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CHERYL LANGDON-ORR: Thank you very much. Thank you for joining us this morning. This is Cheryl Langdon-Orr and Pat Kane. We are starting Day 2 with the ATRT3 Accountability and Transparency Review Team in our face-to-face meeting in Singapore. We're looking forwards an equally productive and busy day today as we had yesterday. Some of us are settling into the room, so you'll find, if you're on remote participation, that more people will be joining you in the Zoom room very shortly.

Just to remind you that we will be taking our break and starting our sessions a close to humanly possible to the advertised time. This is to value the time and effort that those who are not able to join us here in Singapore but who are all at all sort of terrible hours of their 24-hour clock, trying to battle through with us in remote participation mode. So we want to value your time. And of course our viewing audience. We do love and respect our few very faithful viewers.

So welcome, one and all. I haven't actually managed to get Zoom open yet, so I'm not sure who I'm welcoming. But I'll be with as others will be as soon as these beastly pieces of technology decide they'll boot up properly.

You'll notice that our aspirational agenda yesterday pretty much went out the window, but there we go. We are flexible if nothing else. However, we will be doing a brief recap on what we did, did not, or should have achieved from yesterday. Then we will be diving back into our document at Chapter 10 and going through Chapter 10 a we did the rest of the document yesterday. So, for those of you who are wanting to know where to between now and our mid-morning break – and I

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

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suspect possibly beyond our mid-morning break we might still be in Chapter 10; we'll see how we go – that's the story so far.

After that, we'll sort that out as we go, won't we, Pat?

PAT KANE: Sure.

CHERYL LANGDON-ORR: Okay. See? He's in total and absolute agreement. I love it. One other thing in terms of housekeeping today. We have flags that, if we are on a roll and we're finding our time extraordinarily productive, as we're going into recommendations and working on our priority list, which is a pretty serious piece of work that we should be getting into this afternoon ... It may be possible that we may extend beyond the 18:00 local time. That would be 10100 UTC. We will know that by the mid-afternoon break. But we're also not going to take it too far to get diminishing returns. So we will be sensible. We do have another day on the Monday. We're pretty confident that we can continue the value work on our priority list and working with recommendations and suggestions through there.

Just to remind you all, we will be having time for, I believe, one plenary, the date of which escapes me, between now and – oh, sorry. Between the close of our meeting? Which is it?

UNIDENTIFIED FEMALE: [The 30<sup>th</sup>].

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CHERYL LANGDON-ORR: The 30<sup>th</sup>. Somewhere about the 30<sup>th</sup> at a UTC time to be having been previously advertised. At that plenary, just so you all know so you can plan your calendars and make sure you're free, we have decided this morning that the agenda item on that plenary meeting on the 30<sup>th</sup> will be deep dive into an exploration of the accountability indicators. Yesterday, you had an introduction and a brief tour on the highlights and the holidays associated with the accountability indicators. There's a little bit more work in that document that will happen, and that will be a freshened-up document. It is a Google Doc, so, please, if you're part of the review team, log on. Make your comment in Suggestion Mode, etc. That will be the fodder for our call.

Gentlepeople, have I forgotten anything in terms of intro?

No? They don't think so, in which case, do you want to do the recap, Pat?

PAT KANE: Thanks, Cheryl. A couple things. We got through a lot of the ATRT2 items that we had remaining. We are going to focus on Section 10 today. Bernie's going to take us through that a little bit. As Cheryl talked about, we went through at least a preview of the accountability indicators with an assignment to go through that deep dive. We'll do at 10:30 at the plenary meeting. So we spent a lot of time walking through the document section by section yesterday, and I just wanted to get a little feel from everybody if that worked okay yesterday because we're going to do a lot of that same type of thing today as we go through the

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agenda. So if anybody wants to weigh in with yes, no, faster, slower, or “We’re good,” now’s the time. Anybody?

Sebastien?

SEBASTIEN BACHOLLET: That’s good. I just wanted to take the group three items I took from yesterday. The first one was the list given by Bernie yesterday about what could be our main topic. I think we need to work on that next time because I agree with those four – I have five – items.

The second is that I would that we put as an action item that we request from the Chair of the Board the work done about the prioritization of the review by the committee in charge of that. If we don’t ask the Chair of the Board, we may ask the Vice-Chair of the Board. It will be maybe easier and quicker.

CHERYL LANGDON-ORR: [inaudible] He’s probably making a [inaudible]

UNIDENTIFIED MALE: Hey, Maarten. Do you hear that?

UNIDENTIFIED MALE: [inaudible]

UNIDENTIFIED MALE: We’ve got a request of you.

CHERYL LANGDON-ORR: Just say yes.

UNIDENTIFIED MALE: Just say yes.

UNIDENTIFIED MALE: Just say yes.

MAARTEN BOTTERMAN: [inaudible]

UNIDENTIFIED MALE:: Sebastien indicated that we will ask the Chair and, if we can't get the Chair to, we will ask the Vice-Chair of the Board for the document that you guys are doing on prioritization.

UNIDENTIFIED MALE: [inaudible]

UNIDENTIFIED MALE: Yes.

CHERYL LANGDON-ORR: So that we're appraised.

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UNIDENTIFIED MALE: So that we're in alignment and not in conflict.

CHERYL LANGDON-ORR: [inaudible]

SEBASTIEN BACHOLLET: My last point then is – I can't remember which number it is – I would like that we come back to [inaudible] where we talk about Board composition. I guess I forgot to say something about that yesterday. When we have time, I will be happy [to].

PAT KANE: Thank you, Sebastien. Anyone else? Anyone in the chat?  
  
I see no hands or anything in the chat, so I guess—

UNIDENTIFIED FEMALE: Daniel.

PAT KANE: Oh, Daniel. Thank you.

DANIEL NANGHAKA: Yesterday we had an action item on the discussion about the points that KC had highlighted, and I think it should be not forgotten on the agenda

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for this morning. So I think we could start with that, and then we can be able to proceed. Thank you.

PAT KANE: Thank you, Daniel. That's the Section 10 that we were talking about earlier, so we're going to start right with that. Very good. All right. Bernie, let's jump into it.

CHERYL LANGDON-ORR: I don't know [inaudible]

PAT KANE: Cheryl has been shut out.

CHERYL LANGDON-ORR: I've been shut out.

UNIDENTIFIED MALE: [inaudible]

BERNIE TURCOTTE: I'm sure it's accidental, Cheryl.

CHERYL LANGDON-ORR: Of course. There's nothing deliberate keeping me out of the [inaudible]

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BERNIE TURCOTTE:

All right. Just to augment the recap a bit, we went through all the ARTR2 recommendations yesterday. I guess we adjusted a number, taking into consideration KC's comments. Now we spent a fair amount of time on Section 10, where you had most of your comments. We had said that we would go over those again today just to make sure we understand where we stood with that.

The first one is Item 10.2.11. There was a fair amount of discussion around that. It didn't make it in the notes of the Google Doc, but the relevant point – I've got a comment in there if we can drop a bit. Right. Thank you. The conclusion of that was to rewrite for discussion at plenary, but there was general agreement after discussion that this was not implemented and is not effective.

We also generally agreed on those that we would, as conclusions where there were issues, simply say that the ATRT3 is going to be considering all these elements because it will certainly be making recommendations with respect to reviews.

KC, I don't know if you have some comments. Over to you.

KC CLAFFY:

I guess we'll just wait and see what the writing is. I put some text in there but I was very unsure about it, which is why I gave up and said let's talk about it. I apologize for not going to listen to the rest of yesterday's meeting. I guess I can actually go listen to the audio tomorrow and try to catch up on all that if it's posted by now. So I don't know what the essence of the conversation is, but everything you just said is totally fine with me.

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BERNIE TURCOTTE: Excellent. So that's what's going to happen.

Let's move on to 10.2.12, Recommendation 11.2. Let's see where we were with this one. All right. We agreed – didn't we? – on this one? So we'll be adjusting accordingly.

10.2.13, Recommendation 11.3. I think there was no—

[VANDA SCARTEZINI]: [inaudible]

BERNIE TURCOTTE: Pardon me?

[VANDA SCARTEZINI]: [inaudible] 11?

BERNIE TURCOTTE: Yes. We're going through them with KC right now because she was not here when—

[VANDA SCARTEZINI]: [inaudible] talking about KC. KC was in [10]. KC—

BERNIE TURCOTTE: We are in Section 10. It's Recommendation 11.3.

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[VANDA SCARTEZINI]: Okay. Sorry.

BERNIE TURCOTTE: So it's Section 2.13.

[VANDA SCARTEZINI]: [inaudible]

BERNIE TURCOTTE: No problem. So here is the same thing. The conclusion will be the same as the generic conclusion we talked about.

Where we got into more of a discussion was 10.2.14, Recommendation 11.4, for some clarification. The Board should prepare a complete implementation report 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.

From our discussion yesterday, it ended up being agreed that the report was not really provided to this group for the kickoff. That was a general agreement. On the public consultation part, Larisa made the point that a public consultation is not a public comment. There was some discussion and debate about that. If we could go down to my comment a little further down on that – no, too far. It's at the top of Page 99. Oh, we're not [inaudible]. It's not there? Okay. Well – oh, there it is. Okay. Larisa: no consultation and no comment, which was [inaudible], but

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they were published. So the interpretation of staff was that a public consultation is not a public comment and that these were published and therefore met the requirement. Cheryl noted that this was maybe splitting hairs and that the group did not necessarily agree with that. Therefore, public comment ... But, this being said, public comment was not appropriate for this type of material. So we would go with partially implemented for what it was and provide the standard recommendation that we are going to be looking the results of these things when making our recommendations on reviews.

So I've been talking a bit. KC, do you want to come in on this?

KC CLAFFY:

Sorry. Yeah, sure. I don't quite know what a public consultation is that's separate, in Larisa's view, from just putting it up online. Putting it up online and not having any sort of structured conversation about it is considered a consultation?

BERNIE TURCOTTE:

KC, we had that entire discussion yesterday, which is why Cheryl made her point that this was splitting hairs and not an acceptable definition of a public consultation.

This being said, we noted that this type of document was not necessarily appropriate for a public consultation or public comment because, as far as we're concerned, they're the same thing, or should be considered the same thing, at least in the context of these documents.

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KC CLAFFY: Okay. So it sounds like there's a bunch of stuff wrong with this recommendation that maybe we need to pull out in our response to it. But I guess I'm still not clear what the relevant benchmarks and metrics were that were in the report. I didn't really see metrics in the report. So is that what—

BERNIE TURCOTTE: We're not saying that there were metrics. I think there was just general agreement that this was not implemented for those parts and that there was this discussion about public consultation versus public comment.

KC CLAFFY: I see. So all that stuff will go in the text eventually. It's just not there now.

BERNIE TURCOTE: That's right. Basically that's my fault because I collapsed last night and didn't have the time to [Google].

KC CLAFFY: No problem.

BERNIE TURCOTTE: We will be rewriting that stuff. Okay?

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KC CLAFFY: Okay, sure.

BERNIE TURCOTTE: Thank you, KC. We'll keep on going here. 10.2.15, Recommendation 11.5. There was a discussion. KC has got a comment there. "Did we check with other teams to see if they thought they had sufficient resources?" There was a general discussion around that point. Staff and the Board members pointed out that, whenever review teams, whether it be SSR or others, made requests for time extensions or budget extensions, these were granted, this is being looked at, and therefore felt that this was good enough to meet this criteria and that the section here should stand as is, including the conclusion.

Yes, Maarten? Please.

MAARTEN BOTTERMAN: Granted, they were always considered, and, so far, at the moment, I think we've been able to provide all the teams with the request. I think currently there's the SSR2 request at the table. We discussed that in Montreal. So it's not just rubberstamped. It's considered, and we can [reason] ...

BERNIE TURCOTTE: I did not mean to imply that it was rubberstamped, but the end result is that most of the requests that have been made by the review teams have been studied and granted one way or another. For the record, Larisa is nodding her head. Thank you, Larisa.

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CHERYL LANGDON-ORR: [inaudible]

BERNIE TURCOTTE: Yeah, that's right. So thank you to Larisa because she's the one who takes care of this stuff, really, at the end of the day.

All right. 10.2.16, Recommendation 11.6. The Board should—

KC CLAFFY: Bernard, can I ask a question?

BERNIE TURCOTTE: Sorry. Sure. Go ahead.

KC CLAFFY: There's a sentence in here I just don't understand. I just need clarification. It says, "Due to the inclusive nature of this consultation and these processes, there is a provision for improved transparency and a degree of accountability as well." What does that mean? Are we saying something needs to be improved?

BERNIE TURCOTTE: Where are you? I'm sorry. We lost you.

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KC CLAFFY: The middle of the conclusion of 10.2.15.

BERNIE TURCOTTE: Oh, the middle of the conclusion. Okay. Let's have a look at that.

KC CLAFFY: No, not that one. The one ... [inaudible]

BERNIE TURCOTTE: Are you talking about 10.2.16?

KC CLAFFY: I thought we were on Recommendation 11.5.

BERNIE TURCOTTE: Yes, we are.

KC CLAFFY: Okay. So it's the conclusion of that – yeah, right there. The blue text.

BERNIE TURCOTTE: There we go. Okay. We've got that on the screen now.

KC CLAFFY: Then halfway done or something.

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BERNIE TURCOTTE: Yes, we've got that. Okay, thank you. So let's read that. Well, let's read the whole thing and just make sure we're all synchronized here.

KC CLAFFY: Okay.

BERNIE TURCOTTE: "The ARTR3 recognizes and endorses the importance of Recommendation 11.5 of ARTR2. We also note that, while a degree of implementation has occurred and budget forecasting for specific reviews has occurred with recent operating plan and budget cycles and due to the inclusive nature of this consultation in these process." That's referring to the budget consultation process, I believe, when the consultations occur. Is that correct staff? Yes?

UNIDENTIFIED SPEAKERS: [Yeah].

BERNIE TURCOTTE: We've got vigorous head nodding going on. So the inclusive nature of this consultation [and] these processes ... There is a provision for improved transparency and a degree of accountability as well.

So I think what's being referred to there is the degree of transparency and accountability for the budget that is allocated. Is that what we're talking about?

Yes. Okay. Does that help, KC?

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KC CLAFFY: I'm afraid not. I don't understand. Provision for improved transparency? Meaning somebody exercises a provision of some operating plan? And what does that do? How does that improve transparency or accountability?

BERNIE TURCOTTE: Okay. "The nature of this consultation and these processes ... There is a provision for improved transparency and a degree of accountability as well." The way I read this is that the process for the budget related to this has improved transparency and a degree of accountability because of all the reports we're publishing in the process that we're following. So the wording may need to be edited if it's confusing, but the idea is that there has been significant improvements. If we go to the reviews webpage and we see the status reports, we see the report, we see how the budget is doing, and we see how we got there.

I see Maarten has a comment.

MAARTEN BOTTERMAN: I guess the emphasis [hasn't] been made very explicit to the full community. So it's ...

KC CLAFFY: Okay. I think it's just an English thing. I think Bernard will fix it later. I'm just confused by the "provision" word, I guess.

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CHERYL LANGDON-ORR: If I may, KC, just also remember that this is not a final drafting text.

KC CLAFFY: Yeah, that's why I want to move on. I was worried and then something else.

BERNIE TURCOTTE: Larisa?

LARISA GURNICK: Thank you. Just to clarify that there is transparency over the budgeting process at the time the monies are allocated and then, additionally, at the start of the review, there is transparency expressed in the fact sheet on an ongoing basis. On a quarterly basis, fact sheets are posted that show budget and actual expenditures, milestones, and other things. Thank you.

BERNIE TURCOTTE: Which was not the case before, so this part of these improvements that have been made. Everything is published on a very regular schedule, and everyone can see what's going on. I've certainly gone through them. They're very well done and they're clear.

All right. From what you were telling me, KC, we're good on that one. We'll move to 10.2.16, Recommendation 11.6. "The Board should address all AOC Review Team recommendations in a clear an

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unambiguous, indicating to what extent they are accepting each recommendation.”

I think there was a general discussion, if I remember well on this. You had deleted most of the implementation text. We ended up discussing this and we said we would come back to it this morning. There was agreement that a lot of the text that was currently in implementation would probably be better if I was a preface to the conclusion and that we would readjust the implementation so that everything could line up with more of the comments that you made, KC.

KC CLAFFY: Okay. I was confused where this 10-15% number came from. I crossed it out. I guess it’s still crossed out, but I don’t know what—

BERNIE TURCOTTE: Yeah, it’s still crossed out. We discussed that yesterday and it was agreed to be kept out.

KC CLAFFY: Okay.

BERNIE TURCOTTE: So can we move off of 11.6? Are you okay with that?

KC CLAFFY: So 11.6 remains not implemented?

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BERNIE TURCOTTE: Remains non-implemented, yes.

KC CLAFFY: Okay, thanks. Yeah, move on.

BERNIE TURCOTTE: Okay, thank you. The last one: 10.2.17, Recommendation 11.7. “In responding to review team recommendations, the Board should provide an expected timeframe for implementation. If that timeframe is different from the one given by the review team, the rationale should address the difference.”

Basically, you had highlighted a bunch of text, and everyone agreed with that text. Then the conclusion: ATRT3 does not agree this recommendation is possible, so we agreed to your changes there. I see you have a long comment. And I see you have a long comment, so I’ll let you go to that, KC.

KC CLAFFY: Oh, God. I got to figure out which comment you mean. The one that starts this previous sentence?

BERNIE TURCOTTE: Correct.

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KC CLAFFY: Oh, and I made that today. Okay. Wait, but did things change? I feel like the text has changed. The previous sentence – okay, right. I found this just a little hard to wrap my head around. We never included requirements leading us to the Board and the organization to work out. So basically says the Board is not responsible for understanding what is required to implement a recommendation. But this seems inconsistent with the new operating standards, which say that the review teams have to have this transparent change, that everybody understands the expected impact of the implementation, that it's clearly defined and well understood by all, and that the review team is supposed to take all this stuff into account while it's making its recommendations. So I have my issues that I've mentioned several times about these operating standards. I don't think they're realistic.

But, in any event, they definitely don't match what's in the implementation section of this recommendation because it sort of says ICANN shouldn't have to be able to figure this out but it's on the review teams to figure it out. It's how it reads. I understand there's maybe different interpretations of this text, but I'm wanting you to know it came across to—

BERNIE TURCOTTE: There's probably a few things, KC. First of all, you're mixing in the new operating standards and something that was—

CHERYL LANGDON-ORR: [inaudible] thought about [inaudible]

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BERNIE TURCOTTE: Yeah, that was recommended six years ago. So it was a different environment, and the results of that in that context of six years ago was that this recommendation was unrealistic to be worked on. And that's it.

Now, you had several comments. We agree on the operating standards. This was discussed yesterday for part of the meeting, and I'll let Larisa talk about how we came to have these new operating standards because there was general agreement that it's not for us to decide if they're good or not for us. They're just the rules of the road. But I'll let Larisa talk—

CHERYL LANGDON-ORR: [inaudible]

BERNIE TURCOTTE: Larisa?

KC CLAFFY: That's actually not me.

LARISA GURNICK: Operating standards were developed with consultation with the community over the course of the last two years or so. Their creation was based on a bylaws provision that suggested that operating standards be created to provide a guideline for how the bylaws

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provisions were conducting reviews [so they] can actually be operationalized. So that's what the operating standards are. There were extensive public comments, consultations, and all that that led to the adoption of the operating standards by the Board just recently in June 2019.

Having said that, it is a living document, so [it's] very much open to testing it out by review teams, such as ATRT, as well as SSR2 and any review teams in the future so that, if there's provisions in there that are not workable or there's a better way to do something or something else entirely needs to be considered, there is a provision to do that. It is not written in stone – their current guidelines – and there's a process for revisiting them as appropriate. Thank you.

BERNIE TURCOTTE:

Thank you, Larisa. In fact, as Cheryl has pointed out, we're the beta test. Until we've actually worked our way through, it's probably premature to make any comment on their applicability or not.

I see Sebastien has his hand up. Sebastien?

SEBASTIEN BACHOLLET:

It's a question maybe to Larisa. Do the [inaudible] for the review team change after the report from the ombudsman about the selection of the leadership team? Thank you.

LARISA GURNICK:

I don't believe so.

UNIDENTIFIED FEMALE: Thank you, Sebastien. Actually, the standards that were listed in the operating standards that was referenced at the beginning of the formation of this review team were the older versions of the operating standards that were no longer actively being use. There is a 2017 or '18 version of the document, I believe. The version of the operating standards that are in practice today have the standard practice that ATRT3 used in selecting the leadership for the review. So the reference was made to an older version of the document that was no longer in practice and in use. So there's been no changes since then.

Back to you, Sebastien.

SEBASTIEN BACHOLLET: I don't want to reopen the discussion. I did agree. I can say again I did agree, but it's not a question of the old document or the new document. I guess, if you read well the report from the ombuds, there is a request to change something in the current, valid one. If that's not the case, or whatever the case, you need to talk with the ombuds. I don't want to argue about that. My question was just, have we taken that into account? If the answer is no, I say it may, it must, be taken into account. You are telling us that it's a living document. Therefore, assure us that it' a living document. Thank you very much.

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BERNIE TURCOTTE: Thank you, Sebastien. I think staff will be taking a note on that and seeing exactly. I'm unfamiliar with this comment, so we'll take that offline.

All right. With that, we're done with Section 10. I'll hand it back to—

KC CLAFFY: Bernard, I had my hand up.

BERNIE TURCOTTE: Oh, sorry. I'm not in the chat room, but over to you, KC.

KC CLAFFY: I think I'm just misunderstanding. My concern here – I didn't say it well in the comment – was more forward-looking than backward-looking. I understand that Recommendation 11.7 is six years old, but my question to the review team is, given the new operating standards that separately I don't agree (but that's irrelevant right now), do we think that Recommendation 11.7 is now reasonable to expect the Board to be able to implement? Because we are supposed to have had this transparent exchange with them and we're supposed to understand the expected impact and it should be clearly defined and well-understood.

If we do thus think that 11.7 should be fine under the new operating standards and, in fact, that's part of the reason that the new operating standards were put in place (so that the Board could actually do something like 11.7), why would we not make any recommendations as a result of this assessment? Why wouldn't we say, "Now this

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recommendation should be possible with the new operating standard,” or something? Or am I misunderstanding the connection?

BERNIE TURCOTTE:

I think that’s probably a very good point. As a comment, we can add in the conclusion if everyone agrees with that. Very good point.

I’m not seeing any disagreement around the table, or rather agreement. So I’ll take a note and I’ll rework the conclusion relative to that now that we understand your point properly. Good one. Thank you, KC.

KC CLAFFY:

Okay. Sorry it wasn’t more clear in the text.

CHERYL LANGDON-ORR:

What I’m hearing is that we will make clear that, as an observation – it’s not a recommendation because it wouldn’t pass the recommendation [inaudible], but is an observation we can make. It’s not even a suggestion we need to do because we’re observing what the current state of play is and where that is of benefit now. But it doesn’t affect the fact that this just was not deemed implementable from an ATRT2 implementation perspective. So we’ll make that observation, and Bernie’s got that [inaudible]. Thank you.

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KC CLAFFY: Okay. We make an observation here, but we don't want to make this recommendation in our recommendation section, like we don't think it's a good recommendation anymore?

CHERYL LANGDON-ORR: First of all, KC, when we get to recommendations, every recommendation we do or don't make – if we get to that point in today's agenda, that's the lion's share of what we will be starting to work on, along with prioritization – (recommendations because of these new rules) have to meet particular criteria as they are outlined within the terms of reference, which would mean that Occam's Razor would be put right though just about every other review team, and very few – in some cases, I would venture to say, if any – of the recommendations of prior review teams would pass the current set of criteria. So that's the conversation we haven't even had yet.

KC CLAFFY: Got it. Thanks.

CHERYL LANGDON-ORR: Great.

BERNIE TURCOTTE: So that closes this section. Now I'll hand it back to Cheryl. Thank you.

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CHERYL LANGDON-ORR: Thank you very much. I wasn't sure it was coming back to me, but that's okay. So we've done our recap. We've done our Chapter 10. So what we should be doing now is looking towards having a look at what we've captured in this document as likely suggestions. We need to make some decisions on whether or not things are going to be discussed as potential recommendations or whether we're going to take the least line of resistance (but it doesn't mean that it's any less forcefully written) suggestions and strong suggestions as we go through. So where we have in conclusion in the document – it said that we will or may make a suggestion or recommendation. We are now going to start the work of doing that.

Bernie?

BERNIE TURCOTTE: Thank you. Instead of re-going through the document, one of the things we did yesterday just in closing was I laid what I thought were our priorities for discussion instead of going through the whole document since we did lose some time yesterday. In the spirit of efficiency, if we recap that discussion, the notion of our top list, if you will – we had a Top 5 ... Cheryl?

CHERYL LANGDON-ORR: If I may – and for the viewing public – if we could start capturing this in real-time on a new G Doc and display on screen, I think this is an opportunity for some live work. So if you will be so kind as to indulge for a moment or two while our fabulous staff make that magic happen. It's just a matter of opening up a new G Doc. As you make the words, they'll

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type it down and we can start playing with that. That will help the visualization in the shared collaboration space because it's very difficult if you're not in the room. So just bear with us. You'll see almost a sand pit at this point in time of a document, which we will start populating. Once given a rough population, we can work with that. So it'll be an extract-and-dump-and-then-review exercise.

Are we all clear on that?

Brilliant. Did you want to fill in with anything in between [times], Bernie?

BERNIE TURCOTTE:

Well, where[as] the document is getting created right now, I'll recap what we discussed yesterday, and then we can enter it into the document for our viewing public, as Cheryl just said.

Obviously, if we go through the document, the thing that has come through the most clearly is around the issue of prioritization. That is without a doubt our number one, as was discussed yesterday, [in] the multi-stakeholder model consultations that are going on and – I had a discussion with Brian Cote – his number one from the results of his work is also: the prioritization work. Also, as discussed yesterday, the Board was looking it also. So everyone is looking at this, and Maarten wants to put in a comment at this point.

MAARTEN BOTTERMAN:

I'm sorry for not being fully bright and awake at the time that I was pushed to say yes. I didn't know what you were talking about. Basically,

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we are preparing for a real Board discussion that. We are preparing for that and we will both inform the review team and also send out a blog for the full committee also to be very aware and transparent on it. As I said, it does relate to signals we've given earlier, but we are really sharing where we are as well prior to our discussion in Montreal. I'm sure we'll come back on any findings/conclusions on that very shortly as well. So this will be [inaudible]

CHERYL LANGDON-ORR: If I may – well, first of all, we got Sebastien, then I'll put myself in the queue.

PAT KANE: Yeah, Sebastien first, please.

Sebastien has declined comment. Cheryl?

CHERYL LANGDON-ORR: I was going to suggest that we do have a block of time on whatever day it is – I think it's Friday; could be [inaudible]. On the day before the Montreal meeting starts, we do have a block of time in our face-to-face with part of the ICANN Board. Perhaps that could be a substantive agenda item if that's at all possible. Maarten, you might want to just see if that's—

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MAARTEN BOTTERMAN: That may be possible but I will be in the air at that very moment. But either Leon or Larisa will—

CHERYL LANGDON-ORR: And I suspect Avri would be on the ground as well?

MAARTEN BOTTERMAN: Avri ...

CHERYL LANGDON-ORR: She's one of our peak viewers. I was given she'd be in the room.

MAARTEN BOTTERMAN: Avri, will you be available on the 30<sup>th</sup> online?

Yeah, Avri will be around as well.

CHERYL LANGDON-ORR: Okay.

MAARTEN BOTTERMAN: So between that there should be an adequate briefing opportunity.

CHERYL LANGDON-ORR: Great. Obviously more Board members are always welcome, but if we have that as a known agenda item, even if it's at a discussion rather

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than a documentation level, I think that would be a very productive exercise.

MAARTEN BOTTERMAN: We'll be able to facilitate that, right?

CHERYL LANGDON-ORR: Larisa?

LARISA GURNICK: Yes. Absolutely we'll be able to facilitate that, but also I know time is running short between here at this meeting and Montreal. We do have people working on the [straw]person, and the plan is to have a discussion with the community before ICANN66, schedules permitting. It is getting tight, and I understand that. But work is underway to schedule that or, at minimum, to get it into the hands of people ahead of Montreal.

CHERYL LANGDON-ORR: Look at my face. Pat?

PAT KANE: I'm looking at your face.

CHERYL LANGDON-ORR: [More than a happy face].

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PAT KANE: No, I get it. It's a challenge to not have documentation shared and not understand where everybody is on this because, if we identify prioritization as our number one thing that we're coming up with here as ATRT3 and we're not in alignment or at least not understanding what the Board is driving towards, it makes our work result have to be redone over and over and over again to catch up with what's going on. So my frustration there is we've got three work streams that we're going to give the community. Sebastien shared this with me this morning: we're going to dump all this on the community at all the same time, and it's going to be different.

CHERYL LANGDON-ORR: Yeah.

PAT KANE: We're going to have Brian's work product. It's going to have one thing about prioritization. We're going to have something else prioritization. The Board is going to have something else about prioritization. We're going to have the community comment on the same thing three times and probably three different ways.

CHERYL LANGDON-ORR: And the [inaudible] will occur.

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PAT KANE: I'm not even sure what that means, Cheryl, but that's okay.

CHERYL LANGDON-ORR: Not pretty.

PAT KANE: So, without that and without something that we can chew on in terms of a document, it's really hard for us to come to some kind of conclusion that's helpful. That's why we're all here: to be helpful. I feel like, right now, because we're blind in terms of what's happening at the Board level, we're creating something that's going to be competitive and not complementary. And that's where we don't want to be.

SEBASTIEN BACHOLLET: Thank you. The fact that you [said] that a blog will be posted by the Board – I don't know yesterday if it was clear enough (what I had said). I guess I was supported by the Co-Chair, at least, even if it's not all the members here. It's ATRT3's responsibility: this topic.

I will say it quite straight: stop doing any work on that at the Board level and transfer to us everything you have. Please don't publish anything because, at the end of our work, here in the two days or in Montreal, [if] we make changes in the way that reviews are done, I suggest that we make changes to the way the review is done. If you change the number of reviews, if we change the title of the review – when I say “when we change” I mean when we suggest a change [inaudible] I have in mind. You will see us [say] something, but the reality of the agenda is

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completely different in the future. Therefore, I really think that, regarding the review, it must be transferred to us as soon as possible.

Now, the question of prioritization for the next two, three, four, five, or six months? Definitely something will need to happen. It will not be the task of ATRT3 if we can't have some discussion on that, on how we fit in this landscape. But that's not a question with the reviews. It's a broader question about the comment period, the CCWG results, PDP results, and so on and so forth.

I don't know how I can say that more, but please give us where you are with this, provide us with resources and provide us with man-hour time to fulfill this mission. But it's our task.

PAT KANE: Thank you, Sebastien. I'll go to Wolfgang, who has been first in line.

WOLFGANG KLEINWACHTER: I see Pat's point that we should avoid confusion. On the other hand, the ATRT mission is not to please the Board but to execute oversight. So that means that the only way out is that we organize dialogue with the Board, with Brian Cote, in Montreal, just to get a better picture. We have a basic document, [this] strategic plan. The strategic plan gives us a certain orientation. Based on this, when we come to our independent recommendation – that means, again, we are a review team but we also have to execute oversight over the Board and so far listen to the various groups and then make an independent recommendation. That's the best way forward. So probably should not try to figure out here what is

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Priority 1, 2, and 3. Probably we have a list, but the final list should be produced in the light of the dialogue we have in Montreal.

BERNIE TURCOTTE:

Thank you, Wolfgang. Maarten is next.

MAARTEN BOTTERMAN:

Just for clarity, we cannot stop doing what we do. We've made promised to SSR2, to CCT, to the community that we will work on that. Your work is not to do the work. Your work is to review what we're doing as well.

We have full intent and already expressed that we will share everything on that with you for your review and your comments. We will, but we cannot all stop all work because it's front and center in any decision we take that we consider how to deal with prioritization [in] budgeting, not only with reviews but even beyond that.

So full disclosure is here. The documents are in preparation for the Board at this moment, so not all Board members know, as Mark Sv has been sharing already here. At this moment, the all just know it's a priority for us. They know about the interactions we've had with other parties in the community on what's happening here. In Montreal, we need to show this and share this broadly on what we are doing and why it's important for our work in our responsibility of how we perform our tasks towards the community. So we need to continue with that.

We will provide all information, and we will spend all time with you needed to explain where our thinking is and where we go to make sure

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that you are fully up to speed. And we have been listening to you so far, and we've been listening to Brian Cute, etc., as well. So there's some things that cannot wait until March of next year. There are things that we'll need to continue in the meanwhile. In that way, we also look forward to your comments and the interaction in that as a proactive thing on what we think is needed to make sure that we get that far. We're not there yet. We're on our way. We're sharing where we are. We're sharing where our thinking goes, and we are inviting input. So that is the way forward I see.

The fact that you have a responsibility to review is an important one and will be taken very seriously. We're looking forward to that. So it's far from what we expect to get, but in the meanwhile, we cannot stop all work that is already started, in a way, when we started to talk about CCT. That was the trigger point where prioritization came in for the first time.

I hope that helps. It's dismissing ATRT. No, it's fully recognizing its tasks and its responsibilities. But at the same time, work needs to be done. I hope that helps.

BERNIE TURCOTTE: Thank you, Maarten.

CHERYL LANGDON-ORR: Can we go to Leon next? Because I believe that's a follow on.

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BERNIE TURCOTTE: Okay.

LEON SANCHEZ: It's a follow-up. Thank you. Just let's see this as it is. It's a good faith effort. We're not trying to jump the gun on anyone and we're not trying to push any top-down decisions on the community. We are part of the community. We support the community, and we act with the community, not in substitution or instead of community. So we wouldn't push this effort or this work to supersede whatever efforts or whatever work these groups or other groups are intended to do.

So, please, let's look at it as it is. It is a good faith effort. It is something that we've been working on for some time now. As Maarten says, we cannot just stop. We would really appreciate your input and working together in this. We're in this together. I would like to encourage us to continue to set aside the imaginary barrier of Board and community because there is no such thing. We are one team, and, as such, I think we need to continue working. This is just one more input that will go to the community. We will build it together. So give us the benefit of the doubt, at least. Please.

BERNIE TURCOTTE: Thank you, Leon. Pat is next.

CHERYL LANGDON-ORR: Maarten [inaudible]

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PAT KANE:

Several items there, both from Maarten and from Leon. As far as the review team, I think that we don't have a position of the review team as to what we want you to do. I think that Sebastien has given you a cease-and-desist, and on the other side of that, we've talked about how do we collaborate and work together. This topic first came up to the review team leadership in Marrakech. Theresa and the staff sat down with us and say, "Hey, we've got this going on," and we said, "Let us help work together on this and figure out what to do. Nobody is asking you to stop doing your work."

But if we're going to prioritize work that's valuable and we do something and we make some recommendations – our work is not just review. It is recommendations. Some of that recommendation could be very prescriptive in terms of what we think works and what doesn't work. If we deliver something that is completely different – I don't think it'd be completely different. I think we're all trying to achieve the same goals – from what the Board produces by themselves and we don't have this collaboration, then what we will end up is we're going to do a lot of work that's not meaningful in terms of where you guys may be. Doesn't mean that you will be there but where you may be.

Because we had the conversation in Marrakech and because we made a formal request a month ago – we still haven't seen anything and we're worried that the number one priority –

CHERYL LANGDON-ORR:

Concerns.

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PAT KANE:

Well, the concerns as the Co-Chair is that we've not had a conversation with the whole review team. So this is me as a Co-Chair. I'm concerned that we're going to spend a lot of work effort on something that we're going to have to go back and either rewrite or redo. I'm at a point where maybe we don't even address it. Maybe we address other things and let the Board run with it or let Brian run with it in terms of the competitive nature.

Now, I don't think that's right because I think we recognize that prioritization, given the results of CCT-RT and how we take a look at recommendations as to what it is the community should do and take a look at recommendations across the entire community, whether they come from a PDP or they come from a cross-community working group or a review team and how we manage that ... So we're just asking to have this collaboration, and I have to feel that we're stubbornly being resisted at times because we've asked and it was even presented by Theresa and her staff in Marrakech. It's been crickets along those lines in terms of – sorry. Crickets, for those not familiar with the American colloquialism, means we heard nothing. Silence. So we just want to be collaborative in terms of this process. Again, words I used before was not competitive to what it is the Board is trying to achieve. Thank you.

MAARTEN BOTTERMAN:

Can I come back on that?

BERNIE TURCOTTE:

Maarten?

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MAARTEN BOTTERMAN: I think this is very much the nature of doing – the thing is, we cannot stop prioritizing and budgeting until March of next year. We all understand that. That’s not the issue. I think the intent is to go as far in our exchange with you really full. We’re building towards this while we speak and are interaction with you. Whatever you recommend in March of next year we’ll take seriously as well. So it’s also in our interest that we are aligned as much as possible so that where we are in practice is not that different as what you come out in March with.

So this why, as said, we are still working on the Board documents to brief the Board. You’re not behind the Board in this.

PAT KANE: But I’m afraid that we are because, if we’re talking about it today and you’ve got something that you’re [willing] to present to the Board, well, maybe we’re ahead of you. But we’re not together. So I’m asking you to open the door so that we can see and collaborate. Even if you have early thoughts, because what we’re talking about here today are early thoughts. We’re prioritizing our areas of recommendation, not even specific recommendations. So actually we probably are behind you.

So let us just get some idea about where we are and if we are helpful. Again, the idea is for us to be helpful. Thank you.

MAARTEN BOTTERMAN: That’s fully appreciated. All information in preparation – we talk about the next two weeks, right?

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[CHERYL LANGDON-ORR:]: Mm-hmm.

MAARTEN BOTTERMAN: It's all coming your way as well. it will be fully shared. We have agreed on a full briefing on the 30<sup>th</sup>. Before that, I think you will receive the documents [inaudible]. So it can be discussed. So, by the time we all hit Marrakech, you'll be fully up to speed.

UNIDENTIFIED SPEAKERS: Montreal.

CHERYL LANGDON-ORR: Montreal. They're all an M word. Yes, I know. Montreal.

MAARTEN BOTTERMAN: The M word.

UNIDENTIFIED MALE: How about Montserrat?

CHERYL LANGDON-ORR: [inaudible]

UNIDENTIFIED MALE: Order!

CHERYL LANGDON-ORR: [inaudible] a couple of [inaudible]

MAARTEN BOTTERMAN: So, just to make it very clear, there's no need to talk harder or whatever. Yes, we're fully there. [There is a] full briefing of everything of where we are. So we're both at the same side of information by the time we hit Montreal.

CHERYL LANGDON-ORR: So what I've heard is, despite a little bit of step back and spit and spat at each other – very nicely done, really; frank and fearless conversation is a good thing – we are intending to be collaborative and comply with each other to make as much knowledge and sharing – not necessarily agreement but knowledge and sharing – of which direction we're all going.

We're also going to be working with Brian, as we've done to date, because what we want to do is not harmonize in any enforcement but move forward with our own work with full knowledge and understanding about the other work going on in prioritization. It may be that we are absolutely in synch, but we do not know yet. But please remember we're not just the community. Sure, we can turn up to your public forum and we can turn up to your general informatic meeting, but I think that would be certainly doing us a disservice, which I don't think was your intention.

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We're happy to work with you in the rough and ready, very early drafting phase of this. We would treat it with as much confidentiality as required. But what we're saying is we would like to take the journey along with you in terms of the knowledge of what's going on, noticing that you'll know with full disclosure, because you're all in the room, what we are doing as well. we want to look for opportunities to complement, where possible. Doesn't mean we'll be in total synchronicity, however. Who knows? We'll find out.

So at least we've got an agenda item for our meeting the Board in Montreal. I notice that KC's hand is up but I'm just looking around the room to see if everyone else wants to say anything on this matter.

KC, over to you.

KC CLAFFY:

This is embarrassing because my hand has been up for ten minutes and I need to ask you what you guys are talking about. Let me repeat or summarize what I think you guys are saying. Is this the same issue that we were talking about last night, where the Board – yesterday morning; sorry – was wanting to give us an update to the implementation of the ATRT2, or is this something different that has to do with prioritization of something else?

CHERYL LANGDON-ORR:

It's the prioritization work, KC.

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KC CLAFFY: Can you expand what that is exactly: what the Board wants to publish in two weeks?

CHERYL LANGDON-ORR: Yes. Larisa, could you explain? Thank you so much.

LARISA GURNICK: Maybe just a bit of history. Before Marrakech, actually, there was a call between the Board and the review team leadership of ATRT3 as well as all the other specific reviews, including CCT and such. The objective of that call was to discuss essentially how to address resourcing and prioritization around review recommendations and different elements of ways that recommendations could be made more focused and on point but also how the implementation of those recommendations could be improved to get a better outcome.

So there were some initial themes discussed with the group at that time and then agreement and some input from the group that was taken onboard. Then, at the Board workshop in September in L.A., the Board had further discussion to evolve some of those thoughts and principles, including input, that came from the review team leadership.

What we are talking about now is coming back to the same group, to the review team leadership and implementation shepherds and people that are really at the front end of understanding how review recommendations are formulated and how important implementation is and such, with a more evolved thinking around how to better

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prioritize recommendations and resource recommendations and also how to make the recommendations themselves more workable.

So it's evolving on the themes that had been shared back in early June before Marrakech. The idea is to take it back to the same group initially and then ultimately to the community. There will be a public session in Marrakech – in Montreal. Sorry about that . In Montreal. So there will be a session in November 4<sup>th</sup>, as well as ideas for what happens next – additional public consultation input from ATRT3, as well as the other reviews, possibly testing some of the ideas as you continue to do your work.

So it's that straw person that we're talking about right now, KC. I hope that that helps.

KC CLAFFY:

That helps a ton, although it sounds to me that it's basically some thoughts about further refinements to the operating standards, which already had a section on how to make the recommendations that S-M-A-R-T and having the open exchange with the Board on their implementability and resource consumption. So is it basically just deeper thought in that direction and you want to publish it but first you want to vet it with the review teams are still ongoing to get their feedback? Is that the idea?

LARISA GURNICK:

No, I think the idea is a bit broader than that because, since the operating standards were published – well, some of these concepts

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weren't incorporated – none of them have been tested as we discussed earlier. This is really to take onboard a broad discussion about community recommendations and possibly even broader than review recommendations. So this could include Work Stream 2, for example.

KC CLAFFY: Right.

LARISA GURNICK: So it is a broader conversation. To the extent there is agreement on elements that would change as a result of this conversation and how it evolves, it would then be reflected in operating standards. But the purpose of this discussion is not specifically to update operating standards. It's the other way around. As this evolves and there's new thinking around it, it would be incorporated in operating standards.

KC CLAFFY: That makes sense. I guess what I hear Pat being concerned about and others is that, at least for the next two weeks or longer, depending on how long that conversation takes, it puts us on the spot to refine, adjust, modify, or completely overhaul what we might be writing as a result of what you guys do. In fact, it sounds like that would be the best outcome as far as you're concerned because you're trying to help make the process more effective and efficient, so you want everybody to learn something here. Is that fair?

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LARISA GURNICK: Yes, absolutely.

KC CLAFFY: Okay. [I see the Bible]. Go on.

CHERYL LANGDON-ORR: So you're okay then, KC?

KC CLAFFY: Yeah. Thanks so much. Sorry to distract.

CHERYL LANGDON-ORR: No problem. Okay, you got to pop your hand down. Sebastien?

SEBASTIEN BACHOLLET: Thank you. I have the impression that, even if we try to talk the same language, we use the same words for two different things. It's where the trouble lies from my understanding now. You are talking about prioritization of the output of the reviews, and we are talking about the prioritization of the reviews of the organization of the reviews, what reviews we need to do, and how we need to organize that. That may be a little bit different because we are not going into detail on each and every recommendation to say, "This one needs to be before the other."

But what we are – I will not say "we." What I am looking for is how we organize in the future not to have too much review at the same time. There were comments [inaudible] on that. But how we organize that in

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the long run. If we change things on the title of the review or the duty of some of the reviews, if we recognize the reviews, that's where I think we have an input there. My feeling is that we are talking about two things that are complementary but not really same thing and jeopardizing the work of one or the other. That's my impression right now, and I don't know if we are going to [inaudible], Montevideo, Marrakech, or Montreal, but we are going there and I hope that we will go together.

BERNIE TURCOTE: Microphone, please.

LEON SANCHEZ: Mexico.

BERNIE TURCOTTE: Pat?

PAT KANE: So when we're in Minneapolis. No. I am talking specifically about the prioritization of recommendations coming from each review team against one another. That's because where I'm coming from is a result of what happened in CCT-RT to where we've now introduced this need for budgeting exercise. We need to take a look at whose responsible for what, what the gating items are, and take a look at that holistically and how we take, with a limited budget – as Cherine described it, we have flat funding, as I hear Cherine use the specific word these days ... Taking

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a look at that and saying, how do we get the most important things done that the community is recommending. So it's not all one review team and then Work Stream 2 items and then another review team's items. How do we take a look at all those in aggregate and say, what are the most important priorities?

When I think of what you're talking about, Sebastien, in terms of the reviews, the word I've been using in my "streamlining." How do we streamline the reviews and take a look at that process and make certain that the reviews are actually effective in what we're trying to achieve. And do reviews still make sense that we have today, and should different reviews be done in the future?

So what I'm talking about directly is that I think that the Avri-oriented – just because I think she's driving it at the Board ... What she's doing, what Brian is doing, in solving the [word] prioritization within the multi-stakeholder model development. And then what we're talking about here as a result of what review teams' recommend and how that gets processed is where I've got the problem in terms of the prioritization because I worry that what we'll do and end up with us – I'm not going to repeat myself. I've already said that.

CHERYL LANGDON-ORR: They're not unrelated, but they're not exactly the same.

PAT KANE: Correct.

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CHERYL LANGDON-ORR: Maarten and then Larisa, or Larisa first.

LARISA GURNICK: Thank you for that clarification. I think that really helps in understanding the differences. Pat is exactly right. This specific straw person – let’s just call it for the moment – is about recommendations and prioritization of them and how to get them implemented.

In addition to that, Avri and the OEC and the Board have another discussion/effort, if you will, to look at the fact that we are just coming off of a cycle where we had 11 reviews happening at the same time – all the specific reviews and many of the organizational reviews. That discussion actually started with the community, I think, a couple of years ago.

Continuing on that, there are some ideas being formulated as to what are the problem areas and how do we get to be in this place where we have multiple reviews. There’s some bylaws-related reasons for that, and it was[n’t] contemplated to have the reviews spread out, but that effort is really focused on streamlining, which breaks down into the timing and the cadence of reviews [and] how do we change the way reviews would work in the future so that they’re not one on top or another, so that there is more time for implementation and so that what comes at the end is more impactful.

So that that other timing and streamlining – that’s how we’ve been referring to it – to differentiate it from the other. It does obviously prioritize the future of reviews and the timing, but in a different sense.

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So that work is also underway. You as well as the other community members will be discussing this in time to come.

CHERYL LANGDON-ORR: In whatever letter country it is. We've got Maarten, then we're going back to Sebastien.

MAARTEN BOTTERMAN: I think what Sebastien just said is right. We're not proposing a new model for how the reviews will be done after next year. We will talk about the prioritization and budgeting of how we deal with that. That's the focus. Questions relating to reviews may be asked, but not to say how it will be done for that. We know that ATRT, and we hope for the ATRT to provide that guidance to the community. So this is also an aligning purpose. I'm now talking the level of purpose, not on details. So I hope that helps.

CHERYL LANGDON-ORR: I believe it does. Sebastien?

SEBASTIEN BACHOLLET: Thank you. I was happy to have found one way to go out. In fact, I am now more confused. It seems that – I'm sorry, Avri, to put your name, but it's a name that was given. Avri is doing the work that we are supposed to do now in ATRT3. We will [process] all the reviews. That was a goal of the review of the reviews of that team. If there is the same work going in parallel to in the Board – whatever group – that's a pity

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because we are losing time and money. If it's this one, we have to request that they open their book. "Okay, let's ask this group specifically to open their book to our team." But I was – you see – happy at one moment, but now it seems there are other things going on in conjunction, if not more, with what we are doing. Therefore, I [repeat:] the reviews of the reviews is in our mandate. It's our job. The ATRT3 mandate.

CHERYL LANGDON-ORR: Thank you, Sebastien. We're going back to Pat. But before we go to Pat, I see KC's hand has gone back up. Over to you, KC.

KC CLAFFY: Hi. This conversation has gone on longer than expected. I think I understand enough now to say I'm not sure we're still having it because it sounds to me like the Board is trying to do the best it can amid a maelstrom of recommendations that we all agree are too many for it to handle. As I heard Maarten say earlier, they can't wait. If they are going to start thinking about this, the sooner the better, as far as I'm concerned. I also don't feel it's our place to say, "Okay, but you got to stop now and give us what you got because we're trying to move fast here." We're all trying to move fast. Maybe part of the problem is that this review shouldn't take a year because you can't stop everything for a year while you do the review.

So I feel like we should let the Board do what it's going to do, which, by the way, is what's going to happen anyway. And they should. It sounds to me like great news because, as I've been reading all this stuff for the

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last several months, I've though, "God, what would I do if I were on the Board?" And now it sounds like I'm going to find out what I should do. So, two weeks from now, that would be great to have the conversation start. Yeah, it isn't the way we expected this conversation to happen, but I think it can only improve it, honestly.

CHERYL LANGDON-ORR: Thank you, KC. Back to Pat for the last word on this. My last time check on this conversation was at 9:05. We're now sitting at 9:17 for a preliminary chat before we get into the prioritization work. Just saying, people. Over to you.

PAT KANE: It's very interesting that you gave me the last word because the last word was going to be, "I think we covered this enough." I think we've all got our points, and I think we understand that we've got some items. But the one thing I would say to KC is, KC, I think that there's a lot of opinions in the room, so it's not a singular opinion to say "Stop doing the work" or "Share the work" or something like that nature. But I think we've covered enough to where we fully understand. When we get to Munich, it'll be really great to hear what it is that the Board is up to. Thank you very much.

KC CLAFFY: Agreed.

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CHERYL LANGDON-ORR: I think we should come to Melvin for the meeting to be honest.

PAT KANE: There you go.

CHERYL LANGDON-ORR: There we go. However, we've got a blank page with the word "Montreal," just to help us. I believe, good sir, that we're back to going through this list and actually getting this list of the top-five or so priorities written on this piece of paper. So shall we pursue that?

BERNIE TURCOTTE: Well, I'm almost scared to.

CHERYL LANGDON-ORR: Let's have a go, shall we?

BERNIE TURCOTTE: Let's have a go. All right. So our first one, which lit this powder trail, was prioritization. Part of that discussion is exactly what that means. As we saw in our discussion here, there are probably several versions of that. We're going to have to be able to coalesce around one meeting while understanding what else is going on.

This being said, I've been talking to Brian relative to his things. I understand where he's going with that. We can have that discussion when we get into that. I don't think there is anything that is too difficult

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to where Brian is [add] onto this. We've agreed that we'll be talking after we finish here just to make sure we understand at least each other's positions so that there's no conflicts in that.

From our discussions yesterday on our list of things we should prioritize for ourselves with our recommendation in ATRT3, just for the work while we're here – let's not confuse the prioritization, since there seems to be many prioritizations – the next item on our list to focus on was reviews. This was the one that got a serious uptick in our survey. There are obviously, as we finish going through today, a number of issues with respect to the ATRT2 recommendations. We have certainly mentioned this in our Section 9, that the implementation of ATRT2 definitely had some divergence between our interpretation of that and what was done.

So there are a whole bunch of things on reviews. I think, as Sebastien has said, we're also tasked with looking at what reviews should go forward or not or how they should be modified. Let's remember that we have also added to our list of reviews that we will also be looking at organizational reviews. We did ask several questions in our survey about that, and we got some very strong responses on that area also. So that is definitely something we are going to have to spend some time on.

Our third point, which came out very strongly, was diversity on the Board, definitely. To go back to Maarten's point, individual responses are an interesting qualifier, but the united voice of the SOs and ACs, in formally responding to this, very strongly makes it a top contender for us to spend some time on and try to understand.

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This being said, there are a number of constraints that are surrounding this issue. It may be that, in our consideration of this, we don't have a fix but that rather we recommend that someone look into creating a fix because it's not a simple to do.

Number four, we've got public comments that also came back very strongly that we needed some updates. We've heard from Sebastien there on some things. There are concerns. The survey results were fairly straightforward also on that one, that there needed to be an uptick or at least something done to help with public comments.

There's also a concern that is adjacent to that, that the Board has been circumventing, in certain cases, public comments by using other means, which is of concern to certain people because the public comment process is seen as heavy, and sometimes results are looked at to be earlier. We've heard from people that there is concern. There is a process. This is what people expect. These other attempts are of concern, so it's definitely something we are going to have to talk about.

The fifth point which was pointed out by Sebastien late yesterday was Work Stream 2. Now, the update on Work Stream 2 is that – yes, I do Work Stream 2 also – there have been two meetings with the Board Caucus Group, working on Work Stream 2. The Work Stream 2 Implementation Team, which is composed of the rapporteurs that led the various Work Stream 2 groups, as well as the Co-Chairs, including – we have a number of Co-Chairs around – had a look at the implementation plan and had a full and frank discussion, as our Co-Chair, Cheryl, likes to say. There was a look at it. There were a number of questions that were developed. There were some responses

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developed by the Board Caucus Group to the implementation plan. There was a meeting that was held, and some of the points were discussed. We're waiting to close that up.

The idea, of course, as been mentioned by KC and that's on everyone's mind, is that the reality is that there are over 100 recommendations in Work Stream 2, and how to do manage to implement that in a context where, as Pat has said, revenues are flat? Basically, if you look at the budget, there's not a lot of cushion. Everyone's projects are already planned and accounted for. So, all of a sudden, when these review recommendations come along and they are not minimal, what do you do in this kind of situation? It's a new situation for everyone because the community, rightly or wrongly, over a number of years ... The reality was that, when a review team made a recommendation, it was implemented, and organization just found a way to do it. Maybe we had arguments about what "implemented" meant, but there was certainly a good-faith efforts on both sides to make the recommendations and for the organization to try and implement them. Whenever you're dealing with complex systems, sure, there's going to be slight variances along the way. That's the reality.

So that's our top five right now. In effect, Work Stream 2, in a certain way, loops back to number one and, indirectly, number two, relative to what we're going to do with that.

As I said when I started this, the idea here is to discuss this. If these are our top items indeed, let's not spend a lot of time combing through the document. You've got staff and me to do that. What we need the input from this group is to spend its time figuring out what we want to

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recommend on these things. Just doing that is going to take some time. We've already mentioned that the schedule today may go beyond 6:00. The reality is that, by just having our own discussion here about what certain things means and what they could mean and how they fit with some of the things, we see the complexity of some of these issues.

So I am probably proposing, Madam Chair and Mr. Co-Chair, that we have a discussion and see if these are issues are actually what we want to focus on – I will not use the P word, given the M word is up there – and, if we can get to some agreement that this will be our focus, that we then start working on those. Over to you.

CHERYL LANGDON-ORR: Thanks very much, Bernie. Of course, if you can join us in the Google Doc, it's set to edit, I believe, for everybody. So don't delete other people's work. Pop a little bracket with your initials in it and put additions in.

KC, your hand is up. Over to you.

KC CLAFFY: Sorry, it's not. it's a mistake.

CHERYL LANGDON-ORR: Okay. Not a problem. It just [inaudible] up in the chat, and it wasn't answered. So I assumed it might have been a new hand.

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All right. Well, with that, let's look at this list. Of course, this list is currently written in a numerical order. Also open for discussion is whether that is the right ascending or descending order. We can shuffle and shift and add and various other things. So let's open a queue on that.

Sebastien, over to you.

SEBASTIEN BACHOLLET:

Thank you. I want to repeat that I agree with this list. I think, as a list, it's not an ordered list. I don't think we need, for the moment, to decide which prioritization we want to give to these five topics.

I also fully agree that number five with Work Stream 2 is really closely related to prioritization. If I can take just one example, I think, if we have to push for some prioritization within Work Stream 2, I would say that everything coming from ATRT1 and ATRT2 in the work of Work Stream 2 must be a priority on [others] because it's something coming from a long time ago. That's one of the way of prioritizing the output of Work Stream 2 from my point of view. Thank you.

CHERYL LANGDON-ORR:

Michael?

MICHAEL KARANICOLAS:

Hi. I just wanted to flag that, of these topics as currently presented, none of them really engage on transparency, except very tangentially. That's not to say that that needs to be our immediate priority, but I

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think it would be disappointing if, at the end of the day, we didn't have any recommendations that engaged on that, given that I think that we should do what it says on [tin] at some point.

CHERYL LANGDON-ORR: You mean look at the title and have the tea party in there. Okay. Bernie and then Pat.

BERNIE TURCOTTE: As was mentioned, I understand Michael's point, but just to be clear, the idea is not to say we're not going to make any other recommendations or suggestions. We've listed them in the document, and we will certainly work on them. Maybe those are simpler. If we have to, we can work online on them or wait for another meeting. The idea is to try and address the more difficult and contentious issues while we're in this type of setting so we can get over the big things because it would be very disappointing if we were to leave here and we would still have some big-ticket items on our plate, which we couldn't address. Thank you.

CHERYL LANGDON-ORR: Thank you. We've got Pat and then we've got Maarten.

PAT KANE: [inaudible]

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CHERYL LANGDON-ORR: Okay. We've just got Maarten.

MAARTEN BOTTERMAN: In this case, just pointing that Work Stream 2 is important. As you know, we've been in the calls. It's not a review. Just to point that out. It does become relevant if you look to prioritization or budget, but that goes also for policy work, etc. So [inaudible] and the other four points are really brilliant. It'd be great to see that it's at the core of where we are, I think, from any position as an engaged participant in this community, as we as in the Board position.

CHERYL LANGDON-ORR: Man of many hats, and more to follow. Wolfgang?

MAARTEN BOTTERMAN: Aren't we all users as well?

CHERYL LANGDON-ORR: Last time we checked, many of us were. Go ahead, Wolfgang.

WOLFGANG KLEINWACHTER: Thank you. I don't know how we proceed now: going issue by issue? I want to make a comment and review ... I have a radical approach here. The whole review mechanism has evolved over 10/15 years. To think we have reached a moment where we really have to—

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CHERYL LANGDON-ORR: [inaudible]

WOLFGANG KLEINWACHTER: A radical change. So what I've observed is, over the years, that all these reviews – ALAC, SOs, and others – support a siloed approach within ICANN because each SO and AC is handled individually. If you go through the various reviews, it's really more or less inward-looking into the SO/AC and there is no holistic approach. If I look into the composition of the teams for the various reviews, I would not say it's always the same people because there are different people but it's the same type of people. Personally, I could sit in an ALAC review team. I could sit in a ccNSO review team. I could sit in an ASO review team. So it makes no difference. That means what we have are two different categories of [inaudible]. One is more issue-based. This mainly comes from the AOC reviews. [But ATRT is different. But the ATLAS III] ... Then we have an institutional review.

So my radical proposal is that we come up and say we should have, let's say, two review processes, one which goes into substance and one which goes into the institutions, and then review ICANN as a whole. This would also open the door to what I mentioned yesterday, which is the catch with Work Stream 3, because, then, if you see ICANN as a whole, then you have another opportunity to see better the weaknesses of ICANN as a whole and not only the weakness of individual institutions. But this is the future, so [inaudible] the work if it comes to review. My radical proposal is to propose two review processes, one on substance and one on the organization or institution.

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CHERYL LANGDON-ORR: Thank you, Wolfgang. Just to be clear, both of those you're proposing would be a from a holistic perspective.

WOLFGANG KLEINWACHTER: Yes.

CHERYL LANGDON-ORR: Okay. Could we capture that somewhere in our notes? I think we just need to capture these ideas rather than have everybody try and remember them. So as long as someone is capturing them and it's not me.

Sebastien and then Tola and then Becky Burr.

SEBASTIEN BACHOLLET: Thank you. Thank you, Wolfgang. I think it's a way to go and [to think about]. I will add that maybe there is, I would say, a further element with ATRT as a specific body, but I think we can add that into the discussion.

One of the reasons I think you're right on that is, when you look at the organizational reviews – not all, but a lot – they were done two times and with two different outputs for the same review period with a lot of money spent for outside reviewers and with a lot of time spent from inside reviewers. At the end, the one who wins fortunately is the insiders. Therefore, we may stop to spend money for nothing. That's

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something we need to say as ATRT3 because I guess the way it is written currently in the bylaw it says that we have to have external reviewers. Therefore, it's one point I think we need to change. But I agree with Wolfgang in this radical change. I think it's really a good way to think of for the future. Thank you.

CHERYL LANGDON-ORR: Tola?

TOLA: Good morning. Thanks for calling on me. I appreciate the presentation of Wolfgang and, of course by extension of Wolf, what Sebastien just added. First I want to ask a question and then I want to make a statement.

Do we have any implementation of some of these reviews as time goes by? Or do we always have to wait until the end of the reviews before we can make sure of any points that come out of it?

CHERYL LANGDON-ORR: I'll have a go at answering that. In some cases, and certainly more commonly in the organizational reviews, to the answer to that is often yes because, in a number of times in various of the organizational reviews, the entity that is being reviewed recognizes the issue identified and it's making remedial action and, therefore, implementation, even before the reporting is completed by the external reviewer.

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That is not the same answer for the specific reviews because their recommendations come as a final report. They're not tuned into a particular substance until later on. Therefore, the idea of following reviews reviewing the efficacy of the implementation of the review prior came into being, recognizing that, before that current way of doing things, ATRT was the only body that looked at all of those specific reviews.

That's an answer each way. I hope I—

TOLA:

Okay, thank you. [inaudible] clarification for what I have wanted to because, if I draw my inference from KANI (continuous and never-ending improvement), I would expect that the reviews are necessary – they should continue – but it's only been useful if at some point where all this implementing or the reviews are coming out of it. But if it comes [inaudible] for me from what I've had, everybody is saying that, in the last 15 years or 20 years, reviews have been done and that reviews of those reviews have been done. If there is no [pocket] of improvement or implementation of what has been reviewed, then it's a waste of time in my opinion.

So I don't know how we're going to capture it. That should be a periodic measurement of [inputs] of whatever has been reviewed, no matter how much of a percentage it is – if it's 5%, if it's 10%. At every point in time, let us have part of what has been reviewed to be fed back into the implementation. Thank you for this.

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CHERYL LANGDON-ORR: Thanks very much, Tola. We're going to Bernie and then we're going to Daniel.

BERNIE TURCOTTE: Just two points. A good point on continuous improvement, but continuous improvement doesn't necessarily mean there needs to be a review. There are many ways to do that.

The second point is we seem to have, by default, improved this list by starting the discussion. If we're doing that, I would suggest that we clarify this and actually get to work on some of these things and what they mean and review the requirements for recommendations.

CHERYL LANGDON-ORR: So noted. Let's go to Daniel and then get back to that after the break at that point in time. Daniel?

DANIEL NANGHAKA: Thank you very much. Following the discussion on reviews, recalling the first works of the review of the reviews team, [inaudible] to see how we could be able to scope out the different implementations of the recommendations that came out from the reviews. First of all, looking at some previous reports that [inaudible] from the benchmarks report, most of the recommendation that were made in the benchmarks report took so long to be implemented. Others were not implemented [inaudible], despite the fact that that was coming from an external reviewer. Obviously the organization has the right to either take on the recommendations or leave the recommendations, but there is no clear

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documentation of the level or the effectiveness of implementation of the respective recommendations that came in from the respective reviews.

So what do I put on the table? What I put on the table is that there is a need to revisit, should I say, a table to show what has been implemented and how it has been implemented in a clear and explicit manner so we can know how we can do things differently to measure the effectiveness of the respective reviews. Thank you.

CHERYL LANGDON-ORR: Vanda, go ahead.

VANDA SCARTEZINI: Back to basics, I believe that we have two [works] here and that we need to start with. One is to identify what is going to be recommendations and what is going to be suggestions and what [inaudible] suggestions we're going to use. After that, then we start to think about the prioritization and fit them into that list of prioritization. So I do believe that the work we should do today, at least for me, [has to be very clear on what we intend to have and to reach here in the methodology that we're going to follow.] So that's to identify recommendations [inaudible] and then identify what is the priority here or there and, in some way, put the metrics with [inaudible] priorities. That is the whole priority of the group. So that's my understanding, but I would like to hear from you. Thank you.

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CHERYL LANGDON-ORR: Back you, Bernie. Just bookend that if you don't mind because we'll be then taking a break.

BERNIE TURCOTTE: Thank you. I hate to do that, but I'll say yes and no. I proposed this list just based on knowledge [and] the results that we had, the things that we identified as doing. They also match up to areas in our document. If we take them and go to those areas in our document then, we can identify what we have said for recommendations. Then we have always said, once we do that, per section we'll have a holistic view. Once we've done that for the sections where we want to work, we'll all again have a holistic view, which we have to do.

But what I am saying also is that, given the limited time we have and the exceptional ability for us to be in the same room, if we want to use these five as the areas we concentrate on first, it might provide the best results for our money.

VANDA SCARTEZINI: [inaudible]. Sorry. That is my opinion Yeah, have metrics that you need to get [on] our list here and put in here, just to understand the methodology that we're going to do to make it more clear on [inaudible]

CHERYL LANGDON-ORR: Okay. Well, if you come back at the top of the hour from your coffee break, which will be at 10 A.M. local time and 0200 UTC for our viewing audience, that's the sort of thing we will be pursuing.

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With that, you've got less than a 15-minute break, but only slightly. We will stop the recording and return to this point at the top of the hour. Thank you.

Thank you very much. If I say no, what happens then? I can't make the thing happen, even if I say no. Okay. Welcome back to everybody who's taken break, including, I hope, our viewing public, who got up and stretched their legs and perhaps got themselves a caffeinated beverage or something similar. We are diving back in, ladies, and gentlemen. We have our scratch pad document up on screen in the Zoom room.

But what we think we might do – I'm assuming that staff are poised and ready for this now – is we might just take a slight sidetrack. You'll see in front of you in the Zoom room now the part of our ATRT3 terms of reference, where it lists in excruciating detail – notice the groan associated with my voice there, please; it was deliberate, not just for entertainment sake – the considerations that are with regard to review team recommendations. So, yes, this is a testing environment. Yes, we're a bit like the fighter pilot testing the plane for the first it goes out. So do be willing and able to give things a go, but I think we also probably just need to make notes in some form of virtual sticky pad up on a virtual wall somewhere on where things are problematic or confusing or need more clarification or whatever. So we're beta testing this more than almost any other part of the new care and feeding of review team guidelines. Let's assume that, from our last face-to-face in Los Angeles, every member of the ARTR3, should Pat and I suddenly start doing a pop quiz on what S.M.A.R.T. criteria are, we get 100% and we should get that totally.

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But we're going to now look into the "additionally" part. The basis for a set of, in some cases, actual gating requirements are listed in these bullet points. There may be some that end up being, by necessity, almost mutually exclusive, but these are the questions we need to ask ourselves as a group: every time we're deciding if something is going to be a capital R recommendation from our ATRT3 and make it into our final report as a capital R recommendation or whether or not the same sage-like wisdom – doesn't mean that we don't say it – and encouragement to do a certain action goes into our report as a suggestion or even a strongly worded suggestion or perhaps a suggestion with severe underlining and bold-faced capitals and [typeface] that sticks out of the page so that everyone can't miss it. But, if it's going to be called a capital R recommendation, we're going to do our darn best to see that these questions are dealt with. We're going to just quickly through them. I'm happy to do so, Bernie, but you've got your [hand up]. Did you want to—

BERNIE TURCOTTE: Sorry.

CHERYL LANGDON-ORR: I was trying to give your voice a little break because you're going to be doing it again in a minute. I'll just read it from the top. The first one is obviously not terribly shocking and horrifying: what is the intent of the proposed recommendation? Pretty important if we have a clear and unambiguous understanding about that. If we can't articulate it clearly, then I would suggest the reader of said recommendation would have

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even less than a chance of trying to work out what it was we were meaning. So let's be clear, let's use plain language, and let's make sure that the intent of the recommendation is reflected in any such recommendation made.

Secondly, what observed fact-based issue – note that: fact-based issue – is the recommendation intended to solve? What is therefore the problem statement? So this is not “Cheryl’s got a really big bee in her bonnet about a particular thing that she thinks is a problem and she’s going to therefore push it at the ATRT3 table because it’s a particular bugbear.” It’s, “This is an issue that has been raised to ATRT3’s attention about, from where, and when, supported by (insert here).” So where are the facts? Where is this coming from? Of course, if it’s Cheryl’s little bee in her bonnet, that’s also fine. But we noted [as] Cheryl’s little bee in her bonnet, so that’s okay. I don’t have too many bees in bonnet, by the way. I was just using myself as silly example as opposed to a silly person. But we do need to make sure that we have a problem statement associated with each of our potential recommendations.

What are of the findings of that that support this recommendation? Here we are not talking obviously about results of something being implemented. This is a very poorly written bullet point, but never mind. It is what it is at the moment. In the case of most of our recommendations, w would be looking probably at material that has come to our attention from one of two sources. That would be the survey or it would be public engagement at public meetings with one of the component parts of the organization. Or indeed it may be a particular issue that was raised for our attention from another specific

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review team, [as] another example. So there we have the findings that support the recommendation.

The next one is, is each recommendation accompanied by a supporting rationale? That may or not be the case, but if it is accompanied by supporting rationale, then that supporting rationale needs to stay attached with the data that we present in support of our recommendation.

Moving on – not seeing anyone’s hand up, but please put them up if we need to as I go through – how is the recommendation aligned with ICANN’s current – thank you, Maarten – and future strategic planning, the ICANN bylaws, and ICANN’s mission? I don’t know whether Maarten was being preemptive on this one or he wants to go back. Over to you, Maarten.

MAARTEN BOTTERMAN: Just to add another thing that we’re talking in the Board about as well but also interacting with the community on for some time. That’s about how it relates to the global public interest. That does relate to the bylaws because the global public interest is mentioned there. But we truly are working with the community also to develop a kind of framework for how to use that concept in arguing on your recommendations, proposals, etc.

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CHERYL LANGDON-ORR: Thank you, Maarten. I suppose we should also recognize the recently closed comment period on a paper regarding that. Is it recently closed or is it still open?

UNIDENTIFIED MALE: Still open.

CHERYL LANGDON-ORR: Still open? The discussion?

Okay, so there is a discussion paper out and it will be on Montreal's agenda.

UNIDENTIFIED SPEAKER: [inaudible]

CHERYL LANGDON-ORR: No, no. I was just making sure I was correct. Not at all sure of that [at this stage]. Pat, over to you.

PAT KANE: Thank you, Maarten. It's interesting that you bring up the global public interest. Of course, the framework is out for discussion. What would your suggestion be, since you brought that up, in terms of how we should address global public interest, knowing that, by the time we get to our recommendations and suggestions, we will not have the benefit of the final result or the accepted result of that work product?

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MAARTEN BOTTERMAN: I think what we're working towards is to develop this framework to understand because there's no one concept. There's no one definition. It should be a framework to help define how whatever you're trying to achieve relates to the global public interest. As the Board, we are already using it, and we intend to use the framework, etc., to sharpen that. We would recommend anybody to use that.

I raise it at this point because that it needs to support the global public interest is part of the bylaws, yet we're trying to give it more [inaudible].

PAT KANE: Didn't mean to get hung up on this, but the global public interest is not defined right now. It's hard to define from the standpoint of a global position. If we take a look on it by a case-by-case basis, then we don't have a consistent metric as to what global public interest is. So that would be my concern in terms of saying, "For this issue, the global public interest is \_\_\_\_. And for the next issue, the global public interest is (something else)."

So I know what you're trying to do with the framework. The question that I have is, how do we remain consistent in how we view our recommendations in the global public interest so [we know], with the absence of the definition for the community, what is the metric that we should carry against ourselves? Because I don't think that we can put in on a case-by-case basis or a recommendation-by-recommendation interest what the global public interest is because it's a metric that the

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community hasn't decided upon or had that final conversation on because we just have that framework.

So I hear what you're saying, but I'm not certain how that gets implemented in our work product without the benefit of at least a fairly solid and consistent definition.

MAARTEN BOTTERMAN: I would think that, just like the previous line supporting rationale, that is not something that is very defined. It's just that you argue why this is. I think, for the global public interest, at least some arguments why we believe that the recommendation is in line with the global public interest – the rationale for that, basically – that's what I would see as the way forward. So a paragraph that explains why.

CHERYL LANGDON-ORR: Thank you, Maarten. I have not Pat. I have Bernie and then I have Michael.

BERNIE TURCOTTE: Thank you. Tangential but part of the work that I'm going to have to do. One of the accountability indicators actually rates how many of each of the Board's past resolutions are in the public interest versus the discussion we just had. What definition is used for that?

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MAARTEN BOTTERMAN: The same. We argue why we believe that it does support public interest. This is not about eradicating hunger. It's really focused at the security/stability of the open Internet.

BERNIE TURCOTTE: Of course. Thank you.

CHERYL LANGDON-ORR: Michael?

MICHAEL KARANICOLAS: Just on this discussion about the global public interest, I know that, within the NCSG, that term has been a real lightning rod for controversy. I wouldn't be surprised if that's true about the constituencies as well. There's obviously a very strong debate on what is included in that, what is not included in that, and how that relates to ICANN's mission and the limitations on ICANN's mission.

With that being said, I would caution against our group charging into that debate headfirst and saying, "This is what we think it is, and this is going to ground all of our work." So I would be a bit cautious around that. We have our own grounding for work, which is in these ideas of accountability and transparency. I think those should be our guiding principles, rather than trying to push forward into this very contentious subject area, and establish our definition, which may or may not align with what other groups are saying.

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CHERYL LANGDON-ORR:

Thank you very much. I'd just remind you that, on the bullet point we're looking at, at no point did we ask for it to be based on the public interest. We just wanted to make sure that it was in fact, how is the recommendation aligned with ICANN's current and future strategic planning, the ICANN bylaws, and the ICANN mission? That's where we went down the pathway for public interest. Now, that's not to say that it's not important, but it is something we need to recognize that is ongoing work. We will be very keen to make sure we keep a close eye on it. I wouldn't touch it with a 40-ft. barge pole personally, but that's just me, which is why I actually like the framework. It gives so much wiggle room. It's absolutely delightful. I'm smiling. I hope Avri heard me say that. I'm complementing [that].

"Does the recommendation require new policies to be adopted? If yes, then describe issues to be addressed by the new policies." In other words, we are almost outlining what the associated issue report would be needing to look at. That's a pretty high benchmark there. That's a big [gator], so let's not lose sight of that.

Followed by: "What outcome is the review team seeking? How will the effectiveness of implemented improvements be measured?" This is the metrics you'll hear people talking about. Vanda has referred to them a couple of times as well. "What is the target for successful implementation?" It is the absence of those couple of questions, those achievables, those aims or targets, that have caused many of the reviews of implementation that we've come across in the previous ATRT3's have dealt to not [inaudible] but to be more challenging than perhaps they should be. So that's a really important one to make sure we get right.

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“How significant would the impact be if not addressed? I.e., would it very significant, moderately significant, etc.? What areas would be impacted? Is this an issue that relates to security, transparency, legitimacy, efficiency, diversity, etc.?” So we need to be clear in what we’ve stated. In other words, there’s an awful lot of substantive, associated, and explanatory material that is required. We can’t just say, “ATRT 3 recommends that.”

It then goes on to say, “Does the review team envision the implementation to be a short-term – i.e., completed within a six-month period – a mid-term – up to twelve months – or a long-term – something that exceeds one year – in terms of implementation?” Not too difficult, but it does need to be done. We may see some sort of template used here, for example, where we might have prioritization and order scale in some way, shape, or form. That is yet to be determined.

“Is related work already under way. If so, what is it and who is carrying it out?” Well, we have spent enough time this morning on related work to know that the answer to some of those is going to be yes.

“Who are the responsible parties that need to be involved in the implementation work for this recommendation?” In other words, are we suggesting this is a matter for the community, the ICANN organization, the ICANN Board, or a combination therefore? Strangely enough, ladies and gentleman, this is language you will have heard and seen any number of times if you’ve been attending Brian’s work. This is something he’s also working with in terms of the evolution of the multi-

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stakeholder model. Surprise, surprise. We're trying to harmonize some of the ways forward here.

The second to last point: "Are recommendations given in order of priority to ensure focus on highest impact areas?" This is a hugely important one, and one, of course, which we may have to debate, because what I think is a high impact area might be in a competitive if not conflicted situation with someone else's concept. Certainly, outside of our review team, we may find, in some future point in time, that several review teams may have very different ideas on some of these things.

Finally – I believe it is finally; it doesn't done ... Yes, it is. It is the last. I hate ["often"\ sentences. Do you all understand why I hate ["often"] sentences? They will be eradicated in all future documents. Sorry, that was me carrying on the way that I can. "If only a limited number of recommendations can be implemented due to community bandwidth and other resource constraints, would this recommendation be included in the top listing of recommendation? Why or why not?" That pretty much gives us a refresher on what we undertook in our terms of reference to try and do.

I've had enough talking now, and certainly you don't want to hear me go on about the fact that this is not still justified and various other things as well. So back to you, Bernie.

BERNIE TURCOTTE:

Inside voice, Cheryl. Inside voice. Following up on where we left off before the coffee break, let's bring back the 4.0 document, please.

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All right. Let's have a crack at Section 12, I believe, which is prioritization. Let's walk our way through and see where we have recommendations, where have suggestions, and then have our holistic discussion.

Let's keep going to the conclusion on this one. It's green, which means we're not making a recommendation or a suggestion. We've already re-gone through those. I haven't removed the yellow for the color, but that was accepted yesterday.

Next conclusion, please. All right, we've got a yellow here. Okay, so let's back up a bit and remind ourselves what this is about to Recommendation 12.1: The Board should implement new financial procedures in ICANN that effectively ensure the ICANN community, including all SOs and ACs, can participate. We then into, "This seems fully implemented. There has been community involvement." Blah, blah, blah. Sometimes workload for them is too much. One member of the ICANN community finance group noted that he never had a question rejected and did see the CFO's work as extremely transparent and responsive. It is also important to note that the Empowered Community now has to the approve the budget implementation assessment implementation.

Effectiveness. Although the process is quite transparent and open to community input, this year complexity and volume of information provided requires significant knowledge and experience, as well as time, to participate effectively. Providing information which the average member of the community could understand easily and comment on effectively with only the requirement of investing a few hours would go

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a long way to increasing the transparency and accountability of the process.

If we go down to conclusions, please. All right. We had this in yellow when this was originally written a while ago. We were debating a recommendation or a suggestion. I think, in light of the rest of the quality around the budget process, I would say that we should move this to be a suggestion, which the finance department has been really good in listening to the community and doing things. We would avoid ourselves the work of trying to turn this into a recommendation which I don't see being at all necessary, especially after the discussion we've had.

Thoughts, comments, questions?

Vanda agrees, for the record. No hands. I'll take that as general agreement. Sorry? Maarten?

MAARTEN BOTTERMAN: Just noting that this is on top of the list that we just discussed as well, right?

BERNIE TURCOTTE: We're doing this section, which is prioritization, because the prioritization section now, as Vanda has discussed – we're going through each of them and identifying the points. So could I ask, Jennifer, for you turn that from creamy yellow to light blue, please? Just to be consistent. Sure, you can do that.

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UNIDENTIFIED SPEAKERS: [inaudible]

BERNIE TURCOTTE: Pardon me?

UNIDENTIFIED SPEAKERS: [inaudible]

BERNIE TURCOTTE: There we go. I'm not difficult. All right. Let's go to our next conclusion – that's purple. That means something else. Blue. Blue. Okay.

UNIDENTIFIED FEMALE: All right. [inaudible]

BERNIE TURCOTTE: That's good enough. We'll fix it later. We just need to have the bulk of it down.

Next conclusion in this section, please. All right. Another green. Basically we finished that yesterday, so there's no recommendation or suggestion there. As I mentioned earlier, a lot of this stuff is there.

Let's go down – oh, we've got a red. All right. Let's go back up to what this was about. Recommendation 12.3. "Every three years, the Board should conduct study on relevant parameters – [CG], size of

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organization, levels of staff, compensation and benefits, cost of living adjustments, etc., suitable for a non-for-profit organization. If the result of the benchmark is that ICANN as an organization is not in line with the standard of a comparable organization, 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.”

Basically, you will remember, when we talked about this, that, basically, in the implementation, it was noted as implemented, but, if you read the details, it says it can't be done, basically. There is no comparable organization, blah, blah, blah.

If we go down to the conclusion on this one: “The benchmarks studies, if done properly, are an effective tool in helping it assess accountability. Given that this ATRT2 recommendation was made in December 2” – whoa. Okay.

UNIDENTIFIED MALE: A long time ago.

BERNIE TURCOTTE: A long time ago. Six years ago. “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 the ATRT3. The implementation report of October 2018 noted that ICANN currently identifies the 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 non-for-profit organization is identified. The estimated time for the first benchmarking study is to be completed in fiscal year '18," as we now sit in fiscal year '20.

So obviously there is an issue here. It's in pink because we said we couldn't make it a recommendation. You will remember that, when we started our discussions about ATRT2 recommendations, we felt that we could have a lighter threshold for making a recommendation for those recommendations from ATRT2, which we were not done. I think clearly the implementation clearly states it's not done. It clearly shows it's not done.

The use of KPIs [in] the dashboard? Okay. There are a few, but now the dashboard has morphed into the accountability indicators. We had a look at accountability indicators yesterday. There is – let's be kind here – at least some questions around how effective that could be relative to that implementation.

So, do we want to go down the road of making a recommendation on this, or do we want to, as Cheryl has put it, go down the road of simply making a very strong suggestion?

Vanda?

VANDA SCARTEZINI:

I do believe that it's not difficult to be implemented. That is not so important, in my opinion. So I will move to a suggestion: to raise the point of why it takes too long implement so easy a thing? There is a lot of publication in California about non-profit organizations or whatever

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model they are. They can get information so easily So I don't know why it was not done.

BERNIE TURCOTTE: Thank you, Vanda. Larisa?

LARISA GURNICK: Thank you. I think that there may have been discussion on this point. If not, I'm happy to come back with more details. But, as Maarten asked or commented on yesterday, some part of what was intended by this benchmarking may be addressed in different ways. For example, there's benchmarking on compensation data that's handled by our HR function. So that's a pretty significant component of the different expense categories. So that is done. There might be other elements. So maybe it would be helpful to understand which specific elements of benchmarking are of greatest importance because it's quite possible that it can be pulled apart. If it's not done already, we can certainly look at how to expedite that.

BERNIE TURCOTTE: Thank you, Larisa. I think we've got a proposal to move this to a strong recommendation—

UNIDENTIFIED MALE: Suggestion.

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BERNIE TURCOTTE: A strong suggestion. Thank you. I'm not seeing any objections or anyone raising any other questions. I think, when we rephrase this, we can clarify according to what Larisa is saying. I don't think there's any argument that ICANN certainly does some benchmarking, does some benchmarking for Board compensation. It certainly does compensation studies for staff. We understand that. But I think that the core of this recommendation was beyond that. It wasn't about specifics.

UNIDENTIFIED MALE: [inaudible]

BERNIE TURCOTTE: Yeah, that's right. So I think that's where we'll be going in that strong suggestion.

Pat?

PAT KANE: The only thing I would suggest is that, when we talk about doing comparables, ICANN is a public benefit corporation and not just a non-profit corporation.

BERNIE TURCOTTE: All right. We'll note that. Thank you. Not seeing anything else, can I ask, Jennifer, if you can move that to the same blue or slightly darker since this is going to be a strong suggestion?

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[CHERYL LANGDON-ORR]: The color [inaudible]

BERNIE TURCOTTE: Maarten?

MAARTEN BOTTERMAN: Just to very much strengthen the argument that Pat said. It's not so much about not being non-profit. It's about public benefit. But let's make sure that the rationale – I'm now talking as we [inaudible] ... I very much support that concept.

BERNIE TURCOTTE: I believe this comes back to the same point we had in the previous point of making it easier for people to participate. We already agreed that that would go to a suggestion. So I would propose that we actually don't waste time on this. Jennifer, would you please just move this to blue?

VANDA SCARTEZINI: I don't think that is a strong suggestion.

BERNIE TURCOTTE: No, just a regular blue. Not dark blue.

UNIDENTIFIED SPEAKERS: [inaudible]

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CHERYL LANGDON-ORR: Do be careful when you get to blue and green because I won't see the difference.

UNIDENTIFIED FEMALE: [inaudible]

[PAT KANE]: So we have Columbia blue, blue, and navy blue, right? Royal blue? [inaudible]. And we'll have a committee to decide that a little later, Pat, if that's okay.

UNIDENTIFIED MALE: [inaudible]

BERNIE TURCOTTE: I'm sure we can get you treated for that. I'm sure there's a solution. All right. Here we go. 12.5. "In order to ensure the budget reflects the views of the ICANN community, the Board shall improve the budget consultation process by ensuring that sufficient time," blah, blah, blah. Okay, we went through that. Implementation implemented, partially effective. "In terms of effectiveness, it's clear that methods for community input have been implemented and are effective as an outlet for community opinion. However, it's difficult to measure the effectiveness in the sense of ensuring that the budget reflects the views of the ICANN community without going to metrics."

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Sebastien pointed out a very effective point, I though, in that, as we say, this recommendation was written six years ago. It was before the Empowered Community. If the community really has a problem with the budget, there is an official mechanism now for them to interfere with that.

I would actually say that we turned this green – yes, Maarten?

MAARTEN BOTTERMAN: I agree with that. Larisa pointed me yesterday to a document which I thought I remembered, but it's in the public domain. For every budget round, the input is analyzed, and it clearly indicated what has been done with it. So it now says the ongoing metrics to track. It's really there.

BERNIE TURCOTTE: All right. So let's move to that to a green, unless there's an objection. I think the recent developments have completed this and we don't necessarily need to go any further on that.

Thank you. Excellent. Results of the survey. In this round, we will be doing this also. The first question: "Should ATRT3 make recommendations about prioritization and rationalization of ICANN activities?" As we mentioned and, again, we'll mention probably several more times before this is done, yes, individual responses are interesting to see. They're matching up. Our key indicator is the structures, where have SOs and ACs and their components replying to 92%. Yes. So I think we've clearly got something there.

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What I am going to propose to you is we'll go through these and we'll come back and we'll do what I call my holistic round on this one, if that's okay with everyone.

Let's go to the next survey question, please. Yes, we know we're going to make some sort of recommendation. "Should such recommendations include a process to retire recommendations if it becomes apparent that the community will never get to them or they have been overtaken by other events?" Structures: 100%. So a clear message.

MAARTEN BOTTERMAN: I'm curious to [inaudible] individuals.

BERNIE TURCOTTE: And backed up by individuals at 8%.

Next question, please. "Should such recommendations aim to provide a general approach for prioritizing and rationalizing work for ICANN?" When this question was written, just to be clear, rationalizing worked for ICANN. We were talking about general work at ICANN. We're just not talking about review recommendations and PDP recommendations and cross-community working groups. Again, we've got a very strong from structures at 91%, which is perfectly matched with individual results. So, quite clear there again.

Next one, please. "Should the mechanisms for making recommendations on prioritization and rationalization only apply to PDPs' reviews and their recommendations, or include other operational ..." So this was the balancing question to check where we were going

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with that. That's where we ended up with that odd split. So we have a slight imbalance versus the previous question but still some support from the SOs and ACs about that.

Next question, please. "Should the community or representatives of the community be involved as decisional participants in any mechanism which makes recommendations for prioritizing and rationalizing work for ICANN?" Can't get any more clear than that. 100% from the community. The analysis was easy on that one.

Next—

CHERYL LANGDON-ORR: No challenge?

BERNIE TURCOTTE: No challenge. Next question, please. "Do you think the Empowered Community would be a good mechanism for making recommendations on priority and rationalization?" Structure at 80%. There were, however, a number of caveats. When we discussed this point at the end of the day, I think we were saying, "Yeah, when we finally consider this, there is that model, but we may want to rethink that in part."

Maarten?

MAARTEN BOTTERMAN: Just to be very aware of the bylaw rules [and] the Empowered Community. We don't want to dilute that, I think. I think it's more a

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commitment for people saying, “Well, it would be good if there’s some community voice that can be used to express this.” But if there would be an alternative to the Empowered Community, that may be changing the numbers.

BERNIE TURCOTTE: Yes, exactly. So I think, when we had our discussion around this, we came to the same conclusion. So I am in accordance with what you’re saying, or at least we were when we discussed it.

[MAARTEN BOTTERMAN]: [inaudible]

BERNIE TURCOTTE: Yeah, that’s right. Again, done with best intentions, but sometimes you end up with the result and you go,--

[MAARTEN BOTTERMAN]: [inaudible]

BERNIE TURCOTTE: Yeah, that’s it. I think that’s the last one. Or do we have another one?

Okay, that’s it. We don’t have any other information. So, as a result of this, let’s recap. Basically, all the ATRT2 things we did in this were mostly regular suggestions. We have one strong suggestion on the benchmarking. That’s where we’ve ended up. We’ve also ended up a

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very clear message from our survey results, that we should come up with something regarding prioritization. That is more than just about recommendations. So this is where we are. As we said, do we want to take some time at this point and start discussing what some options could be around that?

Now, I will frame this the following way for your discussion. We're not talking about, given all the parameters we've been reviewing here, a small process. I do not think we are equipped here to define what a prioritization process would be. We do not have the time to go into that properly.

What we may have is the ability to recommend we undertake a process and provide the parameters for that process to reach that outcome. I will also say that Brian Cote, in his multi-stakeholder work, is going down exactly the same route. He's saying he will file his report. He will be recommending that, from January to June – at least that's his current thinking; he's waiting to hear back from us when we complete this meeting – they do preparatory work on some sort of cross-community work. But he's basically the community should work over a year to develop this process.

Now, we may want to take a slightly different approach on this. Maybe we don't recommend a cross-community one or something else. But I'm saying that trying to go down the path of trying to define what the prioritization scheme here is is too big a chunk for us, or at least that's what I'm suggesting to you. Of course, the ATRT can decide to what it does. We're just here to help.

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The other point that you should take into account as we consider these things is the budget reality. As we've mentioned earlier today, the budget is flat. The expenses are all allocated. If we look at the forecast for next year's budget, it's basically the same. There is no room for any extra stuff, whether it be significant implementation of Work Stream 2 recommendations, CCT recommendations, or even the stuff that we're doing.

With that preamble regarding if we want to make a holistic recommendation on prioritization and what that could look like from us, it's over to you. It's your decision.

Sebastien?

SEBASTIEN BACHOLLET:

Thank you. First of all, I agree that we will not define here what [it] is and how we will prioritize the work of ICANN and what we can do to give some guidelines, but I would like to add that I suggest we always take, when we have the possibility ... We talk about [inaudible] community, but it's a pity that we don't talk, for example, about the Board because – what I wrote yesterday I want to say again today – the Board is a place where all the community [inaudible] – yeah, but if I am too close, then it's ...

UNIDENTIFIED SPEAKER:

[inaudible]

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SEBASTIEN BACHOLLET: Yeah. It's [inaudible]. Sorry. I will go closer. Especially when we are short on budget, one of the answers for some of the proposals in Work Stream 2 is we don't have money, we don't have time. Therefore I would like very much that we ask, if the Board can't do the job – if there is very good reason not to ask them to do the prioritization, for example – [them] that they can consult with the community. But they're a team of people where you have all the community represented one way or another. I'm sorry for that, but they are [paying] for that, literally.

Therefore, I really think that we may wish to do that because the history of the relationship within ICANN between the Board, the staff, and the community has changed dramatically with the IANA stewardship transition. We have taken out a lot of things. It's maybe time to give back some part of the responsibility for the good of the organization and for the sake of the community. Thank you.

BERNIE TURCOTTE: Thank you, Sebastien. Do we have any other comments?

Vanda?

VANDA SCARTEZINI: For some of those analyses that we have done – for instance, for the GAC – they expect that we come out with some suggestions. I will never recommend the GAC to do some stronger recommendation but a strong suggestion to give them some of the opportunity for the leadership team to show to the group that they need to implement something.

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Sometimes, inside the GAC, it's hard to convince other governments to be open or something like that.

So some suggestions on that should be done – whatever is priorities for us [or not] – because most of those ideas that they are [ready] to discuss with us, for instance, do not demand money. They demand some kind of push to do so. If it's from the leadership team to push, this becomes quite difficult to convince other governments that is outside any environment that is expected to push something. So we'll give them power to do so.

So, in my opinion, we need to have those two kinds of results from our work. One is the one that is a real priority for the community. The other is something that we have [listened to] and understand and make a suggestion for how they can move on and make things better. So there is two kinds of approved, in my opinion, that our reports should address. That's just a suggestion, considering the work we have done for [staff].

BERNIE TURCOTTE:

Thank you for that, Vanda. I guess, I'm listening to you, this is trying what we're trying to do in this section, right? We've moved everything into suggestions, and now we're having a discussion about if there's something we can do for prioritization. What we've gotten back is from Sebastien, saying, "Well, it's post-transition and we should just send it back to the Board."

I think we've heard from the Board and we'll be hearing more from them by Montreal. That could be an interesting point. But I'm

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wondering if Maarten – I’m not trying to throw you under the bus, but if you have comments at this point.

MAARTEN BOTTERMAN: I’m sorry. I was slightly distracted. But, for sure, on this, this is not just for us (ATRT) to look at everything. Every review team should look at that in going forward, every body, and beyond reviews as well. The team that works on this should be aware on what the priority for the round’s recommendation is and be as clear as possible in that with they come with a formulation. I think that’s a sharpening that we would propose as well for reviews and beyond that if we talk about larger prioritization issues. So I think this means that that’s the first step.

The second step is in the annual budget. Ultimately these things come together and need to come together. That’s again a process where the community will be involved, as we know and should be, for final commitments. So I think the final prioritization for what’s going to happen in a year is actually made there.

BERNIE TURCOTTE: Thank you, Maarten. We were also talking more at a global level. I see Sebastien.

SEBASTIEN BACHOLLET: Thank you. Maarten, the question is, yes, each review, each SO, each AC, each working group, each PDP, needs to come with some prioritization. But then the question is that you get the prioritization of process A, B, C, D, and so on. Who will be in charge of the prioritization

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of the overall process? It's where I suggest, as we are trying to find who will do that ... For obvious reasons, we have said that the Empowered Community is not the right place. One of the reasons for me is not because it's in the bylaws or that they have a specific mandate because that can be changed. But it's because the Empowered Community is not the whole community. There are missing pieces. In the Board, there are no missing pieces. Therefore, if we suggest that it's the Board who will be in charge ... It's also because, when you explain that part of the prioritization must be linked with the finance and you're pretty sure that your responsibility at the end will be to request or ask ... Therefore, why go to another group and create another responsibility if we can? It's my suggestion to give all the water and the baby to the Board. Thank you.

MAARTEN BOTTERMAN: Thank you for pointing me more directly. I'm very happy to say that what was previously said doesn't conflict with what I'm going to say now. I think one of the discussions we had is what is public consultations, public comments, etc., but in the end, it's the community that decides. The Board facilitates and checks whether the final thing fulfills the fiduciary duties. But I would say that, formally, the community decides. It's even so after the Board applies its fiduciary responsibility on that, and it may even help provide the proposal to the community. In the end, the Empowered Community always has the final say.

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But I would say it is not going to be a top-down approach. It's going to be a proposal. It's going to take in input from the community. Ultimately, we will take final responsibility.

SEBASTIEN BACHOLLET: Sorry. Can't we solve this problem because it's not acceptable [inaudible] we are [inaudible]? Thank you.

MAARTEN BOTTERMAN: I think this also relates to the discussion that we had earlier about the Empowered Community or another body having some influence as well. It all relates in a way.

BERNIE TURCOTTE: Thank you, Maarten. Just to bring this into focus, we seem to be circling here a little bit. Sebastien is talking about handing it to the Board. The Board is saying, well, the community will make a decision and it's not a top-down approach. I think none of things is incompatible. What we're talking about is the level of detail for how to get that community input because let's not forget: we have been in an environment where ... Let's put it bluntly, rather. The community has not been in a position where it had to make some of those hard choices, and now we're saying that, in this current financial environment, we want the community to make those hard choices. I think this is really what we're debating here: a mechanism for allowing the community to make those hard choices in an intelligent fashion. That was just some background.

Pat?

PAT KANE:

Thank you, Bernie. I think that's exactly right from the standpoint that then community has to determine what work product gets prioritized. But it starts with the Board. It starts with the ICANN organization. Xavier has got to manage a budget, put together budget, for the next fiscal year that's says, "Here's what the obligations are of the organization in terms of money that is committed to do certain things that are required." That's going to the Empowered Community for approval of that particular budget. The Empowered Community will kick it back. Some percentage of that – I think we need to think through what that looks like – is allocated towards improvement projects as recommended by the [inaudible]. So that's what that process should look like. Whatever that bucket is, the community has to come and say, "Okay, I've got 130 things to get done. I've got X number of dollars. These are the most [inaudible] dollars available to get done for the community." That's going to be a slugfest in terms of if we have tiny amounts of dollars and we get to choose three items. That's going to be really difficult for the community [to get them]. So we have to get a structure or recommend a structure that facilitates that such that we don't end with a community that feels disenfranchised and that they're not getting what they need for their issues because a lot of that policy and a lot of that work ends up being put on top of the Board, put on top of [inaudible], put on top of the contracted parties.

So, if it'd be a lot of money spent to the detriment of one over the other, then we have to figure what the parameters are and the criteria that we offer to the community and say, "Here's how you should make your decision, given N number of dollars," if it's approved by the

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Empowered Community and driven by the organization in terms of what their obligations are. So I think we need to think about this where everyone is involved. But, at the end of the day, the community should determine the priority of the work that the community has recommended to ICANN to get done. I think that's where we have to end up.

MAARTEN BOTTERMAN: That's exactly right. These are the discussions we're going in also in Montreal. If I would have the perfect answer now, that would be totally wrong, because this cannot be thought of a logical mind alone. It has to be result of interaction with community as well.

I can imagine that in some ways, it is a kind of process where like with the budget process, we also say this is the input received, this is how we dealt with it so it's fair and transparent, and it's part of a proposal back.

I'm just thinking out loud here, but it's clear that it helps already if those parts of community that have an ask for active action are clear in their priorities in their ask, so I think that that is what would help, and ultimately, the magic has to be done by Xavier and his team to see what proposals could fit. And yeah, we have to have that starting point because we cannot build [it] from scratch together.

PAT KANE: If I may respond. I don't think it's [Xavier's or Compliance's thing] to figure out what would fit. I think it's to figure out what we have to work with such that community figures out what fits.

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CHERYL LANGDON-ORR: Exactly.

BERNIE TURCOTTE: Thank you. I'm not seeing any other comments. I'll pick up on a point – oh, sorry. Sébastien, please.

SÉBASTIEN BACHOLLET: Thank you. I have the impression that we are – let me try to take another French explanation, [inaudible], when we are in trouble, we create a commission, committee. And we have a problem. The committology is quite a science.

And here, I have the [strange] impression that I suggest that the board take the responsibility and they say, “No, it’s not me, it’s the community.” And if we ask the community, the community would say, “No, it’s not me, we need to create a committee or we need something ...”

Let’s face the situation. If we ask the community about making priority on topics, I bet that 99% of the time, we will not find any agreement. We will not be able to have a consensus on anything, because I will say, if I am a government, I want that you do that for public interest or for cybersecurity reasons, and – sorry to talk about the others – the contracted parties will say, “No, I need that because I don't want to spend more money and I want to make more money.” And the end user will say, “No, we need to have something to help us to simplify the system.”

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And at the end of the day, we will have no consensus. Therefore, we can still ask them to find ... But we put them in an awkward position where there are competing topics, and why one will win over the other? If it is the case, that means that they are not equal, and then we change the ICANN.

The other point is that if we do this this way, we will create another committee, then we will have other people to work on, to understand what is the finance of the organization, why to have this priority or priority, so understand all of the topics, and that's becoming a very heavy work. And once again, I say that's the duty of the board. They have to do that. And why not to give them this responsibility?

It's not to say that they have to decide in a vacuum, alone. Like the budget, they have to consult with the community. But at the end of the day, they take a decision, and if the empowered community is really against and they act, it's another way to process, I would say.

And my other point is that we say we take all the output of all the works and we will prioritize them and say, "Okay, we have the possibility to do three, four, five of all that." That means that the time we spend and the people spend on developing proposals from A, B, C, D and so on will be scrapped out.

And why we spend so much time to do something will not be used and useful for the organization? Therefore, we need to have a look here and holistic view again also on that matter, because I don't think that it's good that if Work Stream 2, ATRT3 and so on, EPDP, all that will be competing for one dollar. Then let's say we stop, we don't need to do

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this work because we will not have any dollars to do anything, and let's leave like we'll leave and we will make some maybe – we will not spend additional money for some time.

I am pushing the envelope here, but I guess I hope you see what I want to express. If not, somebody will help me.

BERNIE TURCOTTE:

I think you were pretty good, Sébastien. Thank you. Let's go to Maarten, please.

MAARTEN BOTTERMAN:

Just to keep this as short and simple as I can. Three years ago, we started the new bylaws. At the beginning, it was indeed like "Okay, the community is now the boss and we're just here to serve." And we've been waiting, and I think we find more and more our role where we see that our role as board also is to facilitate and to help come to conclusions.

That doesn't change the bylaw prerequisite that this is done in a bottom-up stakeholder way, and we're very aware of that and support that. We should keep the process also as simple as possible, also the prioritization, and in a way, I can see a future where it's all integrated into the budgeting process in a very clear and explicit way. And let's keep it as explicit as we can, but let's not say it's the bylaw prerequisite, that is the community, that's the bottom-up way that we need to decide on these things.

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And the board is fully aware and has always been aware of its fiduciary responsibilities in that and will take that.

BERNIE TURCOTTE: Thank you, Maarten. Pat.

PAT KANE: Thank you, Bernie. The one thing that I would add to what Sébastien said is that the question that we asked about retirement is very important when it comes to how much money you have to spend and what moves on. In that whole process, we've got to build into it the accountability and transparency of every step of that process, that we have good [faith,] that the Org makes available the right amount of money to get certain things done, that the empowered community goes and approves it, and that whatever mechanism we have, whether it be community-driven, combination between community, Org, Org-driven, whatever that is, that there has to be transparency built into that so that we are meeting the needs of the community as a whole as opposed to one entity within that community.

So I think that Sébastien, you're absolutely right, and what that retirement process is going to look like is as difficult as the prioritization process itself.

BERNIE TURCOTTE: Thank you, Pat. A few comments as I listen to you. I see the wisdom in what Sébastien is asking. Also, if I tease out what Pat is saying, from the various comments, which also goes back to what Sébastien was saying,

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if we end up in a situation where there's a very small pot of money left for recommendations and there is no feeling from the community that the Org is doing its part in trying to contribute to this, if you will, in a sense, I guess the way to put it is if the community is going to feel a serious pinch and it's not seen that the Org is feeling any pinch, that's where you're going to have a problem.

So I guess to a certain extent, if we try and bring all of this together, there are two things. It's up to the board to follow its processes, which will include a bottom-up. It's also the understanding that the board should probably do what are its core requirements to keep the organization running. And that doesn't mean 100% of the things that you do, but really do a solid core expenditure analysis, and then everything else above and beyond that, including review recommendations and PDPs, gets put into a zero-budget cycle. I think that you're equipped to have the mechanics to do that, but you really have to get through that first step, would probably be something useful.

I'll conclude on this one with the following. We've been told we'll be getting information before Montréal, and maybe this one, we should park until we get some of that information and see if we want to take it any further. But I think I tried to capture what the feeling is here, unless there are exceptions. And I see Maarten wants to comment.

MAARTEN BOTTERMAN:

Just to emphasize what Pat put in retirement is actually a good thing, and it's not that Org is this weird organization doing all kinds of things all by itself. Actually, we get that question regularly. So if we need to do

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those [inaudible] things, what can I stop doing? Literally [inaudible] in the board.

And if we have commitments to the community, it's very difficult for us to stop it. So this retirement that we really need to have a common understanding of what it is, and that will help us as well. We're very much 100% agreeing. So yeah, if that is going to ... I think the board would welcome such clarity. And I think the board would welcome – I'm not representing the board yet, I'm just a board member.

CHERYL LANGDON-ORR: I predict [inaudible].

BERNIE TURCOTTE: Yeah, we think you have an inside track. We'll trust that. So unless there's – Cheryl, behave. I think we've sort of wrapped it up like this. What I see out of this, what I'm taking away, what I'll be writing as an interim position when I get back, is as Maarten was saying, this vision of making sure that the board through its standard process can handle this. We believe that. if in that context, there is clear understanding that the organization will treat all of those recommendations that are coming in on an even foot with the certain other things that the organization is doing in the context of the budget considerations. I think that's what I'm taking away from this. It should have a process for doing that, and it's not just a process that only looks at recommendations after the fact that all the money has been allocated.

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MAARTEN BOTTERMAN: Yes, and I think it's very well heard that it's very difficult to change things that are promised to the community unless the community says we no longer need it.

BERNIE TURCOTTE: But it's also this notion of let's share the pain. If there's going to be pain, that has to be going around. I think that's probably the philosophical thread that I'm trying to understand here.

MAARTEN BOTTERMAN: Just to say that – and this is my personal observation over the last years what I've seen. We didn't spend all the money all those years because the organization has expressed and its maintained its spending as tight as possible, so in that way, I see that the thinking is clearly reflected in the way the organization also deals with this already.

BERNIE TURCOTTE: And the final backstop to this, what we're saying, is given the transition and the empowered community, if there is a significant problem, we have a mechanism to address it.

Alright, I think we've done well. I think we're okay with this. Okay, great. We've done the work and we've done the section. I would propose that we go next to Section 11, reviews, which was the next on our list.

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CHERYL LANGDON-ORR: And just a time check, we've got a 45-minute block of time, so as we dive into this, let's see how we can time bind what we can.

BERNIE TURCOTTE: I think we're just getting in the swing of things. We seem to be moving rather well.

CHERYL LANGDON-ORR: Just me being traffic control.

BERNIE TURCOTTE: And you're doing it very well, as long as you don't issue tickets. Section 10. Now, we've just finished going through section 10 this morning again with KC, had general agreement that there's a standing "We will look at this holistically and make recommendations." So what I'm going to propose is that since we've gone through this this morning, we go straight to the survey results and then have the discussion.

CHERYL LANGDON-ORR: Okay.

BERNIE TURCOTTE: Just for those who are not in the room, Jennifer's doing a wonderful job of scrolling at high speed, and will have calluses on that finger by the end of the day.

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PAT KANE: Carpal tunnel.

BERNIE TURCOTTE: Carpal tunnel also, yeah. Right, our first survey question was how would you rate the effectiveness of specific reviews. ATRT, SSR, RDS, etc., as they are currently structured. And basically, what we've got from the structures is 16% think they're effective, 25% no comment, and 58% sort of ineffective.

Respondents were also asked if specific reviews should be reconsidered or amended. 90% yes from the structures and 70 –

CHERYL LANGDON-ORR: [inaudible].

BERNIE TURCOTTE: That's right. I see Jaap. Please.

JAAP AKKERHUIS: Just for clarification, is this included with – the SSAC results included or not?

BERNIE TURCOTTE: No, these are not – I don't expect SSAC will change significantly. What we'll be doing, for those who are unaware, we got the SSAC results just before coming here. I'll be redoing all these charts again and updating the results so that they're current.

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This being said, from what I've seen, I don't think adding SSAC results to this will change the results in any significant fashion. I think we'll end up pretty much in line.

Alright, so let's go to the analysis of this section since we've got a lot of numbers. Individual responses, okay, structure responses rating the effectiveness at 16% effective or very effective versus 58% somewhat ineffective or ineffective, producing a net of 42% somewhat ineffective or ineffective, is somewhat strong and opposite of the individual results.

It's interesting to play individual results in this case. Most of the time, individual results seem to mirror structure results. Not in this case. On the companion question though, it works, if specific reviews should be reconsidered or amended produced some very strong results with individual responses 78% versus 22% no, for a net of 56% which is a strong result for reconsideration or amendment, while structure responses of 90% yes versus 10% no produced a net of 80%, which is extremely strong.

So basically, what we have is the structures saying we don't think these reviews are very effective and we would really like to review them. That's the message I take away from this. So we ended up saying we should make a recommendation on this.

Cheryl, please.

CHERYL LANGDON-ORR: Very much in my personal capacity now and as someone who's had a little tiny bit to do with some of these reviews, organizational and

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indeed specific. Some of the data we might be collecting here – which doesn't change the result, but I just want it on the record – may be, in my observation, reflecting not so much the community, the AC and the SOs' reaction to reviews per se and the usefulness of some of the improvements that come out of recognition of ways one could improve or areas one could improve in, but very much because of the ridiculous amount of time and human resources that it takes to actually do them. It is, even with external reviewers, a very resource hungry effort. And I think that may be being reflected.

So I don't think there is an anti-improvement desire. I don't think there's a "Leave us alone, we're fine. Go away, don't talk to us" issue. I think there is a "This is not the way that's working for us to get the outcomes" point of view. I just want that recorded somewhere. Thank you.

BERNIE TURCOTTE:

I think it is now. That's a very good point, and that seems to harken back for me to what Tola was saying earlier today. There is a need for continuous improvement. I think we're all clear on that, it's just that you can do improvement without doing reviews. And how do we arrange that? Maybe that's something we can park in our heads for our discussion, because I think we're basically going to finish going through these and we won't have a lot of time for discussions. Jaap.

JAAP AKKERHUIS:

Not sure whether [inaudible] say this, but it sometimes looks like the reviews are starting to become alive and getting its own kind of cottage industry without a lot of results.

BERNIE TURCOTTE: Thank you. Interesting point. Alright. Next point, please, let's drive down to the next question. How would you rate the effectiveness of organizational reviews, those reviewing SOs and ACs, as they are currently structured in the ICANN bylaws?

Basically a split on structures and somewhat of a split on individuals. If you go to the companion question, respondents were also asked if organizational reviews be reconsidered or amended. Again, that's where we get the strong result, which is 85% of individuals say yes and 82% of structures say yes.

So if we go down a bit, respondents were also asked if organizational reviews continue to be undertaken by external consultants, and that was 89-11 for that.

Sort of an odd beast. Basically, there's no clear satisfaction with the way organizational reviews are done, but there is a strong desire to review these and change the way things are going. So that's interesting in itself and something we should keep in mind. Next question, please, if there is one. I think we may have reached the end of them. Yeah. Okay. So that's done. What's our time check?

CHERYL LANGDON-ORR: [inaudible].

BERNIE TURCOTTE: How long do we have before we go to lunch?

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CHERYL LANGDON-ORR: A full 40 minutes.

BERNIE TURCOTTE: Okay. Let's wrap this one. Alright, so basically, I think we've got two portions here. We've got the organizational reviews on one side and the other reviews. Let's start with the other reviews since that was a clear issue. I think what we've got there, if we could go back to the first question in this series, please, Jennifer.

How would you rate the effectiveness of the specific reviews? Where we have that structure rate of 58%, somewhat ineffective, and a 90% desire for change. Obviously, there's something that we should consider there in discussing in what can be done.

In organizational reviews, it's bit of a split, which I find interesting, because when you go around talking to people, there is, again, as Tola has mentioned, this desire, I think, and as Cheryl mentioned, there's this desire to keep improving. But is reviews the right way to do that? Specifically in our context.

Another couple of interesting points along those lines. Let's remember that some of the latest organizational reviews have met with some challenges in the results.

CHERYL LANGDON-ORR: [inaudible] resistance.

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**BERNIE TURCOTTE:** Challenges, resistance. There has been that. There is the point that there is obviously limited money for implementing things as we go forward. Limited money, but let's be clear, there's limited money, but in an organization when you're looking at financial planning, it's always better to see the incremental changes as you go along instead of every five years, getting an unknown balloon that comes your way. This is what drives the planning process absolutely bonkers, right? Because all of a sudden, you've got that huge unexpected expense, and if you don't have insurance, meaning you're keeping quite a big cushion – and you can't do that, we've got the reality that we can't do that.

So really, that's interesting. The other interesting point, I think we asked for information on continuous improvement. We were given a lot of information right before we came here about the processes for the Org. What became clear also in that, what we take away from that, is there is nothing to support the SOs and ACs in their continuous improvement on an ongoing point.

**CHERYL LANGDON-ORR:** [inaudible].

**BERNIE TURCOTTE:** No, but that's the point, is outside of the reviews, there's nothing. It's the reviews and there's nothing ongoing. So we're in a situation where we get these huge chunks of effort which drive people crazy, we get these huge chunks of time that people have to do, sometimes that

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occur at inconvenient times because those people who were doing organizational reviews when we were finishing Work Stream 1 wanted to bang their heads against the wall significantly.

We get those huge chunks of recommendations which we can't plan for in any way. We don't know. We get these huge chunks of recommendations which for organizational reviews, the community often challenges. We get some of the specific reviews recommendations where the board recently with CCT had to put down some of the recommendations.

I guess what we're looking at here is, what are we going to do about it? That's the discussion we should have here. I'm just laying out the groundwork and I'd like to turn it over to the members of the ATRT3 and see what are some of our options.

I will note in closing, Wolfgang's position when we started, what I understood was your position – please clarify if I'm incorrect – is that you would replace all of the specific reviews and the organizational reviews with two reviews: one that is more an organizational, conceptual reviews, a very high-level process, and one that is more specific, maybe more like an ATRT review, but that covers all of ICANN once every five years, and then we're not doing the silo thing, we're getting one review that's going to look at all the things together and compare apples and apples as opposed to a review that is stuck in a cycle.

I think that's a very interesting proposal.

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CHERYL LANGDON-ORR: Probably not in the 12-month period though.

BERNIE TURCOTTE: Well, let's have that discussion. Okay, so we've got one proposal in from Wolfgang. Let's hear from people.

CHERYL LANGDON-ORR: [inaudible].

BERNIE TURCOTTE: Alright, I see Vanda, please.

VANDA SCARTEZINI: What I see is I totally agree with the holistic idea to have from time to time, but considering that we need to in some way professionalize the ICANN community as a whole, I do believe that each community, each group or AC and SO must have their prioritization improvements, and for that, you can predict what is the expenditure that we're going to have as a budget for next two years, whatever is the time.

And when this is done, [inaudible] the AC and SO, for them to be in charge of that implementation. So why spend money paying someone that'll just jump into this room and start to change the way we make suggestions about how you need to fit in that place or why it's not there or something like that?

So it's out of context. So it's not professional, and we do not get – for this 20 years I'm here, the only time that I'm seeing things improved

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very well was when the community itself, the AC or SO, just change inside their work. So we have this experience in ALAC, you have this experience in SSAC, we had the NomCom. So it was done by the people who have the understanding of the work and they feel the need to improve.

So that is in my way the recommendation that we should give for the community itself to analyze and see if they agree as a part of the holistic changing of the review. That's my point. Thank you.

BERNIE TURCOTTE:

Thank you, Vanda. What I take away from that is augmenting Wolfgang's suggestion with what we were talking about earlier, is there is currently no continuous improvement beyond the reviews for the SOs and ACs. And what I got from your point is maybe there's that transition from saying, as a young organization, these reviews made perfect sense. We were just starting, it was embryonic, we needed that shepherd, outside, solid look to make sure we were moving. Maybe we've moved beyond that, maybe we're at another place. Maybe we're at a place where a regular continuous improvement process and just one or two big reviews every X years and however long they last have a look at that from a practical point of view and another review from a stronger, organizational point of view can do the job for what we're needing and can also, as Vanda has said, allow us to budget a hell of a lot better and manage expectations and do what we want.

That's what I'm taking away from the discussion here. Maarten, you're up next.

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MAARTEN BOTTERMAN: Thanks. It's not entirely true that continuous improvement doesn't take place. I think GAC is a good example where it has been explicit part of the agenda, and we've been supporting that, both in terms of staff and budget where needed.

So in an ideal world, we would have SOs and ACs that understand their accountability and transparency requirements and would do this continuous improvement itself. If we're at that point, we may not need to do regular organizational reviews as a kind of stick behind the door anymore.

GAC is an example. The board, in a way, has been evolving towards, I think, a level of professionalism where we do every second year an explicit 360 as well as every year again to look at what we need to improve further.

At that level, it's something, I think, that we can all move to, aspire to such. So I very much like the idea of emphasizing that that may be also a future track that we may need to move towards, and as part of evolution, a future that ATRT may sketch as a kind of point to aim to, to work towards.

Just one other note. You say however long it takes. Whether review is long, or organizational as many as we have now or whether it's only two big ones. Let's make that part of the scope. Let's limit the time, whatever we do, for whatever proposal we come with for future reviews.

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**BERNIE TURCOTTE:** Just a few clarifications and then I'll go to Larisa. First of all, however long it takes, meaning however long we discuss in those context, not giving an open mandate.

The second point is, yes, there are ad hoc improvements, support for continuous improvement, like GAC, but I guess what we're talking about is a dedicated support to help all the SOs and AC reach that level of maturity to do that, because you're saying you're doing that with the board, you have a lot of support to help you with that to a certain extent. So that was the point, is we've got the report. Staff were really good in delivering the continuous improvement on the Org and board side and how things go.

We say that the vast majority of improvement for SOs and ACs comes from the reviews, and we're saying maybe that's time to change. That's how I understand that. Maarten, please.

**MAARTEN BOTTERMAN:** Let me just clarify this a little bit further. What I also said is any AC or So does have support, and that support is relatively default, but if they want to do specific projects – ATLAS is an example but others as well – additional support and budget can be allocated.

So in an ideal world, continuous improvement would be driven by the SO and AC itself next to the overall ICANN improvement that we may need to do in ATRT or different level. But that's why I say the elements are already there, so if ATRT would be able to come out with a

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recommendation that urges SOs and ACs to ask for it, it can be facilitated. That was the storyline I wanted to ...

BERNIE TURCOTTE:

Yeah. Thank you for that, Maarten. I think that's good. I think we're saying essentially the same thing. However, the transition for the SOs and ACs to get to understanding what they can ask for, I guess, is part of an initial transition phase to help them get that. Larisa, please.

LARIS GURNICK:

Thank you. We may not need to reinvent the wheel on this, because there are some really useful models. There's the excellence model, the EFQM, Baldrige, there's a whole range of off-the-shelf stuff that can really be helpful that could perhaps free up the SOs and ACs and the staff that support them to do that kind of work in lieu of the more time consuming and extended ... So there are some pretty good models that might be worth exploring.

BERNIE TURCOTTE:

Thank you, Larisa. I was not thinking of anything else. Absolutely, let's not reinvent the wheel. Let's do that, and the great benefit of that is then there's also an easy way to validate those when you need to do some audits or something else. And we want to be able – let's stop inventing the one-offs, let's use the standard things as much as possible, let's make it make sense for everyone. Pat.

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CHERYL LANGDON-ORR:

I think that's a great idea, to use the model as a foundation, but you can't just pick a model. You have to figure out what it is that the community is going to drive, and then do an assessment across a whole bunch of models as to how it fits our particular group.

So to go back to the conversation about the one review in terms of – subsequent review taking a look at the – the AOC-required reviews I'll call them – if we get to one review, the review is a process at that point in time, so it's not just a review every five years. You can build that continuous process into it when you have one.

Now, the question is, what do you take from the [four] reviews? Because if you just shove the four reviews into a single review that's a continuous process, you're missing the opportunity to retire aspects that we don't need anymore, which is something I've heard across a bunch of the groups.

So when we take a look at SSR, what's important out of SSR to move forward? Well, it's really, what are we doing to build tools for the implementation of policy? In my opinion. Do we really want to open the door and say, how does OCTO run L-root? I don't want [them to come and] tell me how to run A or J, but if I turn around and say, "We want to go investigate how L-root's run," that's their bread and butter, and that's in terms of, "Our security services do these things," and as soon as you share all those, you lose effectiveness of your security thing.

So, is there a way to take the SSR and – Michael used the word [cleave] yesterday, and I thought, "Okay, are we coming together or are we tearing it apart?" So I'm going to say we're going to cleave the SSR and

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get rid of some of the things that we're going to say, "We're not going to do that anymore because that's ICANN's business" and they need to go do that and they need to let that out into the wild because they lose their tools and ability to say "We're secure" when we do those types of things.

When we take a look at competition and trust, the competition one was done specifically around the new gTLD program, so I think we've got a good report, maybe we need one more and that's it. And we take a look at killing that altogether, because at some point in time, we have competition, we have choice, and maybe trust rolls into accountability and transparency pretty easily at that point in time.

And RDS, that's ...

CHERYL LANGDON-ORR: [inaudible].

PAT KANE: Yes, okay. Thank you. [I don't even want us to deal with that anymore.] So, is there really value in doing a registration data review when fundamentally, we're talking about WHOIS and GDPR, the temporary specification, all the time? Is there a way to take all of those and say the things that really are important around policy development in this community and say, "These are the things that should be a part of that ongoing process that we focus on" and we say, "These are things people can choose from" and we don't have to say, "You'll do these four things and those three things." The continuous process allows you to pick and

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choose the things that are the most problematic. Or if you want to go choose a model, there's a model called break it, that you take a look at things that are working and you tear it apart because you can do it better. We shouldn't keep doing it the same way just because it works today.

So I think there's lots of things [inaudible] but I like the idea, Wolfgang, of getting to one, but we've got to figure out what to recommend of these four that we retire and how to move that into a single process.

BERNIE TURCOTTE:

Cheryl.

CHERYL LANGDON-ORR:

The ARTR could choose to recommend that that is done by some entity as opposed to us doing it. That's perfectly within our bailiwick if we want to. So it doesn't have to become our work between now and finalizing our report. And it doesn't matter which way we go, I'm just saying there's a number of ways to skin this cat.

Just want to remind you – and here, I am speaking with some degree of experience in the field – that in very critical policy systems management, in other words where life matters, life and death will occur if it goes wrong – which, dare I say, is not a lot of what ICANN does with its core business, but these things are done in all sorts of industries, in all sorts of sectors, and [inaudible] control and [inaudible] control management are principles which we can perhaps make some

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use of applying even to our own work, particularly in some of the security sectors.

That said, it is not at all uncommon that if one has established one's credentials, in some cases these are third-party credentials such as ISO accreditation by independent bodies, then one does not just sit and go, "And we're right" until whenever. One has ongoing internal audits as well, so you have a few people who actually know what they're doing, who can keep testing the systems, who can work to ensure that in our case, the ACs and the SOs are still on track. We have churn in the leadership. Is the leadership up to scratch on what it means for their continuous improvement program within their particular part of ICANN?

All of that can be managed, but we don't have to get to the Nth degree in our recommendations. We do perhaps need to make recommendations that allow that to happen, and just as there are some great models, there are some great best practices to look at as well. Thank you.

BERNIE TURCOTTE:

Thank you, Cheryl. Anybody else? I don't know, I think we're doing pretty well, so let me capture where I think we are at. We started with Wolfgang's two-level model for all the reviews. We said for specific reviews from Pat, we need to cull the best of breed from those specific reviews and integrate them into that one significant ATRT or kind of review.

On the organizational reviews, we need to help them transition to a continuous improvement model, and the organization has said that

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there are mechanisms there to help them support such projects. And of course, they'll touch on that whole prioritization stuff that we talked about earlier.

I think we've got the guts of something that is worth saying. I've got Pat first and then Vanda.

PAT KANE:

Just one thing I wanted to say on the organizational review. When I think about the different organizations, it's hard to think about reviewing them independently because we all work together to make things happen. The heart needs the lungs, the brain, the stomach, all those kinds of things.

So when I think of changing to an organizational review, perhaps we should think about the whitespace in-between the organizations as what's really important from a particular review standpoint so we improve how they work together as opposed to trying to work how the GNSO or the ccNSO works, and let those organizations have their own reviews, with support, but that the review takes a look at the whitespace in-between all these places that is the day-to-day functioning in terms of the whole communication process. That'd be my suggestion.

CHERYL LANGDON-ORR:

So if I can metaphor then just to make sure I understand, you're talking about the entities getting their houses in order with the necessary support, and keeping their houses in good order, but a whole suburban

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look is used from time to time, so all of the houses are looked at. Okay, thank you. I just wanted to be clear [inaudible].

PAT KANE: Yes, that's correct.

BERNIE TURCOTTE: Vanda, please.

VANDA SCARTEZINI: I believe that we are in a very good position now because most of [the] ACs and SOs have done some kind of review.

CHERYL LANGDON-ORR: [inaudible].

VANDA SCARTEZINI: Twice. [inaudible]. A lot didn't implement the first one. But anyway, we have all those done. So there is something that we need to alert, [define, state,] that in our transition process, we could start with that recognition that we already have something to start to work on, because it was done, and then we can suggest that we plan for this interchange that Pat is suggesting as a second way preparing a new ATRT X to do the general review of the organization itself.

So I do believe that if we just suggest that as a recommendation, explain all those bullets, that's a very important recommendation because

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[inaudible] the points over there, I do believe that we have done a very good contribution for the excellent [management] of the entire ICANN.

So because we all feel that is – nobody feels comfort working inside the community. Everybody complains all the time because there's something wrong, really. We work too much, and we see not good results, and of course, we talk with the old guys like us, the dinosaurs –

SÉBASTIEN BACHOLLET: [inaudible].

BERNIE TURCOTTE: [inaudible].

VANDA SCARTEZINI: Yeah, but anyways, it was people that dedicated a lot of time, and each meeting, you see less [inaudible] from –

CHERYL LANGDON-ORR: Because they're dying, that's why.

VANDA SCARTEZINI: No, not yet. That's another problem. But anyway, so my suggestion is really that could be a hope for people to join again.

BERNIE TURCOTTE: Thank you, Vanda. Wolfgang.

WOLFGANG KLEINWAECHTER: Just for clarification, my proposal to bring all the organizational reviews under one umbrella does not mean that there should be no reviews from the individual organizations. But this could be done in one process via working groups. So if you look in our own work, we had four working groups, for GAC, for board, so that means if we have a general organizational review, then this review team could have a working group for ALAC, a working group for SSAC, a working group for the GNSO.

But this would allow really to see the complexity of the organization and would go beyond this silo approach which has a little bit undermined the potential in this cross-constituency working, and [we give away] this potential by looking only into silos and do not see the benefits from the cross-constituency collaboration. Thank you.

BERNIE TURCOTTE: Pat.

PAT KANE: I agree with that, Wolfgang, because if you're working on looking at the inputs and outputs between those different organizations, that's where the improvement has to change internally. So if the output that I have to ingest is the GNSO from the GAC, when I ingest it, I've got to figure out what my process is to take that in and process it, and spit something back out that's meaningful to the ICANN Organization.

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And that lends itself to this continuous process, because you're not focused on the silos or the pillars. So I think that's good.

BERNIE TURCOTTE: Thank you, Pat.

MAARTEN BOTTERMAN: It makes a lot of sense, also the [inaudible] silo thing. And it becomes doable and not a monster if it's combined with proposal for continuous improvement to be taken seriously by the SOs and ACs.

So from the continuous improvement process, you can feed into those working groups where such an SO or AC is, and overall, would help to streamline and would help to share good practice as well.

BERNIE TURCOTTE: Ladies and gentlemen, I think we're in violent agreement, is what I'm getting out of this.

VANDA SCARTEZINI: [inaudible].

BERNIE TURCOTTE: KC's hand is up. KC.

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KC CLAFFY:

Oh, no, I don't want to be the one that's not in violent agreement here, but I guess I'm just not sure yet how concrete a suggestion is this, merging all the reviews into one. It seems to me that it's one example of a way to move forward, but it's not the only possible one. And I think it may amplify some of the concerns that happen with the current review process, which is you're still having something that would be quite extended period, you'd still run into this problem if ICANN wants to update things in the middle of the yearlong or however many years that would take. You're still dealing with volunteers that this time they have even more on them, and we keep talking about volunteer burnout.

So I feel like if we make concrete suggestions like this, which I think would be great, we should probably do some analysis or propose that analysis be done on the strengths and weaknesses of the suggestions with respect to the problems identified in the current reviews.

Another alternative completely in another direction on one axis would be you have multiple reviews but they only last three days, and you come into a room and you can have whatever report you have before, that's what you use to do the analysis, and you come out with the five top recommendations in three days.

I'm not advocating that either, but I've heard it suggested, and it bears some thought about, okay, again, what are the strengths and weaknesses, how does it address things, top five problems with the current review process?

So I'm just brainstorming a little bit, and maybe I'll put some more ideas in the document as I think about them tomorrow, but I'm wondering

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how concrete we're planning to be with the kinds of reformation we want to propose.

CHERYL LANGDON-ORR:

KC, I think we can probably – depending on where our discussion ends – make as radical as Wolfgang's intervention earlier today he self-described – as radical as we like, but we would also want to consider how much detail – as I believe we've said – we would be intending to go in as ATRT3 and how much it would be a recommendation for an appropriate cross-community base to go into this and to negotiate and deal with and develop something that the community more wholeheartedly – although probably not completely and absolutely – supports.

So you, me, and for others around the room who might be outliers in our opinions, we'll end up having our voices heard and the majority will rule, but it would have to be a process that was specifically focused and chartered to come up with some clever thinking and some ways forward.

And if that's what the multi-stakeholder model develops, then so be it, really.

BERNIE TURCOTTE:

Alright. Thank you, Cheryl. What I'll add on to that is, yes, as Cheryl was saying, we've actually got to grab all these ideas and try and write this into something that makes sense, which is my job. So I don't think I'm going to have this done after lunch.

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VANDA SCARTEZINI: Oh no.

CHERYL LANGDON-ORR: Disappointment.

BERNIE TURCOTTE: Sorry. I know. You need a good consultant for that.

CHERYL LANGDON-ORR: If you find one of those, let us know.

BERNIE TURCOTTE: So with that, I think we're close enough to the break, and congratulations to everyone. I think we've done a solid piece of work. Thank you.

CHERYL LANGDON-ORR: Yes. In fact, an excellent amount of progress, and better than I certainly predicted we'd get through this. So that's excellent. Our break today is at a different time and place – the same time, but a different place. But it's a place that many of you are familiar with. It is back to our breakfast venue, so back to the Clove restaurant. So you'll be needing to go out through this level four across, down at the Stamford to level 2 and I gather we will have a table reserved. They're nodding at me. Yes, there's a table reserved.

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That means, ladies and gentlemen of our viewing audience, we will be returning – after we stop the recording very momentarily – at 13:30 local Singapore time, or that would be 05:30 UTC. So we can now stop the recording and look towards welcoming you all back at 05:30 UTC, which is 13:30 local time.

Thank you, one and all.

**[END OF TRANSCRIPTION]**