**Details and proposed approach for dealing with external experts – updated ~~10~~ 24 January 2018**

The small group of volunteers reviewed the list of experts identified by the CCWG and has categorized the experts in the following categories. In considering which experts are most suited to address the different scenarios and different questions, the small group of volunteers considered the following factors:

- Does a direct contact exist which normally means direct access and likely response/participation;
- Does a possible conflict of interest exist, e.g. is the external expert identified also likely to apply for auction proceeds;
- Expected knowledge / expertise in relation to the scenario and questions identified as well as experience in / knowledge of dealing with developing countries and countries under sanctions.

The experts identified are ranked in order, as determined by the small group of volunteers. All experts identified will be approached with the request to provide a response to the questions outlined in this document, but only those identified with "to be invited for follow up call" will be invited at this stage to join a call to allow for further discussion and input. However, should the CCWG determine that additional engagement with other experts is needed, this can be subsequently planned.

| Category | Experts Identified | Direct Contact | Check list: national, regional or global coverage | Check list: experience with small, medium-sized or large grants/projects. |
|---|---|---|---|---|
| A. Advisors / consultants | a) **Asia Venture Philanthropy Network (to be invited for follow up call)**<br>b) Arabella Advisors<br><br>c) Rockefeller Philanthropy Advisors<br>d) Ponsonby Partners | a) Naina Subberwal Batra (CEO), cc Patricia Chu)<br><br>b) Gwen Walden, Senior Managing Director<br><br>c) Nick Hodges<br><br>d) Chief Operating Officer - Sarah Berg, Principal | a) regional<br><br><br>b) TBC<br><br>c) global<br><br>d) TBC | a) 75% projects < $250k, also up to $5M<br><br>b) TBC<br><br>c) TBC<br><br>d) TBC |
| B. Foundations (small – managing less than 50 | e) **IEEE Foundation (to be invited for follow up** | e) Yes - Karen Galuchie, Executive Director | e) Global | e) small $5k-$100k |

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| million $) | call)<br>f) Web Foundation<br>g) ABrinq Foundation (Brazil) | f) Jose Manuel Alonzo<br>g) Victor Alcantara da Graça | f) global<br>g) TBC | f) TBC<br>g) TBC |
| C. Foundations (large – managing more than 50 million $) | h) **Bill & Melinda Gates Foundation (to be invited for follow up call)**<br>i) **Omidyar Network (to be invited for follow up call)**<br>j) Fundaçao Roberto Marinho<br>k) MacArthur<br>l) Ford Foundagion<br>m) CISCO Foundation<br>n) Google.org | h) Melanie Walker<br>i) Scott Wu, Felipe Stefan and Stephen King<br>i)j)<br>j)<br>k)<br>k)l) TBC<br>l)m) TBC<br>m) TBC<br>n) Yes - Vint Cerf can connect us | h) global<br>i) global<br>j) TBC<br>k) TBC<br>l) TBC<br>m) global<br>n) global | h) all sizes<br>i) $100M in 28 orgs<br>j) TBC<br>k) TBC<br>l) TBC<br>m) $350M in grants<br>n) in 5 yrs $1B grants & 1M employee hrs |
| D. ICANN Experts | o) **Samantha Eisner**<br>p) **Xavier Calvez** | o) Yes<br>p) Yes | o) TBC<br>p) TBC | o) TBC<br>p) TBC |
| E. Organizations that manage / distribute government funds | q) **European Investment Bank & European Commission (to be invited for follow up call)**<br>r) Swedish International Development Cooperation Office (Sida)<br>s) Hivos International<br>t) Networked Economies | q) Marc D'Hooge (EIB) / Jean-David Malo (EC)<br>r) Johan Hellström<br>r) TBC | q) TBC<br>r) TBC<br>s) TBCGlobal<br>t) TBCGlobal | q) TBC<br>r) TBC<br>s) TBC<br>t) TBC |

| | | | | |
|---|---|---|---|---|
| | program / IDRC<br>u) BNDES – National ( Brazil) developing Bank | ~~Ana Sofia Ruiz~~TBC s)<br>t) Laurent Elder.<br>~~s) TBC~~ | u) TBC | u) TBC |
| | v) FINEP (financing R&D Grant Unitprojects)<br>w) DFAT Australia and New Zealand | ~~t)~~u) director Information tecnology area: Mrs Irecê Kauss email kauss@bndes.gov.br<br>~~u)~~v) TBC<br>~~v)~~w) Mei Lin can get contact thru John Karr @Asia Foundation | v) TBC<br>w) TBC | v) TBC<br>w) TBC |
| F. Organizations / foundations active in the ICANN environment | x) **Nominet (to be invited for follow up call)**<br>y) NLnet Foundation<br>z) Internet Society<br>aa) RIRs with grants programs (AFRINIC, LACNIC, APNIC, RIPE NCC) | ~~w)~~x) Yes<br>~~x)~~y)Yes<br>ISOC - Jane Coffin z)<br>~~y)~~ LACNIC and FRIDA Program - Laura Kaplan, Development and Cooperation Manager; AFRINIC. Vymala Thuron, Head of External Relations; RIPE NCC. Chris Buckridge~~APNIC - Duncan McIntosh, others TBC~~ aa) | x) TBC<br>y) TBC<br>z) TBC<br>aa) TBC | x) TBC<br>y) TBC<br>z) TBC<br>aa) TBC |

The small group of volunteers proposes the following steps in the engagement with experts:

1. Draft outreach message, including short intro to ICANN, explaining the objective of the new gTLD Auction Proceeds CCWG and request interest & availability to provide advice to help inform CCWG deliberations. This message would also request the identification of a possible conflict of interest (i.e. is the expert or his/her organization/employer likely to apply for the auction proceeds, whether the organization would potentially be interested to serve as a partner as outlined in a number of the possible mechanisms, as well as whether the expert has had previous dealings with ICANN Org). The message would include a list of questions identified for respective expert with the request to provide a written response within 3 weeks. In addition, all other questions would be provided in an annex so that the expert can also see and potentially address other questions. Target date for distribution of letters: by 19 January at the latest. Target date for responses: by 9 February at the latest.

2. Schedule dedicated calls that would allow for an exchange of views with external experts to allow for follow up on answers provided. The proposed schedule of meetings is as follows (note, the timing of the meetings may need to be adjusted depending on the availability of the external experts). If necessary, additional meetings would be scheduled:
   a. Call with Category A Expert (Advisors/ consultants) – week of 19 February
   b. Call with Category B Expert (Foundations – small) – week of 19 February
   c. Call with Category C Expert (1) (Foundations – large) – week of 19 February
   d. Call with Category C Expert (2) (Foundations – large) – week of 19 February
   e. Call with Category D Experts (ICANN Experts) – week of 26 February
   f. Call with Category E Expert (Organizations that manage / distribute government funds) – week of 26 February
   g. Call with Category F Expert (Organizations / foundations active in the ICANN environment) – week of 26 February

3. CCWG to compile all feedback received in order to make an assessment of which possible mechanism meets best the criteria identified by the CCWG as being most important for selecting a mechanism.

**PROPOSED QUESTIONS**

General questions (that apply regardless of the mechanism under consideration) and which are expected to be put forward to all experts identified:

- In addition to the possible mechanisms outlined by the CCWG (1) New ICANN Proceeds Allocation Department Created as part of ICANN Org, 2) New ICANN Proceeds Allocation Department Created as part of ICANN Org which would work in collaboration with an existing charitable organization(s), 3) A new structure would be created (e.g. ICANN foundation), 4) An established entity/entities (e.g. foundation or fund) are used (ICANN would organize the oversight of processes to ensure mission and fiduciary duties are met), are there any other mechanisms that you would recommend for consideration? Note that the CCWG already excluded to invest all the proceeds into a fund and only disburse the interests resulting from this investment. Please note that all proposed mechanisms need to meet the legal and fiduciary requirements (for further details, see here).

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**Commented [MK2]:** Dates to be updated?

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**Commented [SE3]:** Does this mean a philanthropic or grantmaking organization? Or a charitable organization more generally.

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**Commented [XC4]:** This is a very open-ended question. Would it be useful to indicate to the recipients the mechanisms that have already been considered and excluded? As an example, I believe the group already excluded to invest all the proceeds into a fund, and only disburse the interests resulting from this investment.

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- As the mechanism to be recommended is expected to be of a temporary nature, as the available funds are a one-off allocation, what aspects should be factored in and considered when deciding on a mechanism (e.g. what characteristics would facilitate sun-setting of the mechanism)? ~~What needs to be factored in and considered, noting that the available funds are a one-off allocation and as such, any mechanism is expected to be temporary?~~
- Are you aware of any models or mechanisms in which a third party provides an oversight role? If so, please share those examples~~. and explain how this is budgeted for~~?
- Can you share best practices with regards to the evaluation of project applications?
- Would a fixed percentage, like for example 5%, for administrating and covering the costs of the distribution of the funds be reasonable for project applications? If yes, please provide input on what percentage should apply as well as what the percentage should be applied to (for example, % of total funds available for disbursement, or % per year or in total over the life of the project?).
- What mechanisms need to be in place for any mechanism to ensure external oversight / governance? E.g. Require external governance / non-exec directors / trustees in majority / advisory board?
-
- Is there any further input that you would like to provide that would facilitate the CCWG's consideration of the different mechanisms?

| Possible mechanism #1 | *New ICANN Proceeds Allocation Department Created as part of ICANN Org* | |
|---|---|---|
| General description | This department would be part of ICANN Org and take full responsibility for solicitation and evaluation of proposals, and disbursement process, in accordance with the recommendations of the CCWG | |
| Clarifying questions and/or questions for experts | **Budget / Costs** | **Category or categories of experts that should be specifically asked to respond to this question:** |
| | 1. How do you develop and ensure that accountable practices are in place to manage both from a budget and accounting practice the auction proceeds funds in a sustainable and responsible manner? What kind of practices need to be established that are currently not in place? | 1. Category: A, D |
| | 2. How will these funds be managed to ensure separation from the operational budget of ICANN? | 2. Category: D |
| | 3. What new fiduciary and auditing requirements would need to be established for this new department? How will audits need to be managed? | 3. Category: A, D |

**Commented [XC5]:** The scope of this question, as formulated, is extremely broad, and any recipient would struggle with wondering this question applies to. Could this question be a bit more specific?

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**Commented [XC6]:** Is the purpose to understand "funding" rather than "budgeting for"? If so, it is not clear funding is specifically relevant to describe a third party oversight role? Maybe simply removing the second question would be helpful.

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**Commented [XC7]:** If I understand correctly the question, I think the word "costs" may be missing here to indicate w...

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**Commented [SE8]:** This is a very general question and n...

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**Commented [XC9]:** As formulated, this question can onl...

**Commented [MK10R9]:** May need to accept that no ...

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**Commented [XC11]:** The type of audit referred to here ...

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| | 4. What audit requirements need to be in place that would apply to the projects that are funded? Would these be different, dependent on the size of the project and the country of origin? | 4. Category: A, D, E |
| | 5. Do you have recommendations or examples of a good audit strategy to assure grants & investments are on track to achieve desired outcomes? | 5. Category: A, B, C, E |
| | 6. What kind of model(s) would be used to establish the department that will manage / disburse the auction proceeds? For example, if a separate department is created, how would this be financed? How would the resources allocated be funded, from ICANN's on-going funding, or from the auction proceedsWould staff be paid by ICANN or by the auction proceeds fund?? | 6. Category: D |
| | | 7. Category: D |
| | 7. Could you provide an estimation of the costs of setting up this model(s) (per your response to the previous question)? (operational costs) | |
| | 7.8. Are separate departments created for separate funds in your organization? If yes, what are the costs of such departments and how are they funded? | 8. Category: A, B, C, E, F |
| | **Role of the Community** | 7.9. Category: A, B, C, D, E, F |
| | 9. Do you have experience in any grantmaking programs where you received guidance or input from stakeholders interested in the outcomes of the process? What did that look like? What engagement level and consultation processes did you have in place, and what types of issues were stakeholder providing input on? (If you answered 'no', please ignore questions 10 – 12) | |
| | 8.10. What have been effective engagement and | 8.10. Category: A, B, C, D, E, F |

**Commented [XC12]:** The type of audit referred to here should be specified.

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**Commented [XC13]:** As formulated, the question is unclear. ICANN owns the Auction Proceeds, so the question does not currently offer 2 different options. I suspect the question intended may be: how would the resources allocated be funded, from ICANN's on-going funding, or from the auction proceeds?

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| feedback mechanisms for community members and other stakeholders to assist in achieving desired outcomes? What kind of models do you have in place to engage with stakeholders and what mechanisms have been proven to be effective? | |
| | 9.11.   Category: A, B, C, D, E, F |
| 9.11.   What methods and consultation processes have you found effective for tracking community / stakeholder input and determining the subsequent impact of that input? | |
| 10.12.   What methods or consultation processes have you found effective for community/stakeholder input on/review of the selection of proposals and determination of whether desired outcomes have been achieved? | 10.12.   Category: A, B, C, D, E, F |
| **Set up** | 11.13.   Category: D |
| 11.13.   What separation would be in place? Would this be similar to how the IANA Department has now been set up (PTI)? | |
| 12.   What mechanisms need to be in place to ensure external oversight / governance? E.g. Require external governance / non-exec directors / trustees in majority / advisory board? | 12.  Category: A, B, C, D, E, F |
| **Staffing** | 13.14.   Category: D |
| 13.14.   Would department employees be considered ICANN employees? In case they are not ICANN employees, what working arrangements would you consider? | |
| 14.15.   What staff positions and organization structure might you recommend for managing approx. $230M of funds? | 14.15.   Category: A, D |

**Commented [SE16]:** This is a very general question and not just about a department issue.

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| **Possible mechanism #2** | *New ICANN Proceeds Allocation Department Created as part of ICANN Org which would work in collaboration with an existing charitable organization(s).* |
| **General description** | Responsibilities for solicitation and evaluation of proposals, and disbursement process would be split between the newly created department and the existing charitable organization(s). |

| **Clarifying questions and/or questions for experts** | | **Category or categories of experts that should be specifically asked to respond to this question:** |
|---|---|---|
| | 1. Do you think ICANN would benefit from working in a collaboration with an existing philanthropic organization?  If so, what benefits do you think there would be? ~~What would be the benefits to working in collaboration with other organisations, if any?~~ | 1. Category: A, D |
| | 2. How would it make sense for the roles to be split? What mechanisms would need to be in place to ensure coordination between ICANN Org Department and the selected ~~existing charitable~~ organization(s)? | 2. Category: A, D |
| | 3. What guidance might you share on how ICANN might collaborate with other organizations in order to achieve our desired outcomes for the use of the auction proceeds? | 3. Category: A, B, C, D, E, F |
| | 4. Are there any similar models (responsibilities divided between two different organizations) ~~hybrid models~~ that you are familiar with that could serve as a model for this mechanism (for example, the Stanford Engineering School Venture Fund)? | 4. Category: A, B, C, D, E, F |
| | 5. What are the standard practices around reviewing ~~due diligence reviews for~~ agreements for this type of mechanism ~~a hybrid model~~ to be implemented, to ensure all aspects are covered? | 5. Category: A, B, C, D, E, F |
| | 6. What kind of procedures need to be in place to manage fund allocation to successful applicants, | 6. Category: A, D |
| | | 7. Category: A, B, C, D, E, F |

**Commented [SE17]:** Does this mean a philanthropic or grantmaking organization?  Or a charitable organization more generally.

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**Commented [SE18]:** Need more information on what coordination there would be?  Is there an idea of how rol…

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| | if there are two entities providing the funding? | 8. Category: A, B, C, D, E, F |
| | 7. What costs would be involved in creating such a ~~structure~~ collaboration between two entities as well as overhead expected to run ~~such a structure~~this collaborative model? | |
| | 8. In case you or your organization has knowledge and expertise in working in a hybrid model, how does your organization manage the staffing and set up when collaborating in a hybrid mechanism like this (intermediary role)? | 9. Category: A, B, C, D, E, F |
| | 9. Do you have experience in any grantmaking programs where you received guidance or input from stakeholders interested in the outcomes of the process? What did that look like? What engagement level and consultation processes did you have in place, and what types of issues were stakeholder providing input on? (If you answered 'no', please ignore questions 10) | 10. Category: A, B, C, D, E, F ~~9.~~ |
| | ~~9.~~10. In a hybrid model, what methods and consultation processes have you found effective for tracking community / stakeholder input and determining the subsequent impact of that input? | |
| | ~~10.~~11. What kind of processes and procedures would you like to see established to ensure that collaboration with a third party would meet all legal and fiduciary requirements? | ~~10.~~11. Category: D |
| | ~~11.~~12. Do you have recommendations or suggestions for the selection criteria ICANN should use for choosing the right charitable organization to partner with? | ~~11.~~12. Category: A, B, C, D, E, F |
| | 13. Based on your response to the previous question, are you in a position to make a recommendation for which existing charitable organizations ICANN | ~~12.~~13. Category: A, B, C, D, E, F |
| | | 14. Category: A, B, C, D, E, F |

**Commented [SE23]:** Is this "if there are two entities providing the funding opportunities?"

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**Commented [SE26]:** Could this be aligned with the earlier question?

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|  | could consider partnering with, should a hybrid model be recommended? | |
|  | 12.14. what are the different ways that responsibilities could be allocated between ICANN and a partnering external organization? Are there certain responsibilities that are better taken on by the entity that is ultimately accountable to its mission in the distribution of funds? | 15. Category: A, B, C, D, E, F 13. |
|  | 13.15. What is the industry standard (%) to be allocated to administrative costs for the organization partnering with ICANN? Please provide input taking into account different ways in which responsibilities could be divided between ICANN and the charitable organization. | |

| Possible mechanism #3 | A new structure would be created (e.g. ICANN foundation) |
|---|---|
| General description | A new structure would be created separate from~~of~~ ICANN Org which would be responsible for solicitation and evaluation of proposals, and disbursement process, in accordance with the recommendations of the CCWG. |

| Clarifying questions and/or questions for experts | Set up | Category or categories of experts that should be specifically asked to respond to this question: |
|---|---|---|
|  | 1. How would independence from ICANN be guaranteed, while at the same time ensuring that legal and fiduciary requirements are met and oversight is ensured? | 1. Category: A, D |
|  | 2. Are you aware of any examples of new structures that were created, e.g. foundation, with a limitation in funds available. | 2. Category, A, B, C, D, E, F |

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<td>3. What criteria would need to be established to guide the selection of location/jurisdiction to headquarter this new entity? What factors would need to be considered to avoid restrictions to delivery of funds to developing countries? Are there any locations/jurisdictions that meet the criteria you outlined as part of this question that would also allow for a rapid establishment of a new entity?</td>
<td>3. Category: A, B, C, D, E, F</td>
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<td>4. In your experience, how long will it take to get a new entity set up? What would be a realistic expectation with regards to $$ to be disbursed per year, factoring in the creation of a new entity?

**Cost**

5. What costs would be involved in creating such a structure as well as overhead expected to run such a structure? Staffing, financial systems, legal support, communications, reporting and monitoring (to name a few).

**Running of structure**
6. What processes and procedures would need to be in place to ensure appropriate oversight by ICANN of this new entity?</td>
<td>4. Category: A, B, C, D, E, F

5. Category: A, B, C, E, F

6. Category:  A, B, C, D, E, F</td>
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| Possible mechanism #4 | *An established entity/entities (e.g. foundation or fund) are used (ICANN would organize the oversight of* |
|---|---|

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| | *processes to ensure mission and fiduciary duties are met)* | |
| **General description** | An established entity / entities (e.g. foundation or fund) would be responsible for solicitation and evaluation of proposals, and disbursement process, in accordance with the recommendations of the CCWG. | |
| **Clarifying questions and/or questions for experts** | **Selection** | **Category or categories of experts that should be specifically asked to respond to this question:** |
| | 1. Which process(es) could be used to determine which entity/entities are suitable? | 1. Category: A, B, C, D, E, F |
| | 2. How to ensure that entity/entities goals align with that of ICANN and usage of funds? | 2. Category: A, B, C, D, E, F |
| | 3. What criteria should be part of a selection process? E.g. location, access, restriction to deliver funds to developing regions/countries | 3. Category: A, B, C, D, E, F |
| | 4. What would you anticipate that will be the benefits for the selected organization(s), if any? | 4. Category: A, B, C, D, E, F |
| | 5. Based on your experience and responses to the previous questions, do you have any recommendations for which entity/entities could be considered for this scenario? | 5. Category: A, B, C, D, E, F |
| | **Oversight / enforcement / legal requirements** | |
| | 6. What contracts are typically in place between an entity such as ICANN seeking to disburse funds and the organization that will handle the application and disbursement process? ~~What contractual obligations would need to be established with ICANN to ensure compliance with legal and fiduciary requirements and adherence to other requirements (e.g. copyright, sub-contracting)?~~ | 6. Category: A, B, C, D, E, F |
| | 6. | 7. Category: : A, B, C, D, E, F |
| | 7. How to avoid duplication of oversight as presumably entity/entities will have their own oversight mechanisms in place while ICANN does so as well? | 8. Category: : A, B, C, D, E, F |
| | | 9. Category: : A, B, C, D, E, F |

| | | |
|---|---|---|
| | 8. What particular oversight mechanism(s) would you recommend is established for this particular set up for the entity seeking to disburse funds? | |
| | 9. Based on your experience, what tools/mechanisms should be in place for financial management, validate technical outcomes, communications, monitoring and reporting? <br><br> Other <br> 10. If you are familiar with a similar set up, how are these types of external organisations typically funded? Do they do this work solely based on cost recovery, or are there additional fees that are charged to operate grant making programs for other entities?  If there are additional fees, how are those typically calculated? | 10. Category: : A, B, C, D, E, F <br> 9. |