TITLE: **ICANN72 In-Person Cancellation PROPOSED**

ACTION: **For Board Consideration and Approval**

EXECUTIVE SUMMARY:

With the ongoing pandemic, while there have been local advancements that might make it feasible to plan for and convene a meeting in Seattle in October, there remain far too many areas of uncertainty to proceed with ICANN72 as an in-person meeting. The challenges include: uncertainties related to the ability and willingness of international participants to travel and to be allowed to enter the U.S.; the potential for hosting a public meeting that is primarily accessible to those from North America and potentially Europe; whether a meaningful hybrid design could be developed in time to meet the needs of international attendees; the impact if a case was diagnosed among participants; and the progress of the Delta variant of the virus. As a result, ICANN org, after survey and discussion with SO/AC leaders, recommends that the Board cancel ICANN72 as an in-person meeting and direct ICANN org to proceed to convene ICANN72 as ICANN's virtual Annual General Meeting. However, it is also important that ICANN return to in-person (hybrid) meetings as soon as possible, ICANN org recommends that the Board (1) affirms its intent to hold ICANN73 as ~~a hybrid meeting with an in-person component if it is feasible to do so~~an in-person/hybrid meeting;, (2) directs the ICANN President and CEO to initiate planning with the community to develop a meaningful hybrid model for ICANN73;, and (3) encourages the ICANN President and CEO to ~~initiate a pilot program, in consultation with the community,~~investigate whether it is feasible to start hosting smaller in-person or hybrid meetings ~~beginning in 2021~~prior to ICANN73.

ICANN ORG RECOMMENDATION:

ICANN org, after survey and discussion with SO/AC leaders, recommends that the Board cancel ICANN72 as an in-person meeting and directs ICANN org to proceed to convene ICANN72 as ICANN's virtual Annual General Meeting. ICANN org further recommends that the Board: (1) affirms its intent to hold ICANN73 as a hybrid meeting

with an in-person component if it is feasible to do so~~n in-person/hybrid meeting~~; (2) directs the ICANN President and CEO to initiate planning with the community to develop a meaningful hybrid model for ICANN73; and (3) encourages the ICANN Preseident and CEO to initiate a pilot program, in consultation with the community,~~investigate whether it is feasible~~ to start hosting smaller in-person or hybrid meetings beginning in 2021~~prior to ICANN73~~.

Confidential Negotiation Information

BACKGROUND:

ICANN org, through the Adaptive Crisis Management Team (A-CMT) on COVID-19, prepared background materials that are attached to this paper as Annex A. Financial considerations are in Annex B.

In addition to the A-CMT background materials and financial considerations, ICANN org has additional detail to share with the Board on community engagement. There have been substantial community conversations regarding the ability to move forward with ICANN72 as an in-person meeting. In June 2021, ICANN conducted a community survey to determine individual comfort and tolerance for gatherings amongst ICANN Meeting participants and investigate the possibility of organizing ICANN72 as a hybrid meeting with virtual and in-person attendance in Seattle. There was significant community participation in the survey, with a 32% response rate from among previous in-person and virtual participants over the past three years. The survey indicated a mixed sentiment, with respondents indicating interest in returning to a face-to-face meeting, but

with some noting several areas of concern, such as the global diversity of the meeting attendees.

During ICANN71, there were numerous discussions across all the community groups and regional representatives at ICANN71. One of the repeated themes was the exclusion of a significant portion of the community at a face-to-face meeting, which could impede those who would be unable to attend in person based on current travel conditions and limit ICANN's global diversity and representation, which is a fundamental aspect of ICANN meetings. The most recent face-to-face AGM in Montreal, Canada, for example, had 68% of meeting participants from non-U.S. countries and territories. Other feedback heard during and after ICANN71 included overcoming time zone challenges when attending a meeting virtually; concerns of equitable participation between in-person and virtual participants in policy development work; meeting chairs participating virtually while other attendees were in person; and managing quorum issues amongst hybrid participants. The community also urged that ICANN needs to get back to meetings as soon as possible, and some suggested that ICANN should consider how to test returning to meetings and travel.

PROPOSED RESOLUTION:

Whereas, on 27 January 2019, the ICANN Board approved for ICANN organization to proceed to contracting in support of ICANN72 in Seattle, United States of America. https://www.icann.org/resources/board-material/resolutions-2019-01-27-en#1.e.

Under the Meetings Strategy, and in accordance with the Bylaws, ICANN72 is scheduled as ICANN's Annual General Meeting for 2021.

Whereas, the ICANN Board is responsible for a decision to change an ICANN public meeting location once such a meeting location has been approved for contracting and announced.

Whereas, in December 2019, a new strain of coronavirus, referred to as COVID-19, emerged and on 11 March 2020 was declared a pandemic by the World Health Organization (WHO). Globally, a high number of people either have been or continue to be under some form of a "stay-at-home" or lock-down order, directed to avoid contact with others except to receive essential services such as medical care or to purchase supplies. Schools and offices are reopening in limited measures, larger gatherings are returning in very limited forms, and many international travel routes remain largely on pause. While vaccines are readily available in some parts of the world, other regions have very low access to vaccines, which impacts both ability and willingness for participants to safely travel. We still do not know when international travel will be more fully restored, including issues of visa accessibility. When faced with new emergences of COVID-19, many economies have re-imposed some form of "stay-at- home" orders to once again control the spread, with new recent measures imposed to combat the emerging Delta variant.

Whereas, as an organization with staff and stakeholders across the globe, in January 2020 ICANN org convened an Adaptive Crisis Management Team (A-CMT) to assist ICANN org in tracking and mitigating the impact of COVID-19 on ICANN's work.

Whereas, ICANN org, through the A-CMT, briefed the Board on the current status of COVID-19 on ICANN's work, including the potential impacts on ICANN72. ICANN org has also consulted with the leadership teams of the various ICANN community structures – our Advisory Committees, Supporting Organizations, Stakeholder Groups and Constituencies – regarding the planning for ICANN72 in the face of the pandemic, including a meeting survey and a dedicated session at ICANN71 on returning to ICANN meetings.

Whereas, the Board recognizes that the COVID-19 pandemic continues to impact other planned opportunities for the ICANN community to further their work in-person, with ICANN67, ICANN68, ICANN 69, ICANN70, ICANN71 and all other face-to-face meetings moved to a virtual format. ICANN org has been in communication with the ICANN community on these scheduled changes.

Whereas, at this time, while conventions are starting again in Seattle, U.S., at this time ~~ICANN~~ it does not appear possible or feasible to convene a meeting of international participants for an in-person or hybrid ICANN72 in Seattle, U.S. as planned. Between the global inequity in vaccine availability across the world, continuing restrictions on persons from many countries or territories being allowed to enter the U.S., and backlogs in visa processing for those who are able to enter the U.S., ICANN cannot estimate with any confidence the ability to for attendees outside of the U.S. to attend ICANN72. Whereas, global participation at ICANN's Public Meetings is an essential and necessary component for ICANN to complete its work. The Board notes that ICANN's most recent in-person Annual General Meeting held in Montréal, Canada, that over 60% of attendees were from outside of the U.S. and U.S. territories. Convening a meeting where a majority of participants are potentially excluded from in-person attendance (based on the facts available at this time), does not support the diversity of voices within the ICANN community.

Whereas, ICANN org successfully moved ICANN67, ICANN68, ICANN69, ICANN70, and ICANN71 to virtual meetings, providing substantial experience for the ICANN community on how to plan, schedule, and execute ICANN Public Meetings in a fully virtual setting, including enhanced accessibility through the streaming delivery of high-interest sessions on YouTube, innovations in simultaneous interpretation tools, and increased networking opportunities.

Whereas, ICANN org reports to the Board that it continues both its internal operational planning as well as consultation with the community on how to best design an Annual General Meeting that achieves the intended purpose and that supports the community's ongoing policy advice and development work. This includes working with the community to identify whether the official dates of the AGM require any modification.

Whereas, the Board understands the import of returning to face-to-face ICANN meetings, while understanding that consultation is needed to develop a meaningful and sustainable hybrid model that maintains ICANN's long history of enabling remote participation while

exploring how to provide improved meeting experiences for those participating virtually. The Board expects for significant development of a hybrid model to proceed so that it can be tested for ICANN73.

Whereas, the Board acknowledges that a return to face-to-face work can happen outside of ICANN Public Meetings, and hopes that meeting protocols and processes can be meaningfully tested in the coming months for smaller gatherings within the ICANN community, while always prioritizing the health and safety of the attendees and ICANN org support.

Resolved (XXXX.XX.XX.xx), the Board confirms that ICANN72 shall not proceed as an in-person meeting, and directs the ICANN President and CEO, or his designees, to take all steps necessary to cancel the facilities and arrangements made for an in-person meeting in Seattle, U.S.

Resolved (XXXX.XX.XX.xx), the Board directs the ICANN President and CEO, or his designees, to coordinate with the ICANN community on the best way forward for ICANN72 to meet the expected outcomes of an ICANN Annual General Meeting, including the furthering of ICANN policy development and advice work, reporting on milestones and community-agreed priorities for the meeting. The ICANN President and CEO is also directed to continue internal operational planning in order to support the delivery of the ICANN72 Annual General Meeting as a virtual meeting as appropriate to achieve those expected outcomes.

Resolved, the Board affirms its intent to hold ICANN73 Community Forum ~~in San Juan, Puerto Rico~~, as a hybrid meeting with an in-person component in San Juan, Puerto Rico if it is feasible to do so~~with a hybrid component~~. The Board directs the ICANN President and CEO, or his designee, to coordinate with the ICANN community on developing a meaningful and effective hybrid meeting design for ICANN73.

Resolved, the Board encourages the ICANN President and CEO to initiate a pilot

program, in consultation with the community, investigate whether it is feasible for ICANN org to start hosting smaller in-person or hybrid meetings ~~prior to ICANN73~~beginning in 2021.

Resolved (XXXX.XX.XX.xx), the Board thanks ICANN org and the ICANN community for their attention to this important issue. The Board also thanks the hosts and venues planned for ICANN72 in Seattle, U.S., for their understanding of the need to cancel the in-person plans for ICANN72. We hope that there is a future time that we will be able to come and visit your city to host an ICANN Public Meeting.

Resolved (XXXX.XX.XX.xx), the Board appreciates the community's continued commitment to the work and mission of ICANN, and is grateful to the Chairs of our Supporting Organizations and Advisory Committees for their collaboration and leadership.

PROPOSED RATIONALE FOR RESOLUTION:

The Board takes this action today as a result of the COVID-19 outbreak, considered a pandemic by the World Health Organization. The Board also bases this action on its commitment to the multistakeholder model and the purposes of ICANN's Public Meetings. While the Board recognizes and upholds the value of face-to-face interactions at ICANN's Public Meetings and the advancement of ICANN community work that happens at these meetings, we cannot move forward with an in-person meeting at the cost of the health of attendees and ICANN org staff members. An in-person meeting can also not move forward when particpants from multiple regions will be excluded from in-person participation.

At the time of the Board decision, the COVID-19 outbreak is impacting regions in differing ways. While some countries and territories are showing advancement in containing the pandemic, including through widespread availability of vaccines, other countries and territories are facing rising case numbers, introduction of new variants of the virus, and low access to vaccines. Globally, there are frequent changes, including reintroduction of some form of a "stay-at-home" or lock-down order, directed to avoid

contact with others except to receive essential services such as medical care or to purchase supplies. Governments across the world are continuing re-evaluating travel guidance, including imposing restrictions on who may enter the country, restrictions on requirements on leaving countries, and quarantine requirements. Even when travel is available, travel still poses a risk, particularly to unvaccinated persons, and for those who are caring for people who are unvaccinated. Across ICANN org, all offices remain closed (except for essential items) and personnel are working from home. Those with school-aged children are expected to care for and, in many cases, take on the education of their children. Many within the ICANN community are experiencing these same impacts. Many may also be dealing with infection amongst their family and friends. The pandemic continues to impact us all.

After the Board's February 2020 decision to cancel the in-person component of ICANN67 and direct ICANN org to proceed with a virtual meeting, a virtual ICANN67 was convened. Many valuable lessons were learned from that experience, and ICANN org then proceeded to consult with ICANN's community leaders about how to use the lessons from ICANN67 to design future virtual meetings as the pandemic might necessitate, taking into consideration the purpose of each Public Meeting. ICANN68, ICANN69, ICANN70 and ICANN71were successful ICANN Public Meetings planned and executed in a virtual format. ICANN72~~1~~ will also be conducted as a virtual meeting.

Prior to taking this decision, the Board received briefings from ICANN org on areas including the impact of COVID-19, conversations with the ICANN community, and operational planning for a distributed meeting. There have been substantial community conversations regarding the ability to move forward with ICANN72 as an in-person meeting. In June 2021, ICANN conducted a community survey to determine individual comfort and tolerance for gatherings amongst ICANN Meeting participants and investigate the possibility of organizing ICANN72 as a hybrid meeting with virtual and in-person attendance in Seattle. There was significant community participation in the survey, with a 32% response rate from ~~among~~ previous in-person and virtual participants over the past three years. The survey indicated a mixed sentiment, with respondents indicating interest in returning to a face-to-face meeting, but with some noting several

areas of concern, such as the global diversity of the meeting attendees.

During ICANN71, there were numerous discussions across all the community groups and regional representatives at ICANN71. One of the repeated themes was the exclusion of a significant portion of the community at a face-to-face meeting, which could impede those who would be unable to attend in person based on current travel conditions and limit ICANN's global diversity and representation, which is a fundamental aspect of ICANN meetings. The most recent face-to-face AGM in Montreal, Canada, for example, had 68% of meeting participants from non-U.S. countries and territories. Other feedback heard during and after ICANN71 included overcoming time zone challenges when attending a meeting virtually; concerns of equitable participation between in-person and virtual participants in policy development work; meeting chairs participating virtually while other attendees were in person; and managing quorum issues amongst hybrid participants. The community also urged that ICANN needs to get back to meetings as soon as possible, and some suggested that ICANN should consider how to test returning to meetings and travel, including suggestions of doing pilot testing for some groups..

The Board understands that for ICANN72, as of the date of this decision there are still many countries from which direct travel is not allowed, and due to the rise of the "Delta variant" of the virus, anticipated border openings are not happening as rapidly as earlier anticipation. While there remains the possibility for the United States to allow travel from more countries in advance of October 2021, even for those that are technically allowed to enter the country, there is a very long backlog for processing visa applications, which poses a different barrier to entry and may frustrate willing travelers. Due to vaccine unavailability, many potential participants will not have the ability to be vaccinated in time for travel to ICANN72 if it were in person. Stakeholders from the APAC region noted to the Board the potential that few if any participants from the APAC region would be able to participate in-person at an October 2021 meeting in Seattle, U.S. Taking these issues into account, it is likely that ICANN72 could be a meeting of in-person attendees from just a couple of regions, which does not serve global participants in ICANN's multistakeholder model. The ICANN Board cannot delay a decision on ICANN72 to see

if these issues resolve, in order to preserve ICANN resources to be used for serving ICANN's mission.

The Board also understands that uncertainty and inequity in travel will continue for the foreseeable future as the COVID-19 pandemic continues, and that it is important for the ICANN community to come back together in person as quickly as possible. As there are continued positive indicators on the global fight against COVID-19, the Board believes it is appropriate to affirm its intention that ICANN73, a community forum scheduled for March 2022 in San Juan, Puerto Rico, will proceed with an in-person component if it is feasible to do so. It is our hope that over the next eight months, we will not be facing the same regional exclusions that drive our decision today. While there are many participants who will still want or need to attend ICANN73 remotely, the Board understands that more work is needed to make sure that ICANN73 is produced with an effective and meaningful hybrid approach that focuses on the enhanced experience for virtual participants. The Board therefore directs the ICANN President and CEO to coordinate with the ICANN community in designing ICANN73 as a hybrid meeting.

In addition, the Board notes that while ICANN Public Meetings are important opportunities for ICANN's broader multistakeholder community to come together to advance their work, that a lot of work across the ICANN community is done in smaller meetings and gatherings, and those too have been paused during the pandemic. The ICANN Board encourages the ICANN President and CEO to initiate a pilot program, in consultation with the community, investigate whether it is feasible for ICANN org to start hosting smaller in-person or hybrid meetings prior to ICANN73beginning in 2021. The ICANN community noted that starting with smaller meetings might be beneficial, and the Board supports this sentiment as well. The Board notes that the consultations with the community on a pilot will have to address issues such as the criteria for such meetings; restrictions necessary for health and safety; as well as careful attention to the potential that small or regional meetings risk creating additional siloes across the ICANN community.

We thank the ICANN community for its commitment to conducting five successful ICANN Public Meetings in virtual formats. The ICANN community has shown great leadership already in a global move toward virtual collaboration.

The ICANN Board thanks the hosts of ICANN72 in Seattle for their understanding and look forward to conducting a future ICANN meeting in Seattle.

This action is within ICANN's mission and the public interest, as it is the only path to assure that the work of the ICANN community continues as planned. It is the proper decision on many levels, from not putting ICANN org staff at risk, or risking the need to divert the resources and attention of ICANN org to a response to a COVID-19 outbreak amongst ICANN org or the community; to taking a responsible and proper measure to protect against contributing to the global pandemic; and in upholding the value of meaningful and equitable global participation in ICANN Public Meetings. Given the potential inequities in participants' access to international travel and visas across regions, this decision also ensures the broadest participation of attendees by virtual means without the potential distraction of uncertainties posed by hosting an in-person meeting at this time.

This decision has resource implications that are being quantified. However, the resources needed to support an ICANN72 Annual General Meeting as can be appropriately designed are expected to be within or below the resources that have already been allocated for ICANN72 within ICANN's budget. This decision has no impact on the security, stability, or resiliency of the Internet's DNS.

This is an organizational administrative decision that does not require Public Comment.

Submitted by: Göran Marby
Position: ICANN President and CEO

Annex A to Board Briefing

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Annex B to Board Briefing

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