a great many examples that can be attributed to the multistakeholder model that can be highlighted as a

success of WSIS while also countering the narrative that the multistakeholder model does not work or has failed in some way.

When you consider what the WSIS framework was intended to create or to enable or to foster, some of the aspirations that were mentioned at the community session yesterday—digital inclusion, universal acceptance or connectivity ... But it also endorsed stakeholder collaboration in order to achieve an inclusive information society. There are plenty of examples we can reference that demonstrate that the multistakeholder model, particularly the multistakeholder model of Internet governance, works.

Universal access and digital inclusions are vitally important in discussions on the UN 2030 agenda for sustainable development as well. We now have over half of the world that is now online and the ability for the Internet to expand and scale to the extent that it has. It's a combination of its technical design but also the collaboration among technical organizations and all those who contribute in the various multistakeholder processes to foster the Internet's continued development.

There are many examples we can all point to, and it's important, in the WSIS+20 review, that we consider what the multistakeholder model has been able to achieve and deliver.

MANDY CARVER:

Would anybody else on the table like to add to that?

RODRIGO DE LA PARRA: Thank you for the question. We have been internally reflecting about what has been achieved as one of the successes of the multistakeholder model after WSIS and 20 years later. And I think one of the things that the ICANN community has achieved in this regard is precisely the transition that proved the existing structures and dialogue of the multistakeholder model at ICANN and how it goes to a very good outcome. We should very, very proud about that.

And I think we should be good about documenting this success and what was really [inside the world. A lot of things were] happening. The results were very positive, not only in terms of how a multistakeholder process itself can work to deliver on improving multistakeholder governance for one important organization, which is ICANN, which is going to flag that as a good example.

MANDY CARVER: And I think we have a question in the room before we go back to online.

SEBASTIEN BACHOLLET: If you don't mind picking up a headset, I will speak in French. We had a public session yesterday on WSIS+20, and there were a certain number of things that I believe came out of that discussion, most especially the need to work at the local-level governments with the different stakeholders of that country.

So I would like to know what your team, the governments, and inter-governmental engagement teams could do to make sure that that work is done at the national level involving the different stakeholders that are present at ICANN.

My second question is that, currently, we don't really have any groups that follow these questions within the community. You are there, but within the community, there aren't any groups that follow what happens in terms of Internet governance. So wouldn't it be a good idea to create something that makes it possible to address this from a multistakeholder perspective?

I hope that we can continue the work started yesterday in the plenary and the work started here during the next ICANN sessions. Thank you.

RODRIGO DE LA PARRA:

Thank you, Sebastien. I can speak a little bit about the first question, and we can collaborate with the different national stakeholders. And I agree completely that the efforts should be a shared effort amongst the different parties there.

I think different mechanisms in place, like, in some countries—not in every country ... We have some good examples of national IGFs that exist beyond the only effort of an annual event. So I think this is a good mechanism.

And at the regional level, we do have, besides the regional IGF, this regional I-star cooperation with others, and we try to leverage this as much as we can whenever we see something arising from that.

Also, from a regional perspective, to the extent possible, we try to involve some of the At-Large Structures that we have and are active. Sometimes they are also part of the efforts leading the national IGFs, and they are connected with some of the topics that are of interest to

ICANN. But also they are able to see the broader agenda that sometimes is out of the scope and mission of ICANN.

But we see those two layers of cooperation in the LAC region.

MANDY CARVER:

There are two things. We will be also posting the links for spaces where you can participate—so for instance, the Global Digital Compact and how to make a contribution there. And by the way, the deadline has been extended by a month, so you have until the end of April now. These are large omnibus documents. They have everything in them. ICANN's interaction is only on those parts that are about Internet fragmentation and the efforts to connect more people because that falls in line with universal acceptance and the IDN initiatives that we have.

Also, if you follow the UA space (the Universal Acceptance space), you'll see that there are global events that will be taking place on March 28th, which is Universal Acceptance Day. One of the efforts through that process is to get governments, which are large purchasers of IT, to leverage that procurement power and to start looking at the requirements that the software they're purchasing be UA-ready, if you will you.

So we will post the links in the Zoom room here. There is another ... We're in wireframe. There's a page that's being built that'll be added to the government engagement webpages because this was a request that has been made previously. If we're tracking processes and there's going to be an opportunity for public engagement, then for us to provide those links so that you can see them and be able to participate ... That's

so that you as individuals or organizations can participate in those open processes that are multistakeholder. There's not an expectation that you're going to be speaking on ICANN's behalf or trying to modify or come to some consensus on your presentations. So that's the ability for people to present their concerns.

BECKY MCGILLEY:

We have an online question from Sivasubramanian Muthusamy. "there are member states that understand the value of the multistakeholder process, and there are other member states that try not to understand. Does each of the pro member states bring a singular pro-multistakeholder position to the table? Even within a member state, there are dispersed positions, which usually vary from one ministry and another, one department and another. What is being done to bring in concerted positions from each of the member states that do understand the value of multistakeholder process?"

JAMIE HEDLUND:

So I tried to indirectly address this when I was talking about some of the things going on in the United States government. Obviously the United States government has been a champion of the multistakeholder model for Internet governance. Since the solar winds and Colonial pipeline shut down and some other incidents, there's been understandable concern among policymakers for protecting citizens from threats from cybersecurity incidents and an effort to look at what can be done if it turns out in [inaudible] that the multistakeholder approach is not sufficient and that, for some owners and operators of

critical infrastructure, that they be subject to obligations that are mandatory.

What we have tried to do, particularly when it impacts potentially ICANN and [our] unique identifiers is we've gone to policymakers. We try to educate them on the potential negative consequences of regulation or legal obligations. We've also tried to point out the advantages and the successes of the multistakeholder approach, including the fact that it's global and, when successful if implemented globally, does not result in conflicting obligations.

So those are some of the things that happen just within the US government. I imagine it's similar at other places as well, where there is both support for—and strong support—the multistakeholder model but also consideration of whether regulatory approaches might be necessary.

MANDY CARVER:

And I am mindful of the timeframe. So we've got three people in line here, and sadly I'm going to ask that those three be ... We're going to have to close the queue in the room. We do also have a few questions online. So can we go to, in the room, Farzaneh?

FARZANEH BADIEI:

My question is easy. So what is the strategy for ICANN to monitor laws and regulations that are not necessarily Internet-related but can have unintended consequences on access to domain names and the Internet in general? Do you have a strategy? Do you follow ... Is there a way to

actually pay attention to laws that might affect us in the future? And the prime example of this is the sanction laws that are imposed.

MANDY CARVER:

ICANN has a charter that commits us to looking at and communicating with all of you about those pieces of legislation that we see that may directly impact the management of the domain name system. I know what you're speaking to, Farzaneh, which is, what happens when there are sanctions imposed on one area which, because of the sanctions, then is an impact on the registrars' work and may take people away from their domain names.

I don't know if this is something you want to speak to, Jamie.

We try and keep an eye out, but obviously everyone is bound by their own jurisdictions. It's not a satisfying answer.

FARAZANEH BADIEI:

Just to prevent surprises. And it's not just a matter of sanction. Maybe we need to think of a way that we can monitor laws that could potentially impact us. And they might not be about the Internet, but they could impact us.

MANDY CARVER:

So we do monitor. We are using various either professional service contracts, people that are in the regions, etc. The difficulty is it's a very broad field. And we're trying. That's why we also request and encourage the community as well to flag things if they see them. We go through a process of looking at it. There's a technical and a legal analysis.

Sometimes the piece of legislation ... As you also know, a lot of things that get proposed or they never get out of committee, etc. There are some processes that are quite long. Again, we try, but we may not have a universal scope.

Becky, do we have anything else online? Or as my colleague has said, we can go to the young man standing at the ...

BECKY MCGILLEY:

We do have one online. This is from Susan Anthony, USPTO. "This question is directed to the EU representative who made such a helpful presentation. How does the proposed GI's regulation on registries operating in the EU affect ICANN registries? Is this amendment likely to be accepted? What is the timeline for a decision on this proposed amendment? Thank you."

ELENA PLEXIDA:

Thank you for the question. I used to be, once upon a time, an EU representative. Now I'm an ICANN representative. I speak about EU matters. That is true. So, on the expansion of a regulation by saying the registries that are operating in the EU (instead of previous wording, for example, that was established in the EU), what would that mean if it gets accepted that way? It means that anyone who is offering services in the EU, even though they may not be there but they have clients or are targeting clients in the EU, would be under scope.

Now, is this amendment likely to be accepted? We cannot know right now. The EU process works like that. You have the two co-legislators who are in the EU member states on the one hand, and the European

Parliament on the other hand, doing their own at the beginning examination of a proposal. Once they come to their internal position, then they get together and they negotiate. That, you can imagine, is a process that takes months.

Where we are right now is at the stage of the process where each of them internally (not yet together) are working on their position. So there is a way to go. Thank you.

NIGEL HICKSON:

Thank you very much. I'll be very brief indeed because I need to drink, and other people do as well. But just three points. First of all, thanks to everyone that came to this session on the WSIS+20 review process yesterday. We had an incredible discussion thanks to Sebastien. Where ... He was here. Oh, he's there. Sebastien was chairing that session. And I think it really engaged a lot of people to think about how to engage in this process.

The second point is that these things are starting now. On the WSIS+20 process, there's a UN meeting the week after next in Geneva that will adopt a resolution that [will] talk about the WSIS+20 process. It's only one of the first resolutions, but these issues are important. And hopefully ICANN, as a stakeholder in the technical community—they are members of the UN CSTD—will be there to represent the cause, so to speak.

Secondly, the Global Digital Compact has different buckets of different issues—AI regulation, data flows or something like that, cybersecurity (of course, that has to be mentioned in every single UN document), and

Internet fragmentation. But Internet fragmentation has been changed to Internet governance, so it has a wider scope now. And the tech envoy was speaking at the WSIS Forum this week in Geneva. And certainly it looks like the scope of this bucket on Internet governance is going to be quite wide. There's going to be a UN session on the 13th of April, where all stakeholders can join and have their say on what should or should not go in this bucket. And I'll stop there. Thank you.

MANDY CARVER:

Thank you, Nigel.

Do we have any other online or can we go to our last question in the queue?

UNIDENTIFIED MALE:

Good afternoon, everyone. This is [inaudible]. I'll be speaking in my own capacity. The Internet community is a great place for everyone to discuss the Internet from both a technical and policy perspective. However, not everyone enjoys the reliable, fast, and stable Internet connection that many of this venue enjoy. Many of the underserved regions traveling to participate in person need sponsorship support. And remote participation can be expensive and not reliable for people from those regions. And I know that ICANN has always supported discussion from different regions to embrace diversity, so I would like to ask ICANN, are there any plans to increase travel support, support for Internet connection, and/or device support for the underserved regions so that their voices can also be heard in the Internet community and family that we're in? Thank you.

MANDY CARVER: I will take that back to our finance person about whether we're considering increasing travel support. I know that this is something that we often look at, and I'm not seeing my colleague in the room. But I can hear the reception starting. So thank you very much.

This concludes the session. We're only seven minutes over. You can all now finally go to the wrap-up reception. Thank you.

UNIDENTIFIED MALE: Can someone help Nigel to the bar, please?

[END OF TRANSCRIPTION]