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MARRAKECH – AFRALO Program for African NGOs  
Wednesday, March 09, 2016 – 07:30 to 09:00 WET  
ICANN55 | Marrakech, Morocco

UNIDENTIFIED MALE: This is Wednesday, March 9<sup>th</sup>, AFRALO Program for African NGOs, 7:30 start.

UNIDENTIFIED MALE: ...and CSG. And we have another part, the NPOC, Not-for-Profit Operation, where we can accept as member only NGO. To be a member of NPOC, you have to be a member of an NGO. There are some ALAC members, some ALS members who are members of NPOC. Here, we can ask ourselves why, what is it? This is why I went from ALAC to the GNSO. As Tijani said very well, there is a department giving advices to the board, and the board can accept or not accept those advices. He can choose.

In the GNSO council, it is different. We write, we draft the rules, the procedures and the rest of the gTLD structure has to respect those rules. And the council will vote on those rules. Then the rules are presented to the board, and the board will accept those rules or not accept them. Once they accept those advices, those rules, they are going to be implemented. And this is the difference.

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And this is also the complementary because here, we need to work more and more together, ALAC and the GNSO, we both have almost the same mission. And my objective when I went to NPOC, it was to try to take the good advices from ALAC and to try to produce some rules in the GNSO because this can make things easier because when an advice is presented, an advice is issued to the board, before this advice came back to the GNSO as a request, we have to count about one year or two years. And the Internet is not waiting for us.

So this is the reason why I wanted to make things easier and quicker. And I know [Sheri] tried to do that too. And Olivier now the liaison and he is trying to point, he is trying to show, that we need to be quicker, we need to act quicker. And in NPOC, this is the youngest constituency that we have in ICANN. We are going to have five years next June. And we have 70 members. That's good. And it's not easy to create, to convince an NGO to work more and more, to add some work to the NGO work.

So I'm happy to be speaking here to you today and I hope we'll meet again in the future and we will be able to collaborate in the future because for us, Africa is a very important continent. It's here where the economy is getting developed. In the other regions, in the other continents, apart from Latin America and part of Asia, we can say that everything is already developed. The economy of the future must come from Africa. This is clear

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for us. And if you have any questions, please contact me. I will be very happy to give you some more details.

UNIDENTIFIED MALE: Thank you very much, [inaudible], for this very good presentation. We talked about the constituencies of ICANN. We have two other parts we didn't talk about, the NomCom, the Nominating Committee which, just like we said earlier, is here to nominate people to the board and to other board of entities at ICANN to have a stronger diversity. We have to make sure that have a strong regional balance, and all kinds of balance and diversity in our consistencies. We don't want people only from North America or Europe at the board level, for instance.

There is another entity which is not exactly part of ICANN, but which works with ICANN, which is IETF, Internet Engineering Task Force. They do develop protocols, the Internet Protocols, the IPs, three parts for the Internet. As you know, for the Internet to work, you need IP addresses, domain names, and protocols. Who develops the protocols? The IETF. They're financed by the Internet Society. They do contribute to the Internet by developing those protocols. But at the structural level, they are not part of ICANN.

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So we talked about all of those different parties, and do you have any questions? We have ten minutes to ask for some questions and we'll talk about our evaluation. Yes? [inaudible]

[TERRY]:

And as you may know, I am a lawyer. And the issue, the question I do have regarding the domain name system, how does it work with the national suffix ending, like .fr. .fr is managed by the French authorities, and what is the relationship between ICANN and the states?

UNIDENTIFIED MALE:

Thank you very much, [Terry]. You're talking about the ccTLD. Those are the Country Code Top Level Domains. This is an Internet domain name. There is a delegation done by ICANN or not authorized by ICANN. You have to request delegation. The government might request it and might be owning the ccTLD, but it might be another entity.

We have some private companies that manage some countries' ccTLDs, because the government, a long time ago, they just didn't know. They were not interested. They didn't buy the name. They didn't request the name, the ending, the suffix. And ICANN doesn't want to interfere, doesn't want to put criteria

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saying the government should be in charge. It's the person who makes the requests.

The government has a say if a private entity wants to get the ccTLD but we have some private ccTLDs. Once it is delegated, the ccTLD manager, maybe the government or a private entity, the relationship becomes the relationship between a manager and ICANN. It might not be with a country. I hope I answered your question.

[TERRY]:

Yes, the system can be criticized, I would say. It might have some flaws. First come, first served seems to be the rule. In the Caribbean, Guadeloupe and Martinique have domain names, national domain names, but they are French territories. So they shouldn't have them. They should be .fr.

TIJANI BEN JEMAA:

No. I'll give you the floor later on. Hold on.

We mean countries and territories. .pl is Palestine. Palestine doesn't officially exist. You know there is this issue with Israel, but there is .pl for Palestine.

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CHERYL LANGDON-ORR: Merci, Tijani. I just wanted to step forward and suggest that there are a couple of resources that you may find useful to help you understand this somewhat arcane system of country codes. And pen to paper if you do want to follow-up. This would be something called RFC 1591. That's 1591. That is very much the rule book by which delegation and re-delegation happens for not only cc, Country Code, TLDs, but actually also generic as well.

I would also strongly encourage you to explore from the ICANN website within the ccNSO space, that's the Country Code Name Support Organization space, a document published only late last year called *The Framework of Interpretation*.

*The Framework of Interpretation* was a four-year exercise marked by the community that looked at, in excruciating detail, RFC 1591 and the Government Advisory Committee advice on this, because as you are rightly identifying, governments have a particular interest. And beyond that, there are a few of us who have spent a reasonable amount of time in this area who would be delighted to take a conversation offline. Thank you, Tijani.

TIJANI BEN JEMAA: Thank you very much, Cheryl, for this explanation. Another question? Yes?

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[JAMAL]: Another question? My name is [Jamal] [inaudible]. I am the General Director for Regulation and I am from Morocco. I am in charge of broadcasting in Morocco and I agreed with what Mr. [inaudible] said in the French context, but I would like to anticipate and ask you a question that may be another issue.

You said that we can delegate to someone, to a private entity to manage a CC, for instance, a ccTLD. Can we see a situation of a private entity give a domain to a government which is an illegitimate country regarding international laws? How can ICANN verify and make sure that we have a legitimate request, a legitimate country?

TIJANI BEN JEMAA: [inaudible] regular the delegation [inaudible]. Give us a document with all the information, the new document with all the information that do exist. ICANN does not verify. They receive requests. They have specs and they do compare there the request with the specifications. Of course, if there is a government that comes, talked to ICANN and said, “We want, this is our country, this is our CC,” the government is going to have its say.

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UNIDENTIFIED FEMALE: I am a lawyer from Tunisia and we do understand, listening to our colleagues, we do understand the goal of this complexity of the structure of ICANN. It is very complex because the Internet is complex. However, isn't that cause for issues? Just like we say when with SO, with GNSO and ALAC, we have interactions. But isn't there a conflict? And that level between the different entities is not going to create conflicts between the entities we are talking about and the different groups we are talking about? Where those SOs, those ACs and they do not seem to have much to do with the decision-taking process at ICANN. It is just a consultative aspect. So don't you think that the board is now going to dominate ICANN completely at one point?

You didn't give us, Mr. Tijani, the method, the way you nominate or choose the members of those associations. You have three questions: conflicts, complexity, issues. There is nothing we can do about it.

TIJANI BEN JEMAA: ICANN is, by definition, the multi-stakeholder model, by definition, is complex, is difficult because you have all the entities at the same level, at the same footing. Everybody has the right to express oneself and this is a native complexity. This is a basic complexity. We have many mechanisms in case of conflict. And this complex aspect is absolutely necessary for

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ICANN because we are dealing with complex processes. The multi-stakeholder model cannot be authoritative. We want democracy and this is complex. This is multi-stakeholder model.

The board, the board. The power of the board. We do nominate the board members. Rinalia Abdul Rahim is our representative at the board. They have a ccNSO as representative, the GNSO as representative at the board level. Many people are nominated by the community. Every two or three years, they change. The board changes constantly. We have a NomCom process to make sure that there is a strong balance. But the NomCom is made of the community, so the board reflects the community. The board cannot become an authority above the SOs and AC. We need certain authority, but the authority has to come from the base.

UNIDENTIFIED FEMALE: And what do they reflect? How are they nominated?

TIJANI BEN JEMAA: Yeah, you're changing your question there, but I'm going to answer your question.

How do you nominate the different members coming from the SO and the AC?

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We talked about the board, the board issue. Now for ALAC, I will give you the example ALAC. ALAC, as I explained, is made of 15 people. Those 15 persons are nominated by RALOs. Ten people are nominated by RALOs, which is our base. AFRALO, for instance, in Africa, is going to nominate two members of ALAC. The third member is going to be nominated by the NomCom, Nominating Committee, to make sure it is balanced once again.

ALAC reflects the RALOs, which is the base, the users. The ALSes do elect the RALOs. We have a pyramid. It's a bottom-up system. It's not top-down. It's bottom-up, our model. That's how it works, and I hope I answered your question, miss.

CHERYL LANGDON-ORR:

And very briefly, Tijani, I noted some interest with some of what I said about delegation of at least Country Code TLDs. Perhaps if you would accept my offer at some future point in time, we could work with staff in the ccNSO, Bart in particular, and we could put together a webinar which, most importantly, should also be an e-publication so it's asynchronous. So we can have Q&A at the time, but that it is captured and able to be promulgated throughout Africa to help everyone understand.

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TIJANI BEN JEMAA: Thank you very much, Cheryl. Very good suggestion and I will add this webinar to our program.

So I have two hands. I have [Fatima] and Beran. [Fatima], please.

[FATIMA]: Thank you. It was very clear. You answered my question. Beran?

UNIDENTIFIED FEMALE: That's a fantastic idea. I think a lot of countries will benefit from it, mine especially. We're actually going through re-delegation and have been for the past 12 years.

TIJANI BEN JEMAA: Yes, I know.

UNIDENTIFIED FEMALE: So this is a wonderful gesture and I think we should take it up immediately. Thank you.

TIJANI BEN JEMAA: Your name, please.

ISAAC MAPOSA: Is there no way to work on a process for ICANN to have an influence on the management of Country Code Top Level

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Domains? We're like divorcing ourselves from the management of these domains, and as the development of the Internet ecosystem as some countries are overprotective of their Country Code Top Level Domains and put in place policies that hinders progressiveness. Thank you.

TIJANI BEN JEMAA:

I beg your pardon. I didn't have my headphone. I didn't hear clearly your question, so a moment please. A moment. I am sorry.

Repeat your question, please.

ISAAC MAPOSA:

Is there no way where ICANN can work on a process to have a direct influence on the management of Country Code Top Level Domains? Because some countries are overprotective of these domains and put in place policies that hinders the growth of the Internet ecosystem. Because divorcing ourselves from the management of these Top Level Domains doesn't do any good to the community or Internet users.

TIJANI BEN JEMAA:

Very well understood. Thank you very much for this question. I think that the suggestion of making a webinar about the

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delegation and the re-delegation is very good because ICANN, when you have a ccTLD manager, unless you have an application for delegation, ICANN cannot do anything. So if there is other parties who wants to get the domain rather than the government, they have to apply for that, for re-delegation. And as I said, we have our rules of re-delegations. So if it is conformed to the rules, it will be done. If not, it will not be done.

So ICANN don't want to have influence on the users or on the customers, if you want. ICANN have rules and works according to those rules. We will make a webinar. We will try to make it as soon as possible. And I hope you will attend it so that you understand exactly the mechanism. And we will give you also the reference to the document so that you can read it. Thank you.

It's time. We have to stop the discussion now. We will go the second part of this meeting. We have only five minutes. I will ask you please, the five NGOs, to tell us. Beran, I will ask you, please to tell us how did you find these capacity-building sessions. Do you find them useful, not useful, to improve? Tell us.

[Hija], [Fatima], [Terry]? Yes, [Hija], please.

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[HIJA]: We would like to thank you very much, Mr. Tijani, for this efforts that you did to train us better, newcomers. We are newcomers at ICANN. It's a wonderful, wonderful initiative. We're happy. But every human work can, of course, be developed. And I think for the next time, we should have a strategy. And we have to have a progression from general to more specific. I noted that what we did today, personally for me, that was the first time. So I would like that we go from general to more detailed.

TIJANI BEN JEMAA: [Fatima], you have the floor.

[FATIMA]: My name is [Fatima], from Mauritania. Thank you very much, Tijani. I'm very happy with this initiative to reinforce capacity building. It's my second ICANN meeting and I know more now and I see a structure with the last presentation and slides. And I feel more at ease to talk about ICANN. Thank you very much. That was necessary. We are to do it. I know that it's a difficult process. You take into account our needs. It was important for us to understand ICANN better because this is not easy at all. Thank you very much.

Maybe a little questions. Can we have the material that you did present and the slides? That would be great.

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TIJANI BEN JEMAA: [Aisha]?

[AISHA BET]: Hi, everybody. I am from Morocco, an NGO Morocco, and I am very impressed to discover that there is governance, a practice of governance. ICANN is all about governance and bottom-up governance. Thank you for being so generous with your time. Thank you to all the members, Gisella and Tijani. Everybody was helpful. This was wonderful. This is very nice. I learned a lot.

I am a member of an ISOC Morocco chapter which is part of ICANN. We're very tired, but it is wonderful to learn so much, and I have a request. My reference are marginalized zones and areas and the most vulnerable.

I talked about [ITS] today. Sometimes we have no infrastructure. We don't have access to Internet. What can we do to distribute USB keys? It's not easy at the logistical level. We have lots of needs. People have needs and they are very vulnerable sometimes. It's not always easy to be an Internet member.

TIJANI BEN JEMAA: Thank you, [Aisha]. [Terry]?

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[TERRY PIETKUDAL]: Just like all the newcomers, Tijani and Aziz, Aziz is a busy man. We thank you so much for all this information, documentation, documents put at our disposal. Thank you for explaining all the different systems and details of ICANN.

I would like to go back to what I said earlier. My NGO from Cameroon, we need to know more, even more, about the way domain names are distributed or they work. We need to know more about that than the internal structure of ICANN. I already used that term. Central Africa and the NGO I represent, it's not only central Africa. So we need to [know] more about the way, the distribution, the dissemination of domain names, the allocation of domain names because my non-governmental organization observes the situation in different countries, in 17 countries, and we should be able to say, "Well, that doesn't work. Why doesn't it work? What can we do so that it works to improve the situation?"

So thank you very much for describing the different internal organs and entities of ICANN. I am a lawyer, and like I told you, if you explain to me how it works, it is good. But my friends in my NGOs, I don't know that they are very interested about, for now, by the internal mechanism of ICANN. They are going to be more interested when they come to an ICANN meeting. We need to know more with webinars, good tools, good training. We said it several times. We can do webinars. We can call people, have

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phone conferences, telephone conferences, and this is going to be what I am going to say to my NGOs to improve the training of my members.

CHERYL LANGDON-ORR: The end.

TIJANI BEN JEMAA: Okay, thank you. So please.

[JAMAL]: I like to insist on something because I think we all reacted in the same way. You are the host of the telecom regulator. I am the kind of cousin with the convergence topic we are inside this association. And I have been interested in ICANN for many years here in Morocco. And I want to tell you something.

In my organization, the regulator here in Morocco, we are 130 persons. Seventy-five persons are the framing of our organization, leadership. And I have asked them and only 60% of them knew ICANN. And they are in the regulation and the technical part. And we have only 3% of women in this organization.

According to the reactions of those people have noticed that they don't know what ICANN is. And according to what you said

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and what you organized this morning, we feel that you want to inform about ICANN because there is a lack of information about ICANN, basically. And this is related to the situation we have in our countries, the civil society and Internet, the civil society plus Internet give a new citizenship, [electing] citizenship. So the lawyers in our country are realizing that for the implementation of the public rules to be implemented, they need to work more and to listen more with the civil society and work more with it. So in your countries, if you don't find the civil society in your different bodies of the government, you have to try to implement its participation. So this exercise of local information to have the civil society reacting about processes – for example, Tijani told us it was bottom-up work. And as people from the down part, I'd like to be heard. I'd like to defend my opinion in front of the board, for example. So how can we do? Can we be heard by the board? Is there a possibility in that way? Because with Internet, we have to give the civil society some role, an important role.

TIJANI BEN JEMAA:

We are finished. I am sorry. We are late. We are seven minutes late, so I am going to give the floor to [Lilla Galuz] and to [Aisha] and the queue is closed. [Lilla].

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[LILLA GALUZ]: Well, I'm not a newcomer and it should have been a bad idea. Well, what is my name? [Lilla Galuz], ICT Tunisian Association. It would have been a bad idea to ask question because I'm inside your organization. You have explained very well how it functions into ICANN, how ICANN is functioning. I've heard a declaration of our Moroccan friend who said ICANN is governance. No, ICANN is number and address with some governance rules.

So I think that we are still in a big confusion about what ICANN is. And I want to ask this question. What is ICANN? And we need today to be more precise about what is ICANN, what is the result of ICANN, what is the work of ICANN. And fortunately, we are speaking about the governance rules of ICANN also. We have been speaking about that for two years. That's good, but there is some confusion here.

TIJANI BEN JEMAA: Last words from [Aisha].

[AISHA BET]: [Aisha Bet] from Morocco. The economy of the future is going to come from Africa. You say it. Everybody say it. So the proof that there is some governance in ICANN is that we are leaving the IANA transition. It's wonderful to participate to this meeting, this ICANN meeting, during the transition phase. It's very good things

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for me so I wanted to thank you. Thank you to AFRALO for having invited us. Thank you from Africa.

TIJANI BEN JEMAA:

Thank you, [Aisha]. Cheryl, I would like to say something about two things. First, people don't know ICANN. We need to tell the people what ICANN is. And the end user don't need to know what ICANN is and why ICANN is existing or not. What they need to know is how we can use Internet, what are its rights, and how to use those rights and to make those rights respect.

Why did we speak about the ICANN structures here? Well, we have invited new NGOs. We want them to come into ICANN. So we wanted to explain that in a very well fashion. There are two kinds of governance in Internet. There is the governance of the use of Internet that is explained in the IGF. And there is the governance of the unique identifiers of Internet. And this is here where speak about that. We speak about the governance of the unique identifiers of Internet here. So when we are speaking about the governance of Internet, in general, it's not here because it is not the content that we are working on. So I am going to give the floor to Cheryl.

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CHERYL LANGDON-ORR: Wise words as ever, Tijani. I am an outsider. I have been observing and I wanted to say two, possibly three, things. Firstly, this is wonderful work that has been done. And I, as an outsider – although, AFRALO and Africa did steal part of my heart ten years or more back and it seems to have been taken care of so I'll leave it there – we are doing very worthy work with this type of outreach. I hope you're very happy with this program. I am delighted to have observed it and I'm sure you all will be thanking Tijani and Aziz and the other staff who have put such a huge amount of effort into it. But this is step one. I'm really excited about watching what you all do next. This is a seed planted in the Kingdom of Morocco. I'm waiting to watch the tree grow with the roots firmly in each of Africa's country.

Thank you, Tijani. I'm going to give you a standing ovation. I hope everyone else joins me.

TIJANI BEN JEMAA: Thank you, Cheryl. A moment, please. Moment. Moment. Thank you, Cheryl. This is the conclusion of our session. As we said at the beginning, we need to speak about what will be the follow-up. Unfortunately, we started very late. So we will follow-up via e-mail together. And I beg your pardon. You have to tell us how do you feel. We can't do a good follow-up so that you will be

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better integrated and so that you can step in so that you can begin leaders in ICANN.

I would like really to thank our staff, our wonderful staff, who made this possible. Without our staff, we wouldn't do it. So thank you very much.

And also, thank you for our interpreters because you are only French speakers and Arabic speakers, so thank you. Thank you very much.

And I cannot forget about our technical staff who are doing very good work for us.

Thank you all and, yes, a moment. We will distribute your certificate for this training, so please be in the wrap-up session of ALAC which will be between 14:45 to 17:45 in this room. It is compulsory. Please be here this afternoon from 14:45 to 17:45 to have your certificate. It's compulsory. It's part of your training. Thank you.

**[END OF TRANSCRIPTION]**