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LONDON – ATLAS II Thematic Group 2: The Globalization of ICANN - Session 2  
Sunday, June 22, 2014 – 08:00 to 10:30  
ICANN – London, England

SILVIA VIVANCO: ...Here in London, Sunday, 22<sup>nd</sup> June, 2014. Good morning, good afternoon, good evening, to all our remote participants. This is the ATLAS II Thematic Group – Globalization of ICANN Session 2. This meeting is not interpreted, but please remember to state your names when speaking for transcript and recording purposes. Now I'll turn it over to Seth to start this session.

SETH REISS: Thank you. This is Seth Reiss. I welcome everybody for the second day of our Thematic Group 2 on Globalization. Silvia, can you just take us through the Agenda of today, so everybody's aware of when the sessions start and when our breaks are?

SILVIA VIVANCO: Okay. The Agenda is posted there. Basically, you can break whenever you'd like. We don't have a specific schedule. Lunchtime will be, as well, whenever you feel like it. It can be 12:30 or 1:00 PM. We start at 3:00 PM sharp.

SETH REISS: Thank you. I think we're going to try to tackle two things, initially. One, we're going to try and summarize question three, to put that in

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perspective; what we discussed yesterday. We're also going to do an icebreaker where we introduce somebody to our left. However, I'm not sure we got a chance to talk to the person on our left. My suggestion is, let's introduce ourselves today. We didn't do that yesterday. After lunch we'll introduce the person on our left and tell us something about them that we didn't know before.

Figure out who's on your left right now. Make sure you talk to them during lunch and ask them a few things that you can tell us that we won't learn in the introductions today. My name is Seth Reiss. I am your Assistant Moderator, though I guess I'm on my own today. We're told Cheryl will be watching, so if we don't behave I think we'll hear from her. I'm an ALS representative.

I've been involved in ICANN since 2007, Puerto Rico, basically as an ALS representative from NARALO. I was on the WHOIS Review Team and otherwise just participating in ALAC activities. Garth?

GARTH BRUEN:

My name is Garth Bruen and I'm the NARALO Chair. This is my second year as Chair. I became involved in ICANN At-Large in 2009. The ATLAS Summit in Mexico City was my first ICANN Meeting. I've been very busy ever since. Thank you.

SETH REISS:

I forgot one thing. We're also supposed to explain why we're interested in this Thematic Group. I forgot to do that. I'm interested because I find ICANN to be a very interesting organization. From an international organization's perspective I think it's unique. I'm very curious as to how

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it will progress as an international organization. I'll give Garth a chance to explain.

GARTH BRUEN:

Good. My father actually worked at MIT and he did some of the bare bones, original work on the Internet – actually taking a sledgehammer to walls to put cables through and climbing around through tunnels to connect different things. He impressed upon me the importance of this global network and how it could really change lives. I've seen how it can change lives for the better, and I've seen how it can change lives for the worst.

Much of the work that I've been doing on my own, before becoming an ALS, has been helping people deal with not falling down the traps of the Internet. I also want to be involved in globalizing the internet in the right way; in making sure that it reaches every person and that ICANN lives up to its mission to do that.

SPEAKER:

It's very nice to meet you. My name's [inaudible 00:04:45] from the ISOC JP. The ISOC JP is a new group of the At-Large Structure, as an area. My main job is in the Asian Pacific Advanced Networks – the APAN. This is a [source] of the research and education networks, so it's a little far from the commercial ISPs or the regular [tricks 00:05:12] – the commercial things of the Internet. The last year I was elected as one of the ISOC JP Officials, and I was assigned to this ICANN activity.

I started learning how it was. This time, I replied with the survey and I was assigned here. I'm a little bit of a newbie. I'm sure I can follow all

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your discussions, but this is my first time. It's very nice to meet you and I want to join this discussion. Thank you very much.

NEIL SCHWARTZMAN:

Good morning. My name's Neil Schwartzman. I'm a sewer worker on the Internet. I wrote the first distributed anti-spam filters. I've been fighting spam since there was spam, and on July 1<sup>st</sup> the culmination of 20 years' work will be coming into force of the Canadian Anti-Spam Law. My organization was the driving force behind that cause.

I'm here because Garth made me come, and I am on this particular group because I was assigned, but I wanted to leave it up to random to see what would happen, and expand my horizons beyond looking at the dark-side, to see if there isn't things that we can do to... The reason I fight spam is because I think the net is worth saving. A lot. There we go. That's who I am.

[SPEAKER]:

My name's [inaudible 00:07:12]. I'm from ISOC Finland. This is my first ICANN Meeting. Why did I choose this Working Group in particular? Actually, I didn't choose it either, it was assigned to me, but I'm very pleased I got this one and not one of the larger ones, because I find that this is where the practical, day-to-day issues are handled, whereas with other Working Groups, like the Future of Multistakeholderism, there's going to be a lot of preaching to the choir. I'm very pleased to be actually doing something in this Working Group.

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**TIJANI BEN JEMAA:** My name is Tijani Ben Jemaa. I'm a ALAC Vice Chair. My first ICANN Meeting was in Cairo. I also made the first Summit in Mexico. Why am I in this group? Because the globalization of ICANN is one of the most important reasons of all the fights we had in the World Summit on Information Society – the WSIS. It continued to be a reason of fights between the ICANNers and the others in the Internet governance ecosystem.

Today, I think it's a great opportunity to speak about the globalization, to see how we can make it happen in the best way so that we will reach what everyone is looking for.

**SILVIA VIVANCO:** Hello, my name is Silvia Vivanco. I am an ICANN Staff Regional Affairs Manager. I'm here because I selected to support this group, because I thought globalization is something very important, and being a staff member from Lima, Peru, I see that this is happening in ICANN. I wanted to see how the discussions develop.

**SETH REISS:** Thank you for choosing us. That's nice!

**LANCE HINDS:** Good morning. My name is Lance Hinds from LACRALO. I'm the Chair of an ALS called DevNet. As a matter of fact, we're one of the founders of LACRALO in Argentina in 2006. DevNet is an IT for Development Organization in Ghana, looking at Internet penetration in the

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disadvantaged and rural communities, throughout the country. ICANN, quite frankly, is a [rarefied era 00:10:05] in the Caribbean.

It's been a difficult discussion for us, in terms of trying to get people to understand the importance of it, and to get people to understand that it's critical that we participate in this space. One of the things coming out of this kind of meeting is seeing what we can take back, to see how we can continue the effort of getting people to understand the importance of participating at this level, instead of being high-end users all the time, it's really time – a lot of us feel, in the Caribbean now – for us to take that next step in terms of participating at this level. Thank you.

CARLTON SAMUELS:

Good morning everybody. My name is Carlton Samuels. I'm from Jamaica. I teach at the University of the West Indies. I've been involved in ICANN Alliance. We were a foundation of LACRALO, the first RALO, to get authorized since 2006. I served two terms on the ALAC as Vice Chair, and I'm a Member of the Expert Working Group on Next Generation Registration Data Services.

Globalization is important to us, because in the Caribbean the Internet is about development. Our agenda is development – social and economical development for the Internet. The globalization of ICANN, we believe, is going to help us, because in our space a single, global Internet is best for us. Whatever threatens that possibility is against us. Globalization of ICANN is one way that we can ensure, encourage or strengthen the prospect of a single, global Internet. This is, for us, a strategic initiative. Thanks.

JOHN LAPRISE:

Hi. My name is John Laprise. I'm a Professor at Northwestern University, but I've been working at our Doha, Qatar campus for the past five years, so I'm definitely "At-Large", as it were. My own work looks at US national security policy, with respect to the Internet, and the issues of mass surveillance. I also work for the Qatari Government on occasion, consulting on ICT policy. I've been doing work in Europe as well.

I've been involved in Internet governance for quite a while, in various capacities, but not directly with ICANN. This is my first ICANN Meeting.

[VICTORI BELTORA]:

Hi. I am [Victori Beltora 00:13:32]. I am from the Italian Chapter of the Internet Society, which is the accredited At-Large Structure number one, so the first ever accredited. That was because I was involved in ICANN since the regional At-Large elections of the year 2000, and then in the following years I was one of the few people who actually invented the At-Large mechanism and were originally appointed on the first ALAC ever, and then built all these complicated arrangement of accredited and regional structures.

I've been participating very actively in ICANN until 2008/2009 and then I've been away for quite a few years. I'm happy to be here again at yet another ICANN Meeting. I'm interested in this issue also because of my experience at ICANN. When we started, ICANN was a very American-centered and minded organization. Much has changed now, but there's still some work to be done.

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At the beginning it was even harder to explain to people running some of the technical aspects of the Internet that, for example, there were languages that could not be written just with western Latin characters and this kind of stuff. Now we've come a long way, but still there are issues to be addressed. In the end, I think it's important to have a global Internet, because the Internet has been giving opportunities to me since I first joined.

I had Internet access as a student in the mid '90s and I want these opportunities to be available to everyone. That's basically why I'm interested in having a global Internet that can be effectively used by everyone all over the world.

MOHAMED EL BASHIR:

My name is Mohamed El Bashir. I established Internet Society back home in my country, Sudan, in 2001, after graduating from university, which ended up [unclear 00:15:30]. My first ICANN Meeting was in Shanghai in December 2001. I was managing that Chapter, and this is still the [unclear] 2008, where I moved to Qatar.

My day job currently is I'm managing technical affairs at the Communication Regulatory Authority. I established Qatari Domain Registry, .qa, and [IDN 00:16:01] as well. Recently I established as well an ISOC Chapter in Qatar.

ROBERTO GAETANO:

Hi. I'm Roberto Gaetano. I've been around for quite a long time. I was on the Steering Committee of the IFWP, which is the Committee that prepared the creation of ICANN in 1997. The reason why I'm here in this



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group, as a subject matter expert, is mainly because globalization is one of my dearest topics. Since the beginning of ICANN I've tried to push the organization to be, in the beginning, more international. We were talking about internationalization of ICANN.

Then, it was to address all the issues that can move ICANN not only to have a larger footprint worldwide, but also to be fair to all the different types of stakeholders. Professionally, because I work on the Internet topics – it's my hobby – as a day job I'm not retired, but I've been working for 15 years with an international organization part of the UN system. I have another point of view on how globalization and internationalization works in different situations. That's basically it.

JORDI IPARRAGUIRRE:

Hello. I'm Jordi Iparraguirre. I've been involved with ICANN since 2006. I'm the former manager of .cat domain. I'm a Member of the ISOC Catalá Capitol Chapter of the Internet Society. I'm a Member also of EURALO. My main interest on this topic is basically because I understand that ICANN has to understand it has to become really global, and global is much more than just opening offices around the world.

SPEAKER:

I come from Egypt, but I represent SchoolNet Africa, which is an NGO based in Senegal. We basically work with children to empower them and enable them with the use of ICT, as well as teachers. My other interest in general is in the globalization of ICANN. It's to explore how we can really engage the African kids at an early age, to understand what ICANN is, what is globalization, what they can do, so that we have

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an African child who can really look at the politics of how things happen, other than only the usage of the ICT.

SETH REISS: Thank you. Look to the person to your left. That's the person you'll talk to during lunch to find out a few personal things about them. After lunch, we're going to go around the room again and learn a little bit more about each other. It doesn't have to be embarrassing, it can just be a little known fact. Bring a few little-known facts.

SPEAKER: For the record, I just want you to realize that that arrangement means we have to sit in exactly this circumstance at lunch.

SETH REISS: No!

SPEAKER: Really? How does that not work then?

SETH REISS: You mean during lunch?

SPEAKER: Yes. So you're ordering lunch in?

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SETH REISS: Just make sure you talk to the person. You don't have to sit with them the entire lunch.

SPEAKER: We are getting lunch served to us today?

SETH REISS: I think there's a Plenary lunch.

ROBERTO GAETANO: I think that after the break we can have a more precise information about lunch and timing and everything.

SETH REISS: Thank you. Next order of business – we're going to summarize question number three. We discussed it fairly well yesterday, not entirely, and it would be fun to continue on with question three, but then we won't reach the other questions, which are important to discuss as well. Going to question three, just to summarize... This is also to help our rapporteur, who'll be taking this summary of our comments back to the entire group for the final report.

The first question was: are the bylaws drafted in compliance with international law principles? Actually, before I start, I had a question, and I'm going to ask Roberto. Is there a difference between internationalization and globalization? In other words, why are we discussing globalization and not using the term "internationalization"?

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ROBERTO GAETANO:

I can quickly respond that... I can give my point of view. I think that in the beginning we were talking, in ICANN, about internationalization. That was interpreted sometimes in the discussions like supporting the idea of having the United Nations taking charge of the Internet matters. This is just that word “internationalization” sounds like “international organizations”. Therefore we moved to “globalization”. It has more neutral connotation.

At the same time, we’re always talking about globalization as the impact worldwide of certain things that happen. There’s also one other big that I’d like to have the chance to stress. Commonly, when we’re talking about – forget about the Internet – economics and things, or everyday life, when you talk to somebody, the first thing that comes to mind when we say “globalization” is the fact that eventually we’re going to move to a situation in which one size fits all.

Globalization means that everybody is going to eat hamburgers. Globalization means that at a certain point in time we’re going to reason all in the same way, because that’s globalization. My interpretation of globalization is exactly the opposite. Globalization means to give value to the local realities and to make them make the world aware of the local realities. Globalization does not means massification. It means putting value of equal important to aspects worldwide.

I think with internationalization we had this problem that people were thinking about United Nations. With globalization we also have to be aware of the fact that there’s also this other semantic trick and potential pitfall.

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SETH REISS: Thank you. Tijani?

TIJANI BEN JEMAA: Globalization is not internationalization. It's to avoid the meaning of intergovernmental. That's all. Another thing I want to say before I give the floor back, is I agree with [Bertola 00:25:25] about the first question, number three. I think that yesterday we discussed the two next questions but not the first one, because the first one wasn't well formulated. It can be a source of confusion. I don't think we have to come back to the three questions in detail.

SETH REISS: Okay, thank you. Maybe I didn't understand, but we're just going to summarize what we discussed yesterday. That's fine? Good. Anyone else want to comment? By the way, thank you for clarification. I hadn't realized that the semantic terms had been selected for that reason, and it sounds like internationalization is focusing on nation states – so the relationship between nations – and we're more concerned with the user, the individuals, globally. I think that's useful.

JORDI IPARRAGUIRRE: It just came into my mind as you were speaking that maybe there is a parallel between multilateral and internationalization, and multistakeholder and globalization.

SETH REISS: Multilateral meaning between nations?

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JORDI IPARRAGUIRRE: States, governments – internationalization, for the explanation you gave, sounded like that. Then multistakeholder is the approach we try to use here in order to bring up policies, and so it seems to match with globalization somehow. At least in my mind. It rings a bell.

NEIL SCHWARTZMAN: Can I respond with some facts? Oxford English Dictionary, I happen to have it on my computer. I might as well use it. “Pertaining to or embracing the totality of a number of items, categories, etcetera; comprehensive; all-inclusive; unified; total. Specifically pertaining to or involving the whole world. Worldwide; universal.” That’s the definition of the word “globalization”.

I think that’s a nice term and it really does apply here. That’s my personal opinion, but certainly I think that definitively that word certainly fits nicely into what we’re talking about.

SETH REISS: Thank you. With that in mind, let’s go to number three: are the bylaws drafted in compliance with international law principles, or are they oriented to a local, not global, jurisdiction? We had a lot of discussion about that yesterday. Does anybody want to summarize what we concluded? Volunteers?

Okay, well, let me just say what I heard. I’m going to be doing this today. I’m going to offer that maybe some of you want to summarize what we said. What I heard mostly is that the bylaws were neutral –

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that they didn't orient to a local or global jurisdiction. I also heard a couple of comments that perhaps the bylaws could be amended to be more respectful of national laws and cultures, but that they weren't skewed against any national law or culture.

Does anyone want to comment on that, or is that a fair assessment of what we discussed? Second question... I'm sorry?

MOHAMED EL BASHIR:

I agree with what you said. I think the discussion was about the bylaws, that it's not a conflict, but it's to respect the national laws and international requirements. What Michele was talking about in his Irish experience is that he had an obligation, being in Ireland, for specific laws to be complied with, and ICANN was actually requesting him to breach that. There was a discussion about the requirement that ICANN needs to be sensitive about the global needs, requirements and procedures as well.

SETH REISS:

Thank you.

CARLTON SAMUELS:

Seth, can I ask for clarification? The issue was with respect to the contract and the terms of the contract, which compels violation of national law. The issue was how could you systematically address that, and the discussion arose that you couldn't do it in contract, because contract has to be executed in terms of some legal framework and

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national law, and therefore maybe the opportunity to address it would have to be at bylaw level. That's what the discussion was about.

Some were saying you need the bylaws to be neutral, to be national law neutral, because if you embed any kind of legal framework in the bylaw then you actually would be recognizing one law above the other. Alan [Lemon 00:32:02] raised a very interesting thing, and I'm going to read it because I thought it was important. I wrote it down. He said, "ICANN should not change rules to suit individuals, but rather it should move if the rules impact."

Then he got a little bit more reasonable. He said, "If you use an international law framework..." – that was equivalent to making a judgment about national laws. You recall that? His thing was, "Why not make a model that's best for everyone?" That asks the question about globalization, because globalization existed. What you want is to develop a model that was best for everyone. We didn't explore it much.

I was hoping that somebody would go back to him and ask, "What do you mean by 'develop a model that's best for everyone', and where will you start?" That is, to me, the hind thread.

SETH REISS:

I had a different point, but I want to reply to Carlton. I think there's a subtle difference between an Internet that we participate in and an Internet that is imposed upon us. I think that can be a very subtle difference, and it's in the details. One of those areas that I spent a lot of time studying was in some of the RAA contract flaws.



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Some of the enforcement mechanisms that are initiated by Internet users, specifically one of the only places where an ordinary Internet user can enter into the contract process is by making a complaint. There really isn't much space for somebody who's not a registrar, not a contracted party, not a domain owner, to enter into the contract process. That part of the contract is flawed.

That little tiny piece makes the Internet something that is imposed upon people, rather than something that they can participate in. That's the difference in the governance. One other point I wanted to bring up yesterday, and something I forgot until I left, is that the RAA actually obligates registrars to follow local law. Part of their obligation is to follow their local law, and I think that was lost in the conversation.

Sorry... To allow countries to apply for waivers so they could be in compliance with their countries that are retention policies, but that it wasn't working as efficiently and as well as some would have liked. That's what we heard yesterday. I'm going to limit the comments on those three points. In other words, does somebody want to modify what I've said in terms of what we discussed?

JORDI IPARRAGUIRRE:

Hello. Jordi again. Very shortly, because I was not even here yesterday, maybe you've already dealt with this. I do feel that this is a very important point, and I want to stress the importance of it. When I was managing .cat we had a long discussion with ICANN on could we modify the WHOIS data in order to comply to European data privacy and so on. It took us years. It's too long. You cannot have a registry. You cannot

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have someone that's bound by a contract with ICANN, waiting for so long to just fall down the cliff.

We could be fined, we could be [attacked 00:37:52] by the local government because of whatever – fined – and so this is very critical. Then that happened again with the new TLDs. We invested ages thinking about the new TLD program and so on. What happened was that when everything was finished, the European registrars had to comply with the European and local laws, but that was against the ICANN way of doing things regarding data.

Again, this is very important. Thinking globally means paying attention to all of the others. What do they need? Does what you do here fit with their environment? That's all.

SETH REISS: Let's move onto question number one. [Pause]

GARTH BRUEN: Sure. Garth Bruen. NARALO Chair. This is something that I spent quite a bit of time thinking about, and we've actually integrated it into our regional recruiting efforts. We had our last NARALO General Assembly in Toronto. We spent that time looking around the room, trying to figure out who was not at the table. We came up with lists of groups within North America who were not part of the discussion.

In addition to what are called, in some places, Aboriginal group, Native groups, or First Nation groups, these groups were missing. We spent a lot of time reaching out to these communities, and we have a number of

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new groups who come from the Native American or Aboriginal communities. We also realized that there is a lack of representation from the disabled community within ICANN.

This is something I noticed a long time ago, especially in terms of navigating the actual space at ICANN meetings. If I were in a wheelchair or visually impaired, this would be extremely difficult. Even just this room with the cables and the narrow walkways would be very, very difficult for somebody in a wheelchair or somebody who is visually impaired.

I live in Boston. I reached out to a group that meets at MIT once a month called VIBUG. They're the Visually Impaired and Blind User Group. These folks have come up with the most innovative ways to use technology and the Internet. I sat in one of their meetings and I was extremely impressed. As much as I try to understand their experience, it's almost impossible to understand their experience. They really, really have to start coming to the meetings and dealing with the difficulties, so we can all understand the difficulties that they have.

I think that reaching out to the disabled community, globally, is probably one of the most important things that we can do as community groups. It's not only ensuring their access, but ensuring their accessibility and ensuring that they enjoy the same protections that we all expect in using the Internet. If there's one thing we know statistically about the handicapped community, it's that they're most likely to be victimized in terms of different types of abuse.

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They're more likely to be victimized through scams and manipulations. I think that we have an obligation to spend a lot of time thinking about that and making sure we reach out to these communities.

SETH REISS: Go ahead, [Victor 00:42:11].

[VICTOR]: Thank you. I had several points about the first question, but first I wanted to second what Garth was saying. It was also something I wanted to bring up, because in 15 years or so at ICANN I've never seen one single session devoted to participation by disabled people. ICANN is really at the zero point. It doesn't even have an accessible website for visually impaired people, for example, with high contrast fonts and big characters, bright yellow and gray, and that kind of stuff.

That's what helps people who don't see very well to actually be able to read what's on the ICANN website. We're not even just talking yet about [unclear 00:43:00], even participating through the website is still impossible. It's interesting, because in the broader Internet community there has been a lot of work in making the Internet accessible for disabled people and for the different kinds of disabilities.

Also, most people who are not disabled, often, when they think of disabled people, they think of people in wheelchairs. That's just one of the possible categories of disabilities. Again, for these people the Internet is even more important than it is for everyone else. Sometimes it's their only way to communicate with the rest of the world, especially

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if they cannot move. Maybe ICANN should think in the future to have a specific track of work to work on that.

Then to come to the more general point, of course there are plenty of barriers. Again, we've come a long way. We have translations. We have a lot more than we had 10 or 15 years ago, but I was really appalled by the data that was shown yesterday on participation and public input, to see that even today, Working Group participation is basically 90% from... I think it was two-thirds from North America, almost one-third from Europe and the rest is 5-10% at most.

This is something that really has to be addressed, but I think it has to be addressed with the people that come from Africa, Asia Pacific and Latin America. I would like to understand why. We do have participants. We have few of them, much fewer than from other regions, but we have several participants. Even long-time participants in ICANN from those regions. The question is, why don't they submit public comments in public comment periods, or...?

I guess there are different issues. The first one is, especially for people who don't come from the core, American culture of the Internet, but from the rest, the feeling is maybe submitting public comment is even useless. I've heard several times that people spent days to draft very well-thought out public comments, maybe several pages – and it's even harder if English is not your primary language of course – and then you send them and then it looks like no one even reads them. Even if they're read, no one really takes them into account.

I don't know if this has changed in the last four or five years, but at least when I was participating, many people had that feeling and so they said,

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“We just stopped submitting public comments because we felt that it was useless.” I don’t know what other people think about this, but this might be one of the issues to address. Then of course there’s still an issue with cultural ways of participation.

Over time, by attending ICANN meetings, I’ve got used to going up to a microphone in a public forum with everyone there, speaking up and even being somewhat aggressive. Even yesterday I made a note on sacking people from ICANN staff, because they didn’t do the WHOIS compliance stuff. I only did that because I’m in this environment. In my culture it would have been a bit rude to say that.

In other cultures it would have been totally impossible to just get into a meeting and directly criticize someone for not doing something that is part of their job. That would have happened in more indirect manners, or you might say polite or you might say it hypocritically. It depends on how you consider them. There is definitely a problem in that not all people from all cultures are used to standing up and being very direct in making their points, especially in public.

That’s maybe something that still hinders participation. I’m not really sure how to address that. The regional levels could be more welcoming for people because they are somewhat nearer to their culture, so maybe having a mediator participation, in which people submit comments at the regional level, and then someone translates them into the ICANN organization culture, and brings them up, may be helpful.

In the end, I think that this issue also comes down to evaluating the effectiveness of all the instruments for participation that ICANN has been adopting. ICANN is now funding people to come here through

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several different mechanisms. If we agree... My question was, is input in policy-making the real objective of participation in ICANN, because that's not to be taken for granted.

If we assume that the primary role of people who come here is to give input in policy processes, then there should be an evaluation, for example, of how much contribution to policy-making process has been done by people who have been funded to come here? Not individuals, but in general. To understand whether the mechanisms that we have built are effective or not, in submitting comments to public policy-making processes. Again, that might not be immediate but it's something that needs to be done.

SETH REISS:

Thank you [Victorio 00:48:47]. We have a few issues here and we have a lot of people who want to talk about them, so that's nice. Disability. That's global-neutral. It's probably the only thing that's global-neutral, so I think it's great to bring it up, but luckily we don't have to solve it by a location, we have to solve it globally, so that's easy. Easier than some of these others issues like linguistics.

Participation. We did see yesterday almost no participation in the PDP process, outside of Europe and North America. When everybody speaks – and we have a long line of people speaking – if you could talk about what can be done, or solutions. Let's think about solutions. I think [Victorio] did point out that there are things that are trying to be done. We're not sure how effective they are. We have a long queue.

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I think Neil, you had your hand up. Let's just go through who's... Tijani, I'm not sure when you came up. Okay. Neil, Tijani, Garth, Roberto, Lance and [Uri 00:50:01]. Neil.

NEIL SCHWARTZMAN:

Thank you. As a relative newcomer, I was here in Mexico and struck by the Swine flu at the time, so I was rather ill and unable to fully participate. I have a real problem with the process here. you're asking me to read the bylaws and comment on whether or not they're in compliance with every global jurisdiction.

You're asking me to understand every draft agreement for registrars, registries, in every country in the world, and now you're asking me to talk – and I think Garth was absolutely right – on behalf of disabled people, or women, or people with different cultural things. That is absolutely the wrong approach. You want... The way to fix it... I don't even know what "it" is.

Yesterday I saw an ICANN Board that talked for an hour and fifteen minutes until the first woman spoke. Ironically, she was the person who was talking about the diversity of the organization, for ten minutes. There's one woman in this room. There's a bunch of white guys, mostly. How am I to speak to the issues of people in other nations? I don't even know what their issues are, and for me to do so would be incredibly pretention, chauvinistic and wrong.

I think that that way to fix this, as a first step, is to actually solicit input – not from a single individual, because I don't want a list of personal grievances about how difficult it was to get to an ICANN meeting – but



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more of a... There needs to be a study to fully understand exactly what the issues are, before we can come up with a proper... We can't begin to talk about solutions until we understand what the problems are.

Garth going to an institute for the blind, my first thought was, well, wear a damn blindfold for a week and you'll find out what the issues are. That's only one way that we could become blind, but it doesn't even speak to a lifetime of poor-sightedness, deafness, or whatever physical handicap one might have. We're dilatants in that sense.

I don't want to come up with a solution that's then attacked by people with legitimate grievances, and saying, "Well, I spoke on your behalf." I'm a white guy from North America. I have no idea what people's issues are. I really don't. As empathetic as I may be to them, I think we need we need to find out, from the people who are having problems participating. That's it.

TIJANI BEN JEMAA:

I fully agree with what [Victorio] and Garth said, about people with disabilities. Now, about participation, I will give my point of view about the reasons of the poor participation of people from the south, particularly. First of all, there is a problem of language. ICANN is spending a lot on interpretation and translation. For the interpretation, I don't have any comment. It's working.

For translation there is a big problem, because if you are, for example, and Arabic speaker, you can notice that the documents translated in Arabic sometimes doesn't have anything to do with the original document, because the translation is perhaps done by an automatic

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translator. I checked with people speaking Russian and they said exactly the same thing.

It's right that ICANN is doing a great effort in this field, but there is still a problem, and I think that we need human action, human checks, and perhaps the community can do that. Perhaps. If we want our community speaking our language, understanding the documents, we have to first read and then say to ICANN staff, "It's not okay. You have to do it in another way." First point.

The second point: the participation, the geographic problems. This is the Summit of the At-Large. Normally, all the ALSes have to have a representative here. Unfortunately for Africa there is a lot of ALSes who didn't make it, because of the visa problem. This visa problem has been a problem for a long time. We had the biggest problem in Toronto, and now here in London. The solution for the visa is not to ask for waiving the visa procedure, or changing the laws of the host country.

It's only to be careful about the choice of the venue of the ICANN meetings, and making sure that the countries where we hold our meetings accept not to waive the procedure, not to change their laws, but to admit arrangement so that people are not refused because of the country, of their region, of their religion, of their color, etcetera. If there is a refusal, it must be a refusal because of a personal problem.

For example, the IGF does that. You'll tell me IGF is an intergovernmental body. That's why they can do that with the governments. I understand that, but we have to find a way to solve the problem of visas. Otherwise we'll always have African people at a complete disadvantage for the participation. Participation is not only

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policy development participation. It's also if people don't make it to the meetings.

They will not... As you said, for the people with disabilities, you will not understand their problems. You will not know why they're not participating, so you have to have them come. At least two main points – language and this visa problem.

SETH REISS:

Roberto?

ROBERTO GAETANO:

I have a few things to say, but first of all I'd like to refer to what Neil has said. I think you are perfectly right, but we are in a Catch 22 situation. If category X of people don't participate in the ICANN meeting because of whatever reason, they will never be able to bring their issues here and we'll never solve the problem. I don't feel like I can speak for disabled people.

I don't feel I can speak for developing countries, but for the little bits that I'm aware of, I will try nevertheless to raise the issue so that the problem comes to the surface. Then maybe, slowly, we'll have the members of that community participating and then define it better. We need to bootstrap this. That brings me to originally what was the main point of what I wanted to say. I had the chance to see ICANN in history, from the very beginning to what it is now.

I have seen the steps that were taken. I remember in the beginning, with Stuart Lynn, it was an issue... Stuart Lynn was the second CEO after

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Mike Roberts, and it was really a huge effort to convince him just to envisage the possibility of having languages other than English used at ICANN meetings, or documents translated. That was the situation 12 years go with Stuart Lynn.

There was this translation project that he finally started, and that was completely ineffective. It wasn't his fault, but times were not ready. Now, we see that we have interpretation, excellent interpretation. One problem I see is that interpretation is not used by the people who should benefit from it. I still see people whose native language is not English, and we have translation from that language that are not speaking in their native language. I think that think that this is coming.

Now we move forward, and we need to go to the next step, which is the inclusion of other languages. Some have been added, but I think that Tijani is absolutely right about the translation. We've focused on interpretation, and this is fairly well taken care of, but there's another problem with translation. It's that a lot of times the documents for public comment come out in English first, and in the other languages later on.

There's even a reduction of the time that native speakers of other languages have to comment. Maybe the solution will be to have a comment period, starting from the moment that the translation comes out in that particular language. If it's 45 days, it cannot be 35 days only for Arabic speakers, for instance. This is because you are also soliciting solutions.

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SETH REISS:

I like solutions.

ROBERTO GAETANO:

Of course, when the documents come out, I read them in English. I'm not entitled to speak for those communities, but I think that from my point of view, this could be a solution. I would solicit contributions from other people. Also – going step by step – in the beginning the problem was pure, plain, participation to ICANN meetings. Reading the website. The website was only in English. Now, we went over this to a certain extent, although I agree with [unclear 01:02:35] that we're still not there.

Now though, I think that we need to focus on the policy development. I think we're starting to have a fair participation in ICANN meetings, with the caveat of the visa problems, with the caveat of the locations, with the caveat of also economic barriers to participation. In ICANN meetings we see worldwide participation – more than what it was 10 years ago.

The participation in Working Groups is the real issue. That's where the policy development is. I regret that Mikey O'Connor is not here. I've been discussing this issue with him, about Working Group participation, and I think something has to be done in the way the Working Groups are managed. The participation of people that come from a different cultural background is they're having many more difficulties – not to even talk about people with disabilities – in Working Group participation.

On the other hand, the Working Group has a schedule to fit. They have to produce work and so the work is conducted in English. We can't have

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Working Groups that have interpretation on the teleconferences. Or maybe we should. That's the question. Since we're advancing in other issues like the participation in meetings, and we have interpretation today, can we think of focusing on participation in Working Groups? It's the essence of the policy development. It's the essence of the work of ICANN.

The purpose of ICANN is not to bring people around the table in big conferences, and having everybody stepping on the mic and having their five minutes of glory by stating one issue. The focus and purpose of ICANN is to produce and develop policy. It's the policy development that we should focus on now for being effective, and global, and inclusive. I think that we need to focus on the work of the Working Groups and find solutions for that.

Apply interpretation. Guidelines for Working Group Chairs, in order to be attentive to different types of cultures. Solicit input and not expect that people that are culturally not inclined to jump to the microphone. For example, in a teleconference of a Working Group we might have 50 participants that at some point in time start talking one over the other. It's very difficult, for somebody who doesn't have a particular mindset, to jump in the conversation and say a few things.

That is also the culture, the skills, of the Working Group Chair. I don't want to use up a lot of time, but you see the point we're getting at. We need to specifically solicit – if everybody agrees, as a result of this conversation – an analysis on why the Working Groups are partly dysfunctional and why there is no global participation in the Working Groups.

SETH REISS:

Thank you Roberto. I skipped over Garth. He's so close to me that I forgot he had his hand up. I have Garth. I have Lance. I have [Uri] and then I have Carlton. I have Neil and then Carlton. Sorry. I thought what was very interesting... I hadn't realized this yesterday when we saw the slides, and there was no participation, or almost no participation outside North America and Europe, that that was on public comments.

What Roberto just brought up to us is that we don't have slides on participation in Working Groups. We have to realize that there's probably more participation going on in Working Groups, although perhaps not enough. The other thing is I'm giving extra points for solutions today, so the more solutions we have, I think the more robust our report will be. Keep that in mind. The next person is Garth.

GARTH BRUEN:

Thank you. I should have mentioned this before, but we've launched, within At-Large, an Accessibility Working Group, which is focused on the disabled accessibility. We had our first meeting in Singapore, and during this meeting we actually had local participants who were deaf, with a deaf interpreter. This was wonderful. One of the things I wanted to do, when I started this effort, was just going forward at every meeting having some kind of presentation from somebody in the disabled community.

One of the things I proposed was that at this London meeting we have someone from the blind community demonstrate the technology they use to access the Internet. This was squashed. Not only was that

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squashed, but actually just having one of our Working Group meetings for the accessibility issues was also squashed. We were told that it was squashed because there was no time within the ATLAS schedule to do it.

Now, I understand the logistical issues, but it's also really disappointing to say that because we're having ATLAS, we don't have time to meet with the disabled community. That's a conundrum. The second problem that we've come across is I seized upon that at some of the larger meetings there's a running text commentary that's displayed. This text commentary is so useful for so many people, because deaf people can read it, and blind people can put it through parsers, which read it back to them.

Now, when I asked staff, "Can we see more of this? Can we have more of this at more meetings?" we were told, "No. It's too expensive." Now, it's really hard for me to get mad at Silvia and at Heidi, because they're so nice, but this is an unacceptable answer. It's an unacceptable answer to say that it's too expensive. In terms of language, I believe that there are also parsers – and they're not perfect – which will translate that running text into different languages.

Now, it's not going to come out right the first time, but it's something that can be immediate. It's something that can be immediately accessible. You don't have to wait 45 days, and the person who's reading it in their own native language is going to understand that something is wrong in the text, but they're going to get it right away. I think these are two things that we need to explore and take more seriously.



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ROBERTO GAETANO: Sorry, just a tiny... The written text was useful to me when [Paul Tume 01:11:03] was speaking.

SETH REISS: Paul had a strong accent, is that right? I guess so. Lance?

LANCE HINDS: Thank you Chair. As Carlton will tell you – and I’m speaking about the Caribbean, for a couple of minutes – we’ve got to wear about two or three different hats, because not only are you dealing with trying to get people involved in the ICANN process, we’re also working about getting people in the ICT process, in the first instance. ICANN assumes many, many things, and the North American and European participation is as such, because the things that we’re now dealing with you’ve dealt with already, in most cases.

You’ve dealt with access, to a large extent, with the exception of the people that Garth may have mentioned. We are still dealing with those things. We’re still dealing with ICT for development spaces. We’re still trying to get regional governments to get their policies together. A lot of the issues of participation comes from some of that, because it’s a lot to handle. It’s not an excuse. It’s just that it’s a lot to handle. ICANN is a very technical beast, at the end of the day.

By virtue of what it is, it’s a very narrow, [rarified area 01:12:44], as I said a few minutes ago, anyhow. A lot of this, in terms of a solution, has to be awareness, education. I think that has started, to some extent. Carlton, you went to Suriname a couple of weeks ago, to start that process. There’s got to be awareness and understanding, and it’s got to

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drill down to a user level. It's not there. I'm an IT professional. Carlton is an IT professional. We've been in the business for many, many years.

It's just got to drill down. The way that works is through education and awareness about ICANN and what it does. When you compare the knowledge of ICANN versus the knowledge of ITU, for example... ITU is on the ground. They're doing IT for girls. They're doing developmental programs and things like that, so people in the community know more about ITU than they would know about ICANN, for example.

A lot of this, in our case, has to be awareness, in terms of what ICANN does and how important it is, in terms of the Internet space. There are really two threads. There is ICT development and then there's Internet development. It's for people to understand that difference, and again, to work on the awareness, as we move the process forward. Thank you Chair.

SETH REISS:

I think we have [Uri] and then Neil.

[URI]:

This is [Uri ? 01:14:26] for the transcript. I'm a little disappointed at all of you, because most of my points actually already came before I ever had a chance to speak, so I'm mostly going to spend my time agreeing with different people. I'd definitely have to agree with Tijani on the concept that there are two different types of participation. There's the participation that takes place at ICANN meetings, and then there's the participation that takes place between the ICANN meetings.

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I think we should try to address or keep the two concepts separate so that we can hopefully have some kind of solutions to both of them, and keep the two concepts separate. They're not in competition with each other. They're two different questions. I'm going to have to agree with Lance on the concept that the world is not at the same level, in terms of Internet penetration and Internet awareness.

That's something that hopefully, if we do our job right, will fix itself over time. I don't think it's that alarming that there are very few comments coming out of Africa now, but I'd find it very alarming if there were very few comments coming out of Africa in 20 years. It's something that might not necessarily require drastic changes right now, but it's more of an ongoing process, ongoing thing, to try to include other communities.

As to concrete suggestions and concrete solutions, I think the concept of online translation for at least some of the Working Groups, or Working Group calls, might be something to try – not necessarily start doing immediately on a large scale, but try it and see if that helps participation for a few Working Groups. Another thing is that participation in Working Groups is technically voluntary.

In order to include larger groups of people, it might be necessary for the Working Group Chairs or other people to use their personal connections to try to involve more non-white males from Northern America and Europe. The first steps could be just to try to involve individuals in the Working Group process. That's all for now, but I hope I have more ideas later.

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NEIL SCHWARTZMAN:

First off, what you said about translation just makes my blood boil, because living in Quebec, of course we're sensitive to both French and English, and in my professional life I've spent a lot of money on translators and translations. For somebody – I just put a phrase into Google Translate saying, "Using a translator as a [de facto 01:17:49] standard is wrong-headed."

I put it into Arabic and it came back in English, "The idea of using the wrong translator programmatic as a [de facto] standard." In other words, nonsense. I think your revenge would be to submit everything through Google Translate to ICANN henceforth, or for us to come out strongly and say that they need to start spending some of the \$200 million that they have as an annual budget on translation, for at least some specified languages – whatever those languages may be now.

There may be some variances with Arabic, or others... No? It's standard? Chinese of course, there's Simplified or Traditional, but whatever. We can make a huge impact simply by using translators instead of translated devices, because I love Google Translate. I use it every day so I can understand what somebody else is saying – generally in spam – but that is not meant for professional documents, in any sense.

To the point of them being at a disadvantage – "them" being everybody who doesn't speak English – in terms of the document release, that's a policy adjustment. We don't release until all the translations are ready. Simple. In other words, the English doesn't get out first. You set the deadline far enough back that once the seven major language groups are covered, that's when you release a document, an RFC, whatever it is.

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I don't see that as being anything more than a simple policy change. We can advocate for that. The one thing that we've glossed over, and my major point – I feel that I didn't say it strongly enough – is that the major issue here is, I'm sorry, not about blind people or deaf people – I'm partially deaf – but it's about now there's one woman who's not being paid to be here. That's abysmal! My organization will, from now on, be sending a woman. Simple!

I can't even believe that... We don't need a study. We don't need anything. I know that there's a lot of talk in, particularly North America, about the tech community. There's a lot of really aggressively, nasty stuff that goes on, within the programming community, that makes it really unpleasant for women to attend any kind of conference. There's been no shortage of what they call "brogrammers" and stuff like that, just making things unpleasant for women.

This isn't the technology industry though, this is public policy. I fail to see how organization simply aren't taking a proactive step, so we, of course, will send a woman henceforth. Simple. We will do that. I will no longer attend these meetings. I have two Board Members who are just as – perhaps way more articulate – than I, and smarter than me. They can contribute as much as anybody. I don't see when I'm here when they should be.

That's my contribution. I think that there again, we can make a simple... We don't need studies. We don't need a whole lot of hoopla to just say... There are women in every organization here. Well, not ALAC, but... That's a simple change that we can make very quickly. My organization will do so.

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SETH REISS: Thanks. Carlton and then Tijani.

CARLTON SAMUELS: Thank you. There are two things I want to throw on the table: the issue of transcription, live transcription. It's true that transcription could serve many communities, and one of the issues always has been why don't we have more live transcription? It's always been said that it's because it's too costly. What we have not done, I believe, is to see the benefits to all of these other groups.

Garth is absolutely right – if we make the argument that when you have live transcription, many of the disabled community will have more access to it, because you can use the technology to make it accessible from that [beast 01:23:24]. I think that's what we've not done yet, to convince them that it's actually more valuable. I just need to put that in. I wanted to talk about the Working Group logistics.

The thing with the logistics of Working Groups is that it's difficult in two aspects of it. Because everybody's remote, usually, using technology, while there's indication of presence, the Chair – having chaired several Working Groups myself – unless you see an indicator that somebody wants to say or do something, you don't have any visibility of who and what's out there. So the screen you see a list, and you have to have some kind of indicator to see people.

Here's the big thing that's the elephant in the room. Not all volunteers are equal. I sit on an Expert Working Group with 15 others, and there are only two of us who don't get paid to be there. That's part of their

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day job. I'm talking about people making high six-figures, and I'm sitting in that room and putting my time and effort with people who are paid to be there. It's the same with Working Groups.

For those of us who... I call it an investment. I am investing in this, because I think it's important for people to understand, in all parts of the world – because there is so few of us who actually understand what's happening – we have to invest. My big peeve has always been, in ICANN, that they don't see what I do as an investment. They seem to think that they're doing us a favor. That irritates me to distraction.

When I sit with a lawyer who is volunteering, but is getting paid a million dollars to show up to volunteer, and my contribution is not valued and I don't have anybody paying me, when I sit here it's an opportunity [cost 01:26:03]. I sell knowledge for a living, and when I'm here I can't sell it. What we do has more value for our community than even ICANN, the corporation, is willing to accept. Let us please understand, all volunteers are equal, but some are more equal than others, and we need to understand how that works. Let me give you another example.

We try to recruit people for the ICANN Board, and almost everybody who we know is absolutely qualified to be on the Board. When they found out at the time what the call on the personal time was, without compensation, they said, "We couldn't do it." That's a fact. A lot of people from my area of the world who are volunteering, they are volunteering. There's nobody paying them.

We have this problem of not accepting facts as they are. The majority of people from North America and Europe who are volunteering, are paid to volunteer. Thank you.

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SETH REISS: Carlton, can we have one of the outcomes of this to ask for a cost estimate for transcribing? Can we put that in the notes? Let me see where we are. Tijani, Paul, Neil, you're up again?

NEIL SCHWARTZMAN: No, sorry.

SETH REISS: Okay. Tijani?

TIJANI BEN JEMAA: Thank you. I hope you recorded the solutions I gave to the two points I raised? Okay, very good. The last point I want to speak about is the gender imbalance. I think this is not an ICANN problem. We're speaking here about barriers. Is there any barrier for the women to participate? No. From the ICANN side you can't do anything to make women participate more. It is all over the world the same problem.

In Tunisia, in our new constitution, we put a clause saying that on the election [slates 01:28:48] we need at least 50% of women. This is something that the jurisdiction can do, but ICANN cannot do something like this. I think that for gender, there are no barriers, from the ICANN side. Thank you.

[PAUL MCHENE]: [Paul Mchene 01:29:15]. I'm an ICANN Fellow. Coming from a developing country, one of the biggest problems in participating in



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ICANN is basically most people don't know what ICANN is. If you want to tackle the issue of participation, you have to try and demystify what ICANN is all about. I'm privileged to be a Fellow, but even I took a lot of time to understand what all this is about. How can I give meaningful and relevant contribution to whatever Working Group I'm interested in?

Apart from that, if you can actually help demystify – not only on the website; and on the website you do have a lot of information about what we do and why – but then to the person in the grass root, especially the consumer, who actually is buying a domain – and part of the cost of the domain goes to ICANN – they just don't know what it's all about.

I was very surprised that when the NTIA made their announcement that they want to look for a multistakeholder body to handle the IANA operations, I was surprised that the US media equally didn't know about what ICANN is. It's really a problem that has to be tackled. Another thing is also, how can ICANN, and what do the participants gain when they participate in ICANN?

It's a question you should ask because, for example – I'll give you not a very good example – in the developing world, the ITU is actually more recognized in its role, than ICANN is. This is because ITU works with government regulators. Of course it's also... Can I call it a [unclear 01:31:02]? They actually contribute money. They actually contribute, can I say, even training and projects that actually people in the government, and even consumers, can know that there is a role and there is a body called ITU.

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Can ICANN think in a similar way? Can it actually engage in the grass roots such that people can see that it was doing something? Thank you.

SILVIA VIVANCO: The coffee break is scheduled from 10:00 until 10:30, if you want. Coffee is served, but things to eat...

SETH REISS: Why don't we take five minutes, and come back?

[END OF TRANSCRIPTION]