
LONDON – LAC Space in ICANN Meetings
Monday, June 23, 2014 – 13:00 to 14:30
ICANN – London, England

RODRIGO DE LA PARRA: This is Rodrigo de la Parra speaking. Okay, let's start. We can see the agenda on the screen. Well, at least we used to have it there. Now we will have it on the screen again. But let me tell you that we will divide this session into three sessions. We're going to start a panel regarding free trade agreements and Internet led by Celia.

After that, we will have a session regarding the updates of the regional IGF. Louis is here from the ICTU and Fatima Cambronero from the regional LAC IGF forum. And then we will speak about the activities of the strategic plan. And now, without further ado, I will give the floor to Vanda Scartezini.

VANDA SCARTEZINI: This is Vanda Scartezini. Thank you for being here. ..attend this meeting. We have not much time in the full agenda, so I would like to pass the word to [inaudible] to introduce our entity. And after that, pass the word to Rodrigo [Spanish]... because we will have a very busy agenda, I personally won't be able to stay here because I belong to the NomCom and our session has already started.

And it's not in this hotel so I have to leave the hotel once I have finished talking, once Celia finishes with her presentation, because I am really interested in her presentation. Go ahead Celia.

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CELIA LERMAN:

This is Celia Lerman. Thank you very much. Welcome to the LAC Space. This is something that is from the LAC strategy. This is a space for stakeholders all around, but especially business driven stakeholders. And under this large umbrella, this is a topic, an interesting topic for free trade agreements and how they impact on Internet governance.

I would like to thank the [inaudible], Vanda, Rodrigo for all of their efforts, and our panelists as well. We have on there as well [inaudible] from the [inaudible] University, he belongs to Costa Rica. He comes from Costa Rica and he is an expert on these treaties, especially related to Central America. And we have Margarita Valdez, she will tell us about the Chilean experience.

And in ICANN I represent the institute. I am wearing my hat, as a teacher to the [inaudible] university. Now we will upload the presentation.

Celia speaking. Welcome everyone once again.

Celia speaking. Okay, we will start shortly. We have some technical issues to solve first.

Celia speaking. Please take your seats so that we can start shortly. We have a very busy agenda.

Okay, let's begin. This is Celia speaking. As I told you before, today we will speak about free trade agreements and their impact on Internet policies in Latin America. This is a study being carried out by University

[inaudible] University, together with Pennsylvania University, and [inaudible] and [Martina] is also helping me.

For this we will have three panelists today with us. I have already introduced them, so next slide please. Next slide, okay. We have Andreas, as I told you, he comes from [inaudible] University, he is an expert on intellectual property and member of [inaudible]. And he has studied free trade agreements in Central America.

Then we have Margarita Valdez from Net Chile, telling us about the Chilean experiences. We will have other members. It is to have a fluid discussions and the participations of ccs is very important here. I don't know if you can see the screen properly, but what is the most interesting thing about these treaties?

By entering into FTA's bilateral and unilateral FTAs, there have been regulations regarding Internet policies under the framework of FTAs. Chile was a pioneer with its treaty with the US, and this has been replicated out of [inaudible], as well as regional level, in Central America.

Perhaps you cannot see that on the screen, but we have different clauses. Certain clauses affect directly domain names. What do they say? Well, they affect the dispute resolution. They also affect what we know as WHOIS, what is the database, or that is the database that the ccs should have. This is at the cc level. Then we have the treaties related to the responsibilities of intermediaries in terms of copyright and intellectual property, replicating the US model.

These treaties also contain clauses related to e-commerce. They recognize the importance of e-commerce. They also have clauses related to that data protection and telecommunication. And then they have these positions, but also they have some disclaimers related to privacy issues.

They say that they will have flexibility when applying the treaties, and some other internal legislation issues. As I said before, these treaties began in Chile, but nowadays there are more than 11 countries with this type of treaties. Chile, Columbia, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Peru, Panama, and Dominican Republic.

And Mexico is now participating in this because it is participating in negotiations of the trans-Pacific partnership treatment. This is a treaty, and multilateral trade agreement. This is not a regional agreement. And this is a controversial agreement because it is a secret agreement.

Chile and Peru also participating. It is interesting because for Chile and Peru, well they have experience in this subject matter. For Mexico this is not so, and they need to exchange information, they need to adapt to the new situation. Next slide please. There we have dispute resolution clauses. What do they say?

This is a model clause. This has been replicated, and the International Trademark Association provides recommendations for this clause. Each party shall require the management of its country code level domains, the [ccTLD provides] [inaudible] based on the principles established in the UDRP in order to address the problems of trademark cyber piracy.

This is interesting, then Margarita will let us know about her experience, that in many cases this was implemented at a local level, and this was implemented at a governmental level. But at the local level, there was not a dispute resolution system implemented. So this was a positive and a negative thing. It was positive because it was a possibility to start debating about it, but the negative thing was that there were in a rush doing that.

We know that sometimes in Latin America, we do things in a rush and there were certain cases in which the UDRP was adopted just as it was. We had some conversations with a cc and a very interesting case was the Costa Rica case. In their case, in order to comply with the treatment, they had to adopt UDRP as it. They didn't have the chance of having internal debates.

They sent their disputes to Geneva, the Intellectual Property Organization, the WIPO, and they had their collaboration. But at a local level, they had no disputes because the parties were not familiarized what the meaning of the disputes, or what the dispute was. And with dot CA for them, it's very difficult to send something to Geneva because they interact with Geneva.

So this is quite far away from the local culture. So in 2012, the renegotiations in terms of internal Internet governance commenced. They created the Consulting Internet Governance body, and they created a framework to implement UDRP provider at a local level. And today at the WIPO, there is this local provider for dispute resolutions in the bar association at a local level.

This is a very interesting case in terms of implementation of this treaty.

Please, could you please slow down for the sake of the interpreters?
Thank you.

Celia speaking. Another case, interesting case, and I seen it [inaudible], he also agreed to participate. The other case was the case of El Salvador, where they say that they're going to implement that at the local level, by means of dispute resolution provider at a local level.

But they haven't had disputes already. And this implementation should be further developed, because what happens with disputes in Latin America under these treaties. This was something useful for local legislation, but was this useful in fact? Or was this something that was imposed externally?

Let me tell you about the legislation regarding this treaty. This trans-Pacific partnership treaty. The next treaty to be negotiated where Peru, Chile, and Mexico are onboard. They propose not to adopt the UDRP as a tease, because this is for generic disputes. This is conceived the WIPO sphere. This should be allotted to the local level. For example, taken into account geographical references and training, UDRP could be implemented or other fast system, fast and local system, should be a fair system, fair and equitable not overly burdensome.

And a system that does not preclude resorted [litigation]. This is something that we usually do in Latin America. This is the part of the Latin American culture. So these type of clauses would provide more flexibility. Another option being discussed in the Latin America, region Latin America strategy is, what happens if there is a local supplier or provider?

Well, perhaps that local provider could give, could help at a local level in a better way, than having an external provider. When it comes to the WHOIS issues, well, this, in these treaties, it is that there should be an online access to an accurate, reliable database. And that the relationship with data, personal data laws and privacy laws should be taken into account.

Some laws, I think that personal data laws be taken into account. For example, treaties in Chile, they state that this should be taken into account. Some other states that they may be taken into account. For example, this Central American treaties or treaties in the US. And some other treaties do not mention the local law.

The fact of adopting a WHOIS system through FTAs is the flexibility that is required at a local level. When a country commits itself to complying with this text at a local, at a global level, the WHOIS system may be changing, and we have countries in our region that were committed to complying with certain treaties, and this might become a problem for them.

So a certain flexibility should be given in the implementation in order to comply with or follow standard, global standards to help the country. There is another clause related to domain names. This is a new clause in the TPT. This is the trans-Pacific treaty. This is a secret treaty, but there was a Wiki leak version, and that's why we can discuss it now.

Therefore this is not an official discussion as we would say. And the third clause that we will, you are discussing in the last version of 2013, is that there should be effective remedies against the trafficking of

domain names. This is the traditional remedy, but what other remedies can we find?

Okay, we can have injunctions, we can have fines. I mean, this requires deeper discussion, or further discussion, and we have multistakeholder channels to discuss that. So I think it would be adequate to have such a debate. Next please. And then we have clauses, as I said before, related to the ISPs responsibility.

I don't want to get into detail for this, but for example in Chile, there was an interesting implementation because at a local level there was debate at the senate and finally the act was implemented, taken into account the local provisions. They said, "We're not going to implement this as it is stated in the US, but we're going to take into account a legal measure before, or a previous legal remedy."

In Columbia, they have a similar situation, but they were not able to implement that at a local level because what we call the Yes Law Act, did not have the necessary consensus for the implementation of the treaty. And this is being debated, and they are now changing their administration so they will have to define when this would be implemented and under which terms.

Next slide please. One of the questions I wanted to debate with you and all of the panelists, is how are free trade agreements adequate to regulate these questions. Well, some people say they're an opportunity to implement legislation to protect commerce, and to protect other rights at the local level.

But on the other hand, it will help multistakeholder channels, can't we use them in this debate for the implementation? So this is interesting to take into account, and we should also take into account the experience of other countries to implement this, and we also, we should also take into account the discussion of other treatments such as the TTP, or the [inaudible], which has to do with service agreements or service issues.

Conclusions. In order to trigger discussion, we need to take into account the importance of the local culture to implement these treaties, and we need to take into account that this should be flexible to reflect our Latin American culture, and to adapt our culture to the legal culture, and to fulfill the needs of the domain name, the domain names and the intellectual properties, and transparency and openness is crucial in a model which is multistakeholder.

And then this exchange of experiences is very useful for us to educate, at a local level, who do we educate? Well, we need to educate diplomats because they are not always aware of these Internet issues. We have a long way to go in terms of education and sharing experiences. And to educate people in terms of what is at stake and the importance of defending what we do.

So that's all. Thank you very much. And now I will give the floor to Andres.

ANDRES: Andres [inaudible] speaking. Thank you Celia for this invitation, and to the committee. It is a real honor for me to be here with you. This is my

second ICANN meeting. My first one was in Costa Rica, and it was quite interesting because I've never been there, at least.

So it was a thrilling experience for me to be here back in London. I was born in Costa Rica, so I know what Costa Rica is like. Whenever I'm about to make a presentation, I do so with an apology. I think, if I'm not wrong, this was started in 2006 when I realized that it was useful to apologize, and being from Costa Rica, I think we, from Costa Rica, apologize all the time.

The first apology I have to make is that tomorrow we will win over England. And if there is any Uruguayan here, the same thing applies. Now, my next apology is the following. This study is a little bit old. This is a study we had undertaken, together with the scripts center, Center for Studies on Intellectual Property, with my colleagues [Joby Brown] and [Holden Hatcher].

We had this idea to carry out the study because there was no virtually no one speaking about, or discussing, free trade agreements and their impact on Central American countries and the like. And it was interesting to see that everybody was talking about free trade agreement with Chile, the FTA with Jordan, with Australia, and afterwards how the countries, then there came NAFTA, and other agreements.

And this free trade agreement with Central America and similar countries have never been studied. So, this apology is because this is a little bit old, and it needs some updating, however, it is useful for the purposes of making a very quick background tour in order to trigger debate in this group.

This FTA was negotiated between United States and Central American countries initially, and it was executed afterwards also with the Dominican Republic. It was initially signed in 2004 by those countries I mentioned, as I said, Central American countries first. Afterwards, in the same year, joined by the Dominican Republic. It was ratified by all states.

And something to note is that the FTA per se, was intended, and I guess this is the political reality and that underline this FTA, is to go beyond the content of international trade agreements entered into by organizations, mainly the World Trade Organization. So the main criticism against these treaties is, these agreements, is that they seek to grant, let's say, some people will say more power, or more authority to the signatories.

And certainly, this is a political connotation, the opposition is expressed in some of these countries against the signing of the agreement, mainly to the signing in Costa Rica, which is what I know about. It was quite extensive. There was even a vote cast in the [inaudible], I don't really remember, but it was close to 50%. It was, I think, 49% because there was a large number of people who were completely against the signing of this agreement.

And typically, all of these agreements have the same structure. They referred to lay publishers, trade issues, telecommunications, e-commerce, rights, and the same thing with [KAFTA]. It is known the [R KAFTA] or [KAFTA DR]. This agreement includes chapters, and one of the chapters refers to dispute resolution. We are mainly focused on ICTs.

That was telecommunications, e-commerce, and intellectual property. Celia has already outlines these concepts, I will skip it. With respect to domain names, there is no deep analysis of the trademark issue. We do know that domain names are not trademarks. However, we are talking about procedures, dispute resolution procedures, so there is a mention of trademarks, but no analysis of domain names specifically.

However, in section 15, four, there is, and the title is Domain Name in Internet, it states that the parties will provide appropriate procedure for the resolution of disputes. And that the UDRP will be adopted. UDRP will be adopted. In some countries, such as Costa Rica, we didn't have a resolution, conflict resolution culture. That is why all conflicts or disputes were taken to Geneva, because there was no local mechanisms.

And this is a typical expression of the main criticism of such agreements. And the criticism says that the countries are imposed, non-native mechanism. In terms of what e-commerce is about, this is more interesting. Well, it depends on what you can understand by interesting. So on e-commerce, actually there is no change in the traditional international practice such as TWTO, which is that all e-transfers, electronic transfers, will not be subject to taxes, will not be encumbered.

So, when digital products are physically sent across borders, article 14 three, two, for instance, says that it will be applied, the charges, the taxes, such as CDs. So what matter here is that there is a physical shipment. And then, in section 14 three, three, grants, of course,

national treatment standards. So, in practice, this was very similar to the traditional status quo.

With respect to intermediary liability in the Internet, it is evident that the United States is trying to export its legislation to Central American countries mainly, because virtually the entire section of the part of liability in the Internet, is taken, copied from the data, Digital Millennium Copyright Act. It is actually transposed to international legislation. And this is something to be noticed because almost no country had a strong provisions such as the ones in the DMCA.

Because we knew what the [WIPO] treaty on copyright consisted of. Other topics discussed in the agreement interesting or applicable to ICT, is that several of the penalties, for instance, technological protection, measures, digital rights management, those that existed in the United States legislation were transferred to Central American countries, and damages, for instance as well.

Damages are now statutory, which are punitive damages which are very stringent. So there is, let's to say, a [inaudible] of I can use this term, of the legal system of our countries to adjust ourselves to the highest bar of the United States, because we had to use that higher legislation. This is not on your PDF file, so I apologize.

So what has happened? You might think I am in full disagreement with the [KAFTA], but actually I'm not. Let me tell you that even though some of the implementations, such as [dis-transposition] of the United States legislation, very native of the United States, to countries that are not familiar legal types, actually resulted in opening up some markets

that were closed. That was [inaudible] of Costa Rica, and I was benefited from it.

I've been for a couple of years there. So telecommunications sector was opened up. So I do criticize some of the ways and manners in which this legal figures were implemented, but it nevertheless resulted in some opening. Our president himself, who at some point in time, was against the signing of this FTA. The first thing he did now was to write host of the mission to the United States in order to bring [inaudible].

So, he was in favor of the agreement. So the issue at stake here, if there is any, is that there has been an underlying political current here. Our countries, developing countries, [inaudible] who are now living in the United Kingdom, I think I am a Costa Rican. I've always been. So our issue is that we do want to trade with the United States.

We do want to trade with Europe. And in order to do that, we must accept the terms and conditions that they're offering to us. I'm not going to sit up there and imposing to us, because nobody is imposing anything to us. We are accepting. However, sometimes we are not aware, within our countries, we do not have the knowledge to be able to negotiate the legal concepts, the legal instruments, included in the treaties, in the agreements, and that could go against us.

I believe that in practice, international trade and the trade with the large markets, is for our benefit, but we must have more knowledge, more national knowledge in order to be in a better condition of negotiation. Some things which are showed to us as the miracle drug and which are not. And this has been quite clear in the case of [ACTA] and in the TPP, in the trans-Pacific partnership negotiations, which is

undergoing, as Celia said, it's top secret, but we do not know much about it.

What I have read so far scares me, to be frank, but as you know, it's always the case, the first initial wording might be scary, it's not so much when it gets to the final negotiation, and that was the case with [ACTA]. [KAFTA] was quite scary at the beginning, and when we read the final draft, I personally was not afraid at all.

I said, "This could be implemented." And not article of the European laws will change because negotiations were such that the agreement could actually come to an end, to be polite. That's all. Thank you.

CELIA LERMAN:

Celia speaking. Thank you very much Andreas for the Central American outlook. Now we give the floor to Margarita, she will outline the experience in Chile.

MARGARITA VALDEZ:

I'm Margarita Valdez. Good afternoon. I'm the legal and the commercial director of Net Chile, the registry of CL. I'm a member of ccNSO for the Caribbean region. The Chilean experience was quite interesting. We're going to see, on the slides, this aspect that the free trade agreement started by the United States, the first one was Chile. This helps us understand our experience.

This help me understand our experience. And the first comment I'd like to make is that there are some major background to highlight. In the area of domain names, Chile is quite developed. When the agreement

was signed in 2003, dot CL was a robust registry. Since 1997, there was a, it had its own dispute resolution system, and this is interesting, because in the ICANN meeting of August in '99 held in Santiago, Chile, when ICANN succeeded in adopting the UDRP rules, Chile already had its dispute resolution system.

And that is significant because when we had to face the later agreements, we enjoyed robustness from the community, because of this policy, this dispute resolution policy, which in our case was through an arbitration proceeding. In the year 2000, we amended our dispute resolution system with, including adding mediation as an [inaudible] means of local dispute resolution.

And this was important because the method we used in Chile, which is still current, provides for better conditions than those offered by the UDRP system. And what does this mean? It is an arbitration system. So in dot CL the conditions, the resolution is issued by an arbitrator, and of course, acknowledge the validity of this award, and the difference is that it has the authority of any judicial decisions, unlike the UDRP which is a system of panelists which, though it seems to have all conditions to issue a decision.

Actually what they do is they resolve the dispute with a different type of ruling that can be reviewed by a court. So, though the local dispute resolution system never prevent domain name users to go to the courts to enforce their rights, this claim should be for a different reason.

The courts, the grounds for litigation should be different from the original one. For some judicial actions, we have been acknowledged by the Supreme Court of decisions adopted by UDRP in dot CL have the

necessary firm nature, they are finally, the rest [inaudible] aspect that cannot be removed unless there are new arguments.

So when we had this agreement with the United States, it was very interesting, very positive things happen. First of all, the negotiation team understood that this was a new thing, they had never dealt with it before. And we were invited to discuss with them to talk them, for us to tell them what the industry was like, what Net Chile was doing, and how we can join efforts.

And that's not lose this, that was so good and recognized in the local Internet community, which was the arbitration based dispute resolution system. But [inaudible], the director of Net Chile, who is around the net with a negotiation team, and we made him understand that, and there are [inaudible] structure with the US government.

We can tell them you are dot US, we are dot CL. You use the UDRP. We have a successful local dispute resolution system which is equivalent in value. So the best solution is that each contracted party in this agreement should acknowledge that there should be a dispute resolution mechanism, and that the principles on which these mechanisms are based are the principles are the UDRP.

That was included in the text. And we were really happy with that, because somehow the machinery did not run over us. We were able to keep our system and hold the value it had within our community. So in this specific area of domain names, we are greatly satisfied. It is interesting to see that this close article 17.3 of the free trade agreement, US and Chile, it provides that each party...

I'm going to read it if you spare me an instant. In 17.3 of the US and Chile FTA provides, Internet domain names, each party will require the ccTLD manager, in this case, dot US and dot CL, should provide adequate mechanisms for dispute resolution based on the principles of uniform dispute resolution procedure for domain names.

In order to address the issue of cyber piracy, of trademarks or manufacture names. Two, the manager of each ccTLD should provide free access online to a reliable and accurate database with contact data for domain name registrants pursue to each parties legislation on personal data protection.

So the good part of experience is first, we could have a direct cooperation with the other party, the government was quite open in this respect. And second, is that the first system, our local system, the US, replicated our provisions, our principles, in their treaty with Australia, so it was good to see that this system which respects other dispute resolution systems that the countries could have with the United States could have an additional space.

And this was replicated in other terms. And with respect to the TTP, we had a change of administration in March this year. An interesting change after this new executive is tell them... A group of advisor, of community advisors incumbent was setup, you know, after the leaking case that was before.

So this committee was setup. And in the Chile negotiation committee, there is a group of people from different fields involved, mainly in intellectual property, who are providing advice and assisting the government in understanding the subtleties involved in this field. And

mainly, they provide documentation, for instance, in the DMCA, where the remedies requested of the TPP, there was disclosed, that was identical to the US clause for the DMCA.

So it was good for them to understand the source of this rule, and what changes, what possibilities it opened for the TPP. So at least our experience was positive in this respect. It is true that the TPP... I think that darkness is the worst of the effects in any negotiations such as this one with so many parties as this was the case. But in the Chilean community, we are optimistic because the participation of Chile in this agreement has been as recommended as possible, and we are also involved in this. Thank you very much.

CELIA LERMAN:

Celia. Okay, now we will have a Q&A session. Carlos, please go ahead.

CARLOS AGUIRRE:

Thank you. Can you hear me? This is Carlos Aguirre. First of all, welcome to this Academy. It's lovely to have this space. I feel like coming back, because we starting to learn about other discussions and this type of discussions that are really interesting, and important for those working on this.

I've been an economics professor for 25 years, at [inaudible] University, and we have been working with these topics for a long time. When I saw the question regarding whether cc agreements, or free trade agreements, are useful, well, we need to analyze why the counterpart is always the US who are beneficiating. And the answer should be given by each country.

First, we need to make the difference between governments and states. We need to know if they are benefitting the state or the government entering into the agreement. So there is a different issue here, and perhaps in this type of debate, which are brief, well there is not enough time to discuss all the details.

Yesterday, during lunch, I was having a conversation with Roberto [inaudible], he is from Chile, he is the secretary of the region. And he is in Edinburgh. He is drafting his thesis about the economic analysis of non-economic events. The relevance or how non-economic events impact on economy.

So the economics law, analyzes economy and there is a relationship between the ICTs, the economy, and the law, and all these issues are very relevant. And they should and must be analyzed as you did. So I loved your presentation. Thank you very much and I congratulate you for that.

CELIA LERMAN:

Celia speaking. Is there any other question? This is our space, this is the LAC space and we need to work on that and share our experiences. [Consuela], you have the floor. [Inaudible] please.

We will take two questions from the audience, and then a question from the remote participation if you agree with that.

UNKNOWN SPEAKER:

[Inaudible] speaking. This is more than a question, it is a comment. First of all, I was able to call corporate with the government from Chile.

In the telecommunications sphere, not in the domain name sphere, and I also cooperated with some other Central American countries in terms of communication.

And the experience on that occasion was that the American negotiators had a mandate of not seating anything. And they didn't know even why, so if you want to negotiate, we need to speak about other topics. We need to speak about the different quotas, but we are not... You can discuss about many things, but we're not going to discuss certain topics.

So, our suggestion, our recommendation at that time, with the people in Chile and in some other countries, for example in El Salvador, we negotiated terms. And in that sense, the US negotiators, well, they accepted that. And it's a way of winning time, of having time. Now, my second comment has to do with the PPA.

The new foreign minister had a new idea, and he said there is no Pacific without the Atlantic. And this is something important to take into account, even for the US because they have both coastal areas on the Atlantic, on the Pacific. And this is very well taken by Mexico. And well, there was a [audible] in Argentina and Brazil had to intervene in these negotiation rules.

ANDRES:

Andres [inaudible] speaking. I have an experience to tell you. The US trade representative, this is the US entity negotiating representing the US government, this is quite a strange entity. Not long ago, I had an experience with them. I was carrying out a consulting activity with the

[WIPO], and according to the terms of the contract, where written or drafted by the member states.

And the United States said, firstly, that no recommendations were supposed to be made. The study should be totally descriptive, and then they said that they could not deal, and not even mention, the US. Therefore, since I am a bit curious, during the presentation of the report, I didn't mention them, but I, of course, included the conclusions of my study.

But not long ago, the White House is doing now what I would have recommended to do. But due to the policy of this entity that has nothing to do with the government, or with what the government is doing, the policy that is created that it goes against the government's interest. So this is something interesting to analyze.

This is an entity reporting to, or to the interests of the governments, but not to the interests of the people of the US.

CELIA LERMAN:

Celia Lerman speaking. Thank you very much. We do not have enough time. We will continue with the debate later. There is a question from [inaudible]. Good morning. [Inaudible], he is from Caracas, Venezuela. It is interesting to note that emphasis is being put on FTA such as the ACD and the TPP, when Latin America, there are other treaties such as the [inaudible], and other treatments like this [inaudible].

Why aren't they taken into account? Well, this is because we're at the ICANN meeting and we are taking into account the ones that are related to ICANN. But of course, there are many treaties in Latin America, and

this is a starting point, and this is a space to exchange other experiences as well.

This is Celia speaking. Sorry, but we are not, we do not have time for further questions.

RODRIGO DE LA PARRA:

This is Rodrigo de la Parra speaking. Thank you very much for your presentation. I think this is a very interesting topic for our space. And let's think about this. Perhaps we can continue our debate in Los Angeles, and we can, of course, speak about this later on. We have two other important sessions in this space, LAC space sessions.

We want to speak about two important processes. One is Internet governance in our region, one is the LAC IGF. As you know, it is being held in El Salvador, and the other one is the IGF in the Caribbean region. And here we have our friend Bernadette Louise. Bernadette, thank you for being here with us.

I will ask her to let us know about the processes of their carrying out on all of their preparations for this IGF that will be held in the Caribbean region. Go ahead please.

BERNADETTE LOUISE:

...just has turned to [inaudible]. But while we're waiting [inaudible]. I just want to say the proceeding discussion was so interesting, and it just opens up new things for us to think about and explore. So I was really very happy to hear the [inaudible] presentations. And I think, of course,

there is this need for us to collaborate across the Latin American and Caribbean region.

As you heard, my name is Bernadette Louise. I'm the secretary general of the Caribbean Telecommunications Union. It is an intergovernmental organization. We have 20 member countries. It was established in 1989 by [Cara-com], the Caribbean community, the heads of government, to be the policy advisor to help in the formulation of harmonized policies for the region.

So primarily our primary business was about harmonized policies. Then in 2003, we expanded the mandate of the Caribbean Telecommunications Union to deal with issues pertaining to Internet governance. And then in 2004, recognizing that the governments really could not do the work alone, we expanded the membership of the Caribbean Telecommunications Union to include private sector organizations, Civil Society, non [Cara-com] governments.

And in so doing, we actually created a multistakeholder forum. And so we have in all of our work since 2004 has been on a multistakeholder basis. And it has been very effective. Then in 2005, following the [Wissis] deliberations, we were asked by the Caribbean community to address issues of Internet governance on behalf of the region.

So our mandates our, have a nice policy formulation, capacity development, harmonization of systems and processes across the region. We also try to represent the region at international forum, and we serve as an industry watch. We look at the technology and see how it's involving and try to advise our governments accordingly.

We have 20 member countries as I said, and private sector, Civil Society, a number of other organizations, all participate in the work of this CTU. Then, in 2005, we established the Caribbean Internet Governance Forum. It was a multistakeholder forum, and this was in response to the request from the Caribbean community.

And we pulled together everybody we could think of. So it was really a very interesting... The first meeting, I recall, the first meeting was in August 2005 and we have everybody... Because we really didn't know anything about Internet governance, and this was the preliminary set of discussions.

And we also set up an online Internet governance forum. And coming out of the first, second, and third meetings of our Internet Governance Forum, we established a harmonized policy framework, which would direct the work of Internet governance going forward. And this work was facilitated by the Caribbean Telecommunications Union.

And I should say that the CTU, the Caribbean Internet Governance Forum, was the first such regional forum in the world. And this year, we'll be convening our 10th Caribbean Internet Governance Forum, from the sixth to the eighth of August in the Bahamas. And one of the first things that we recognized was that there was a tremendous lot to be learned, and there was a dearth of understanding of Internet governance, and the multifaceted nature.

And we, part of the policy framework, identified that awareness building and education had to be a significant part of the work that we did. And Celia, you mentioned the need to educate your ministers of foreign affairs and your diplomats. And we immediately started

reaching out to our ministers of government. And not just ICT ministers, but also to members of the judiciary, law enforcement, a much wider groups of stakeholders, because the whole issue of Internet governance is cross-cutting.

And you really need to reach out beyond your regular constituents and clients. So we had a number of ministerial forum over the course of the years, from 2005 to 2014. We did technical workshops, and policy workshops on Internet governance. We held 16 IXP symposium and workshops in 14 countries across the region, and we conducted a lot of Internet governance work ICT work, through one of our significant capacity building and educating initiatives, the Caribbean ICT roadshow.

To date, that roadshow has been held in 18 countries, and we've had repeat visits to many of the countries, as you see. So this has been the awareness building is, you need to do it. You need to reach out to diverse stakeholders. You need to deliver the message in a language that is well understood in the context of what people do, what the stakeholders do.

We have been collaborating with Latin America. In 2011, we held a Caribbean and Latin American conference on Internet governance. And that was a joint, dual, two activities, the Seventh Caribbean Internet Governance Forum, and of course, the fourth LAC IGF. Yes, and I see a lot of the faces who joined us in Trinidad and Tobago for that event.

And then in 2014, we hosted the sixth edition of the South School on Internet Governance. That was extremely well received. We had 134 participants from 22 countries in Latin America and the Caribbean. And of course, as we educated and raised awareness of not just Internet

governance issues, but many of the organizations which were charged with different aspects of governance.

You would have seen the Caribbean participation increasing over the period of time. We've participated in the IGF, in the global IGF. We've run regional hubs. We've participated in LACNIC, and ARIN, and ICANN, and ISOC. We are raising awareness of the work of these organizations, if necessary, participate in them. We've done a lot of innovation and entrepreneurship work, a number of workshops, because we recognize how fundamentally the world has changed.

And that many of the processes, many of the structures and frameworks of the last century have effectively been dismantled by the whole evolution of technology and so on. So we have been encouraging innovation and entrepreneurship. We support innovators and entrepreneurs. We create, through our Caribbean ICT roadshow, a marketplace for bringing together the innovators and the people who need their services.

Of course, we have sponsored and facilitated the establishment of the Caribbean Network Operators Group that is designed to train our engineers and people responsible for maintaining networks on very technical aspects of ICT. And we want to move them beyond just maintaining, but to experiment and go beyond, and really maximize the power of the technology with which they're charged to maintain.

Of course we've done a number of publications. We do a lot of research and publications. We've done white papers on IXPs, IPv6 adoption, in collaboration with the OAS we produced this cyber security framework for the Caribbean, because as we encourage our members to make use

of ICTs effectively, although not a security agency, we have a responsibility to alert to them as to the risks.

So we have also been very much involved in the cyber security aspect of it. And I just want to point to the importance of strategic partnership Internet governance ICT based, or ICT enabled, development is a collective responsibility. No single agency could do the job. And a lot, the majority of our work, is executed through strategic partnership.

So these are just some of the partners that we routinely collaborate with. The work is too much for any single organizations, and consequently you have to collaborate. And we have made strategic partnerships a significant strategy for enabling us to fulfill our mandate.

And you can see just some of our regular collaborators. And there is enough work, I guarantee, there is no reason to be fighting for turf. There is enough work for everybody, trust me. You'll find as we go along, the work is just expanding. And some of the outcomes, so I've just given you a brief snapshot of all of the activities we have been involved in from 2005 over the last 10 years, and consequently, we've seen a greater awareness of Internet governance issues.

We have, I think, four of our members participating in the GAC as a result of the outreach we've been doing. Of course, the enhanced technical expertise when you first participate in some of these meetings, it's like if you're in a washing machine. You know, and it's very, very, just things floating around. But as we encourage and support our stakeholders in participating, they are learning and we are seeing a definite increase in the amount of technical expertise.

I've mentioned the increased participation in many ICT global, regional, international activities. And one of the things that we're very happy about, we actually have Internet exchange points in the Caribbean, and this is a direct result of the work of the Caribbean Internet Governance Forum. All of the Internet exchange points without exception have been established as a result of the work of the CTU.

And the Caribbean Internet Governance Forum, and our strategic partners I should add, and of course, we continue with the work, the support for our Caribbean innovators. We've seen some amazing young people coming forward and doing extremely well as a result of the exposure they have had through the Internet Governance Forum and of course, the Caribbean ICT roadshow.

And our next steps would be to finalize the second issue of our Caribbean Internet Governance policy framework. The earlier, the first issue focused on five strategic areas. That of logical infrastructure, physical infrastructure, content creation, awareness building, and research. And we've worked in all five of those areas.

And the next issue which will be finalized in August at the 10th Internet Governance Forum, I know that a number of other areas have been put forward by the community, security and privacy, and a number of other areas will be identified. And because the community has contributed to the development of this policy framework, the CTU facilitates its implementation by bringing the necessary stakeholders together.

Another thing that we're working on is building the value of an IXP. We don't just want our service providers to be just exchanging traffic. It's wonderful, yes there are pluses in that, but there is a lot more to be

done. We have a program that we will be rolling out in August, to mobilize local communities in increasing IPv6 adoption and DNSSEC as well.

And we will be mobilizing communities, national communities. So far, we've been dealing on a regional basis, but we want to drill down further to our 20 member countries to get communities of Internet users participating more in the global debate. Another area, [inaudible] models for the Internet economy. Very, very important as I said, the world has changed and all of the steps, you can eliminate 20 steps in setting up a business now, but you need that enabling environment.

So we have been doing a lot of outreach, a lot of educational and new business models for the Internet economy, especially since, in the Caribbean, you would find, well, 80% of the economy, the economy is driven mostly by small to medium sized businesses. So you really have to focus on building their capacity to use the Internet effectively, and also encouraging ICT business and ICT based businesses that make good use of the Internet.

Of course, we will be doing some ccTLD strengthening. This is going to come up, we're working with ICANN on that. We have been doing a lot of research into the content creation initiatives, a compelling, regional, compelling Caribbean content is something that we really need to pay attention to, and of course the support for innovators.

And some final thoughts. A lot of what we are doing has to do with changing mindsets, right. I think that is the challenge, and getting our, especially from our perspective, from our government's perspective, the irrevocable changes that have taken place in the world, and that if you

do not respond appropriately to these changes, you are going to be left behind.

And so it is about changing mindsets. Then we really have to enlist diverse stakeholders. You might think diversity, it is wonderful and I can speak, that having diverse views, it helps, it really helps in coming up with better solutions. And what we are doing here, as I said before, is a collective responsibility. We have to do the research.

You cannot avoid it. Make sure you have your facts. Make sure you have the evidence for your policies, otherwise things fall apart. Educate the stakeholders, educate from the government right down to the man on the street. This, you need to do it. If people are going to be, to act in meaningful ways, and really derive the benefits of all that is happening.

And make realistic plans. When we started out, we recognized that there are things that we really are just not equipped, or you know, we didn't have the capacity to address. So those are the things we set aside while we focused on the things where we could have a meaningful difference, as we built capacity in other areas.

And finally, execute. Making plans, talking, all wonderful, but it's useless and a waste of time if you do not act, if you do not execute. The longest journey, it starts with a first step. And execution is something that we, as I think the Caribbean Internet Governance Forum has demonstrated that so much could be done with so little, if you think things through properly you can have a significant impact.

And I think that, what we have accomplished over the last 10 years is, I think it speaks for itself. There is much you can do with very little.

Think it through and act there on. And with that, that brings me to the brief status of where we are with our Caribbean Internet Governance Forum. I thank you all.

RODRIGO DE LA PARRA: Andres speaking. Rodrigo speaking. Thank you Bernadette, that interesting presentation explaining what is happening in the Caribbean. It has been quite inspiring, your last comments, I couldn't agree more. But let's make the questions for the end. Now we'll give the floor to Fatima who will tell us about the experience of the LAC IGF, and then we will exchange the questions with both of them.

FATIMA CAMBRONERO: Fatima speaking. Thank you Rodrigo. Thank you for the invitation. Let me tell you what LAC IGF is about. Many of you know what it is. This is the Latin American Caribbean Internet Government Forum, which is in preparation for the global IGF. This year will be held in San Salvador in July 16, 17, in the [inaudible] hotel.

And the local hosts this year are [inaudible]. I've seen the people from [connection] over there. So let me tell you what the process is about of LAC IGF in our region. This event was held for the first time in 2008 in Montevideo. The three local organizers were LACNIC, the Internet, [inaudible], the association of progress of communications, and from the regional composition in 2008, it has evolved to the committed program or response for its organization.

And in 2014, this year, we have a multistakeholder program committed to representatives from each stakeholder, among them, LACNIC and

LTD, from the technical community, [inaudible] from [inaudible] from the private sector. Governments such as Argentina and Brazil that were already parties this year, joined by Uruguay and Mexico, and Civil Society organizations we have APC, [inaudible] Argentina whom I'm a member of, together with [inaudible] association for civil rights, and the [inaudible], also members of the community.

And since 2012, LACNIC is the secretariat of LAC IGF. This is an event for and by the community. Those of us in the program committee, we represent all sectors. And anyone interested in making any contribution comment could approach any of us and let us know about your concerns, contributions, improvements, anything you want to give us.

The peculiar characteristics of our regional IGF is that all parties of the event, all parts of the event were developed in conjunction with the community, such as the agenda which was developed in collaboration. And this year at the program committee faced a challenge of the scenario change after NetMundial.

And visiting topics that are typical of our region and those of the global IGF agenda. So in the next few days, we will see the final agenda published. One of the objectives we have set for ourselves for this event is that we should have completed the LAC IGF with our own regional agenda, and topics of our interest for our regional agenda.

I'm being told that it's already been published in Spanish, the agenda. So on the website of LAC IGF you will find it. You can also register online from the website. And this year, we have also added two additional activities. One of them is a previous webinar, a pre-webinar

of LAC IGF in collaboration with the members of the capacity building group, of the global IGF ING.

In our region, we will have the pre-IGF on July 7th at 15 UTC. We will be disclosing this, you will be invited, and those of you have never attended LAC IGF meeting, you will have the chance to get information about it, how to participate, what expectations we and you have, what expectations the participants have from the meeting, how you can make contributions.

And let me tell you that this has been mainly a space of debate for all other stakeholders to meet. After NetMundial, one of the requests was to strengthen the IGF and consequently the LAC IGF, so the community [inaudible], it's asking from it to become something more than debate space. So we have this challenge ahead of us as well.

Another characteristic of our IGF is that July 16th there will be an orientation, a guidance meeting to supplement the online webinar. You will be invited to participate. Mostly those of you who have never attended this meeting, but those of you who have already been there, you're also invited to come attend, and tell your experience to those who have, are doing this for the first time this year.

You will know who the fellows that have been given the grant to participate, and let me make a call for solidarity here. We've been fortunate to get ICANN's support, LAC TLD, LACNIC, Google, [inaudible] among other sponsors who are providing the contribution. This allows us to take more people to the meeting.

So any of you who have spare money, and want to help LAC IGF, please approach us, because anything you can give us means another fellow attending the meeting. So I have much more to tell you, but I think it's enough for the time being. Thank you very much.

RODRIGO DE LA PARRA: Rodrigo speaking. Thank you Fatima. We are almost at the end of the time allotted to us, but we have a comment from [inaudible].

UNKNOWN SPEAKER: [Inaudible], board member speaking, I'm from Chile. I was also part of the negotiation with the US [inaudible]. I have a question for you, very specific. Fatima thank you very much for your presentation. There are many questions to be made, I'm certain we will have the chance to continue discussing these issues in Los Angeles.

You said that a specific measures is something very important that has been one of the focus you had, the Caribbean IGF. I'm still thinking about how you have built awareness in the Caribbean region on Internet governance, and the IGF issues. I would like to know, which specific measures you developed, and if you were able to identify any ways to improve awareness on these issues? And how are you thinking ahead?

What are your projections for the future? Thank you in advance.

BERNADETTE LOUISE: We have a number of different mechanisms for building awareness. For instance, the Caribbean ICT roadshow, which attempts to reach the

widest possible cross-section of Caribbean citizens in a given country. There are no two roadshows the same. It is not a cookie cutter exercise. Before we go out, we visit the country, we understand the environment, where they are, in terms of the liberalization, what is the penetration, we do due diligence on that environment.

And then we craft a program to target the areas that have been identified by the community. And that is very important. One of the things we learned very early, when we do a Caribbean ICTU roadshow, is that the ICT practitioners were coming out, that's not who we need to reach.

We need to reach other stakeholders. So we actually started going out into communities and meeting different stakeholders. We've been to farm, the agricultural department. We've had sessions for law enforcement. So that the people who are not normally exposed have some understanding.

And we found in most cases, it is really a case like switching on a light, and pointing people in the right direction, so that they could move on their own thereafter. So, as I said, so it's diverse audiences, no two roadshows are the same, different countries are different places, and we work with the local community to identify the types of training and exposure that's necessary.

The other thing is that very little gets done unless your ministers understand. So our ministerial focus outreach is, explain the technology in language that is appropriate for ministers. We talk about, yes, we talk a little bit about the bits and the bytes, but we talk about the

implications for policy, the implications for legislation, for regulations, the potential impact of the technology on national development.

So, we target the audiences with a different message, one that they can receive in the context of what they do, and that has proven to be very effective.

RODRIGO DE LA PARRA: Rodrigo speaking. Thank you Bernadette. And thank you all of you, because we have to stop the session. Thank you all.

[END OF TRANSCRIPTION]