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BRENDA BREWER: Thank you all for joining today. Welcome to ATRT3 Review Team Plenary Call #6 on 27 March 2019, at 21:00 UTC.

Attending the call today is Daniel Nanghaka, Cheryl Langdon-Orr, Maarten Botterman, Vanda Scartezini, Liu Yue, Jaap Akkerhuis, Michael Karanicolas, Erica Varlese, Geoff Huston, Sebastien Bachollet, Tola Sogbesan, and Wolfgang Kleinwacher.

Observers joining us are Chokri, Herb, and Jim Prendergast.

ICANN org people joining are Jean-Baptiste, Negar, and Brenda.

We do have apologies from Demi Getschko and Pat Kane.

Today's call is being recorded. I'd like to remind you to please state your name before speaking. And I'll turn the call over to Cheryl. Thank you.

CHERYL LANGDON-ORR: Thank you very much. With that, I will remind you all to do state your name at the beginning of any intervention for the transcript record. Although many of you are so well-trained it's quite natural. I'll also apologize that at this time of day there is the bird chorus in the background of my world, and there's not a darn thing I can do about it. So enjoy the cacophony and see if you can let me know in chat if my voice isn't heard clearly. I'll also apologize that because of the power outage I was not aware that Pat was not going to be available for today's call. And so when I noted earlier that Pat hadn't joined us, I

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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didn't realize he was already an apology. Just as well we got power back on, or....

WOLFGANG KLEINWÄCHTER: Hello? Hello?

SEBASTIEN BACHOLLET: I guess she got power outage again. Yes, Wolfgang, I guess Cheryl gets a power outage again.

WOLFGANG KLEINWÄCHTER: Okay.

SEBASTIEN BACHOLLET: She was on power outage during few hours. Therefore, I think it's the same thing again. And as we have no other co-chair....

WOLFGANG KLEINWÄCHTER: Well, you have applied for the co-chair, but [inaudible]. So if you volunteer to chair, that's fine. We have the slides. So I think not many things have to be decided today. I think we need the information for the Face-to-Face Meeting.

And then Transparency: Guiding Principles, I have no special comment on this.

Identified Topics of Review, probably somebody has to say something.

SEBASTIEN BACHOLLET: Hopefully, Cheryl will be able to join us again. Staff, do you have any news about Cheryl?

JEAN-BAPTISTE DEROULEZ: Sorry. I was raising my hand. We are trying to call her back. In the meantime while we try to call her back, what we can do is move to the second item on the agenda which is Transparency: Guiding Principles and also the Face-to-Face Meeting. I'm not sure whether Cheryl had the time to ask whether there were any statements of interest before starting this call. If there are any statements of interest, please raise your hands or mention it in the chat.

CHERYL LANGDON-ORR: Well, I spent a long time doing an introduction that nobody was listening to.

JEAN-BAPTISTE DEROULEZ: Oh, you're back now. Perfect.

CHERYL LANGDON-ORR: I do apologize. I wish that had shown up on the chat earlier because I was well into my introduction and asking for SoIs and going over the agenda and then had the line tell me that there was a call waiting. My apologies.

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I'm assuming that you've done Sols? Where are you up to, Jean-Baptiste?

JEAN-BAPTISTE DEROULEZ: I was just asking that before you returned.

CHERYL LANGDON-ORR: Okay, so we've not called for Sols?

JEAN-BAPTISTE DEROULEZ: I did.

CHERYL LANGDON-ORR: Okay, you've done that. Great. And have you gone over the agenda and asked for any other business to be notified?

JEAN-BAPTISTE DEROULEZ: Not yet.

CHERYL LANGDON-ORR: Okay then. I know where we're up to. And apologies for the bird chorus. It's the time of day where the bird chorus simply is. And, Brenda, if I drop again, obviously try and ping me in chat.

With that, I must apologize for the vagaries of my power supply. I was offline until not long before this call, and so I did not realize that Pat was an apology for today's call. Otherwise, I wouldn't have delayed starting

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waiting for him. Whoopsie from me not having caught up with my e-mails yet.

But looking at the agenda, and just to remind you all we should be identifying ourselves by name before we make an intervention for the transcript record, today we're going to, having done the administrivia, further our discussion on Identified Topics of Review. We're going to spend a little bit of time on looking at the Guiding Principles for Transparency and a small review of what we're going to be doing in our Face-to-Face Meeting #01 when most of us gather in Los Angeles.

We do have then any other business. And I want to call now for any other business anyone would like to flag. We will be calling for any other business again at the end of today's agenda, but I think one piece of obvious any other business will be a discussion or at least an introduction on the nondisclosure agreements and the whys of the wherefors of that if anyone has a question about it. So we will take a minute or three to look at that under any other business. Is there any other any other business anyone wishes to flag?

Not hearing anything I'll open that up again and let's then roll to the next slide. Yes, Daniel, I see your hand. Sorry, [inaudible] not as quickly as I should have done perhaps. Please go ahead.

DANIEL NANGHAKA:

I'm having at least two issues here. One I'll mention about the communication channels. Previously, we have mentioned in [inaudible] about having Skype as a way of how we can do [inaudible] discussion. I think that was the one thing.

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Then another issue is regarding to sometimes the communication challenges like, for example, today we had a challenge whereby you had a [power blackout] but some [good that] you were able to get back power and able to attend the call. Sorry about that. My audio could be terrible. And then if you have challenges in the call and then also the vice chair is not available then – yeah, I think for the moment we [can't] be able to proceed with the call. Thank you. Back to you.

CHERYL LANGDON-ORR:

Thanks, Daniel. So if I gathered correctly, under any other business you want to raise the matter of communication channels and Skype. And I do appreciate your concern about perhaps Pat or I not being available for any particular call. I would suggest that any one of you with staff could step up and manage a queue. We have huge numbers of experienced people in this room. But it would be an extraordinary and rare circumstance for Pat to have a last-minute issue and me to have a power outage again.

So let's move on to the next slide. Daniel, I'm assuming that's an old hand and that you didn't want to have another intervention.

DANIEL NANGHAKA:

I hope my audio is loud and clear. Just to react to that, I was going to suggest that probably in the case whereby were there no co-chairs, probably staff can be able to lead the call or probably one of the members to volunteer to take up the call. I think that would work perfectly. Thank you. Back to you, Cheryl.

CHERYL LANGDON-ORR: Okay. Sorry, it took me a moment to come off mute. Thanks, Daniel. That indeed will be appropriate and certainly not a problem. And of course, when you start, as I trust we will be starting very soon, to do small group or small work party work, there will be plenty for each of you to be reporting in the plenary calls anyway. So there will be less of this filibustering required. Daniel, I'm assuming that's an old hand and that you do not need the floor again. Okay?

Right, with that, let us [trek] on to our next slide, having added two pieces of any other business – communication channels and use of Skype and the NDAs.

Let's now jump through to the one following this and get into our substantive agenda for today which is furthering our topics for review. Those of you who can, I would strongly encourage you to open up the Google doc. I believe we're going to be displaying the Google doc as well, however. But if you're working on a small screen, having the Google doc open would be useful. And for those of you who weren't quick enough to click it off the last slide, I'm going to ask staff to put the link into the chat as well.

So here we are, and this is where we are going to be assuming that this is something you've all had as much opportunity as you need to make comments on, make additional suggestions to, and make any edits not wordsmithing but significant edits before we gather for our face-to-face meeting. Yes, this is a living document, but as we come into our Los Angeles meeting, these are the [table set] not perhaps limited in a way

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that we may not expand them or indeed contract them during our face-to-face meeting but this will be the [table set] of significant issues that we would be looking at to have in our scope.

So with that, you should all have scroll control. Although, I don't seem to be able to scroll within a page, only from page to page, which is odd. If that's a problem for anyone else, let me know and we'll do something about it. But I've had to drop down to 75% so that I can view a full page. Normally I can use my little hand grabby thing to make a slider, but never mind. Not so today. I'm sure we can all go from page to page though.

So starting with the beginning, the first page, these are the Bylaws Section 4.6(c)(ii) that I'm sure you're all very familiar with by now. Is there anyone who wishes to raise a point or suggest that any of these should not be included in our proposed areas of review? [inaudible] on that or any comments. Happy to take affirmation if you want to believe that they should be. We're not prioritizing these at the moment and we're not allocating amounts of time and energy that we'll be putting into them or working it in a particular set of milestones. But we are looking for in general and in principle support or otherwise for us to include these in our scope.

The queue is open. I'll leave it open for a few moments while hopefully some of you step up. Otherwise, it will be a monologue by Cheryl, which is not terribly exciting I can assure you. Sebastien is typing. I shall wait to see what he's saying. But I will be taking silence as consent that we do agree at this stage in principle to have all of these issues that are clearly outlined in the Bylaws Section 4.6(c)(ii) as part of our scope.

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I would note here that as we discussed last week and I thought quite well presented by Michael although you are well and truly welcome to represent it Michael but I think you got support that the T part of the ATRT work in terms of transparency should be looked at in specifics. And you proposed the access to information, the DIDP and the open data system as being mechanisms that should be data checked and audited and reviewed as part of our work as well.

So with that, I'll ask you all to go to the next, the second page. This is, of course, where we didn't have as much substantial discussion as we did on Page 1. So I'm going to be taking our lack of disagreement on what was in Page 1 of this working document as agreement that they are all going to be in scope.

And I'm also going to hope that any of the issues that we're having getting people connected that I'm seeing come by in chat are being worked on by staff and sorted out so I don't have to draw attention to them.

With that, let's move on and assume that we will be now working [off] everything in Page 1 into our scope of work in a priority yet to be determined and with time and resource allocations yet to be determined.

Looking at Page 2, we begin to get some opinions in now on prioritization on those pieces of scope that are at least outlined in the bylaws. And we should note here our thanks to everyone who has over the next couple of pages made some of their opinions known. I'm a little bit disappointed that so few of you have managed to put finger to

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keyboard and have things referenced in this document. It would be good if you could, but we'll certainly understand if you can't do that.

That said, we will be looking to draw out or Pat and I will be looking to draw out everybody's opinion when we get into our face-to-face meeting, and particularly on the prioritization and resource allocation discussions we'll be having on our fully scoped work. Because we do want to make sure that the review team is as one with our plan. The work plan and the reporting out of that work plan is going to be a very busy schedule for us to follow, and if each of us aren't fully committed, then the rest of us will have to do far more work than is our fair share.

So with that, let's look at some of the comments regarding in terms of prioritization. We have a tendency here to have numbers, options A which is the board governance, assessing and improving board governance aspects as getting a fairly high measure of support by those of you who have commented. I think we can also see quite clearly that the option C, which are not really options. I should say point C, the assessing and improving the process by which ICANN receives public input, including adequate explanation of decisions taken and the rationale thereof, is another one that the review team is keen to get its teeth around.

And what is very important about that is, of course, that's one that we will have an ideal opportunity to interact with the wider ICANN community on when we hopefully get face-to-face time with as many component parts of ICANN as we can get on the agenda of during the Marrakech meeting. I believe that's an issue that should resonate strongly with community. And so if we can make it clear to community

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that that is what it is in particular, along with anything else they want to bring up. But that's one of the features that we're going to be looking at in our face-to-face meetings and a main piece of our work I think that will be important to get the time on their agendas and the feedback prepared.

The only other one which seems to be getting a particular guernsey, and the order that the commenters have put them in is not always the same, but we did have repetition on the actual bylaw section is E and that is the assessing of the policy development process to facilitate enhanced cross-community deliberations and effective and timely policy development.

With that, I think what we can certainly agree on so far in this document is that A, C, and E are getting our top priority. In which particular order yet to be determined. With what resources yet to be determined. But those three are resonating strongly with each and every one of you.

With that, I'm going to open the floor now to see whether my reading of what – or shall I say Pat's and my reading – of what we see in your document is a reasonable record and whether Pat and I can start now putting together some of the administration aspects of getting on to at least those three topics as part of our primary goals and perhaps even our top three priorities. The floor is open. Go ahead, Vanda. Vanda, you seem to be muted.

VANDA SCARTEZINI:

It's clearer now?

CHERYL LANGDON-ORR: Yes, we can. Thanks, Vanda. Over to you.

VANDA SCARTEZINI: Okay. It's just to remember our [inaudible] as some kind of priority because community is not really satisfied with [inaudible] lately and we need to think how to make reviews more [objective], less cost, and [inaudible] that make any difference. So I believe we need to in some way to [deal with this] with some priority because I have heard [inaudible] complaint about reviews and those need to be [inaudible] to the community or at least [a view] from the community that we are taking care about the reviews itself. That's why I put this [inaudible] affirmative with some priority. Thank you.

CHERYL LANGDON-ORR: Vanda, thank you for that. I would have got to that when I moved down past the rest of Page 3. But just for the record now and not in my capacity as co-chair but in my personal capacity as one of the people whose been sent to this review team from the At-Large Advisory Committee, my personal perspective is very much in agreement with this as a priority and I think some of the discussion that came out of Kobe, specifically [has been since the] [inaudible] but not limited to that, has made that [an] even stronger belief. So when we poll, I can assure you I'll be polling along with you there, Vanda.

Next in queue is Michael followed by Daniel. Michael, over to you.

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MICHAEL KARANICOLAS: Hi. Thanks very much. Please let me know if I'm getting staticky or anything because I'm not using a microphone. I wanted to mention something that I hadn't.

Volume up a bit please. Does this help? Okay, I'm going to assume it's okay and just keep going and I can repeat myself if need be.

I wanted to add something that I had mentioned previously. Just looking again at the [list of areas] of review, which I don't think has been mentioned, under D which is assessing the extent to which ICANN's decisions are supported and accepted by the Internet community.

One potential area that I think might be interesting to look at would be related to D is the role of At-Large and the challenge that comes with representing the interests of the end user. Insofar as I think that a lot of folks have spoken about how challenging it is to represent the interests of such a broad and diverse number of billions of folks that are on the Internet. And At-Large has their consultation processes. They have their engagement processes. I think that it might be interesting to examine from the context of the role of At-Large and how ICANN receives that kind of broad stakeholder input and how the interests of the Internet community as a whole are represented.

Now I'm not sure if that would be out of scope. I'm open to discussion about that, but that's just a thought that jumped to mind as I looked at D in terms of which I don't think had been mentioned previously. And I can add that in writing if that would be helpful.

But one other thing that I did want to mention, and I'm not sure if we're there yet, but with regards to Pat Kane's [intervention] on transparency

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items I just wanted to potentially mention that the activities concerning the five trends of the five-year plan, those five numbered things, I think that those are distinct from the discussion of transparency. Not to say that we shouldn't look at that. I think looking at the five-year plan is an interesting idea. But looking at his intervention I see what transparency mechanisms are necessary, what's the visibility of how decisions are made, specific decisions. I see a transparency nexus in the last three points, but I don't really see a transparency nexus in the first five. So that's not to argue against their inclusion, but I think that they should potentially be structurally separated from the transparency discussion. Thank you.

CHERYL LANGDON-ORR:

Thank you very much, Michael. Just two points. If I can encourage you to pop those points in the right place as comments in that document, I think that would be great. I certainly agree with you, and I think to that end we can take it as a staffing point for our conversation in Los Angeles regarding the transparency items with the three un-numerated points.

That is absolutely transparency questions that I thought Pat was trying to raise with relation to the activities that he has enumerated in the five-year plan. So I think what that is, is giving us an ideal opportunity to see where the role of the answers to those questions could and should perhaps come into appropriate planning. But that certainly sounds to me like all of that needs to be on the table.

Just a point, and here I will pop on my historical context as someone who moved from the ccTLD community into the At-Large community

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back in 2005, the At-Large and the ALAC specifically don't represent billions of Internet users. They never have. They've never tried to. They are very specifically mandated and all of their documentation clearly states they act in the best interests of. So their outreach and engagement is a mechanism of trying to ascertain what community can tell them about what those best interests can be. So demonstrably what they have to do is not represent but act in the best interests of. And that may be a fine point, but it's probably a point if we're going to go down the pathway you suggest.

I have Daniel and then Maarten. Daniel, over to you.

DANIEL NANGHAKA:

I hope I can be heard loud and clear. I'd like to just simply [reiterate] that we have identified already the key issues that are top priority. Probably we could also look at [inaudible] presentation because he outlined [points] of issues that affect the respective communities regarding to volunteerism, [inaudible], and I believe also the transparency process.

So what do I suggest? I suggest that once we have identified the key issues, we go ahead and break down the relationship [inaudible] whereby these issues fall under. Then we can be able to come up with a critical analysis and appropriate recommendations coming from that presentation. Thank you. Back to Cheryl.

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CHERYL LANGDON-ORR: Thank you, Daniel. I like a person who likes using mind map type thinking, so I won't be arguing against that way forward. And I do know that ICANN does have access to some excellent mind mapping tools. So that sounds like something that we might indeed pursue and usefully discuss if the rest of the review team are supportive of that. Perhaps, Daniel, I could encourage you to spend some of your time as you're flying to Los Angeles to perhaps rough up a little bit of a PowerPoint slide or even a mind map itself to help those who are not quite so [inaudible] with the joys of mind mapping [inaudible] critical control points which get me very excited when I start talking about critical control points. It's almost as good as nonparametric analysis which is really, really a thrill. I would appreciate that, otherwise I'll tend to bore everyone.

Maarten, [inaudible] please go ahead.

DANIEL NANGHAKA: Yeah, [inaudible]. I'll be happy to at least come up with something. Thank you. Back to you.

CHERYL LANGDON-ORR: Maarten, over to you.

MAARTEN BOTTERMAN: Okay, thank you. Mind mapping thinking is a nice way to see also where the blindfolds are and distinguish that. Very much appreciate the input that is already gelling up. What struck me [is] you haven't mentioned the impact Work Stream 2 may have, and we may want to look at.



Maybe we should have some attention to that too. This refers to Pat's remarks about the five-year plan.

I think the other part [it's] really looking forward. So what are the challenges ahead that we need to face. And we can find those partly in the five-year plan, including the action he refers to as the evolution of the multistakeholder model. Recognizing that the model has worked and has brought us where we are, but we need to continue improving it to make sure that also in the future it will work. So not only looking at how well we implemented recommendation of the past but also looking so what [new] challenges may we see when looking ahead. In that I'm, for instance, thinking also about the [relevance] of stakeholder groups and things just to be considered.

And overall, we know that there is some concern in the community about the [package] of reviews that ICANN would become a review organization. If there is anybody who really [recommends] something about making sure reviews form a sensible part of what we do with ICANN together, this would be our ATRT3 team I think. So I'd love to consider that too at least. I hope that makes sense.

CHERYL LANGDON-ORR:

Thank you very much for that, Maarten. And personally I agree totally with that, Maarten, and I'm just putting that into the chat so it never gets lost in the record. I think ATRT3 is ideally poised to be doing that.

Regarding your point about Work Stream 2, thank you for raising that and can I ask, if not you, can someone perhaps even staff add that to our listing on the document please? Why I think it's important that we

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do that is we also owe, and perhaps this is something we can also take care of in terms of socializing it to some extent during meeting with community in Marrakech, and that is we owe our community, the ACs and SOs who responded, dear me, what was it? Back in 2016? Heavens, it might have even been earlier. With their guidance to what would have then been an ATRT3 starting many years earlier.

And to that end – yes, KC, audio is supposed to work. So, Brenda, if you can help sort out KC's issues here, that would help me greatly while I continue.

So with Work Stream 2 when the [limit of] scope was proposed by the Cross-Community Working Group and was strongly supported with a few variations on the theme by the ACs and SOs who responded, and all of you have access to all of that documentation because it has been on the ATRT3 wiki space since in fact before we were even formally gathered together for the first time. So if you haven't read it, please do so.

But of course, at that stage, the support for limited scope – and by limited scope that meant to be encouraged as a review team to not look at things that were being picked up by the work of Work Stream 2 – it was well in advance of Work Stream 2 even having made their final report for publication document. It was certainly well in advance of the recommendations of Work Stream 2 being known which, of course, they are now.

And whilst it would have been a utopian delight to have the Work Stream 2 recommendations at least in those that are likely to impinge

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on our mandate under some form of implementation or clear implementation planning if not actual implementation, that is not where we are now. But we do need to deal with Work Stream 2 in a sensible and sensitive way because we are vastly further on than when it was predicted it would be when the last known instructions and desires of the community were made known to me and to the rest of us.

So I think we do have to deal with that in some way, shape, or form. And perhaps those of you who are very good at wordsmithing – Michael, you come to mind, for example. Geoff, you’ve got the reputation of Occam’s razor, so perhaps you could also assist in this. We can build a rationale as to why we will be looking at it – assuming we will be – and why someone just looked at what the community asked us to do and what we are now then doing is different so that we can get ahead of that. So from that point of view, I’m going to hope that I’ve volun-told at least two of you who can gather however many more you need to see if we can get that piece of work done. And of course, my laptop is telling me that my battery’s running low.

So with that – thanks, Michael. I know you’ve worked with me long enough to know I can be subtle. And Geoff certainly has worked with me long enough to know that he’s probably going to try and ignore me if he possibly can, but that’s all right. We’ll get it sorted. So thank, Michael. If you and a couple of others – I can start naming more people if you like – can have a think about that, that’s something else we can look at when we gather together.

Now we’ve spent, let me think now, about 40 minutes on this particular agenda item. Pat and I didn’t think we would spend much more than 45.

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So if you just want to flick through to the last page which is Page 4 of the document, you'll see that is the rest of Vanda's comments where she'd looking at the rest of her prioritization. Or I believe it's Vanda's comment. Correct me if I'm wrong, Vanda, but I thought it was.

And so to that end, I want to encourage all of you now we've had a second run through half of it and a first run through all of it to consider making some edits and comments directly onto that document and that we will be using it as a piece of foundation work with the expectation that pretty much at this stage everything that's listed here will be looked at. A couple of additions as we've discussed today, such as Work Stream 2 [meta] will be added. And then, of course, we will have to look at resource allocation and prioritization when we are together along with who is going to step up to work with whom in small group or small team activities for each of these things.

Now some of you may wish to be involved in each and every one of them, and more power to you if you do. But we certainly would expect each of you to be involved in at least one of them. If you want to get involved in all, great. If you want to get involved in three, fantastic. But please do consider which one that you will be signing up for. So think hard on that because we will be taking names and numbers when we gather together.

Wolfgang, I'm just going to read to the record your comment in chat because it obviously I think needs to be on the audio transcript as well. This is from Wolfgang. His understanding is that ATRT is different from other reviews. If you go back in history, ATRT was seen as the key oversight over the board in the Affirmation of Commitments. The

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innovation of the Affirmation of Commitments was a diversified and issue-oriented oversight mechanism, and ATRT was seen also as the oversight on all oversight mechanisms. In the transition, the AoC reviews were mixed with the SO/AC reviews. But again, ATRT is of a different caliber.

And, Wolfgang, as often, in fact, always the case, you are utterly and absolutely correct. ATRT is the uber of the review teams and it is very much in their bailiwick, mandate, or scope should they so desire to review the other RTs. So I think that is strengthening that.

And perhaps, Wolfgang, it seems to me that if you have some time in a plane, knowing how much time you spend in planes I'm only being slightly flippant here, you might pen perhaps 400-500 words-ish on this history. I lived it. You lived it. But when we get to ATRT5, perhaps no one will remember it. And it could be a useful resource to go back from where we were in the days of the JPA, why we ended up with an AoC, and how this specificity of what ATRT1 was and what it had to do was tied with the Affirmation of Commitments and the following wonderful things that happened in the evolution of ICANN, including the IANA transition, came to pass. It also would make clear to people in the future why the focus on the board accountability and indeed the interaction of the GAC and the board and the GAC and its role in public interest holds such an important part of the ATRT mandate.

So perhaps that would be something that sometime in this next 12 months' worth of work you might generate. Pretty, pretty please? I would very much appreciate you doing that, and I'm sure others would

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as well. Some of us oldies need to do the historical stuff while we can. And [inaudible] good at it.

That's enough compliments from me. I don't like to make those too often. We've now spent about 50 minutes on this point so if I may, can I ask that we move to our next agenda item? Unless anyone has an objection.

Not seeing any objections, I am going to hope that the next slide says what I'm expecting it to do which is all about transparency and the guiding principles. And we [inaudible] to the following slide after the placeholder for the title and have a look here at these guiding principles. Now this is our own transparency please. Let's not confuse this with our mandate to look at ICANN's transparency. This is what an Australian would tend to say eating our own dogfood. In other words, we should be setting our own standards up and following standards which are exemplary to all of those things that we would desire in the organization we are reviewing.

So here they are as we have them at this stage. The Transparency: Guiding Principles [as she is writ] at the moment state the following:

The review teams, with assistance from ICANN org shall maintain a public wiki space or equivalent. We have that. We are not making good enough use of it yet. As we get into our work, we will need to ensure that any of the small group activities, the [inaudible] team activities, the regular reporting, etc., that this is kept up-to-date scrupulously well.

Secondly, all review team plenary meetings must be conducted in a transparent manner, recorded, and transcribed. And certainly, that is

happening to date. It will continue to happen. We also need to recognize that things like our face-to-face meetings are plenary meetings and so they must be also conducted in a transparent manner, recorded, and transcribed. And so, we will need to look at if and when we have small team or work team activities in any of these face-to-face meetings. How we manage these commitments in a suitable way.

The next point is the recordings and transcripts must be posted on the review's wiki page in a timely manner, usually no later than 48 hours after the meeting. Now so far, so good on that. Of course, we haven't done a whole lot of work. But as your workload ramps up, and particularly as the small team or work party activities start [kicking] on, I would strongly encourage you to also follow this rule, and therefore make sure that as much of your work is done either in a form such as a shared document form that is easily linked to from a wiki and that any telephonic meetings are appropriately recorded and set up for transcript.

Which means you will need to work with staff. It's not necessarily, for example, going to be terribly useful if a small work party or work team just has a Skype call between three of you. Without having the recording and transcript being made available of your work, I would suggest we would be reasonably criticized that we wouldn't be following this particular principle unless one of you is really good at transcribing.

Mailing lists, except those used for discussion of information provided to a review team under a nondisclosure agreement, must be publicly archived and links to it provided on the review's wiki page. This mailing

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list and public linking to it has been embedded in our wiki page, so I can assure you've already got that done. But we also haven't had an enormous amount of traffic going through those mailing lists yet.

Note here where it says under a nondisclosure agreement. One obviously needs to be able to predetermine whether or not something is going to be confidential. There may be times where it's not so much that it is under a nondisclosure agreement, but it did occur during at least ATRT1 and ATRT2 that some input from community that the person or persons or groups that were making that input to the review team wished to make it to the review team in a confidential manner and for it to be dealt with so that the information as such once sanitized could be used by the review team in its publications but that no attributions could be made. And I think that's an important principle to perhaps extend in this set of guiding principles here.

So thanks for that, Jean-Baptiste. The link to the e-mail archives. And believe me, people do look at the e-mail archives. And, Michael, I can understand why the most desirable utter and absolute transparency would be concerned but, for example, if you have a whistleblower, you often need to protect the whistleblower. And so one of the discussions that I would like to see you have and establish very early on as we look at our principles and any embellishments thereto will be for you to all have a frank and fearless conversation about exactly these issues of confidentiality or otherwise.

You are obviously able to take things in camera. Discuss something that may or may not be a confidential or under an NDA during that in camera session. Come back out of it and under reasonable and well established

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rules at least update the community on the public record as to the nature of and to go without attribution as far as is reasonable in the reporting of it. And therefore, be as transparent as possible but still not put off or risk having people not bring up issues through fear for themselves and their reputation. So that's just a harbinger of a conversation and discussion to yet be had. So think about that, and think about what your positions may or may not be.

Can I have the next slide? I'm not seeing any hands raised on this slide. Let's move to Slide 8. There we go. This is an important one for our community to understand. That's about observers and what the rights and responsibilities of such observers are. Anyone can sign up as an observer to any specific review team. Observer numbers are not limited.

Clear instructions on the review team wiki space on how to become an observer obviously will be posted. All non-selected candidates shall be offered by the ICANN organization to participate as an observer. I know that the clear instructions exist and are existing on the wiki space already. I am unaware whether the offer by ICANN org for every non-selected candidate was made. I'm going to ask now if staff can confirm that or otherwise. Thank you, Jean-Baptiste. He says in chat that it was done. I would have been surprised if it was not, though I did want it on the record that it was done. So thank you so much for that.

Thirdly, all observers shall receive plenary meeting agendas and information on where to find recordings of meetings and any supporting documentation. That is certainly being done through the wiki. May I ask, Jean-Baptiste, is it being done in any other way? In other words, are we pushing to our to our observers – I see some of our favored and regular

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people in the observer team here already – and I am now asking, Jean-Baptiste, if you can tell me other than the wiki is there any other mechanism we are using to get this information out to observers? Over to you, Jean-Baptiste.

JEAN-BAPTISTE DEROULEZ: Thank you, Cheryl. To answer your question, observers who are part of our list, they are receiving the plenary meeting agendas and information. So that if you would go on the wiki, they are being [informed of] the [inaudible] meetings and what will be discussed. I hope that [will] answer your question.

CHERYL LANGDON-ORR: Thank you, Jean-Baptiste. If I understand you correctly, what I think I heard you say is that we are in some way, shape, or form – perhaps by e-mail, for example – pushing to our signed up observers what is going on in advance of our calls. If that’s being done, great. If not, perhaps it’s something that might be considered. But we are certainly being public enough to meet these minimal requirements. If there’s anything anyone else can suggest and indeed if any of the observers has anything to suggest, we’d certainly welcome that.

Let’s move to these responsibilities and rights as well. That’s in the “Observers may.” Observers may attend a meeting virtually. All meetings, whether in person or online, will have a dedicated Adobe Connect room for observers to participate. A little bit more on this. There is nothing stopping you all as review team members joining that Adobe room if you want to. It works both ways. They receive our audio

in. They see what we see in shared space. We don't see their chat. But staff assure Pat and I they are in that room and they are watching that chat, and they will bring to our attention anything that occurs in that dedicated room for observers to participate should they raise something that requires our particular attention at the time.

So just so everyone understands what is going on, if you're really good at multitasking, feel free to join. Just ask staff and they'll give you a link. But rest assured staff are dedicating themselves to making sure that anything that goes on in that observer Adobe Connect room not only mirrors what we are doing without our chat but is also bringing anything from their chat into our work. Now I believe I've got that right, but I see Negar's hand up so maybe I've got it wrong and she's going to correct me. Go for it, Negar.

NEGAR FARZINNIA:

No, actually you did get it right. I just wanted to confirm that, yes, we will indeed monitor the observers chat room. Not only will we do that during the face-to-face meetings. We're also doing it [on] all of the plenary calls as well. So Brenda on the call is constantly monitoring [and providing] updates as everything comes in. So [inaudible] the review team to rest assured we've got our eyes on it. And to repeat what you just said that at the face-to-face meeting in Los Angeles the observer room will be projected on one of the screens just so everyone in the room has visibility into it. And for those that are participating remotely, if any comments come in through the observer room, we will be sure to read it out loud just to make sure everyone is on the same page regarding what's happening.

CHERYL LANGDON-ORR: Excellent. Thank you so much for that, Negar. I'm delighted when I get things right, and you give me some affirmation from time to time. I fear that my headset is about to lose its battery. So if I go silent, I will switch to a handset. But let's see if we can get through this slide at least.

We also note here that they subscribe to an observers' e-mail list and they can send a request to relevant staff persons at [msi-secretariat@icann.org](mailto:msi-secretariat@icann.org) requesting their addition to that list.

As we move to the next slide, I'm going to switch to a handset. Please, if we can move to Slide 9, thanks. Okay, hopefully you can all hear me still. Let me know if my volume is wrong seeing as I'm now using a different piece of technology.

Continuing on our – we seem to have more guiding principles for observers than we do for ourselves here, which makes me smile. However, continuing with observers, they may also attend a meeting in person. I certainly did a lot of that when I was an observer during ATRT2. I in fact attended so many meetings as an observer in ATRT2 both face-to-face and virtually that I had to remind Brian Cute who chaired both ATRT1 and ATRT2 that I actually only served on ATRT1. He actually forgot and thought that I was actually serving on both of them with him. So whoops! I must have been a little more present than I [intended] to be even as an observer. So keep up the good work, observers. You can make a difference.

You can attend a meeting to share your input and questions with the review team. And obviously, that's subject to applicable space

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limitations. The calendar of scheduled calls and meetings is published on the review team's wiki page. ICANN will, however, not cover any expenses incurred by observers. So situation normal there. That's fine.

E-mail input to the review team. Here let's make sure that our observers are aware that they may send an e-mail to the review team chair input on their work. Relevant e-mail address to direct input is posted on the wiki page. It certainly was when I last looked at the wiki page. Having received input from observers via e-mail, our team is encouraged to respond if appropriate and ensure that a record of the submission is posted on the review wiki page. And the link there to the e-mail address is [input-to-atrt3@icann.org](mailto:input-to-atrt3@icann.org).

Whilst we are encouraged to respond, I personally and would find it and I suspect Pat would too very poor form if we did not, even if our response is little more than thank you so much for your observation. It behooves us to close a communication loop wherever possible because it's the type of thing we would expect our organization to be doing. So let's see if we can do better than that guiding principle in what we do.

And then finally on this slide, observers may provide input during public comment proceedings. Well, of course they can. They're public after all. Observers may contribute their views via the standard public comment process and during public consultations. This is actually important for people to note that being signed up as an observer does not in any way limit your rights for the normal methods of putting in public comment, nor does it devalue anything that you do either as an observer or an [in a PC] process.

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Let's move to Slide 10. And again, I'm not seeing any hands up, and I am watching for that. Next slide, please.

And we are in the homestretch, ladies and gentlemen. Last two. We also have the possibility to pause recordings for private conversations or ask observers to leave the room. Note that here we are no longer talking about observers. But of course, this is something that affects observers. And when someone like me, an Australian, uses the term "in camera" this is what we mean. I have no idea why "in camera" which would appear under camera we should be more public, but in fact for whatever reason it is actually referring to when we would retreat to a review team and a support staff only conversation and that it is appropriate, however, when one reconvenes the normal meeting process that one does make a report on the public record about to the best of our ability as transparently as possible about what the in camera session was to do with.

On that note, and thank you, Maarten, I knew we'd have someone educated enough to keep me on the straight and narrow about these things, thank you. So I shall continue to use my term now, but I will understand it better or at least know who to blame. Those Latins again.

And finally, ICANN may require review team members to sign a nondisclosure agreement before accessing documents. And that is under a particular bylaw. I can't tell you the amount of time ATRT1 spent on this particular aspect of how we now do things. But you will note in your e-mail box recently that you were sent something about a nondisclosure agreement.

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You were also told in that e-mail from staff that should you choose not to sign a nondisclosure agreement that in no way stops you operating in the review team and in our work. However, that should anything that is going to be subject to such an NDA is being discussed, you will of course be asked to absent yourself because clearly if you haven't signed the NDA and it's being discussed under an NDA, you can't. So it's certainly not going to impede anybody from not being fully, almost, perhaps fully engaged. It may be that we don't get anything that needs to cross our mutual desk that would require a nondisclosure agreement.

Thank you very much for that e-mail link to the NDA information. So I'm certainly going to sign it. Happy to do so. It won't be the first or the last NDA I've worked under. I suspect that will be the case for many of you. But if it's a problem for any of you, as we move to the next slide please, we will pick that up under any other business briefly. So think about your responses, your reactions, any questions regarding that, and we will come back to that, loop back to that when we go into any other business.

Now I'm going to take a much needed deep breath and ask, as we go to the next slide on the face-to-face meetings, our third agenda item for today, I'm going to ask seeing as Pat and I have been through this so many times we don't want to look at it anymore, if either Negar or Jean-Baptiste can take us through where we are in this draft-ish nevertheless more than a skeleton of our agenda for our face-to-face meeting which will be running the 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> of April in Los Angeles in the ICANN headquarters office. Over to you, staff.

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JEAN-BAPTISTE DEROULEZ: Thank you very much, Cheryl. I'd be more than happy to do so. Before I start with the agenda for the face-to-face meeting, I just wanted to get back to you on some concerns that were raised on the last plenary call regarding the hotel confirmation that you had not received. So we received feedback on that, and normally you should receive this hotel confirmation this Friday. So they're informed. They're aware about it, and you will receive it.

Now in terms of agenda, just to start with the a high perspective, the suggested times for the three days are the following. Your meeting will start at 9:00, and that's [5:30 PM] local time. With break in the morning at 10:30 and then the afternoon at 3:30. And you would have a lunch break of 60 minutes at 12:30.

I'm just going to project quickly the agenda that was shared with you via e-mail. If there are any questions or comments, please raise your hand or [inaudible] post in the chat. I'm going to – I'm [seeing] the document so that you can zoom as you prefer.

So [inaudible] here of course is the address of the meeting venue which is ICANN offices. The meeting will take place in [inaudible]. The first day, we start with opening remarks from Theresa Swinehart followed the roll call, the call for statements of interest updates, housekeeping rules, and the opening remarks, and Day 1 agenda and objectives.

After that since some of you are new with the [specific] reviews, we'll provide an overview of the [specific] reviews and process [flow] to provide you with more background on what is coming along the review. And then this is followed by a review of the suggested work plan and



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timeline. If you recall, that was already presented on previous calls, so it will be a deeper conversation on that.

This is followed just before the break by an introduction on the outreach plan. And by outreach plan we mean the different moments where the review team will reach out to the community and provide updates on the advancement of its work.

After the break and throughout the day there will be several working sessions intended to review/finalize the objectives in the Terms of Reference and scope. This is [according to] the discussion that you had today and within the Google doc. And at the end of the day, there will be a review of Day 2 agenda and closing remarks. In the evening, there is a review team dinner scheduled. You should have received information from Brenda on that.

I saw a comment in the chat from Wolfgang. Information about the hotel. Yes, on that, as I mentioned, you will receive a confirmation via e-mail. The hotel is located [inaudible] [walking] distance. This is the – if I recall correctly – the Hilton hotel and it's 11 minutes walking distance, 4 minutes with services like Uber or Lyft which are very good in Los Angeles. And if you need any other information or if you see that for some reason you don't have the confirmation [inaudible], please reach out to us and we'll get with our colleagues.

Following up on the Day 2 agenda, again review of Day 1 takeaways and look at the objectives of Day 2. There will be two other working sessions on Terms of Reference and scope, and this is until lunch.

In the afternoon, there will be a work plan and ICANN [inaudible] working session where the review team will identify and define sub team tasks and assign sub team members. And [inaudible] the work plan [inaudible] the Terms of Reference.

After the break, there will be another working session intended to [finalize] Terms of Reference and scope. And finally, a wrap up [inaudible] and a review of Day 3 agenda.

Day 3 starts with the takeaways from the previous day and a look at the objectives for the day. The review team will determine the [response] to the ICANN board requests.

After the break and after the lunch break as well, there are two [parking lots] for any item that requires further discussion. And also we'll make sure that in the meeting room there are whiteboards where you can write any topic that you would like to place on the [parking lot] for potential discussion.

In the afternoon [inaudible] break, there will be a confirmation on the call schedule. So not only the plenary calls and the sub team calls but also your [inaudible] face-to-face meetings. And at the end of Day 3, there will be the wrap up with a roadmap to the draft report where you will [set a deadline], penholders, and [confirm decisions] reached and action items of the three days. And finally any other business and closing remarks.

Are there any questions or comments?

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CHERYL LANGDON-ORR: Well, [unanimity]. Wow, excellent. Thanks [for that, Jean-Baptiste]. I must say whilst we will of course leave this as a draft agenda until we adopt it as such, we believe this is a very good skeleton and that hopefully it also gives all of you a clear set of time [bindings] that we would be working with.

Now this is important to Pat and I because we recognize that not everyone of our review team will be able to be in attendance in Los Angeles and that some of you will be in different time zones. And to that end if you are unable to join us other than remotely, if you can please let staff know what time zone you will be in because it may be that you're not where you're domiciled these three days, that you could be in some other space attending some other conference or something. So if we've got a bit of an idea of what time zone you're going to be in while you're attending remotely, that would be greatly appreciated by Pat and I and we'll at least consider you as best as we can [during minutes].

It also means that people who as observers or as only [partially] remote participants from the review team can know when things are going to be discussed in what time [binding]. So Pat and I will be doing our darnedest to make sure that these times are pretty much adhered to perfectly. And so if someone is dialing in or particularly wants to listen to a part, they will be able to do so with not more than, let's say, five minutes' worth of delay one way or the other.

So with that, I believe unless some of you have something else to say about this draft agenda and the Los Angeles meeting, if I can just ask staff to perhaps pop into the chat the address, etc., of the Doubletree.

And if staff can take an action item to poke at constituency travel with a sharp pointed stick if need be to get the confirmation to ensure that the confirmation for accommodations is out in the hands of the supported travelers as soon as possible, that would be great. I'm glad you're already doing that. Thank you, Jean-Baptiste.

Okay, now let's move then to any other business. And in a perfect world we might even head to the close of this meeting a minute or five before our allocated time. Yeah, so thanks, Vanda, for confirming that people who actually can walk – unlike me – can make the footfall safely in about 12 minutes. That's great to know.

But the Doodle poll, this is something that I believe most of you have done and responded to the question. The question on the Doodle poll was, is there a preference on having a normally scheduled plenary call in the week following an ICANN meeting? And the results are at least 13 of us were in favor of doing so. So for anyone's reference, just so we're all clear, after future ICANN meetings we will plan on having our normal weekly meeting held. So that's something you can put in your calendars and have it all tied up in a bow.

The next piece of any other business I think I'd like to come to is probably the easiest of them, and that is the point that Daniel raised. And that was when you filled out various pieces of paperwork early on, the administrivia that we all went through as we were inducted into this review team, that you put in a Skype address and you're willingness to use Skype or otherwise as a communications channel.

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I don't know and I don't think Pat knows either what the breakdown was of who selected what type of Slack or otherwise methodology. But certainly, the leadership team, Pat and staff and I, have been using a Skype channel to interact with each other because Skype actually [buzzes] nicely. I'm perfectly happy to continue with that.

I gather, Daniel, you wish to suggest that unless there was a reason not to that we should start up a review team Skype group. That certainly would make sense as we come up to our face-to-face meeting so that particularly those who are not with us can use that as a bit of an aide-memoire as to what topics are on and when things are happening.

So, Daniel, have I paraphrased your desires correctly? Well, not hearing that I haven't done it, good job of that. I'll assume that is the case. Can I ask then, is anyone objecting to being added to a Skype group. Brenda, hopefully you're not objecting to that because I've added you to lots of Skype groups over the years. I am however going to move to you now, Brenda. Over to you.

BRENDA BREWER:

I'm certainly not objecting to that. I was, a little off topic, just confirming that there are no flight issues with any of the travelers coming to L.A. So I just wanted to confirm we're good to go on that at this late time, a week before you arrive.

CHERYL LANGDON-ORR:

That's very good to know.

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BRENDA BREWER: That's all I wanted, Cheryl. Thank you.

CHERYL LANGDON-ORR: Thank you, Brenda. And I did note earlier on in chat when I was asking Tola about his potential visa issues that he has is interview I believe tomorrow, and so to that end it would be a fingers crossed from me but let's hope it's certainly going to be something he gets through.

Now with this, let's assume then if nobody is objecting that, Brenda, I guess I'm asking you to create a Skype group with everybody who has given their Skype name, and we will start running that as we move into going to L.A. The advantage of that is if there's a plane delay or if someone is held up in customs or whatever, border control not letting them in, when they get access to Internet they may in fact be able to let us know. So that's also a good thing as well.

Then finally in the last couple of minutes here if I can just ask, I did see some discussion in chat regarding the NDAs. And as I said to Michael in response to his rationale as to why he wouldn't be signing up front but he may consider it depending on the circumstance at the time, that is why we have things set up the way we do in terms of not restricting review team members but also respecting the use of NDAs.

Is there anyone else who wants to raise any issues or questions regarding the NDAs? I think I did see another one asking was this a new piece of documentation early on in chat. Jean-Baptiste, did you respond to that? To save me scrolling all the way back through chat.

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Jean-Baptiste

I just did Cheryl because I [forgot] [inaudible]. Thank you.

CHERYL LANGDON-ORR:

Okay, great. Thank you very much. So with that, yes, please be sure. It is a new document. If you are intending to sign it, please do so. You can give hard copy to staff when you arrive in Los Angeles or you can send them a virtual file. I'm sure they'll be happy with either of those things.

And to that end, we only have a couple of decisions reached and action items. So those of you who need to leave the call now, I respect that you need to do so. We're coming to the top of our timing anyway. But staff and some of us will be staying on for the next minute or so to make sure that any of the decisions reached and action items are appropriately listed. So, Jean-Baptiste, I'm assuming this is going to be for you to run us through now and make sure everything has been captured?

JEAN-BAPTISTE DEROULEZ:

Yes.

CHERYL LANGDON-ORR:

Thanks.

JEAN-BAPTISTE DEROULEZ:

Yes, thanks, Cheryl. And I'll be fast. As decisions reached we have the following one: in absence of co-chairs, review team member to volunteer or staff to lead the agenda and conversations.

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As action items [inaudible] review. So one action item was add Maarten's input to the Google doc. Then ICANN org to follow up with travel services on hotel confirmation for the face-to-face. And finally, ICANN org to create a review team Skype group.

CHERYL LANGDON-ORR:

Excellent. Well, if we do all of that, we'll be busy enough between now and landing in Los Angeles. To that end as we wrap up today's call, I want to thank each and every one of you for joining us. I want to thank staff for the excellent support they give us. And I also wanted to note that for those of you who won't be traveling to Los Angeles, you will be sorely missed. But we will include you to the fullest of our ability as remote participants. If you are not going to be participating at all, in other words not traveling and not a remote participant, please let staff know.

And with that, safe travels and bye for now.

**[END OF TRANSCRIPTION]**