

From: Xavier Calvez
Sent: Thursday, Jul 27, 2023
To: Anne Aikman-Scalese
Subject: Update on Grant Implementation

Dear Anne,

Thank you for your response to Tripti regarding the Board's anticipated action on the use of ICANN Accountability Mechanisms in the ICANN Grant Program. This message is in response to the email you sent last week (below). I know that Tripti and Maarten are in receipt of your email from yesterday and will share its content with the Board.

You raised several points, and I wanted to confirm that the org's Grant Program Core Team and Steering Committee, as well as the Board, have been carefully considering these items. While the Board has not taken its decision yet, I want to confirm to you that the org and the Board carefully considered and discussed the impact of the original recommendation on both applicants and third parties. As the org team considered the impact of seeking a fundamental Bylaws change that altered the scope of ICANN's Independent Review Process and the Reconsideration Request Process while making sure that those changes were as narrowly tailored to the CCWG-AP's recommendations as possible, significant concerns were uncovered. While the amendments would equally impact applicant and third-party access to accountability mechanisms, the contemplated amendments would actually be quite narrow in impact and could create significant loopholes for the use accountability mechanisms by either applicants or third parties to still challenge actions within the Grant Program. The Board's revised action was reached after evaluating other ways to achieve as much of the CCWG-AP's intended goal as possible, while also upholding ICANN's core commitments to accountability and to having its accountability mechanisms remain available. The Board's resolution and supporting rationale (if adopted) will provide additional detail.

As to your notes regarding the limited review opportunities that org is considering within the Grant Program, to the extent such opportunities will be built into the Program, they are currently contemplated to be only for use by the impacted grant applicant, and not for third parties, and will be limited to procedural items that could arise along the path of evaluation of the applicant and application. They are contemplated to be lightweight mechanisms in line with global grant program best practices, and not appeals of issues such as grant amount, as you also caution against. On a procedural note, I want to confirm that the email you received was sent to all former CCWG-AP members. For transparency, we will be moving these communications back onto a publicly archived mailing list, and we think that the issues raised in your email (and our response) are important parts of continuing the dialogue for the benefit of the community. Please indicate if you are willing to be subscribed to the new publicly archived mailing list, and if you agree to us posting your comment and our response within that list.

Thank you for your interest on this important program, and your time and efforts offered to the ICANN community to make this program successful.

Thank you.

Best, Xavier

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