

Special Advisory – Composition of DotAsia Board

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In early 2018, DotAsia’s bankers requested that we cease listing Board members with nationalities from UN and/or US sanctioned countries as directors. Even though no Board member was (and is) an OFAC Designated individual we understand that banks are free to choose whether or not to accept customers, and upon what terms. DotAsia complied with its bankers’ request and has since received the benefit of such Board members’ contributions in a role somewhat akin to an observer, rather than as director.

Adoption of this “observer status” has worked well for the purposes of meeting DotAsia’s operational requirements and complying with its bankers’ policies but it remains an informal arrangement. The Board recently approached an eminent Queen’s Counsel for advice as to how DotAsia might implement permanent steps to ensure that its operational needs may be met without contravening US and UN sanctions.

In essence, DotAsia has been advised to formalise the “observer status” adopted by the Board in early 2018 through suitable amendments to our Articles of Association. Indeed, ICANN itself has advisory members on its Board to improve communications with the Internet community so there ought to be no reason why DotAsia should not follow a similar approach.

Members present at the 2021 AGM may recall mention that aspects of DotAsia’s Articles of Association dealing with Board Elections are to be updated. The Board now intends that the current “observer status” and arrangement be formalised as part of an overall review of DotAsia’s Articles of Association, to include consequent improvements to relevant policy documents, including the Board Elections Procedures and the Board Governance Framework.

Draft Amended Articles of Association are expected to be circulated to DotAsia’s Members for initial consideration at the 2022 Annual General Meeting.