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CHERYL LANGDON-ORR: Thank you very much, and we'll be bringing up ... There we go. The magic happens. The document is suddenly on screen. Good morning, good afternoon, good evening, good heavens, depending on where you are in the UTC time zone world.

And yay, you, if you're still hanging in here as a remote participant. We really, really appreciate your incredible effort that you're making to keep us honest by joining us in our deliberations. We are going to be starting now on page 78, I believe. It is recommendation 10.2--yes, 78. So, if you open your documents on your screen there. I think it's Pat. You're taking this are you? Have I got that right? Over to you, Pat.

PAT KANE: Thank you, Cheryl. This is section 7.2.1.2, recommendation 10.2. "The GAC, in conjunction with the GNSO, must develop methodologies to ensure that the GAC and government input is provided to ICANN policy development processes, and that the GAC has effective opportunities to provide input and guidance on draft policy development outcomes.

"Such opportunities could be entirely new mechanisms of utilization of those already used by other stakeholders in the ICANN environment. Such interactions should encourage information exchanges, and sharing of ideas/opinions, both in face-to-face meetings and intercessionally, and should institutionalize the cross-community deliberations foreseen by the affirmation of commitments."

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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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Scroll down to the conclusion. “ATRT3 recognizes that the history between the GAC providing and the GNSO accepting input in the policy development process has been and remains inconsistent for this ATRT2 recommendation. While the community may believe that there is no process established between the GAC and the GNSO to facilitate participation, there are examples, such as the Public Safety Working Group, that is engaged early and consistently on topics where clear positions are established and reinforced early enough for the GNSO to consider it as part of the policy deliberation and recommendation process.

“The ATRT3 intends to make recommendations that reinforce the successes that exist for areas where they are absent, such that input is facilitated and addressed between the GAC and GNSO in a formal and direct manner, as opposed to through and around the ICANN Board, while recognizing that the multistakeholder model environment exists as a global tool to achieve consensus between all, as opposed to an absence of objection.”

CHERYL LANGDON-ORR: Mic, please.

MAARTEN BOTTERMAN: Oh, sorry. I hear the sentence, “Successes in the areas where they don’t exist.” How do you describe those?

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PAT KANE: Being the author of that particular sentence, I am well aware of what it was intended to say, and apparently did not come out that way. The object was to take a look at where we have successes, and apply those to areas where we don't have them.

MAARTEN BOTTERMAN: Thank you, Pat.

CHERYL LANGDON-ORR: That will be adjusted, I guess.

PAT KANE: I always like it when people say what I write is interesting, but thank you very much, Martin.

MAARTEN BOTTERMAN: Next time, don't write it first in Spanish, but write it directly in English, please.

PAT KANE: Well, in Texas, we speak two versions of English.

CHERYL LANGDON-ORR: Vanda, go ahead.

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VANDA SCARTEZINI: Just a comment that I have made before. That is certainly what we heard from the GSNO, that they need to improve that relationship to have the business timely-done, instead of waiting for board decisions, and the communication through another person and so on. That is something that needs to be addressed, and in the recommendation, we should be clear, but this diplomatic answer ... That was it.

PAT KANE: Any other comments or questions, concerns?

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: It's more a question of process, because we will go through all those conclusion, where it's written. Either we will make a recommendation or a suggestion. And here, we are already deciding that it will be a recommendation. In the other part of the document, we give still the choice, and then we will go through, with all the conclusion, and take position together, if it's one or the other. And what we do after, it's a question mark.

PAT KANE: Thank you, Sebastien. Very fair, and we will ensure that it says "recommendations or suggestions."

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MAARTEN BOTTERMAN: Just reminding that there's also a clear interaction around, or through, or whatever--[using] the word--on [ITO] as well, as an example.

CHERYL LANGDON-ORR: Yeah. That's a worthy example. Thanks for that. If there's nobody else wanting to raise a point on this, are you two tag-teaming for the rest? Then it's over to you, Bernie.

BERNIE TURCOTTE: Alright, section 7.2.1.3, recommendation 10.3 ... "The Board and the GNSO should charter a strategic initiative, addressing the need for ensuring more global participation in GNSO policy development process, as well as other GNSO processes. The focus should be on the viability and methodology of having the opportunity for equitable, substantive, and robust participation from and representing a, all ICANN communities with an interest gTLD policy, and in particular, those represented within the GNSO, b, underrepresented geographical regions, c, non-English-speaking linguistic groups, d, those with non-Western cultural traditions, and e, those with vital interest in gTLD policy issues, but who lack in the financial support of industry players."

Conclusion, "ATRT3 recognizes that there were sufficient programs implemented in support of this ATRT2 recommendation, but to date, they have not been seen as fully effective. Given that the community has embarked on a discussion of the evolution of the multistakeholder model, that has specifically identified volunteer burnout and geographic underrepresentation as issues, we see clearly that more can be done."

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ATRT3 will be making recommendations and/or suggestions that address inclusion, the efficient use of volunteer resources, while addressing the rising cost of face-to-face participation for a global community. Reduced time commitment, recognition of global travel limitations, and rising costs require a focus on remote and distributed participation with the exceptional and reliable communication and facilitation tools.” Alright.

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: I will cut and paste my comment on the previous one, as this one is a cut and paste on the previous conclusion. Thank you.

BERNIE TURCOTTE: [Yeah, there is someone]. Anybody else.

CHERYL LANGDON-ORR: I think--and it goes back to your previous comment as well, Sebastien-- that we might want to pick up language, when we’re writing suggestions or conclusions on this, where we see the ideas of localized action an activity, as opposed to global, because they’re trying to be facilitations for better engagement. We might need to make sure that they’re seen as adjuncts to, not replacements for, the opportunity of meeting face-to-face from time to time.

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I think there's some language opportunities that we might be able to explore. I'm not suggesting that is the language, but something similar to that. I actually got an a-okay-ish symbol of Sebastien while I was saying that, so I think if we come back to that when we're doing drafting, we might get through that almost unscathed. Who knows? It could be the one. Back to you, then. I think it's back to Pat, isn't it? Yes.

PAT KANE:

Section 7.2.1.4, recommendation 10.4 ... "To improve the transparency of predictability of the policy development process, the Board should clearly state to what degree it believes that it may establish gTLD policy, in the event that the GNSO cannot come to closure on a specific issue, in a specific time frame if applicable, and to the extent that it may do so, the process for establishing such gTLD policies. This statement should also note under what conditions the Board believes it may alter GNSO policy recommendations, either before or after formal Board acceptance."

And the conclusion, "The ATRT3 recognizes that a tool that is available to the Board to drive the expedited development of GNSO policy meets this recommendation of the ATRT2. It is still to be seen if the EPDP can be effective as a consensus tool for not only the development, but also the implementation of GNSO policy, as the only test to date is currently underway, and while GNSO recommendations have been accepted, deferred, or otherwise rejected by the Board, there appears to be a standoff between ICANN Org and the implementation community as to what the recommendations clearly mean.

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ATRT3 will not be making recommendations in this area, as the ATRT2 recommendation is just now being tested, and may come to conclusion too close to the end of ATRT3's limited time, but the ATRT3 may provide recommendations on a more limited set of results and analysis."

CHERYL LANGDON-ORR: Sebastien, go ahead.

SEBASTIEN BACHOLLET: [It's not the heart] of my understanding incompetency, but I have trouble to understand why the EPDP is the solution, or the only one that we are talking here, because the EPDP came because of timing issue of some priority specification, and so on and so forth. But if the GNSO can't agree on some policy, the Board may have to act. What is the link between this question and here, to talk about the EPDP, or the EPDP only solution for that? Thank you.

CHERYL LANGDON-ORR: If I may, I think it's important to recognize that the mechanism that the current EPDP is operating under is a product of the cross-community working group on these activities of GNSO policy development, and how one could run an expedited policy process. Inasmuch as that model may be applicable, what I heard then, Sebastien, is we need to make sure that EPDP is seen only as an example, not the only aspect. Is that what you're trying to get to?



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SEBASTIEN BACHOLLET: Yes. And if I can elaborate a bit, when the Board decided to allow the Registry and the Registrar to be able to become one or the other, it was a GNSO policy, but as such, because it's just dealing with gTLDs, and it was not a GNSO policy, PDP, development. Therefore, my understanding of 10.4 is that if there is such a question, where the GNSO cannot come to closure, how the Board can act today on that, if they can at all work on that type of issue, or they just say, "Go back the GNSO," and the GNSO, when they find the solution, they will come to the Board again.

From what it was written, I was thinking that it was this type of question was raised—in fact, the EPDP is, from my point of view, just part of the answer. But maybe since ATRT2 things have changed so considerably that it's not anymore possible. It would have been ... It couldn't be anymore possible for the Board to take such decisions, like Registrar, Registry ... What is the name? Vertical integration. Thank you. Once again, it's a question.

CHERYL LANGDON-ORR: León, go ahead.

LEÓN SÁNCHEZ: Thank you, Cheryl. I'm just thinking that the Temp Spec might be an example of implementation of this recommendation, as I understand it. What the ATRT2 recommended was to what extent the Board could actually impose policy, when the GNSO didn't come to agreement or consensus in some [aspect]. In this case, it was not because they

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couldn't reach consensus, but because we had an emergency situation to address.

And then, the Temp Spec was issued and approved by the Board, and then subsequently reaffirmed throughout a year, so that the EPDP could assemble and develop their work. So, that might be an example of how this recommendation was implemented. And of course, there's always room for improvement, so we would ...

CHERYL LANGDON-ORR: León, what I'm hearing there is that we should modify our text here, even in our conclusion, to see it one step further back—that the example is the Temporary Specification, and then the triggering of an Expedited Policy Development Process, not seeing the current expedited policy development process as the example.

LEÓN SÁNCHEZ: Exactly.

CHERYL LANGDON-ORR: Thank you. A point well made. Michael?

MICHAEL KARANICOLAS: Hi. It strikes me as a little bit odd that we are here brainstorming how implementation took place, or what we can call implementation. Wasn't this meant to have been evaluated by ICANN, and if so, did ICANN bring up the EPDP and Temporary Specification, or one or the other, as ... Are

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there reasons we're talking about that now, because ICANN pointed to that as their evidence of implementation. Is that correct?

MAARTEN BOTTERMAN: Basically, after ATRT2, with the new bylaws, it's implemented in the bylaws as a means that the Board has to trigger emergency policies.

CHERYL LANGDON-ORR: It is an outcome from this recommendation.

LEÓN SÁNCHEZ: Just to clarify a little bit more, the implementation is built in the bylaws now.

MAARTEN BOTTERMAN: [inaudible] ATRT.

LEÓN SÁNCHEZ: Exactly. The first example of that bylaw being actually exercised was the Temp Spec, and as a consequence of the Temp Spec coming to and end, and by agreement by the GNSO and the community, then the EPDP was launched. So, that is the timeline in which we see events developing.

MICHAEL KARANICOLAS: Just to clarify, the change in the bylaws came in response to this recommendation? Okay.

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CHERYL LANGDON-ORR: Yes. Okay, I have Daniel, Pat, and then Sebastien.

DANIEL KHAUKA NANGHAKA: I wanted to enquire ... The [permission] of the EPDP, does it provide the best mechanism to resolve future challenges of implementation, because in case such a situation comes up in the future, will the EPDP path be taken up by the Board to resolve certain issues?

CHERYL LANGDON-ORR: Go on, León.

LEÓN SÁNCHEZ: Let me see if I got this right, Daniel. The EPDP's one of the processes that are in place within the bylaws to do policy. So, EPDP is just the short for the Expedited Policy Developing Process, which could be applied to you name it. Right now, it's on the disclosure or access to nonpublic data, but that's just the case at hand. We can apply EPDP to whatever means you can think of, and that is the established process in the bylaws right now, and, of course, the regular PDP, which is going through review on PDP three. Is that the best way to go? I don't know. Let's discuss it and have the community figure out.

CHERYL LANGDON-ORR: Pat?

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PAT KANE: The writer of this was imprecise in how they wrote it. That was me. It was meant to be the Temporary Specification, not specifically the EPDP, because the EPDP was the tool with the Temporary Spec. The question is whether it was effective or not. We're still going through the implementation process, so the results of Phase One of that are still being gone through. So, it is too early to tell whether that was effective or not, because they are reevaluating, or rearguing some of the things that were decided in the actual EPDP itself. That's why I just said there's no recommendations to be made because we're not there yet. We don't know what the final outcome looks like.

CHERYL LANGDON-ORR: Sebastien? Yes? Daniel [has more].

DANIEL KHAUKA NANGHAKA: Thank you. Just to react to what León, you mentioned, is that probably, looking at the process that was undertaken, probably that would be a benchmark for future processes, in case they happen to come up. Would we take it in that sense, or because right now, we don't have a really predefined [inaudible]?

LEÓN SÁNCHEZ: It will become the benchmark naturally, of course, I think, but that doesn't mean that every time we need to use that resource needs to be the same. Of course, we can improve, and we can learn from our experiences, and hopefully this will be on continuous review and improvement.

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SEBASTIEN BACHOLLET: I have the same question of Michael. I have the impression that we are putting an answer after the fact. I don't recall when we have ... [Arguably], ATRT2 recommendation to change the bylaw about the EPDP or Temp Spec.

Anyhow, once again, the question is that, if I [turn] this question again ... If we take previous example ... I took vertical integration, but you can take, maybe, another example. How will the Board will deal with that today? It will say, "Okay, we make a Temporary Specification and we go through EPDP?" Or it will say, "Yes we can have vertical integration?" Or it will say, "We can't decide. We have to wait for the GNSO to make any decision on that topic?" My impression is that this is what was requested by this recommendation for ATRT2. Thank you.

CHERYL LANGDON-ORR: Sorry, Maarten. You want to go?

MAARTEN BOTTERMAN: Just that Avri is just pointing out—thank you, Avri—that there is also the ability for the Board to request an issues report, that then can subsequently trigger a PDP. And that was already true under the old bylaws. It's still true. And as she points out, the Temporary Spec's related to the contract, not to the bylaws.

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CHERYL LANGDON-ORR: Thank you for that, Avri. I did not see that in group chat, so you might just be talking to your fellow Board members, which is perfectly alright. In fact, I'd encourage you to continue to do so. I think it's also important to note here that process that gave birth to the possibilities of what we now call the Expedited Policy Development Process was in fact the product of a non-PDP, cross-community working group on policy development. It had the most bizarre name I've ever dealt with.

And so, it was housed within the GNSO as the owner of the process, but it was a community and cross-community-involved activity that was in response to this recommendation, not really a Board action in response to this recommendation. It may be—perhaps I missed it, and perhaps staff can double check—that there was a trigger between the Board, in response to this recommendation, to say to the GNSO Council, “Please, could you look at this?” That'd be great if we could track that, and that was the case. But regardless, this conclusion is simply trying to recognize that.

I think it's important to note here as well, what KC has pointed out in the chat, and that is that she also felt that the different ... Sorry, not chat—the comments and suggestions. The measuring of effectiveness, it needs to be questioned. She would be going for more not effective than partially effective, for example. But we've also made that global change. But her point, where she says the first claim in this conclusion is, in her view, to point out that of course the Expedited Policy Development Process—as a tool, not as opposed to this one that's currently running—is not the same as what is being looked at in 10.4.

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Perhaps what we need to just remind ourselves of, it was specifically something that may be to establish gTLD policy, in the even that the GNSO cannot come to closure on a specific issue, in a specified timeframe. So, I think we do need to make sure that that's picked up, and we might need to adjust our text and our example to be really clear on that. Can we just somehow make that better? Fantastic. Where are we now? Tola, thank you.

ADETOLA SOGBESAN:

Thank you, Cheryl. Maybe a bit different, but on the same item we're looking at. We're talking about GNSO finding it difficult sometimes to come to closure. I remember just what Michael said earlier. Sometimes people don't want the thing to close, for whatever reason. Maybe I'm ... never going to be the Board's fault anyway.

Something just crossed my mind. I was looking. If one of the team [was just called] in one of her [conflicting] meeting, why wouldn't the GNSO come to closure sometimes? Is it possibly because the GNSO is made of CSG and NCSG? Is it possible that there is always a friction? Is it possible that one of the challenges is because we have to sit on the Board? Each time there's a discussion to be made, there's always this sensibility of, "Where do I belong?" even though I'm in GNSO. But there's always this feeling of, "Where do I belong?"

So, if we are not going to have closure on time, this [will be happening] somewhere along the line. So, I'm thinking is it possible ... I don't know if it's part of the purview of the ATRT3 to make a recommendation. Is it possible for each to the SG and GNSO to have a seat on the Board? Is it



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possible instead of having two seat, we have four seat on the Board? Is it possible that this will reduce some of the friction within GNSO? So, this is something that I'm considering, that we can take a look at. Maybe this issue of closure delay can be solved. Thank you.

CHERYL LANGDON-ORR: Thank you, Tola. I always like out-of-the-box thinking, but having been part of a number of board reengineering and redesign processes—not within ICANN, but in other boards—it is a tricky and interesting thing to do at the best of times, with any board.

With a board that is designed the way that the current Internet Corporation for Assigned Names and Numbers is, it could be a—whoa—quite an interesting job to go down that pathway, because the balance—the equity of one support organization as compared to another support organization, it's going to be ... It may not be Pandora's box, but it certainly could be Pandora's box. I guess the other question is, "And would it make any difference anyway?"

So, we just need to ... As I said, love the out-of-the-box thinking, but it's also not part of our mandate to solve that problem. So, I'm going to discourage that, other than perhaps you might want to talk to as many of your Board members as possible to see whether they could get the rest of their Board fellows to contemplate that. Wolfgang, go ahead.

WOLFGANG KLEINWAECHTER: I fully support that on the one hand, it's always good if such groups like ours is thinking out of the box. On the other hand, we have to stick to

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our mandate. But I remember when we ... At the ICANN meeting Buenos Aires, when we discussed Workstream Two, I raised the point of a Workstream Three, thinking at the end of the process, we have to rethink the whole structure of ICANN, because the GNSO, as it stands now, was the result also of a long discussion in which we came with this Contracted and Non-Contracted two houses, and all this.

That's fine, but we have to ask, at a certain moment, whether the structure of the GNSO still meets the challenges, let's say, for the next decade. So, that means whether we need sooner or later—and this is thinking out of the box—a restructuring of the GNSO, which would probably solve some of the problems we have raised here, that the Contracted Parties probably would be better positioned to find a solution for some PDP than if they have to deal with Non-Contracted Parties, which have a different set of responsibilities and obligations.

But again, this is thinking out of the box. This is not part of our mandate. But to raise this issue, and to use this argument in conversations to prepare for the 2020s, and how ICANN could look in the 2020s. I think it's a point. Thank you.

CHERYL LANGDON-ORR: Okay. Very briefly, Sebastien, and extraordinarily briefly, Tola.

SEBASTIEN BACHOLLET: We may each have our own view on the structure of ICANN, if we need to deal with GNSO, with [another] part, or with the whole. May I suggest that we don't say ... It's not the point to be discussed, but for

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the moment, put them in what we have, a parking lot, and see if we can come back on it. Just put it on the parking lot, saying that we [inaudible] this issue at the occasion of this discussion, and we will see if there are other instances where we will discuss that, and maybe we can put that together and decide if ought to do something later on in this discussion. Thank you.

CHERYL LANGDON-ORR: Tola?

ADETOLA SOGBESAN: Thank you. That summarized what I was going to say, that rather than [sweeping] it off, we should just take note of it, because it's become a recurrence. Some of this has become a recurrence. Thank you.

CHERYL LANGDON-ORR: Understood. We might also find that one of the opportunities to touch on this again is when we get back into the matter of the reviews, because it would be the business of a organizational review to make any suggestions regarding a restructuring of any component part of ICANN as it is currently designs. That happens to be cycling through the next GNSO review process. With that, I'm going to actually ask you to take control. Here we are, Pat. Are you ready for this?

PAT KANE: Yes, I am. Sebastien.

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SEBASTIEN BACHOLLET: Yeah. Cheryl, I am really sorry, but I don't like your conclusion at all. Please don't put that in one way. I can put that in another way. I will not do. Just please, it's a question to be put. Is it a GNSO matter? No, not at all, from my point of view. For you, it's your point of view. It's a GNSO matter. Either we have this discussion now, when we open it—and I am ready to have this discussion—or we don't, and we just put, without your comments, on the parking lot, and we will come back on that discussion. Thank you very much.

CHERYL LANGDON-ORR: Sorry, Sebastien. Perhaps I need you to help me understand. You don't think another opportunity for us to explore this is when we're looking at the other review processes, including organizational reviews?

SEBASTIEN BACHOLLET: We have plenty of other occasion. Why we will underline just one of them?

CHERYL LANGDON-ORR: I have no reason to respond. Pat, what's next?

PAT KANE: I think we're on section nine.

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CHERYL LANGDON-ORR: Page which?

BERNIE TURCOTTE: Well, we're on section eight, which is page 90, but that's nothing to be done—just to note that we've basically closed section 8, as it's the IRP comment. We've all reviewed and approved. And section nine ...

CHERYL LANGDON-ORR: Hold one moment, Bernie. Sebastien?

SEBASTIEN BACHOLLET: Yeah. Just I have one question after hearing some of the preparation to Montreal. Cheryl knows better than me what is at stake, but it seems that there are other IRP in discussion. Therefore, my question is that do we need to specify which IRP we are talking about here, knowing that there are other in the subsequent procedure, into discussion today, just to be sure that it will not be—or it will be together, or not together. I don't know what will the answer, but it was one of the question after reading and listening to the meetings preparing for the ICANN in Montreal. Thank you.

CHERYL LANGDON-ORR: Sebastien, can you make that statement again, with relationship to the independent review process—[is] that the subsequent procedures are referring to as being a different beast to what we've been looking at?

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SEBASTIEN BACHOLLET: It was my understanding, yes. When I ask why don't try to have this evolve, it was said, "No, it's another topic." Then it must be another review process put into place for new gTLD [next draft]. Thank you.

CHERYL LANGDON-ORR: So, help me a little bit further. This was a response from a subsequent procedures meeting that you are referring to then? I'm very familiar that we haven't got through all of that within SubPro yet, but there shouldn't be too many things called the same. Go on.

SEBASTIEN BACHOLLET: It may be in the discussion, in the cross-policy working group of the At Large, ALAC—whatever you want—that we had this discussion. I remember there was some big change, and I [heard] you were part of. But it could be this one, or it could be something—I don't remember—during the prep meeting. It's not a specific meeting. I didn't participate to any specific meeting [inaudible].

CHERYL LANGDON-ORR: Okay. Go ahead, please, Bernie.

BERNIE TURCOTTE: In the statement that we make here, we refer very specifically to the Workstream One requirements, and how it's defined in there. So, I don't think there can be any kind of confusion with any other upcoming IRP. The ccNSO's going to be developing an appeals mechanism also,

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but it won't be called and IRP, so I think we're okay. I see Maarten's hand up.

CHERYL LANGDON-ORR: Go ahead, Maarten.

MAARTEN BOTTERMAN: Just again thinking out loud, but how SOs and their PDPs should deal with advice from ACs is something that could be better expressed. I could see that. That's not the same topic as he just told us about, but that would be within the scope of ATRT, I think.

CHERYL LANGDON-ORR: Yes, it certainly would be, but it is unrelated to an independent review process, because an enormous amount of work as gone on in that work track, I think, is the best way to describe what the IRP work was. And it actually ran through Workstream One and through Workstream Two, in terms of time. It sort of ran across both of those. And of course, as we know right now, it's only up to part of the implementation, where it's calling for the community have input on things like standing panel, etc.

So, it's an emerging issue, but it's an important issue. Where subsequent procedures has got the potential to have a nexus with the work of the IRP, as I'm trying to think it through, to see if that's where Sebastien's issue has been born from, is where the matter of standing for ... Because in the new IRP, it allows for issues which are not as narrowly-defined as they used to be to be looked at in an individual review process. That's a plus, right? We're all happy with that.

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Not too far away from that is the discussion within subsequent procedures for new gTLDs, where some recommendations may—and we haven't written the report yet—but may come out regarding how standing for—who can bring forward an appeal process of whatever type, including going down an IRP pathway. That might be where a crossover is occurring, so we would need to watch that space, but I don't think it should make a difference to what we're saying in our report.

I think our level is still high enough in what we're saying at this stage, that should a recommendation come out of subsequent procedures, that gives everybody wearing purple pants and green eyes standing to make an appeals process, including under the independent review panel process, that that's okay. So, I think they're far enough apart for us not to get tripped up, but correct me if I'm wrong.

MAARTEN BOTTERMAN: For all clarity, whereas you moved on to SubPro, I was still chewing on the previous subject. How do you deal with GNSO, etc.? That's where I felt my comment here was appropriate—not specifically for SubPro—just not to confuse you too much.

CHERYL LANGDON-ORR: Adding to the post-lunch confusion is perfectly fine. Organized chaos is a delight. [inaudible] beautiful [inaudible]?

MAARTEN BOTTERMAN: Someone else?



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CHERYL LANGDON-ORR: Is there any body else on that? Bernie, would you like to make a comment?

BERNIE TURCOTTE: As the person who supports the IoT ...

CHERYL LANGDON-ORR: I've noticed that.

BERNIE TURCOTTE: Yeah. This text has been through ICANN Legal, and they're happy with it, so I'm told. So, I think we can't get it mixed up with any other IRP. It says it started in Workstream One, worked its way through Workstream Two. As far as I know, there was only one IRP in ICANN, and we've agreed on this text back in August, I think.

So, next is section nine, assessment of relevant ATRT2 recommendations. As we've discussed, it's about the implementation. We've gone through this text a few times. You'll notice that there's a bunch of stuff in yellow, because as we rework some of the assessments, we'll be adjusting them, at pages 91, 92, 93. Sebastien picked up an error. We've got some duplications. But as I responded to him, all these things are in yellow because they will be reviewed once we've finalized all the assessments and everything is done. So, unless we want to reopen section nine, it's been put to bed a few times now, and we closed it off. Is that okay with everyone? Which takes us to ...

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SEBASTIEN BACHOLLET: Sorry. I have just one question. I guess I would like to understand it. If you scroll down, at the end of page 94, you have here the two bullet points. My question here was why for ... Then, your answer is perfectly okay—that it's for the moment. But why we have both time, 9.2 and 9.3. From my point of view, it's in one of the other.

BERNIE TURCOTTE: I perfectly agree with you. I'm not worried about it. [We will get it when] when we review it.

SEBASTIEN BACHOLLET: Okay. Thank you. But you know, the problem is you and me now know what is at stake, but we need to share with the other, because if somebody came back to that said, "Oh, why?" Then it's why I was ... The other part, when it's two times the same sentence, that's okay. Thank you very much, Bernie.

BERNIE TURCOTTE: Thank you. The Board has been overwhelmed with recommendations, many of which the Board has not been in a position to execute on its own, and which, in total, appear to be cost-prohibitive for ICANN to implement. In response, ICANN has adopted operating standards for reviews, to try to address this concern. As quoted in 9.3, "The ATRT3 Review Team did not achieve consensus on whether these new standards would be effective or feasible to implement at all, and to discuss."

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So, basically we've got ... KC's taking the point of view on this that because some of the recommendations--a, the SSR2 is not done. The SSR2, which is not done, is finding that SSR1 recommendations were not properly implemented in that, because some of the CCT recommendations were not accepted. This means that it did not implement this recommendation, which says, "The Board should ensure that the ongoing work of AoC reviews, including implementation, is set into the work of other ICANN strategic activities wherever appropriate."

So, that is one view. Discussion?

PAT KANE:

Maarten?

MAARTEN BOTTERMAN:

Yeah. I think she puts her finger on where we are in discussion. I think the way she's expressing it, she's paraphrasing it how I wouldn't. At the Board, we receive both recommendations, and we recognize that not all of these are asked to take forward. That's one thing. And we recognize that maybe financial priorities must be made, but we don't say that they appear to be cost-prohibitive. This is under discussion, and the discussion is going on. So, from that perspective, whatever the conclusion is here, we're working on it anyway.

So, I'm happy with that, but I think the way it's formulated ... It's more accurate to reflect that we've considered it. We recognize that some of these are ours to take, and some of these are not for us, but for other bodies. And for those that have cost consequences, it's maybe not for

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us to make the priorities, but really bring the priorities choice the community, and that's across reviews. So, in that respect, maybe that is a clarification. And as said, this is clearly a subject where we explore together how to move forward, and get to conclusions. Larisa, is there anything I missed there?

LARISA GURNICK:

Actually, I wanted to add in a point of operating standards. I would clarify that operating standards were developed in line with the requirements in the new bylaws that operating standards should be developed to guide the process of conducting reviews. And that process took some time. It took two years. There were extensive community consultations to get to the final version of the operating standards, that were adopted by the Board in June of this year, that deal not just with the implementation of the recommendations.

Actually, the operating standards deal with how the bylaws' requirements to conduct specific reviews is implemented and operationalized through very specific procedures for every step of conducting the review. So, I think there's two different issues here. By bringing in operating standards, which is a good reference, just as long as there's clarity as to how they came about and what they intend to do, and how community participation, and comment, and engagement has contributed to the current final version. Thank you.

PAT KANE:

Yes, Vanda. Please.

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VANDA SCARTEZINI:

I do believe that Mark is suggesting that we should make it clear that the prioritization of the decision made regarding the budget, or something like that, should be included, in some way, in that conclusion, to allow us to make suggestion or recommendation. That's the issue, because it's not addressed in any way in other point. I do believe when it's not a question of clear how to do that—it needs to face prioritization—should be some addressing in how to do that, and how to make it clear for the community that this decision needs to be made, with priorities or with not.

So, I believe that the conclusion here needs to be more clear, at least from my point of view, in what is [inaudible], and also regarding the prioritization after the implementation of the decision make, when it's not another kind of issue—it's just budget. Conclusion that limitation of ... Thank you.

PAT KANE:

Bernie?

BERNIE TURCOTTE:

Thanks, Pat. I'm listening, and if I go through the setup of the document, what I'm hearing is this recommendation was made six years ago. This is a different ICANN now. We in a different situation. And judging recent reviews by the old standard versus the new situation doesn't necessarily apply properly. Therefore, there is a reality check that is required, and

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there are some things. Now, I think this comes down into two parts. The first part is ...

I think that says it all. I don't know. Are we comfortable with that kind of conclusion, that really this recommendation was made six years ago. We're in a different framework, and we have to adjust our considerations accordingly.

PAT KANE: Sebastien, please.

SEBASTIEN BACHOLLET: Thank you. I guess, the main question is not too much what we put in the conclusion as explanation, but do we will review that one way or another? Because earlier, when we ... We could say it's done and that's it, but earlier you say that if it's done, we need to find another [media] or another question to reopen the discussion here. Can we reopen it somewhere else? If we can reopen it somewhere else, then I don't care what you write. It's more important that it needs to be accurate. But what is important is that we can reopen it. If we can reopen it somewhere else, then let's go from what you say. Thank you.

PAT KANE: Yeah, Bernie.

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BERNIE TURCOTTE:

My short answer to that is, with the survey results, we have to reopen the whole question of reviews—not just the specific reviews, but the organizational reviews. So, we will be talking about that regardless. We just have to come up with a statement for a conclusion on this. That sort of makes sense, and from what I tried to gather from the consensus here, that’s what I heard, and I think you’re okay if we adjust that. Okay, thank you.

We’ll move on to the next one, section 10.2.1.2, recommendation 11.2. “The Board should ensure strict coordination ...” Section 10.2.12, recommendation 11.2, still on the same page 97. “The Board should ensure strict coordination of the various review processes, so as to have all reviews complete before the next ATRT review begins, with the proper linkage of issues, as framed by the AoC.”

Alright, implementation ... We’ve got some edits there. “The review scheduled to meet this objective was put up for public comment and finalized in 2015, intended to allow for all reviews to be completed prior to the beginning of the next ATRT review. Unfortunately, the SSR2 review is not yet completed. The CCT recommendations have not been processed, and CWG Accountability Working Group recommendations have not yet been implemented.” Okay, implementation not implemented.

Conclusion to discuss at Plenary ... I don’t know how you want to handle this one. It’s one of those where you can go either way. As Sebastien asked earlier, we will be looking at reviews in a general fashion. León?

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LEÓN SÁNCHEZ:

Thanks, Bernie. Currently, the Board, OAC, and the Board [prior], going through an exercise of streamlining reviews. I don't know if you are aware of this exercise, but we're trying to find a cadence in which this could be met by this exercise. That way, hopefully we will have an order—a review streamlined process—that will allow us to address different concerns, such as resources available, of course voluntary burnout, etc. I don't know. Maybe, Larisa, would you like to comment on that?

LARISA GURNICK:

Thank you, León. Yes, I'm happy to comment on that. But before I do, I just thought it might be useful to look back at the context and the background for what generated this recommendation. Under the AoC ... And I believe Cheryl, perhaps and Sebastien, probably will have that same recollection. Under AoC, ATRT was charged with looking at how the implementation was done for all reviews, so not just ATRT reviews, prior recommendations, but all of them.

So, what became very clear, and as I recall, the reasoning for this particular recommendation, it was hard—virtually impossible—for ATRT to assess how all the other review recommendations were implemented, because there was no connection, or synchronicity, or alignment in the timing of when ATRT started and when the implementation work of all the other review recommendations was completed. So, this recommendation, at that time, tried to solve for that problem.



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So now, under the new bylaws, ATRT does not look at the implementation of all the other review recommendations. Each of the reviews do that. So, it's fundamentally different today than it used to be. It still doesn't change the importance of making sure that our review recommendations are implemented. But that was the context for that recommendation.

And then, to continue what was León was saying, there's some discussions that started with the OAC, and those continue with the Board in Montreal, having to do with the cycle of reviews, how the cadence and the timing works right now, and addressing observations and issues that many people already agree to, that the whole cycle of reviews and time available for implementation, and time available to live and breathe with what's been implemented before the next cycle of reviews comes around. These are some of the kinds of things that need to be addressed, and need to be discussed as part of the streamlining of reviews.

Essentially, the streamlining of reviews work is really broken down into a couple of pieces, which has to do with timing and cadence, but also has to do with improved recommendations, improved implementation, addressing resourcing, and prioritization kinds of issues, and various other improvements. Thank you.

CHERYL LANGDON-ORR:

So, we've got Sebastien, back to Bernie, then to Wolfgang, and then to Pat. Sebastien?

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SEBASTIEN BACHOLLET: Thank you very much, Cheryl. Isn't the work of ATRT2 you are describing—ATRT3 you are describing here?

LARISA GURNICK: [Mm-hmm].

SEBASTIEN BACHOLLET: I am really concerned that the Board is doing what we are supposed to do. If you have the money, if you have the time, if you have the people, just help us. We have left two the people to do the work about the review, and you have done the job in another setting? I am really sorry, but it's not good. I love the Board, and I want to give them more responsibility, but here specifically ... And I write it in the comment this morning. If you want to go back, you can see in the chat. But here, really, it was a job of this sub-team, and all the things that you have done must have been in the conclusion of the work they were doing—we were doing.

That's all. I hope to have this, really, as soon as possible, back to us, as an input to help us to [work], because just to take one example, if we decide to suggest to the community that we start a review on [inaudible] on the next time—as an example, [totally]. What will be the purpose for you to have already organized that one day we will have to do that? That is [so good idea].

But if we decide we [stop the] ... I will take a more substantive one. We may suggest that we stop all work, review of each body, and we do a review of ICANN. What will be the purpose of the work the board is

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doing now? The landscape will be completely different. The [requirements] will be different. That's why I really think that we need to coordinate. You can't just say that the other needs to coordinate. You can't just ask us to know what is done where it's not public. Therefore, please bring that to our [Co-chair] to help us do it.

Now, on a more lighter subject, I would like to suggest that if we write this, "The CCTRT recommendation has not been processed ..." it's not totally fair, because it has not been totally, or is in the process, because of [all that already] ... [inaudible] and it's completely [inaudible] processed. It's not to the end. There is discussion still, but that we can't ... The reality is that the process already been done. Thank you. I'm sorry for the ...

CHERYL LANGDON-ORR: No, not at all. So, we need to modify the text slightly, in [your record], then, with [that] text modification, I hope, somewhere?

BERNIE TURCOTTE: [inaudible].

CHERYL LANGDON-ORR: Okay. We are going to [units], so that's an [ardent] opportunity there.

BERNIE TURCOTTE: Alright. From what I'm gathering out of this, we've been talking around a lot of things, but the core of this recommendation is that "Board

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should ensure strict coordination of various review processes, so as to have all reviews complete before the next ATRT begins, and with the proper linkages of issues framed by the AoC—" whatever that means.

But the reality of this one, I think, is we're just going to have to step up to the fact that yes, that did not happen. It just didn't happen. We've got a whole bunch of context about why, and we should explain that in the conclusion, but the reality is, the core of this recommendation was that all those reviews get done before the ATRT starts. It didn't happen. Let's just live with it, and explain it the best we can, and move on. That's my suggestion.

CHERYL LANGDON-ORR: [Inaudible] and then move on.

BERNIE TURCOTTE: Yep. Is that okay? I think KC will be able to live with that, too.

CHERYL LANGDON-ORR: Alright, well we'll double check. Can we just make sure that's annotated, so KC can find that in the morning? Bernie, are you wanting your [card] still up?

BERNIE TURCOTTE: Well, after I play with the text, we'll see. Yeah.

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CHERYL LANGDON-ORR: Okay. Do you want your [card] still up?

BERNIE TURCOTTE: Oh, sorry. No. Okay,

CHERYL LANGDON-ORR: Did you want the card still up? Okay, let's go to Wolfgang. Over to you.

WOLFGANG KLEINWAECHTER: Yeah. There is another short piece of history. Sometimes, there's also confusion of the language when we speak about review and oversight. You know, the original idea with the Affirmation of Commitment, from the side of the Department of Commerce, was to bypass the global discussion on ICANN oversight by a UN body, and by [entrance] using a mixed system of oversight for ICANN, decentralized, and not on a permanent basis, but in this three-year period.

Normally, each corporation has an oversight body—in German language, it's called the Aufsichtsrat—which oversees the activities of the board. The idea of the DoC was because some member states in the UN was calling, "We need an intergovernmental oversight body for ICANN." So, [ICANN] said, "Now the community can do it itself, and we innovate the process by having a mixed system for different reviews." And the ATRT was seen as on top of this, to be the oversight body for the Board.

With the IANA transition, we have now everything under one umbrella, so the organizational reviews and the AoC reviews are seen of a

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common understanding of part of the community is not anymore a differentiation of this, and the quality of the various review processes.

Probably, this could be an element of our recommendation—how to handle future reviews—because a number of reviews is the responsibility of the Board. They have to control certain processes, so there is probably no need for the extra review bodies to look what the new gTLD [inaudible]. It's good to have, but it's the Board. This thing has to oversee and review the Board activity. I think this is ... In [inaudible], to have more clarification what is oversight and what is just review of the effective working of the community, or consistency of certain processes.

I think really what [inaudible] here, this has to be trimmed down. I'm happy to hear that the Board has already moved toward, and is saying, "We have to squeeze into more reasonable, shorter, and smaller processes." Thank you.

CHERYL LANGDON-ORR: Pat?

PAT KANE: I have to agree with Sebastien on his comments about the Board taking on the reviews at this point in time, because we have to remember that the Affirmation of Commitments, these reviews were a negotiated process between the US Government and ICANN. There are specific reasons why each of these reviews were put in place, and it wasn't all about making certain that that community understood exactly what was

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going on with ICANN. Some of them were driven by specific US agencies, around certain things that they wanted to take a look at.

We should keep that in mind when we take a look at this, but I do believe that it is this team's responsibility to take a look at that streamlining process. Part of even recommendation 11.1 is when we take a look at things, how do we have work feed into other work activities? I think what we're doing here would be helpful if we had insight into that discussion, in terms of what we're doing here, or that discussion should get insight from what we're talking about here.

I think that when we get to certain recommendations, the outcome may be in alignment with the Board, but we're taking a look at streamlining. Even if you take a look at the recommendations where we are right now, directionally, we're going that way. So, I don't know where you guys are, in terms of that discussion, or whether we're spot on or not.

Just another comment about what's going on with the Board in these conversations, the prioritization conversation, which we'll get to at some point in time ... We've got three groups talking about prioritization. Brian's keeps talking about it in the multistakeholder evolution. We talk about it here, and we've got Avri talking about it to the Board. Go back into recommendation 11.1 How do we feed into these conversations, or take advantage of these conversations?

CHERYL LANGDON-ORR: [Inaudible].

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PAT KANE: Exactly. And so, I think we're missing that opportunity, and that's the sin of 11.1, I think, where we are, is we're not in detailed communication on those items. Thank you.

CHERYL LANGDON-ORR: Perhaps Maarten's going to help us with that.

MAARTEN BOTTERMAN: For sure. Thanks, and thanks for raising it. Of course, it's not the Board's intent to come with a totally different scheme for reviews and present it as a complete ... Basically, the original thesis ... Already before ATRT started, in the community, there were discussions. There was a threat of multiple reviews come at the same time, where people started worrying about burnout and everything.

At that moment, it was clear that we need to do something about it, in that we recognized. In the actual moment, it is now the organizational reviews are done. This ATRT, we started ... A new cycle will start next year. So, it would be good to, before that new cycle starts, to think ahead of how to deal with it.

The idea was to really look at, as we expressed, how could we make that more sustainable? It's communicated also in public record, on our work priorities. And the same thing with thinking about the issues that we think about. Prioritization—how do we do that, etc.? So, it's tackling the issues that we really need to tackle, to grow as ICANN in a multistakeholder, bottom-up way.



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We are to provide some guidance and help in this process. And in that way, that is how we see the interaction. So, the intent is very much to help stimulate the discussion on how to come to a more sustainable way forward. [Inaudible].

CHERYL LANGDON-ORR: Back to you, Pat.

PAT KANE: When you said that, it made me think of something else, Maarten, so thank you. The only top-down review that we have is this one. And I think that when we talk about making certain that certain things happen before the timebound one happens—especially the SSR2 ... SSR2 has failed twice, in terms of getting through. And so, if we're waiting for that to happen—and this is KC's comments, and it's probably not fair to take that on, unless KC's on the phone, but I'm going to anyway—we would be two more years before we would get to this one, and SSR2 is stuck.

CCTRT has created a new paradigm for the community, in terms of how we address recommendations. The Board has identified, I'll call the line-item veto in terms of specific recommendations, saying, "This one is valid. This one has to be assigned to somebody else. This one, we're going to kick back," which is not necessarily inappropriate, but it's just a new paradigm that we're dealing with, because it's based upon availability of resources and availability of money. So, I totally get that.

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In terms of where we are specifically on this one, KC's examples of things not being done before we get to ATRT ... It's a new reality, and it is six years, but I can't see us taking an ATRT4 and waiting until a cycle, where there's nothing timebound, and waiting until all is done to reassess all of that process.

And so, I think it's a long way of saying that in any reviews, I think we should have the timebound component as we move forward, because it limits your scope—makes you focus on all the really important recommendations, and then you can get this cycle that is predictable, that you can go through, and you're actually managing a streamlined process because of that. So, thank you.

CHERYL LANGDON-ORR:

Just looking around to see if there's any hands up around the room, and I've not seen them, so I'm just going to pop myself briefly in queue. I'm passionate about this particular topic, which some of you may not be astonished to hear. But I do want to, dare I say, challenge my Board friends. I thank them for all of the good words and support that they've given us on this particular matter.

But what I'm hearing is the difference between you, us, and we, because we're all trying to do very similar things. We may be coming at it from slightly different angles, and our good intentions, where there are good intentions, I'm sure are complimentary. But we are not working in a complementary manner. We are not working in an inclusive manner.

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And we have an opportunity now, in this group, to change that, not only for what needs to be done now—and we all agree that a lot needs to be done now—but also going forward, because it’s this next cycle story that we need to watch. I don’t think we’re going to be butting heads on this, but it would be very nice to be on the same racetrack, and running in the same direction, rather than just at the same finish line. I don’t think I could put any more metaphors into there. I’ve metaphored out on that one.

So, you get where we’re coming from? I’ve got to tell you, I want, “Okay, fine. You’re doing this now, when the ATRT3 has been delayed for so long?” But we’ve been hearing about volunteer burnout since before ATRT1. I was hearing about it in 2005 and before. None of this is new. How we’re working and how we’re operating is vastly different. The opportunity exists, if we’re clever and we work together and bring the community along in the process, because we can’t work in a [rarified] atmosphere too much. There has to be community consultation.

That doesn’t happen in our timebounding, but it doesn’t mean that we can’t make strong suggestions, if not recommendations, about it happening. That’s, again, part of the opportunity. We’re not trying to be difficult. Well, I am actually trying to be difficult. No, I’m not—no more than usual. But we are trying to harmonize more effectively, and ensure that the community ... The whole part of that transparency part of our name, and the accountability part of our name ... [No one has seen it], other than Review Team, last time I checked, is looked after.

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Of course, it is an ATRT that can make a recommendation about not doing other reviews. Opportunity, again. At this point, I'm going to come back to you Bernie, because I'm going to get too excited, and that's not good for me. Maarten, you had a reply?

MAARTEN BOTTERMAN: Just to say that, the good news is I think we are aligned, and we are on the same line. We have been communicating about these things, and you and I have been communicating about these things.

CHERYL LANGDON-ORR: [Inaudible].

MAARTEN BOTTERMAN: No, but that's because this is the essence of what we are faced with. As Bernie said, the CCT, the way we dealt with that, that was not the easiest way for us. The easiest way would have been, "Okay. Go on and come up with an implementation plan and whatever." I think we are doing the responsible thing. It shouldn't lead to lengthy delays, and we don't want it. We had the discussion on Workstream Two as well, where we really want to move on, and how do we do it in a responsible way? I think we're getting there.

Also, with this one, and the whole prioritization thing, just like with Brian's activity, it's activities that go in parallel, but for sure touch upon what we do here. This is we, ATRT, now because we feel part of that, too. We are in a crunch of time. We are now almost three years after

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the new bylaws came into force, and we are getting closer to make it work effectively.

So, in that way, please don't see this as the Board trying to take over, or starting something new this month or something. This has started some time ago, and we've been communicating about it. And yes, no way we going to build this new kind of law. It's not our right. It's our way of facilitating the community, in reaching better ways to move forward together in the reviews, and not become a review organization, but really to try to be an organization focused on the secure and stable, resilient internet, based on [inaudible] facts.

CHERYL LANGDON-ORR: Okay, I've got Bernie, Pat, and then Sebastien.

BERNIE TURCOTTE: We've covered a lot of territory in the last few minutes. But time is running on. I don't have a conclusion for 11.2. Would everyone be okay with, now that we've agreed that it's not implemented, and not effective therefore, that we simply say—and as I responded to Sebastien on 11.1—"ATRT3 will be looking at making a recommendation about reviews generally," and just stop it there?

SEBASTIEN BACHOLLET: That's the conclusion, right?

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BERNIE TURCOTTE: Yeah. That's be okay?

CHERYL LANGDON-ORR: Seeing noddng around the room.

BERNIE TURCOTTE: Okay. I'm happy with 11.2. And we can move on to Sebastien and Patrick.

CHERYL LANGDON-ORR: Pat, and then Seb.

PAT KANE: Yeah, just a real quick one. I walked back in, and I really appreciate what you said, Maarten, because I think of this as the AoC, which is what we're talking about, in terms of the ATRT2 requirements, was ICANN's pact with the US Government. And really, the bylaws are a pact between ICANN and the community. So, I think it's really important to remember that, that it is how do we agree to work with each other? So, thank you for your comments.

CHERYL LANGDON-ORR: Seb?

SEBASTIEN BACHOLLET: To step ahead with what you have said, I hope that we will not become an organization where we will organizing possible reviews, and not just

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an organization doing reviews. Board is organizing the future reviews. We will organize the future reviews, and then it's a step ahead of what you say. Are we becoming an organization who do reviews? I am afraid that we are going to be an organization who organize the reviews, and not do the reviews. Even it's worse.

**BERNIE TURCOTTE:** We'll have the translation provided later in the day. Thank you. I understand what he's saying. What he's saying is, we're going to be working on what we do with reviews, instead of doing reviews. So, he doesn't want us to be an organization that works on what to do with reviews, versus doing reviews.

**CHERYL LANGDON-ORR:** Excellent. Alright. You both have your tent cards up.

**PAT KANE:** Oh, I'm done. I'm sorry.

**BERNIE TURCOTTE:** We are very much alike.

**CHERYL LANGDON-ORR:** I've been confusing you all day now. Where to next, and who has it? Is it you, Bernie?

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BERNIE TURCOTTE: Recommendation 11 ... Switch on my mic. Sorry. I have a big voice, so I don't hear the difference.

CHERYL LANGDON-ORR: It's hard when you're trying to hear from Los Angeles, or [inaudible].

BERNIE TURCOTTE: Yeah, I know.

CHERYL LANGDON-ORR: Even for you, that's a challenge.

BERNIE TURCOTTE: It is. Apologies for missing the mic. 10.2.1.4., recommendation 11.4. "The Board should prepare complete implementation reports to be ready by review kickoff. This report should be submitted for public consultation, and relevant benchmarks and metrics must be incorporated in the report.

So, implementation ... KC's rewritten this one. "The ATRT3's first plenary call was 22 January 2019, and its kickoff meeting was 3 to 5 April 2019. The implementation report—not really a report, but slides—was first sent to the list 23 April 2019. There was no public comment or a relevance to benchmarks or metrics. Implementation assessment, not implemented." Thoughts, comments, discussion?



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CHERYL LANGDON-ORR: Larisa?

LARISA GURNICK: I have a comment on the public comment part. The bylaws call for public consultation, so the interpretation is that when a quarterly update on the implementation of the recommendations are produced ... And they have been produced on a quarterly basis and published, although probably not the easiest thing in the world to find in the ICANN world.

But the point being that this information is being published and available for community discussion—not necessarily for public comment. So, the nuance between public consultation, public comment ... And of course, there is many different ways to interpret that.

CHERYL LANGDON-ORR: I'm just going to put myself in the queue. Just a moment of thought that happened while I was listening to you. There seems, then, to be an opportunity for us to perhaps make clear that whilst it's not public comment, but it is publishing, and we could even go towards consultation, something proactive in a communication modality needs to happen, because putting up a billboard in the desert doesn't help. So, in this case, putting up a green, grass-covered one in the middle of a meadow doesn't help, because there is such a huge amount of information.

I'm not quite sure how the community rank and file is supposed to trip over this stuff. So, there may very well need to be some sort of minimal

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proactive communication that is required. What that is, that's not our job to try and design, but it could very well be a suggestion that we say it ought to be looked at, because the value proposition of merely publishing something does not tick all the boxes when you're talking about what was requested, which was a much more consultative process out of ATRT2's recommendation—at least as I understand them.

Bernie, where are we from there? Is that going to turn into some sort of English language eventually? Okay, Vanda. Sorry. I didn't see your card up.

VANDA SCARTEZINI:

Just to remember that some of those, when translated, means the same thing. So, public comment and public consultation, when you go to Latin language, means the same thing. If you consult something, you need to wait for the response. And when you ask for comments, in the same way, you need to wait for the response. So, this, in some ways it make a lot of confusion in the community.

CHERYL LANGDON-ORR:

Thank you for that, Vanda. Why I'm particularly thanking you for that is it strikes me now—and this is personal opinion, and it's not coming from where I'm sitting ... Well, it is, but you know what I mean. We might need to look at the nomenclature then, very, very carefully, because there is a set of expectations around the term of "public comment" as it is meant in a Latin context, which is inappropriate for this type of material. So, we might need to look very carefully at the

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nomenclature that's used, especially when we then look at how it maybe translated. Thanks for that, Vanda. Anyone else on this one? Bernie, continue.

BERNIE TURCOTTE:

Sorry. Forgot to turn on the mic again. I'm going to start over. Sorry for the pain. "As outlined in various sections of this report ATRT3's assessment of the implementation report, the product of implementation of this ATRT2 recommendation 11.4, found this report/summary documentation, as at October 2018, that the overall accuracy of the report was significantly lacking. ATRT3 also recognizes the implementation and likely positive effects of the new tracking options in the Reviews section of the ICANN website, as well as the new, as of June 2019, Reviews Terms of Reference.

"However, given the significant issues ATRT3 has identified with the organization's implementation and reporting of implementation of the ATRT2 recommendations, coupled with the untested changes which should address this, ATRT3 will be suggesting or recommending that the Board conduct a public consultation annually on the implementation status of the various specific reviews and recommendations that are ongoing." KC didn't touch that one, meaning she was sort of happy with that.

PAT KANE:

I think she wrote that.

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BERNIE TURCOTTE: No, I wrote that.

PAT KANE: You wrote that?

BERNIE TURCOTTE: No, Cheryl wrote that and I fixed it.

CHERYL LANGDON-ORR: Yeah.

BERNIE TURCOTTE: I turned it into English.

CHERYL LANGDON-ORR: Okay, your mic is still open, so ... We go to the public record. I won't take a right to reply, but yes, it was my stream of consciousness nonsense that was then turned into some semblance of the English language. Thank you very much, Bernie.

BERNIE TURCOTTE: So, we've got a recommendation, and we've got a conclusion. We sort of need to fill in the middle part here, on implementation. Let's reread the recommendation. "The Board should prepare a complete implementation report to be ready by review kickoff." I guess that was sort of met, right? We had a report. It's for you guys to decide.

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UNIDENTIFIED SPEAKER: [Inaudible].

BERNIE TURCOTTE: No?

SEBASTIEN BACHOLLET: I was trying to go back to some of the document. Even if we have work on, it's still difficult to get through. At the beginning, either when we were selected—when we were a candidate, or when we were selected, or when we went for the first call—we're not having any document. The first was in, I'm thinking, 23rd of April or something like that. Therefore, it was not at the beginning of our work. Either we decide to postpone our end to one year, and that will fit with the beginning, but if we don't change it, then no. That's the first point.

And then, it's a minor one, but it's something I have already written somewhere in the document. I would like very much to stick with the name of ICANN Org and not with Organization. I don't like ICANN Org, but it's worse for me, Organization, because I feel that it was stolen to us, because we are the organization, and staff is not the organization. But the new CEO has decided that he wants to name his staff The Organization. That's him doing that. But we are the group. We need to call them, I suggest, ICANN Org everywhere in this document. Thank you very much.

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CHERYL LANGDON-ORR: Bernie, you got that, in terms of replacement of any terminology?

BERNIE TURCOTTE: It helps a bit. There's a general feeling, I guess, that you didn't have the documentation you needed by the time you started, right? Okay. The second part is the report should be submitted for public consultation. We have the input from Larisa that the updates were published, and that it's a question of understanding terms, and we can explain that.

The last part is, "and relevant benchmarks and metrics must be incorporated in the report." If we read what we've been using as the implementation report, there are certainly some in there. It does say, "and relevant benchmarks and metrics," so how do you want to address that on implementation? Was what was provided adequate, partially adequate, or inadequate is what we have to decide now. Then, we can wrap this up.

CHERYL LANGDON-ORR: Floor is open. Vanda?

VANDA SCARTEZINI: For me, it's partially implemented, once you understand that there's not expected some comments from public. So, I do believe that KC will reconsider to this approach. For me, it's partially implemented, because there is some metrics, and some conclusions and that. So, in my opinion, maybe not at all, but do you need this all? That's a question for one point that could be made. Thank you.

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CHERYL LANGDON-ORR: Anyone else want to [weigh in]? Larisa?

LARISA GURNICK: It just occurred to me, one other point of information. According to the new bylaws, there's a requirement that an annual review implementation report be published, and that the first version of that will be published at the end of this month, as part of the annual report. So, that's just a point of information for this group, because that might be something you take a look at when it's published in the next week or so. It contains some of the information that might be useful.

CHERYL LANGDON-ORR: Excellent. We look forward to it being proactively pushed in our direction. Daniel?

DANIEL KHAUKA NANGHAKA: Thank you very much, Larisa, for that. Actually, I was going to bring up the same issue, because one of the calls that I had with KC trying to discuss these recommendations, she happened to mention the implementation report not being available. So, it becomes very difficult to gauge the level of implementation. It's between. We don't know whether it has been fully implemented or not. We don't know. So, looking at that section, with [inaudible], at least I'm very happy that it's being shared in this discussion. Thank you.

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CHERYL LANGDON-ORR: Anything else? No? Okay, back to you, Bernie.

BERNIE TURCOTTE: I think Daniel has a comment.

CHERYL LANGDON-ORR: He just did. [Inaudible].

BERNIE TURCOTTE: Oh, okay. Sorry. Getting a little [punchy] now. That jet-lag's kicking in. Sorry. Where I've gotten to from the input is implementation partially effective, and we'll write some words around it. Partially effective, since it's partially implemented, and we've got the conclusion that was untouched, and we seem to all agree, which would fit in with what Larisa was saying, if it goes out for public consultation.

CHERYL LANGDON-ORR: Back to you, Daniel.

DANIEL KHAUKA NANGHAKA: Just adding a little. Is it possible that you could go back and review the report after it has been published, and [definitely] change to be able to match that after the public consultation, if the time allows?

CHERYL LANGDON-ORR: I think we can recognize. By the time we're to the point of drafting final text, it will even have happened, rather than it isn't about to happen.



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And so, we can recognize it in the text, but I don't think it's going to change our review, and the status we've given it. We just need to recognize that, "And now, this is happening, and here is the first example of it," publication date, link, rather than go beyond that. I think that would be unnecessary—interesting, but unnecessary from how much time we've got to put in everything. I know you love us, but you do it all by yourself, and you get back to us. [I don't have time].

BERNIE TURCOTTE: What time are we breaking?

CHERYL LANGDON-ORR: In about 10 minutes.

BERNIE TURCOTTE: Alright. We should be able to [get to that]. Next one up ... Yes, I'll turn on my mic, Jennifer. Section 10.2.1.5, recommendation 11.5, "The ICANN Board should ensure in its budget that sufficient resources are allocated for review teams to fulfill their mandates. This should include, but is not limited to, a combination of review team requests to appoint independent experts or consultants, if deemed necessary by the team. Before a review in commenced, ICANN should publish the budget for the review, together with a rationale for the amount allocated. That is based on the experience of previous teams, including ensuring a continuous assessment and adjustment of the budget, according to the needs of the different reviews."

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Alright, a minor comment on implementation from KC. "As stated in the implementation report. A standard process for budgeting for AoC reviews has been established via a budget worksheet, deploying budgets for the next round of AoC reviews has been completed as part of the Fiscal Year '16 Operating Plan and Budget, which was approved by the Board in June 2015, and is currently underway for Fiscal Year '17, which all evidence points to being exact, including this ATRT3 review."

KC asks, "Did we check with other teams to see if they thought they had sufficient resources?" And I guess what we can say to that is, if we look at the budget, where there needed to be increases in some of the specific reviews, their budgets have been updated, I think. If you will, Larisa, please.

LARISA GURNICK:

Case in point would SSR2. They've just requested additional funding, and it's going through the process. We expect Board action on it in Montreal. So, that's the most recent one. As far as ATRT3, obviously you know your own circumstances. RDS did not need any additional funds. As a matter of fact, I think they came in under budget. And CCT was initiated earlier, so they had quite a bit of resources.

CHERYL LANGDON-ORR:

Pat?

PAT KANE:

I think it's difficult to do that ahead of time, if you don't understand the scope. I think that's what SSR2 has dealt with on both occasions, is that

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there was not either time binding or scope binding. Just in developing software, I've always learned that scope—and then you build a budget around what you've scoped.

So, if we're going to try to do that up front, we've got to give some parameters, again, when we get to the reviews recommendations, as to what and how we should bind the time. SSR2, I feel bad for those guys, because they wanted to look at a lot of things, and they just didn't have the money for the scope that they wanted to go figure out.

CHERYL LANGDON-ORR: Maarten?

MAARTEN BOTTERMAN: What Pat said, I would almost say. Review committee to provide the resources needed, and that should be provided, and if halfway through the process it turns out like, "Oh, sorry. We can't do it. We need more," it's considered. I don't think that has been leading to a problem as such. With that, I very much agree with Pat. That may be a lesson for any review going forward, with a clear focus, and maybe even a time limitation or indication that could truly help to set up budgeting as well.

CHERYL LANGDON-ORR: Pat?

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PAT KANE: I ought to just give an example. Has everybody seen the movie Rocky, back in the 70s, Sylvester Stallone? In the movie, they filmed him at the Philadelphia Art Museum. Now, when they built the Philadelphia Art Museum, they knew from the beginning, they didn't have enough money. So, they built on both sides and worked inward. And so, when they ran out of money, they had a big gap in the middle. So, it's really important that we understand how that works, again, around scope.

CHERYL LANGDON-ORR: Thank you for sharing that, I think. Back to you, Bernie.

PAT KANE: We are getting punchy.

CHERYL LANGDON-ORR: We are getting punchy. We've got 10 minutes to caffeinated beverages.

BERNIE TURCOTTE: Yeah. We're almost there, folks. We need to finish section 10. The conclusion is the blue one. I'll just read, and when we're done on this one, we have one more after it. "The ATRT3 recognizes and endorses the importance of recommendation 11.5 of ATRT2. We also note that while a degree of implementation has occurred, and budget forecasting for specific reviews has occurred within recent operating plan and budget cycles, and due to the inclusive nature of this consultation, in these processes, there is a provision for improved transparency, and a degree of accountability as well.

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“The particular matter raised in the recommendation by ATRT2, vis a vis that sufficient resources are allocated for review teams to fulfill their mandates is an issue that merits ongoing and particular attention, and regular review. To this end, it is suggested by ATRT3 that particular attention is required to this, as part of regular budget and operating planning cycles.” Going once. Going twice.

UNIDENTIFIED SPEAKER: I’ll buy one.

BERNIE TURCOTTE: Okay, it’s a suggestion. Alright, section 10.2.1.6, recommendation 11.6, “The Board should address all AoC Review Team recommendations in a clear and unambiguous manner, indicating to what extent they are accepting each recommendation.” Alright, so KC had a field day with that one.

CHERYL LANGDON-ORR: That is being dealt with, with severe prejudice, I think is the best way of describing [inaudible].

BERNIE TURCOTTE: She claims it’s not implemented. Over to you, Madam Chair. I don’t know what you want me to do with this one.

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CHERYL LANGDON-ORR: Well, I think fellow Co-Chair and I would welcome a discussion on this for the next, say, five minutes at least. But let's look at what was writ, and see why, at least in one of our members' concerts, it was so incredibly wrong, because she's gone in and deleted the whole damn lot. That might be a for a very good reason, so let's take the time to review that with some conversation over the next five minutes, and then we'll still be able to wrap this next section up before we go to break. Correct?

BERNIE TURCOTTE: How about I read the implementation and then ...

CHERYL LANGDON-ORR: Okay, can we just go to Maarten first?

BERNIE TURCOTTE: Alright.

MAARTEN BOTTERMAN: It's just that there seems to be ... So, for the Board to be clear about what action we take, and to provide sufficient rationale, I think CCT recommendation was the first action since ATRT2. And the scorecard and supporting rationale didn't give a lot of information about the intent of the recommendation in that. After, in Kobe, and thereafter, we had communications, including with you guys, on additional steps that would be helpful to reach a better mutual understanding of the intended recommendations of the rationale.

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And also, with the CCT team, we reengaged, and we had a meeting in Marakesh. So, we really recognize that engagement is important to come towards an improved mutual understanding of how to consider and how implement. And there is a continuous improvement element here, that we are engaged in discussions with the community to make the review outcomes overall more impactful. We are working on a draft proposal to see how the budgeting and prioritization of recommendations, as you know. That's on the agenda for discussion in Montreal, as well.

So, it is iterative, and we're getting closer. We're seeking to come to practical solutions for you—solution-based, and just testing and refining. So, the work to improve review is ongoing. I guess that you could say it's not implemented. It's ongoing. But for sure, it would, I think, be useful to pay attention to what's happening in that respect.

CHERYL LANGDON-ORR:

Thank you, Maarten. Do you want to just—brief synopsis on the implementation, then, Bernie?

VANDA SCARTEZINI:

As a part of the implementation work that we have done, I do believe that we need to explain, like we have done—explain the work we have done. So, it's not just to say what is the process going on? It's not what was done for this group. We assessment, and we take a look, and listen to Maarten, and all those things together is in some way represent for what is written there. So, from my point of view, it's clear, and there may be now—I don't know—10 to 15% of the tasks to be complete.

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Maybe it's too [inaudible], but all of the work is what we have done as a group.

So, I would leave like it is. I don't understand why KC is completely against that. Maybe she could not understand what is the intention of this assessment and implementation [inaudible] that we have done. So, for me, it's good like it is. Thank you.

CHERYL LANGDON-ORR: Thanks, Vanda. Daniel?

DANIEL KHAUKA NANGHAKA: After having that list for the direction of KC, on this document. For the [inaudible] when she mentioned "not implemented," it was looking at the current review processes that have been going on. And looking at that, certain key elements, we are not coming out clearly in reference to the key recommendation. So, her mentioning "partially implemented" wasn't very, very clear on what has been implemented, or the possible outcomes of the key respective implementations of the various review processes.

So, I think to we have to be very clear on what is the extent of implementation? What has been implemented, and what hasn't been implemented, such that we can be able to justify this statement of "partially implemented." Right now, the verification of that statement doesn't come out so clear in that.



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CHERYL LANGDON-ORR: Vanda, I assume your card's down, so we're going to go to Tola.

ADETOLA SOGBESAN: Thank you. I think this started from the beginning of our assignment. I remember [inaudible] the one metric [inaudible] or don't. Maybe that's where the challenge is. Each of us, we are left with the position of using our own initiative and understanding, and determining whether this implemented or partially implemented.

But I [inaudible]. My understanding, what KC was trying to do is summarizing that entire 30 line we have here, and saying, "At the end of the day, I want to say that all these, whether [they're coming to] implemented? No, I can't see any sign of they've been implemented." That's what I believe she did.

Now, it's up to all to feel, for the new trial, it may expedient for them to read between the lines, and see the reason why we have come to whatever decision we have taken. So, I'll support that we maybe more define this, but note entirely throwing it away to say not implemented. Thank you.

CHERYL LANGDON-ORR: Okay. I assume your card is going down. I just want to point out that it is time for your break, and so happy to come back to Michael, Larisa, and Pat, if remembers whatever he wants to say that long after the break. Let's put a pin in this conversation. We'll come back to this point, and we'll start with Michael, go to Larisa, and not spend too much more

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time. But if we need to spend a lot more time, we'll do it at another point in our agenda, okay?

We'll be having a 15-minute break now, ladies and gentlemen, which means we will be returning, if I can find the place in this mess of a agenda I think I have here now. Where is the break? I've lost the break. Oh! There it is. God love it. It'll be a quarter to the next hour. So at 15:45 local time, or 07:45 UTC. Thank you.

Thank you very much. We're just reconvening with ATRT3 after an all-too-brief but greatly-valued mid-afternoon break. Hopefully, the caffeine and the sugar from the fruit juices that was taken on board will kick in for a few of us, and we'll manage to get through the rest of the afternoon full of vim and vigor, with lots of excitement and full, frank, and fearless conversation. Right, there we go. Are we ready? Okay, Michael.

Or of course, I could be totally wrong with that introduction. You're next in the queue, Michael. Put on your microphone.

MICHAEL KARANICOLAS: The thing that I was going to say is it strikes me that it's a bit problematic to be having this conversation in the absence of KC, especially because I hear folks channeling, "Well, what I think KC was trying to say ... I think what she was saying was this. I think what she ..." It's problematic that she's not here to defend her ideas. That struck me as we were going through the previous sections, but it seemed like less of an issue, because we were mostly cleaving to what she was saying, so okay. But here, it sounds like there's a significant departure.

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So, while I understand that we have a schedule to keep, and we don't want to upend everything from that perspective, and we want to keep things moving forward, I would suggest that if we are, in our ultimate writing of this, departing significantly from what she inputted, that in addition to just notifying her, and sending it along, and basically saying, "So, here's what we discussed instead," it should be made explicit that if she wants to reopen that conversation tomorrow, in the morning, when she's patched in, that that should be an option.

CHERYL LANGDON-ORR:

Okay. Thanks for that Mark. Of course, what she did was a wholesale deletion of already-discussed text—not the opposite. It wasn't that we're changing text she's presented. So, there still might be a way forward. Let's see. We have actually closed off on that, but absolutely we did say, and we will park things and come back to them, if there are major changes. Thank you. Larisa?

LARISA GURNICK:

Okay, so a point of clarification on recommendation 11.6 ... It's about that the Board should address all review recommendations in a clear and unambiguous manner, indicating to what extent they're accepting each recommendation. This one's not about implementation. This is about action on the recommendations.

So, I just wanted to make that point clear, to amplify what Maarten was saying. While it may have been confusing, and admittedly a lot of information, but if you take a look at the Board resolution, the scorecard, and the rationale section, for each recommendation, there

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was at least some effort to make the Board action and the reason for it clear. Now, the rationale may have not been something that people agreed to, or the action may have not been something that people expected, but in terms of providing that clarity, I just wanted us to circle back to that, or just to underscore that point.

And if it's okay for me to go back to 11.4 ... And I posted something in the chat. During the break, we had a chance to remind ourselves of some things that happened. In the call for volunteers for ATRT3, there was a lot of information that was included to inform people that might be interested in volunteering, and anybody else that was interested in the review. Again, it could have been more clear for sure, but there was a link provided to the wiki page, where the quarterly implementation updates had been posted.

Now, of course, that call for volunteers went out quite a long time ago, and since then there were updates, but I just wanted you to have that data point and that link, and it's in the chat. Thank you.

CHERYL LANGDON-ORR:

Thanks for that, Larisa. Of course, the primary source that we are using for ATRT2 implementation reporting is the—correct me if I'm wrong—October 2018 reporting, which, of course, was well after this that you just described. In fact, ATRT3 should have been close to completing its work, if not completed by that time, if we'd followed the original design, from timetabling from the call for volunteers—the agreement from the ACSO Chairs as to who should sit, and in the [process].

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Again, it's one of these comedy of ... We've had so many moving parts on so many different things. It's unlikely to ever happen again, but we do need to recognize that it is what it is, and we need to not ignore what's been behind us, but keep looking forward. Sebastien?

SEBASTIEN BACHOLLET: Thank you Larisa. Can you show us where we were supposed to find those information? I am trying to find it on the page, and I know that I can spend 10 hours to find it, but please put it on the screen and show us, if [inaudible] allow us. Thank you.

CHERYL LANGDON-ORR: Go ahead, Jaap.

JAAP AKKERHUIS: I must say that anybody interested in the outcomes of the reviews ... This is not the right place to find the [outtakes]. It reminds me of the Hitchhikers [in the] Galaxy, where the destroyer of the Earth is announced behind a crocodile in hidden cellar, and things like that. Yes, it is there, but ...

CHERYL LANGDON-ORR: And the answer is, if you can't be interested in local issues, then it's your problem if we destroy your planet. Yes. Thank you, Jaap. I think we've all recognized that the mere publication is one thing. The where, the how ... And often, the where would even not be as disconcerting if the communication that went around it—the proactiveness of the

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communication, the effectiveness of the communication ... Any communication around some of these things, would still have compensated for wherever they are. But that was a fascinating exercise, and I always appreciate a Douglas Adams reference. So, extra brownie points for making me smile at this end of the day. Thank you very much, Jaap. Maarten?

MAARTEN BOTTERMAN: Just to frame this right, the laughing was about the reference to Hitchhiker's Guide, not to the fact that work has been done. I think that is recognized. And, Jaap, if this is the case, then maybe the ATRT should come with clear guidelines of how to communicate things, rather than better [inaudible]. So, I appreciate it. Thank you.

CHERYL LANGDON-ORR: I think we're hearing that this may very well be a point of general importance. Sebastien?

SEBASTIEN BACHOLLET: Yeah. I hope that the game is not to say, "Hey guys, we told you, and we are done. We have done our job." If that's the game, then I am not part of the game. I will watch the rugby now, and I will wait for better work together, because it just ... It's not the answer of the questions. There are so much things on the website that, yes, we have always the answer somewhere. But I really think that we need to ... Contrary to Maarten, I am not sure that we need to tell you where to put something, or to tell the people in charge where to put something.

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It's easy, the job. Just put it in this way. You have in front of you the Chair of the Board, the Chair of the GAC, and [inaudible]. You will tell them, "Okay, guys. You have to decide where we will publish that." I am sure you will not do that. Then, just take it as we were the replacement of those. You are one of them. Just consider that you have the other end of the room, and do this level field of what we have to do. Thank you.

CHERYL LANGDON-ORR: Pat?

PAT KANE: So, posting and filing is the easy part. Retrieving is the hard part. I had the same problem in my company. People would go, "Oh yeah, we put this in SharePoint." Well, how do you find it? So, that's what we have to focus on, in terms of the website—in terms of data—is how do we think about this from a retrieval standpoint? The search mechanism that you have on the website is crap, in terms of trying to find something. I get things from ...

CHERYL LANGDON-ORR: [Inaudible]?

PAT KANE: K-R-A-P. But I think that that's how we have to think about the website, and I think, Maarten, it's a great idea to make a suggestion, in terms of finding some of these things—in terms of what we do—so that we can

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think through this like a librarian would? How do you find stuff, not how do you file it?

CHERYL LANGDON-ORR: Thank you, Pat. It behooves me, I believe, to bring to the table ... Michael, step in, if you think you'd be better positioned to bring this over me. But conversations I've heard ... I am actual a member of the Non-Commercial Stakeholders Group, so I do listen and read. If memory serves, there has been discussion about the value of a librarian, and the benefit that that would have—not just for archival, but for the information management as well.

I believe such a concept would be highly complementary. It's certainly one that I personally would be very happy to see. So, Michael, if you want to embellish that, but I didn't want to let this conversation go beyond now before bringing that to the table, as well.

MICHAEL KARANICOLAS: Thanks. Yeah, I would add one thing, which is Stephanie Perrin, who's the most vocal proponent of this always likes to add one point, which is that data librarians are cheap. They are vastly cheaper than people with a lot of the kind of technical capabilities that are often employed. So, somebody that can specialize in making information accessible, supporting organization of information—that kind of stuff ... That's an idea that I've heard expressed. I support that idea, and I think that that is something that could be done, as well, at a reasonable cost, so I'm glad to hear it. Thank you for bringing that up again.



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CHERYL LANGDON-ORR: I do have some uses. Thank heavens for that. Sebastien?

SEBASTIEN BACHOLLET: Yes. One of the point about the reorganization or our website—of the information—is it's a long, long work, and it goes beyond one single CEO. But each time we change CEO, we change website.

CHERYL LANGDON-ORR: That's pure coincidence.

PAT KANE: Correlation does not mean causation.

CHERYL LANGDON-ORR: Pure coincidence. Okay, Maarten.

MAARTEN BOTTERMAN: Partially, that is because there's growing insights on how you unlock information, because that's not a problem for ICANN alone. I think with the GAC, we've set a very good example of how information can be organized in a way useful for its users. But that is the GAC user group. As for information about reviews, we have the Review pages. And if people can't find the Review pages when they want to think about reviews, that is a problem.

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So if I ask the guidance of ... No, Sebastien. Indeed, I didn't mean specify what [page name] that I need to put things on. But it's just general guidance of ... Well, a librarian—that's the kind of things that we can consider, and then can provide feedback, and say, "They should have [good] help, and this is whether it's affordable or not." So, I thinking of that level of communication.

Also, as you all know that we are aware of how difficult it is to unlock all this information in a good way, particularly if you go back, even worse. This is why there's also, as you know, in the exercise on the way to make it more accessible, as I'm sure is always the case in Verisign and other companies as well. So, I'm asking for that level of feedback that would help. If the conclusion is it's really too hard to find information, then maybe that is already enough of a trigger for us to go, "Okay. How can we improve on that?" Any additional information [that might] help is a bonus, but [specifically] required from ATRT as it [inaudible].

Don't deny the information is there, as it's there, but just say, "Yes, it's not possible to find it," which is very correct, and something to addressed.

CHERYL LANGDON-ORR:

Thank you for that Maarten. It's a nice segue to where we need to be, with what we have to do with this text. We have one of our review team members who as suggested—in fact, has strongly suggested by doing the deletion—as a suggestion I've missed, but nevertheless, it was to be deleted—a whole whack of text. We have others around the table ... And remember all voices need to be heard, but it also needs to have

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carriage and convince the rest of us to go along. However, we have at least one other voice that says no. They like what it says, and it gives background.

It does, from my observation—purely personal—not sitting in any sort of Chair position here ... It seems to me that some of the information is adjunct and background information, not necessarily implementation details that relate to 11.4 as it is writ, which was to your point, Larisa. So, is there a possibility—and this is ... With Michael, I was thinking there might be something salvageable out of what we can do today, before we get back to KC.

Is there a way of making and taking value out of what some people see in this explanatory note, and not titling it as we have? This is an unusually large lump of text, compared to the rest. There is something exceptional about this when you read the whole document. It's in much greater detail than we have in any other part of the text. Is there a way of us using some, if not all, of this text in a rejigged way—as a preamble, as a background, as a whatever—still in this section, still associated with it, and drilling down on some of the particulars that have been point out with the reports, with the links, saying, “Here is where certain things have happened, etc.”

That may take us to not changing our degrees of effectiveness for even implementation, buy it may solve the problem of what should stay and what should go. I just want you to contemplate that. Hopefully I haven't confused everybody. Bernie, have I confused you?

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BERNIE TURCOTTE: Not more than usual. Probably, the simple way to explain this is I can rewrite implementation. I think I had other text for that anyways. And we can move most of this as a precursor to the conclusion. That would probably adjust things fairly easily, and KC liked the original recommendation anyway, so that'll probably work.

CHERYL LANGDON-ORR: So, that is a provisional way forward. That would be work that would be done after we return from Singapore, correct?

BERNIE TURCOTTE: It may be done before we meet tomorrow, depending on a few things.

CHERYL LANGDON-ORR: If it is done, could I suggest to the table ... Perhaps you disagree with me. Feel free to disagree with me, if you dare. No, of course you would dare. I know you would dare. You've done it at least once. If indeed it is something that we can review in our agenda over the next day or two, that we shift our agenda around to allow us to do that in a morning, while KC is able to plug in, right? If not, then it definitely becomes part of what we do when we meet in our face-to-face meeting in Marrakesh. If only. I prefer Marrakesh to freezing. I just don't want to go freezing in Montreal, obviously. I'll suggest that's a Freudian slip. I'd prefer to be going to there.

Anyway, Montreal will be lovely. In Montreal, if it hasn't been dealt with in our plenary meeting before that ... There's not a lot of time, necessarily to get that. So, hopefully sooner, but not any later than the

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Montreal meeting. Does that work for everybody? Pat, you want to agree or disagree?

PAT KANE: I agree.

CHERYL LANGDON-ORR: Ooh, thank you. Right, okay. What's left on this one, then?

BERNIE TURCOTTE: 10.2.7 ... I keep waiting for someone to yell, "Bingo!" I really am. Recommendation 11.7, "In responding to review team recommendations, the Board should provide an expected timeframe for implementation, and if that timeframe is different from one given by the review team, the rationale should address the difference.

Alright, now we have some text from KC. "There are several issues with this recommendation. First, review team recommendations, for the most part, have never included implementation requirements, leaving this to the Board and the Organization to work out. Without a clear understanding of what is require to implement a recommendation, it is impossible to plan its implementation, unless the sole objective of the organization is to do so, which is certainly not the case with ICANN.

"Secondly, in the current financial environment at ICANN, where projects are competing for resources, and considering the requirements of ATRT2 recommendations 12.2, 12.4, and 12.5, which were implemented, it is unrealistic to expect the Organization will guarantee

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the implementation of recommendations without going through these processes. As such, the recommendation is not implemented because it could not be implemented. Implementation assessment, not implemented.”

KC seems to be happy with that. I wrote that down. She just recopied it, which is why it's in purple. Tripped me out. Okay, conclusion, “ATRT3 does not agree that this recommendation is possible, and will not be making any further ...” Fine. I'm happy with that. Everyone okay with this? After that's the survey. We did that. And we're done with section 10. 11 and 12, yep.

CHERYL LANGDON-ORR: But there is more, indeed.

BERNIE TURCOTTE: 11 does not have any ATRT2 recommendations, so we can skip over that. And we're doing the assessment of the accountability indicators after we finish ATRT2. So, we can move to section 12, coming up. That will be 108. And there we go. Pat, I'll let you start on 12.2.1.1.

PAT KANE: Thank you, Bernie. Recommendation 9.4 ... “Developing a full set of statistical data that will be published with each fiscal year annual report.” Conclusion ... “As stated in the implementation assessment, this recommendation was implemented. As such, ATRT3 will not be making any recommendations or suggestions as a result of its assessments.” Commentary, questions, concerns? Anybody in the chatroom?

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CHERYL LANGDON-ORR: Not that I see.

PAT KANE: Very good.

CHERYL LANGDON-ORR: I mean, there are people in the chatroom, but they're showing any kind of [interest].

PAT KANE: Thank you, Cheryl, for that play-by-play. Alright, Bernie, you want to take the next one?

BERNIE TURCOTTE: I'll take the next one.

PAT KANE: Okay.

BERNIE TURCOTTE: 12.2.1.2, recommendation 12.1 ... "The Board should implement new financial procedures in ICANN that can effectively ensure that ICANN community, including all SOs and ACs, can participate and assist the ICANN Board in planning a prioritizing the work and development of the organization."

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So, conclusion ... “As noted, this recommendation has been implemented, but as stated in the effectiveness assessment, there could be improvements to allow greater participation. As such, ATRT3 will consider making a suggestion to improve the process, to allow for greater participation.”

Sebastien has a comment. “To assist the ICANN Board in planning and organizing the work development of the Organization, the whole community?” What I’ll answer to that is really, given the survey results, we’re going to get into that anyways, so I’m not overly concerned with it, because we’re going to have to talk about it when we get to recommendations in how we organize this.

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: One part of my comment ... The first part was to do what we are talking about participation. The problem is that when we read the paper, if we have to go back, 10 times reread, to know what we are talking about, I would like to repeat here that it’s to assist develop. And the question, I understand the answer, but what I would like you to add is the [inaudible] in this rec ...

BERNIE TURCOTTE: Okay.



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CHERYL LANGDON-ORR: I take it's a friendly amendment being accepted, is it?

BERNIE TURCOTTE: It is.

CHERYL LANGDON-ORR: Excellent. Okay, next.

PAT KANE: Section 12.2.1.3, recommendation 12.2 ... "The Board should explicitly consider the cost-effectiveness of ICANN's operations, when preparing its budget for the coming year, in keeping with ICANN's status as a nonprofit organization, operating and delivering services in a noncompetitive environment. This should include how expected increases in the income of ICANN could be reflected in the priority of activities and pricing of services. These considerations should be subject of a separate consultation."

The conclusion ... "As stated in the implementation assessment, this recommendation was implemented and is effective. As such, ATRT3 will not be making any recommendations or suggestions as a result of its assessments." Commentary? Thank you.

BERNIE TURCOTTE: 12.2.1.4, recommendation 12.3 ... "Every three years, the Board should conduct a benchmark study on relevant parameters, e.g. size of organization, levels of staff, compensation, and benefits, cost of living

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adjustments, etc. suitable for a nonprofit organization. If the result of the benchmark is that ICANN, as an organization, is not in line with the standards of comparable organizations, the Board should consider aligning the deviation. In cases where the Board chooses not to align, this has to be reasoned in the Board decision and published to the internet community.”

Okay, conclusion. “Benchmark studies, if done properly, are an effective tool in helping to assess accountability. Given that this ATRT2 recommendation was made in December 20 ... Whoa!

CHERYL LANGDON-ORR: That’s future planning, wow.

BERNIE TURCOTTE: 2013.

CHERYL LANGDON-ORR: I hope that I’m there.

BERNIE TURCOTTE: Whoa, okay. There we go. “ ... and that the requested benchmark study has not yet been produced at the time of the writing of this report in 2019, is of great concern to ATRT3. The implementation report of October 2018 noted that, ‘ICANN currently identifies targets in its KPI dashboard, which informs the annual report, that is reviewed and approved by the ICANN Board. Benchmark references will be included in

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the KPI dashboard, once a comparable nonprofit organization is identified. The estimated time for the first benchmarking study, to be completed Fiscal Year '18'.

CHERYL LANGDON-ORR: I wonder if [inaudible].

BERNIE TURCOTTE: "As such, ATRT3 will be making recommendations with respect to this assessment." Basically, if we go back to the implementation report, there's a lot of discussion about how there's not similar organization, and it's hard, and various other things. I think that did not wash. Maarten?

MAARTEN BOTTERMAN: I'm just checking. This is not about compensation?

CHERYL LANGDON-ORR: No, no.

MAARTEN BOTTERMAN: Okay, because that is regularly checked. It's mentioned. That's why I asked. So, that part is done.

BERNIE TURCOTTE: Okay. Any other comments or questions? Alright.

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PAT KANE: Section 12.2.1.5, recommendation 12.4 ... “In order to improve accountability and transparency, ICANN’s Board should base the yearly budgets on a multiannual strategic plan and corresponding financial framework, covering, for example, a three-year period. This rolling plan and framework should reflect the planned activities and the corresponding expenses in that multiannual period. This should include specified budgets for the ACs and SOs. ICANN’s yearly financial reporting shall ensure that it is possible to track ICANN’s activities, and the related expenses, with particular focus on the implementation of the yearly budget. The financial report shall be subject to public consultation.”

And the conclusion ... “As noted, this recommendation has been implemented, but as stated in the effectiveness assessment, there could be improvements to allow for greater participation. As such, ATRT3 will consider making suggestions to improve the process to allow for greater participation.” Commentary, questions? Yes, Maarten.

MAARTEN BOTTERMAN: Just one [inaudible] ... This was my concern. It has been in the BC for some time, and what I see is that the information provided is increasingly complete and transparent. But it’s indeed a concern, is on the side of how to you involve people in useful conversations about meaningful [inaudible]?

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PAT KANE: Thank you, Maarten.

BERNIE TURCOTTE: 12.2.1.6, recommendation 12.5 ... “In order to ensure that the budget reflects the views of the ICANN community, the Board shall improve the budget consultation process by ensuring that sufficient time is given to the community to provide their views on the proposed budget, and sufficient time is allocated for the Board to take into account all input before approving the budget. The budget consultation process shall also include time for an open meeting among the Board and supporting organizations and advisory committees to discuss the proposed budget.”

Conclusion ... “Given the recommendation has been assessed as implemented, but only partially effective, ATRT3 will consider making recommendations or suggestions with respect to gathering sufficient data to track the level of acceptance and approval within the community.”

I will also not that on checking, it’s unclear if there is a meeting between the Board and the SOs and ACs to discuss the budget specifically, from what I am told, I think. There is all sorts of consultation, but there is no meeting, per se, just for that.

CHERYL LANGDON-ORR: Certainly, the Finance Team does a lot of outreach and engagement.

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MAARTEN BOTTERMAN: Yeah, they go around to the SOs and ACs to talk about it. And I also see ... What I remember from the process is that for each budget, we do get clear feedback from SOs and ACs on that, in written form. We haven't had the kind of remarkable discussion about it as such, if that's what you mean.

CHERYL LANGDON-ORR: Just putting myself in the queue here. In the last few years, and certainly since ATRT2 wrote this recommendation, there have been huge steps forward for a lot of reasons, the least of which is literally the type of platform and data access that the finance people have, to even have the type of interaction that was seen as desirable. Enormous leaps forward have happened. It is still an emerging and developing process, which does need to be recognized. And yes, there is an opportunity, in a public comment system, which is only one tool instead of a toolkit, for the ACs, and the SOs, and my Great Aunt Mary, if there was a Great Aunt Mary in my life, to put in their comments about it.

But there isn't a simple dashboard tracking metric to give the empowered community a quick look-up or feel on how much wholesale support or otherwise there was. You would have to trawl through the individual input, and there's not a markup trail between what happens with those inputs and how that is or is not included in a final budget. So that might be a little bit of a gap ... And I'm talking simple. I'm not saying it's not making an influence. I'm saying there's not a simple way or lookup to show how it is happening, and to what degree.

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Do we have, the SOs are charge of [what] the ACs are not? Is this one AC showing a concern. Whatever it is, that's a bit tricky to find, even for those who are deeply immersed in it. So, that might be another opportunity. We said we're going to be making some sort of suggestion or recommendation. That might worthwhile coming back to when we get to discuss that. That's all. Thank you. Again, it's one of those areas I get excited about. My apologies.

BERNIE TURCOTTE:     Sebastien?

SEBASTIEN BACHOLLET:     Just to say what I wrote in the comments here—that in fact, the question is that we can ask to have more tools for the community, but in fact, it's not the community who has to act. They are not willing to add the budget. Therefore, it may be a tool by and for the community that we have to build.

And that's something from the Board, to know what is happening, because that's where we are. The Board, with the finance people, send the information, make a lot of discussion in everywhere—maybe not the Board directly, but they're [inaudible]. And then, there is a possibility for the AC not to be [inaudible]. I don't know which way we want to pursue, but it's in the hands of the community now, I think, more than it is the Board.

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CHERYL LANGDON-ORR: There's a gap, and that gap needs to be addressed. Is that a fair perception? Okay. Alright, well, looking forward to that conversation. Next?

BERNIE TURCOTTE: Start the mic. We're essentially done. I will, however, note that in section 13, we have a comment from Michael. I've got to check that. We'll give you a page soon. Ah! Here we go. Okay. So, page 125. "Suggest that relative degrees of formality and specificity of these different policies supports a recommendation that SO and ACs should have proper transparency policies." So, Michael's suggesting that there be ... If you want to address that [inaudible] ...

MICHAEL KARANICOLAS: Yes. The point of this question in the survey was to look into whether or not there were formalized processes among the different SOs and ACs, towards transparency and disclosure of information. What struck me quite a bit, in terms of some of the responses, was a lot of the SOs and ACs that responded said, "Sure we do," and then did not list an actual policy, or said, "Yeah, we try and do it this way, and sometimes we do it this way."

A lot of the times, they presented it as yes, but the answer seemed to be no. I think that there would be some value, even knowing the limited degree to which ... Even the fact that these recommendations that we're making wouldn't necessarily be binding, I think there is potentially some value in suggesting a move towards formalizing transparency policies at this level, or developing these kinds of policies at that level,



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and providing support for doing that, potentially, which could be the recommendation, as it goes to ICANN Org.

BERNIE TURCOTTE: Alright. Thank you, Michael. I think we've got another, a little further down on page 127. Would you like to talk to that one?

MICHAEL KARANICOLAS: Yep. Similar to what I said previously about conflict of interests, which again ... Yeah, a similar kind of thing, where some of the respondents said, "No we don't." Other respondents said, "Yes, we do," and then didn't actually have one, which I found much more surprising, because the transparency one, at least there was a closer to a gray area, whereas on the conflict of interest policies, it was a very strange disconnect.

But again, a similar kind of thing where maybe we cannot demand that the different SOs and ACs adopt a conflict of interest policy. But I think it would be within our purview to recommend that this would be a good thing for ICANN to support, encourage the SOs and ACs to do so, and to provide whatever support to developing these kinds of policies might be useful.

CHERYL LANGDON-ORR: Thanks for that, Michael. When you said they did not provide, or when your work party looked to find it, it could not be found?

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MICHAEL KARANICOLAS: This doesn't come out of the work party. This comes out of the survey results.

CHERYL LANGDON-ORR: But if they responded, "Yes, we do" and then they didn't provide a link, we were then ...

MICHAEL KARANICOLAS: No.

CHERYL LANGDON-ORR: Help me understand exactly what ...

MICHAEL KARANICOLAS: In terms of the survey results?

CHERYL LANGDON-ORR: [Sure].

MICHAEL KARANICOLAS: So, they were saying, "Yes, we do," and then they were coming back and saying ... Yeah, I have to go back into the ...

CHERYL LANGDON-ORR: Vanda, just use the microphone so we can hear you better.

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VANDA SCARTEZINI: Just because people answered the question “Yes,” then give the answer “Does not have.” So, “Do you have?” “Yes.” And the answer is ... [EURALO], for instance, does not have a conflict of interest policy. So, why the answer is yes, when the real answer is not, “we don’t have.” I believe that’s what Michael ... Because, for instance, In LACRALO, we do that. We have those. They’re published in our bylaws. But some of them don’t have. They used to ask people or something, but not clear policy about conflict of interest.

CHERYL LANGDON-ORR: So, specifically, this was the response from EURALO, correct? This is the one in question, Michael?

MICHAEL KARANICOLAS: Yeah, I think that’s what I was referring to, in terms of the specific inconsistency there. But that specific inconsistency feeds into a perception on my part that there would potentially be interest in clarification in support for developing these policies. But it’s also not the only thing that feeds into that.

Where I think that questions about overlap between the different SOs and ACs are problematic, questions about how they can fulfill their function, in reporting back to their various communities, if the boundaries of the different SOs and ACs are not properly defined, feeds into that. Broadly, I think that this would be an area that ICANN would benefit from making some kind of institutional progress on.

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CHERYL LANGDON-ORR: Okay, the opportunity is here—could be for harmonization, or it could be for still more autonomous but clear, published, unambiguous, and ratifiable, if not auditable ... Am I paraphrasing it correctly?

MICHAEL KARANICOLAS: I would suggest more the latter than the former, because harmonization is going to be really tricky, given the very different roles of the different SOs and ACs. So, for example, it's very common for folks At-Large to be in other constituencies. You are in the NCSG. [Farzi] from the NCSG is also in At-Large. Greg Shatan is in At-Large.

That's fairly common. At-Large would have a very unique situation, I would think, in defining its own status with regards to the other constituencies, because of the commonality of that and the question that At-Large would need to think about of, "How do we resolve the fact that there's folks from other constituencies here, and what is a conflict in our context?" Whereas in the context of the NCSG, it would probably be clearer and sharper. If we had a member that was also in the BC, that would not fly.

So, harmonization is going to be tricky, but I think that what you mentioned before about promoting clarity, and promoting the SOs and ACs to think about this, and come up with that kind of a policy ... I think there would be a lot of benefit to that.

CHERYL LANGDON-ORR: Thanks for that, because I was getting a little bit discomforted with the concept of potential harmonization, having gone through the pushback

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we got when we were looking at accountability in Workstream Two, I believe. It was one of those workstreams, anyway, of the ACs and the SOs. There was a great deal of not wanting to have anything that impinged between or across. That horizontal design was definitely not going to get a lot of support. It may one day, but it certainly wasn't then. It would be very hard to ... The latter may be more possible. Thank you very much. We're caught up. Okay, Jaap.

JAAP AKKERHUIS:

[inaudible] Anyway, since the SSAC reaction this morning, or night, depending on where you are in [the globe]. SSAC answered no on this question, and has given a reason why. It basically says, "We don't have a conflict of interest policy. We have disclosure of interest policy. See the SSAC operational procedures, blah, blah, blah." Also, the new members are actually ... Have to do disclosure of interests.

What it means in practice is that, depending on what kind of project is being taken, or a working group, this will be considered every time. I remember the Coalition Project [inaudible], and I think four or five meetings got spent only on this. One of reason is that the COI, as stated in the ICANN, is kind of weird, because there are no way to enforce it. Only [there], and what people do with it is completely unclear what the consequences is, if somebody violate this statement. That's why a declaration, and then people can react on that.

CHERYL LANGDON-ORR:

Thank you, Jaap. I see your hand's up. Please go ahead, Sebastien.

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SEBASTIEN BACHOLLET: Thank you. A few things here ... The first one is why ... I think it's pushed to one other question we have discussed, I guess, in Workstream One and Workstream Two. It's something like ... and if it's not the right one—one person, one vote in the whole organization.

The second point is that ... I know it's recorded, but it's between us. I am concerned with people coming from one side of the organization, and coming to the other side of the organization, as they are very fluent in English. They have a lot of time, or they consider their time ... They are doing a lot of work, and they are considered as very good person, and they are a very good person, but I am anxious on what is the issue of all that. And when it's coming from Commercial side to End-User side ... I know everybody's End-User, but this time from ex-government people who came to At-Large. But how we maintain a good equilibrium, it's a job of a [inaudible], but it must be, I guess, shared.

The last point—and I heard somebody talking about EURALO. If there are some specific issues that you think that EURALO may do, you need to ask the future Chair of EURALO, and he may help you with that. Thank you.

CHERYL LANGDON-ORR: Thank you, Sebastien. In fact, why I wanted to clarify that was Michael is because you're sitting right here, and I suspect you probably even filed out the survey, because you were pushing everybody to do the survey. So, I suspect, as you were trying to instigate other RALOs, you probably

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did this. So, Pat, Michael, you and Sebastien can have a chat, and see whether something was lost in translation or not.

The point that has been made by the SSAC is an interesting one, can I just say? Because one of the things with increasing importance across At-Large—notice I’m saying “At-Large,” not the ALAC, and not even RALO leadership—is that as rank and file members of At-Large become active ... That means start to contribute to commentaries on policy development. That doesn’t mean joining a PDP, but just the consolidated working group that is within At-Large. Their At-Large statement of interest becomes a very important thing, and that operates under continuous disclosure.

So, we may also find that there’s a matter of what a regional organization. ALAC is slightly different. That’s covered by the rules of procedure. But what the regional organization can say, versus what everyone within that who is stepping up to be active has to do as part of getting that credibility to be other than an observer ... It is a very mobile thing, and I personally don’t think that’s a bad thing.

People do move from being in a business entity to happen, as the case is one of our examples ... They’re appointed or elected as the chair of one of the organizations which is an At-Large structure, and therefore, because of that role they then have, they have a different place and space within that world of At-Large.

What has been said time and time again, though—and I guess this is where I think the opportunity to make that clear within the entities, whatever the AC or the SO is, but also so the other ACs and SOs have a

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clear understanding—is that occupying two leadership positions is not possible under most of the rules of procedure. In fact, I believe ... Correct me if I'm wrong. I think all of the rules of procedure at the regional and at the ALAC level.

So, you'll note, yes, are [inaudible] stakeholder groups, but do you think ... I am quiet for a reason. Should I give up any interest in At-Large, then I could be just as big a nuisance over in the camp of NCSG and be happy to do. But right now, one has to keep church and state very, very separate. I think that is something that probably should be codified as a good example of a good practice, and something that one does have to be careful with.

But you can be a member of something because of your interest in what is going on. In a transparency situation, people should be able to be observers or members, or even, dare I say, contributors without having to choose, "I have to only do here," or "I have to only do there."

Let's make sure we're not ... I don't want to get babies and bathwater confused here, but I do want to try and see if we can come up with something that says—needs to be clear so the average person can understand what goes on outside the organization they're involved in, as well as the expectations of the part of the organization they're involved with. Tola?

ADETOLA SOGBESAN:

Yeah. Thank you. You already shared the example of the BCs. Maybe we would [inaudible]. The BC, for example, we have corporations that belong to, so we can have the organization, the legal department, the



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[inaudible], and the [IP]. So, those in charge of the internet, or whatever departments are interest ... The general organization [inaudible] [across this Board]. The BC is [inaudible] in another SO. We have Microsoft [inaudible].

I have [inaudible] in the members of this [phase]. If you are an [active participant] from domain name, you may not be entitled to be a member of the BC. What I [inaudible] is yes, you can be [solely] domain name, you can be involved. But once you're in, it is all [inaudible]. So, they seek clarity. [They don't], for example, what do you do? [inaudible] the same. That's what they do. So, you're not going to be in the BC.

So, what I'm saying ... I need to be [inaudible] member of a RALO, what do you do most of the time? Are you representing the users 90% of your time? So, if we introduce a clause of 5% or 10%, that if you cross that, then you shouldn't belong beyond the RALO.

CHERYL LANGDON-ORR: I think that's supportive of what Michael was calling for in his comment. It's the clarity. It's the predictability. It's something that's well-understood. Michael, back to you.

MICHAEL KARANICOLAS: Thanks. Yeah, I do think it's important, even though a single standard wouldn't be appropriate and cannot be imposed. I do think it's important that the SOs and ACs define their standards and essentially ... I think that having the conversation itself would be beneficial, and that ICANN engaging with the different SOs/ACs would be beneficial.

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While a single standard might not be possible, it's important that each organization plant that flag and say, "This is where we are. This is what we believe is sufficient to guarantee our independence and representation of the stakeholders that we're meant to represent." Set your policy, and be willing to defend your policy, in order to promote not just a proper representation of the stakeholders that you represent, but to mitigate any perception of a conflict.

When we talk about conflicts of interest, it's always about not just whether an actual conflict is there, but whether it's possible that the circumstances could give rise to a reasonable perception of a conflict. And so, from that perspective, I also think that there's benefit to clearer definitions.

CHERYL LANGDON-ORR: So, where does that take us, then, Bernie? We need to make a suggestion, almost?

BERNIE TURCOTTE: That will be noted as a potential suggestion, then we'll talk about it.

CHERYL LANGDON-ORR: Excellent. And we've got enough information to move forward [then we can inspect this]? Is everyone comfortable and happy about that? This is a [lackluster] group. Okay. Am I correct in assuming, then, that we might almost be up to accountability mechanism?

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BERNIE TURCOTTE: Indicators?

CHERYL LANGDON-ORR: They're the ones. The indicators.

PAT KANE: [Yeah, Bernie]!

CHERYL LANGDON-ORR: I've been so looking forward to this. Take us to the document. Thank you, ladies and gentlemen. Just for the education of everybody, we are now up to the agenda item that should have been in the 10:00 a.m. to 12:00.

UNIDENTIFIED SPEAKER: The day has gone well.

CHERYL LANGDON-ORR: Well, actually, I think it is going well, because what's being said today is very important, very useful, and very foundational to the discussion we're going to have when we get to suggestions and recommendations. So we've simply [inaudible]. So, we've got our document queued. I've filibustered long enough. Who's got this? Would this be you, and the [resounding] voice?

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BERNIE TURCOTTE:

Oh, what the heck. [I can] do this. Small introduction right now ... “The report comments on the usefulness of each of the accountability indicators, versus accountability. Accountability indicators can be found at blah, blah. Please note that these accountability indicators are bundled into the categories used in the current strategic plan, are not specific to any other review recommendations, such as ATRT2, nor do these align with standard organizational accountability indicators, but rather reflect the unique nature of ICANN.

“It is useful to note that the ATRT3 asks two questions regarding the accountability indicators in its survey. The results from these questions included that only 50% of individuals and structures—SOs and ACs and their component parts—responded that they were aware of the accountability indicators. Additionally, of those structures that were aware of these, 67% responded that the accountability indicators were somewhat ineffective, which provides clear indication that the accountability indicators are significantly below expectations.

“The comments made on each of the accountability indicators are meant as constructive criticism of these, and often include suggestions for improvement. Each of these has been rated on a scale of zero to four for effectiveness versus accountability, where zero is not effective, and four is very effective. A comment made by a respondent to the ATRT3 survey best sums up the global assessment of the accountability indicators, ‘One should not confuse transparency and accountability. Transparency is but requirement for accountability.’” Alright. Strap in. Here we go.

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Evolved and further-globalized ICANN ... Further globalize and regionalize ICANN functions. What we have under that for further globalize ... I'll really walk through the details. The first one, you'll understand how they're laid out, and then we can see that. So, the accountability point is for further globalize and regionalize ICANN functions. The first thing we're given is the number of sessions with simultaneous interpretation at ICANN meetings. The graphic looks like this from the various ICANN meetings. So, the dark blue is the total sessions, and the light green is number of sessions with simultaneous interpretation.

Text accompanying the graphic ... "The ICANN Language Services policy defines proactive translation as the translation of a document into the UN languages without the need for pre-translation evaluation. For more detailed information regarding ICANN's translation and language services and translation times, please see the community wiki page [here](#)."

Assessment ... "Good to have the numbers from an ICANN public meeting, but surely there is more than just language services to further globalize and regionalize ICANN functions. No reporting on the plans and objectives of regional offices and engagement centers. Rating one out of four."

The other measure that's provided is percentage of sessions with simultaneous interpretation at ICANN public meetings, which looks pretty much like the other one. See previous comment. Michael?

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MICHAEL KARANICOLAS: Just looking at that ... Sorry, are we on to the next chart yet—the one with the ...

BERNIE TURCOTTE: Got down just a bit, please. There we go.

MICHAEL KARANICOLAS: Don't want to jump ahead, but what strikes me is there's no idea of progressive implementation here, and they're keeping an even target, even as implementation seems to be going up. So, on the monitoring and evaluation side, what I would like to see in something like that is, "Okay, you're meeting your target. Let's set a new target, which is higher," as opposed to breaking that target by more and more. That's what jumps out to me in that graphic.

BERNIE TURCOTTE: Any other comments?

CHERYL LANGDON-ORR: Vanda.

BERNIE TURCOTTE: Vanda?

VANDA SCARTEZINI: One thing that ... Is a question. Why is it more important for public meetings than the general calls that we have? Majority of our

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community is not participating in public meetings. Most of them is just participate on the call. The indicators that the language translations [into one] is the best solution for everyone, is in the call, not only in the public meetings. It's okay for public meetings, but a minority are there. Thank you.

CHERYL LANGDON-ORR:

Just let me take a little stab at that. The ICANN accountability mechanisms that we're looking at here are the ones that the ICANN dot org are responsible for, as they are trying to improve regionalization, etc. What you have described could be useful as material in this, most certainly.

If I was reporting things, I would find them very attractive statistics to report, because they're affirmative statistics. But they are only statistics that tend to affect two of the ACs. That is the At-Large Advisory Committee and some of its RALOs—actually, I think all of its RALOS, but not necessarily—most of its RALOSs, and the Government Advisory Committee. They're the users of the translation services during calls. It's an exception for, for example, GNSO calls, be they policy development or non-PDP calls, or just informational calls, to use translation services.

So, you're going to see a bit of a patchwork. That doesn't mean they shouldn't be reported. They would be an attractive [add-on], and we might be able to make that observation. But it's not ... These are applicable tool, and so they're an obvious thing to report. But certainly, there's opportunity for additional reporting. Have I confused people with that or not? Okay, good. Vanda, your card's going down, then?

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BERNIE TURCOTTE:

Alright, let's go down to the next one. Again, in this section of bringing ICANN to the world, "Bring ICANN to the world by creating a balanced and proactive approach to regional engagement with stakeholders." What we've got here is ICANN events by stakeholder categories and regions. This is what the graphic looks like. Total number of events, events by stakeholder category. That may have been a bit of mistake in copy/paste over there. There's nothing there.

Text accompanying the graphic ... "Regional outreach events are defined as speaking events, participation in panels, workshops, and bilateral outreach meeting with various stakeholders, as well as participation at various regional and international conferences across multiple sectors. The work relating to measurement of stakeholder participation and the effectiveness of the stakeholder experience at ICANN is currently under review and being re-planned. A new timeline for the availability of this data, and future plans for sharing the data, will be published in the next addition of Accountability Indicators."

Assessment ... "The numbers are interesting from a transparency point of view, but there is no objective against which they are measured. How many sessions were planned for each region? How many were organized by ICANN versus how many were we invited to, and what types were these? What was the participation at these events? Is there any kind of satisfaction survey of the participants to those events? What is the media coverage of these? Were these recorded? Rating, one." Thoughts, comments, questions?



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CHERYL LANGDON-ORR: I think one questions I would like to see ... The text indicates the next addition of accountability indicators. I'd love to have a footnote that said when that was expected. If we could find that out, I would value that. Sebastien?

SEBASTIEN BACHOLLET: A few points ... The first one is that, yes, it's interesting to have the number. Great. We have people traveling all around the region, and going to one meeting, to another meeting. I hope that they meet, really, all the stakeholder. I am still positive that when the leader of ICANN is coming to one country, it must be mandatory that they meet with the local internet users. I say it must be mandatory. I repeat it.

The second point is that we have to be careful that we are not misleading people within that. It is the participation of stakeholder engagement or ICANN staff. That means that everything done by us, the volunteers, is not tracked anywhere. We have plenty of [people], to 15 kilometers, to be able to participate to one meeting, but there is no ... Actually, we don't get the [translation]. That's an important point, also, to take into ...

At the same time, I also request a good ... I am just, once again ... I prefer that the Vice-Chair in my region can tell me one month in advance, "Yes, I will be coming to a meeting." Either France is organizing all the French [IGF]s, because we have decided the date two months in advance, and not one year in advance. If they are to tell the community before that they will come, eventually, to see [inaudible] ...

We have to be careful in what we ask, because we don't ... Once again, it's like having figures and so on. We don't want to add more difficulty—to be a smooth organization. Therefore, I am not so much in favor of all those requests beforehand. A report, yes, definitely, with a question about the report, but not too much [work] before. At least we can have some of the idea. But it's not because it's not in the least that they can't go, and if they are not coming to one, to go to another is also possible. Thank you.

CHERYL LANGDON-ORR:

Thanks Sebastien. We kind of jumped to desirabilities and wish list, as opposed to ranking and making an assessment on how the reporting of these accountability indicators is satisfying the requirements that were originally suggested for them. So, we need to be careful here. Do we think that one is insufficient, or do we think that a ranking of one is too much? One is not zero, but it's certainly not four. Just saying. Hope we're not trying to reverse the numbers here. But we've made a couple of edits there. Thank you very much, Bernie, and back to you for the next [one], as we go through this document.

BERNIE TURCOTTE:

Alright, we're now into the policy section. "Evolve policy development and governance processes—structures and meetings—to be more accountable, inclusive, efficient, effective, and responsive." And for this, we have, "Representation ... Formal membership totals across supporting organizations and advisory committees." There you go. This

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is then broken down by each SO and AC, and then looks like this for the GNSO, and there's one for each SO and AC.

Text accompanying the graphic ... "Current quarter values are represented by the most recent month completed," so obviously this is by quarter. "ASO members assigned to the address council, as appoint from the five Regional Internet. At-Large members from each of the five RALO, etc."

Assessment ... "Interesting numbers from a transparency point of view, but given the relative constancy of the numbers, there is limited value in this from an accountability point of view. Would this not be the ideal place to show the progress being made in implementing Workstream Two recommendations, the results of various specific reviews, and other activities, such as evolving the multistakeholder model? Rating, one."

CHERYL LANGDON-ORR: Sebastien.

SEBASTIEN BACHOLLET: My feeling is that we mixed apple and orange here. For example, in At-Large, we may say we have one billion fifty-five members, because if count all the member of the At-Large structure, they are called members. That's another question. I will not answer this question. But we can't ... Is it the government is one, the ccTLD is one, and the At-Large structure is one, and as individual user I am one? Here, I am not. I am [inaudible]. But if I am individual member of a RALO, I am one.

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Therefore, I don't know which conclusion ICANN take out of that. If we had all the one in each At-Large structure, we have, I guess, millions, and then, therefore, the other are very small, but they are very important also. Then, what is the aim of that?

CHERYL LANGDON-ORR: Just because I can't help myself, perhaps Sebastien, with your intervention, you've helped identify the ranking of this—is, I think, one.

SEBASTIEN BACHOLLET: [Inaudible].

CHERYL LANGDON-ORR: Another one.

BERNIE TURCOTTE: [Inaudible]. Let us keep going. "Participation—measure of community activity, and policy development, and engagement." And here we go. Public comment forums and duration ... Assessment ... "Uncertain how participation public comments is a gauge of community activity, and policy development, and engagement, given PCs are about more than PDPs. Only about 20% of public comments in 2018 were PDP-related. If we only had PCs that were about PDPs, it would be a start.

"But what would be useful to know, from an accountability point of view, is how many comments for each PDP, and more importantly if the comments were taken or not. Perhaps presenting an analysis of

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attendance to PDP meetings, sorted by affiliation, would be a beginning of something more useful. Rating, zero.”

CHERYL LANGDON-ORR: Just to note that that data does exist, of course, in the reporting of every single one of those PDP processes, regardless of from what support organization it comes in. The reporting does go into excruciating detail on exactly that. That participation is brutally and honestly reported, and it is sorted by affiliation, etc. That data does exist, so perhaps we have an opportunity for another indicator to be reported. Who knows? Sebastien?

SEBASTIEN BACHOLLET: Yes. Thank you. I just want to raise the issue. We are here. The comments are talking about GNSO PDP. If we want to talk about PDPs, other PDPs—the [PC] and the [ISO] is not organized the same at all. I’m not sure if we can compare them.

BERNIE TURCOTTE: The ccNSO’s fairly similar.

SEBASTIEN BACHOLLET: Once again, I don’t ... We can reach folks [inaudible]. Not sure that it’s working the same, and there is not the same amount of people participating, and so on and forth, in the development of the ... But whatever we think we need to write—what is [actually] here. The other point is that if we do that for PDP, it’s interesting to have that for the

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other comments for ... [inaudible], because yes, it's not policy, but when we have some—[what's] coming through working group, I think [that counts] on policy, and the action pursued for [inaudible], and it's very close to policy. Therefore, the question is how we separate. We say just 20% is PDP-related. Where we make the [inaudible]? Thank you.

CHERYL LANGDON-ORR:

Thanks, Sebastien. I suppose it's important to note that what we're trying to look at is how participation in public comments is a gauge of community activity, and policy development, and engagement. Because it's a stage of community activity in policy development and engagement that was the requirement—the desirable for this indicator. Clearly, it's doing a lot more than that. It actually is picking up CCWG, and CWG, and all of those other things. So, I think our point is in fact reflected, but it may need to be modified and clarified in the text, if needs be. Again, we can't give it a lower rating than zero.

SEBASTIEN BACHOLLET:

I just want to take one positive point here—that if you look to the data, all the public comments are more than 40 days. That's good, because that was the goal. I take something positive out of that. I'm sorry.

BERNIE TURCOTTE:

Does it change the rating?

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CHERYL LANGDON-ORR: Does it give it a 0.3 rating, rather than a ... Okay, I don't think we're doing fractions, however.

BERNIE TURCOTTE: No, we're rounding.

SEBASTIEN BACHOLLET: We're rounding [inaudible].

CHERYL LANGDON-ORR: Alright, back to, Bernie. Maarten?

BERNIE TURCOTTE: Oh, sorry.

CHERYL LANGDON-ORR: I'm sorry, Vanda. You first. I going Maarten and then.

VANDA SCARTEZINI: Some statistics I'd like to know. For instance, why is this changing? There is reasons behind that, that is more than a huge comments and then not comments. So, some rationale about the statistics is the most important thing to understand and make change, if needed. Just those numbers, and not an explanation for what is going on ... Why is so many here, so little there? Because there is reasons behind, and the statistic needs to give the rationale. That's something that is lacking in most of those implemented and [informative] statistics.

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This is another example. It's clear that not the wisdom and the actions to take from any statistic [would] have been the rationale that you are using to do that [inaudible]. In this case, for instance, is that because there is no PDPs running, or we just finished all those, or whatever? Because that is the reason we are doing a statistic in this—quantity and duration of that. Thank you.

CHERYL LANGDON-ORR:

What I'm taking from that, Vanda, is that there is perhaps an opportunity in a accountability indicators to have a more discrete—a more drilled-down degree of detail into some of the analysis here, and that might provide—I'm going to quote Keith here—"[inaudible] some color" on the process. Personally, ladies and gentlemen, I find the concept of a near-40-plus-day duration public comment per annum terrifying and nuts, without hitting the 80s that seemed to be our claim to fame in 2011 financial year.

I find that goal [inaudible] ridiculous, to be honest, unless, of course, looking into the data, it was a whole lot of subunit a, b, c, and d—which there was running at that time a larger PDP process that broke, because of the scope of it, into four or five smaller little pieces, which did make sense. So, this is an important point you've made, and one we probably should capture. I'm assuming you're down. Sebastien, you're down. Over to you, Maarten.

MAARTEN BOTTERMAN:

Okay, thanks. Basically, what we see here is the initial response on the request for indicators. And the request was provide us with information.



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This is a best guess and a first attempt. I know when it was launched, there was an active reach-out, “People tell us, please, what you need more, what helps, what doesn’t help, etc.” Based on the amount of response, a couple of changes have happened. But there wasn’t that much response.

So, one thing I think, just from a human perspective, it’s good to value what has been done, rather than say, “It’s crap, it’s crap, it’s crap.” I think that’s important to communicate it. And then from that, it would be good to see either, “Specifically, this could help” guidance. [We’ve received some, and with others]. I’m thinking on more a mental level, maybe a recommendation from this group we—the ATRT, as [opposed to] we Board—might be like ... Maybe we need to compose a panel to interact, and test, and see how can come to meaningful information.

What we don’t want is just to have masses of more information to drown in. The danger is that, of course, all the data are there, and they’re all yours, so you can get them all, but that won’t help. So, that’s why maybe a solution in the direction of establish a kind of [inaudible] standing panel, or whatever you call—[consistency] standing panel to interact on this, and engage. Might be one of those recommendations on the more [mental] level to get more ... Just a thought.

CHERYL LANGDON-ORR:

Great. Thank you for that, Maarten. Cheryl for the record. Going to Jaap next. Go ahead.

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JAAP AKKERHUIS:

Okay. That makes a lot of noise. A little bit on the same token, what I was wondering about, whether there's any feedback of all the groups being here mentioned in these indicators, because some of the figures are clearly completely off-base. For instance, the membership of RSSAC, which I just happen to know, is not 120, or even between 100 and 200, but it's just 17, by the way. It's either the description is wrong ... But apparently, nobody knows that.

I've seen some other figures, which I was wondering where they actually come from, because ... Just feedback to the people [inaudible] about is this actually a proper indicator of what you're doing. Might also be an idea.

CHERYL LANGDON-ORR:

Thank you, Jaap. I'm smiling because, of course, this thing called fact checking with people that you're quoting the data about is kind of an important thing. And it may be that how things are listed versus what the interpretation was can be easily explained, but that is a thing that has to happen. Again, we can't give a rating lower than zero, so there's room for improvement here. But it is not, I don't think ...

And remember what we said in the beginning. This is constructive criticism. We actually want to see more detail. We want to see more accountability indicators. We don't lack accountability indicators. We're saying these accountability indicators are a start. They're not fulfilling what the expectations could do by, in some cases, more details or whatever. We'll get into that as we move through, but right now, we're

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just trying to say which is, “Wow, amazingly-fantastic, right off the shop perfect!” and which needs a little bit of work.

The other thing is, this is not sexy to everybody. This is something that only a few people get excited over, so use those people to dot the i’s, cross the t’s and look into the gory details. But do it in a very transparent way. Back to you, Maarten.

MAARTEN BOTTERMAN: Just if it says zero, does it mean there’s no interest communicating, so just drop it?

CHERYL LANGDON-ORR: Far from it. It means this is not getting enough detail. We want more. Four would be perfection.

BERNIE TURCOTTE: It’s not providing accountability value. That’s what was at the beginning of the text.

CHERYL LANGDON-ORR: Accountability value, yeah.

BERNIE TURCOTTE: Right. So, a rating of zero is not a judgment of interest in the topic. It’s a judgment on how much accountability information it’s providing.

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MAARTEN BOTTERMAN: Maybe, then, suggest to have two indicators. One is how much value it produces and one on how much it's on-target of what you need to know. What I'm looking for is how do we help with improving all of this, rather than saying, "Oh, it's not enough. We need more," and as concrete as possible.

VANDA SCARTEZINI: The rating zero can be confused.

CHERYL LANGDON-ORR: So, we're seeing a lack of clarity in the ranking system that we're using for the average reader. The proposal is there could be a benefit of having a couple of values in a ranking system, and I'm hearing it could be tricky. So, Bernie ... I know it's a knee-jerk reaction, so just see how we go.

BERNIE TURCOTTE: The issue is what is the interest for whom? We can give your our interest for these, but the idea is for the information provided, what is the accountability value? That, I think we can put a comment on, and a suggestion, and maybe it's just a question of presenting that rating better. But saying if the thing that is being presented is of interest or not ... With some of the suggestions we're making, to provide value, we're actually suggesting to make significant changes to what is there, so implicitly we're talking about the value of what that could be in those cases.

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MAARTEN BOTTERMAN: Again, what's important ... Do we want to put people on a track that is [hard], because it's zero, to being deeper and do more with it? For some, it's true, and for others it may be, "No. Just forget about it." So, if we find some way to get that kind of clarity, that would avoid waste of our and [inaudible].

BERNIE TURCOTTE: I think I get a better understanding now, and I can come up with something.

CHERYL LANGDON-ORR: Make it so! Thank you, Bernie. Next?

BERNIE TURCOTTE: What I'm going to say, Madam Chair, is that we are not sitting at 5:20. Maybe what I could propose is that we take about half an hour, and I will run through a number of them, without going through all of them, to give an idea of the variety of what we have. And then, people can look at the document and make suggestions in the Google Doc.

CHERYL LANGDON-ORR: Wonderful. Let's be clear, for the record. We're now going to take a tour of high points and [holiday], Bernie, of these accountability indicators, but it is then our homework to go through the document in personal and greater detail. This is the beginning of our work on this, not the end of our work on this. And so, by making comments in the Google Doc, now that it is released—and it hasn't been released very

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long, so this is fresh to many of you—I think is a very smart way forward. Without discussing it with Monsieur Co-Chair, I would love to see us take maybe a 15-minute tour, rather than a half-hour tour—

BERNIE TURCOTTE: That can be done.

CHERYL LANGDON-ORR: - and give some people just a little bit of personal time before we're expected to be bright-eyed, and bushy-tailed in a response at 19:00.

UNIDENTIFIED SPEAKER: Why are you being so nice today?

CHERYL LANGDON-ORR: Listen, take it when it comes. I can change.

BERNIE TURCOTTE: Alright.

PAT KANE: Don't poke the bear.

BERNIE TURCOTTE: Alright. If we could go to 1.3.4.1, please. Thank you. This is SO/AC policy and advice development—the number of teleconferences and working

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hours. The graphic shows the number of calls, and the total number of hours. So, basically—assessment ... “Numbers are interesting from a transparency point of view, and from a resourcing point of view, by presenting how many meetings have to be supported. However, this falls short of expectations one could have for accountability. This could be merged with the previous point, showing by working group attendance, etc.” We’ve already talked about that.

Here’s another one—the very next one, 1.3.5., total email exchanges on specific policy and advice issues over time—total email exchanges. This is further broken down by each SO and AC. Here’s the GNSO as an example. Assessment ... “Numbers are interesting from a transparency point of view, however, fall short of expectations one could have for accountability. For this to be useful, one should be able to see emails per working group, per quarter, and also identify how many different senders there are, after removing staff emails, which can account for a large number with meeting announcements and reminders, etc.”

CHERYL LANGDON-ORR: If I can just ask for a pause for a moment ... Maarten, is this starting to give you a bit of flavor on ...

MAARTEN BOTTERMAN: [Inaudible]. People will need to look at the whole, and then something is in it, but I’m specifically point at the value that we can get, because people have tried. This is what they come up with, and it is better to say ... If they just focus on the zero, one, two, three, four, that will be a waste of their energy and ours.

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**BERNIE TURCOTTE:** 2.1, please. Under support a healthy stable, and resilient unique identifier ecosystem, foster and coordinate a health, secure, and stable resilient identifier ecosystem—overall performance, and overall customer satisfaction. “Tables can be broken into GDD operations, Global Support Center, and new gTLD.” Assessment ... “Results based on a robust and transparent process to generate make this a very good accountability indicator.” There you go. You got a four.

**CHERYL LANGDON-ORR:** I would have been more excited about that, but anyway.

**BERNIE TURCOTTE:** Ah, okay. 2.2.2.1, please.

**MICHAEL KARANICOLAS:** The graphic looks a little odd, insofar as everybody’s just getting 100% all the time. From that perspective, everything’s perfect. It seems a little suspect from that perspective. The rating seems odd, given that there doesn’t seem to be a whole lot that we learn from this chart.

**BERNIE TURCOTTE:** I went digging [a little further on the methodology] ... Sorry. I may have forgotten to copy/paste in here the methodology discussion to obtain this, but it seems very solid on what they were doing, and how they were doing it. I’ll review that and include it, if I missed it, but I seem to



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remember that was part of it. But I understand that without that, that can be a good point. Let's continue our tour.

CHERYL LANGDON-ORR: Michael, you're frowning at the screen. I too look at anything that has a flatline ... Unless it's a dead patient, a flatline has me a little concerned. On an ECG, I know what it means.

MICHAEL KARANICOLAS: I'm also concerned when the patient is dead.

CHERYL LANGDON-ORR: 100% flatline ... the ones that are digging, what doesn't seem to be there is that the rationale in our document needs to be updated. So, greater understanding is available.

BERNIE TURCOTTE: Whoa, yeah. That was [inaudible]. So, domain abuse activity reporting. Basically, we've got this project update here. Text from the slide ... "The Domain Abuse Activity Reporting Project is a system for studying and reporting on domain name registrations and security threat—domain abuse—behavior across top-level domain registries and registrars. The overarching purpose of Domain Abuse Activity Reporting is to report security threat activity to the ICANN community, which can then use the data to facilitate informed policy decisions."

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Assessment ... “Essentially, a high-level project tracking, which had the project ending is February 2019. We are now in late August 2019, so out of date.” I’m not sure the value of something that is six months out of date and no other results. So, we’ve got a few of those, again and again.

Oh yeah. Okay, this was interesting. “Ensure ICANN’s long-term financial accountability, stability, and sustainability.” Sorry, 3.1.1.

CHERYL LANGDON-ORR: You’re not [inaudible]. I’m disappointed.

BERNIE TURCOTTE: I am getting tired. I apologize. Short-term financial accountability ... “Further breakdown charts available for a Registrar Transaction Fee, Registrar Fixed Fees, Registry Transaction Fee, and Registry Fixed Fee, and other.” Text accompanying the graphic ... “Expenses are under budget due to lower personnel costs, as a result of delayed hiring and timing differences with administration projects. For more detailed information, please check the quarterly reports.”

Assessment ... “Results based on a robust transparent process to generate this make this a good accountability indicator. Providing a longer period for comparison purposes would be a useful addition. Rating, three.” Michael?

MICHAEL KARANICOLAS: Am I reading this correctly, that ICANN hit the button on budgeted and actual funding every single year? There doesn’t seem to be any gap,

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where things were higher or lower than expected. They seem to just be spot-on every year. Is that accurate?

BERNIE TURCOTTE: That's what this says.

MICHAEL KARANICOLAS: That also seems strange.

PAT KANE: Is this measured by a cumulative—by quarter. This is Fiscal Year '19, and then Q4, is that outlook? This is the current year.

UNIDENTIFIED SPEAKER: [Inaudible].

PAT KANE: But you've also got planned or outlook for Q4, because Q4 we're in, right?

CHERYL LANGDON-ORR: We finished it.

PAT KANE: Oh, I forget. You guys are all screwed up in terms of when you do your year. Okay, got it. My bad.

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BERNIE TURCOTTE: The finance one all have similar ratings, and provide similar kind of information. There's this one that's a little year here, on fiscal year planning process, which is 3.1.4.1. Yes, Jaap?

JAAP AKKERHUIS: As previously showed, we need to look at the accountability indicators. Now, it has a different text on the live. It says ... Oh, it's right here. Thank you.

BERNIE TURCOTTE: Pardon me?

JAAP AKKERHUIS: It has a different text on the live ...

BERNIE TURCOTTE: On the live site?

JAAP AKKERHUIS: Yeah.

BERNIE TURCOTTE: Yeah. They keep changing it, so this was from two weeks ago. On this one ...

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CHERYL LANGDON-ORR: So, we need to note that we do an “as of” when we capture for any final documentation. That’s a good reminder. Thank you, Jaap.

BERNIE TURCOTTE: Yeah, good point, Jaap. So, 3.1.4., the fiscal year planning process—number of stakeholder groups submitting comments. We see for the fiscal year, as we go along, and percentage of groups participating per year. Anyways, gives you some information. Assessment ... “Good from a transparency point of view, but it would be more useful to understand the impact of this participation. Rating, two.”

CHERYL LANGDON-ORR: Bernie, can I ask you to pick no more than two more?

BERNIE TURCOTTE: Okay. I can do that. Another useful one, which is an accountability one—3.1.5.1, deadlines for publishing annual audited financial statements. So, you’ve actually got the fiscal years. You’ve got the red bar, which is the date, and how we meet it. This is an accountability indicator, just like ...

CHERYL LANGDON-ORR: It’s the type of one that you would see across a number of entities and organizations. Again, ICANN Org has a problem because of its unique nature, that it can’t really utilize a number as a bog standard

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accountability indicators that are used more generically. This is an example of one that is. That might also be a good thing to note.

BERNIE TURCOTTE: To Vanda, we note that on the bottom graph, they've actually gone beyond, and there is an explanation as to why this has happened. So, some of these are very good. They do provide useful information, and they are rated very well, and that's not a problem. I've got one more.

CHERYL LANGDON-ORR: [Inaudible] drumroll.

BERNIE TURCOTTE: No, don't like that one. Oh yeah, okay. So, 3.2 please. "Ensure the structured coordination of ICANN's technical resources—ICANN's digital services availability." So, we have availability versus tier one target. To Michael's point before, target's 100%, and this is always 100%. "Additional charts available for tier one and tier two." Text accompanying the graphic ... "participate.icann.org, Adobe Connect, was taken down intentionally for a security review and remediation in April. Radar.icann.org was taken offline for two weeks of maintenance, to address a security flaw."

Assessment ... "Unclear what digital services include. Some sort of general description should be included. Additionally, there is no mention about how the data is obtained, and the only update is from March 2019, while we currently are in October 2019. To be of value, these indicators have to be clear and current. Rating, one."

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There are several of these which refer to things which I think the average user is really uncertain what it includes or not. And indicators is just useful if they're up-to-date. There is no point in providing dated indicators if you all of a sudden stop producing them, which is one of the messages we're trying to make. With a that, I'll hand it back to you, Madam.

CHERYL LANGDON-ORR:

Thank you, Bernie, and thank you one and all for your attention today. Those of your who've traveled, and traveled long-distance, as opposed to a 8 1/2 or 9-hour hop—people that live in Australia have luck. It was a easy one to get here. I've undoubtedly hit the wall. If you only arrived in the last 24 to 36 hours, you've done brilliantly. Pat and I, if Pat hasn't hit the wall already, would like to compliment you on hanging in as much as you have.

As you can see, this is another very big piece of work we're about to dive into, but we needed to give you a testing and a tasting of it. We'll have a little bit when we come back to it. Can we just take two minutes, perhaps, just to tell people where on Earth [Prego] is, and the fact that we will all be expected together there in about an hour and a half. Over to you for the logistics, ladies.

Unless it's desperate for them to know, I think stopping the recording's a fine plan. But before we do, I want to also thank the extraordinary efforts of those people who stuck with us as our viewing audience. I'm astonished at the resiliency of some of you. It certainly has made our job, I think, a little bit more rewarding, when we know that you're here

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with us for the value that today's meeting has been. I suspect Pat wouldn't disagree with me. You going to try and disagree with me now, Pat.

PAT KANE: Not a chance.

CHERYL LANGDON-ORR: Okay, we can stop the recording.

**[END OF TRANSCRIPTION]**