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BRENDA BREWER: Good day everyone, this is Brenda speaking. I'd like to welcome to ATRT3 Plenary #32 on the 2nd of October, 2019, at 2030 UTC. Members attending the call today are Cheryl, Jaap, Jacques, Maarten, Pat, Sébastien, Ramet, and Vanda. Observers joining us are Everton and Jim Prendergast. From ICANN Org, Jennifer, Negar, and Brenda. Technical Writer, Bernie Turcotte, has joined. Apologies from Osvaldo and Demi. I apologize if I've missed anyone that joined after I started. Today's meeting is being recorded. I'd like to remind you to please state your name before speaking record, and Cheryl and Pat, you may begin the call. Thank you.

CHERYL LANGDON-ORR: Thank you very much, Brenda. Cheryl Langdon-Orr for the record. As we are bringing up the agenda page for today, which Brenda will be doing momentarily, there we go, like magic, there it appeared, she's not gonna get caught short again. Today is very much a rinse and repeat, but we've glamorized the agenda a little bit more in terms of detail for you, just to make it look different, really. But let's start with our administrivia. We've done our welcome and our roll call, so it's now up to us to ask if there is anyone who has any statement of interest updates. Scanning up and down the list, and welcome Wolfgang. Not seeing anybody putting anything in the Zoom room, let's assume that little has changed between last week and this.

Okay then, moving on to the next piece of administrivia, although there's a little bit more to it than perhaps usual today. The agenda that we're going to be looking at, at our elongated meeting, remember we're

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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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starting a little bit earlier, because we're running a bit longer to get us through all of this call, all of the work in the calls between now and Singapore. We have an action item review, during which we will be having a brief update from Staff on Singapore meetings and some of the logistics about that and a little bit of a work plan, log progress update as well.

We will briefly take some time for any updates from any of the actions since the last time over the last week from the work parties, noting that Workstream II we won't be pulling out for particular attention, and then we will be going through the survey results in detail. This is using the draft report document which you should all have an updated version, having been recently promulgated. So that's what will be displayed.

And if you use a separate screen to follow yourselves, that is what you should be looking at, the most recent version and we will be jumping about a bit, but this is the order of reading; we will be looking at Section 9, Section 6, Section 12, Section 10, Section 3, and then if there is time, pop back after 3, and to Section 4, and if we have gone extremely quickly, we may even get to Section 11. There will be Any Other Business and confirming actions and decisions reached. Is there anyone who wishes to flag any other business at this stage? We will call for it again towards the end of the call.

Not seeing anybody raise anything at this stage, we will take that as our agenda and I just ask Brenda, if you don't mind, Brenda, if you'd be so kind as to note some of the information happening in chat at the moment. So there is of course a message from Jaap saying KC was

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planning to join, so she hasn't joined yet, we will note an apology from her, but she's obviously making every intention to do so. So, if extenuating circumstances have happened, we will compensate for that. We've had a few extra people join, as well. And so with that, thanks Brenda, appreciate that.

And just before we get into the listed administration issues, Maarten, if you don't mind. Pat and I would very much appreciate you giving the team a little bit of news, not that it's an alteration to your statement of interest, but perhaps it will affect someone else's. Maarten, the floor is yours briefly.

MAARTEN BOTTERMAN:

Okay, thank you very much, Cheryl. Basically to your team, it's been a pleasure working with you and I will continue to do so until Montreal. At that time, my duties will include chairing the ICANN Board, and from that moment, I will step down and the ICANN Board has found Leon Sanchez to replace me at that point. So Leon will be with us in Singapore, which allows a very smooth transition and a very quick ease-in, and I hope for those of you who know him, appreciate that choice by the Board, as well. So, sorry for the shocking news, and I hope that I make up a little bit by introducing Leon to you.

CHERYL LANGDON-ORR:

Thank you very much for that Maarten, and we will sorely miss you as we suspected when you got your new position, that you'd be having less time for us, but we do know that you'll be watching us closely and we thank the Board for finding us in advance to Singapore, which I think is a

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particular appreciation, a replacement for you, or perhaps not a replacement for you, a stand-in for you, Maarten, and one that is able to join us in Singapore, so you can transition your roles and responsibilities that you've taken extremely seriously and done very well, at least, in our humble opinion from Pat and I, over to another, which we hope and trust will do an equally good job.

As Vanda has said, great, I will miss you, but Leon is a wonderful substitute. So, Vanda, let's hope your opinions and assessment are well and truly felt by the others, as well. Okay, so you've all got the mix of the good and the bad news there. Let's now move on to new enclosed Action Items. And I think this is Jennifer, over to you, Jennifer.

JENNIFER BRYCE:

Thank you. Yeah, just quickly on the Singapore meeting and I'm going to hand over to Brenda in just a second to cover a few of the items here, but just to remind everybody who's attending Singapore that the meeting itself is taking place in the hotel where we are staying, which is the Swiss hotel, The Stanford, Singapore, so the meeting will be there and not at the ICANN Singapore office. Hopefully everybody has their hotel reservations now. Please, of course, do let us know if you have any concerns or questions, if you haven't received your reservation booking form. We can do what we can to help, from what I understand there's one outstanding visa issue that we're working closely on but I understand that everybody else's travel arrangements are complete.

One other quick thing to note. We had a quick chat with the meetings team today and I hope that for those of you who are joining remotely

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on the 19th we will be reaching out to you and hopefully we can set up a five minutes in your calendar on the day before the meeting just to check audio connectivity on both sides, so look out for an email from us, or some communication from us to try and find a window to do that. And then I'm going to hand over to Brenda, who will talk a little bit more about Singapore. Thank you.

BRENDA BREWER:

Thank you, Jennifer. This is Brenda speaking. Just as a reminder, the Doodle Poll has limited participation at this moment. So, a reminder that if you are not traveling to Singapore, please fill out the Doodle Poll, so we know when to expect you on the remote end of the meetings. Okay, next, we are going to talk about, I sent out to the people traveling to Singapore information about a team dinner. And we have a couple of people who I do not have their response yet, and they are on the call, so I'm going to call you out.

Jaap, I need your dinner selections. Maarten, you will be there, as well, I need your dinner selection. And Tom is still waiting for his visa information, but we have asked him to still send us that, so we're pending. And Leon sent me his already, so that's wonderful. And also regarding Singapore, we asked on the same email that was sent for your team dinner meal selections, to send your flight arrival and departure times and it's just to share with the other people who are traveling, perhaps to share rides to and from the airport.

So, I have only received this information from Sébastien, Wolfgang, Vanda, Pat, and Cheryl, to date. So, if you would just please send that

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in, if you wish to share it, it's not mandatory, but we'd be happy to have yes, your Honor information to share with the other people traveling. That's all I have. Any questions?

CHERYL LANGDON-ORR: Brenda, Cheryl here. Can you note Jaap has not received hotel confirmation as yet according to chat, and he will apparently follow up with a dinner selection.

BRENDA BREWER: Yes. Very good. Thank you.

CHERYL LANGDON-ORR: Thank you, Cheryl for the record, again. Just a question back to something Jennifer mentioned, for those who are not able to attend Singapore and the pre-flight check, pardon the pun, the pre-meeting check on the 19th at some stage, that was going to be individually allocated times, not a single group time. Do I have that correct?

JENNIFER BRYCE: Yeah, this is Jennifer, no, absolutely we will reach out individually and just like I said it's literally going to be like a dial out so we won't require much of your time, but we'll try and do that individually with the people who are not going to be attending

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CHERYL LANGDON-ORR: Perfect and thank you very much to Staff to be doing that because I think that's a very smart move indeed, and I think to be as flexible as possible with the individuals is very good, as well. Sometimes there are pre-checks, but they try and bundle everyone together and you still get people who won't be able to make it due to other commitments. Well done, you all, excellent indeed.

Noting also that we might just take as an almost immediate Action Item, Vanda just noted that perhaps Leon needs to be added to all of the Skype chats that Maarten is currently part thereof, and that does make perfect sense to me. So, unless any of the work party members have some interesting objection to that proposal by Vanda, then I would suggest Staff we just make that so, as a result of today's meeting.

Okay then, let's now move to part three of our agenda for today. And I think we were planning on very limited, if any, work party updates. Sébastien and Staff have already said there's nothing to report from the Board work party for this week and the leadership team yesterday. Vanda possibly has something from their meeting of their group, so I'll give her a couple of minutes and I know the Reviews work party had a meeting, as well, and I don't believe Community has had any meeting but Michael is on the call.

So let's go backwards and I'm just going to say to Michael, okay, thank you, you are mind reading. Michael has popped into, "Nothing here." It's on his to do list. That's fine, Michael, as we go through the survey results is when the rubber is starting to hit the road, if I can use that metaphor for your group again. They had a start and then a stop, and now you've got a restart with the survey results. That's fine.

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So let's move then to Vanda, Vanda do you have anything you'd like to share with the plenary from your work party?

VANDA SCARTEZINI:

Okay, Vanda for the record. I believe I cannot do something now because we have this meeting and all the results was posted by Bernie and maybe Bernie can talk about that in the Section 4, if time allows. Thank you.

CHERYL LANGDON-ORR:

Perfect, Vanda, Cheryl for the record. So just to be clear, the work party, and it was well attended, thanks everyone for that, really did focus on what's going to be happening in Section 4, so they're going to be extremely well prepared when Section 4 becomes discussed and the integration is being managed between the work party meetings and that Section seamlessly, I would suggest. Well done both parts of that organizational matrix. Daniel, just checking if he has joined us or not as yet, I'm not seeing Daniel, is Daniel on the call? Unusual for him not to be. Okay, I'm not seeing either of them.

So, I know Ramet attended the meeting, as did Sébastien. But I'll just briefly say that the Review work party recently held a call in the last 24 hours. It wasn't heavily attended, but it was attended. There was much discussion regarding the mechanisms being used in the deliberations and development of the draft report. And one of the reasons that we want to make sure that the sectioning on the order of things that you see in Item 4 for today's agenda is so detailed is to ensure and make



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clear to all involved, what we're doing when, so that proper preparation can be done.

And I think that just about covers it, other than the fact that KC and Daniel are planning on having another work party call next week, I suspect early next week, and I believe that there will be a Doodle Poll heading out to the members of the work party regarding that. Sébastien, if I've missed anything there, then perhaps you could just type it into chat for the sake of time, but I think that covers a very brief review. With that, I hope Bernie is taking a sip of water, because we're about to dive into the marathon discussion and that is the results of survey, opening up the draft report. So, if Brenda can share the report on screen, I'm going to hand over to Bernie and Pat, if I could ask you to help me watch for any questions in chat or in hands raised, so we deal with them bit by bit. Perfect. Over to you then, Bernie.

BERNARD TURCOTTE:

Thank you. Alright, I hope I can be heard. Alright, as usual on these, my headset on these very long calls every once in a while drops off, I'll be off for a few seconds, and then I'll come back on. Okay, let's start with Section 6, Acceptance of ICANN decisions. We're trying to get as the agenda, said a few things done. So we can actually check off those sections and not have to come back to them. So let's look at the results of the survey, which is the only thing on there, since there was nothing attributed to this section from ATRT2 to.

So the first question is, "Do you believe the Internet community generally supports the decisions made by the Board?" And you have the

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results there. The difference between individuals and structure, can you go down a bit, please. Okay, so comments, there are none, it's rather clear. The analysis consolidated results 83% of respondents believe the internet community generally supports the decisions of the Board versus 17% who disagree, producing a net of 65%. Individual respondents were not as strong with 62 versus 38, No, producing a net 24, which is weak, but still positive. Conclusion, ATRT3 will not be making any recommendations or suggestions with respect to the responses to this question.

Alright, let's stay on that, make sure everyone's comfortable with that. I really don't think there's a lot we can do with this. We asked the question because we knew we had to get some input here but I think the results were fairly clear. Alright, let's go to the next question.

So, instead of asking about how you feel about the internet community, then it asks, "Do you generally support the decisions made by the Board." So, we can see this one, it's strongly support, support, no opinion, no, do not support, no, strongly do not support. So, there were no comments provided by respondents. The analysis, consolidated responses of 76% of support or strongly support versus 6% of do not support or strongly do not support produces a 70% support or strongly support, which is very strong. Individual responses of 64 versus 22 producing 42% support which is not as strong, but still supportive. Conclusion: ATRT3 will not be making recommendations or suggestions with respect to the responses to this question, Maarten?

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MAARTEN BOTTERMAN: Merely a general question. At any point do we say something about participation in terms of representatives or not? I'm asking because for the communities there is quite a high percentage of representatives, for individuals that's much more difficult to estimate, do we say something about that?

BERNARD TURCOTTE: Well, if we back up a bit on the slide, so we look at the table, Brenda, please. You actually have the number of individuals that responded, so 7 + 24 is 31, 38, 44, 49. We had some 80 respondents total, of course, not all respondents responded to all questions. And then on the structures we had 10 of the 13 or 14 that responded. Does that answer your question, Maarten?

MAARTEN BOTTERMAN: No, that I saw, and that's excellent.

BERNARD TURCOTTE: Okay, then I didn't get your question, I'm sorry.

MAARTEN BOTTERMAN: The question is for the structures, that is quite a large percentage of the structures that responded. For individuals, one could argue that's a small sample, and I don't know whether we would say anything about from representatives. When I do surveys with this amount of answers, I warn against interpreting the results too literally, in general.

BERNARD TURCOTTE: Ah, I get your point now.

MAARTEN BOTTERMAN: If it will be 300 or more, I will be much more comfortable than if under 50, in a way.

BERNARD TURCOTTE: Yes, I understand. I was planning on making in the introduction and the work methods we'll be describing the details of the survey. And that's where we will insert something along those lines to explain it, instead of trying to put it into each section.

MAARTEN BOTTERMAN: Fully agree, thank you.

BERNARD TURCOTTE: Alright. Thank you very much. Okay. Any other comments? Sébastien?

SÉBASTIEN BACHOLLET: Thank you very much, Sébastien Bachollet speaking. I have the impression that in other parts of the document we have feedback, for example, about the fact that the Board decided to stop the SSR2, and here we seem to have a more positive view. We need to recollect all that to see what we need as ATRT3 to say on that.

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And about the number of responses, I guess sometimes I am not sure that we have much more answer in any comments, except when you have a lot of people who say the same thing, because there is a campaign to do the same answers as the other. But that is something we need to discuss in the part of the report about the public comment period, because it's something we need to improve from my point of view. Thank you.

BERNARD TURCOTTE:

Alright, but let's not get confused here. We've got two things to say here. I think we're trying to deal with this very particular section with the results. The only thing we have on this section is the survey results and they are what they are. The second thing, as we've always said, we want to get through all of this and note all the conclusions, so that we can look at them holistically and decide what's going to result of that. So I think that matches what you're asking, Sébastien, but in this specific case of Section 6, I don't think there is a need for making a recommendation under Section 6 with the data that we're given. Any other comments?

Okay, not seeing anything, Brenda can we go down a bit, please? Okay. So, basically, what we're saying is there will be no analysis of information, because it was done up there, or we can simply restate the point and there will be no suggestions or recommendations of this, and if we follow this, then basically this one is crossed off our list, and we can move on. Does that seem acceptable to everyone?

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CHERYL LANGDON-ORR: Bernie, Cheryl here. I'm on the belief that as long as it's not too wordy restating things even briefly that I mentioned higher in the document is not a bad thing. So I would be suggesting we do a brief restatement.

BERNARD TURCOTTE: Yes, in the cacophony of losing the colors yesterday, I lost some information, this was actually done in a previous version and got lost in this fix. So I will re-fix, but I'm taking it that Section 6 is closed until a full review in Singapore. And we are done. Thank you. Let's move on to Section 9, please.

SÉBASTIEN BACHOLLET: Sorry, Bernie, it's Sébastien, I have a question, because one document we are working with is with color, and for example, there is nothing in 6.5, and here we have something under 6.5.

BERNARD TURCOTTE: 6.5 is just is just a template for making a recommendation. It's not any content as such.

SÉBASTIEN BACHOLLET: No, no, Bernie, it's not the point of I disagree or agree, I want to be sure that I have open one document, is it the one I need to follow? Because here I discover, even if...

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BERNARD TURCOTTE: We're working off Google Doc 6, version 4.0, right now that's what's on the screen.

SÉBASTIEN BACHOLLET: Yeah, and that's my point, I have opened the same one and I have nothing under 6.5 in my document, and on the screen, it is.

BERNARD TURCOTTE: Ah, okay.

SÉBASTIEN BACHOLLET: So just to let you know that there are differences.

BERNARD TURCOTTE: So, maybe we're not looking at the same document. Let me look at it. I've got it open, and that would explain why I was a little surprised at not seeing things the same way as I had written them.

CHERYL LANGDON-ORR: Brenda, can you just double check and confirm while Bernie is doing this, just in chat will do, exactly which version you're displaying, so we know.

BERNARD TURCOTTE: Yeah, it's not the right version that's on the screen. I don't know why, but it's not the same version that I've got there.

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CHERYL LANGDON-ORR: Pat was in this version earlier on. So, it is an issue.

BERNARD TURCOTTE: I'm going to resend you the link, Brenda.

BRENDA BREWER: It said Version 4, which is what you told me, so I thought this was right. So I don't know how we got this confused. Stand by.

BERNARD TURCOTTE: Okay, thank you. Thank you, Sébastien, for that.

CHERYL LANGDON-ORR: So many versions, so little time.

BERNARD TURCOTTE: Yeah.

CHERYL LANGDON-ORR: So whatever just to be clear, whatever Brenda is receiving now, Bernie, is the most recent version.

BERNARD TURCOTTE: We're working on the Google doc Version 4.0.



CHERYL LANGDON-ORR: The Google doc. And has the list been sent of that as well? So that's the one everyone should have access to.

BERNARD TURCOTTE: Yes, that is correct.

CHERYL LANGDON-ORR: Okey dokey, whew.

BERNARD TURCOTTE: Yeah, whew, exactly.

CHERYL LANGDON-ORR: I'm only working on a single 15-inch screen, so I'm just working of Zoom. I can move elsewhere and get the big screens involved, but I hadn't planned to at this time.

BRENDA BREWER: No, this is not the right one. Hold on, I'm sorry.

CHERYL LANGDON-ORR: Sébastien put in the link in chat, the version he, and I would suggest others of you, working off the list traffic, are looking at, Bernie just double click on that and make sure that list also has the one you're working off.

BERNARD TURCOTTE: Yes, that seems fine.

CHERYL LANGDON-ORR: Perfect, okay. So if all else fails, Brenda, it would appear that the one that is in chat is the ultimately. And we've got our colors back and most of us are so much happier just see the colors; for someone who doesn't actually like yellow and I'm learning, it's alright, Bernie is habituating me.

BERNARD TURCOTTE: And also Section 6, please Brenda. Let's see if we can find our colors in Section 6.

SÉBASTIEN BACHOLLET: Page 74.

BERNARD TURCOTTE: We even have page numbers, very exciting.

CHERYL LANGDON-ORR: It's probably taking a little while to load. There we are.

BERNARD TURCOTTE: Yes, this makes much more sense. So, basically, that's why there is no yellow there because we did this last week. Alright, let's drop down a

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little bit to the yellow. Okay, other information analysis "As the analysis of the survey responses clearly indicate there is widespread support for decisions made by the Board. As such, ATRT3 will not be making any recommendations or suggestions with respect to this issue," which is what I was saying earlier, and then 6.4, and 6.5 are None in each, and they are all in yellow because that was not like that last week. So, we are saved, we're back in the colors, we're back in sync. Final call on this one. Going once, going twice. Sold to the child with the red sweater. Alright. Now let's go to Section 9, please, Brenda.

Now, you'll remember, we've gone through this and this is the same deal as the previous one. We're not looking at any significant recommendations coming out of this. This is about how the organization handled the - thanks KC - if you could enter your comments in the Google doc that would be the best thing, KC. That's what everyone else is doing.

So, getting back to this. So if Item 7 of ATRT requirements and the bylaws assessing the extent to which the accountability, transparency reviews have been implemented. And as I said, what we're talking about here is about how the organization went about implementing them. So, Information Gathering "The ATRT2 Implementation Program Wiki contains a series of Executive Summaries documenting the implementation of the ATRT2 recommendations.

The latest such Executive Summary is dated October 2018," and it has the footnote for the link, "and was the starting point for ATRT3 assessing the actual as opposed to declared degree of implementation and effectiveness of the ATRT2 recommendations. The October 2018

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report noted that all of the ATRT2 recommendations had been implemented, and ATRT3 was however aware that for several reasons, including the known transfer of some issues to other ICANN activities such as the ICANN-CCWG WS2," that should read CCWG Accountability Workstream II, "whose Recommendations are yet to be implemented, actual implementation in measurable terms and to degrees of effectiveness may be at variance with this status claim."

Alright, let's drop down a bit so I get a bit more text. "ATRT3 assessed each of the 47 distinct recommendations for degrees of implementation and effectiveness. The assessment criteria ATRT3 used for implementation were: Implemented, Partially Implemented or Not Implemented. The assessment criteria for effectiveness were Effective, Partially Effective, Not Effective or Not Applicable. The table below summarizes the results of the ATRT3 assessment of the auditable implementation of the ATRT2 recommendations."

Alright, what I will tell you is that I filled this in with the way these things are, of course we will update them with the final results. Once we finished going through everything. Let's keep going down, please. So we've got the 47, and sorry for the table, it doesn't translate very well from Word to Google, that is one of the things Google Docs doesn't like very much. "A complete copy of ATRT3's assessment of the ATRT2 recommendations can be found in Annex XXX of this report." That will be the spreadsheet we worked on.

Alright, Analysis of Information and Identification of Issues. And for everyone, this is the second time we're going through this, there were some minor edits made since last time. "This section will focus on the

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general approach the Organization has used to report on the implementation of the ATRT2 recommendations while issues with specific ATRT2 recommendations are addressed in the various sections of this report where relevant. Although the October 2018 Executive Summary reports that all ATRT2 recommendations were implemented ATRT3's assessment of these found a number of recommendations which were either not implemented or only partially implemented. These differences in assessment can be classified into three categories: Transferred to the CCWG-Accountability WS2 – ATRT2 recommendations 9.2 and 9.3 were transferred to WS2 and the October 2018 Executive Summary notes these as Complete when WS2 recommendations remain to be approved and implemented. As such it would have been more precise and effective to note these as either partially implemented or as having been transferred to WS2. Partially Implemented," There's a list again, we'll update that by the end of the document, Not implemented, right now we've got 5, 11.7, and 12.3.

Can you go down a bit please, Brenda? "Although this analysis clearly identifies some issues with the assessment of the implementation of ATRT2 recommendations the new Operating Standards for Specific Reviews which was approved in June 2019 specifically addresses these issues in Section 4.2," And I won't read all this, which is our wonderful requirements for making recommendations, which basically box in very specifically what is required for implementing a recommendation and so should avoid any future issues with specific reviews making recommendations and the organization saying they're implemented and the community maybe having a different view.

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"Given that the adoption of the new Operating Standards for Specific Reviews should address the more serious issues raised in this analysis, there is no need for any further recommendations from ATRT3, to mitigate the issues of Partially Implemented and Not Implemented going forward. However, it is a serious concern, how the Organization could report recommendations as being implemented when they were not. It is however unclear how the new Operating Standards for Specific Reviews would address the issue of transferring responsibility for implementation to another process as was the case for ATRT2 recommendations transferred to WS2. ATRT3 recommends that in such cases implementation reports should clearly indicate if the responsibility for the implementation of a Specific Review recommendation has been transferred to another process."

So, we would be making two suggestions out of this. "The Organization should seek to understand how recommendations which were not implemented were reported as implemented in the Executive Summary reports and take any necessary corrective measures." Jaap?

JAAP AKKERHUIS:

I wasn't here the previous time but when I heard this yesterday, it occurred to me that what is mentioned in the table as 11.4, is prime example where this happened. And maybe we should call that out because, as I said in my assessment in completing more it to a different process and the conclusion where you talk about it, you did actually agree, and so it might be a nice example to call out explicitly that this is one of occasions where this happens.

BERNARD TURCOTTE:

Alright, thank you, great suggestion, Jaap. I'll take a note of that and be sure to include that. And then the second suggestion is, "If the implementation of Specific Review recommendations is transferred to another process, the Organization should ensure that any implementation reporting should clearly note this and factually report on the progress of the implementation of such recommendations." So those are suggestions as we talked, because I do not think we want to get into the work of making recommendations here. And I don't think it's warranted, either. And so 9.5 Recommendations would be None. I've noted Jaap's point. Are there any other points?

Okay, as I said, the tables and the actual points which are noted as implemented or effective will be updated by the end of the report and I will include Jaap's point. So, we consider this one closed. Thank you very much. We have two more items done on our list. That brings us to three. So, we're doing good.

Alright, Brenda, let's take us to our next section, which is Section 10, the reviews, I believe. Yes, that is correct, Cheryl. Cheryl notes in the chat closed until the full document redraft review. That is exactly correct. Alright, the assessment of periodic reviews. We are not doing the ATRT2, we're doing the survey results on this. So let's go down to the survey results. For some reason, okay, I see some yellow here and there should be a number, let's keep going down. Alright results of survey.

Okay, here we go 10.2.2.1, How would you rate the effectiveness of specific reviews, (ATRT, SSR, RDS, etc)" some people made comments

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that we didn't include CCT in there, I did put "etc." but yes, we will take the comment, "as they are currently structured in the ICANN Bylaws?" So, we've got the results there, and then respondents were also asked if specific reviews should be reconsidered or amended, and this is the one where we see very strong results. There were also a number of comments, so let's drop down, and as is our habit, we will actually run through those and get a feeling for those.

"ALAC – AFRALO - Follow up is needed to ensure that the recommendations implemented is basically reflects the concerns raised by the community." Yes, we'll include CCP, alright. I try not to change things from the way they were actually presented in the survey, but I guess in this one we could do that minor correction. Also in the comments some of you may note some grammatical errors, that is because I do not edit comments. I put in what is given.

"GNSO – BC - When the board develops the Terms of Reference for an Organizational Review, this should be informed by recommendations solicited from the community." Unsure why that is in the specific reviews, but that is the comment we got.

"GNSO – RySG - The CCT Review is missing in this question." As I said, we'll fix that.

Alright, Analysis, what do we have? Individual responses rating the effectiveness are 49% effective or very effective versus 22% somewhat effective or ineffective. Producing a net of 27% effective or very effective, which is weak. Structure responses rating the effectiveness are 16% effective or very effective versus 58% somewhat ineffective or

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ineffective producing a net of 42% somewhat ineffective or ineffective, which is somewhat strong and opposite of the individual results. The companion question asking if specific reviews (ATRT, SSR etc) be reconsidered or amended produced some very strong results with individual responses of 78% yes versus 22% no, producing a net of 56% which is a strong result for reconsideration or amendment while structure responses of 90 % versus 10 % no produced a net of 80% which is extremely strong.

So let's go down to the proposed conclusion. Individuals and structures disagree on the effectiveness of the specific reviews with weak positions, but it is important to note that 55 % of structures responded that these reviews were somewhat ineffective or ineffective. This being said, both strongly agreed that these reviews should be reconsidered or amended. ATRT3 should consider making recommendations or suggestions regarding specific reviews.

So, there we have it. Questions, thoughts, comments.

CHERYL LANGDON-ORR: Bernie, just to be clear, so this then becomes a piece of agenda that we will need to address in the Singapore meeting. This is one of those, and now we need to look at what suggestions or recommendations we need to explore.

BERNARD TURCOTTE: That's exactly right.

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CHERYL LANGDON-ORR: And if it's going to be a recommendation, the recommendations have to meet all those criteria. Just so everyone understands exactly what happens next.

BERNARD TURCOTTE: That's right, and that, if you'll remember, is the reason for the color coding. So in this one. I've actually color coded it pink, so that it's very clear that we're probably looking at a recommendation. Daniel, I see your hand, you're up.

DANIEL NANGHAKA: Daniel for the record. This section was one of the things that we as the review work party are going to be looking at. As you do proceed, do you take this discussion to the mailing list of the reviews work party, such that we are edit with a more detailed discussion of the meeting?

BERNARD TURCOTTE: Okay, well, the Google Doc is there to make comments but from the point of view of the survey, we're trying to as much as possible lock things down. The subject of the call next week will be ATRT2 recommendation conclusions which means we will probably open up the evaluation or assessment of the ATRT2 recommendations for specific reviews, which is what we said we would do. So, if the group wishes to have comments ready for those, please use this version of the document 4.0 to include those in suggest mode or put in comments. Does that make sense, Daniel?

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DANIEL NANGHAKA:

Yes, sure, that makes sense. Thank you, Bernie.

BERNARD TURCOTTE:

Alright. Thank you very much, Daniel. Let's go on to the next question. "How would you rate the effectiveness of organizational reviews, those reviewing SO/ACs as they are currently structured in the ICANN Bylaws?" Yes, it's essentially the same question as for the specific reviews, but we had agreed that we would ask for the organizational reviews to see what we get. The numbers are there, I'm not going to go through the tables. Let's go down, please. Oh, probably should back up just a little bit, right, thank you. "Respondents were also asked if organizational reviews continue to be undertaken by external consultants," and very strong results there. So there is an additional question.

Alright, comments, we did not get any comments, we did not get any comments, although I will check that GNSO BC comment to see if it really applies to this more than the other one, if it was an error in our including it in the report, or if it was just an error from the BC. The analysis, individual responses rating the effectiveness are 41% effective are very effective versus 43% somewhat ineffective or ineffective, producing a net of 2% somewhat ineffective or ineffective, which is just basically neutral. Structure responses rating the effectiveness are 42% effective or very effective versus 42% somewhat ineffective or ineffective for a net of zero.

The companion question asked if organizational reviews should be reconsidered or amended, produced some very strong results with

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individual responses of 85% yes versus 15% no, producing a net of 70% yes, which is extremely strong results or for consideration or amendment while structure responses of 82% yes versus 18% no produced a net of 62% which is also very strong. The final question if organizational reviews continue to be undertaken by external consultants also produced some very strong results with individual respondents of 79% yes versus 21% no, producing a net of 58% yes, which is a very strong result.

Continuing with external consultants, structure responses have 89% yes versus 11% no, produced a net of 78% yes, which is also very strong. So, our draft conclusion, in both cases, individuals and structures cannot agree if organizational reviews are effective or not. But it's important to note that 55% of structures responded that these reviews were somewhat ineffective or ineffective. This being said, both strongly agree that these reviews should be reconsidered or amended. ATRT3 should consider making recommendations or suggestions regarding what specific reviews is doing there, sorry, cut and paste there, and that should be organizational reviews. Maarten?

MAARTEN BOTTERMAN:

I like the structured way in which you're doing it. Also want to point out the fact that there's a balance, doesn't mean there's nothing wrong. But you already sort of indicate that, you may want to have strong support that it's okay, rather than the balance between okay and not okay. But I think you indicate that. So, look forward to discussing this further.

**BERNARD TURCOTTE:** Alright. Thank you very much. And that's what we'll be doing in Singapore. Alright, so as we said, the point of the conclusion is just a conclusion, it's not to draft a recommendation. It's to identify the areas we're going to look into making recommendations and then we're going to put that all together and see what we take out of it, not to repeat things or to work too much in silos. That's about it for the survey questions on Section 10 organizational and specific reviews, and I think we are done unless there are other questions. Going once, going twice. We're done. Thank you very much. What's our next section that we're doing Brenda?

**BRENDA BREWER:** Three.

**BERNARD TURCOTTE:** Are we really at 3? We did 9, 6, 12, no, we didn't do 12, let's do 12, because 3 is going to be quite heavy. Alright, let's go down to survey questions, please, Brenda. Alright. Excellent. So here, unfortunately I am going to ask you to go back up a bit, the beginning of Section 12, so we can help people situate themselves. My apologies for that. So, 12.1. Okay, this is Issue 10 – Prioritization and Rationalization of Activities, Policies and Recommendations. This was added to the requirements by the ATRT3 plenary in August 2019. So we've selected a number of ATRT2 recommendations which are in here, and then we had a number of survey questions that were for that. You will notice that the

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conclusions of the ATRT2 recommendations are yet to be gone through, we're not doing that today, but we will.

Alright, let's go to the survey section, please. Alright, thank you, and Brenda, you're getting really good at this. So, our first question, "Should the ATRT3 make recommendations about prioritization and rationalization of ICANN activities?" Now, on all of these we have had a number of comments and just quickly looking at the numbers, you see they're very strong, but I think what's interesting is the comments, and as per our habit, we'll read them.

"GNSO – IPC - The prioritization and rationalization of ICANN activities is the responsibility of ICANN Org working in cooperation with the representative leaders of the SO/ACs. The role of the ICANN Board is to act as a check and balance on the Organization's activities. SO and ACs have specific remits, and their outputs should inform the prioritization and rationalization of ICANN activities as is set out under the Bylaws."

"GNSO – RrSG - The RrSG believes this should primarily be the responsibility of the ICANN Board, who in turn should liaise with the GNSO Council with regard policy related work." A little specific self interest here, but that is the comment. RSSAC, one of the few compliments from RSSAC, but they actually went through the whole survey. Yes, ATRT3 could propose indication of prioritization and rationalization of ICANN activities for the consideration of the ICANN Board, then the ICANN Board in consultation with the ICANN community should consider the allocation of support and resources from ICANN Org.

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Alright, what's our analysis? That should be fairly straightforward. Individual responses 73% yes versus 27% no, produce a net of 46% yes, which is a strong result. Structure responses of 92% yes versus 8% no, produce a net of 84% yes, which is extremely strong. Conclusion, ATRT3 should make recommendations about participation and rationalization of ICANN activities, I think is a fairly easy conclusion to draw from this. Questions, thoughts, comments?

KC CLAFFY:

KC here, it's not clear to me how this is different from the like high, medium, low prerequisite stuff that the review committees have already done. Does it mean something different?

BERNARD TURCOTTE:

I'm sorry, my audio dropped off as you were starting your question. So, I may have missed part of it. Can you repeat it, please?

KC CLAFFY:

For the group, I guess, because I'm just not sure how this prioritization differs from what the review committees have already done, like when they say, medium, high, low prerequisite in their recommendation.

BERNARD TURCOTTE:

Oh, okay. This goes back to the definitional issue, I guess. We were looking at should there be, you know, if we go back to the question, please, Brenda. So, the short answer to your question, KC is yes, it's different. The longer answer is the survey questions were built to try

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and tease out more information about if the respondents felt ATRT3 should get involved in this and how.

KC CLAFFY: This, meaning?

BERNARD TURCOTTE: Prioritization and rationalization.

KC CLAFFY: But, what does that mean beyond what the previous review communities have already done?

CHERYL LANGDON-ORR: Okay, maybe I can jump in here and try and help, and Pat, please do follow, as I also welcome any of the other members of the review team who have delved deeply into the criteria, and also the ongoing work on ICANN prioritization that's been running in parallel with our own work. What is being asked for is not within the funnel and process of a single review team's activities look at prioritization and rationalization, but also, an ICANN-wide one.

So, what the organization is trying to get us, and here, by us, I don't mean ATRT3 and a whole lot of other things that are going in the ICANN community to consider is how one prioritizes across competing demands with limited resources as opposed to specific to prioritization of recommendations being made by a review team, whether it's a



specific or organizational. So, Pat, if I can ask if I've missed anything there, but also, Maarten, you probably also have a fair amount of background on this thing, as you're part of that group that's trying to sort it all out as well. Pat, over to you.

PAT KANE: Yeah, so, KC, this is one of the things that came out of the process, following the comments and the responses from the Board on the comments from the CCTRT. Whereas there was confusion about priorities, budgets and that sort of thing. And so the question is when you have a limited budget, how does ICANN Staff get all of this done across multiple review teams or work parties, or policy development processes, such that we are maximizing the limited dollars that we have within the ICANN Org budget? So, this is a question based upon cross effort prioritization and rationalization. Does that help?

KC CLAFFY: It helps, I'm just not clear on what basis the ATRT3 team would do something anyway. It sounds like many of these comments are also not clear on it.

PAT KANE: Part of our remit is really around taking a look at the reviews and the review process and so that's why this is kind of important for us and also it helps us shape how we make our own recommendations and suggestions at the end of our process to kind of say this is our priority

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list, these things go together, these things don't, those types of suggestions.

KC CLAFFY: But in this case, it's about this review, it's not about recommendations for future reviews, is that right?

PAT KANE: This is about recommendations for how do you handle recommendations that come out of multiple reviews that are competing for the same sets of resources.

CHERYL LANGDON-ORR: So for the future, as well

PAT KANE: Correct. And one of the important components of this would end up being, how do we retire recommendations that from a priority standpoint, we're never going to get to, that kind of stuff.

KC CLAFFY: This is KC, that's the next question I think Bernard is going to get to. So, I'm just trying to get my head around this. For example, the question would be something along the lines of should ATRT3 say CCT recommendations 5 through 8 are more important than CCT recommendations 12 to 14?

PAT KANE: No we're not going to do that rationalization. We're going to recommend a process as to how that prioritization and rationalization get done.

CHERYL LANGDON-ORR: Big picture looking forward stuff.

KC CLAFFY: Yeah, yeah, okay, that's not clear from this question, if that's what those survey answers are answering. But okay, I'm done.

CHERYL LANGDON-ORR: Maarten?

MAARTEN BOTTERMAN: Yes, just to say that obviously this is one of the challenges also we see and we have a lot of attention for, in that we are very careful not to take over responsibility from the community and it needs to be clear that we get to a proper way of prioritizing and rationalizing. So, if reviews in general would take this into account from the start, that may make it easier for ICANN as a whole to come to better prioritization and rationalization towards the future. So, any smart suggestions here, I think are very appropriate for the reviews and maybe of use for the wider ICANN, as well.

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CHERYL LANGDON-ORR: Cheryl just coming back, and I apologize, I now have a sick granddaughter next to me. So, there is children's television going on in the background. I'm less concerned than some of you perhaps that, as Vanda said, it looks like community is not so clear idea as Cheryl stated, we just need to also remember the, dare I say, almost ridiculous amount of parallel activities going on at the time this survey went out. That was specifically looking at prioritization and rationalization of ICANN activities, some of which are still continuing, for example, the evolution of the stakeholder model also looks at this as well.

So, I mean, you know, we've come out of two public comments, we were in another public comment. And we were still running with the evolution that continues on. So, I would argue that if the community was not aware what the terminology was about prioritization and rationalization of ICANN activities, then there must have been, you know, either ignoring all the other stuff that was going on or hiding under a rock, but with that said, I think we can perhaps make a small explanatory note to make sure the readers going forward understand what the intent of that question was, and if from that, they somehow decided that the statistics are invalid, so be it.

KC CLAFFY: It's KC again. I think what I heard Pat say is that, and now I'm down to the pink text that's right below this screen that's showing, is the conclusion is not that we should make recommendations about prioritization, but that we should make recommendations about a process that ICANN should use to do prioritization and rationalization, which seems different to me, but maybe I'm missing something.

BERNARD TURCOTTE: I think that's a very good suggestion.

CHERYL LANGDON-ORR: Bernie, take us down to the pink, it sounds like we need to edit there, but we're only just getting to the pink, so let's do that now.

BERNARD TURCOTTE: I absolutely agree with KC, that's a great suggestion, about a process for prioritization and rationalization of ICANN activities.

KC CLAFFY: Well, I'm not asserting that, I'm just inferring that's what people are talking about, I don't know if I agree with that, but I think Pat is saying that.

BERNARD TURCOTTE: Yeah, I think that was the intent and that would represent better what we're talking about here. Anybody else on the conclusion here? Okay, nothing. Okay. Sébastien.

SÉBASTIEN BACHOLLET: I think we need to try to find a way also to say that there are parallel exercises going on in the same topic and I know that in the multistakeholder model discussion they list us as one point where we will be discussing that, but I guess there are other places. I think it's

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important to have cross references of what is going on because at the end of the day, we will say something with one who have better power or greater power than the other places where it is discussed, I am not sure, but It's important to know that these discussions are going on in different places within ICANN. And that's one part of the problem of defining what is the process to prioritize and rationalize ICANN activities. Thank you.

BERNARD TURCOTTE:

Alright, thank you, Sébastien, that's a great note, I've taken that, and we'll see if we can make an edit on that. Okay. So let's go on to our next question. "Should such recommendations include a process to retire recommendations as it becomes apparent that the community will never get to them or they have been overtaken by other events?"

From the table I guess you see very strong again, and in conclusion, there were no comments on that. Going down a bit please, Brenda. So, ATRT3 should make recommendations which include a process to retire recommendations as it becomes apparent, blah, blah, blah. So, pretty straightforward versus the question. Thoughts, comments, questions?

DANIEL NANGHAKA:

Daniel Nanghaka speaking. A quick question regarding through processes. I would like to get some clarity to whether the ATRT3 has to make suggestions regarding to various processes, because if you look at this conclusion, it should make recommendation which includes the process to retire. So our process discussed the [inaudible] population. Thank you.

**BERNARD TURCOTTE:** Process discussed before they come into recommendation, let me try to take a stab at this, Daniel. I think we're looking at developing a process which I believe my understanding of this. and Pat, correct me if I'm wrong, is that whatever process we develop for rationalization and prioritization should include a process, part of the process for retiring recommendations which are slotted for implementation, which we'll never get to or have been overtaken by other events. Now, that process will be known of all the groups to which it will apply, so they will know this, but this is a going forward process, if you will. So, I hope that answers your question.

**DANIEL NANGHAKA:** Yes, sure, it does. Thank you.

**BERNARD TURCOTTE:** Thank you very much, Daniel. Anything else, or anybody else? Alright. Let's go to our next question. "Should such recommendations aim to provide a general approach for prioritizing and rationalizing work for ICANN?" So, pretty strong numbers again. And what I find fascinating in this case, and going back to Maarten's earlier comment, is this a valid sample for individuals, given the slightly lower number of respondents, it's fascinating that both the structures and individuals have the same results here. There were no comments, the analysis, I'll not bother going through it, it's obvious. Let's go to the conclusion. ATRT3 should produce recommendations that aim to provide a general approach for

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prioritizing and rationalizing work at ICANN. Let's throw it open, questions, thoughts, comments. Sébastien?

SÉBASTIEN BACHOLLET:

The question is that we here talk about general approach and in other place we now are talking about process. I suggest that we take the same. I know that it's in the question, that's why you use it, general approach, but we what we will do will have a general approach and the process, I guess. Thank you.

BERNARD TURCOTTE:

Well, in my mind on this one, Sébastien, is an approach could be included in the process. Earlier on I think we were more specific. In this one, we're drilling down, saying, well, what should the process include? So it's a general approach. But let's take some other comments here. But I understand your point, I will look at it. I've taken note of that. Anybody else? Going once, going twice, no.

Okay, let's go to our fourth question. Thank you, Brenda. "Should the mechanism for making recommendations on prioritization and rationalization only apply to PDPs, reviews and their recommendations, or include other operational aspects in ICANN? Okay, so here basically as you can see, we're close to being split, and inverse responses from individuals versus structures, where Structures are 45% for PDPs and reviews and 55% to include other operational aspects, while individuals are essentially the reverse.



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Now, there were some comments. "RSSAC - Include other operational aspects prioritizing RS sack include other operational aspects prioritizing technically feasibility of projects." That's how it was handed in. We had some individual comments on this one. "How transparency is handled across ICANN's activities." "ICANN org implementation of recommendations. "Finance." "Regional public forums as were held in the run up to the 2011 gTLD round." "Staffing, budgetary." "Outreach, operational readiness." "CCWG and other work undertaken by more than one SO or AC." "Meeting strategy including regional/specialist meetings." "Bringing ICANN meetings to the essence."

As I say, I do not edit these, these were as they were made. Let's go down to the analysis, please. So, basically as we said, 8% yes, which is extremely weak result and 10% no, which is also extremely weak. So, conclusion, "There is no clear consensus for either choice. This will be considered when ATRT3 is developing recommendations as indicated by the responses to other survey questions in this section.

Questions, thoughts and comments. Let's throw it open. Not seeing anything, alright, let's move on to the next question. Thank you. Brenda. "Should the community or representative(s) of the community be involved as a decisional participant in any mechanism which makes recommendations for prioritizing and rationalizing work for ICANN? Ooh boy, pretty solid results here. We have comments.

"GAC – Yes. The ICANN community leadership (made up of the chairs of the current ICANN Supporting Organizations and Advisory Committees) regularly interacts among its members and with ICANN executives, so there is already an informal exchange of those ideas. Further linkages in

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this area of community prioritization may take place in the context of the ongoing proceeding entitled Next Steps to Improve the Effectiveness of ICANN's Multistakeholder Model (see <https://www.icann.org/public-comments/multistakeholder-model-next-steps-2019-08-27-en>) and that is the appropriate forum for those discussions."

Alright, the analysis rather straightforward here. And conclusion, "ATRT3 recommendations on prioritizing and rationalizing work for ICANN should include the community or representatives of the community as decisional participants." Again, straight shot on that one. Not much interpretation needed. Any questions, thoughts or comments? Going once, going twice. Done. Alright, let's go on to our next question, where it gets interesting, again.

"Do you think the Empowered Community would be a good mechanism for making recommendations on prioritizing and rationalizing if its role was amended to allow this?" 76, 24 for individuals, 80, 20 for structures. Comments. [AUDIO BREAK] Sorry I lost my audio, but I'm back, but we're sorry to lose you, Wolfgang.

"Too many particular and hidden interests of participants."  
"Empowered Community has a very specific role that should not be expanded. "The group is small." "The empowered community is currently (still) dominated by Contracted parties and the IPR lobby. Repeatedly denying ICANN's responsibility for the public interest and the conditions of competition." "I don't think the EC has emerged as a visible and effective entity." "Not with the current Bylaws; possibly with

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proper mandate." "The EC as it is currently composed was selected to a more general purpose."

And individuals who responded No were asked for more comments. "Boards." "No, not until the empowered community is radically rebalanced." "Possibly." "Yes, possible." "A "body" similar to the EC but separately selected."

The At-Large had a comment, "No - We answered no to provide opposing perspectives which makes certain respective assumptions. On the one hand, if the Empowered Community was to be the only option available then the Empowered Community would be a good mechanism and assuming that the Bylaws are amended to allow this. Because the only alternative is a CCWG which we do not believe would be an effective mechanism for this important task. On the other hand, if another body of authority similar to the Empowered Community could be constituted, then the Empowered Community should conceivably remain strictly as a grievance-raising mechanism per the Bylaws, separated from another mechanism designed to make recommendations on prioritizing and rationalizing work."

ccNSO - "Only 5 of ICANN's SO/ACs are decisional participants. The remaining ACs should be part of the process too."

GAC – "No. The Empowered Community should only be used as defined in the ICANN Articles of Incorporation and Bylaws."

GNSO Registrars, "GNSO Council with regard to policy related work."

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Alright, so our analysis is individual responses 76% yes, 24% no, produce a net of 52%, which is a strong result. Structure responses of 80% yes, 20% no, produce a net of 60%, which is also a very strong result. Overall, very strong support for using the Empowered Community as a mechanism for making recommendations on prioritization and rationalization if its role was amended to allow this.

Draft conclusion, in its recommendation on prioritizing and rationalizing ATRT3 should include using the Empowered Community as a mechanism for making recommendations on prioritization. Prioritizing and rationalizing and considerations on amending its role to allow this. Alright. We've got a lot of hands. This is exciting Cheryl.

CHERYL LANGDON-ORR:

It had to happen. Bernie, let's face it, Cheryl Langdon-Orr for the record. Taking of my Co-Chair hat for a moment, this is obviously one that the ALAC and the At-Large community thought about quite deeply and I do know that there's a whole lot of changes that people have yet to test with the Empowered Community, not a whole lot of opportunities, but simply you know time has not passed and things have not challenged the Empowered Community to do everything that it possibly could or should or does or doesn't do.

But what I do note, on one hand, and the other hand approach is an opportunity for us to in the conclusion here be very clear that it would be from the survey input, we could, and should, in my view, make one of the options the Empowered Community as a mechanism for making recommendations but we definitely need to pick up on the Yes, but, or

No, but, that the structures have provided us with. In other words, I would want to see articulated the input, the very thoughtful input from all of the structures that gave us the yes, but, or the no, but, because I think out of that, it would be Empowered Community as an option, not the option and here are several other alternatives to explore.

BERNARD TURCOTTE: Alright. Thank you, Cheryl, Pat, you're up next.

PAT KANE: Alright, so very much in the line of what Cheryl just said, given the ccNSO comment, recognizing that not every structure is involved in the Empowered Community or as a decision maker, maybe we should consider changing some of the wording to be rationalizing ATRT3 should consider using the Empowered Community or other like structure as a mechanism.

BERNARD TURCOTTE: Alright, I'll note that, Pat. Thank you, Maarten?

MAARTEN BOTTERMAN: Interesting to see the reactions. My initial personal reaction is like, Hey, that was not what Empowered Community is for, but the catch is, of course, that the question is asked the Empowered Community when restructured considerably. And then it could be anything. I think this is a good point for discussion. I think if there would have been an alternative for Empowered Community that may have been preferred,

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but it wasn't offered and better change the Empowered Community is the same as the Empowered Community, is a good question.

So let's see how we deal with this. It's clear that there is a need for a body, that's what I pick up from this question and how that looks like and whether it's Empowered Community in a different way, shape and form, let's see.

BERNARD TURCOTTE:

Alright. Thank you, Maarten. Sébastien?

SÉBASTIEN BACHOLLET:

Yes, thank you. Yea, I was also a little bit surprised between the differences of the answer quite straight and with the comments, quite the reverse, I will say. We need absolutely to take into account the comments in the decision we will suggest and I really think that the way the question was asked is also the way it is answered. Maybe it was more because they were talking about the communities and because it was the Empowered Community as such, that the answer was so strong to be yes. But I want to say again sometimes we forget, but the Board is currently the only place where all the constituencies plus others are together. Therefore, sometimes about could be a good way to do such things. Thank you.

BERNARD TURCOTTE:

Thank you, Sébastien. Any other questions or comments? Going once, going twice. Alright, I think we're done with Section 12, yeah, that's right, so that's all for survey in Section 12. Excellent. We're moving

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quite a bit. And if people want to stretch their legs. Let's take a 60-second break here, because we're going into section 3 now, and the bulk of our questions from the survey well, maybe not half, but certainly a third of them, were on that segment. So, survey in Section 3, Brenda, please. Alright. There we go. Okay. Okay, thank you very much, Wolfgang, that's very kind of you, okay. As we say in French. The first question, "la question qui tue," the question that kills. We went right for the jugular. "Please indicate your satisfaction with the Board's performance overall. So diving into it, we have a lot of comments on a lot of these, so you see the results are interesting, and let's have a look at some of the comments.

At-Large - "The Board is certainly trying to find its way in a post transition world, with static or declining revenue projections, the disruption of the GDPR and far too many suggestions for organizational reform in the near term. That said, the behavior of the Board is of people doing "their best," but not necessarily a reflection of increased accountability to the community. Unfortunately, the optics are just the opposite. It is important that the Board as a whole be accountable and not just attempt to portray that picture.

A few examples of lack of accountability rise to the top. It is perceived that the Board unilaterally "paused" the SSR2 for reasons they deemed sufficient but yet appeared to be the result of the review team asking uncomfortable questions and differences in opinion between one board member and the SSR2 team leadership. This is simply NOT something the Board would have allowed to happen pre-transition. The notion of the Board shuttering an accountability mechanism is ridiculous and

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therefore that event should have been handled differently in consultation with the community.

Second, after setting a precedent of accepting ALL recommendations from review teams, the Board chose the very first review after the transition, the CCT Review, to suddenly become conservative about organizational reform. While it's true that accepting all of the previous recommendations was a mistake and led to poor implementation, the optics of that sea change at that time were certainly not good. The board needs to take the extra step of involving the community in decisions that, in particular, involve changing expectations around accountability."

EURALO, "The ICANN Board is composed of members of the community as well as other people chosen by the Nominating Committee. Whilst some compensation is received by Board members, these are primarily volunteer positions which actually require a lot of work. Given these parameters, one could say that the Board performance is satisfactory overall. However, this is overshadowed by the unpredictable nature of some of the Board's decisions, more specifically, the inability of the Board to come up with reasonable rationale for some of its decisions. Such rationale forms a key part of the Board's accountability, as it is through the communication of its decision-making reasons, that the community can see whether its recommendations were upheld or not."

Alright, Analysis, "Consolidated responses of 60% saying they are Satisfied or Very Satisfied vs 25% which are Somewhat Dissatisfied or Very Dissatisfied produces a net of 35% that are satisfied with Board performance is not very strong."



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So as a Conclusion, "The consolidated dissatisfaction of 26% is significant and warrants ATRT3 considering making a recommendation or suggestion to address this. This, at least in part, is related to ATRT2 recommendation 2 which recommended "The Board should develop metrics to measure the effectiveness of the Board's functioning and improvement efforts, and publish the materials used for training to gauge levels of improvement." Which was assessed as only partially implemented and impossible to assess the effectiveness given there were no effective metrics provided."

And we've got a comment from Sébastien there, "It's also the fact that the ICANN Board need to find its new role and place in an INS during transition and the new bylaws which touch on the EURALO comment."

Alright, let's throw this open. No comments. Going once, going twice. Okay, let's go on to the next question, please. Let's have a time check here, I've been talking, okay, we've got about 26 minutes left in the call and I think it's probably going to take us that much just to finish the survey questions. There are quite a bit, if we want to leave five minutes or so at the end to wrap up. So I'm going to try and bring this to a close, latest 25 after the hour so that our Chairs can have the final word.

Alright, moving on to that. "How does your Structure feel regarding the Board's interaction with your SO/AC? (Question only for structures)."

Very satisfied, Satisfied, No opinion, Somewhat dissatisfied, and Very dissatisfied. The comments are interesting.

At-Large, "The At-Large experience with the Board is a mixed bag. On the one hand, the board was very open to modifications to the

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recommendations of the At-Large Review that didn't make sense and have worked with the ALAC to execute a more specific plan to address the findings. On the other hand, it is, and to some extent, has always been the case that the organization is mostly focused on the welfare of the industry it supports and less so on the individual end users that ultimately feel the impact of ICANN policies. The entire operational readiness effort surrounding a new round is focused entirely on the convenience and predictability enjoyed by applicants.

Again, the optics of stressing that first rather than basic operational readiness for growth of the DNS seems backward and gives the appearance that the board is more concerned about revenue than a secure and stable internet with high consumer trust. We have been well represented by our At-Large representatives, but they have been a lone voice that represents the interests of global end-users.

Our present Board representative makes great efforts to spread himself across the many At-Large involvements and to attend as many meetings as he can to present Board information or just to answer questions and to take our views back to the Board. From Leon's support and intervention, At-Large was able to get the backing we needed to hold the ATLAS and also gained some important support for our At-Large Review Implementation."

ALAC – AFRALO "We welcome Nomcom 2019 selection of 2 incoming African board members replacing the current outgoing African board members. The nomcom should always ensure regional/gender diversity in the board composition."

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ALAC-EURALO – "Very Dissatisfied - The experience of EURALO with the Board has been solely confined to interaction between EURALO and the Board. Whilst the ICANN CEO has made strides to have a regular call with RALOs, neither the Board as a whole nor the Board Chair have attended any EURALO call or meeting. So, for end users, the ICANN Board is even less accessible than the ICANN CEO - so the following paragraph may come as a surprise to some Board members: There is a genuine concern amongst participants in our RALO that the Board is essentially concerned about the wellbeing of ICANN finances above and beyond the public interest and that this influences many Board decisions in matters of income, for example through allowing ICANN's operational readiness to open another round of new gTLD applications that could provide further income for ICANN. This reinforces the concern that appeals from our community for a stable Internet with high consumer trust have fallen on deaf ears, by being overshadowed with the Board's concern to promote a dynamic, growing DNS industry. The majority of end users are not domain name registrants and the needs of this majority are regularly ignored by the Board."

GNSO- BC Business Constituents – "Somewhat Dissatisfied - because board often fails to distinguish BC as a unique constituency. The BC is under the label of CSG (Commercial Stakeholder Group), but the BC is not represented by the CSG."

GNSO- IPC Intellectual Property "Somewhat Dissatisfied - The IPC only formally interacts with the Board as part of the Commercial Stakeholders Group at ICANN meetings. The current House structure of the GNSO Council lumps together unrelated or only tangentially related interests, denying an opportunity for these communities to reflect the

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unique interests and concerns of their constituents at ICANN. When the IPC does get to interact with the Board, the face-to-face meetings revolve around prepared statements being read to the Board. By contrast, we find informal discussions with GNSO appointed Board members valuable. The IPC welcomes a more constructive engagement with the Board in which the Board could leverage the IPC's expertise in matters of intellectual property law."

GNSO Registrars - "Somewhat Dissatisfied - At the 2019 GDD Summit, the RrSG, alongside the RySG, previously raised our desire to improve what are sometimes felt to be unconstructive interactions (for both sides) between CPH & the Board by changing the format of the meeting. Our proposal was to break out into small groups, each with at least one Board Member on it, that would discuss specific, pre-advised, topics and then share the key talking points and takeaways with the plenary. Topics and actions items from CPH and Board interactions should be tracked to improve accountability. The CPH hopes to trial this alternative format at ICANN66 in Montreal."

GNSO- Registries - "Somewhat Dissatisfied - The structure of the Board's interactions with community groups during ICANN meetings has been unsatisfactory for some time now. Our members get little value out of the meeting with the Board on Constituency Day, particularly because the questions and responses feel preplanned and there is little room for the Board to speak freely. That said, the RySG does feel that other forms of outreach by the Board have been an improvement, including the increased visibility that has been provided by efforts like the Chair's blog posts prior to and following Board workshops. We have also been very pleased with having Becky Burr as our CPH-appointed Board

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member, as she is proactive in providing the RySG with relevant updates and makes herself available to discuss Board-related matters with the RySG."

So, that's the end of our comments, let's have a look at our analysis, "Satisfaction 50% versus dissatisfaction 43% produces a net of 7% rating of satisfaction. This indicates that there is an issue. All of the written comments were from either GNSO components or At-Large components."

Conclusion, "The level of the concerns raised by the GNSO components may not meet the requirement for ATRT3 to generate a recommendation but could certainly warrant one or several suggestions." Alright, let's throw it open.

CHERYL LANGDON-ORR:

Cheryl here. I'll just draw attention to what I said in chat, because I think these comments, these well thought out and deeply contemplated, I'm sure, pieces of input are extremely useful. And so as a review team, we need to reflect on them very carefully in our outcomes. And so, any suggestions, or if we can manage to get through the barriers, the recommendations need to be well balanced and drawing on all of this input. So, I just asked in the chat if everyone can start putting on their thinking hats so that we can discuss some even out of the box thinking during Singapore.

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MICHAEL KARANICOLAS: Hi, Michael Karanicolas for the record. I'm not sure if this is the time to make this kind of intervention or it's more substantive for Singapore, but listening to these ideas, I feel like, to a certain extent, I wouldn't put a huge amount of credence in the comments that or something along the lines of, gosh, why don't they listen to us more, or, we don't get our way as much as we would like. So, you know, sure the IPC wishes people would listen to them more, great, that's not exactly surprising and I imagine a sentiment along those lines would probably be shared by every stakeholder group and then part of the group.

But on the other hand, I did hear some like very valuable things I think in terms of the structure of consultation and engagement, like people complaining about the type of interaction they get with the Board or how it's structured, the types of access that they get, I think that's much more valuable to us. And so I thought I was just flag that now, as an area to look into further and apologies if you get any background noise. I'm now in transit. Thanks.

BERNARD TURCOTTE: Thank you, Michael. That was rather fair, and very little background noise, but I'll ask you to mute now, though, if you're done. Good comments, I like those. Alright, any other comments before we leave this question? Because the next one is really interesting. Alright. "Do you consider the diversity amongst Board members satisfactory?" A yes, no question. So, 52% of individuals say yes, 48% say no, basically a tie. Structures, 31% say yes, 69% say no, 2 to 1, interesting. Those that responded no selected the following reasons for their response.

Multiple selections were allowed. And we sorted them according to the consolidated rate, you will see.

So the first area of dissatisfaction was a consolidated 76% on Gender, 70% on Geographical/regional representation, and then it drops off to 50% for Stakeholder group or constituency, and then really drops off for Age, Language, Diverse skills, and Physical disability. So it looks like we have a solid top three here of Gender and Geographical/regional diversity being right up there, followed by Stakeholder group or constituency. We also have a number of comments.

At-Large - "The Board is supposed to be composed of individuals working for the common interest of the community. How do we make sure they understand individual end-user needs better and consistently project those needs? After all, these end-users form the largest ultimate beneficiary group to ICANN's mission to ensure the stable and secure operation of the Internet's unique identifier systems, per its Bylaws.

At-Large is charged with acting in the interest of end-users and at the ICANN Board level, endeavors to do so through its rigorously selected Board member. But with only one At-Large selectee seat on the Board, there is absolutely no possibility to show any diversity from the perspective of individual end-users -- be it geographical, gender, language or any other. This is unfortunate, as such end users' experiences and input probably vary more than with any other stakeholder group/constituency.

Suggestions for improvements - At-Large to have two selectee seats on the Board. Alternatively, there should be more structured avenues and

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opportunities for At-Large to influence discussions at the Board beyond just providing ALAC Advice and the existing joint sessions at ICANN meetings."

At-Large – EURALO – "No - Whilst EURALO has responded "No" to this question, our members recognise that diversity amongst Board members is improving, but it is still not as geographically, gender and stakeholder balanced at it could be. Improvements are still in order. EURALO agrees with the ALAC input that basically says that with only one seat on the board, there is absolutely no possibility to show any diversity from the perspective of individual end-users -- be it geographical, gender, language or any other. This is unfortunate, as such end users' experiences and input probably vary more than with any other stakeholder group/constituency. Better representation of the individual end user on the Board would be a good thing. Currently, there is only one board seat occupied by an At-large-selected representative but even if another is not held but a direct representative, selecting one whose primary use of the internet is as an end user would be a good idea. Suggestions for improvements - The ICANN NomCom should strive to select people that are stakeholders unconnected to the domain name industry. The ALAC should be afforded an additional Board seat."

At-Large NARALO – "No - We think we lack any Youth representation or any Youth Shadow cabinet concept. It's also clearly not gender balanced. ALAC should have a second position on the board to provide a more balanced representation. Work on recruitment with Women on Boards organizations and other gender board diversification strategy."



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GAC – "No - GAC members have observed that, if Board liaison positions are excluded, only 4 out of 15 elected Board members are female. This ratio could be improved. GAC members have also noted that Board members with strong connections to "Western" and "developed" countries tend to be more strongly represented than from emerging or less developed countries. (Concept and similar language proposed by Switzerland)

GNSO – Registrars – "No - The RrSG would welcome a Board that was composed of more than 30% women and with greater representation from the Asia Pacific region (other than Australia and New Zealand to better reflect cultural diversity in this vast region which has 50% of the global Internet users) and sub-Saharan Africa."

GNSO – Registries – "No - It would be useful to have more Board members with a greater understanding of the DNS industry."

Individual – "No - The bylaw should be amended to reduce the maximum number of directors from any region to 4 and ensure rotational balance among people groups from the region."

Individual – "No - The Asia-Pacific region is considerably diverse and is the largest region within ICANN, with approximately 61% of the world's population and the global end-user population. This diversity and the size is not reflected in the Board's composition."

Individual – "No - Work on recruitment with Women on Boards organizations and other gender board diversification strategy."

Individual – "No - Request that 50% of the candidates be women."

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Alright, Analysis: "64% consolidated dissatisfaction with the diversity of the Board represents a significant issue. The individual responses are almost tied at 52%/48% but the structure responses are 70% dissatisfied which is significant."

Conclusion. "There is obviously a significant and widespread concern amongst the ICANN community regarding diversity. ATRT3 will consider making a recommendation regarding Board Diversity and should consider referencing the CCWG-Accountability WS2 recommendations on diversity."

Alright, let's throw it open, questions, thoughts, comments, and this will be our last one after that I'll be throwing it back to the Chairs. Going once, going twice. We're done. Alright. Thank you.

CHERYL LANGDON-ORR:

Sorry, it was only me, thank you very much, One thing on that Bernie, it strikes me that a number of the comments are comments that have been picked up in some way, shape, or form. In other words, they are things that have been heard by the recent Nominating Committee Review and it would seem to me that there's an opportunity here to make sure we cross reference anything we are going to be suggesting or recommending, that we cross reference the current state of play on the NomCom review implementation working group status.

So, you all know, on that group we have currently put, I mean, Vanda obviously knows because she serves with me on it, but just so the rest of you know, we have already put in the detailed implementation plan to the Board and we're assuming that will be accepted posthaste. That

means we can predict that it will be accepted posthaste and be a firm implementation plan by the time we get to be doing a lot of our deliberations, etc. So I think it's important that we cross reference and just make sure we look at what is already planned, budgeted, etc, etc for prioritizing, etc, etc out of that work. That's all I wanted to say.

BERNARD TURCOTTE:

Good point, Cheryl, and we've actually noted it in several other areas and I guess I just forgot to put it in. I put in a note that we will do that. Also, we just received a note from the Chair of the EC who wrote a paper for the ccNSO regarding the interplay on the nominating committee nominations versus Board members that are selected by SOs and ACs, which could also provide some interesting information. Alright. I'm done here. Pat, over to you to close it off.

CHERYL LANGDON-ORR:

Pat, can I just say we missed something in the beginning, if you go back to the agenda, I believe we were going to have some point raised by Jennifer, I suspect, about the work plan. That didn't happen, if we pick that up, then I think it's AOB and wrap up, and I'll shush.

JENNIFER BRYCE:

Thanks. This is Jennifer, I can just jump in, thanks for flagging that, Cheryl. I just wanted to note to everybody who maybe was not aware from discussions on the leadership call that obviously the review team updated the work plan a couple of weeks ago, which is great. And we decided on the leadership team call that the best means to

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communicate that to the community would be via a blog that we can then share via the usual channels and also share with the Board as well. And the reason for that is because the structure of the work plan has changed quite substantially.

As you'll recall, it wasn't just a case of updating the dates and percentages. So we thought it might be appropriate to do a blog on that. Just to let you all know that is in progress and we're finalizing the draft which we hope to share with the Chairs, and then we'll hopefully get that published next week sometime and we'll keep you posted, of course. But that was really all I had on that. And of course, happy to answer any questions. Thank you.

PAT KANE:

Thank you, Jennifer. Do we have any questions for Jennifer? Alright, not seeing any, Bernie, I want to thank you for taking us through the majority of today with looking at the survey results. You made me tired, just having you go through at the pace that you did, so thank you for that. So, Any other business from anyone who didn't identify anybody have anything up front, but do we have any?

KC CLAFFY:

It's KC, I'm sorry I was late, so I'm looking at the agenda here, Section 9 you went through, but some of its punted to that review team meeting that Daniel and I have to have? Or is Section 9 closed?

PAT KANE:

Bernie, please.

BERNARD TURCOTTE: Section 9 is closed. It was how the organization went about the implementation of ATRT2 recommendations. And Section 10 is the review section which, after we finish Section 3 next week, we'll be getting to.

KC CLAFFY: So, if I have concerns on Section 9, which kind of mapped to the other stuff we were talking about yesterday, that waits until Singapore, right?

BERNARD TURCOTTE: Right now, yeah, it would seem that we've gone through this twice now and we've done the comments. so let's wait for Singapore.

KC CLAFFY: And then Section 6 also is closed?

BERNARD TURCOTTE: Yeah, we did a final read on Section 6. Do put in your comments and when we get to Singapore, I'm sure we'll bring them up when we're doing the final look over

KC CLAFFY: Okay, thanks. And so Section 4 and 11, they're on the agenda, we didn't get to that yet? We're gonna do that next time?

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BERNARD TURCOTTE: That is correct.

KC CLAFFY: Okay, got it, thanks.

PAT KANE: Thanks KC, thanks, Bernie. Alright. Not seeing any other business, Jennifer, can we take a look at what if any actions we confirmed or decisions that we reached?

JENNIFER BRYCE: Thanks, yes, this is Jennifer. So, a couple of Action Items. First of all, Leon is going to be added to the Skype groups, and Brenda will do that very shortly. And then we did have one request in the chat to print the report for Singapore, so I just wanted to flag that and if anybody else would like that, let us know. But let's try and keep that to a minimum for environmentally friendly reasons and that's all the Action Items I captured despite a lot of work getting done. Thank you.

CHERYL LANGDON-ORR: If I can just raise one thing, first of all, please do let Jennifer know if you do require paper, most of us are going to be encouraging people not to use it. But if you need paper for Singapore, let Jennifer know, because that will need to be printed locally, and I'll remind you all that the paper at the start of the Singapore meeting will be vastly different to anything that will be printed at the end of the Singapore meeting, providing we've done anything positive during the Singapore meeting.

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Also, we know that there's people who will be starting their travel or starting to try and prepare for their travel in the usual huge numbers of things that need to be done when the October 16th meeting is currently scheduled. If you can just let us know now by show of hands if you want to hold the meeting on October 16th; if not, we will discuss at the leadership team what may or may not happen with that and get back to you. Is there anybody on the call now who wants to indicate to your leaders that you absolutely positively insist on having the meeting scheduled currently for October 16th, now is a good time to tell us.

Okay, I'm not seeing anybody yelling and screaming that it has to be done. So the LT will deal with that and you can be advised on the mailing list what the outcome of that decision will. Thanks, everybody. Thanks, Brenda. Pat?

PAT KANE: That sounded like it was it, Cheryl.

CHERYL LANGDON-ORR: I can't help myself. Bye for now.

**[END OF TRANSCRIPTION]**