
CHERYL LANGDON-ORR: We now know the code.

BRENDA BREWER: Good day, everyone. This is Brenda speaking. I'd welcome you to the ATRT3 Plenary Call #23 on the 31st of July, 2019, at 11:00 UTC.

The members attending the call today are Cheryl, Daniel, Erica, Jaap, Martin, Pat, and Tola.

We have guests Rafik and Janis.

Attending from ICANN org is Negar, Jennifer, Brenda, and technical writer, Bernie. I just heard that Sebastien as delayed.

As a reminder, today's call is being recorded. Please state your name before speaking for the transcript. I'll turn the call over to our Co-Chair, Cheryl, and Pat.

CHERYL LANGDON-ORR: Thanks for that. Did you mention Wolfgang or did I just blank out at that point.

BRENDA BREWER: It's quite possible I did not, so, Wolfgang, welcome. I'm sorry I missed you in the attendance.

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.

WOLFGANG KLEINWACHTER: Thank. [I'm here].

CHERYL LANGDON-ORR: Excellent. All right then. Thanks, Brenda, for getting us started and doing the roll call. We shuffle our normal agenda when we have guests so that they can be at head of our activities. Obviously, Pat and I want to welcome on your behalf Janis and Rafik – Rafik, of course, having served in the Expedited Policy Development Process Phase 1 as well as Phase 2, and of course Janis being the Chair of the Phase 2 EPDP work that's going on now. So we've noted Rafik for the agenda that you are the GNSO Council liaison to the EPDP, but we do recognize that you've been Vice-Chair through throughout the process as well. So welcome with that.

Just before jump into the interactions on EPDP and the ATRT3 – I'm going to be handing over to Pat Kane to manage all that; so he'll manage the queue, etc.—has anyone got an update to your statements of interest? Reminding you all that we operate under continuous disclosure for statements of interest. If you do have an update, you can either let us know now or type it in chat. Of course, if you have a problem updating the archive and public record of your statement of interest, staff will be more happy to assist you with that.

Not seeing anybody waving at me in the Zoom room or making any "I've just had this huge new change in my workplace," let's move then to our agenda for tonight. After we have our discussion with Janis and Rafik, we will go back to our normal system of events, which will be the review of our action items, reporting in from our various work parties, a

discussion on accountability indicators, and Any Other Business. If you have any other business you'd like to let us know about now, please feel free to, again, type that into chat and then confirm any actions or decisions reached.

With that, Pat, I'm going to take a sip of a cool drink and have this first section of the meeting over to you.

PAT KANE:

Thank you, Cheryl. Welcome, Janis. Welcome, Rafik. Basically, thank you for joining us this morning or this afternoon or this evening to share with us some items that you may have encountered through the EPDP process in support of [inaudible] protection regulations and address some of the questions that we will have with the ATRT3 team. Again, thank you.

Here's one of the questions that we have. We'll just jump right in. Thank you for moving forward on that, Brenda. The question is basically, what lessons does the EPDP hold for regular PDPs, particularly with an eye to improving transparency, accessibility, and efficiency? One of the things that I might add specifically with this is that we share with the ATRT[3] a time bounding of one year to get the work done so we have some similar challenges that we're working with. If you could answer it from that perspective, that would be helpful as well.

Gentlemen?

JANIS KARKLINS: Thank you. If I may suggest that, since Rafik has much wider experience and longer experience on this, maybe Rafik can start. Then I can add something from my side, if that would be okay.

PAT KANE: That's perfect, Janis. Thank you.

RAFIK DAMMAK: Thanks, Janis. Thanks, Pat. I think first maybe need to clarify the difference between EPDP and the usual PDP: we don't have the issues report. But the same process remains in terms of having the working group or team. Because, as you say, we needed to deliver before the deadline of the 25th of May and allow time for the GNSO Council and the Board to review and approve the recommendation, we had to work within an unusually short time compared to other PDPs, as you can see. They are taking more than two years now.

There was, I think, several things that we experimented with. For the GNSO Council, it's continuing what we call the PDP 3.0 initiative. It's to have this composition or representative of all SOs and ACs that have interest in the topic. So we invited all of them. Not every SO or AC wanted to participate. For example, the SSAC and the ccNSO didn't want to join because they didn't see any interest for them or for their members to participate in the process.

There was some concern that such a model could maybe hinder the participation, but I think it's working to some extent: it allowed, really, the SO/AC stakeholder group and constituency to ensure that there are

few that are reflected in the deliberation to have that input because, compared to other PDPs, where it's an open model, we can have a big group of participants, but there is an imbalance between the representation between the groups. It can be concerning sometimes from standpoint about how you can define a consensus.

Since we created that representative model, it also helped to some extent in how we state the consensus because we know that we have different groups. So you can, instead of counting the number of participants, see how many groups are supporting some recommendation or not.

[inaudible] concerns because not everyone will be happy with the outcome, but at least I think there was, some extent, the good will from everyone to work toward having a final recommendation and to work for some common ground. I think, for that, having a proficient facilitator and also a face-to-face meeting helped a lot in fostering the discussion and really focusing on some area where we know there is some disagreement. Having team members spending two or three days working on this topic, we could make more progress compared to having just a conference call.

In terms of transparency, I think we also tried something new. Usually we have this representative model and only members can join the call. We created another channel that's another Adobe Connect to allow all the observers to follow the discussion. Now for Phase 2 we made the small change that also alternates can join the main Adobe Connect channel. I think we maybe need to check how we can ensure technically that people can follow, not just through audio because a lot of

discussion happens in now the Zoom chat. So this is maybe something to explore for ICANN.

In terms of efficiency, because of having the deadline, I think it's pushed everyone to work towards consensus because we know we cannot have the luxury of delay or extending more. I think also we got more responsibility. This is unusual for other PDPs: we got a budget or resources that we have to manage. The leadership of the EPDP team has to manage the budget for the face-to-face, for legal counsel, and also for the professional facilitator. I think that has put more responsibility on the leadership and the team in general to use those resources because I think what maybe can be overlooked by many in other PDPs is that we don't think about the resources and the budget that is put for a PDP that can go over for a long time. I don't mean that they're not doing well, but this is, I think, a challenge for the leadership of working groups to explain to the members of working groups: at some time, we need to be careful about going for a long time.

Also, what I think helped is the scope. When you have quite a limited scope, even when you have several items to handle, it helped a lot in terms of being efficient. I feel this is also what is reflected now in the recommendation for PDP 3.0: to have more bite-sized or [inaudible] work and not trying to have multi-phases working groups that take two or three years. So it's to limit the scope and to help more people spend a shorter time and focus on that. I think it also allows the groups – the SO/AC stakeholder group and the constituency – to, in the future, manage their participation because I think it's hard to ask people to commit for a longer time in the PDP.

In terms of maybe forgetting about transparency, we also tried to improve in terms of reporting. We had in Phase 1 weekly reporting. It was sent to the GNSO Council in the first place but it was also shared with the whole community, giving an update about what the group did and also what it's going to do. We added some kind of small items. I think it's to be more clear about the risks and indicate how we are doing with the timeline. I don't think that was quite elaborated, but I think that was the first step in terms of being clear about the risk of delays or issues that can happen.

Also, speaking from my own experience here, even as a Council liaison, it was more challenging because I was expected to be giving a more regular update compared to other liaisons in every Council call and also send a weekly report. So that added more information. It makes sense since everyone was expecting what this EPDP team will deliver.

So I think we experimented, but this is more really about Phase 1. I think Janis can maybe explain how change is happening in Phase 2 and how things are going. I will stop for now but will be happy to respond or explain later.

JANIS KARKLINS:

Thank you, Rafik. I think you had described very well what is happening and then how we're working. I would just a few add elements. Actually, I have three points. I hope you hear me well. I have some kind of background noise in my earphones.

PAT KANE: Janis, this is Pat. We're hearing you well.

JANIS KARKLINS: Okay. Thank you. The first thing is that the EPDP 2 does not have a hard deadline as I understand was the case in EPDP 1. That brings a little bit of tension in the team because we have some groups who are saying that they are tired from Phase 1 and that they would like to take a moderate to slow approach to Phase 2. Then we have groups who are asking for basically the conclusion of work in November. So that's tension on one hand is not healthy. On the other hand, that gives me an opportunity also to mobilize and propose some kind of reasonable timeline of work which, again, helps me as a Chair to motivate team members to progress. So that's the first maybe difference that we have.

Now, two observations that I have about the teamwork. First of all, I admire the dedication of team members, especially those who have followed through the first and second phase because this is an enormous time commitment. I feel it from my own activities. What I see is that some groups have a little bit of capacity limitations because simply the reserve bench is shorter than for other groups. As a result, that needs to be factored in when we're planning and suggesting our activities. Let's say we cannot go for unlimited prior track activities. We need always to calculate that factor in.

The second observation – again, that maybe is a bit of a philosophical or systemic approach; how you go for the policy development and what is the responsibility of each team member because what is happening now is that the members of the team coming from their respective

groups go back on a regular basis to their constituency and provide feedback and require input in terms of ideas or even maybe negotiating among themselves what would be the line to take. I accept that as one method of work. That is time-consuming and, in a sense, diminishes speed of progress because we cannot swiftly proceed with decision-making. We always need to refer to one week or two weeks, depending on the question.

So one can think of a different type of model, especially in case of EPDP, where we have representative model where you would argue and I would argue that the members of the team and alternates represent, let's say, mainstream thinking of the group. One can imagine that that group delegates the authority to those team members to negotiate the policy recommendations without, let's say, regularly referring back to the group and seeking permission or authorization or support of the group itself. So if we would go with that type of approach, then members of the team would speak on behalf of their group but as individuals with the experience and background from that particular group but would have authority to decide on the spot. If that would be the case, I think we could diminish considerably time that we need for decision-making, not for exploration and discussions. That is an exercise that needs to be done. Without understanding, you cannot make decisions.

The final remark that I have I that I have not seen any other organizations or processes as transparent as ICANN processes. You have a transcript and an audio recording out in a matter of one hour after the call. So everyone can follow whatever is happening and can keep any team members accountable on what they said because they're on

public record all the time. I'm not sure that there is any other organization who provides a similar type of transparency feature for any policy development or any decision-making process.

So these would be my organizations. Please bear with me. [I've only been] back in business for the last three months. Of course, my Internet of knowledge ends in 2010. Therefore, these are just my current observations from these last three months.

PAT KANE: Rafik and Janis, thank you very much for that opening observation into the processes. Now I'd like to open it up for questions. I'll manage the queue.

Wolfgang, you've got your hand up, so please go ahead.

WOLFGANG KLEINWACHTER: Can you hear me?

PAT KANE: Yes, we can hear you, Wolfgang.

WOLFGANG KLEINWATCHER: Okay, thank you. I have two questions, one for Rafik and one to Janis. The question to Rafik is, Rafik, you referred to the good will of the group to work for a common [inaudible] stimulated by having a clear deadline. My question is, do you see a direct relationship between having a deadline and the good will of participants in the group.

To my question to Janis is you referred to the option to have smaller sub-groups/working teams which would have the possibility to speed up the process and then to come back with a solution to the group for ratification. When you say you know the smaller group should have a certain authority to make decisions, what would be the relationship between the sub-group and, let's say, the plenary group of the PDP? If you could be a little more specific about your ideas, this would be helpful for me. Thank you very much. Back to Pat.

PAT KANE:

Rafik, do you want to go first?

RAFIK DAMMAK:

Thanks, Pat, and thanks, Wolfgang, for the question. I think the deadline was a factor. I'm not sure if I can make here a causation relation, but I think it was an important factor that made it clear for everyone that we have to reach a conclusion. [inaudible] I'm going to say that everyone was okay because we had the moments where there was a risk of delay or that things will derail because some groups didn't want to move from some position. But if we can maybe start from the beginning, it wasn't clear what are the position or the interests of the different groups. I think that makes it easier to understand what are the possible issues that can happen during the deliberation.

So I do believe that it helped to some extent, but I think also it's what kind of maybe working method we used. For example, for the initial report, we avoided that to make a [inaudible] final recommendation or something like that. It's really more to use it as opportunity to get input

and to continue the work based on what we received during the public comment.

I do believe the face-to-face helped because having the people in the same place and having the professional facilitator created the different dynamic and also more trust. The feedback we got from the team members was that they were quite positive about having the professional facilitator and asked for the resources to be continued for Phase 2.

I think the other element is, when we had the face-to-face, that we also knew the differences. We tried to work around that, like making a new proposal. But at the end of the day, when we issued the last stage – it was for the final call to make for the consensus – when we could not reach agreement, we just accepted that we have divergence. But we got that for a few recommendations. What happened is that we spent enough time, I think. It's when you give time for everyone to express their opinion, I think, that gives more weight later on to say that either we need to reach an agreement or just accept that.

So we will see how thing will go for Phase 2. The deadline, yes, was a factor, but it needs to be connected with other elements like the working methods and having enough support in terms of helping the team to reach agreement.

WOLFGANG KLEINWACHTER: Thanks. Can I ask an additional question?

PAT KANE:

Sure.

WOLFGANG KLEINWACHTER: Rafik, you have been involved in many PDPs in the GNSO. What is your very personal opinion? If there would have been deadlines with other PDPs, things would have been different or would have been the same?

RAFIK DAMMAK:

Good question. I think setting a deadline won't be enough. I think for other PDPs the issue was also the scope. That's what I also tried to highlight in my introduction: we need to be careful when comparing because, if we take the latest or the current PDP, they have quite a huge scope in terms of what they have to cover. So setting a deadline would be unrealistic on that front.

So, for the EPDP, we accepted to have two phases and to give a priority on what we need to achieve in Phase 1, which was a response to the temporary spec. So the deadline has to be tight also to this call. I think maybe the experimentation with having this kind of representative in the EPDP also helped because you have the different group that are ready. They know what they want to advocate and so on. So I think it helped me compared to the open group, where the dynamic is quite different because we have a static number of participants. Also, if we check, their attendance was quite high because, if the representatives don't participate, the alternate will do it.

So I think it's all these factors. Just setting a deadline, I think, is not sufficient. It will help to give some target, but I think the other factors are quite important and we need to think about them.

PAT KANE:

Thanks. Janis?

JANIS KARKLINS:

If I would need to answer the first question, I would say that certainly deadlines are needed. Rafik said the scope needs to be factored in, but deadlines are needed because you can give whatever time to anyone and people would consume that time easily. So deadlines always help to mobilize and move discussion forward. They need to be very realistic, but deadlines certainly are very helpful in terms of reaching outcomes in, let's say, more orderly and planned manners.

Coming back to your question, Wolfgang, maybe I was not overly clear. I was not talking about sub-groups. We're using sub-group methods, and that goes obviously, that sub-groups are formed to contemplate certain issues and then present the proposal to the team as a whole and the plenary to be endorsed by the team as a whole. I was talking more about the working model.

Now what I understand is that all groups need a PDP team. They regularly go back to their constituencies, inform, ask questions, and basically form an opinion. That is fine. That's one of the ways how you bring the view of the group to the table. It is maybe slightly longer

because you need time to consult and then come back with the position of the group.

But, in the case of representative participation in the team – and we have an equal number of representatives from different groups in the team – you would think that each of the representatives or team members represents certain mainstream thinking in that particular group. If they [were given] authority to work independently and individually in the team and make decisions without going back every time a decision needs to be made to the constituency for consultations, then they would be able to present more or less the same opinion as they would do after consultations with the group because they are coming out from those groups. So that would potentially speed up the process of decision-making.

When I'm speaking of decision-making, I'm speaking about recommendation-making for the Council. Again, I am talking about very different working methods and model of the PDP when each team member is entrusted with full authority to speak and decide on behalf of the group or constituency. That would maybe provide a more speedy process in policy-making.

WOLFGANG KLEINWACHTER: Thanks, Janis.

PAT KANE: Thank you, Janis and Wolfgang. Thank you for your question. Does anyone have any question on where typically Wolfgang which, which is

the time-bound or the limited participation and targeted scope? Anybody have any other questions along those lines while we're on that topic?

All right. I see no hands and I see nothing in the group chat. Rafik, I've got a question for you. Given that this specific policy development process, whether it be expedited or regular, really involved the law – a lot of the policy [and a lot of the] policies we've had in place before is about behaviors in terms of registrations in terms of what registries do and [inaudible] WHOIS and accuracy of WHOIS – when it comes to the law, did you feel that you had enough scope definition that you could seek specific legal questions that you needed to drive to answers or the recommendations that you came up with? Because most of the people on your team representing different groups were not lawyers. So, when we have that aspect of this PDP, did you have the resources? And did you have enough information about the conversations that were going on between leadership of ICANN, specifically the CEO, and the DPAs in Europe?

RAFIK DAMMAK:

Thanks, Pat. First, regarding the legal experience of the team members, it was clear that some are attorneys or lawyers and that others are not. Even with that, I think maybe the concern is when team members discuss about some elements of GDPR and they have a different interpretation. I think it can be quite [inaudible] how we can respond to that. I mean, you have different interpretations. We asked for the legal counsel, but I do believe we got that late. This is, I guess, probably leadership for Phase 1 here – I'm talking about Phase 1 – mistake: to not

get the legal support at any earlier stage and to get more input from privacy experts, in addition to having the legal counsel to help and to respond to the question. When they joined, I think they gave more clarification.

Also, when the drafting at the Council level of the EPDP showcase, we asked, in terms of what's the requirement from the EPDP members in terms of expertise regarding GDPR and data protection in general ... Also, we planned to have training. We got a line of training. It probably is not enough, but at least what was in it was to give the same basic understanding, at least, for everyone and to have the same language when we talked about GDPR.

I think, [Steve], even with that, the question is, how can we get all members to be on the same page? It's the training enough or not? I don't have an answer to that because, even if we try to do that, there won't be enough time to do so.

With regard to the CEO and DPA interaction, I think there was a concern from several parts of the EPDP team about this kind of parallel process and not having enough knowledge about what's going on or how it can help the team deliberation. There was a requirement that we need to share with the DPA or the EDPB, which is the European Data Protection Board, the final report for input. At the end, we didn't do so on the EPDP team because there was feelings that maybe it would backfire and we cannot really use this instance in the EDPB for that purpose.

So we could use sometimes, I think, the input that existed, but it's a good question here. Can we really offer to have this kind of parallel

process outside the EPDP? And what kind of challenges can rise? Because it made some members of team question if we were really expected to deliver or not if there is some parallel track.

But back to the matter of dealing with legal matters, I do believe having a legal counsel from an early stage, having also an additional advisor or expert – for that case, we could have a data protection or privacy expert – I think could help to answer to some question or to clarify. But at the end of the day, people can have a different interpretation. Also, they can advocate different elements. So we can put all the facts we need but it might not work sometimes.

I hope that answered your question. I'm not sure.

PAT KANE:

That does, Rafik. Thank you very much. One follow up question on the legal item. Was the EPDP the client of the legal representation, or was ICANN the client?

RAFIK DAMMAK:

I think the understanding was – we can that question on the relation of the attorney/client – at the beginning, the EPDP was the client, and we have the kind of legal committee or team to prepare the question and to work with them. But it seems it's not really the case because what I understood is that also ICANN org is using Byrd & Byrd as a firm. So I think that raised some question. The question of type of relation of the attorney/client was highlighted and I think raised by several members of the team.

I think that's something that may need to be clarified in the future because, in the end, even if we are managing as a group, the budget and so on, it's still up to when we make a spending approval [inaudible] present for and also the CFO for the spending. Also, if we have [nice contracted] relations that we go for ICANN org anyways. So I don't have expertise in that area. I'm not sure how [we can get it] in the future.

PAT KANE:

Thanks, Rafik. [inaudible], so I'm not trying to put words into your mouth with your response. I'm trying to get some clarification. Are you saying that, because ICANN and the EPDP were both clients of Byrd & Byrd that there may be a possibility or a perception that there is a conflict of interest in that relationship and that, in the future, you should look at having separate possibly non-conflicted legal counsel in these kinds of situations?

RAFIK DAMMAK:

Just to clarify, I don't think there was [inaudible] of interests because, in terms of trust and what we got from the legal counsel, I think the EPDP team is happy with that. But I think it's just more about that we need more clarification and avoid any concern in the future. But, for the time being and before, I think it was okay. We got some legal counsel for what we needed. So I think it's more for the future to avoid any concern or any problem regarding the perception here.

PAT KANE:

All right, thank you for that, Rafik. Any other questions?

I see no hands and I see nothing in the queue. I know that we're running short on time. Rafik, if I may, I'd like to throw in one more question, and that is that, during your process, we saw a new construct that was put together, I think, to try to help this process. That was the TSG. Was that helpful to get outside models to be put in? Because I know that you've also now had the barbecue model that Steve Crocker presented to the Phase 2. Is that distracting or is that helpful when you get those kinds of things in this process?

RAFIK DAMMAK:

I guess I can respond about the GSE because we had an interaction with the GSE team in Kobe. So this was before [many] joining. I think for the others, like the barbecue and so on, it's probably better for Janis to elaborate on that.

For Kobe, the TSG was presenting its first report and looking for input, so we took the opportunity to meet with them. But at the end of that time – it was just after our final report for Phase 1 – there as a [one]-time transition between Phase 1 and Phase 2 to work or prepare or plan for Phase 2. So there was not so much impact. It was just to understand more of what they're doing. So the other I'll leave to Janis to respond.

JANIS KARKLINS:

Thank you, Rafik. I think I need simply to clarify that this was not any kind of outside model imposition to the group. It was rather a question from the team on whether we would continue with extra presentations as was the case in the first phase. I thought that it is a good idea to have extra presentations to stimulate our thinking about our SSAP model.

Actually, we got three presentations. One was during the plenary meeting given by Steve Crocker, and then two presentations were given during the face-to-face meeting in Marrakech.

So I think we are simply using those extra presentations to give a better understanding of complexities and the vision of experts of different interactions within different elements. These elements are building blocks of our standard that we're talking about. But certainly it should not be seen as any attempt of an imposition of any kind of outside model. We're building our model on our own. This will be purely a product of the multi-stakeholder interaction of the team.

PAT KANE:

Great. Thank you very much for that, Janis. I do appreciate it. And, Rafik, thank you as well.

Any additional questions?

Seeing none in the participant window or in the group chat, Rafik and Janis, I would like to thank you for joining us today and thank you for your time. I would also like to ask if it's possible that, if we have any follow-up questions based upon any deliberations we might have based upon what you've shared with us today, we could send you some e-mails with some additional questions. Would that be okay?

JANIS KARKLINS:

Yeah, of course. That would be okay.

PAT KANE: Fantastic. Thank you so much.

RAFIK DAMMAK: Yeah, sure. No problem.

PAT KANE: Thank you very much.

JANIS KARKLINS: I understand we can leave the room?

PAT KANE: If you'd like, yes.

JANIS KARKLINS: Okay, thanks.

CHERYL LANGDON-ORR: You are welcome to stay, Janis, but you are also more than welcome to escape us.

JANIS KARKLINS: That was a nice of way of ["You got to"]. Joking. So thank you. Bye now.

CHERYL LANGDON-ORR: Thank you very much. Bye-bye. Oh, dear. All right then. Well, that's certainly a lot of food for thought there and a good deal to contemplate. Of course, as we contemplate, there's some other issues in relation to how one may or may not be able to take much out of an expedited policy development process into a standard policy development process. The costings, for example, on the two are markedly different.

But it is refreshing and I think possibly the only examples that we would be able to find where some of the specific recommendations made by ATRT2 regarding facilitation and preferred support for GNSO policy development process have actually been implemented. This of course is the option of face-to-face meetings and professional facilitation, etc. As we heard today, that certainly has worked in this expedited policy development process model so well in Phase 1 that they want to continue it in Phase 2.

So that is indeed food for thought. Hopefully you've all got a lot of personal notes there. Not sure staff have made additional notes as well. [I] can go back over the transcripts.

Right. Let's get back to our previously advertised schedule, and that is to have a look at any action items that we need to review [inaudible]. I'm not aware of terribly many. I think most of us have been handing in our homework, etc., etc., or are perilously close to it. Not point in it other than briefly noting anything that's already going to be on the agenda.

Jennifer, do we got any action items to review?

JENNIFER GORE:

Thank you. I just wanted to note the survey's question deadline was last week. So that has now closed. Thanks, everyone, for putting your question into the Google Doc. I believe Bernie will speak to that briefly. That's all I have. Thank you.

CHERYL LANGDON-ORR:

Okay. Is anyone aware of anything that should be listing in our action items at this stage?

If not, let's move our far more familiar territory of any input from the work parties. I'm very well aware of a number of activities that have been going on certainly within the community. Of course, you've all been working on ATRT2 and there's [text] that needs to go up for IRP. So things are going on.

Let's start as we usually do in our plenary with the GAC. If we've got Sebastien and Osvaldo on the call. Who wants to lead off?

SEBASTIEN BACHOLLET:

I guess, Cheryl, you wanted to talk about the Board. I guess I heard GAC but it's just a slip of the tongue (I guess that's the right word in English). About the Board, we don't have anything to report for today. Yes, we are working on the answer to the EPDP further – too many acronyms – [and] ATRT2. I guess that's how our time is consumed. I hope that next week that it will be better. Thank you.

CHERYL LANGDON-ORR: Thank you. Osvaldo, did you have anything to add? I would think not, but I will give you an opportunity to get in.

OSVALDO NOVOA: No, just to note that we have retrieved several bits of information from [Danny] [inaudible] so we are completing on the documents requested and we are working on them. Thank you.

CHERYL LANGDON-ORR: Excellent. So a bit of homework being done. That's good. It just is a question from Pat and I to you. Do you need staff to facilitate a call or a meeting for your group? Or are you not up to needing that at this stage?

SEBASTIEN BACHOLLET: We have an appointment on Skype just after this call with Osvaldo. We will make a situation where we are. If we need it, then thank you for the proposal. If we need it, we will come back to you and staff to help us with that. It will be done after the call and – sorry – not to be done before. Sorry. Thank you.

CHERYL LANGDON-ORR: No problem at all, Sebastien. It's just that I'm aware that some of the other work parties are cycling through their second or additional calls. I just want to make sure that, if you needed one, it was easy to facilitate. That's fine.

Now I'm so tempted to ask Vanda to report on the Board just so I balance my slip of the tongue, but in fact [inaudible] you do have GAC. Is there anything you need to update us with?

VANDA SCARTEZINI:

I believe I talk too much, so I prefer to give the floor to Liu because I have done my part. But I haven't seen the others and if they have finished or if they have some problems. I sent some e-mails pushing them, but until now I didn't get any feedback from the whole group. So I prefer to hear from Liu on what's going on from his side at least.

CHERYL LANGDON-ORR:

Sure. Liu, are you able to speak? [inaudible] earlier in the chat. Your microphone is unmuted but we're not hearing you.

Okay, there may be a technical difficulty there, Vanda.

VANDA SCARTEZINI:

Okay. Anyway, I believe we should finish in time. Anyway, it's an opportunity now to open the microphone to ask all members to finalize their work on that because all the other issues we have gone over as well as the exchange with Bernard about some issues that we had done previously. Thank you.

CHERYL LANGDON-ORR:

Great. Thanks, Vanda. Yes, Liu is saying that he has a microphone issue but he'll give feedback during the week. Thank you very much for that,

Liu. We appreciate that update. Vanda and Liu, I'm asking you the same question as we did Osvaldo and Sebastien. If you need to organize a call at any point, then obviously let us know. There'll be more work generated out of the survey, but between now and where that happens, there's an opportunity for consolidation, of course.

Okay. I note KC is not on today's call but Daniel is. So, as we move to reviews, Daniel, have you got an updated for us?

Daniel, if you're speaking, I'm certainly not hearing you?

PAT KANE: Cheryl, I don't see him in the participant window.

CHERYL LANGDON-ORR: He certainly was here at the beginning of the call. He did a sound check.

PAT KANE: He was, yes.

CHERYL LANGDON-ORR: Okay. All right. Let's assume that the communication issues have raised their heads again as happen from time to time where he resides. We will move on them. That's going to be of course Erica and Michael, both of whom are the call. Whoever jumps in first, go for it.

ERICA VARLESE:

I'm happy to give a quick update. We had a call yesterday for the community group. We had a call two weeks ago to talk through some preliminary recommendations areas based on our conversations in Marrakech. Yesterday we had a chance to talk a little bit more about some areas maybe where we didn't have much information that came in from the community just yet. We wanted to get the dialogue going while we're waiting for the survey so that we're not only waiting until we get that back but we're still continuing to move forward. We had a nice and productive conversation, and I think we'll probably be sending out some notes from that shortly or an updated document in the near future.

I think that probably covers it for us. I also don't know if this is the best time for me to give this quick update, but I just wanted to add a reminder too that, after this week, I will need to start phasing out my work a little bit. So I'll probably be on the calls less but can still help via the list for a little bit longer. So I just wanted to share that reminder and I wasn't sure if there is a better time to say that. If so, let me know. Otherwise, I think that covers everything I have for the community, unless, Michael, there is anything you want to add or anything I missed. Just go ahead. Thanks.

MICHAEL KARANICOLAS:

No, that covers it. Thanks so much for the update, Erica.

CHERYL LANGDON-ORR: Including the painful part of the update, which is of course you phasing out. Oh, dear. Never mind. We're going to miss you. Thanks for hanging in as long as you possibly can, Erica.

With that, I believe that, Bernie, the IRP language that spoke about is in the early drafting phase and we'll be looking at that in the not too distant future? Am I correct in that?

BERNIE TURCOTTE: Well, we put it out for comments last week. I've received none. So unless people have any final comments, I think we can probably close that off today.

CHERYL LANGDON-ORR: So we're shifting it from early drafting to "it's drafted" then. All right. Did you want to put a timeline on that for anyone who suddenly goes, "Oh, dear. I meant to get to that"? Thanks for joining us, Demi. I do appreciate that other meetings come into our lives. It was good to have you here, especially for the presentation by Janis and Rafik. Did you want to give a time for switching it from early draft to final text?

I note you said in the chat 23:59 UTC Friday. Bernie is feeling generous again, people. So you've got a little bit more time to look at the IRP draft text as we discussed last week. Then that will be going in as placeholder text at least to our final report templating [inaudible] dot an i and cross a t, but in the main we would think it will be a she is written by then.

In terms of Work Stream 2, I note the implementation team has not yet for Work Stream 2 yet, but it is meeting next week if they don't keep

moving it on and on and on another 24 hours and another 24 hours after that.

Bernie, did you want to talk to Work Stream 2 at all?

BERNIE TURCOTTE:

Sorry, I'm having trouble with the mute button. Just to note that, yes, the meeting has been delayed. But I think it may be for good reason in that the Work Stream 2 implementation team will have the opportunity to meet with the Board caucus on Work Stream 2 to go over the draft implementation plan for that. I'm looking forward to that call next week on getting things moving on Work Stream 2.

CHERYL LANGDON-ORR:

Excellent. That of course will feed into our work whilst things like surveys are going on out in the wild, etc., etc. So the timing isn't all that bad, I guess, either. Any questions on that fairly fluffy but nevertheless slightly forward looking plan on Work Stream 2?

Not seeing anybody's hands, but I noticed Daniel is back in the room. Daniel, we assumed that you had dropped off and now you've dropped back. Did you have any update – you and KC – for reviews? If so, let us know.

DANIEL NANGHAKA:

No update. Let's proceed.

CHERYL LANGDON-ORR: Thank you, Daniel. [inaudible]

DANIEL NANGHAKA: Can you hear me?

CHERYL LANGDON-ORR: Yes, we can. We heard you fine. Obviously you've got communication challenges today.

All right then. With that, that brings us to ATRT2. Of course, we're all doing our homework on that at the moment, although I don't think everybody has managed to get text in just yet.

Bernie, do we want to display that and have a little look at what's happening with the ATRT2 tally sheet, noting that one of the things that Sebastien raised in our leadership team meeting is the annotations that he's making, with his initials next to it in the comments column of work that is already carried out by other people? Might want to scroll down to one of those. If he'd like, we can advocate for why he thinks that's a good idea to also encourage you to do so.

Sebastien, did you want to speak to that?

SEBASTIEN BACHOLLET: Thank you very much, Cheryl. I think at one moment we will discuss this issue, and I was thinking to start it when read it. I see that Daniel follows this path, and I think some comments do also. I think my suggestion was it could be better to start a conversation on those issues, as we will do it

verbally together next week. But it can wait until next week. Sometime I am sure that I keep the idea if I write it in the right place. Thank you.

Just one additional point. I don't know who has done the yellow. I have no problem with that yellow concerning the comments, but it seems that all the frame is colored in yellow and not just the part of the comments about the comments. It may be something we need to look at: how to discriminate the comments made by the one in charge and the comments made by others, like may or Daniel. Thank you.

Okay. I see, "No choice of the tool," from Bernard. Thank you.

CHERYL LANGDON-ORR:

There we go. Thanks for that, Sebastien. Yes, I suspected there is no choice of the tools. Thanks for confirming that, Bernie. Of course, we can remove the yellow. I believe the highlighting was just to make it easier for drawing attention and an eye towards for today's call.

Bernie, did you want to make any other mentions to any of this? We've got a deadline again at the end of this week. Is that not the case?

BERNIE TURCOTTE:

23:59 UTC Friday. I would encourage everyone to try and meet that. We're well on our way to that. I've got promises from several people to deliver text by then. Or their text is written and they're just waiting for some comments. So I'm very hopeful that we'll get most of those across the line.

Yes, I do work over the weekends, so, if you get it in, I will remind everyone these do not have to be prose. We can clean them up after. I'll be glad to do that or to assist if you want me to assist prior to putting them in. I'll be glad to help you with any of those things. Let's try to get them in because that is really one key component to help us with some of the other things. So 23:59 UTC Friday. Thank you.

CHERYL LANGDON-ORR:

Thanks very much for that, Bernie. Obviously, I would also suggest, if anyone is having a problem undertaking their task – Bernie is obviously ready to assist – for any of the other of us who are completed our task and may in fact working knowledge of something that's being allocated to you, we've got a goodly amount of knowledge and history amongst many of us in the ATRT participants listing. So just send it to the Skype chat or the list or just let Bernie know and he will reach out to us. We will certainly do everything we can to make your life easier. This was not meant to be a stressful task but one that was made less stressful by sharing.

With that, Pat, I believe we've agreed that, for next week's agenda – correct me if I'm wrong – there really want be a B topic. We will be going through all of this in perhaps excruciating detail in the case of some of the things because they've said they've been implemented and there's no evidence to say that they have been, which means we'll have an awful lot to discuss. If you have done your provisional work for your own recommendation, as Sebastien has suggested, making comments to A actors and a memoir in things that you are aware of as you go through other people's assessments is a very good tool. I would also

encourage you all to read top to toe on all of this because we will be discussing all of it.

Now, Vanda has pointed that [inaudible] is not back from his vacation until Monday, so I guess it is possible that perhaps his bits may not be completed until then. But obviously, Bernie, I'm assuming you're going to be reaching out to him the minute he gets back in communication.

If anyone else is aware of any of the team members or review team companions that seem to be acting blank file or are otherwise occupied, then perhaps you might want to take up the slack for them and reach out and say, "Do you need a helping hand?" because, if they're not on these calls, they won't know that we are as willing to help as we are.

Pat is agreeing that that will be our substantive item next week. It won't make thrilling listening, but it will make some important fords in our very important assessment of ATRT2 recommendations. And there was a stack of them.

With that, I think we can go now back to what will be our next agenda item, which is looking at the accountability indicators, unless anyone has any questions on any of the various work party or plenary items.

Okay. Sounds like some of them are going along and some of them are huddling along. Let's move now into the interesting world of accountability indicators. Can we look at the site? Or how are we going to display this? What are our – ah, look at that. Ah. I tell you what. Very important – oh, Michael, you have a piece of AOB. Well, if you would like, we can actually deal with that now. Please raise it now because

we're going to running short of time otherwise with the amount of time we took with [inaudible].

MICHAEL KARANICOLAS: Sure. Thanks very much. Yeah, I didn't raise this earlier because somebody had said that Bernie will be speaking to this, and then I looked back at the agenda and didn't see a spot for it.

I just have a query regarding next steps for the survey because previously I found the document a bit difficult to track, partly because some folks have been pasting in answers to the survey questions, who I guess misunderstood what we were doing. But looking back it now, I'm a bit concerned. My question is, what is happening in terms of the comments that have been made? Because a number of them push back on particular questions or say particular questions either shouldn't be included or are not appropriate. I'm just seeing that now.

I'm particularly concerned that there seems to be an attitude that anything that Work Stream 2 touched we consider done and dusted and no need for further engagement. I'm seeing that kind of pushback on questions in the survey regarding NomCom, DIDP, transparency in SOs/ACs – really, all of the structural transparency stuff almost. I believe that that kind of approach is counter to what we discussed really early on in ATRT3. I believe these conversations took place in Los Angeles. We essentially decided that just because something is done in a different review doesn't mean that it's off-topic or off-limits for us.

With that being said, I just wanted to flag this now with the survey document being closed to make sure that I'm not going to wake up next

week with all this material involving stuff that we've been looking at being excised. So I'm just seeking a bit of clarification mostly on next steps for the survey specifically, but I guess this touches more broadly on our approach to these kinds of issues. Thanks.

CHERYL LANGDON-ORR:

Let's take those in bite-size pieces. The small team working on the survey is meeting immediately after this call, so that's the immediate next step. The other ones will be looking at the questions, the form of questions, the listing of questions, and what questions do or don't make it. So at a high level that's the immediate reaction to what the next steps are. I think it'll be at least an hour, but it could be longer after this call.

Bernie, did you want to add anything on that point regarding next steps?

BERNIE TURCOTTE:

No. I think that was the process. I'm guilty of putting in those comments, but that was a result of some of the discussions that had been had. They were suggestions and certainly not decisions, and I think we wanted to be transparent about that. The group will be looking at them, as Cheryl has said, and putting together a final list which, if I understand correctly, is going back to the plenary anyway. So there's not, as far as I understand, a decision in a closed room and then it's done. Back to you, Cheryl.

CHERYL LANGDON-ORR:

Thanks, Bernie. Yes, it was certainly coming back to plenary, but also what the group is to be doing is to look at the format that some questions may be asked in. As you know, a few people in last week's call were discussing survey questions and, in their own work parties, started to make proposals particularly out of the GAC group, for example, where they would prefer to have a sliding scale or a choice between 1 and 10 or 1 and 5. So there's additional advice. Even though the intent of the questions are the same, the type of mechanism being utilized [inaudible] that information ought to be [inaudible] to capture that data has been modified. So that's also something that will be being looked it.

So that answered your "what are the next steps?" I think, Michael. The matters of your quite strong statement about what was or was not agreed to regarding a whole manner of thing to do with transparency and beyond in Los Angeles I think we could certainly take up later if there is indeed an issue. But we certainly did suggest that things like ATRT recommendations and Work Stream 2 work that has yet to have any recommendations implemented would have a light touch taken on those, as much as recommendations out of those activities, if they have not either been implemented in the case of Work Stream 2 or are demonstrably [inaudible] some of at least the other review processes. Testing the effectiveness and efficiency would be challenging. We also recognized that some things, for example, may well have been superseded by other activities and that, when we say that that had happened, we would be taking note of that in our report.

What else was there, Pat?

PAT KANE: Nothing from me, Cheryl.

CHERYL LANGDON-ORR: Okay. I guess let's loop back to that, Michael, and see if what you fear is actually a problem or not when we get to that point.

MICHAEL KARANICOLAS: Okay. That sounds good.

CHERYL LANGDON-ORR: I'd also point out the survey is not the only tool we have to analyze the various thing to do with, for example, the issues of transparency that you've raised. The survey is a way of getting information from the community about certain issues. That may not in fact be [inaudible] or even the most effective tool to dig into some of the other issues that you're certainly [inaudible] working party is concerned about.

MICHAEL KARANICOLAS: Yeah, that's fine. I didn't mean to sidetrack us. I know we don't have a lot of time left. I just wanted to flag that and potentially nip it in the bud if we were going in a particular direction. But thank you.

CHERYL LANGDON-ORR: Well, as I say, I'm not sure what direction we're going in yet because we haven't had the meeting. But we'll be doing so shortly.

Vanda has noted in the chat regarding surveys, because we're on that topic now, that Liu has come back with feedback from GAC about the way we will deliver the survey directly to each member or to the leadership to distribute. That's excellent. Thank you very much.

Michael, just to make sure you're aware, there was agreement that we would segregate. We wouldn't be putting out one uber survey for one-size-fits-all. We were going to customize to meet that different parts of the community as well as have some more generic questions. When we come back with survey proposals for the plenary, that will be hopefully very clear. We also want to make sure we don't get surveys that are so large that no one will bother answering them. Remember, our aim is to have a survey out around the second week of August if possible. So that will [mean], ladies and gentlemen, that the reaction and interaction on finalizing the survey will have to be done in short order and probably inter-sessionally, although we will spend time in a future plenary or two polishing it.

All right. With that rather substantive piece of Any Other Business – necessary, I suspect – let's have a quick look at accountability indicators, which you've got in front of you. This is an attempt, it appears, to be transparent. Well, in fact, accountability indicators are indeed are a well-recognized tool in the world of organizational transparency. I would also remind us what Janis said on comparing the ICANN level of transparency with other organizational transparency levels that he is involved with. This is obviously a general and meeting-based transparency, not perhaps the deeper-dive type things that I suspect things like the [IDP] would be trying to find out.

What we do have in front of us is a whole lot of dashboard-style declarations of what is going on, where funds are being spent, what responsibilities lie in what areas, etc., etc.

Bernie, is this alive? Can we dig down into Abut Accountability Indicators, or what can we do with the screen? Sorry, I'm just so not into Zoom that I can't control myself, you see. "You've taken control away from me. What a [inaudible]!"

BERNIE TURCOTTE: Maybe we can just have a quick go-through just to give people a flavor of this because we won't really have time to comment on them.

CHERYL LANGDON-ORR: All right then.

BERNIE TURCOTTE: All right. Just to give people a flavor. Objective 1 – evolve and further globalize ICANN – is broken into three. If we go to 1.1 and the right person is identified, it's Sally Costerton. So the number of sessions simultaneous interpretation at ICANN public meetings. We've got those charts. We won't spend a lot of time on this.

Can we go down please? Again, another look at that. Next. I think we're done on that one, so we can go back up one level. Nope. Back. Okay, 1.2. Fine. Thank you. So evolve and further globalize ICANN. ICANN events by stakeholder categories to a whole number of events over the last few years. Events by stakeholder category. If we can go down, that's

about it. If we can go to 1.3. Fine. Yes. Evolve the policy development and government structures and meetings to be more accountable, inclusive, efficient, effective, and responsive. Here we've got the membership in the various SOs and ACs since 2018. If we can go down, there are quite a few slides on this one. Then we have participation, measure of community activity, and policy development and engagement. So public comment forums, quantity, and duration. Basically the number of forums in a fiscal year and the average duration in days.

Next section, please. Total active working groups and other policy activities. Next slide, please. SO/AC policy and advice development. Number of teleconferences and working hours. Total e-mail exchanges specific to policy and advice uses. Finally, one more, I think. Total number of Council resolutions and advice activities.

So we basically ran out of time. I just wanted to give you an introduction to those. If they're easy to find, we will post the link in the chat, as has been done by Jennifer. We would recommend that you have a look at those because we agreed to, as a plenary, take on this topic to have a look at them and provide feedback to ICANN relative to how we rate these accountability indicators.

Given we're over time, I'll send it back to you, Cheryl. Thank you.

CHERYL LANGDON-ORR:

Thanks for that Bernie. Just for those of you haven't made this part of your daily reading in the last – I think they've been for about 18 months? Something like that, anyway, maybe even fraction longer –

should you have an utter fascination with the world of At-Large, you can click on At-Large and drill down into greater detail. If you wanted to compare the number of total e-mails exchanged between one AC and another or an AC and SO, this is what you can do using this tool.

So it is transparency. It is reporting. There is always, of course, a risk with any form of reporting where you can baffle people with so much information that it becomes the opposite of transparent. It becomes obfuscated by the sheer mass. I think we could complement this approach, which takes it from a graphic and relatively helicopter view and allows individual interrogation, to deeper and more details, I believe, all the way down to when you look at financials dashboards. If you want to know how much it costs to get me from Australia as opposed to Bernie from Canada to the same meeting, the [inaudible] will be reported. So it does go into the minutiae of details.

Sorry, Bernie. I had to pick on someone. It may have well been you. Pat? I could have picked on Pat, but his won't record because he doesn't take any constituency travel report. Pat, is there anything you want us to pick up with this other than encourage to have a look at it and we'll come back to it later, or what?

PAT KANE:

Thank you, Cheryl. The thing that I take away from this when I look at some of the details is, are they appropriate [metrics]? Do they really tell the story of what they're trying to measure? Some of the ones around the competition and some of the GDD items and how they looked at

that – I question if that’s really a right story that we’re telling or we’re asking ICANN to measure. Well, ICANN is measuring.

So I would look at them from a critical standpoint of, are they measuring the right thing? For some of them, I think they come out of some recommendations from previous review teams. Are we getting the right answer and the right directions so that we can make [inaudible]? That’s what I would look at.

CHERYL LANGDON-ORR:

Thanks for that, Pat. I think the other thing we might note is that this is vastly improved on what previous review teams have had access to. But is it meeting the desires? Is it best meeting the needs? As Pat said, are the right questions being asked? Data capture has to be carefully scoped for it to meet the needs. So let’s see how we go with looking at this. You’ve all now got access to it. You’ve got an intro to it. We will come back to it later.

Pat, is there any reason we need to continue this call? We’re five past our normal timing. I think we’ve covered just about everything. Anyone who wished to hang around for the survey meeting, which is about to convene ... Will we use the Zoom tool? Will we stay in this room and just stop the recording and restart it? What do you want to do?

No? Bernie’s got different ideas. Okay. We’re Skyping or something. All right. With that, we’re not hanging around here. Someone will tell me what I’m supposed to do. That occasionally happens. Even more rarely, I will do it. If you are in the small team that is looking at the survey, our

meeting will start momentarily. Thank you all who are not going to continue with us. We have very few if any confirmed actions of decision.

I'm just going to ask Jennifer very briefly what we have captured and she will tell us when our next meeting is and at what time. Over to you, Jennifer.

JENNIFER GORE:

Great. The action items I captured are the team to share comments on the IRP text by 23:59 UTC on Friday upcoming, which is the second of August. I will recirculate that text to this list so that everybody has it. Then next week's plenary will focus on the review of the ATRT2 implementation assessment a topics A and B. That call will take place next week on this 7th of August at, I believe, 21:00 UTC. Yes, that's correct. All right, that's all I have. Thank you.

CHERYL LANGDON-ORR:

Fantastic. Thank you for the extra time today, people. Thanks as ever to our staff who's supporting us. For those of you who are on the small team, I'll speak to you momentarily. I think Bernie will put out how we're gathering in the small Skype chat which you've all been signed up to.

With that, we can stop the recording. Bye for now.

[END OF TRANSCRIPTION]