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ICANN72 | Virtual Annual General Meeting - Joint Meeting: ICANN Board and CSG  
Monday, October 25, 2021 - 14:30 to 16:00 PDT

AARON JIMENEZ: This session will now begin. Please start the recording.

**[ Recording in progress ]**

AARON JIMENEZ: Hello and welcome to the joint meeting between the ICANN Board and the Commercial Stakeholders Group. My name is Aaron Jimenez, and I am the remote participation manager for this session.

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With that, I will hand over the floor to the ICANN Board chair, Maarten Botterman.

Maarten, the floor is yours.

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**MAARTEN BOTTERMAN:** Thank you, Aaron. And welcome, Dean, welcome dear members from the Commercial Stakeholder Group. Look forward to this opportunity to interact again.

Interactions between us tend to be lively and not always on script. But that doesn't matter, as long as we together work on something that helps ICANN forward.

So the best person to moderate this discussion from our side is the one chosen from your midst, Matthew Shears.

So Matthew, would you take it from here, please?

**MATTHEW SHEARS:** Thank you, Maarten. Let me add my thanks as well. It's very good to see you all.

We have about an hour and a half, and we have two questions. One from the CSG, and one from ourselves. And maybe we can anticipate about an hour on this particular topic, Dean, from your side and then come to our question with about half an hour to go. Does that sound good?

**DEAN MARKS:** Dean Marks here. Thank you so much, Maarten and Matthew.

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We were actually thinking that we would go in the reverse order, frankly, and spend equal time on your question and our question, if that's all right with you. Is that okay?

**MATTHEW SHEARS:** Absolutely. Let's do that.

**DEAN MARKS:** Okay. I just wanted to say on behalf of the CSG, we really appreciate the time that the Board devotes to this session and having this interaction with us. And the thing that I think is a little bit sad for all of us is that we can't do it in person and can't sometimes have it over a drink. So I hope that will resume one of these days. But we really, really thank you for the time and the opportunity.

And just to begin the session, we thought it might be helpful for the Board to know who is going to be taking over the leadership of our three different constituencies.

So we all just had our elections. In 2022, the new president of the IPC will be Lori Schulman. The new vice president will be Brian King. And Damon Ashcraft will continue on as our treasurer. And Susan Payne will be continuing on as our secretary. The IPC is very happy with this leadership team.

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And wolf-Ulrich, I am going to turn to you, please, to introduce the upcoming 2022 team, the ISPCP.

WOLF-ULRICH KNOBEN: Yes. Thank you very much, Dean and Matthew.

We had also elections on the constituency leadership and on the council -- one council seat. So regarding the council seat, Thomas Rickert will take seat on GNSO Council for next time.

And regarding leadership in the ISPCP, we have a new vice chair, Susan Mohr. She's available today here as well.

And then there are two other positions for re-election. Chair, I was re-elected for another year. And Christian Dawson was re-elected for the ExComm team here in the constituency.

So in parts, some people known to you, others new to you but not to us.

Thank you.

DEAN MARKS: Thank you, Wolf-Ulrich. I apologize. I forgot to mention John McElwaine and Flip Petillion will be continuing on as the IPCs to GNSO councilors.

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And Paula (saying name) will be the non-contracted party house GNSO councilor.

And now, Mason, if I may turn it over to you. Thank you.

MASON COLE:

Thank you, Dean. Mason Cole speaking. I'm chair of the BC, and I'm pleased to let you know that our BC leadership team was re-elected with the exception of one role where we had an officer step down.

So I will continue as chair in 2022. Steve DelBianco will be our vice chair for policy. Lawrence Olawale-Roberts will continue as vice chair of operations. And we have a newcomer as our CSG liaison, and that is Tim Smith of Canada. He is most welcome now as part of the BC ExComm.

And our councilors will continue to be Marie Pattullo and Mark Datysgeld.

So we look forward to working with all of you in 2022. Thanks, Dean.

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DEAN MARKS: Thank you for the civility and the order. We were going to have each constituency speak a little bit to the questions supplied by the Board, and then we will go to our question.

I was going to turn it over to the ISPCP first. Susan and Tony were going to speak to the first question. I don't know if Susan is connected or has her audio on.

Susan, do you want to try and give it a shot?

MATTHEW SHEARS: Just before Susan goes, can I just say really big, big congratulations to those who are continuing in their roles and those who are new to their roles. And a big, big thanks to the outgoing leadership as well. Thank you very much.

DEAN MARKS: Matthew, thank you so much. That's so kind. I think you will enjoy working with these new folks.

If it's okay, I didn't hear Susan, Tony. Is it okay to turn it over to you for some of the ISPCP comments on the first topic that the Board presented to us?

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TONY HOLMES: Yes.

SUSAN MOHR: Sorry, Tony. This is Susan Mohr. Apologize for the --

TONY HOLMES: Please go ahead.

SUSAN MOHR: -- for the delay and appreciate your patience while I work through the sound issues here.

So thank you. This is Susan Mohr. I'm vice chair of the ISPCP. I appreciate the opportunity to weigh in.

The ISPCP believes it is important that ICANN is seen as a truly international body with a strong multistakeholder model for Internet governance. While ICANN has to work tirelessly to safeguard the roles and responsibilities, it is also essential that they stay away from other geopolitics that don't directly relate to the Internet. That requires a targeted list of issues with a specific ICANN focus. The best way we can all protect the role of ICANN is to showcase its successes while also proving we are actively striving to fix problems as they occur.



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We think it will be important for ICANN to develop and agree to a script that the ICANN community buys into which champions ICANN's role and mission.

So in an effort to provide meaningful feedback to the question of ICANN's effectiveness on its engagement with global governments, it would be helpful for ICANN to share their mission statement, a summary of their goals, and the results and outcomes that they've achieved in regard to engagement with international governments to date.

We're interested in understanding the detail behind ICANN's engagement strategy including issues such as, one, which international bodies and governments are a target for engagement; two, the DNS-related policy activities that is driving the targeting of these bodies and governments; and, finally, the messaging and advocacy strategy developed to address the relevant activities.

This review would be beneficial to the ICANN community as we consider recommendations for improvement.

Thank you.

DEAN MARKS: Thank you so much, Susan.

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Tony, did you want to add something there?

TONY HOLMES:

Thank you very much, Dean.

Just maybe a little bit of context as to why we see this as such an important issue. Despite the impacts of COVID and the pandemic, ICANN continues to grow, which is really good, at each meeting. We welcome new participants.

In the early days of ICANN -- I think there's a few of us around that remember those days -- it was so much easier to make sure everyone was clued into the challenges that ICANN faced, particularly with regards to Internet governance.

And now, I think, the success of ICANN as an organization makes it even more important that the issues raised and the need for everyone to understand and play their part is more important than ever.

And it just so happens that in various government circles, major events are equally taking off quickly. For instance, next year there are three major events just hosted by the UNTU. And all of those are likely to have relevance of Internet governance discussed, including some issues that relate to ICANN.

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So ICANN's role and mission is quite likely to factor into some of those discussions. And it really has never been more important that we're all well aware of the issues and the challenges and that we're all on the same page, I think, when we deal with governments and other parties outside of ICANN.

That really brings to the fore the importance of this particular issue, and I hope that explains a little bit why we wanted to have that discussion with Board members today. Thank you.

DEAN MARKS: Thank you so much, Susan and Tony.

Matthew, would you like to respond? And then the BC and the IPC will add their points. I think that might -- it's up to you whether you would like to do that. Is that okay?

MATTHEW SHEARS: Thanks, Dean.

DEAN MARKS: Thank you, Matthew.

MATTHEW SHEARS: I think that makes a lot of sense. So obviously Board members, please jump in.

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I think that -- thank you, Susan and Tony. I just wanted to point out you to the link that I think Goran put into the chat which is to the CEO report which does give detail in terms of engagements that have been undertaken in regard to parties, other governments, et cetera, et cetera.

But I think your broader point is absolutely correct. A lot of us have been in this Internet governance space for some time now. Many of the same issues are coming to the fore, but the dynamics have changed.

The parties who are bringing some of those issues to the fore are a little bit more convincing these times to other governments. Things are -- the dynamics are changing. The allegiances are changing a little bit. So I think these kinds of questions are incredibly important.

And certainly in this time going forward -- and this is just a general comment on Internet governance space -- it's more important than ever for us to understand where our strengths are, who our friends are, et cetera, et cetera.

So thank you very much for that.

Other Board members please feel free to jump in.

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The parties who are bringing some of those issues to the fore are a little bit more convincing these times to other particular -- to other governments. Things are -- the dynamics are changing. The allegiances are change a little bit. So I think these kinds of questions are incredibly important. And certainly in this time going forward, and this is just a general comment on the Internet governance space, it's more important than ever for us to understand where our strengths are, who our friends are, et cetera, et cetera, so thank you very much for that.

And other board members, feel free to jump in. We'll go through this for each of the communities. If anyone else wants to jump in, please now do.

MAARTEN BOTTERMAN: Sure.

MATTHEW SHEARS: Maarten, yeah?

MAARTEN BOTTERMAN: No, just to add that, indeed, we're with you. And if you look, in a way, to the strategic plan, we all thought this was an area that we should focus on and that is coming. And, indeed, we find that we need to continue to deliver and to ensure our legitimacy in this.

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This means that it's incredibly important, indeed, that we work together well within the constituencies and across the constituencies. In a way, we also want to keep up the model that we learned to appreciate so much and that brought us here today. The community sets policies and priorities. The organization supports and implements. And the Board sees to it that it is legitimate, that it is reasonable and in line with bylaws and law.

So in that way, within that, it's, indeed, important we continue to improve on that as well.

So appreciate your positive statement, and really look forward to working even closer together to make sure that we understand where our friends are in the ICANN system. And we need to stand together. So thank you.

MATTHEW SHEARS: Not seeing anyone else --

DEAN MARKS: Thank you -- thank you so much.

I'm sorry, Matthew. I didn't mean to speak over you. Sorry?

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**MATTHEW SHEARS:** No, I was just saying I see there were a couple of other hands, and I don't see any other board members at this point in time.

**DEAN MARKS:** Right. Thanks, Matthew. It's Dean again.

I'm going to turn back to Tony. And, Steve, if you don't mind, I'll wait for you with the BC folks. Is that okay?

**STEVE DeIBIANCO:** (Nods head.)

**DEAN MARKS:** All right. Thanks, Tony and Steve.

**TONY HOLMES:** Thank you very much, Dean.

Just if I could go back to one of the questions that Susan posed in answering -- sorry, in asking the issues, that was to better understand which are the international bodies and governments that ICANN are specifically targeting for engagement with. Obviously some governments have very diverse views on this. Some are very supportive of ICANN, others, not quite so.

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I think it would be helpful on two fronts. One, to know what ICANN's plan is in terms of possible targets and how maybe as a community we could help support that. And the other issue that I think pertains to exactly the same question is when we look to move forward and hopefully get back into the realms of having some forms of physical meeting, how are we thinking of making sure that the people who can attend those meetings can readily evolve in some of the discussions that we have? Because in the past, we did have Internet governance discussions during ICANN meetings, and they were incredibly helpful. We've sort of missed part of that because of the situation that we're in, and we need somehow to reengage with those activities. I wonder if the Board has any thoughts on how we can really kick-start those efforts once again?

Thank you.

**MATTHEW SHEARS:** Thanks, Tony. I think I'm going to turn to Goran to talk about the first point, and then Maarten on the meetings.

**GORAN MARBY:** So something seems to have happened with my camera. I'm going to go off camera. Sorry.



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So when it comes to the ones we talk to, if you look from page 65 and onwards in the CEO report that we do a couple of times a year, you will see all the engagement we're doing, and also what we're talking about and how we do. We've been doing this for the last three or four years. I know we do send a lot of material, but I actually do -- that's why I decided to market the CEO report to the Board again because it tells a lot of those activities we do in many different areas. So it's an excellent one. And I hope if you look at that you will have answers to many of the questions.

The intent that we have is that we believe, I and the Board as well believe that we need a better interaction with the community about all the legislative proposals and everything that is happening. (Indiscernible) report, we are targeting multiple jurisdictions and Internet governance organizations and different countries for specific issues. We have had -- which we talked about, for instance, when there was proposed to the U.N. that the DNS should be assigned the critical infrastructure for the U.N., actually making the DNS as a part of the mission of the U.N., which we fought very hard together with some countries. So literally the answer is also depending on the fora, depending on the questions we're doing it.

And we do this -- and the way that governments access, either in intergovernmental areas like the U.N. but it always goes down to local jurisdictions and local legislation. Now, we've seen some

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that has an effect on ICANN's ability to perform its work, like the GDPR, for instance. Remember? I don't know why I'm saying that. Remember that the WHOIS system was actually open before the GDPR came around. It was not ICANN who invented GDPR, and we don't take any position about it, but that's something that we sometimes forget.

So what we're proposing, very simple terms, is that, it's within my goals, that every ICANN meeting there should be a 90-minute session during the ICANN meeting for the full community to be able -- where we can, from ICANN Org and the Board, present the work we're doing, the problems we see, the highlights of what we do, because we have a lot of -- for ourselves, for the community and other ones, we have a lot of knowledge and a lot of ideas on how to do things and what we can do, but we lack that forum.

So very much why we're bringing this is because we actually do agree, we need to get back to somewhere we can talk about this.

We do talk about this. We are invited to several different parts of the ICANN community and often speak specifically we're invited to talk about the NIS2 regulations, at a reading part we talk about the India GDPR. We have been talking about many of those things, but we never bring it together. So that's what we want.

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When it comes to the mission of ICANN, you know, that we also wrote -- I think it's three years ago, which I think I discussed with you as well, the charter of how we interact with the governments around the world, where we wrote down what we actually talk about when we interact, setting up the rules that we are a technical organization. We are a technical organization, we only interact when we think it's a threat to the technical part, we are there. We don't take policy standpoints that is not related to ICANN, et cetera, et cetera. And that is the charter we're still using. So we publish that, Susan, I think three years ago or something.

But I agree with you on the underlying thing. We need to have a better communication, and, therefore, we have proposed to the SOs and ACs in the planning committee meeting, every ICANN meeting from now on, 90-minutes discussions about this, because I will tell you that I think that the threats against not only ICANN or the institution but actually the interoperability of the Internet is now at the same level as they were during the transition. We see threat from governments and other organization that can actually disconnect people from what we call the Internet. Sometimes they called it (indiscernible) the Internet or the best-effort Internet or all of domain names. The only thing I can say about that, it's not the Internet. It's something completely different. We want to have that discussion. We want to have it more open.

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So agree with everything else. But with that said, please read the CEO report. And I will try to speak more slowly according to the translators. Sorry about that.

MAARTEN BOTTERMAN: I think his speed at the last ten seconds was excellent, Goran, but the content on the whole thing was very clear.

So on the meetings part, yes, we are as eager as you to go back to face to face and to lift this together also in the same time zone. Europe is getting pretty dark right now, approaching midnight. We're not used to that. The good news is we share the pain of some all over the world that experience this in other meetings, and it's good to be there in that way.

But make no mistake, it's -- we're not going to go back to the past. We're going to go forward to the future. And first we are -- There's three phases. One is where we can't meet yet in person, where we continue to be virtual. The other is where we're going to go hybrid, where we're going to mix in-person attendance with people in the distance. But the third, the new normal ultimately, even when COVID will not hinder us anymore, may well need to be an ICANN meeting where there is still enhanced attention for those who cannot travel, who cannot participate for other reasons or choose not to travel but still want to interact with the community. Because with losing the opportunity of the hallway

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talks, the beers at the bar, the personal learning to know each other, this is all very, very valuable. We also gained. We gained in effect of the interacting, people who can assist our family in difficult time and still participate in a meeting, and people that otherwise have never joined meetings because they couldn't afford to travel, the time out of their situation. They are now -- they are now participating more.

So let's make the best of it. In that the Board is adamant to make sure that we don't put the community and the staff at risk for health and safety reasons. So that's our first decision point. If we cancel, it will be for that reason.

How to get the best out of the meeting is what we really forward look -- look forward to the community to find that. And for that matter, I would also encourage you all strongly to be there at the plenary session on Wednesday where these talks are so when we meet, how can we do that best, because we need to grow together. And this community isn't just the old guys. It's a new world and we're all part of it. So we're part of it, too, by the way. The old guys are not part of it. So...

So I hope that helps.

MATTHEW SHEARS: Thanks. Thanks, Maarten.

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And just before I turn it back to you, Dean, I just wanted to agree with Tony that, you know, we do miss those -- those interactions that we used to have on a regular basis at the ICANN meetings on Internet governance, and I think we do need to work on bringing those back. So thanks for that.

Dean, back to you.

DEAN MARKS: Thank you very much, Maarten and Matthew. Like Steve DelBianco, as an old guy, I also resemble that remark.

But thanks. This is really helpful. I wanted to --

MAARTEN BOTTERMAN: It was meant gender neutral, by the way, right?

DEAN MARKS: Of course. Of course. Somehow some of us grow bald, Maarten, so (laughing). But anyway. And a shiny head to boot.

But in any event, I wanted to extend a particular thank you to Goran for his suggestion of a session at the ICANN meetings to go over some of the public-policy and legislative developments and geopolitical developments. I think that is really a great suggestion. And from seeing comments in the chat from other

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members of the CSG that were all very positive to endorse that. So thank you so much, as well as the reference to the report. It's much appreciated.

And I wanted to turn now to -- to Mason to give (indiscernible) input, please. Mason, thanks.

MASON COLE:

Thank you, Dean. And I would just like to add the BC's thank you to the Board and to Goran for accommodating this discussion. So thank you very much.

And pardon me if I'm a bit repetitive in this question. I know that the BC will want to go back and review Goran's report, but let me go ahead and pose the question, if I may.

So like the IPC, the BC would like to know more about ICANN Org's desired outcomes with regard to government engagement, particularly engagement taken on by Org outside normal interactions with the GAC. What specifically are ICANN Org's objectives? And again, specifically, how will those interactions with shared with the community according to ICANN Org's duty to transparency?

Finally, the BC would be interested in regular community-wide engagement to educate the community on what org is doing in

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terms of governmental interaction; again, as we've discussed, perhaps during each ICANN meeting or at a reasonable interval, therefore.

Thanks, Dean.

DEAN MARKS: Thank you so much. And, Steve, if you don't mind, DelBianco, I know you had your hand raised earlier. May I call on you to give some input? Thanks.

STEVE DelBIANCO: Thanks, Dean. Steve DelBianco with the BC. And last Thursday during the BC session, Elena Plexida came in and presented to us. And, Goran, I want to applaud your team for one aspect of what Elena described in ICANN's interaction on NIS2. Elena explained in detail how ICANN quickly jumped into the discussion of NIS2 to correct misunderstandings about what the root server operators handle. And she was explaining to us how hard ICANN worked to correct a proposed amendment that would have imposed accuracy standards on a root server operator. That is completely within line, and it led us to ask Elena whether she was also advising the NIS2 committees on what to do about legal versus natural person distinctions or what to do about accuracy requirements for actual authoritative registrars. We were gratified with Elena's answer because she claimed that ICANN



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does not try to weigh in on those matters since those are actively under debate and development within the ICANN community. So she restricted ICANN's input to technical misunderstandings that would have resulted in nonsensical amendments to NIS2 but stayed away from things where the community is weighing in with a variety of perspectives on legal versus natural and accuracy.

So if that reflects your instructions to the team, that's great. If it doesn't, I'm sure you'll correct me where I've been wrong. Thank you.

GORAN MARBY:

So remember that a couple of years ago -- and I can't remember now, I'm desperately trying to find the document -- we did -- and this goes back to an earlier question as well, we did present the charter for ICANN org's activities when it comes to the engagement of governments and legislative processes where we are, saying we are there to provide facts when it comes to technical issues and provide information, so they make sure that they make a decision based on facts. We don't interfere in the actual policy.

And I'm paraphrasing right now because I can't find the document. But we did present this to an ICANN meeting, and we had a lot of discussions. I think you in the BC and PIC asked the question as well.

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That's the framework. That's what we're working upon. We are not taking side in policy discussion.

What we also do, which you know, is that we add to that, that we give the opportunity and actually ask you to participate in a conversation as well. So some of you did provide information and comments to the NIS2, which we will agree or not agree to some of the basic understandings of that. But there have been occasions where we have provided direct -- the direct emails to data protection authorities so you can your voice heard.

ICANN org doesn't take -- is not supposed to do that. So there was -- I was just getting a message. Matthew, thanks for the compliment. She's doing it according to the way we decide to get together with the community to do it. That's our world.

And in the link there, the charter on government engagement approach, February 2019.

MATTHEW SHEARS: Thanks, Goran.

Becky and Carlos, thank you for supplying the link in the chat.

Just watching the time, Matthew, are you okay if we go to the IPC for the comments on this question?

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MATTHEW SHEARS: Absolutely.

DEAN MARKS: If so, Lori, can I turn to you, please, Lori Schulman?

LORI SCHULMAN: Thank you. This is Lori Schulman for the recording. I want to thank Goran and Maarten and Matthew and the rest of the ICANN Board for inviting us here to talk about what is notably a critical issue, addressing ICANN and the community at-large.

I have five points that we've prepared from the IPC in response to this question. I'll address three of those points, and my colleague Brian King will address the last two.

First of all, I think Maarten may have gotten to the core of the question that we had. But at first sight, when we looked at the proposed questions from the Board, our first response was: Well, who is the "we"? Is the "we" the Board, the org, or the community? Because it may make a difference in how we respond.

And Maarten has, I guess, reiterated the importance of sort of the tripartite arrangement that ICANN is currently operating under. However, I would propose that for the purposes of advocacy, that

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might not be the best model because when ICANN speaks to governments, we are one. We should be one in terms of the community, the Board, and the org.

Now, within the community, there may be constituencies that have differences of opinions on certain policy initiatives. But in terms of understanding ICANN's core mission, having core talking points, understanding sort of basics about how the multistate cauldron model works in theory and in practice, it would be very good to have unified messaging that the community could take forward.

I know, Goran, you've mentioned these emails to the Commission. I'm not aware of any outreach specifically for comments from the community. One of the areas where -- and I will talk about the past where we've struggled. We have reached out to coordinate messaging. We did it through IANA. We did it on the GDPR implementation prior to May 18th where we had asked for some unified messaging. And, quite frankly, we didn't receive it from either the Brussels or the Washington office.

And I don't approach this as a negative. I approach this as a challenge, that as we have more and more legislative proposals moving across the globe, if we can agree on some points or if ICANN has points that would be helpful to the community, to pose

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those points in a way we could address them in advocacy would be very helpful. That's the first point.

The second point is about tracking the legislation itself. We recognize it's extremely difficult. We -- in the IPC, many of us come from global organizations, and we understand that you simply can't keep track of it all.

But the good news is ICANN is a huge community, coming from dozens of nations with very active legislative bodies. So we might propose that ICANN Board and org engage with the community internally to track the legislation either through some reporting hub or through these 90-minute plenaries that you are suggesting could be a way as well.

But the important thing is that we use the volunteer body of ICANN, the community, to help inform the staff at ICANN org to let the Board, the org, and the community -- that's why I said this "we," this tripartite, I don't know how well that works for advocacy.

That being said, there could be reporting mechanisms that we set up so people can say, Hey, heads-up, I just saw this proposed law. Look at it early. Look at it often. Let's see if it has an impact on ICANN's mission and what that means.

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I also want to note, too, Maarten made the comment about want to know who our friends are. I think it's really important that on some of these issues -- and I think particularly going to cybersecurity, the NIS2, the WHOIS matters, where there is a lot of difference inside the ICANN community about where ICANN's mission starts and ends that we can have different approaches to policy. But we're all friends of ICANN. We're here because we absolutely support the multistakeholder model.

And I believe in the instance now with NIS2, there has been lack of clarity in GDPR. And the NIS2 is actually enabling ICANN to interpret GDPR better, that there were inconsistencies, questions. And now we'll have a regulation that will help clarify some of these instances -- sorry, inconsistencies.

And my third point is I'm not clear in between intersessionally how ICANN's government relations team interacts with GAC members. But you have a government resource right at your feet. You have 160-plus GAC members. There should be ways for ICANN to interact with the GAC to get early-warning signs for legislation that could impact ICANN.

And from here, I'm going to pass it over to my colleague Brian King.

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BRIAN KING: Thank you, Lori. And this is Brian for the record.

Great to see all of our GAC colleagues here. Thank you for the time. For those who I haven't met yet, I look forward to working with you in my new role.

And I would -- I'm glad Lori ended on the point that she did because when I first read this question about how does ICANN engage with governments, I thought, You mean besides through the Government Advisory Committee? And then I realized there was a lot more here to dive into. So I think that's a good starting point.

And I would mention a couple specific suggestions to answer ICANN's question and in no particular order.

I think that ICANN would do well to work with the members of the GAC to identify pending legislation and any other opportunities or threats to ICANN through the GAC.

And I would actually encourage -- we, the IPC, would encourage ICANN to think about the GAC not as a monolith, I think is the word we used, but to recognize that governments are actually representing a number of different interests even within the Government Advisory Committee.

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I was lurking on the meeting earlier with the Non-Commercial Stakeholder Group. And I couldn't agree more that ICANN should be encouraging GAC members to bring along their data protection and privacy folks into the GAC and certainly those perspectives.

And I just think about how much better prepared we might have been for GDPR had there been more of that engagement. And I know that there was some, but more can be better, right? So to have that from the data protection perspective.

I think my other two suggestions on behalf of the IPC may not come as any surprise once you've heard them.

One is that, in particular, we think that ICANN should really encourage GAC representatives to bring along folks from their IPO or PTO in the given jurisdiction. It's the IP, intellectual property, office or the Patent and Trademark Office as we call it in the U.S.

And we find that those offices tend to reflect a number of different perspectives that governments have from a policy standpoint. And those can run the gamut from Customs and Border Patrol to cybersecurity, obviously trademark protection, sometimes copyright -- copyrights and those interests.



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And at least in the U.S. where I'm most familiar with PTO policy, they tend to be able to reflect the societal balance that IP strikes between the commercial world and consumer protection and that the -- at least in the U.S., the U.S. PTO does a great job of providing policy guidance to various government bodies across the government, that encourage ICANN to make sure that patent and trademark office or IP offices are well-represented within the GAC to the extent possible.

And the other one I don't think will come as a surprise either, but I would say that we have a lot to learn from ccTLDs and that ICANN should really work with governments. Look at how ccTLDs are operating and the things that they're doing to meet the same policy objectives that the ICANN community is trying to meet. And government bodies, government agencies that are responsible for ccTLD policy deal with the exact same challenges on a local governmental level that ICANN has been tasked to coordinate for the global multistakeholder DNS. And ccTLDs weigh the availability of domain names and being able to reach consumers online and the commercial interests in selling domain names versus cybersecurity interests and connection to intellectual property offices to prevent trademark infringement using look-alike domain names.

And lots of ccTLDs have done lots of interesting things to meet those objectives in a way that ICANN should really consider and

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that the Board, I think, would do well to learn as much as possible about.

So I'll pause there and just really, really emphasize the need for the Board to work with the GAC and to not consider the GAC to be a monolith but to really look at those different objectives -- policy objectives that governments are bringing into conversations at ICANN.

Thank you. I look forward to working more with you.

DEAN MARKS:

Thank you so much, Lori and Brian. Those were the contributions from the IPC.

Matthew, could I turn it back to you, please?

MATTHEW SHEARS:

Yes. Thanks. Thanks, Dean. This has been really helpful. And thank you very much for the variety and diversity of views that you have been putting forward.

I think I just want to turn to Goran, and maybe a couple of other Board members may want to jump in.

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But, Goran, you want to just follow up on the last couple of comments?

GORAN MARBY:

Thank you. I think it's a really important discussion, and we could always -- we could always improve how we collectively interact with governments and go through different bodies like through the GAC, the U.N., OECD, G7, G20, or open-ended working group or close-ended working groups and all the categories of different groups that exist where countries come together and talks about the things we do.

And recognize -- I don't think we treat the GAC as a -- whatever you called it. We do work with individual countries. But maybe, please, remember that some of those countries are the ones that writes the legislation. And they are sometimes countries within the GAC who don't agree, et cetera, at all about certain things. It was mentioned that, for instance, the Russian platform today is to take over ICANN, the IETF, and all acronyms in this space and including root servers.

So let's go back to the point that I think we need a better interaction between ICANN org, the Board, and the ICANN community to have this discussion and continue to have it.

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And there's one final thing I want to say. There is one really good way for ICANN community to come together in an area where we can send strong messages to any government around the world, is that's when we make policy, because that's the strongest one. And we have -- and often in interactions with governments and in government foras, we are often defending the policies taken by the ICANN community. In that sense, we are (indiscernible) explaining that. And that is a strong message to send.

I think that the ICANN community over the decades has been very, very good of building up something that is -- makes ICANN -- ICANN, the institution, a well-respected institution, also among the world of governments. It's interesting how strong we are. We have enormous ability to talk to them.

But when it comes to the ccNSO, with the greatest respect of the ccNSO operators around the world, which I have a really deep respect of, they are often under local jurisdiction, which means that -- and then, you know, you, too, know the two countries -- let's take GDPR. Inside the European framework, there is different legislations how to handle GDPR inside the -- the -- how the country code operators are managed. I think it's Denmark and Finland who has special legislation about their opening WHOIS. They can do that in their own local jurisdictions. Hard to do it for organizations (indiscernible) just for fun changing it. And talking slower. We did actually suggest at one point that the European

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member states should go together to write and make, according to GDPR, a recognition of the importance of getting access to the WHOIS system, which they actually can do by declaring it a public interest. Just one of all the ideas we had about this.

So there is no conclusion. Thank you for all the input. And I think it's been very good discussions.

MATTHEW SHEARS: Thanks, Goran.

I know that Maarten -- Brian, I see your hand up, but I know that Maarten wanted to jump in to follow Goran, if that's okay.

MAARTEN BOTTERMAN: Well, just to say it's -- for us, it's so clear that we're actually blessed with having the GAC, because this allows us to interact with governments and learn from governments. But having been witnessing and participating as Board in multiple GAC meetings, I fully agree with you. It's not a monolith, and it will never be.

It's a dynamic thing wherein, just like in the ALAC and in the other constituencies, very different values from all over the whole world are reflected. It's very useful, though, and important.

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So from the Board side, what we do is basically ensuring that the messaging that goes out to governments is very well coordinated. And this is where the Org team facilitates very much as a funnel in the messaging. And as you've learned, the Org is listening to the community, but in the end, if it has to speak with one voice, it has to speak with -- on those things that the community has come together on. And where it's not come together on, then it will also be there.

But with you, I very much agree that good and positive engagement is important. Hence also mentioning it in Goran's goals for coming year, to take it one step further than where we are and truly see that we make that point where we can take the best out of the collective wisdom of ICANN as a whole. Yes, Susan, that's all three parts together.

So -- for the benefit of ICANN.

**MATTHEW SHEARS:** Thanks, Maarten. Dean, I'm going to put it back to you, but I know Brian probably wants to come in on this.

**DEAN MARKS:** Please, Brian, do. And I just wanted to, before Brian, you mentioned that thank you, Maarten and Goran for those remarks. Personally speaking, Goran, I would have been delighted if the EU

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would have passed a law similar to the Danish Internet (indiscernible). So thanks for mentioning that, and we appreciate all of that work.

GORAN MARBY:

Just being technical -- just being technical, it's not a law. The European member states has the ability to declare something a public interest according the GDPR, I'm simplifying a lot, but they have that opportunity. The same way that we asked the European Commission to take the strawberry model to the Data Protection Board for giving the opportunity to have ICANN legally responsible for the balancing test. You know, we tried a lot of avenues.

DEAN MARKS:

And -- Thank you, Goran. And again, I know I believe I speak for more than just myself to express the appreciation for all of those various efforts on the UAM, that work, and the ability to do a public (indiscernible). So -- oh, my goodness. We're in such (indiscernible) agreement.

Brian, over to you. Thank you.

BRIAN KING:

Thanks, Dean. And I won't -- I won't disagree. In fact, I would -- and this is Brian for the record. I also applaud Goran and Org's efforts on the strawberry model and that work. And thank you.

Just to put a fine point on some things we can learn from ccTLDs, and I'll be very brief. And I won't talk about WHOIS data, which I'm sure everybody would be happy about. But, actually, I will talk about WHOIS data but not the EPDP.

ccTLDs tend to do far better in terms of WHOIS data accuracy and as far as levels of DNS abuse go versus gTLDs. And there are some national laws that enable ccTLDs to do things that gTLDs don't do. But when we talk about engaging with governments, that's -- those are two areas that I think are squarely on point that we have a lot to learn from ccTLDs accuracy in DNS abuse where they're outshining the gTLDs today.

Thanks.

MATTHEW SHEARS:

Dean, should we move to the other question? Or --

DEAN MARKS:

Sure. That would be great.



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MATTHEW SHEARS: Unless there are any other comments.

DEAN MARKS: Brian, I assume that's an old hand. Okay.

I don't -- Matthew, I don't see any other hands. I haven't really been monitoring the chat.

MATTHEW SHEARS: There's been lots of good stuff in the chat, but I think we're probably going to have to capture it and save it and come back on some of those points, because I --

DEAN MARKS: Okay.

MATTHEW SHEARS: -- I haven't been paying a huge amount of attention to it, I must admit, but it's been such a good conversation.

DEAN MARKS: Yes. Thank you so much.

I did -- I did see one -- one question. I'll just read it from the chat, if that's okay, and then we can move on to the second topic.

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It said: It is important to pay the community's attention to the so-called sovereign Internet in some countries like Russia. Is constructive work with these governments possible?

And (indiscernible) question (indiscernible).

It was from an ICANN72 Fellow, Andrey, I'm sure I'm going to mess this up Shcherbovich.

I don't know if that was anything the Board or Org wanted to take on. But I had just seen that question.

MATTHEW SHEARS: I'm sorry, so that was the question about working with other governments or...

DEAN MARKS: I think governments who are trying to establish so-called sovereign Internets.

If you want, Matthew, we could just move on to the next question.

MATTHEW SHEARS: Unless somebody wants to jump in and answer that.

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I lost -- I lost track of the hands. So I don't see any hands. So, Dean, maybe we can pick that one up later?

DEAN MARKS: I think that would be just fine. Thank you. And if we could go to that second topic. I know it was being put up on the screen.

I was going to start on this second topic just to change the order of the constituencies.

I don't know if Waudu is on for us? He is from the BC, but he was going to talk about the second topic that the BC had submitted. Waudu, are you there? And if Waudu is not there, Mason, maybe you can take that, please?

WAUDO SIGANGA: I'm there.

DEAN MARKS: Ah, Waudu. Now I see.

WAUDO SIGANGA: Can you hear?

DEAN MARKS: Yes. Yes. Thank you, Waudu. Please.

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**WAUDO SIGANGA:** Apologize. My connection is not very good. In case it doesn't work very well, I will hand over to Mason, but I'll try.

Thank you, Dean. Greetings to the Board. Greetings to Goran and to the community who have made time to be on the call.

For the record, my name is Waudu Siganga for the BC. As I said, I apologize, my connection is not very good. I hope you can hear me.

I would like to make a few remarks, and then also pose a question regarding those remarks to the Board. And this is in connection to outstanding recommendations from the community.

The first remark I'd like to make is that the BC acknowledges ICANN's current efforts regarding work prioritizations, and we are further encouraged to see ICANN Org work toward clearing out backlogged community recommendations.

However, we are concerned about the amount of backlog that persists. For example, the Board promised the community several meetings ago that the PPSAI policy was on the verge of implementation, but this is not the case.

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Finally, and without restating that the community will determine priorities, could the Board please help the CSG understand the rationale for, A, the Board cherry picking recommendations; for example, just from the SSR2; and, B, the persistent Board and Org level delays that follow intensive deadline community-driven work.

Thank you. Back to you, Dean.

DEAN MARKS: Thank you, Waudo.

By the way, your -- at least for me, your audio came through very clearly. So that was welcome.

Mason, was there anything you wanted to add from the BC?

MASON COLE: No. Thank you, Dean. Waudo encapsulated that nicely. So thank you.

DEAN MARKS: Thanks. So that's from the BC. And (indiscernible) go to the Board, Matthew or Maarten, on those particular --

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MATTHEW SHEARS: Sure.

DEAN MARKS: -- points or questions?

MATTHEW SHEARS: Sure. Thanks, Dean. Thanks, Waudo. I think Avri is going to lead off on this, and then we'll see where we go. I think maybe a couple of other board members are going to jump in.

Avri, thanks.

AVRI DORIA: Thank you, Matthew. This is Avri Doria speaking. Hopefully I can be heard. I had to change my connection after I was confirmed as having a good connection.

So I want to go back and look at the very detailed question with a lot of parts. So forgive me if I talk from notes on this one.

So in looking at the recommendations and (indiscernible) we're looking at CCT, RDS, (indiscernible). We had 241 recommendations. The total number of recommendations that the Board approved was 160- (indiscernible) of them, 69%. The total number that was rejected was 18, which is 7%. The total

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number of recommendations the Board (indiscernible) funding is 44, which is 18%. And there was a remaining 6% percent that were passed through --

MATTHEW SHEARS: Sorry, Avri. There is a problem with your audio. Is there a way? I hear from the service providers as well.

AVRI DORIA: Okay. Let me change it again.

MATTHEW SHEARS: Okay.

We can give you a booster shot. Maybe that helps.

AVRI DORIA: Avri Doria okay. Is this working any better?

MAARTEN BOTTERMAN: This is perfect. Please.

AVRI DORIA: This is what was failing on me earlier that I switched from. So okay.

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So then going back. Should I re-read what I just did or --

MATTHEW SHEARS: It might be helpful. It might be helpful, Avri. Thanks.

AVRI DORIA: Okay. And please forgive me. This time of evening is always very difficult in my neighborhood for connectivity for some reason. Perhaps it's as a result of using cable.

So the total number of recommendations submitted, and that's from CCT, RDS, ATRT3, SSR2, and (indiscernible) 2, to (indiscernible) approved was 166 which is 69% of the reviews of the recommendations. The total number that were rejected was 18, which was 7%. And the total number the Board placed in pending was 44, which was 18%.

The remaining recommendations, about 6% of the total, were those that were passed through to the community for consideration as noted in the CCT final report, and those had to do with things that were policy-making that were outside of the Board's purview.

In terms of the recommendations that the Board placed into pending status, ICANN org is working on getting clarifying information and completing the analysis so that the Board's



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decision will be informed when it's time. We'll be receiving an update on that work in January.

For the 34 SSR2 recommendations placed in one of the three pending statuses, the Board commits to take further action on these recommendations subsequent to the completion of steps as were identified in the scorecard.

The Board has directed ICANN President and CEO to provide the relevant information. And that's things to resolve the actions identified by the Board in the scorecard, ICANN org has initiated the process to document the questions that need addressing for the Board to be able to make a final decision.

The org will engage with SSR2 implementation shepherds and other community representatives as appropriate and seek input on these questions.

The outcome of that engagement will then be taken into account by ICANN org in its analysis to prepare the Board to take action on the pending recommendations.

CCT and SSR2, it should be noted, both issued a significant number of recommendations that address DNS abuse and threat mitigation.

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These are basically important to consider together and in a comprehensive way in order to fully understand how we can approach implementation in a way that respects the multistakeholder processes and the policy processes and the extensive work that's already underway while trying to make meaningful improvements.

Community-issued recommendations are numerous, complex, and require significant time and resources to implement effectively.

In some instances, there are dependency on other community work and on events. Neither the bylaws nor the operating standards for specific reviews provide a clear and consistent methodology or basis for evaluating resource requirements associated with community recommendations, prioritizing recommendations across the universe of review teams and cross-community working groups or for budgeting the prioritized recommendations.

The work has been done with the SFICR and such that were created to have a way of budgeting as we move on, which was a very important foundational piece that was created to try and deal with these.

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So implementing all of the implementations, while continuing all of the work, was not practical due to the volume, the bandwidth of staff availability, and the bandwidth of community availability for consultations.

As it relates to other work carried out by the community and org, this complex of how we go back and forth with the discussions really does get quite time consuming. It needs to be taken. That's part of the process. But there is a back and forth that needs to go on as we try to understand these and understand how to prioritize.

So choices may need to be made in terms of implementation work that will be carried out and the sequence in which it will be carried out. And that's sort of the opportunity to identify interdependencies and connections to related projects and to prioritize resources to achieve the intended impact.

In assessing how to implement these recommendations, factors such as resourcing, prioritization, timing, and interdependencies need to be identified and considered as part of our overall planning in a collaborative multistakeholder manner.

The definition of "priorities" for implementation is a topic that both the org and ATRT3 have separately but sort of at the same time worked to address. The org has initiated -- had initiated at

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the end of 2020, the development of a prioritization framework for all of ICANN's implementation work, including but not limited to the reviews.

The framework will be the subject of a pilot early in calendar '22 which will be applied to board-approved community review recommendations to inform timing of the implementation work.

ATRT3 issued a recommendation suggesting the creation of a community-led entity tasked with operating a prioritization process for recommendations made by the review teams, the cross-community groups, or any other community-related budgetary elements.

This prioritization framework relies on a community-based phase of prioritization, resulting in a list of prioritized activities that org will use to pose annual and five-year plans, which it will then submit to public comment.

Now, one thing I do want to note out of this list is that prior to this, the Board and org have prioritized the WS2. In other words, that came from the transition and in the end was not put in the hopper, in the queues, with all of the others that need to be prioritized. So that is being worked on. Those are being gone through with the implementation shepherds now. And I do believe the progress is starting to be made on that backlog.

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Okay. The Board will consider the org-proposed plans that reflect the community-led prioritization, taking public comments into account, and considering them annually as it does today with subsequent empowered community decision to reject or not such plans immediately following the Board's decisions.

The other thing to indicate here is also that prioritization itself from the ATRT3 recommendations has been prioritized. It was sort of a necessity to put that in a first place so that we could, indeed, do the prioritization that both org and the ATRT3 felt was necessary.

So once the prioritization pilot has been carried out, an order of priority will be available that will allow org to indicate the sequence in which implementation work will be carried out and indicate -- and at that point indicate the tentative timeline for the implementation selected for the next annual planning cycle.

In 2020, the org has created a new department responsible for implementation of nonpolicy work. The implementation operations department, reporting to Xavier Calvez, senior vice president of planning and CFO. This department has responsibility for organizing and completing the implementation work that is carried out by the relative functions within org. This was a very important step in that it really has now localized the

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point of contact and the point of consideration within org for all of this work and in our attempt to get all of this work complete.

So, this department is in charge of the implementation of CCT, RDS, ATRT3, SSR2, and is already working on the WS2-adopted recommendations. It is also in charge of supporting the effectiveness of the multistakeholder model and recommendations from the CCWG on geo regions. It has a wide scope, but it brings it all together in terms of the community-recommended or the community-advised, or the community -- cross-community work recommendations.

It will be in charge of the implementation of the recommendations of the CCWG on auction proceeds, after such recommendations have been considered and adopted by the Board.

And I thank you for dealing with me sort of going through a prepared list of these, but there were just too many facts within it for me to count on remembering all just speaking at freedom.

So I pass it back to you, Matthew, having given sort of the beginning of a response.

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**MATTHEW SHEARS:** Thank you very much, Avri. Thanks for bringing up the data and then walking us through the prioritization process. That's very helpful.

I'm not sure if any other Board members want to add. Or, otherwise, are there questions? Oh, Becky, I see, yeah.

**BECKY BURR:** Yeah, I just want to say -- and I'm in the middle of a big storm, so you probably can't hear me.

I know that Xavier has been meeting with all of the SO and AC leaders and different groups on the prioritization framework. We really appreciate the interest that we're getting from the community, which is a critical piece of this.

So given the rain isn't stopping, you probably are not able to hear me so I will shut up, but I did want to put in a plug for everybody to work with Xavier and his team on the prioritization framework.

**MATTHEW SHEARS:** Thanks, Becky.

Dean, do you want to manage the questions?

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DEAN MARKS: Sure. Sure. Thank you so much for that.

I see Wolf-Ulrich, you have your hand up, and then I can go to Brian.

WOLF-ULRICH KNOBEN: Yes, thank you. Wolf-Ulrich Knobén speaking, ISPCP. Thank you very much, Avri, for going through that.

I was following -- most of us were following last week's sessions provided by Xavier's staff with regards to the prioritization of these things.

It is -- as you say, it is complex. And this community is complex. This organization is complex. But it shouldn't sound that way that it looks like because it's complex, then it is like it is. And we can just do it this way. Let's just try to have some action.

What I want to say is we talked about -- in our informed meetings about our frustrations with the backlog of the activities, our frustrations with the backlog in reviews, especially the ISPCP. In several meetings in the past years, I would say, we brought up the issue of -- and the idea of the -- of the holistic review. Then it came up to us that there may be a pilot of this holistic review.



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Now as I understand, at the end of that process, we are starting with a prioritization pilot and may have a pilot of a holistic review. So that is okay. There is some light in a very far horizon, I would say. It's not making us very happy in this way.

So what I would like to point out is -- my question to the Board is directly: How the Board sees its obligation here in this context with regards to all these activities, the prioritization activity and making things done?

I understand that implementation is an item to be done by staff, while they set the tasks. But there is an obligation also -- an oversight obligation at least and active oversight obligation, I would say, on the Board to follow these things, just not to take them and to really follow them to make it happen that strict deadlines are set and that these deadlines are also kept.

And that is, for me, an unsolved issue. It's not that transparent at least to me and us how that works. And that is what I would like to bring forward as an issue here. Thank you.

DEAN MARKS: Thanks so much -- sorry, Matthew.

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MATTHEW SHEARS: I think we have got a couple of people who might want to respond to that.

DEAN MARKS: Yes. Please, please go ahead. And then we'll turn to Susan Payne and Griffin Barnett next for some of the IP (indiscernible).

Please go ahead.

MATTHEW SHEARS: I think Avri was first and then Becky.

AVRI DORIA: Thank you. Just a few things on it. (indiscernible) -- before everything else --(indiscernible) -- review would be what the community At-Large prioritizes first in that exercise and then it would go first.

In terms of oversight -- and Becky will say more on prioritization, I'm sure.

In terms of Board oversight, I believe we are extremely interested and extremely persistent in following up with org, with Xavier, with his staff on how these things are moving forward and such. And I do not think that there is any neglect. I think that when you

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look at the amount of work that is on Org's table and the complexity of the work, they are working through it at a proper pace.

They are also dealing with the situation of we need to consult. Whenever they come up with something that is perhaps -- needs further discussion, is not completely understood or there are varieties of ways it can be resolved, they need to go back to the community, and they do.

You know, we haven't taken the route of, Org, you just decide, do what's best and we'll deal with the repercussions later. We basically not only support the workload they're under but the process they're following to try and make it a genuinely multistakeholder solution to the problem.

And I'll pass it to Becky now who could say far more than me.

BECKY BURR:

Well, I don't know about far more, but I totally agree with Avri. The Board is exercising its oversight responsibility here very closely. We have caucuses for all of the reviews and for the various PDPs and we follow the progress on implementation and decision-making very, very closely. We're regularly briefed on it.

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I think there's a little bit of a perfect storm that happened just as CCT review began to come down. We suddenly realized that all of a sudden we weren't getting three or five recommendations anymore. We were getting hundreds of them. And, frankly, it was pretty clear fairly early on that there was going to be a lot of overlap between CCT and SSR2. Not complete overlap, obviously, but significant overlap, and a need to consider those - those various recommendations together.

I think that as Avri said, given the sort of, you know, all of it happening pretty quickly, in a short amount of time, in a time when we're not working in person and where additional resources are hard to integrate into the staff, we're moving through those at an appropriate pace. We certainly share your desire to move through them more quickly.

I just want to say one -- I just want to lay one thing out here. This is not a one-way street, and it's not an Org, just do it. As Avri said, Org consults or needs to consult or must consult. That's part of the process. Those consultations take time.

I asked earlier today what percentage of our public comment periods do we end up extending because we don't get sufficient participation in the initial comment period. I don't know what that is, but I bet it's pretty high.

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So Org is flat-out working on this backlog. You guys are flat-out. But we have to get to the prioritization, because we can't do all of the things that are on our plate all at once. And the only way we're going to actually get through this is to work together to get the prioritization framework in place. and look carefully at, you know, what kinds of things come out of the reviews, are they actionable, do we need to be clear about those things.

So I think in the last year and a half, we've learned a lot, but a lot has come down the pike. And I think there is a digging out process that will be greatly assisted by the prioritization framework. But I call upon all of you to roll up your sleeves and help Org with the consultations and input that it needs.

MATTHEW SHEARS: Thanks, Becky.

DEAN MARKS: Thank you, Matthew. Are you okay if I turn over to the -- to Susan Payne now on this? And appreciate the discussion very much.

Susan?

SUSAN PAYNE: Actually, Dean, I think we were going to start with Griffin, if that's okay.

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DEAN MARKS: Oh, I apologize, Susan. I got that wrong. My apologies. Sorry.

Griffin?

GRIFFIN BARNETT: No worries. Thanks, Dean. Griffin Barnett here for the record and thanks everybody, especially the board members, for their comments at this point. Unsurprisingly, you know, some of our comments are going to be echoing a lot of the comments made earlier, I think, by our BC colleagues, but I think just to echo and highlight, perhaps, certain points here.

You know, I take Avri and Becky's points completely. There certainly has been a huge increase, I think, in the volume of work over the last several years.

I think perhaps part of the -- and I don't want to call it frustration, but I think perhaps part of the challenge that we share is, you know, finding ways to improve the way in which we implement things in parallel. I know, again, the volume is high. I think more could be done. I think we think more could be done to just improve the way that we implement things, you know, in parallel to one another as opposed to kind of thinking of things more serially.

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You know, I think another point that I wanted to underscore is that, you know, I think we heard that all these things are coming down the pipeline and the Board has to kind of decide and prioritize, obviously with feedback from the community. But I think one thing is -- to underscore the Board and Org, obviously, and the community are all aware of all of the ongoing reviews and activities and policy development. I don't think anybody is sort of caught off-guard that all these various things are in process and in progress the once. And, you know, I think we could do better - - a better job collectively of sort of being prepared in advance to implement things once they come down the pipeline.

I appreciate that there is a sort of cart-before-the-horse type problem there where you don't know exactly what the recommendation will be, but I think more of the implementation work can be planned and prepared for earlier in the process.

Kind of to that point as well, I think, you know, these implementing policy recommendations and review team recommendations, you know, these are essential and core to what ICANN does. And so I think to the extent that we need to discuss, you know, allocating additional resources in terms of staff, for example, you know, something I've heard said is, you know, we have to kind of allocate our staff resources, you know, on certain things and there's sort of the bandwidth problem

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there. You know, so I think how do we explore ways of increasing the overall bandwidth on the Org side.

And then, you know, I agree the community has a role, but I think, again, you know, some of the frustration perhaps on our side is that we spend all these years as a community really kind of working day in, day out on the actual policy and recommend -- and review team side and we want to avoid a situation where we feel like we're kind of having the buck passed back to us right at the beginning of implementation after a year's long kind of policy work where the burden really does kind of rest significantly on the community and really see more of that burden perhaps undertaken by Board and Org.

So I'll stop there, and hopefully those points are helpful. And then I would turn it back to -- or I guess over to Susan to see if she had other points to add for the IPC. Thank you.

SUSAN PAYNE:

Yeah, thanks very much. This is Susan Payne. Thanks very much for those comments. And again, really appreciate the opportunity to talk about this.

We obviously -- we don't want to sort of reiterate entirely everything that's been said before, but there were a couple of additional points that we did want to make.



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One in particular I think is, you know, Griffin touched on frustration and talked just now about the -- you know, the hours of work that community members have put in. And I think that this is -- this is one of the areas that is of concern to me, and we're interested in understanding whether the Board shares the concern and, indeed, how you -- how you propose to address it, assuming that you do, which is that community members are expending, you know, hundreds of hours of time on this policy work or on these review team working groups. And if we enter into a sort of prioritization exercise that happens after those recommendations have been concluded and delivered to the Board and should then be adopted and passed on for implementation, if we at that point then stop prioritizing and deprioritizing some of them, that seems to us to threaten to really disincentivize community members from giving up their valuable time to do these exercises.

And so we -- whilst we are -- certainly we have -- we're supportive of the notion of this prioritization exercise, understandably, we are really concerned about the place at which it's coming in the timeline of a project, and the fact that, as I say, that there's a real risk of disincentivization if work that's many years down the pike has the plug pulled on it or at least the pace of progress is incredibly slow.

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And then just other -- more specifically, I think we also have a feeling that we -- we feel that we do somewhat lack specificity and detail on where things have got to in terms of the progress forward. I mean, Avri, you gave us obviously a whistle stop oversight of numbers of recommendations and ones which are in progress and so on.

And, indeed, during one of the prioritization sessions recently, a response to a question about what was the status on current review team recommendations and their implementation, attendees were being referred to the prep week session that we had the other week on reviews and implementation status. But actually that session itself gave relatively little usable information. The session provided a very high-level overview without really identifying the particular recommendations at issue or the actual work being done or the timeline.

So, for example, for something on like the CCT recommendations, we were told that there were 17 that had been approved, and some of these were either fully or partially implemented, but nothing about which ones, and, you know, what -- what's still to be done on the ones that are partial, and, you know, what is the timeline? And we were also told, for example, that the CCT prioritization is complete but for SSR2 it's still in progress, without any insight into how that prioritization is determined.

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So we're really, I think, interested in getting more specificity and learning where we can find more information, and information that's sort of meaningfully usable for us.

And, sorry, I'm just looking at the time and realizing that I should stop speaking.

Thank you.

MATTHEW SHEARS: Dean --

DEAN MARKS: Yes.

MATTHEW SHEARS: Thank you. Dean, I realize we are at the hour, but I wondered if we could just perhaps, last couple of board members, just respond to the last couple of questions, because then I guess we're going to have to wrap it up. But I do know Steve's hand it up. But maybe a couple of Board comments on what's been said? Okay; great. So who is going first? I think it was Maarten.

MAARTEN BOTTERMAN: Yes. No, no, just to make the general point that your concerns about not being able to do everything quickly are not shared only

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by the Board but also by the Org. And that's why we work together on it. The thing is we're not a top-down organization. We cannot make the choices for the community. And this brings delays, but it also brings the quality of the multistakeholder model at its best.

So this is why we're now trying to find a way. I was in those sessions in the prep week as well, and I heard the remarks, and one of the things that one person says is why do we spend so much time planning? Why don't we just do it? Well, that would be very much in contradiction of the bottom-up multistakeholder model, because then we would just start doing it, and we do things. And this is why Xavier and the Org team spend so much time on getting the fundamentals in place which allow us to move forward together constructively in the future. And that's a lot of work that we don't see that's in preparation of getting all this ready to move.

But we all feel that we need to do this. And one of the things is prioritization. The other thing is, well, maybe some things that we ever said that we needed to do are obsolete. How do we take them off the list? Because we've accepted them as an obligation to execute, and these kinds of things.

So in that matter, I -- I'd like, maybe, Goran, you can follow up and say a little bit about how this is approached, and also some of the

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measures we're putting in place to accelerate once we're ready to do so in a bottom-up stakeholder model.

Goran?

GORAN MARBY:

Thank you. Thank you very much. There are many things. First of all, we have been -- the Board and we have been talking that we're going to reach this moment now for the last one and a half years.

You heard me say in many, many meetings, also with you individual leaders here that we're going to reach a point where everything suddenly comes on the table. The community worked hard with the SO/ACs -- sorry, with the next round for seven years. Or was it eight years?

The EPDP, which is now -- probably "E" stands for eternal now, appears a lot of recommendations, a lot of work to be done.

We had the review recommendations. We had the Work Stream 2, which is an essential part of the transition.

We have the CCT recommendations where, by the way, I think you fell on the CCT recommendation list -- if you are interested, you

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can see the Board decisions -- we gave a fairly detailed overview of the decisions that have been made and where we are all.

So we all talked about this. And we also went out and said we need -- when we realized we're doing this, we started to do the changes where we now have -- we changed our organization in June last year to be able to start working in a different way. The Board has come up with what we call the planning committee. We have reached out to the community.

But in the end, all the plan doesn't matter. We have a lot of things on our plates. And these are some of the recommendations here.

And all of them, individually, has to go through. We have to look at them. We have to work with them. We started -- so, we started the planning cycle very different.

What I'm trying to say it doesn't matter how well you plan if you don't have enough resources. And we have us -- you know, you can just go in and look at the ICANN open position page. We are adding people to the ICANN organization and institution as well to be able to fulfill as much as we can. We are looking at different opportunities to engage with external partners to help things through.

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Also taking into account that we can't just hire people from the street. They also have to be trained in what we do to accomplish what the community wants.

But I want to turn this into another conversation as well, is that you know as well as I do that some of the recommendations coming out of the PDPs and other ones are not always easy to just understand. If you look at the next round, for instance, that is a 3, \$400 million project and we are literally going through the process of doing that.

It took, what was it, four years from last time from the policy when from actually we started that. We're trying to squeeze that down, but that's the time that it took to do this the last time. And this time we also, based on the community, are trying to do it differently.

So if we acknowledge that everybody wants their thing to be happening as fast as possible -- and we get that. Right now we are where we all said we're going to be. We have an amazing amount of work to do.

I want to reiterate what Maarten said. This is -- the prioritization, what's important is something that we have to engage with the community. That takes time, but we haven't stopped working.

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And the only thing that saddens me in this conversation, I have to admit, we do produce a lot of information. We do produce an enormous amount of information. We try to be as detailed and open about where we are, and we take the criticism of the stuff we do wrong.

But we do provide the community with a lot of interaction, for instance, questions. You can always send me an email to ask questions. That's what we're there for.

And I think this meeting showed, yes, we have this data here. We have this documentation here. This is what you can do.

So engage with us and your support staff how you can find this information because I can almost promise you in 90% of the case, the information is published somewhere on the ICANN website.

And we're trying to address that as well through the ITI project so you can actually find something on the ICANN website as well.

So take the opportunity to make sure. The support team is glad to help you.

This conversation could have been a little bit different if we had the opportunity to communicate about some of the things that actually do exist.



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Too much to do. We have to do this together. And I think we also have to trust each other in the judgment we do. And to some of you, look at the open positions. ICANN org is a fairly fantastic place to work for.

MATTHEW SHEARS: Thanks, Goran.

Dean, I'm going to pass it back to you because we're over time and it's a great conversation. We could keep going. But I do think we have to wrap it up.

DEAN MARKS: Yes. Matthew, I think you're right. I would just like to mention, I did see a couple of questions in the chat and also that were raised about the status of where we are with PPSAI.

And to Goran's point, there could be something that addresses the current status that has been issued and we just aren't aware of it. Maybe if you folks could get back to us by email, that would be wonderful. No need to present it now. It's the end of the day, especially for people in Europe.

So you folks have all been so generous with your time.

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Steve, I don't mind. (indiscernible) to be raised in email or separately.

I just wanted to send our gratitude and thanks not only to all the Board members, to Goran, to staff, for the conversation and for taking the time to interact. We appreciate it.

MATTHEW SHEARS: Thank you, Dean.

We really appreciate these opportunities as well. They're very important. Without further ado, Maarten, do you want to -- any closing comment.

MAARTEN BOTTERMAN: Yes, very quickly. Thank you for the conversation. And it may be better to make sure that we answer the right questions, why don't you put them in the letter because there may be some questions from the audience. It's really about engagement with you guys. So let's do that.

The other thing, even in Europe it's not the end of the day. We have another session beginning in 20 minutes. And it's five past 1:00 here Central European Time. So we'll be here.

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And join us, please and enjoy the session. But you have to listen to anyone answer your questions.

But really appreciate it. This is what's so important, that we understand to do this together and that we are really trying to do so.

Yes, we have concerns like you. Yes, sometimes we see better what happens because we're closer to this. But know this, we care, the org cares, and I know you guys' care, too. So thank you a lot for a good conversation.

This was just a point in time. The conversation continues. Thanks.

MATTHEW SHEARS: Thanks, everybody.

DEAN MARKS: Thanks so much. It's great that you are still smiling at 1:00 in the morning, Maarten.

MATTHEW SHEARS: Of course.

**[ END OF TRANSCRIPT ]**