
KOBE – CCWG-IG Public Session
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OLIVIER CRÉPIN-LEBLOND: Welcome, everybody, to this Cross-Community Working Group on Internet Governance public meeting. It looks a little smaller than usual. Usually, we're in a larger room for this, but room allocations at this meeting have been a little bit challenging in some way.

Today we've got a number of topics that we're going to be dealing with. But the first one that will be on the list, and unfortunately I haven't got the agenda in front of me, but the first one will be a discussion around a presentation by Rinalia Abdul Rahim from the Internet Society. Rinalia, you might know, was a board member at some point in this organization and prior to that was an ALAC member. So I think you're known face around here needing not much of an introduction. But thanks for coming to join us.

And then after that, we'll be looking at a few other topics related to Internet governance. I notice that Chengetai Masango is with us. And I'm not exactly sure what the other issues were that we'll be talking about, but no doubt the latest developments in the United Nations. But also a short discussion on the charter that the

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ICANN has recently worked on with regards to its interaction with government entities and in the UN space and so on.

So I guess that since we do have a limited amount of time, we can go straight over to Rinalia Abdul Rahim who has brought a few slides for a presentation. And then we can have a good discussion on this. So, Rinalia?

RINALIA ABDUL RAHIM: Thank you, Olivier. Can I have my slides up please? It's a pleasure to be back at an ICANN meeting. Today we're going to discuss the unintended consequences of regulation for the Internet.

What I'd like to share with you is the thinking of the Internet Society about this topic. The groundwork for the presentation that I will share was done by Konstantinos Komaitis who is our policy director who is looking into the project on regulation. And I think he is actively doing this. He just came out of a roadshow in North America exactly on this topic, and you will probably see him around in the world, again, just talking about this.

If I can have the slides up, I can start my presentation.

OLIVIER CRÉPIN-LEBLOND: At the moment, there appears to be a battle between screens being shared. And unfortunately, for our remote participants,

they're not going to be able to see it. But hopefully, that could be worked out. So, Rinalia, over to you.

RINALIA ABDUL RAHIM: Thank you. Let's go to the next slide. The Internet Society recognizes that a lot of bad things happen on the Internet and that the reflex or intuition of government is to address them through regulation. Now we acknowledge that regulation is the prerogative of governments, but what we want to do collectively if possible is to help governments make the right choices and ensure that the regulation is focused, proportionate, and informed. Let's go to the next slide.

There you are. Three very prominent flags. Let's go back to the flags again. There are three schools of thought emerging on regulation, and they're exemplified by these governmental actors, essentially. The three schools of thought are self-regulation, top-down regulation, and market incentive regulation.

At one end of the spectrum is the United States. It has a laissez-faire approach on regulation where the market is deemed appropriate to determine the rules. Self-regulation.

At the other end of the spectrum is China with top-down regulation where the state is the consolidation of the executive, the legislative, and the judiciary in the context of the Internet.

And somewhere in the middle is the EU with strict focus on regulation which, in theory at least, seeks to incentivize the market to find solutions.

So these are the three models that are emerging. Let's go to the next slide.

Here are some newspaper headlines. The U.S., EU, and China have been making headlines with their regulatory efforts. At this stage, most of the regulatory activities that have a global impact come from Europe. Some of the headlines over the past year indicate that there is a regulatory race, we should all be concerned about that in the Internet community, and that Europe is in the leading position, particularly with GDPR. Next slide.

This is a case involving LICRA v. Yahoo! It is an example of a high profile case in France. And it is worth noting that experts that said it was possible to block or filter the website in France, which includes Vint Cerf, actually cautioned against it, but this never made it to the final judgment. That's actually a choice that was made by the people who made that decision. Next slide.

Here is the battle over universal competence between France and the U.S. The French court says it has universal competence. This means it has jurisdiction to adjudicate issues that relate to the global Internet. The U.S. court rejected this assertion and says that it has jurisdiction on the basis of the First Amendment. Ultimately, we will never find out which jurisdiction would have prevailed because the case was settled out of court. Next slide.

Here I would like to move into Internet specific externality, and this is quite important. [inaudible] the impact of extraterritorial application of laws on the Internet and the unintended consequences that should have us worried.

One of the unique features of the Internet and one of its strengths is that it is based on private nodes that exist around the world and their ability or willingness to interconnect. This global diversification of nodes allows the avoidance of single points of failure. A criticism of what Russia is trying to do right now is that it is creating a single point of failure for its country. And so if you wanted to attack Russia in terms of its Internet, it becomes easier because they are trying to do it that way.

This ensures a certain degree of resilience for networks of networks to have this diversity. Without a central node or collection of nodes that are controlled by a single actor, we

ensure that the Internet cannot fail. Thus, it is resistant to any attacks.

So extraterritorial application of laws can provide the wrong incentives for state actors to engage in a regulatory race that will result in a fractures, less resilient Internet. As I said before, this is something that we in the Internet community should be quite concerned about. Next.

I'd like to take a quick poll around the room. How many of you are familiar with the Internet invariants? And please don't be shy because if you're not familiar, then I'll go through it. So you are familiar, and the rest are not. Okay, so I will just run through it very, very quickly.

On the left side of the column is something called the Internet invariants. They were published by the Internet Society circa 2012 based on a panel discussion done at the IETF in July 2011.

The invariants are essentially a set of characteristics or features of the Internet that are a consequence of internetworking. Let me run through them because I think it's important to be reminded of them.

The first feature of the Internet that is a result internetworking is global reach and integrity. An end-to-end Internet where information sent from any point can get to any other point in any

network around the world, that results in this global reach and integrity.

The second invariant is anyone can use the Internet, not just to consume but to contribute content, put up a server, and attach a new network. This is the accessibility feature.

Third, the Internet is not designed for specific purposes or business models. It is designed for general use, and that is a strength.

Fourth, Internet technologies comprise reusable building blocks. They may be deployed for one purpose but can be used later by others to do something new.

Fifth, success for the Internet depends on relevance and utility and not on [special] status, and that's why there are no permanent favorites. Part of the research topic that the Internet Society is doing right now is on consolidation of the Internet and its effect on the Internet economy. This is something where some favorites may become permanent, and so we need to look into that and its impact on the Internet and whether or not it affects this invariant.

Six, anyone can innovate and set up a new service on the Internet without having to ask permission as long as it meets existing technical standards and best practices.

Seven, interoperability and mutual agreement. Interoperability of the Internet is obtained through open technology standards and mutual agreements between operators of different parts of the Internet.

And finally, collaboration. “No one Internets alone.” Andrew Sullivan said this at the APRICOT meeting earlier in South Korea. A key feature of the Internet is collaboration, and the best solutions come from willing collaboration between stakeholders.

Stay on this slide. Don’t move yet. What I want to emphasize is that the characteristics or features of the Internet, what we call the invariants which result from internetworking, are important to us in the Internet community. Whether or not we realize it, it is and has been important. Unthoughtful regulation, because they come from uninformed information or just not knowing what the impact would be, unthoughtful regulation of the Internet will challenge these features. It will change those invariants. And if we care about it, then we need to be ready and vigilant to address those. Because it could cause, among others, Internet fragmentation, a new wave of digital divide where access to information and communication tools is uneven, and a zero-sum game for stakeholders.

I’ll cite one example of Google and the right to be forgotten. In June 2017, the Supreme Court of Canada upheld an injunction

that required Google to remove an entire website from its global search index – the whole website. Recently, the advocate general of the European Court of Justice opined that ordering Google to dereference an entire website from its global interests would be disproportionate to the right to access of information.

Why should we care about this conflict in position or opinion between Canada and the EU? It is an example of something that can displace and undermine collaborative ways of examining issues, including multistakeholder processes which ICANN cares about, which ISOC cares about, and I'm sure other Internet stakeholders care about at the national, regional, and international level. This pulls the stakeholders apart instead of bringing them together, and the result is a zero-sum game. And out of that, everyone loses, and that is why we should all be concerned. Let's go to the next slide.

There are broader externalities of extraterritorial regulation of the Internet, and I'd like to emphasize the last one on this slide. The international tension and resentment caused by states imposing their will on other countries will intensify the zero-sum game mentality, and that's bad for everyone. Next slide, please. And this is my last slide.

The Internet Society is interested in thoughts and input on unintended consequences, particularly negative consequences

of regulation on the way the Internet functions. It is a running research project, and we are advocating there is more awareness across the Internet community so that we're all saying the same things. We care about this. We need this addressed. We need to be vigilant. We need to provide advice to government so that their response in terms of regulation is proportionate and informed and doesn't have unintended consequences on the Internet itself.

I would like to reiterate that what we want to do is to help governments to make the right choices. And if you share our belief that preserving key characteristics and features of the Internet is important, then we would like to work with you on this topic. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Rinalia. I thought you were going to take 40 minutes or something for your slides, but you've gone very swiftly through. I do apologize for those people following us remotely there. We still haven't been able to manage to get the slides through, but they will get them eventually.

Of course, in the ICANN context one might think, well, Internet regulation is not really something that would affect ICANN as such. But an example would be the EPDP I guess that was caused by the GDPR regulations which originally were intended just to be for a specific geographical part of the world or at least specific

citizens and so on but which obviously affects ICANN on a global scale.

I was going to give the floor to Matthew Shears who has been forewarned about this, so I'm not just putting him on the spot. For you to comment first on Rinalia's presentation and then perhaps on how that extends to our community and why we should care about this.

MATTHEW SHEARS:

Thanks, Olivier. Let me say a couple of things about why this is an important issue. And then what I'd like to do is, not literally, but take my board hat off and make a couple of other comments. But I encourage other board members here to jump in.

This particular issue, and perhaps I might broaden this slightly to talk about political issues that impact ICANN at a regional and global level, are very much the focus of a number of things that we are doing at the moment. They are a key focus of our strategic plan. Many of you were either in the session this morning that we had or you've been participating and contributing to that.

One part of the strategic plan is what we call geopolitics, and the strategic objective is to address geopolitical issues impacting ICANN's mission to ensure a single globally interoperable

Internet. So obviously, a number of the things that Rinalia has spoken to fall within that particular part of the strategic plan.

This is a focus not only for ICANN the organization but also for ICANN the board. In that strategic plan, we talk about the imperative of having early warning systems so that we can anticipate what the consequences might be of those regulatory initiatives and to identify what the impact might be at a global level or across the organization. So we have this as a focus.

There is also another area of focus we're looking at, at the moment. And one of the board priorities is also to work with ICANN org and the community to effectively map the geopolitical landscape that we are operating in at the moment. There's an increasing recognition and awareness, and I think this comes to Rinalia's points as well, that the locus of these kinds of initiatives is going to be far greater than the Internet ecosystem or particular governments and particular regulatory initiatives that we've considered in the past.

So what we're doing is we're working with org to map the ecosystem in its broader sense to have a better sense as to where some of these kinds of challenges may be coming from that will have some of the consequences that we've just been talking about. That's a specific board priority that we've been reporting back to the community on. So these issues and the way that these

regulatory initiatives at the global level can impact ICANN are very much a part of what we're focused on at the moment.

With that said, and fellow board members should jump in, let me just take off my board hat for a moment. Full disclosure, I have actually contributed to this in my personal capacity, to this work. There are a couple of interesting points here I think which can be born in mind. One of which is that on the last slide which Rinalia had up there one of the things that I think was missing and we're living it here at ICANN is the issue of the costs, and not necessarily just the financial costs, of regulatory confusion that comes from extraterritorial legislation or attempts to legislate extraterritorially.

We've see that with GDPR. This is a perfect case of not being quite sure what the scope and the application of GDPR is and the confusion that surrounds that. We tend to look at it in the context of just the bubble that is ICANN. But we can be sure that many of those same concerns that we have are being expressed by other parts of industry far beyond the Internet ecosystem and the Internet industry itself.

One of the challenges with – well, let me back up. I thought it was really interesting that Rinalia asked about does anybody know what the invariants are. I think that's part of the challenge with looking at these issues with a set of descriptors that perhaps

don't quite capture where some of these legislative initiatives are coming from.

Many of the things that we're focused on that apply extraterritorially are those that would typically impact the application layer or possibly the services layer. And even though the layers of the Internet are increasingly compacting, so to speak, I think it's fair to say that when you look at the invariants it's very much you're looking at them and they seem to more apply to the services and infrastructure layer when you talk about permissionless innovation and things like that. So I think it's important to look at those terms in an expansive sense. So it's not the traditional structure of the Internet you're looking at, but it would apply also up and down the stack. So that's one issue.

I think that's one of the challenges that we have in trying to understand where these types of extraterritorial legislative initiatives have an impact is that we don't actually really always – we can't actually always interpret or anticipate where they will. And so I think that's just coming back to what we're trying to do in the board and ICANN. It's really to have a better sense of what's coming down the pike so that we can anticipate if there will be those kinds of impacts and what the consequences may be.

Okay, I'll stop there.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Matthew, for these additional words and this other perspective or additional perspective as it relates to ICANN. I'm going to give the floor to Nigel Hickson next as he can provide also a perspective from a staff perspective and operational perspective, especially looking at the government engagement department and what you have to deal with on that level. Nigel?

NIGEL HICKSON: Yes, thanks very much. Nigel Hickson, government engagement. I'll be very brief because I think this also links to the following discussion we're going to have on the proposed charter and the aspects of that. Legislation that has an extraterritorial effect has a particular, I think, dimension in terms of being able to assess it and to understand how it affects the broader Internet ecosystem.

Clearly, we saw that in the case of the general data protection regulation which, while applying specifically to the European Union also has an affect outside of the European Union in terms of the way it binds regulation connected European residents or European citizens. The same is with respect to certain other type of legislation.

So from the point of view of our initiatives in terms of trying to understand how the legislation might affect the ICANN mission, I think this work is very important, in particular the consequence of this legislation. The legislation that we're seeing in certain

countries affecting the operation of the Internet also affects – so the domestic legislation that’s intended for specific reasons on the sovereign country concerned then has an effect on other people’s consumption of the Internet because of the way the domain name system is organized.

So I think it’s something that is increasingly important to us all, and I think the work that you’ve done in this area – and I know this is not the end of the work you’ve done or ISOC is doing in this area – is very important.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Nigel. Let’s now open the floor. Let’s have a discussion on the topic itself. Does anybody have any questions or comments on what we’re seeing? With the current threats related to all this extraterritoriality with the first salvo having been sent through this – well, it wasn’t the first salvo perhaps because I guess there were others before – but this one being particularly influent on ICANN with the general data protection regulation.

But we’ve, of course, heard some other ideas, wild ideas I think. Some might be the concept of national roots or alternative national roots. The whole threat that would bring fragmentation to this, as in a country saying we’re not going to use the normal root servers. We’ll have our own root that we’ll play around with.

And, of course, that's all related to censorship, etc., a whole number of things regaining control of information through the DNS.

Any comments, questions, and so on? Of course, I'm asking people in the audience as well. Is that all there is? So you're all happy? Sebastien Bachollet?

SEBASTIEN BACHOLLET: Olivier, just to help you starting. It's a joke between Olivier and myself. I have two remarks. The first one, it's a question. It's how it's linked with the group working on Internet and jurisdiction. Because I think part of the work done by this group who is a multistakeholder group also is a fit with the discussion we have here.

And my second, we are talking about states, but there are again private organizations who are doing exactly the same that the state and maybe they already have a root server and we don't know and they use it. And how we want to take care of that. I know that here we are talking about states, but big organizations like some U.S. companies are just as big as a country. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this question, Sebastien. I'll go over to Leon Sanchez.

LEON SANCHEZ:

Thank you, Olivier. I'd like to go back to Rinalia's last slide, last line. I think it is very important to keep an eye on that issue. It seems that there is a trend of countries trying to legislate in reaction to other countries' legislations. This, of course, in a way undermines the multistakeholder model and gives a new face to the Internet governance arena as it goes beyond the traditional channels in which Internet governance takes place.

So I believe it is of the essence that we continue to evolve the view that we have of Internet governance, where it takes place, and how we participate. And to that end, I think that we as community and just going back to one of the strategic objectives of the strategic plan of the point that we talked about today, the early warning systems in collaboration with different actors that actually contribute to our communities very important.

So I would like to encourage us all to find ways into which we can put in place these alarms and also to encourage us to listen to those alarms. Because there have been many signals there that have been raised, and sometimes some parts of the community have been deaf to those alarms and to those warnings. So I think it's a two-way avenue. We need to raise the flags, but we also need to see the flags and act in consequence.

OLIVIER CRÉPIN-LEBLOND: Thank you, Leon. Next is Wolfgang Kleinwächter.

WOLFGANG KLEINWÄCHTER: Thank you very much. I have a question to Rinalia. When she presented the three models: the American, the Chinese, and the European in between, seven years ago Russia introduced into the [inaudible] conference the concept of the national Internet segment. I tried to find out in conversations with the Russians what they mean with the national Internet segment. Is it just the ccTLD or if a .com address [is managed] is selling balalaikas in Siberia, is this part of the national segment? So the whole concept of national Internet segment is totally dubious and not defined. But now it has got more attraction in many other countries, in particular in Africa. And the question goes to Rinalia and the study. Do we have any definition what a national Internet segment could be and how this would be related to the global Internet?

OLIVIER CRÉPIN-LEBLOND: Rinalia?

RINALIA ABDUL RAHIM: Wolfgang, I have no idea, but I would have to look into that.

WOLFGANG KLEINWÄCHTER: I think it's an important question for the people.

OLIVIER CRÉPIN-LEBLOND: Mic please.

RINALIA ABDUL RAHIM: I think so, it is. But you said that it is the international Internet segment.

UNIDENTIFIED FEMALE: The national Internet segment.

WOLFGANG KLEINWÄCHTER: The national Internet segment. Nobody knows what the national Internet segment is in a borderless Internet. But if one government starts to introduce this concept and other governments think it's a good idea, then we have to have a position to this. And I do not see that we have clarity on this issue. So we take it as a stupid idea but if this is growing, this could become dangerous.

RINALIA ABDUL RAHIM: Thank you for the heads up. I guess I'll have to look into that.

OLIVIER CRÉPIN-LEBLOND: Thank you, Rinalia. Of course, yeah, the Internet is a network of networks and those span globally, and it's not a network of countries. So you do not have that essential border that countries seem to think [that agree].

I'll just give you a quick story. Yesterday I checked my mobile phone after being connected onto the ICANN network, the ICANN meeting network. Usually, the mobile tells you the local weather, and it told me the local weather in Barcelona is such and such. So it was still stuck in the geo IP database as being now in Barcelona and we're not in Kobe. Which is somehow off the way. But it's funny. It takes a little while for the network to be reregistered across. It's the same IP address range that they use from place to place, so just a little technical thing. We're still in Barcelona.

Klaus Stoll?

KLAUS STOLL: Thank you very much. I would like to come back to Rinalia's invariants. The problem is we all know them when they are infringed on. And the question is, how can we actually make these things relevant to the end users? Here we are coming into that area where we have to talk about international cooperation. Because in the strictest sense, maybe we are now outside the remit of ICANN but inside the remit of partners with ICANN.

I think instead of just saying it, we really should have a plan about it. And the plan should be not based on concepts but on relevance. Because I think relevance is a language everybody understands. Concept is something which hangs somewhere, but relevance is somewhere [there]. So two things: a) keep it relevant and b) don't just talk about it, make a real plan.

OLIVIER CRÉPIN-LEBLOND: Thank you, Klaus. I think Young-eum was before you? So Young-eum Lee.

YOUNG-EUM LEE: Thank you, Olivier. I'd just like to add my little two cents regarding the national Internet segment. I think what the Russian government would like to do is to be able to control not just the .ru TLD but also the use of other Gs within .ru. And I actually have maybe not an experience but the Korean government also has its own regulations regarding certain types of content like undesirable or illegal types of content. And what they would like to do, actually, is to control not just the .kr domain-related content but also any other content that is being circulated within Korea. But realistically, all they can do – and they do sometimes – is restrict content within the .kr domain.

OLIVIER CRÉPIN-LEBLOND: Thank you, Young-eum. Next is Collin Kurre.

COLLIN KURRE: Thanks. I really liked what Rinalia said about creating a zero-sum game. That resonated with me. I think that we can all agree that multistakeholder Internet governance isn't always the most quick or efficient or effective maybe way of addressing real harms that governments are trying to react to. However, government legislation or regulation isn't that quick either. So I feel like these debates are almost always fighting yesterday's battles as the speed of technology continues unabated.

So my concern is that there will be damage done to the ability for stakeholders to cooperate in these transnational fora that will ultimately hinder our ability as a global community to address tomorrow's challenges. So I like the zero-sum analogy. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you, Collin. The gentleman beside Collin. I'm sorry. I don't know your name.

[DIEGO CANABARRO]: No problem, Olivier. My name is Diego. I work for the Brazilian Internet Steering Committee, but here I speak in my personal capacity. I would like to go back to the invariants. I found it very

interesting that power grabs and political struggle are treated as something which is not an invariant to the Internet. At this point, I think it has been documented that the whole development of the network, what we do here in ICANN for the development of policies for the DNS, it's all full of political struggle and power grabs.

So, Rinalia, I would like to understand, is there any possibility of revisiting that idea that power grabs are not actually invariants to the Internet. I'm curious to that, and I think that there should be a discussion because at this point in 2019 I don't think that anyone considers power grabs as not being an entire part of the Internet itself. And basically, the discussion about extraterritoriality and etc., it's all about power grabs. Thank you.

RINALIA ABDUL RAHIM:

Thank you, Diego. I think that's correct. I think that the invariants are old enough that they need to be reviewed and updated. And I also take the comment from Klaus earlier that we need to have the words to have meaning to the different categories of stakeholders of the Internet so that they have an understanding about threat or risk that they are facing with regards to the Internet itself.

I can't tell you whether the revision or review of the Internet invariants will actually conclude that power grabs is part of the

invariants. We'd have to go through the process. And I just remind that the invariants came up from a panel discussion at the IETF, and they were actually looking at the actual effect or consequence of internetworking, the particular way in which the networks connect that result in all those features. So we'd have to look again as to is that still the case now and what we need to change. So I take the point, and I'll take it back. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Rinalia. Any other comments, questions, or responses to this?

I have a question with regards to forecasting the future. [Of course], forecasting is not an easy thing. But is there anything on the horizon that we can see as affecting ICANN pretty much directly? Whether it's such measures that are being discussed in the ITU or in other fora at the UN or elsewhere, that are related to this concept of extraterritoriality where you might get a group of countries that develop a specific regulation that they will proceed forward with but that will actually at the end of the day effect everyone?

While you're thinking about this, I'll give the floor to Sivasubramanian.

SIVASUBRAMANIAN MUTHUSAMY: I'm Sivasubramanian from Internet Society India Chennai chapter. This is on the Internet invariants that Rinalia has talked about. There's an IGF Dynamic Coalition on Core Internet Values which has been doing work for the last ten years. Olivier here is the chair and the members include the leaders from ISOC and some from ICANN. In a different language, we've been talking about core Internet values about the most fundamental values which are not very different invariants that you have talked about.

As we have done a lot of work for the last ten years, [on a lighter] note I would suggest that you take a look at the language used to describe the same values that you've talked about. And probably we don't have any objection to using the same terms. And those terms convey the ideas better. We talk about Internet's openness, the same permissionless innovation, global nature of the Internet, and that would be a more common language. Thank you.

RINALIA ABDUL RAHIM: Thank you, Siva. We'll definitely do that.

OLIVIER CRÉPIN-LEBLOND: Excellent. Any other comments or thoughts? Klaus Stoll?

KLAUS STOLL: Just a very quick answer. You just inspired me to think about what can affect actually ICANN in its future, and there is just the Indian union commerce ministry think tank on e-commerce. Their draft proposals on data, I think, have absolute clear indications down the line for ICANN. Just to flag that.

OLIVIER CRÉPIN-LEBLOND: Could you give us 30 seconds of what that actually has? Are you able to share? Because I can't remember offhand.

KLAUS STOLL: There will be an article about that in CircleID in the next week or two. But basically, it's data everything India first. So monetizing data in India for India, and basically that's the concept. It's a 40-page report, and it's very complex. But at the end, it basically puts a nationalization of Indian data forward which has substantial consequences, especially because it will be copied.

SIVASUBRAMANIAN MUTHUSAMY: Well, I can say that I'm not associated with that. In any case, if I can take a minute, it's not unusual for government of India to put up draft papers which eventually go through a consultation process. Recently, there was a paper on intermediary liabilities, and many stakeholders including [inaudible] ISOC and [inaudible] provided rather sharp comments. Those comments

are taken note, and these papers and consultations are open for even ICANN and ISOC on a global level to respond. And I would suggest that if more and more comments go to government of India, then probably they're will be greater understanding of how the Internet works. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Siva. Marilyn Cade?

MARILYN CADE: Thank you, Olivier. I guess my comment would be, what is today's example of the current activities that may have significant impact on ICANN, and do you see those as continuing to proliferate? Because I think that's the issue that now that there's the mirage – and I call it that, the mirage – that 50% of the world's population is connected. I own three of those devices. If I did a poll in this room, most of you have that many. So we're probably actually not at 4.7 billion.

But the governments are thinking that the majority or their citizens are living in an online world, and therefore their responsibility is increasing. And they do turn to look at each other's initiatives to see if they can cut and paste, so to speak. And often it's because they lack the competence and the resources they have available to them.

So I think when I look at it, Rinalia, I look at this and say it's going to be a whack-a-mole problem. What else is going to pop up particularly because of the concerns, and some very rightful concerns, about the ethical uses of AI, for instance, or flying cars falling out of the sky or all of their citizens being scammed.

So I think it's more a trend, Olivier, that I would say we need to be thinking about. And I would say, again, you've heard me say this before, not just the ITU. We have to work productively at some of those other UN agencies where we can actually make more progress.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Marilyn. Coming back to Sebastien's question with regards to the Internet and jurisdiction project, which I guess many of you are aware of, is there any scope for being able to get them to work on this topic and perhaps flesh this out? Or is there no currently – I don't know anyone here taking part in the I&J discussions. It's just one of a multiple number of fora. I don't see many people actually involved in this.

UNIDENTIFIED MALE: There's a meeting in June in Germany.

OLIVIER CRÉPIN-LEBLOND: There's a meeting in June in Germany, that's correct. Yeah, in Berlin. But it doesn't look like many people are going. Oh, maybe Jim Galvin. He goes everywhere.

JIM PRENDERGAST: Jim Prendergast.

OLIVIER CRÉPIN-LEBLOND: Oh, Prendergast. Sorry. Wrong Jim.

JIM PRENDERGAST: That's all right. I know. It's only day three. Or what is it? Day two? I don't even know.

UNIDENTIFIED MALE: [inaudible]

JIM PRENDERGAST: Yeah, exactly. Opening ceremony after three days of work. I can't speak for Bertrand, but I have been participating but not on a regular basis like members of the advisory board and the organizing committee have been. I do think that this phase is maybe coming to conclusion, but I don't think the entire effort is coming to a conclusion. So come Berlin, there may be, well,

where do we go from here? So that may be an opportunity, but you'd have to take that up with them directly.

OLIVIER CRÉPIN-LEBLOND: All right, thanks very much for this, Jim. I should have just called you Jim. Easier. Okay, I'm not seeing any other hands on this, and we do have other topics to discuss. Or, oh, please go ahead, Peter. Peter Major?

PETER MAJOR: Thank you. I'm talking on my own capacity, not as the vice chair of CSTD or whatever. You made a very provocative remark about cooperation and what the international organizations are doing which may have an impact on ICANN. I've been always optimistic about the outcomes of UN-led processes until recently where my optimism is a bit declining.

UNIDENTIFIED FEMALE: It's frayed.

PETER MAJOR: I'm still optimistic in spite of the fact that we have seen that the [GG] has failed, we have seen that the Working Group on Enhanced Cooperation 1 failed and Working Group on Enhanced Cooperation 2 failed, and I could continue. And probably we

didn't look into the real reasons of these failures. And we have to realize that the UN is as good as its member states or as good as its members. Because we have been working in a multistakeholder environment for these working groups, but still we can't be better than the ones who are giving the instructions. So as long as we have this approach, probably we cannot fulfill the expectations to come up with real good recommendations and to – let me use the word – to save the one Internet concept.

So presently I cannot see any direct threat because we haven't been talking directly about ICANN or activities of ICANN. But we can see that behind the scenes there are activities which are going on, and probably these activities [inaudible] to the UN platforms. So why my optimism is still on? Because I still believe in things. I'm idealistic always, and I try to do my best that let's move ahead and let's save the multistakeholder model. And I'm sorry to say that, but let's save the multilateral model as well. Because I can see that the multilateral model is also being threatened by [many]. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Peter. May I just ask you a follow-up question on this? You mentioned that the cooperation efforts have failed, one and then the next one. Is that really caused by intractable issues or a serious difference in views on the actual topics themselves? Or

could this be somehow a sideline victim of the global geopolitical games that are taking place?

PETER MAJOR:

To me, in the first case of the failure of the Working Group on Enhanced Cooperation it was the concept of consensus. In the UN you have the concept of consensus where no one objects formally. It is being used in many places. It is not being used in other places in the UN system itself. So I think it might have been a mistake to come up with something with the thought that we are going to achieve consensus. In the first case, it was one member state who objected. In the second working group, there was also one member state – eventually one and a half – which objected to the consensual outcome.

So we may change our approach and we may come up with a majority recommendation and we could have a minority opinion as well. So probably we should find new ways of managing these things, but we have to move forward because we have to have some results in order to have the UN still relevant in this issue. Thank you.

OLIVIER CRÉPIN-LEBLOND: All right, thanks very much for this, Peter. We've pretty much exhausted the time for this topic, so any further words, Rinalia, closing on the report and maybe next steps?

RINALIA ABDUL RAHIM: I do agree that the invariants do need to be updated from the Internet Society point of view. Definitely we need to look at it at a technical infrastructure level, but what I'm hearing is that it needs to have understanding from other stakeholders using language that they understand. And I think the effort is ongoing, and I think Konstantinos is working on it. So when we're ready, I'm sure it will be announced. But at the moment, I think it's still in research mode and we'll come back on this one.

OLIVIER CRÉPIN-LEBLOND: Well, thank you very much for exchanging views and so on with this community. So thank you.

Let's move on then. The next part of this meeting is going to be on the screen in a moment I hope, hopefully the agenda. I believe that it is the charter that the ICANN board has been working on when it comes down to engagement within the UN and with member countries and so on. Is that correct?

UNIDENTIFIED MALE: There's no presentation.

OLIVIER CRÉPIN-LEBLOND: Oh, there's no presentation. Okay, so over to Theresa Swinehart. Theresa?

THERESA SWINEHART: Thank you. This has been a really interesting conversation, and I think Peter and others have really touched on the fact that nothing in this space is stagnant in the sense that the different institutions or different work areas are certainly evolving. And we're seeing legislative and other initiatives occurring around the world that are obviously going to touch not only the Internet and ICT space but as we see the intersect between issue areas emerging in that space too. So this has been very timely.

Just to provide clarity before I go further, the charter really is focused on the engagement with governments and standards bodies. So it's not about the IGO space. And it's not something new. It's actually an attempt to codify and provide some principles around some ongoing work to provide a framework.

But before I start on that, let me just take two steps back. Many of you may be aware of this, but for those who are newer or not as engaged on a regular basis let me give you a little context around how we're approaching some of the work on the Internet

governance space and how the board working group on IG is conducting its work in the key areas. And Leon who is here is chair of that group, as you know.

It's really around the areas of leadership where ICANN takes a leadership role on the engagement. It's around the areas of collaborative participation where ICANN as an organization would take a secondary or a supporting role. And then selective engagements on specific subject areas that might be arising around privacy or cybersecurity or other things. I think examples could be the Internet and jurisdiction project which we're obviously involved with or the global commission on security and cooperation that's recently met here. I know that Wolfgang will be giving an update there.

So as we look at the work around this and as we've seen the evolution of legislative initiatives occurring around the world – and it's coincidentally that exactly at this same timeslot there's a discussion on GDPR in the other room, so I think that's an example of where things are operationalizing and we're dealing with some realities around that.

As you mentioned, we've recently posted a charter on ICANN Organization Engagement with Governments and Standards Bodies. Just to be very clear, this charter – and it's a draft, so it's not a final document – does not replace the engagement strategy

of the ICANN board that is discussed or anything else. It's not a replacement for anything. It's really an effort to provide clarity and codify and set out a very clear path forward and principles around that related work.

It focuses very much at the first level of engagements with national or regional governments or IGOs in some cases on issues that affect the organization's mission. The European Union, the GDPR, is I think a good example.

It really comes after about a year's worth of work on legislative tracking initiative and the feedback that we received from the community around that. When we began the effort, we focused on legislation that had a direct impact on the DNS. But very soon it was realized that there's actually areas, such as data protection and privacy, that were proliferating across the regions. Touching a little bit on where Rinalia was going with some of the unintended consequences that are happening. And these legislative efforts were having an impact beyond the DNS but also having an impact on the resilience of a single, interoperable Internet.

The legislative tracking that we've been publishing has evolved obviously with the community response and the feedback that we've received. With that, also looking at how our engagement should be undertaken around it and how our engagement should

be taken adhering to a couple principles that are reflected in the document. I just would like to read those.

Really, around the organizations engagement on a proposal is limited to providing technical information on the impact on ICANN’s mission or articles of incorporation. There may be jurisdictions where ICANN org’s ability to provide such information is limited or prohibited by local limitations on lobbying activities. ICANN org will maintain a publicly available list of proposals for which ICANN intends to or is considering engagement. And if we’re providing any written comments on a proposal during a public comment process or the equivalent of that, that we would post those written comments on the org site.

So that is really some of the principles that are in the document that may be most useful. I think as you’d heard Göran mention in his announcement, this work is not about lobbying, such as those who seek to politically influence the legislation process, but rather about the effort to explain to legislative or regulatory bodies the possible unintended consequences on the DNS or the operation of the Internet infrastructure with regards to those legislations.

So with that, obviously the community plays a very important role. We appreciate the feedback on the legislative reporting and hope to evolve those and improve those over time with your

feedback as well. I think a link to the charter and other things are available.

I'll just turn to my colleagues whether Mandy or Nigel want to add anything to this. And then happy to open it up for any questions.

OLIVIER CRÉPIN-LEBLOND: Mandy Carver?

MANDY CARVER: Where do you want me to go?

OLIVIER CRÉPIN-LEBLOND: Choose a mic.

UNIDENTIFIED FEMALE: One of those mics.

OLIVIER CRÉPIN-LEBLOND: Which way?

UNIDENTIFIED FEMALE: You can have both.

MANDY CARVER:

I think Theresa has given you a wonderful overview that the draft charter is about a specific initiative [inaudible] legislative tracking, which is an aspect of the government engagement. And Theresa has actually outlined for you the three categories of engagement and the relative role that ICANN would play with our counterparts within the IG ecosystem or the Internet ecosystem more broadly.

I know that there's been some – we've seen some commentary going on which I think was in many ways reacting more to the title of the announcement than the documentation within the charter. What this really was intended to do was to lay out for the community a set of obligations that we were essentially taking on for all of you to make certain things more transparent, more visible.

So if ICANN is actively becoming involved in a public comment period – as Peter knows, we have in the past actively worked on the [CSC] enhanced cooperation working group, and we have been involved in all of those processes. This would be a way if there's a public comment period going out and ICANN as an organization is actually taking a specific [inaudible], that would be a place for you all to find it.

This does not in any way limit the role of any of the constituencies, any of the component parts within the ICANN

community. It's not an effort to do that. So we want to make sure we're clear in our communication.

OLIVIER CRÉPIN-LEBLOND: Thank you, Mandy. Just bluntly put, I guess, the question is does this limit ICANN org's engagement in these discussions?

MANDY CARVER: No. What this says is quite literally what the charter says, which is when there is a legislative – initially, as Theresa said, we were very much focused only on the DNS. But what we have seen is a proliferation of the spaces where these dialogues are taking place, and ever expanding. And the nature of the dialogue and what people are trying to do whether it's a national Internet segment, we have a primary responsibility toward a single, stable, interoperable Internet.

And if there are activities going on that are going to break that, then the goal – some people have responded saying, “You're limiting it if you're not going to lobby.” Well, the lobbying has legal definitions. It's different in every jurisdiction, etc. Our goal is not to influence a piece of legislation in a way perhaps that specific stakeholders within that community might or a business has a financial interest, etc. The goal is to have informed decision-making.

In most instances, people are making a good faith effort to try and solve a problem they see for their constituency. But they may be doing it in a way that – I mean, Rinalia’s example that Russia can create a single point of failure. If you read the material that they’re putting out, they think that this is actually protective as opposed to making them even more vulnerable.

So some of it is providing technical information, and in many instances we are in those spaces and because we are seen as neutral we can provide information. We do a great deal of capacity building in a very straightforward nonjudgmental way so that people who are new to the space – and I mean governments who are new to the space because there’s an enormous amount of turnover – can come and ask questions. And because there’s no corporate interest behind it, we can just say, “Okay, this is how this works. What is it that you want to understand?”

So, no, it does not limit what we’re doing. This is codifying a set of things that we will be providing.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you. Let’s open the floor for questions and comments. Marilyn Cade?

MARILYN CADE:

As one of the people who probably responded with more than one raised eyebrow – it makes me look younger – when I hear the explanation, Mandy, then I can feel more comfortable. But I will tell you that as somebody who I think has a pretty good horizontal grasp on what is going on at many of the national levels, at the sub-regional levels, and following work at a number of the UN organizations, I do think – and I like to think I was extremely effective as a non-lobbyist but as an advocate in helping to inform and educate.

So I am a big believer in that. But I think right now I feel that the community lacks a coherent roadmap of understanding where further charters or initiatives may pop up. And I really felt a little bit like this charter popped up without a really good understanding. And perhaps that’s our responsibility in this group? I’ll say this later. I’m not sure we’re really doing our own job. I think we are too timid ourselves in taking work on and providing some, I’m not saying consensus, but some general perspective on where at least a lot of the broad community is coming from overall on different activities and agencies.

It’s a complicated environment, as everybody knows. And just to scare everybody, I keep publishing my scary slide. So it came across to me as, “Whoa, whoa, whoa!!! We are a technical organization. We’re going to focus very narrowly on our technical mission.” I’ve been doing this long enough to know in all aspects

of technology that you cannot divorce the implications of public policy in adjacent spheres to how technology works and can be accessed.

I think in the past when we created ICANN there were certain people involved – Larry Landweber, Mike Roberts, and others – who tried to convince me, without success fortunately, that ICANN would be a true success if we became so boring that no one would come and we could keep saying all we focus on is the infrastructure. I think the message to all of us today is the real risk is out there not just in explaining how the infrastructure works but how the infrastructure affects social, cultural, and economic life.

OLIVIER CRÉPIN-LEBLOND: Thank you. Shall we take several comments, and then you may comment on these? It's helpful feedback. You did say this was a draft charter, so will there be any official comment period opening on this? Or is it just an informal feedback?

THERESA SWINEHART: We'll take the comments back. Because this it's not policy, it doesn't fall within the various buckets of what ICANN does that has the 21- or the 45-day comment period. This is posted and asking for people's feedback in the same way that the legislative

reports or the government engagement reports, all of those things are posted and e-mail us, respond to the blog, etc. But we're taking notes. We are definitely taking all of this feedback back.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you. I've got three people in the queue, and I'm a little mindful of time. Four people now. So Siva, then there will be Tony Holmes. Then I don't know if it's Jim or Sebastien first. Siva, please, and let's try and get the comments or questions short please.

SIVASUBRAMANIAN MUTHUSAMY: I saw Marilyn's timeline and quite a lot of events across several forums all of which are very important. And you also talked about lack of a coherent roadmap for us to work on. This is a cross-community working group within ICANN talking about collaboration with other organizations, likeminded organizations.

So, yes, I'll come to the likeminded organizations first. Within ICANN, if we can have a cross-community working group on a collaborative level, why can't we have an interorganizational, ICANN, ISOC, IETF, and GCSC participants participating? A cross-organizational working group that will have a consistent

participation and each participant being a liaison to their own organization so that the views discussed are consistently shared across organizations on an ongoing basis which would also help us to participate in important forums with consistent positions.

I think quite a lot of work needs to be done on Internet governance, and the style of our participation also has to be intensified. It has to become far more intense. So as ICANN plays a leadership or supportive role, as you put it, in collaborating with other organizations, why can't this be a step? Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Siva. Next is Tony Holmes.

TONY HOLMES: Thank you, Olivier. I think we'd all agree that the strength of ICANN is the fact that it is a multistakeholder community. I would like to think everything that comes out of ICANN has had sometimes difficult discussions but we generally get a way forward out of that. One of the things that bothers me here, and I'll just use this as an example, it says that when a government or non-Internet related standards body is considering a proposal that impacts ICANN's ability to fulfill its mission, then ICANN can do these three things as part of the charter.

I can think of one easy example where a non-Internet related standards body is actually involved in developing technologies that has the ability to challenge ICANN. But that particular proposal or particular approach is something that's subject to a lot of discussion and different views, both between the members of that community and even at governmental levels as well. Some see it as a great thing. Others see it as something that's really incredibly dangerous. Those parties are already part of ICANN, and the very thought that ICANN.org could wade into the middle of that I think is an extremely dangerous situation.

So when I read what's written here and I think of some of the examples where that could be an issue, then I really think that ICANN is setting itself up for an awful lot of criticism and it may do the exact opposite to what is meant by this approach.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Tony. Shall we take the two other speakers, and then you can answer the different points that were made? And I know that Nigel wants to answer some of them. So let's get Jim Prendergast please.

JIM PRENDERGAST: Yeah, thanks, Olivier. I'll be brief. I'm still confused by the document. I think one of the things that might be beneficial is

what was the genesis of it? What was the action that happened that caused you to develop this? The question that is still in my mind when I read it is, so what's going to change? Are you going to eliminate the lobbying firms you have on retainer in Washington, DC? Is Jamie going to deregister as a lobbyist? I'm not sure how it's going to look different going forward. So I think providing some of that background would help people better digest what the end goal is here. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you, Jim. And finally, Sebastien Bachollet.

SEBASTIEN BACHOLLET: Thank you, Olivier. I will be long. No, sorry. I read this document with an end user hat and I was a little bit puzzled. I love the explanations that we get, but I agree with Marilyn and I want to thank her for the calendar [of] event[s]. I am sure if you add the national regional IGF and so on and so forth, then, yeah, it's definitely a task that even Marilyn can't handle alone.

We need, and I agree with Jim, something like I will call the big picture. Where it fits in the overall relationship that we have as the org or the staff, the board, the community have with government but with other stakeholders. I think we can't have just a part of this ICANN organization doing something and not

taking into account what is happening within the GAC. Other stakeholders have relationship with their government and so on and so forth.

And my last point is that I really don't understand why we can't open a comment period. I don't know where it is written that the comment must be something about policy development. I can give you at least one example of something that was nothing to do with policy. It was how we organize the ICANN meeting.

And I can tell you firsthand we put it on a comment period. I was the chair of this working group when I was on the board. Therefore, I don't see where somebody can say, "Oh, no. It can't enter into the comment period." And I think it will be a very good move to have that taken into account the way we interact, even if it's not the best tool, it's the tool we're used to having and it will allow every part of ICANN and everybody to be part of this discussion and not to answer to a blog saying you can make comments and we will take that into account because it's not the way we are working, therefore it's inventing a new wheel we don't need I think. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Sebastien. So, Mandy, Theresa, Nigel, the floor is yours.

THERESA SWINEHART: I think I'll just sum up if I may. I'm sensitive to the time and some other important conversations to take place. This is very helpful, Tony, to your point that there's also problematic areas and so keeping an eye on that. And, Jim and Sebastien, the point around the context, we'll take that back and we'll take the information back and the feedback back. This is very, very helpful, and thanks for giving us the opportunity also to talk about it here. This is very, very useful. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you, Theresa. Nigel, do you want to add to this?

NIGEL HICKSON: Yes, if I could just very briefly. Nigel Hickson, government engagement. Two points I think were raised. One about the cooperation and collaboration with other international organizations and UN groups. That's something we've spoken about before in the cross-community working group public sessions. As Theresa said earlier, one of the levels of engagement for ICANN is engagement with international government organizations – such as the ITU, such as WIPO, such as the UNSCTD, such as the WTO, such as UNESCO, etc. – on issues which affect ICANN's mission. And we can obviously provide

further listing of that. Some of that work is listed in the report that was circulated before this meeting to the cross-community working group of activities that have taken place in the six months since our October meeting.

The second point on collaboration with other likeminded parts of the technical community – collaboration with ISOC, with the regional Internet registries, and with other bodies – this is something that is ongoing on a fairly regular basis. For instance, today in Paris at the OECD there’s a ministerial summit at which the regional Internet registries and ISOC and IEEE and ourselves have collaborated. And we’ve got speaking slots at that ministerial on the digital economy.

We also directly collaborated and cooperated in terms of putting positions forward at the plenipotentiary in Dubai last year, and we will be doing the same at various other workshops and sessions. So there is a collaboration there. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Nigel, for this update. And that actually segues into the IG updates on the UN high-level panel, the IGF 2019, and the GCSC. I’m not sure who will provide us with the details on the UN high-level panel.

UNIDENTIFIED MALE: [inaudible] Wolfgang [inaudible].

OLIVIER CRÉPIN-LEBLOND: Shall we do the GCSC? Okay, so Wolfgang Kleinwächter with an update on the GCSC. And I understand that they've been in Kobe too.

WOLFGANG KLEINWÄCHTER: Yes, thank you very much, Olivier. I'm also very happy to be back in the ICANN community, the ICANN family. The issue of cybersecurity is under discussion in the United Nations since more than 20 years. And it's mainly about national security and not the technical security of the networks.

So there was in the first committee of the United Nations for a couple of years a so-called group of governmental experts who tried to define norms for state behavior in cyberspace. What they should do and should not do. And the last group of governmental experts in the year 2016-17 failed to reach consensus.

And a group of likeminded governments and also non-stakeholders said, "Okay, there is a need to go beyond purely in the governmental setting to discuss cybersecurity issues." So the idea of a global commission popped up. It was also at the moment when the Bildt commission on Internet governance came to an end, presented a final report.

And it was an idea to have a continuation, so the Global Commission on the Stability of Cyberspace was established in the year 2017 with former foreign minister from Estonia as the chair Marina Kaljurand, and the former national security advisor to the prime minister of India Latha Reddy, and the former secretary of homeland security from the United States Michael Chertoff who served under President Bush.

And the mandate of the commission is to develop norms not only for states but for non-state actors as well how to make the Internet more stable. Because one thing is for clear after 20 years of discussion, an unstable Internet is as dangerous as climate change today. So that means if the Internet is unstable, national economies, even national societies will get a lot of problems. And so far, the stability is a core element.

When the commission started its work and said what are the most important norms we can propose to the governments in the United Nations and to non-state actors, we identified rather early that the protection of the public core of the Internet is a key issue. That means this is not an ideological or a political problem. It's really, you know, you cannot touch the – the Internet has to function. Full stop.

And in so far, all attacks or manipulation which would affect the functioning of the public core would be seen as a violation of

general norms of international law, general norms of behavior in cyberspace. And so we have developed a norm which says that this should not happen. That means the public core has to be safe and stable and nobody should touch this.

So by discussing this norm, we realized that we have a lot in common with ICANN because ICANN’s mission is exactly the security and stability of the Internet. And our definition of the public core of the Internet includes the DNS, the routing system, and a lot of this infrastructure elements. And you know that in particular in the last couple of months there are growing attacks against this critical infrastructure including the DNS system like the recent cases on DNS hijacking and things like that.

So the idea was developed over a couple of months to come together and to identify whether the Global Commission on the Stability of Cyberspace and ICANN could work together to enhance the stability in cyberspace, in particular to influence also – call it lobby or whatsoever – the forthcoming negotiations in the first committee of the UN General Assembly. You know, in December the UN has decided to establish two working groups. One a new group of governmental experts based on a U.S. draft resolution and a so-called open-ended working group based on a Russian resolution. And so we have now two groups who are negotiating cybersecurity issues which can affect ICANN. So I think this is really the critical point. You have to see that.

And as said Mandy and Theresa a little bit earlier, I would not say the scandal but the reality is that all the knowledge which is available here in this community is not available on the negotiation table in the UN. These are the diplomats which have a totally different agenda, which have no knowledge what it is. And in so far the knowledge [transfer] to bring the technical expertise not political lobbyism to this group just to explain what works and what doesn't work, what is risky, what has unintended side effects. This is extremely important, and this is also the mission of our commission.

We had back-to-back with the ICANN meeting our internal global commission meeting here in Kobe. We have had bilateral meetings with the SSAC, with the At-Large Advisory Committee. We will have tomorrow also meetings with the Non-Commercial User Constituency because we think it's really a community issue. And initiatives, you know, what can be done in a realistic way should be developed bottom-up not as a CEO and commission president meeting.

So our aim is to produce a one-page document probably until Montreal because our final report will be delivered in February next year. So this is the plan we have, and we are very thankful that we found now so many new friends in the ICANN community. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Wolfgang. So Chengetai Masango, you've been very patient indeed sitting here. But I understand there's also some movement with the IGF 2019 that's just around the corner. Perhaps not geographically from Kobe but timewise.

CHENGETAI MASANGO: Yes. Thank you very much, Olivier. The 14th annual IGF meeting is going to be held in Berlin. That is 25-29 November which unfortunately falls on American Thanksgiving. But those are the only days that we could get, so that's that.

OLIVIER CRÉPIN-LEBLOND: So no turkeys to attend the IGF this year.

CHENGETAI MASANGO: Well, we were suggesting that attendees bring their families to Berlin because it's a nice city and it's quite cheap and that's [inaudible]. An international Thanksgiving, yes.

As for the planning process and the preparation process, this year we are focusing the agenda. So last year we had a lot of feedback, and the previous years as well, we've had a lot of feedback that the agenda is too broad, that it's everything. So this year we are focusing on three themes which are data governance, digital

inclusion. And the third one is security, safety, stability, and resilience.

Also, we have opened up our workshop proposal process, and that closes on 12 April. So everybody is encouraged to come in and submit a workshop proposal. Associated to that, tomorrow myself and Anja Gengo over there who is also part of the secretariat will be hosting a workshop on workshop proposal writing for the IGF. We are trying to encourage people especially from the Asia Pacific region to submit workshop proposals amongst other things.

We're also going to be opening up our registration for open forums. Open forums are open to international organizations, such as ICANN, ISOC, and any other organization that has an international reach and apart from ICANN and ISOC also treaty-based organizations. We try and narrow it down so that not everybody can apply for it and get around the workshop proposal writing process. Also, for the day zero and the dynamic coalitions. And all these will end on 12 April.

Intersessional activities for the 2019 best practice forums we have cybersecurity, gender and access, Internet of Things, and local content. So everybody is encouraged to join these intersessional activities. Just go to our website and the mailing lists are there, and you're encouraged to join in online.

I think that's all for the updates, but I'll give the floor to Anja. Maybe she wants to say something that I've missed. I normally do miss something out.

ANJA GENGO:

No, no. You didn't miss anything. It was excellent. Just maybe to say because the Paris IGF was quite exceptional. We didn't have the day zero which is very important to the communities present at ICANN. So I really think I'm very confident in announcing the IGF in full mode for Berlin because the government is really keen to make the best IGF so far. So just looking forward to see you all there.

CHENGETAI MASANGO:

Yes, and the chancellor is scheduled to come, so we're trying to get the secretary general to come again. So hopefully all that will hold. By the way, I was texting with Jovan who is the executive coordinator of the high-level panel. I can say a few words if you want on it.

OLIVIER CRÉPIN-LEBLOND: That would be great. Direct from Jovan.

CHENGETAI MASANGO: Yes. So basically he says that I should just say that the first phase of the consultations is over. It's finished. So what they're doing now is that they're writing the draft report, and there's going to be another meeting of the high-level panel in Helsinki at the beginning of April. And then after that, they're going to share some portions of the report, road test it to see how the community feels about it. And the report is actually due end of May to the secretary general.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Chengetai. Of course, there have been some regular updates from that high-level panel with the webinars.

CHENGETAI MASANGO: Yes, the first Monday of every month there's a webinar or a virtual town hall meeting.

OLIVIER CRÉPIN-LEBLOND: Thank you. Marilyn Cade?

MARILYN CADE: Thank you for that. I'll just make one comment about catching up on the work of the high-level panel. The early first Mondays reports were pretty non-substantive, but that is no longer the

case. Because they were just describing where they were going to go to collect content. I think I found the last meeting much more informative. And of course, you can visit the website if you're – but the good news is that you actually don't have to preregister. You can actually at the time the meeting is starting just go online at that time.

But I wondered, Chengetai, to take you back if you don't mind, we will have day zero thank goodness. But I think you might want to mention the host country's focus on the high-level event on day zero which is a little bit of a shift as well.

CHENGETAI MASANGO: [inaudible] the high-level day zero event which is like our high-level leaders meeting that we used to have previously. So this year, the host country is making a lot of effort. They're going to invite ministers and other high-level people from IGOs and their private sector as well to come in for that day.

Also, we're going to – I'll say we – yes, we are going to invite a lot of parliamentarians to come as well. So there's going to be a parliamentary track. And we've got funds there to fund parliamentarians to come to the IGF.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Chengetai.

UNIDENTIFIED MALE: Is day zero on Monday?

CHENGETAI MASANGO: Yes.

UNIDENTIFIED MALE: Okay, thank you.

OLIVIER CRÉPIN-LEBLOND: The answer was yes.

UNIDENTIFIED MALE: It's Sunday, isn't it? Or Monday?

OLIVIER CRÉPIN-LEBLOND: Okay, when are we? Sunday or Monday?

UNIDENTIFIED MALE: Sunday.

OLIVIER CRÉPIN-LEBLOND: You have to work it out.

CHENGETAI MASANGO: Monday. I thought it was Monday.

OLIVIER CRÉPIN-LEBLOND: So it's Sunday in Britain but it will be Monday in Berlin.

CHENGETAI MASANGO: We'll check right now because Anja is on her computer.

OLIVIER CRÉPIN-LEBLOND: It is post Brexit so there has to be a difference, doesn't it? We'll work it out by then, hopefully. We've got until November. And I do understand there's also a consultation going on with regards to the changing between summertime and wintertime in Europe as well with some countries opting for one or the other. But that's outside our remit, thankfully.

Any other business? And one thing that we don't have which is time at ICANN, I think everyone always runs out of time, I think we've run out of time for today's meeting. so thanks to everyone for having joined us. Thank you so much, Rinalia, for having explained the points.

MARILYN CADE: Sorry, Olivier?

OLIVIER CRÉPIN-LEBLOND: And Marilyn?

MARILYN CADE: I'd like the last word to make an announcement. I'm quite offended that you would think it was wrong to have the IGF related to November 24 because that will be my 73rd birthday and I expect you all to be there.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, and this meeting is now closed. And do not forget we have a face-to-face meeting. And when is that, Nigel.

NIGEL HICKSON: Yes, just two things very briefly as we walk out. First of all, we have a face-to-face meeting of the cross-community working group on Thursday lunchtime. It's in the schedule. If anyone is here that's come, thank you very much, and is not a member on the mailing list of the CCWG, come and see me and we'll get you on the mailing list. If you want to be on the mailing list, that is.

OLIVIER CRÉPIN-LEBLOND: Thank you very much. And we can now roll the end credits on the screen. Oh, there are none. Okay, thanks. This meeting is closed.

[END OF TRANSCRIPTION]