ICANN75 | AGM – Joint Session: ICANN Board and ALAC
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MAARTEN BOTTERMAN: Thank you all, and thanks, dear ALAC members, for joining us. It's really a joy to be with you as it has been over the years. What ALAC offers and does in terms of innovation of its membership has been exemplary and your participation is increasingly effective by also earlier engagement. Really appreciate that. And we look forward to the discussion and of course your man on the Board, at least appointed by you, and on the Board, he's a Board member, will lead this session. So, Leon, please.

LEON SANCHEZ: Thank you very much, Maarten, and welcome everyone to the joint session of ALAC and the ICANN Board. And we are wanting to have this as a fruitful discussion as we usually do and very eager to hear what you have to share with us in terms of the questions that you have raised to the Board and then also the questions that the Board has raised to you. So, Maureen, welcome, and if you would like to give it a shot to read the first question and maybe tell us who is going to address it.

MAUREEN HILYARD: Thank you, Leon. It is a real pleasure for me to be here today of course at my final session with the Board as the ALAC Chair, and I really feel that today's session especially in regards to the issues that we are going to be discussing, and I see my two main speakers at the end there, so it's going to be sound surround At-Large for you today.

And I think that one of the things that we decided on was the fact that the concern that you and we have with regard to advice to the Board. So, what I'm actually going to do is pass it over to Justine and Jonathan, because they have devised the actual content of today's issues and will be able to present it in a little bit more logical sequence, but Justine, will it be... Jonathan? Justine let's go with you.

JUSTINE CHEW: Thank you, Maureen, Maarten, and Leon and to the Board members here for having us. My name is Justine Chew, I am currently the ALAC liaison to the GNSO Council, but I am meant to be the subsequent procedures lead in At-Large as well, so I think I'm attending in that capacity here today.

So we have forwarded a list of questions, I suppose, to the Board and I think you have had time to sort of ponder over it and in the context of Subsequent Procedures as a reminder and maybe for

the benefit of people in the room, back in October 2021, the ALAC had submitted a piece of advice, a quite lengthy piece of advice on Subsequent Procedures itself, and then subsequently -- sorry, we submitted advice in April 2021, and subsequently in October we had a call between the ALAC and the Board because the Board had some clarifying questions for us pertaining to the piece of ALAC advice I mentioned. So, we didn't get through the entire list of questions that the Board had but we did subsequently submit a written response to the questions that the Board had. And we haven't had contact specifically on this matter ever since.

So… we thought it was a good idea to try and ask again on this matter and find out whether the Board still had any supplementary or further questions they need to get clarification on pertaining to our advice or even the response. And also in terms of my understanding is normally the Board would provide a formal response to any advice it receives whether it's from ALAC or GAC or whatever, just to get an understanding of when the ALAC can expect a response to the piece of advice and further on, we know the Operational Design Phase for SubPro is ongoing, something the Board instituted, and is the timeline for that, will that somehow affect the response of the Board that we are kind of expecting.

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And really, my personal question would be what is going to happen once the Board gets the Operational Design Phase assessment, the ODA which is expected out in November. Will that be subject to Public Comment, or will there be opportunity for any part of the community to have further input? Because we really don't know what is coming into the ODA, we're very eagerly expecting to see what's in the ODA. So if the Board could share some inclinations on those questions, that would be much appreciated.

LEON SANCHEZ: Thank you, Justine, and to my ALAC colleagues. This is of course an opportunity for the Board to continue this new way of interacting with the ALAC, as you have just highlighted. So, I would like to ask Avri who has very generously offered to take care of this answer, to please comment on these questions.

AVRI DORIA: Sure. Thanks. First, very much appreciate the way you basically responded to our request for clarifications and coming in with more and such. And at this point I don't think that we've got any pending questions. We're still working through the responses, you know, the folks doing the ODP have also the responses and they're looking at them, they're being looked at in reference to everyone else's advice and such, so I think it is all in that sort of

grist mill where we're looking at it, haven't come up with any more questions, clarifications.

I'm absolutely positive if we did come up with something else where we felt there was need to clarification, we would come back like we have before and ask a question. So very much appreciate and especially the way you have gone about doing the answers and making them clear and trying to be very specific. Definitely appreciate that. I think we're okay at the moment in terms of getting questions clarified but as it gets discussed more, as the ODP and eventually the ODA comes out, it may generate a new question just in comparison to how work goes. So, I can't say there will never be any more questions but at the moment there aren't. Appreciate that.

In terms of when we would reply, I think around the same time we make a decisions on Subsequent Procedures and ODA, so once we have received the ODA, gone through the discussion, the comparison of everyone's advice and basically come to conclusions, it's only at that point that we would be where we would know what had been decided in relation to anything. And that is also a time when another question could come up while doing all of that. So again, not trying to say there will never be another question.

In terms of the ODP and ODA itself, it really wasn't planned as something that would have a review. It's basically the org trying to -- and it is still experimental -- but trying to sort of give the Board all the information and interpretations and balances and risks and all that stuff in an organized way so that it will be public, the comment, while there won't be a structured public comment on it, obviously you all could comment on it, any document that comes out, anything that is published, you all have learned that, and it could be subject for future advice from you when you go through it but there isn't a plan to do a formal comment review on it. Did I hit all the questions? Or did I leave one pending?

JUSTINE CHEW: Thank you, Avri for the reply. The reason I asked whether there is opportunity to comment on the ODA is because it may also provide the ALAC an opportunity to refine our advice. So, we developed and wrote that piece of advice based on what we knew at that point in time, which was quite some time ago now, in April 2021. And the ODP process may have raised a couple of questions that maybe no one considered. And if that was the case and ALAC was able to maybe provide some suggestions as to how to tackle something, then it would give us an opportunity to then refine the advice we have put forward or maybe even supplement it so that is the reason for the question.

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AVRI DORIA: I think, Göran wanted to.

GÖRAN MARBY: But the train has not left the station because we provided the Board with answers to the questions they had. After the Board makes the decision, we go into implementation where many of those iterations – as you might know from the last time – I wasn't there, it's what people told me -- we have different public consultations before we go to actions, so it's not like it's over. So -- it is important for the Board to have a say. And it's nothing that prevents you, honestly, because we're going to publish the whole ODP, ODA, whatever, it's an ODP process that constructs an ODA paper -- I know, it's late for me. And you can read it and make comments, and the Board will -- there is nothing stopping you from giving advice. And we will always listen.

AVRI DORIA: That's what I was trying to indicate, that when it comes out, if you have stuff to say, please say it.

JUSTINE CHEW: When we examine the ODA and if the ALAC feels there is something that they want to say about it, I'm pretty sure that they will. So I'm just laying the path ahead so to speak and trying to

get confirmation as to whether that is the case and I think -- well, you have confirmed that. Thank you.

GÖRAN MARBY: I really want to underline something. You are an advisory committee to the ICANN Board. Your role is to advise the Board and the Board will look into that. You can give advice of anything on those processes when you feel you should. So, I think it would actually be counterproductive for an advisory committee to lock down that you can only do it at certain periods. You have a really important role, including people on the ICANN Board.

LEON SANCHEZ: Thank you, I have Edmon, Jonathan and Maarten. So Edmon.

EDMON CHUNG: I put my hand up to say pretty much what Göran says. I think after the ODP actually there would still be the SPIRT/IRT processes and still implementation and also basically what Göran said at any time ALAC should as it sees fit, should give us further advice.

LEON SANCHEZ: Thanks, Edmon. Jonathan.

JONATHAN ZUCK: I want for first begin by thanking the Board for taking action on things like Closed Generics and putting it back in front of the community with some guidance to renew the community discussion on that, that seems very appropriate way to handle that. And I think we're very supportive of that and a lot of what our advice talks about are things that seemed like they were left unfinished in the initial Subsequent Procedures report which is also understandable given what an enormous task that was in front of that Working Group.

And I would also like to thank Avri for her very frequent participation, or at least lurking, in the policy discussions inside of At-Large on the CPWG calls which hopefully helps inform her impression of the conversations we're having. One of the things that was a little bit disconcerting after we had our first call after advice was that we had somehow given the indication that we were trying to shut down the next round or didn't want it, and it wasn't the case, we wanted to maximize the opportunities that another round provided and minimize the risks associated with that.

And the truth is, as extensive as our comments and ultimately our advice were, they were on a very few focused areas within the subsequent procedure report. So, I hope at a very high-level this virtuous exchange we had of questions from you and clarifications from us have helped to increase understanding

between the At-Large community and the Board as far as our intentions, because it has never been to deny the community a new round but instead to maximize the value it could bring to the community while minimizing its risks.

LEON SANCHEZ: Avri, go ahead.

AVRI DORIA: Thank you and I want to say how much I appreciate being in those meetings, just listening. I've told everybody that it's probably the best stuff around if you want to know what's going on in the various PDPs and processes around. And I like that you let me lurk, and like I said, I'm always ready to answer a question if directly asked. But thank you for allowing me to just sit there and lurk, because I love those meetings.

LEON SANCHEZ: She has told me many times that that is her favorite call. [chuckling] Maarten.

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MAARTEN BOTTERMAN: Thank you for very good and upcoming clarification. If there is something you have to say, there is always time to say it, as Göran and Avri said.

The other thing, formally, ALAC advice is not GAC advice, GAC advice is defined in the bylaws and has a certain process. So that was the first advisory committee where we worked on improving the process of understanding and what we're now doing with ALAC is trying to get the best out of it as applicable to the ALAC situation, so the continuous improvement of how we understand advice and how we take it is important but if any new facts, insights come up, don't wait or hold it back because you don't see a formal opportunity.

LEON SANCHEZ: And you know you have an open door to the Board, always. Good.

JONATHAN ZUCK: At one point we submitted advice as a Valentine message. I guess I'm glad this formal process has come since then, because it probably would have undermined the intention of Valentine to have it parsed at this level. but I think we very much enjoy this exchange back and forth. One of the challenges for At-Large – and I believe for the GAC as well – is making sure that advice is not

something that comes out of the blue, that it's not why have you been staying silent during the two year this discussion has been going on in the working groups and now suddenly you're saying this. So we're trying to find a balance of active participation in the policy development processes within ICANN including areas in which we don't always get our way and things like that and trying determine the things we still feel strongly enough about to try escalate to that final bite of the apple, if you will, which is our advice. So we don't think of advice as our default method of participation but as a final method in a sense, and hope that just active participation in the normal processes of ICANN is the best way for us to provide input to the community in the most timely way.

LEON SANCHEZ: Couldn't agree more. And mindful of time, we have two more questions from the ALAC to go and those of the Board. So, I would like to hand it back to Maureen. Or are there any other remaining comments or questions in regard to this first question? Do you want to make a comment? Please go ahead.

MAUREEN HILYARD: I just wanted to follow on from what Jonathan was saying about advice, it may be unexpected, may be unsolicited, but it's actually something that is raised by the community, because I think it's important enough to bring it to the attention of the Board, and I

think one of the things, speaking specifically about the waiver, for example, as an example, but it was something that was considered by the community to be of enough value to raise with the Board and I think what we really appreciated was the fact that it was treated with the seriousness that we felt that we had given it as a community. And I mean, just the fact that it can be – was addressed and that it makes – adds value too, so what we think about our advice and any other areas is also taken as seriously. Thank you.

LEON SANCHEZ: Thank you, Maureen. That definitely shows we are listening to what we get from the community, feedback and the different positions that we make, and we do take them into account seriously and thoroughly. Can we go to the next question then. Who will take it, Justine? Jonathan?

JONATHAN ZUCK: This was a more conceptual question we had which is that the completion of the Operational Design Phase since it is a kind of a pilot, do you believe that the concept itself of the ODP will likely result in public comment or a review of the concept itself? Do you think there will be an evaluation of the process? Not the output but the process itself for the ODP.

LEON SANCHEZ: Thanks, Jonathan, Avri?

AVRI DORIA: [Tend not to.] Certainly, there will be the reports from the two ODPs then there will be a report that is because we had said we were doing an experiment with these first two and so there will be a writeup on that and had that worked, what didn't, et cetera. Didn't think of it as something that we would be getting an open public comment because it really was the building of a tool to help the Board do its work. But once again, these things will be public and available, and therefore people can comment and give advice and send letters or what have you, that basically the Board will be taking a definitive look at them, will be interested in hearing comments people may have on them but really the point is to see were they useful? Did they make the work easier, harder? Did they produce the advantages that we thought they would produce?

And my assumption is that even after these first two, they will sort of be mixed because some of the advantages are defined as longer term, if we have ODP we will spend less time in the next stages, and obviously we won't be able to decide about that until we have had the next stages so I think it will be an ongoing conversation. Again, the ODP is something that the Board will

only ask for on specific instances, and as it's not like an automatic thing that will happen with every set of recommendations, it's when something is so complicated it may warrant it.

So… at the moment I don't believe there are plans or need to be plans for a full-blown Public Comment, but once again, when the documentation goes out and everybody reads it, hearing from you, the people that care, that have issues, whatever, it would be a good thing. And I hope that covers it.

EDMON CHUNG: Just adding to what Avri was saying, I guess until we get into implementation or complete implementation, we don't know how much value the ODP brought. It's hard to review. and as Avri mentioned, not every policy coming would initiate an ODP, and one of the good examples is the auction proceeds. There wasn't an ODP initiated for that, and it started into implementation.

LEON SANCHEZ: Thanks, Edmon. Göran.

GÖRAN MARBY: So, we're doing the ODP for SubPro on a budget of $9 million. I would say it's a little bit more than an experiment. Yeah, it's an experiment, we add in a new process, may be able to support the

Board and we know already there are things we're now doing before the Board decision that we used to do after, so we already I think achieved that one. And I would say the first ODP we did for SSAD has caused a lot of interesting conversation between the Board, GNSO Council and inside the GNSO, etc. So I think the process itself has already shown value. You might not agree with the outcomes, but at least it fostered discussions inside the community. So, I think in some shape or form -- and also to the Board, the complexity of things like the next round, they are numerous dependencies, financial issues, and just the meaning of the whole thing and to prepare the Board, the Board needs to be prepared for decisions like that, and I think you all agree with it.

LEON SANCHEZ: Thanks. I have two fingers from Avri, and then I'll go with you, Hadia. So if we can please hand the roving mic to Hadia in the front line.

AVRI DORIA: In this case, I still hold onto the notion that it's something we're still learning from, call it experiment, call it not, but the value of it, and the jury is still out on that. It would be a great discussion.

LEON SANCHEZ: Thanks, Avri. Hadia, please.

HADIA ELMINIAWI: So now I hear, or I think I hear two different things. So, I hear Avri saying that we are still to evaluate the benefit of having an ODP and ODA and I don't know if you are going to share your learned knowledge and experience with the community, but I hear also Göran saying that it has already proved that it is useful. Again, my question to you, Avri, that you will be sharing your learned knowledge and information, correct?

AVRI DORIA: We will, and the fact that org and an individual Board member and a process, there are still conversations ongoing, the fact that we're going to review something means that there's still more to be learned. Believe it or not, Göran and I don't always agree. And we like it that way, I think.

GÖRAN MARBY: Most of the time we do actually agree.

AVRI DORIA: Yeah, sometimes. But anyway, I'm sure afterwards we would describe for example if we say wow, they're the greatest thing since sliced bread, we would explain why. If we decided that, yeah, they're really good but they're only useful in this or that

kind of circumstance -- but I'm sure anything we come out with would be shared.

MAARTEN BOTTERMAN: And to be in the middle of those two, the intent of the ODA and ODP is that it helps us.

So… what we will do after we experience the two ODPs is really look at did it help, and we have seen things that helped already. Does it hinder? Could it be better? I think that is the other aspect we're looking at, constant improvement, and that would be the focus, not about whether or not but about how can and we use it best and when can we use it best. And as Avri said, it's our process, we try to do our work as well as we can but we also intend to continue to share how we do it. So, in that way that is a good opportunity to invite for input as well. But it's really about helping us to do our job better together with the organization.

LEON SANCHEZ: Thanks, Jonathan?

JONATHAN ZUCK: Just having completed a $50,000 experiment in the form of an end user survey, I really want to side with Göran in his deference to a $9 million project and making sure it's described the right way. I

think Maarten summed it up well in terms of being not either-or but how the improvement might be made over time, and we will definitely participate actively in those conversations as they evolve.

LEON SANCHEZ: Thanks, Jonathan, any other comments on the topic? No? Good. So back to you, Maureen.

MAUREEN HILYARD: Jonathan, the final question is definitely yours.

JONATHAN ZUCK: This final question is more amorphous and I don't know where it will lead, and we have touched on the issue to some extent already a little bit. We wanted to on one hand kind of ask whether or not the advice that you are getting from us and the clarifications you got are appropriate and therefore understandable and still fall within the remit of our advisory role and what reactions you had there and to some extent we have already heard some of that from Avri.

We're also interested in the evolution I think, for lack of a better term, of the status documents around that advice. So, we got ourselves a copy of the spreadsheet that talked about the status and different aspects of things and it wasn't entirely

understandable on our part as we tried to parse through it. And maybe that is an area -- and I don't know if that is enough of a document for your purposes and we need to come up with our own but I guess that was part of our reaction was again, back to Justine's first question of getting an understanding of where things stand is difficult, especially when there are so many pieces of advice out there.

Because once you parsed the subsequent procedures advice it turned into a long list, so we get it. That was part of Justine's question about the ODP came from, etc., that there isn't a resource for us to look to to say this still requires verification, this is waiting until such and such time at which point we'll probably get back to you, this is still under consideration, this has been rejected, et cetera. Is there potentially some room for evolution in the status of advice? If that makes sense.

LEON SANCHEZ: Thanks, Jonathan. Maarten.

MAARTEN BOTTERMAN: Thanks, for sure that is the aim, that particularly the status recommendation full stop and advice is visible. David and his team have been working with the advisory committees as well to develop this and continue to improve it because it's to serve us,

clarity, with so many things on the table, how do we keep track of what is there and what is still relevant. By the way, if there's any advice that you look back and say it's not necessary anymore, also you are welcome to put your hand up and say let's take that off the list. So that is one thing and we look forward to continue to improve that.

These advice-related agenda items are also part of the advice improvement process, and over time I think the bilateral meetings have gone better, more understandable. And going forward, we have suggested that you do work with the ICANN Board member selected by At-Large and ICANN Org SME that support you to determine in advance of an ICANN meeting what advice or advice related topic may benefit most from this face to face to really progress that. So, from our side we will be happy to come back and say what did you mean? And we will take the advice into account when the appropriate decisions have to be taken but in the meanwhile from your side, you are very welcome to raise it in these meetings as well and be very open and looking forward to discussing those at the right times.

LEON SANCHEZ: Thanks. Maarten. I just realized I haven't spoken in Spanish this time. [chuckling] I would definitely like to seize the opportunity to use the interpretation services. So, our colleagues from

translation services are still awake. So, I will switch to Spanish if you have your headsets.

Thank you, Jonathan for this explanation. I believe that as Maarten was saying, this is a process, an evolution, and we have all learned to interact in the best possible way, an interaction between ALAC and the Board. I believe that what should be highlighted is that we know much better what a statement is, vis-a-vis what advice is, we know the differences much better. In the past this was all mixed up and there was confusion, it was difficult to identify what was a statement and what was some advice. And this made things difficult. It was difficult to follow up on issues on the Board's side.

As a result of this positive evolution, we have seen At-Large and ALAC where one of the most important steps was to define the different pieces of work carried out within ALAC and this helps us as a Board to better do a follow-up of each advice, piece of advice we receive. We have a tool for this, we have set up a new procedure, Maarten has already described, we have already been involved actively in this and while I insist this is a process that should be refined.

We will improve it continuously. And in order to do this, it is key to get your feedback so that we will be able to do the necessary

adjustments and of course you should be open to receive that input from the Board so that we can fine tune this process. I am going to go back and switch to English again. So, is there anyone wanting to comment on this?

MAUREEN HILYARD: Yeah, I just wanted to make mention first of all, as you will have noticed, I don't have that much to do with the actual sort of content of the inputs with regard to the policy but I was very much into the process. And we really appreciated the support that org gave with regard to giving us the support, Chantelle, we have had Evin in the past. There's always been someone who has provided that support internally to help us get our documentation ready for the Board or wherever it's going. And that has been invaluable with regard to sort of like knowing that these guys are just putting the information together and it is finessed in a way. So I just wanted to thank you for that support because it really helps the quality of the work, the quality of the product that we move forward too, so really appreciate it.

JONATHAN ZUCK: And if she has to leave, please just say no.

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LEON SANCHEZ:

Good. So, we have come to the end of the questions from the ALAC. And now I would like to turn to the questions that the Board has posed to you.

The first question is what collaborative actions should the community, Board, and org be undertaking to further progress achieving our strategic priorities? And I don't know, Maureen, if you have any takers for this one. Jonathan.

JONATHAN ZUCK:

I hadn't been previously assigned this response. I mean, I think that as far as -- I began to say this in my first intervention, just as we struggle sometimes as the At-Large community generally and in the ALAC in particular, to refine our role in the best way to play that role within the ICANN community, I'm sure the same is true for the Board as well. And different Boards have had different proclivities in that regard, and I think as a whole we generally consider the Board's role to predominantly be one of safeguarding processes rather than as a final adjudicator of disputes that come out of the community.

And so, I think that the work that has been left undone by the subsequent procedures is -- it is ideal that the work is still

returned to the community despite the fatigue that might exist in the community to resolve rather than putting it in the hand of the Board necessarily to make those decisions.

I mean, there are areas in which the communities reach consensus and we might still give advice to the GAC, might still advise you to convince you to overrule something but I feel more times than not the decisions are dropped in your lap because the community has thrown up its arms and the onus is on us to find consensus positions. One of the things that was interesting in the session in which both Becky and Avri participated in applicant support that we did, at the end we did a survey on what would constitute success in the next applicant support program? Would it be better that we had accomplished much deeper and broader outreach effort than before, that more people knew about the fact that applicant support exist and that our communications efforts were a success or would the successful application of one or two TLDs from Underserved Regions be the best measure of success, and that was overwhelmingly the answer, that the best measure for success is a successful applicant, and that that might not need to be 100 successful applicants, but one or two.

And I think this is an area in which the answer to that question goes a long way to dictate where we should put our efforts into such a program, and educational, hand-holding efforts, whatever

those things might be, I think in some measures should be guided by not just improving on what we did last time if what we did last time wasn't even intended for the outcome that we most value. So when we're able to identify actual measures of success I think it goes a long way to guide what our activities should be, and I think this applicant support is a good example, and I think we're going to find it with the excellent work going on with the NCAP study, giving us some indications about how to approach the problem differently than we have in the past and I think DNS abuse will be another area where that is the case as well. Sort of an abstract answer to that question but hopefully helpful.

LEON SANCHEZ: Thank you, Jonathan.

GÖRAN MARBY: This is very interesting, and I really like where the discussion is going but I was thinking, you said something there, it's about solving something. And sometimes I speak in a private capacity, but I think one of things we need to be better at in all of what we do is actually define the problem. Because you're right, we're sitting here, we're doing the next round—it's not the next round, it's the same round, second sequence—was that the right way to say it? I'm looking at Avri now. She's teaching me. I think I'm on

the right—it's not something new. The Board has already decided we're going to open a window again and then we're going to do something. Good. And we're sitting here and talking about what problem we're trying to solve ten years after. That is a fairly essential question. Yes, we can go back to bylaws and mission and talk about that. For instance, what is the definition of competition? Competition open entry, I think is the word, but I'm just tagging along with you, I agree with you sometimes, and this time I do. We have to be better at the problem definition, because if we don't have a problem definition, the policy work is very hard to measure the success against that. We need—and you will be surprised—sometimes metrics.

JONATHAN ZUCK: Thanks, Göran, I agree, it's problem definition and from that a determination of what represents success. And I think both of those things are necessary for pragmatic evaluation after the fact or even along the way, in other words, are we getting closer to the objective we set ourselves, or not, and if not, then should we be making a mid course correction on the tack that we're taking? And I think we shouldn't be afraid for our ideas to fail or not work out the way we think they will and worry that makes us failures. If we see that our efforts in a particular area are not heading in the direction we want, we shouldn't be afraid to make changes and be happy about having more information and a strategy to go

forward rather than feeling badly about the fact that somebody's idea didn't get the results that we hoped. That shouldn't be something we're afraid of.

LEON SANCHEZ: Thanks, Jonathan. Anyone wants to make any further comments? Maureen?

MAUREEN HILYARD: Yes, but first of all, I have to apologize because I don't remember seeing these questions, they might have been at the very end, and I missed them. But I thought it was quite relevant that Jonathan should take that first question, because we have been browbeating him over the last couple of months about his whole strategic vision for the next four years.

But one of the things that is quite relevant for us is the advice to the Board may not be just from the CPWG, because we have our operations finance and budget group which actually does look at org's strategic objectives and I think it's quite relevant to sort of point out it doesn't necessarily have to be policy related. And if I can give Holly five minutes to talk about sort of like what those strategic direction is for the operations group, and potential advice that might come from that particular area.

LEON SANCHEZ: Excellent. Thank you.

HOLLY RAICHE: Yes, I will repeat what I said and the intent of the session yesterday was to have everybody around the table prioritize the initiatives that they actually find important so when we respond particularly to the ICANN budget, being able to tie the operating initiatives and our comments to the operating initiatives that we have identified are important for us to the budget so that we're not kind of commenting just on figures, we're actually commenting on achieving objectives.

And the reason I asked Xavier this morning about the grant program, he told me where it's coming from, but it doesn't have his criteria, but if we have a Multistakeholder Model and we have a lot of communities, there is a grant program that we don't have criteria for but are being developed that may actually achieve ends if we know what they are, so having that discussion about the merger of money and objectives is actually a very important one. So, when we comment with lots of numbers, which Ricardo is fabulous at, we want to tie it to the objectives and how our objectives could be better achieved through the resources of ICANN.

GÖRAN MARBY: That was a very short five minutes. So, the grant program is developed by the community in a -- what is it called -- cross community Working Group, and they did develop criteria so now we're operationalizing those criteria so they will be there and when we go through the program which the Board will make a decision about prioritization and all of that good stuff, it will be possible.

But I think Xavier's comment was that that money came from the famous auction proceeds so they're especially assigned to just give out. But you have another good point, which I really appreciate, because one thing me and Xavier have been trying to do over the years -- and I don't know if he's here, because he can speak in a much better and more beautiful accent than I do about this -- in 2016, 2017, instead of only sending out the Excel spreadsheet, which is the budget, and it takes 18 months for ICANN to do a 12-month budget, one month per year where we don't do budget, called vacation. So, in those, we try to give proposals for operational goals, what we want to do with the money.

I want to quote something Xavier says often, our money, ICANN.org doesn't own the money. We are a not-for-profit organization and all the money we have should be used for the

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public interest of what we do to secure the stability of the Internet. So, what we try to do in the budget is making sure first of all the things that are in the bylaws, but also drives to that target, and then we go out to the community in many different sessions and ask, are these the right things to do? So I really [appreciate] the fact -- then we always come back. Why are we paying $10,000 for a coffee machine or something -- we don't do that actually. Xavier is now shaking his head. But that is a good discussion as well. So, we try to provide this balancing.

And I'm going to say something now, for the next budget we try to twist it is all around so instead of talking about – we're going to display that as well, how many people we are and the rest, but actually talking about how much money are we using for community support, for the technical support? So, for instance I can tell you now [with the first experiments] that 40, 45 percent of our budget, that is community support; 20 percent, 25 percent is about what we have done technical services for, IANA, DNSSEC, all those things. 20, 25 percent is compliance, the things we do after you decide on something, the cost we have there, and about 15-20 percent are what we call shared services. Xavier gave me thumbs up. I'm not completely wrong. So actually to foster that discussion. My answer is now longer than your question, but you have to know one thing. I do love the budget process, I know.

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LEON SANCHEZ: Thank you, Göran. I see Sebastien Bachollet's hand up. If we could hand the roving mic to him, please.

SEBASTIAN BACHOLLET: Sebastien Bachollet. Thank you, Göran, thank you very much to have spoken of the hard work that lasted way too long, like two and a half years on the auction proceeds and how that money should be used. But we forget these things. We have worked and this has been done a long time ago. We come back in front of the community and Board and feel like we have to start it over. No, we have to implement now.

And the reason I wanted to take the floor, you need to not forget that we are an organization that is supposed to go up, to be ascendent, so maybe one day you will have to hear the end users and not only the one that are on the top of the pyramid, because the end users also have something to say.

GÖRAN MARBY: So, I shouldn't listen to you because you are the top of the pyramid. I didn't get the last one. Sorry, I'm tired. Can you please help me.

SEBASTIAN BACHOLLET: That's okay, I will do it in English. [inaudible] we are a bottom-up process organization and therefore it's also important that everybody here understands that you may also wish to listen to the end user, and we have At-Large Structure, we have Regional At-Large Organization. Here you are talking with one part of this whole organization. Just keep in mind that it's important but just one part of the overall At-Large situation. Thank you.

GÖRAN MARBY: Thank you and I totally agree with you and you over the years have been instrumental in remaining us how to do things. And the budget process might sound boring but it's one of the most essential instruments of ICANN because that is where we come together, the Board and community and org decides what to do with the money. Because the boring thing in life is if you don't have money, you can't do it; if you have plans without money attached to it, they're just dreams. That was actually a quote of Cherine. So, we have tried to do is we tried to listen to you, and we can always do better.

And I want to thank you for helping us push the envelope all the time. So what we've done over the last couple of years is that we have regionalized, so Xavier and his team have gone out in regions to talk about the budget planning process, we do webinars and discussions more and more, to be able to do this.

And I know there are more things we need to do but I hope we're getting a little bit better every year. And I often get – also from you, Sebastien, positive comments about at least we're trying to get it better. And if you have more comments about how to do this better, Xavier is over there and his team is trying to be as helpful as possible. But remember, budgeting is fun.

HOLLY RAICHE: I would like to complain. The budget briefing was in one time zone, and you are now in my time zone.

LEON SANCHEZ: Thank you, Holly. Anyone else want to comment on this topic? Good. So, Maureen, is there any additional advice that you would like to flag to us or discuss? We have four minutes. So, we can discuss extensively.

MAUREEN HILYARD: Do we?

JONATHAN ZUCK: I don't think we need to run out the clock. This has been a great meeting. We always appreciate getting together to talk turkey with the Board. So, thank you for that.

LEON SANCHEZ: And that actually gives me -- yes, Justine.

JUSTINE CHEW: Thank you, I just wanted to say also that when we did the clarification process with the SubPro advice, I personally appreciated the fact that the Board called for a meeting, one single issue call to clarify that particular piece of advice and I think if possible in the future, we would like to have that not just for clarifying questions but to have a discussion on a particular topic and we don't have to wait for a face-to-face meeting to do that.

LEON SANCHEZ: Absolutely. Thank you, Justine. And Alan Greenberg has raised his hand.

ALAN GREENBERG: Thank you very much. I have been heard to say many times that ICANN has gotten far too involved in building processes and following them, not necessarily the outcome. And we had a classic example when we put in our advice on the travel waiver for the last meeting and we were told by staff that we shouldn't call it advice, because if we call it advice, it has to be analyzed and

processed by staff and it won't get to the Board until after the meeting. But if we change the name, it will get to the Board but it's not advice.

And I don't know how it happened, but we called it advice and we got a response from the Board in a timely manner. Thank you for bypassing process when it makes sense and not following it blindly.

GÖRAN MARBY: I'm going to debate you a little bit here. You have set the rules how to engage in the community. You set the rules to call it advice with a big A, and it's not a small thing to give advice to the Board. The advice should be about things that matters to -- we want to help, and you know we always try to help as much as we can, we want to have a good interaction with the Board, but -- we want to be flexible, so we propose to do so. Yes, we did break some things to be able to get this to the Board, but the question is if the rules are wrong, why don't you change them? It's not up to me to change the rules that you set up through the community. If the rules and the processes are not the right ones, let's have a discussion to change them. It's better to change rules that doesn't suffice than to constantly break them. We had this discussion when we di the Hubba Bubba project, one of my more famous namings, where we went through the processes internally and all the different

constituencies, [inaudible] and it turns out that some of them didn't even follow their own rules, which meant that other communities didn't understand how they reached the conclusion because they thought we were following another process. I'm all for making things simpler. But it's not up to org or the Board to change the rules set by the community or sometimes walk around it. Let's have an honest discussion about changing it.

ALAN GREENBERG: To be clear, I wasn't suggesting the rules were bad ones, it's just that sometimes exceptions need to be made, and I thank the Board for making an exception in this case.

LEON SANCHEZ: And I saw Augusto Ho's hand up at the very back of the room.

MAARTEN BOTTERMAN: And while the mic is walking to Augusto, just to confirm from the Board side, we are trying to work with you and get the best things possible. we are cognizant and respecting the bylaws and seek for ways for earlier engagement to make sure that things happen in better ways. So thank you for recognizing that sometimes it works even if we do it in different ways.

LEON SANCHEZ: Thank you, is this a two finger Jonathan? Yeah, Augusto, if you would like to raise your question really quickly, thanks.

AUGUSTO HO: This is Augusto -- for those who don't know me, I am the Chair of LACRALO. Some minutes ago, Göran said something very interesting. If you have a project and you don't have money, you just have a dream. If you have ideas but you don't have money, you just have a dream. Well, let me tell you that in my region we're living a nightmare, and I am living that nightmare in a personal capacity, and it affects not only me but my entire region.

After our requests that were timely and respectfully presented, we do not have any funds available. I know that we will further look into this with Göran later this week but as the Chair of LACRALO, I need to stand up on behalf of my region. So, I am going through a nightmare regarding resources. Thank you.

LEON SANCHEZ: Thank you, Augusto. Sorry so hear what you are going through, we have talked about it, and I'm sure you will further engage with Göran in a meeting to discuss this problem, and of course I am here to help you and to continue addressing this matter.

LEON SANCHEZ: One last word?

JONATHAN ZUCK: I was only hearing you through the English Channel so maybe we lost translation. This isn't a good note to close on, I apologize, but Alan's intervention reminded me of it. The very last comment in your response to our advice with respect to travel waiver, was whether or not we considered this something of interest to individual end users. And I think that's another complex issue we probably need to discuss further with the Board. Because I think we have a dual responsibility which is to represent end users and also to participate as members of the ICANN community and make sure our ability to represent those interests is facilitated by the processes that are in place. So the last part of the response felt like maybe little bit of a dig that wasn't appropriate at the time. But the end of a meeting isn't the time to … I just wanted to put that on the record, and we can discuss perhaps later.

MAARTEN BOTTERMAN: There was a response and I think it was the essence, and we listen to all voices and yes, we try to understand what you say in the context of your specific role in the system as well.

LEON SANCHEZ: Thank you, Maarten. So, before we adjourn the meeting, I would like to recognize Maureen. This is your last joint meeting with the

Board as ALAC Chair, and it has been an amazing job, the one that you have done. And just to give everyone an idea of the achievements that the ALAC has undergone under Maureen's tenure, they have provided seven pieces of ALAC advice, 77 policy advice statements, so that's triple 7, lucky 7. She has led the ALAC through 12 ICANN public meetings, including 7, again, online during the COVID pandemic.

She established the At-Large leadership plus group that included the ALAC, the RALO chairs, the Working Group chairs, the ALAC liaisons and also the Chair's advisors, and she is responsible for creating the concept of the three At-Large work tracks, policy, outreach and engagement, and the operations track. And Maureen will continue of course to be an ALAC member for one more year, but this is her last meeting as ALAC Chair. So, I would like to invite you to join me in thanking Maureen with a round of applause.

[applause]

So… with this, back to you, Mr. Chair.

MAARTEN BOTTERMAN: I think we end on a very, very positive note. Thank you for everything, Maureen, and thank you everybody for this useful

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discussion, and I look forward to further engagement down the week. So, enjoy the rest of your day and see you later around. Bye.

[END OF TRANSCRIPTION]

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