

2021-04-14 ALAC and Board Teleconference

Date: Wednesday, 14 April 2021

Time: 20:00-21:00 UTC (For the time in various time zones click [here](#))

Zoom room: <https://icann.zoom.us/j/92092001688?pwd=RnViVkJNaWURXOFhEcUkvcWtMR21QUT09>

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Interpretation available: Yes (ES & FR - Simultaneous)

AFRALO Abdulkarim Oloyede, Dave Kissoondoyal, Sarah Kiden

APRALO Holly Raiche, Justine Chew, Maureen Hilyard

EURALO Pari Esfandiari, Joanna Kulesza, Matthias M. Hudobnik

LACRALO Carlos Raúl Gutiérrez , Sindy Obed, Sylvia Herlein-Leite

NARALO Greg Shatan, Jonathan Zuck, Marita Moll

Liaisons Andrei Kolesnikov(SSAC), Barrack Otieno (ccNSO), Cheryl Langdon-Orr (GNSO), Yrjö Lansipuro (GAC)

Participants

EN:

ES:

FR:

Apologies:

Staff:

Interpreters

ES:

FR:

Call management: Board Operations

Action items: [EN](#)

Recording: EN, ES, FR

Transcript: EN, ES, FR

Zoom chat: EN

Zoom Recording: EN

AGENDA

1. Welcome - [León Sánchez](#), ICANN Board Vice Chair and Director selected by At-Large
2. Opening Comments from [Maarten Botterman](#), ICANN Board Chairman, and [Maureen Hilyard](#), ALAC Chair
3. Questions from the ALAC to the ICANN Board:
 - a. Introduced by [Marita Moll](#), ALAC Member from NARALO and [Christopher Wilkinson](#), Member of EURALO
 - i. Currently, various activities are being rolled-out under Strategic Objective #2: Improve the effectiveness of ICANN's multistakeholder model of governance. Under this banner, we are interested in how we can work together to make sure the end user in ICANN's MS model is a visible and well-understood part of the process. We would also like to hear more about how the "understanding the global public interest" project will intersect with the work on the MS evolution.
 - b. Introduced by [Alan Greenberg](#), Member of NARALO:

- i. We talk about a "holistic" review of ICANN with the potential outcome of significant changes in how we are organized and how we conduct business. There is certainly a lot of talk about this being an important step for ICANN. My sense is that EVERYONE wants to see significant change, but not in THEIR OWN area (NIMBY - Not In My Back Yard). Is such a review really possible, and if so, how do we go about it?
- c. Introduced by [Olivier Crepin-Leblond](#), Member of EURALO:
 - i. With two Policy Development Processes currently reaching milestones that require Board action, namely the EPDP and the Subsequent Procedures PDP, there still appears to be divergence amongst the ICANN community on many sticky points. The ALAC has the ability to comment and provide Advice directly to the Board on both of these issues, and indeed, it has used this ability. Other advisory Committees also have the opportunity to provide Advice. However, when asked, the ICANN CEO has mentioned that according to the Bylaws, the only body that makes policy for Generic Top Level Domains is the GNSO. Yet, some matters clearly appear to be going around in circles.
 - ii. Is the Board willing to take into account the balance of all stakeholders in ICANN? For example, prior to the last round of new gTLDs, the Board took steps to organize an ICANN key stakeholder meeting specifically to address new gTLDs with the GAC and other parties.
 - iii. On the contrary, is the ICANN Board now a rubber-stamping body?
 - iv. How does the Board plan to find a solution to deadlocks that get some topics to go in circles ad-infinitum? Or is it not for the Board to find a solution? After all, Board members have fiduciary duty.
- d. Introduced by [Jonathan Zuck](#), ALAC Vice Chair, Policy
 - i. Recent board communication seems to imply that ICANN Compliance shouldn't be engaged in enforcing elements of a registry agreement that fall outside of ICANN's remit. While we understand that existing gTLDs are "grandfathered," it seems as though we are at an impasse if we are to have a mechanism for enforceable commitments to be made. For example, PICs were suggested as the means of making commitments to the community on behalf of PIR on a number of issues that might be considered outside ICANN's remit. What does the Board believe to be the best means for applicants to a new round (or changes to existing PICs) to make commitments that have teeth. Another issue that came up, related to PICs, has to do with the PICDRP, in which you need to be the injured party to initiate a proceeding. Is there a practical way for the ALAC to be given standing to bring a PICDRP (or now RVCDRP?) on behalf of "individual users" generally, if we find that their interests are threatened?

4. Concluding Comments - [León Sánchez](#), ICANN Board Vice Chair and Director selected by At-Large