

---

PANAMA – Joint AFRALO AfrICANN Meeting  
Wednesday, June 27, 2018 – 13:30 to 15:00 EST  
ICANN62 | Panama City, Panama

UNKNOWN SPEAKER: ICANN62 Panama City, Salon 6, joint AFRALO AfrICANN Meeting.

FATIMATA SEYE-SYLLA: Hello everybody, we are about to start now. Thank you all for joining the Joint AFRALO African meeting. Welcome to our guest speakers. Göran, presently CEO of ICANN, and Cherine Chalaby, ICANN chairman of the board. I would like here to thank ICANN again for giving us the opportunity to use this venue to select a burning topic in which the African Internet community is interested in and discuss to assess the effect on Internet end users especially in Africa.

Every year, almost in every ICANN meeting we select a topic, and the selection is then put up for proposals and the most supported subject is selected, and the drafting community is set up within the African community. For this ICANN62 meeting, we decided to discuss general data protection regulation, the UDPL GDPR, following the new developments that came up after the ICANN60 community forum in Abu Dhabi, in which the same topic was discussed.

---

*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

---

I would like here to thank Barrack who led the drafting committee of a huge number of participants participated in this committee, for this time we had more than 20 people involved in the drafting, so this demonstrates the interest of the African community into providing their inputs. I won't be very long in my address, I will give the floor to Alan Greenberg, our dear elect chair for his opening remarks.

ALAN GREENBERG:

Thank you very much. As usual, it's a pleasure to be here, and I think for this meeting I actually can stay. I think, I have to double-check. Almost invariably I have someone schedule something else for me in parallel, but I don't think there is anything today. But, if I walk out, accept my apologies, it's not because I'm not interested.

These meetings are always interesting. As some of you know, I've worked occasionally in Africa, although sadly not for the last few years. It's interesting to see the community evolve and to not be held down by the significant access and communications facilities problems that you all have. If you start worrying about things like that, just remember that Cheryl Langdon-Orr who lives in Australia and Olivier Crepin-Leblond who lives in, last time I checked, England, France, and Switzerland, both of them continually have communication problems, so don't feel we're

---

picking on you just because you have problems also, although they're all clearly significant.

This is an interesting topic, because the issue of users and GDPR is not well understood. If you start talking about users and GDPR, the first thing people say is, "Well, a user wants to be able to check WHOIS to see if whoever they're dealing with is the right person." And of course, the answer to that is, "How many real users do that? How many real users of the four billion know about WHOIS?" The number is very small. On the other hand, everyone has a browser, and periodically that browser says, "Don't go to this site, it's dangerous."

Everyone gets email, and the amount of spam we get these days is very little. The amount of spam floating around the Internet is unbelievably large, and the reason that we are warned about malware or our spam disappears somewhere is because there's lots of people working very hard and those people rely on WHOIS. So, the importance of WHOIS is not directly to the user, but is indirectly very, very important to the user, and I'm delighted to see you looking at that and those aspects of it, because it's not something we've talked a lot about in ICANN.

I'll stop talking right now. I look forward to seeing the final statement that comes out, and again I'm delighted to be here and delighted to see you doing this, thank you.

---

FATIMATA SEYE-SYLLA: Thank you very much indeed, Alan, thank you. I'm going to give the floor to our honorable guest, Göran Marby presently CEO of ICANN. Again, thank you for being here with us today.

GÖRAN MARBY: Thank you. It's a pleasure to be here. Coming in here and then thinking about what I'm going to say during five minutes is that me and Alan talked about this a couple of days ago, where are you Alan? Oh, there you are. In the GDPR discussions there are so many things that are forgotten. One of them, we often talk about how the GDPR is a legislation in Europe that I think in a way unintentionally had a global effect. I think that we, in the community, you in the community, me and org. has over the last six, seven months learned a lot about the users of WHOIS. One of the groups I often think about which me and Alan talked about was the user, the end user who uses WHOIS for checking who owns the website. Who owns this news site that I'm reading news from?

I said earlier, I'm repeating myself, I've been talking about this for the last four days, so I've said everything over the last four days, that the balance between, anyway you want to say it, but the balance between the right to privacy and then the need for

---

information is a continued discussion where I think ICANN has to really start asking those questions, and also bring in the unique perspective you have from your part of ICANN I think is extremely important. It often seems that we are throwing balls between very, very large companies or large interest groups but the user's interests are important, and it's not only important in the context of the tradition of countries being connected for a long time.

I hope now, and I know that GNSO during their process has talked very much about being inclusive, making sure that different viewpoints, I don't like the word, "interest," all the time because it sounds of mechanics. Many different viewpoints can be taken into account for the expedited PDP.

What I'm doing right now is to, because it's law, and many times when we discuss this we forget it's the law, and we have to follow the implementation of the law. You know the problems; the problem is of course is that it's a very new law, it's to some extent undefined, it's not a WHOIS law, it's a law of data protection. And, we are trying to figure that out. We've done our first round where we created what we call the Calzona model, where we now put data under a hood, we don't show all the data. We have been to the court case in Germany because we want to make sure that we can continue to collect the data.

---

The other hard work is to define how people can get access to the data, so we have started the same thing, we have engaged with the community in an open and transparent way by issuing a paper last week about the potential questions we can ask to the data protection authorities in Europe. And, we are very happy if you would help us in that process, we are open for comments into that and we will give your viewpoints to the data protection authorities also.

There is a couple of underlying questions here, which I will take the opportunity to react upon, it's also that this is really the first time that ICANN as an institution's ability to make policies is affected by law. I don't think that's the first time, sorry, I don't think it's the last time. I think that we need to have another serious discussion together, that is how we can continue to do policy work under the influence of local laws, because with the interest of Internet there will be many more, not only GDPR but other privacy laws or other laws that can affect us, and that will be constraint or a possibility in our policy work going forward.

I think we need to figure out how to do that together so we don't end up in this situation that we are right now, unfortunately we have to rush everything, and we don't know all the consequences. Maybe we can even, as a community and an institution, react before a law is done so at least we can say that,

---

we are not into politics, we have a technical merit, but at least we can say that this law might have an effect on the uninterrupted of Internet so legislators around the world understand that and note us going forward. I'll stop there, thank you very much.

FATIMATA SEYE-SYLLA: Thank you very much, Göran. Thank you for pointing out to the questions we are also having regarding access to data, and also giving us the opportunity to send those questions through ICANN and also being ready to be proactive I would say to local laws before they hit, before we start developing policy within ICANN, thank you very much for raising those issues. Cherine, you have the floor.

CHERINE CHALABY: Thank you Fatima, and please pass our regards to Hamad Al-Bashir who I understand couldn't make it unfortunately for Visa issues. I'd like to thank all the members of the AFRALO board for inviting us to speak today, I think it's quite important that the dialog between AFRALO and the board continues in an open, productive, positive relationship to be built in order to resolve many of the challenges the community faces not just today but also in the future.

---

You have GDPR as your main topic of discussion, Göran has basically outlined where we are on the key issues. I don't want to repeat what he said, but I want you to know that GDPR is absolutely a top priority for the board and we spend a significant amount of time on GDPR discussion and debating what is the best way forward. And if, as you know, when we were in the Vancouver workshop about a month or so ago, we cleared all of our diaries and spent all of our time talking about GDPR and we decided at the end that we would approve a temporary specification because we felt that indeed was the best direction we can take.

Now, just turning to you, your voice must be heard and is something I always say when I come to these meetings, that your voice must be said, and remember when we think back to the vital role you played during the IANA Stewardship transition. I want you to approach any comments on the unified access model with the same vigor and the same commitment to provide input on behalf of Africa and this community and stakeholders.

Again, I want to thank you for asking us to speak, I don't want to occupy the time because I think the best thing to do is to open it up for a dialog and have a discussion around the topic of GDPR which is very close to your heart at the moment. Thank you.



---

FATIMATA SEYE-SYLLA: Thank you very much Cherine, we know we can always count on your support, and we also understand that GDPR is a top priority for the board, and we are happy to have the opportunity to discuss this issue today. We also took notes of the temporary specification which is much needed because we can't just stay still. And, it's understood that the call for our voice is to be heard, we'll make it heard for sure. Thank you very much. I would like to call on our colleague, Hadia Elminiawi to introduce the topic.

HADIA ELMINIAWI: Thank you.

GÖRAN MARBY: Excuse me, unfortunately I need to leave, I thought it was so important to come here. As always, this is the place I always come to during any ICANN meeting, so thank you very much.

FATIMATA SEYE-SYLLA: Thank you very much, Göran, thank you. We appreciate your presence and your support, your continuous support, thank you.

---

HADIA ELMINIAWI: Fatima, go ahead?

FATIMATA SEYE-SYLLA: Yes.

HADIA ELMINIAWI: First I would like to mention that this statement is the result of the work of a drafting team and was put forward to the community for comments. In our statement today, we shall be addressing the general data protection regulation, and the registration directory services WHOIS system, and more importantly, the impact on Internet end users.

With regard to the temporary specification that came into effect on May 25<sup>th</sup>, although as it stands now, it primarily affects the European economic area, we chose to address the topic because in 2014 the African union adopted the African Union Convention on cyber security and data protection, which is pending gratification by some members. Some African countries have adopted data protection legislations. Most of the African data is hosted outside of the continent, and some African registries and registrars in spite of this current standard might be dealing with European citizen's data.

---

This is in addition to our concerns in ending up with registration directory models that provide different levels of protection of users who are sending to us across the globe. While the data protection legislations adopted by the African countries share many principles with the GDPR, there are some areas in which they may differ. Therefore, what is the solution to having a compliant registration data system? Compliance with the high data protection standard while taking into consideration the specific countries' regulations could be the answer.

Through our statement, we are trying to address end users, ICANN, and all stakeholders. In addressing end users, we are encouraging them to know their rights and execute them. We also did not forget the children who could disclose personal data that increases their vulnerability to commercial misuse and other endangering.

Finally, I would like to point out that this statement was written before the current unified access model was put forward to the community for public comments. Therefore, there is no reference to it within this statement, and we do mention in this statement the need for a unified access model. I thank you, and I think we proceed to the statement here.

---

FATIMATA SEYE-SYLLA: Yeah, thank you Hadia for setting the stage, I would say so. As you said, and as I said earlier, there is drafting committee who drafted the statement, and this is just for the sake of being fast, because we always draft a statement, and if you agree on the content, we submit it to the board. I'm going to ask Sarah to read the statement for us, and then we'll discuss the draft. Sarah, you have the floor.

SARAH KIDEN: Thank you Fatima, thank you everyone for joining us. I'll read the statement so that we have more time to discuss it.

“We, the African ICANN community members participating in the ICANN62 policy forum in Panama, and attending the joint AFRALO African meeting on Wednesday, 27<sup>th</sup> of June, 2018, discuss the general data protection regulation, GDPR.

The discussion was prompted by new developments that came up after the ICANN60 community forum in Abu Dhabi in which the same topic was discussed. On 17<sup>th</sup> May, 2018, the ICANN board approved the temporary specification for gTLD registration data. The specification which became effective on 25<sup>th</sup> May 2018, establishes temporary requirements that allow ICANN and gTLD registry operators and registrars to comply with

---

the GDPR while maintaining their registration directory services or WHOIS system, to the greatest extent possible.

We acknowledge the fact that the GDPR has elicited a lot of interest from many stakeholders within and outside the ICANN community due to its implications on WHOIS. After reviewing the temporary specification, we have noted that no unified access to non-public data exists. Access to the data is currently allowed to registry operators and registrars. As such, registries and registrars will be granting access to the data according to what they regard as compliant with the law.

In addition, registries and registrars are required to apply the model when possessing data related to the European Union area, but not necessarily on a global level. Having different access models as well as applying the temporary specification only when possessing data linked to the European economic area does not allow for the same level of protection of public interest and rights across the globe.

We find that the universality of the Internet is one of its core values, and any exception to this value, even if not only through the WHOIS is a step to a defragmentation of the Internet.

Furthermore, we note the fact that the GDPR continues to be a big interest to Africa because significant content and domain

---

name registrations in the region are hosted outside the continent with a high number of them within the European Union.

WHOIS data is important to protect the interest of the intellectual property holders, consumers, law enforcement entities, and most importantly the rights of the Internet end users in a secure, safe, and universal internet.

We are interested in and keen on understanding the negative and positive implications of the GDPR in Africa now that the regulations have become effective. As the GDPR came into effect on 25<sup>th</sup> May, 2018, we encourage African countries that are major trading partners of the EU to consider adopting relevant measures needed to ensure compliance with the GDPR in a way that does not have negative impact on Internet users within their jurisdictions. More importantly, we encourage registries and registrars who are serving non-EU regions like Africa to ensure implementation does not have damaging implications on their non-EU customers.

This will ensure that cross-border transactions with the EU are not affected. There are both financial and non-financial implications of ensuring compliance and these complication regulations. We urge all stakeholders to examine how the regulations will affect their organizations, to implement policies

---

that comply with the GDPR, to raise awareness on the purpose of the GDPR to mitigate any risks that may result from non-compliance, and to use GDPR to their advantage.

We ask the ICANN organization and the community to work towards a multi-stakeholder consensus based common registration directory services that is compliant with the European GDPR, protects the rights and interests on various stakeholders and ensures that the universality of the fragmentation of non-fragmentation of the Internet. To continue in conducting awareness campaigns, to educate the community on implications of the GDPR as it concerns a technical identifier and to define the implications of the uniform domain name dispute resolution policy, the UDRP, and the uniform rapid suspension system and mitigate them.

We urge Internet end users to know their rights to be able to execute them. As an example, when starting to use a service, check the privacy rights and adjust them to your requirements. Know who is the collector of the data, the purpose for which the data is collected and accordingly give your consent. Educate your children about online privacy rights.” Thank you.

---

FATIMATA SEYE-SYLLA: Thank you Sarah for reading the draft statement. The draft is also online and we had already some people making some inputs, so now the floor is to all of you to make some amendments, to make some comments on the draft so that we can finalize it today. So, the floor is who wants to take it, and I think we're timing the interventions. Can I have your support in timing, so we will be giving one minute? Or, two? Two minutes, okay, so two minutes for intervention, not more, thank you. We have Hadia.

HADIA ELMINIAWI: I wanted quickly to say that there was a discussion that we wanted to add to the statement, in reference to the RDAP. So, actually to say something around the line of, we encourage the migration from a WHOIS system to the RDAP, so maybe we can discuss this?

FATIMATA SEYE-SYLLA: Thank you. Barrack? Hadia, that is noted.

BARRACK OTIANO: Thank you Fatimata. Mine is a question to Cherine, and for probably any other member of the board that is here, I can see Khalid. What level of risk does GDPR pose to the ICANN



---

organization based on the conversations that have been going on at board level?

FATIMATA SEYE-SYLLA: Is there any other question for the board? Do you want to take it for us? Okay, Seun?

SEUN OJEDEJI: Thank you very much. During the transition we remember how should I say expensive [inaudible], we are happy with the final outcome of the transition how much it affected the revenue in the funds of ICANN. Do you also envisage this GDPR having significant impact on ICANN in terms of finances, in terms of especially the legal aspect of this? Thank you.

FATIMATA SEYE-SYLLA: Thank you. Cherine, you have the floor.

CHERINE CHALABY: Two very good questions, thank you. I'll take the first one on risks. It's not an easy question to answer because quantifying risk is not an exact science in that particular area. Our primary concern is the risk of the Internet, because our mission is the stability of the Internet, the secure and stable operation of the

---

Internet, and we felt that if the Internet goes dark or there is fragmentation, that is in no one's interest, frankly.

So, that's why we, the board, acted with a lot of discussion and support of our CEO who is doing, I believe, a fantastic job in having brought the temporary spec together and getting guidance from, in those days, the Article 29 and the DPA's. We did try and have the Unified Access Model in the initial temporary specification, but we were unable to have a detailed dialog, the comprehensive dialog was Article 29 in those days, and they said that they really would like to address this as a second stage. So, we came up with a temporary specification, and now at their request we're going back with, hopefully, once the community has provided their input, who is a unified access model that is agreed among the community. And, by the way, you need to really provide your input into that.

We don't know what's going to happen after this. Once we have a unified access model, we're going to present this to the new European Data Protection board and other authorities. We don't know what the response is; there lies one of the risks at the moment, because they can come back and say, "Yes, your model makes sense." Or, come back and say, "No, your model does not make sense."

---

Or, they can come back and say nothing at all, no advice, and those three options Goran has been laying there everywhere to the community. And frankly, we don't know what will happen then, there's so many moving parts at this point in time that we don't know how we're going to deal with that situation, because we don't know what the situation exactly is going to be. We believe around the end of summer, around the September time frame.

You have highlighted two very important points here in your statement, with which I kind of personally wholeheartedly agree, and when you say you want to have the same level of protection for public interest and right across the globe, that's important. And the other one, you want to avoid the fragmentation of the Internet. So, we are working with you towards those two objectives, and those are the two, frankly, main risks that we want to avoid in working wholeheartedly with the entire community to achieve those two risks.

Seun, your question about the transition and the financing, right? So, you know that the transition cost us I think 36 million, and all this money was taken out of the reserve fund. To the point where this is a fund that has been substantially depleted. The GDPR is going to cost us some money, particularly if there are more legal cases. It's not going to be, I hope, anywhere near

---

the transition, but we are using the legal cases not just for fun; we are using the legal cases also to ensure we get guidance. It is another way of getting guidance, one way you can get guidance by presenting for example a unified access model to the European Data Protection Board, the new one.

Another way is through compliance. Remember that ICANN has a compliance role, right? And if for a reason we believe that one of the contracts are not being complied with, we need to act, and you expect us to do so. In that instance, we acted, and we went to the German court in Berlin I believe, and we acted. And part of that action is that to also seek clarification. We are waiting also for that, so that's my response to you.

FATIMATA SEYE-SYLLA: Thank you very much, Cherine. Seun, are you happy? Thank you. Do we have any other question or comments? Remmy?

REMMY NWEKE: Thank you, madam chair. Remmy Nweke is my name. My question goes to the ICANN Board Chair. Now that the place you have with the registrar in Europe besides [inaudible], ICANN has appealed it, are you expecting more cases given that the GDPR is on board now? And then, what is the likely implication for the

---

registrar that is involved? Is the board conjuring any team measure or something? Thank you.

FATIMATA SEYE-SYLLA: Thank you, Remmy. I would like to do some adjustment to the discussion. Can we please focus our discussion on what we have in the statement so that we can finalize it today? Because if you go in different ways, we will be done and will not have the expected results. Do we agree on that? We all agree? Okay, thank you.

CHERINE CHALABY: Remmy, thank you for the questions. Again, not an easy question to answer. The issue is that GDPR is now along, and we have contracts and we have a compliance function. I can't tell you whether there are going to be many more cases, whether there are going to be punitive actions, we are just waiting. That's the case for us, I can't really predict to be absolutely clear, I can't predict what's going to happen next, but we address this as a regular compliance issue, and hopefully with that approach we will also get clarity about the law, that's all, thank you.

FATIMATA SEYE-SYLLA: Thank you, Cherine. Hadia?

---

HADIA ELMINIAWI: This is a quick comment. Cherine, you mentioned that you might get no response when you present the specification or the uniform access model, and I'm curious to know in case you get no response, what is the action that the board takes in this case?

CHERINE CHALABY: The truth is, no one knows. I think we will then sit down with the community and discuss where we go from there. I hope we won't get there, but it is a probability, but, really, really nobody knows what's going to happen then.

FATIMATA SEYE-SYLLA: Thank you. Now, let me use another method. Can we go paragraph by paragraph, and you just say if you're okay with it and we move on? I will go from, I guess, the fifth paragraph because the first ones I think that can be taken for granted, if you agree? So, can you go -- Cherine is going to apologize, unless you have a burning last question for him before he leaves? He is free to go? Thank you very much, Cherine.

CHERINE CHALABY: Thank you very much, enough of these difficult questions, thank you.

---

FATIMATA SEYE-SYLLA: Do you have a question for us? Okay, good. So, I've only got one amendment so far from Hadia. Remmy, you have one amendment for this? Yes, please go ahead.

REMMY NWEKE: Thank you, madam Chair. Remmy for the records. Just an observation, maybe in the future when we are preparing this, we have to give an itemized number so maybe as you are talking about paragraph 5, so everybody will be flowing with it, thank you.

FATIMATA SEYE-SYLLA: Okay, thank you. When I say paragraph 5, it's after reviewing the temporaries. After reviewing the temporary specification, that's where 5 starts, right? One, two, three, four, yeah, so you have it on the board. Thank you. Alan?

ALAN GREENBERG: I have a question, 5 is making the claim that you want uniform protection everywhere. How do you do that when the laws that any individual, registrar, registry, may be subject to may vary? I'll give you an extreme example; the US department of commerce has said they want the widest possible WHOIS

---

information available. What if they pass a law saying US-based registrars must make everything available, in the extreme, except as forbidden by privacy laws such as GDPR.

So, that would say that for European customers, US registrars would have to hide certain information, but for American for instance, customers, it would have to all be public. Brazil has been used as an example of a country that may have stricter rules and certainly different rules than Europe, so I'm not quite sure I understand what you are asking for here, given that there are certainly going to be different levels of protection required in different places.

HADIA ELMINIAWI:

Thank you Alan for your comment, and as you are saying, yes, what you are saying is absolutely true and right. However, at this point in time, we are stating what we hope to see, and until otherwise, until it's proven that it's not going to happen and it's impossible to happen, I think we should go on saying what we really hope to see and what we really hope to happen.

And actually, I think what all Internet users, Internet end users would like to have equal protection to their interest and to their rights, so until the moment comes where the legislations are there, and the laws are there, and it's impossible to have that, I



---

think we should keep on saying this is what we want, and this is what we would like to happen and would like to see.

ALAN GREENBERG: I understand the aspiration aspect, but you may well want to say, “Subject to the appropriate laws in the various jurisdictions,” because let’s face it; we’re focusing on GDPR here because there are huge penalties involved. There is legislation in other countries which differs, but we are choosing to ignore it right now because that’s not where the penalties are.

HADIA ELMINIAWI: Thank you Alan, I think I will take that. I think I did mention that in the statement, that it did say it mentioned before that yes, of course taking into consideration the specific country legislations.

FATIMATA SEYE-SYLLA: Thank you very much. Any other constructive comment?

ABDULKARIM OLOYEDE: Hello, my name is Abdulkarim, I am thinking in terms of the unified law, what we are thinking is to have a round-table where everybody comes together and have a unified agreement, I think

---

that would probably solve, which is probably beyond ICANN or probably beyond IT.

FATIMATA SEYE-SYLLA: We didn't hear you, we didn't understand. Can you speak to the mic?

ABDULKARIM OLOYEDE: I said probably the dream is to have a unified agreement while everybody will come to the table and have a unified agreement, which is probably like a dream but it's possible.

FATIMATA SEYE-SYLLA: Yes, thank you, of course. Yes?

LAWRENCE OLAWARE: For the record, my name is Lawrence. I think this is a beautiful statement but I have a concern with the last paragraph on page 1. It reads that we are interested in, and keen on understanding the negative and positive implications on the GDPR on Africa now that the regulation has become effective. I believe that there should be some action to be taken here. This statement infers that we are expecting ICANN, the organization to do this. Are we inferring that the African engagement office is to do this

---

or At-Large is to do this? Who has the action for this very last paragraph if we can determine that, then I think it has to be rephrased, maybe removed, or we have to look at where the action is to come from, thank you.

FATIMATA SEYE-SYLLA: We improve it.

HADIA ELMINIAWI: I actually support removing it, I actually did suggest removing it from the very beginning.

FATIMATA SEYE-SYLLA: So, we will remove it? We are all in support of that? Ali?

ALI: Sorry, I'm not understanding why we remove it, why don't we just paraphrase it? Because these are issues we still have to deal with as Africans. Why don't we just paraphrase it, because if you remove it entirely, it basically means that we are not acknowledging the impact of GDPR. I mean, yes, I know the way it's structured right now is sort of a bit up in there in terms of who should take responsibility.

---

FATIMATA SEYE-SYLLA: Okay, thank you, that's taken. I will go that way first, please introduce yourself?

UNKNOWN SPEAKER: Hello, I am Mr. [inaudible] from Senegal and I would like to say the paragraph on the second page where we are asking ICANN and the community to work on the basis of a consensus. Work towards multi-stakeholder consensus, I think ICANN has to conform to what is done in Europe, and we already have lost, we already have the temporary specifications and we know that it's going to apply in the United States.

In California we have to take into account those laws as well, so we're asking ICANN to take that into account and I think it would be good for us, as Africans, with our different laws and issues, we can put on the table the fact that instead of following what is being done, what are our problems, our specific problems in Africa. We don't always have to ask to what is being done in other continents and areas.

Thank you, this is a very legitimate request, and it's not very clear maybe, so maybe we have to rework this sentence. We talked about the different laws in different countries and we are a part of so many countries in Africa with specific laws and legislations, so not only European laws and American laws, we

---

have to take into account the laws of our African countries, include them in the process, thank you very much for this remark. I think the amendment from Alan takes that into account. Thank you.

BARRACK OTIENO:

Just a quick comment. I think it's important to contextualize the statement, because if you look at the opening remarks, it says, "We, the African community," so if you are looking at it as a business person from Africa who has nothing to do with the ICANN community, your interest is, how is this going to affect you, which is the question that we are trying to answer.

Either negatively, or positively, and I think the bigger picture is that is why we are sitting here and asking those in the board, or those in a position of knowledge to provide clarity to us on how this regulation that is not African, as has rightly been put, is going to affect us, considering the fact that Africa does not exist in a vacuum; we are doing business with the EU.

FATIMATA SEYE-SYLLA:

Yes Barrack, but I also think that what they're saying, which is almost echoed by [inaudible] in French, what they're saying is that we should not be sitting and asking ICANN to think for us. And, they want us to be involved, that's what I got. Is that what

---

you got too? I think that's what I got. And, it will be just a matter or rephrasing it, if you agree to go that way, and then we will move on. So, I would like to move on so that we can finalize. Do you want to talk about this again, the same? So, it was Remmy first. Hadia. I thought Hadia talked. So, Hadia, Remmy, and Seun.

HADIA ELMINIAWI:

As I correctly understand you are talking about the paragraph that says we are interested in keen understanding, right? And, because I missed the first part that was in French. I think my opinion is to just remove it because, and the reason for that, if we are keen on understating the negative and positive implications of GDPR on Africa, then go and do it, why do we need to ask someone to do it for us?

And that was my reason from the very beginning when I suggested to remove it. If we want to do it, we sit as a group and we go ahead and do it. Through this process we can still ask ICANN and ask others whom we need their opinion, but yeah, we should go ahead and do it.

REMMY NWEKE:

Okay, thank you. Having a different opinion, I'm actually supporting that we reword that particular paragraph to be

---

specific broadly to the African office of ICANN, and then also escalate it to the AU that has all the powers to actually make laws in Africa, and while doing that, also consider there is also an existing law within Africa on data at AU level, so we also have to reflect that moving forward, thank you.

HADIA ELMINIAWI: Thank you Remmy, that's well taken. Seun?

SEUN OJEDEJI: Thank you, this is Seun for the record. I think I'm inclined to say now we reword this as well because one thing that we also need to remember is that GDPR is no longer just an EU now, it's also in Africa, some countries that have already adopted it like Mauritius for example, they actually have adopted GDPR into the data protection law and we have to just [inaudible], and I don't think Africa wants to reinvent the wheel. Most of the governments, some of them, they actually start [inaudible] perhaps as time goes on, so on the long run we have to face reality that this is coming home, so we have to just find a way of rewording, thank you.

HADIA ELMINIAWI: Thank you, Seun. Wisdom?

---

**WISDOM DONKOR:** Thank you, my name is Wisdom from Ghana. Just wanted to raise the issue he raised on EU and I was thinking we should also look at ECOWAS. I know ECOWAS is also doing something in relation to the cap rotation and all of that, so we should look at the African Union at AU and then see the linkages and all that so that we can best address this. If you say we encourage all African countries, I think we can only do that through the AU and then ECOWAS, but dealing with individual countries will be very difficult.

**FATIMATA SEYE-SYLLA:** Thank you very much, Wisdom, for your contribution. Tijani, you have the floor.

**TIJANI BEN JEMAA:** Thank you Fatimata, Tijani speaking. I think because of the remarks that have been made and because I personally didn't read the statement before today. It is my fault, I know, but I was too busy. I propose that we take two weeks. Why two weeks? Because there is another event back-to-back to this event, so we will not be at home before two weeks. We will take two weeks at least to refine the statement according to the remarks that we had here and according to perhaps another discussion we may



---

have, so that we have at the end something that will be perhaps more acceptable. Thank you.

FATIMATA SEYE-SYLLA: Thank you, Tijani. Alan?

ALAN GREENBERG: Thank you. I'll make a suggestion that may not be welcome, because it involves work. What you're saying here is you really feel you need to understand the implications. By saying, "You're keen to understand it," it means you believe it is important that you understand the implications, and as several people pointed out, you can't just expect someone else is going to deliver that statement to you, certainly not in the African context. Much of it is similar across the world, but maybe there isn't.

Now, a reasonable way to do it is to find some people who are actually willing to do work over the next two weeks perhaps, or two months, and commit to putting together a statement of; what are the positive and negative impacts on Africans of these kind of things? Now, it's easy to write that and harder to actually get the people to do it. But, that may be a way of going forward because you're identifying an important detail that you need the information to.

---

FATIMATA SEYE-SYLLA: Thank you Alan for this suggestion. I think, if I understand well, we take notes of all the suggestions and the main suggestion coming out is that we rework the statement, or should we just change or take this out while creating a working group, I'm seeing this, so what do we do? No, I want to hear him first. Remmy?

REMMY NWEKE: Madam Chair, I think we have actually made some points. Lawrence made the observation earlier, which most of us actually supported. We have to rework that particular phrase, we shouldn't remove it. The committee did a good job, but that doesn't mean that we have to throw them away with the bathwater, thank you.

FATIMATA SEYE-SYLLA: Okay, so we rephrase the sentence, we keep the statement because other than that it's all good, and then we create a group to work on the negative and positive implications of the GDPR in Africa. Is that the understanding? An at-hawk group, can we do that?

---

HADIA ELMINIAWI: Yes, actually it's on the top of what you are saying. I actually think that this is, in itself, a different topic. So, in my opinion, it should be removed from this statement, here we are seeing we are keen on understanding the negative and positive implications of the GDPR on Africa. This is a different statement; we take it off from here, and we work on another statement for us on which we put the negative and positive implications of the GDPR on Africa, so I don't see how we can just start working on this and come up with other two or three pages?

FATIMATA SEYE-SYLLA: Thank you, Hadia. Tijani? And then that will be the last one, right?

TIJANI BEN JEMAA: Fatimata, it wasn't my suggestion. My suggestion was that this statement with the same drafting team, and with the contribution that we had here, and the contribution that we may have during these two weeks, we try to make it perhaps better, and perhaps, how to say, come up with some refinement for this statement. We always did that; we never left the room from here with a statement finished, so it is always the practice.

---

FATIMATA SEYE-SYLLA: Yes, thank you Tijani, but I think we are saying something not really opposite. We will have this draft finalized according to the inputs we get from here, and we will have this at-hawk working group on the negative and positive impact of the GDPR on Africa, it's two separate things.

All right, we can't submit the draft today, because you have some things to do in it before we submit it, so Sarah will work on it and we'll circulate it, and we'll finalize, we'll say, "It's okay now," and we'll submit. But, we will also have an at-hawk working group to work on the consequences, be they positive or negative. So, are you good? So, this is the last one this time.

UNKNOWN SPEAKER: Sorry, my name is [inaudible]. I just want to say the positive and negative effect of GDPR is beyond ICANN, it has GDPR on its own, there's only one aspect; WHOIS. There is actually we are supposed to discuss about it, but we want to look at positive and negative aspect of GDPR it's going to go on and on and on, because it is-

FATIMATA SEYE-SYLLA: It's going to be an African group, so we are going to deal with our stuff inside Africa. So, we all agree now? Okay, so before we go to the next step, I would like to add an action item. I would like

---

to give the floor to our colleague, John Laprise, to tell us about social media.

JOHN LAPRISE:

Thank you, John Laprise for the record. Thank you very much for taking the time to listen to me today. I am speaking in my capacity as the chair of the Social Media Working Group. We have adopted a new strategy, a new tactic for social media going forward, and this relies upon you and AFRALO.

Because of the differences between the RALO's in terms of social media platforms are used, languages, culture, we are devolving social media outreach to the RALO's so what the social media working group is asking is that AFRALO identify at least initially two to three if not three to five people to form a social media working group at the RALO level, and that group with coordinate with the ALAC level social media working group, and we will provide conference calls and training and work.

I recommend that if you would, please look at the social media working group page, there are two documents there, one on strategy and one on tactics. And, look at those, think about those, and work within your RALO to identify and create a working group to help out. Thank you very much.

---

FATIMATA SEYE-SYLLA: You're welcome, John. That was quick. Any questions for John?

BRAM FUDZULANI: Thank you, Bram for the records. I just wanted to find out if the working group for the social media is going to, after the training, is going to be responsible for running the social media handles for different RALO's, or they are going to be responsible for disseminating the information to the ALS's within the RALO's? Thanks.

JOHN LAPRISE: Thank you, John Laprise for the record. So, the At-Large handle will still be run at the top level. At the lower levels, it's unclear right now whether or not we're going to be trying to implement some sort of RALO level handle or just run with RALO level hashtags. As on Twitter for instance to share content, that might be the most effective way. We're not clear yet, we will take advice from the RALO's on what they would think is best that works in their region, so we are really listening to the RALO's and what they need and trying to support them in whatever way is best for their region.

---

**BRAM FUDZULANI:** Bram again, thank you Chair. What I wanted, just because I'm coming from the African region, and I think this is a very important topic, that we have a better representation on the social media, and maybe if your office Chair can actually coordinate with what they are working on and making sure that our identity on our social media, the information especially, when you go to a social media handles, there's little information about what we are doing, and I think this is a great initiative that we should be part of, thank you.

**FATIMATA SEYE-SYLLA:** Thank you, and we'll be asking for volunteers. So, we have one volunteer? Thank you. One more question?

**WISDOM DONKOR:** My name is Wisdom again. I just want to find out from you, what is the connection with the social media and other communication, I want to understand. Is there a communication strategy that is linked to the social media?

**JOHN LAPRISE:** John Laprise again for the record. At least initially it is to build a community, to build engagement. The contents that, the way we're looking at content being shared on the platforms, so for

---

instance, within AFRALO there are meetings and events that and content that is Africa-specific, but there will be some content that will have global implications, that is the kind of content that we would like to see shared up to the global level, and the global handle will share out that.

In terms of what content is shared and what is most useful at the RALO level, that's up to the RALO's, that's up the social media working group at the RALO level. We are devolving that authority to the RALO for them to make the decisions about what's important to you. It's not for me to say, it's not for the ALAC level social media working group to say what's important; those decisions are at the RALO level.

FATIMATA SEYE-SYLLA: Yeah, thank you very much John for the clarification. I will- yes, you have something else to say?

JOHN LAPRISE: Yeah, just for reference in the record, Heidi has helpfully published the links up in the chat, so you can find the links there, thank you.



---

FATIMATA SEYE-SYLLA: Yes, and I will invite our AFRALO colleagues to take this opportunity so that if you have volunteers, I would recommend that we have volunteers in French speaking language and also in English speaking language. Arabic I am not sure, but we will see, I mean Arabic too, whatever language we can have, so it would be good to have some volunteers, we have already one, and I don't know if you have an ALS or if you are individual members.

If you have volunteers who are not affiliated to an ALS they can be individual members, so please pick up our join, give your name to Sarah, and we will work on it. Now I have three, two? So, it was first, Tijani, then Seun, and then Ali. We have five minutes more to go.

TIJANI BEN JEMAA: Fatimata, thank you very much, Tijani speaking. I would like to highlight that anyone, even if he is unaffiliated, not member, doesn't have anything to do with AFRALO can come to AFRALO, can participate and can take part of the work, so no need to be member, no need to be affiliated member or non-affiliated member. But, when they come and start working, we will encourage them to be a member.

---

FATIMATA SEYE-SYLLA: Thank you Tijani. So, you are welcome, come and join. Clear? Thank you. Is that all you wanted to say? Thank you. Thank you very much John again for giving us this opportunity to work with you. Barrack, you have an announcement to make on behalf of Pierre, don't you?

BARRACK OTIELO: Yes, thank you very much Chair. Before we finish, just a quick reminder to all of us that the African Domain Name System forum in Benin, Continua, next week from 3<sup>rd</sup> to 5<sup>th</sup> of July, you are all invited to join, and for those that are travelling, if you are not registered, please make sure that you are registered on the event website, DNSforum.Africa for logistical purposes. And on the 6<sup>th</sup> of July we are going to celebrate 20 years since the first ever Internet Governance meeting was held in Africa, and you can find more details on Internethistory.Africa so this will be in Cortina as well, you are all invited and make sure that you register for the same.

FATIMATA SEYE-SYLLA: Thank you Barrack, sorry Ali, you have the floor.

---

ALI: My question is to the gentleman who talked about devolving, John, who talked about devolving social media. So, I'm supposing there will be certain guidelines and tools availed to the regional organizations so that you have some sort of uniformity in terms of how engagement is done on social?

JOHN LAPRISE: John Laprise for the record. The guidelines will largely be implemented at the top level with content that is shared up to the global handles, again, at the norms that are appropriate by RALO, what's normal to tweet in the US is not the same necessarily to tweet in Africa, so the guidelines are very much RALO specific, and the RALO's should determine what those guidelines are.

ALI: Sorry, just a quite rejoin there, the other morning we had this presentation by the technical team about their re-design of the ICANN portal, some of us didn't have time to contribute or to ask questions because of the time, so maybe this is a good opportunity for us to maybe ask one or two questions in relation to how those two platforms would work together.

So, if you look at the current pages on the RALO's, they're pretty thin and in terms of how you use that content from a social

---

media perspective, it's not very friendly. So, would this redesign take into account the devolving aspect of the social media component, for example, would the RALO's be allowed a blog page to be able to plug in their own content, how would that work? Would you have any ideas?

JOHN LAPRISE: John Laprise for the record. Actually, unfortunately I don't; that's beyond the scope of the work of the social media working group. The web content, the webpage that's elsewhere and maybe staff can help out with identifying who might be points of contact for those questions.

ALI: Thank you.

FATIMATA SEYE-SYLLA: Thank you very much.

HEIDI ULLRIGH: Hi, this is Heidi Ullrich from staff, may I ask that you send At Large staff those questions and we'll make sure that the relevant people get that? Thank you.

---

FATIMATA SEYE-SYLLA: Thank you. Okay, Hadia, so this is the last one.

HADIA EL MINIAWI: Thank you, John. I just wanted to ask you, when do you expect us to come back to you with the information for the group?

JOHN LAPRISE: Hopefully I would like to have full flushed out teams within the month, so it is 6/27 right now, so let's aim for the beginning of August to have teams in place, thank you.

FATIMATA SEYE-SYLLA: Thank you. I am happy to see that AFRALO is very interested in being part of your team. Thank you, and I think this is now the end, and I would like to thank you all for participating in this meeting, and also for making it possible for all of us to be able to have a statement ready in one or two weeks, two weeks I would say maximum, so we'll have a clean statement ready to be submitted to the board in two weeks after the Benin meeting. I would like also to make an announcement on behalf of the staff that the next AFRALO African meeting- the next ICANN meeting will be in June 2019. In one year. I am tired.

So, I would like to thank you all for your participation, for your active participation, and I would like a round of applause for the

---

interpreters, they have been very good. And thank you to my colleagues, and staff, and the technical people over there making things happen nicely, a round of applause for them too. Thank you everybody, thank you to our dearest chair, Alan Greenberg for your contribution, you're really part of us and you made it clear, thank you, thank you very much John.

ALAN GREENBERG: And thank you to Fatimata, and the interpreters.

FATIMATA SEYE-SYLLA: The first round of applause was for the interpreters, thank you all! Bye-bye.

ALAN GREENBERG: Thank you to Fatimata.

**[END OF TRANSCRIPTION]**