
MONTREAL – ATRT3 Review Team [C]
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CHERYL LANGDON-ORR: I'm assuming the call is already being recorded. Thank you very much. Just double checking.

Good morning from Canada. We're here at ICANN 66, and this is a Day Zero or a day before the event starts meeting of the Accountability and Transparency Review Team #3.

We have a couple of people that have been held up in airports, etc., and some more will be joining us through today.

My name is Cheryl Langdon-Orr. I'm currently the sole co-chair here. One of the people held up is my fellow co-chair Pat Kane, but he sends his apologies and his regards. He will arrive when he arrives, along with many others around the table.

Let's kick off at albeit ten minutes past the hour which is most unfashionably late for an ATRT to be beginning. But the first thing we're going to do is the usual administrivia and ask whether or not anyone has an update to their statements of interest. If so, please let us know how. Not seeing anything.

Then we will now move on to noting that roll call will be continued. We'll take it from the Zoom room and around the physical room, and we'll continue to add people as they arrive. So we won't need to go around tables or anything.

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.

We'll start off with the very first item on our agenda which was a review or any information, feedback, or wonderful thoughts that anyone wished to bring to the table from our Singapore meeting which we held only last week. So the floor is open for anyone who wishes to raise any issues or bring any points forward regarding our Singapore meeting. I'm not in the Zoom room yet, so if you could just raise your physical hand in the room until I can finally log in. If there's nobody – Sebastien, please go ahead.

SEBASTIEN BACHOLLET:

Thank you, Cheryl. I hope that it will bring some memory to the other participants. I think it's important if we can have a short feedback on what were the main [takeaways]. Of course, we have a lot done by Bernie with this new document. But I wanted to reflect on some issue I was thinking about, including some discussion after the meeting yesterday [as well as at] North American School of Internet Governance and some of the debate came to my mind on what could happen here.

I would like to take as a general theme, and I don't know where and how it could fit in our work, but we need to find a way to decrease the complexity of this organization. It's not the first time I say that, but I really think that [if] nobody is handling that.

Why I am saying that here is because when you look at what was done by us – all the community, staff, board, and so on – in the past few years, it was to add layer to layer, complexity to complexity. And the first moment when we can pause and think about all that is now.

I will try to take a few examples. Maybe not the best one, but I talk about decreasing the complexity of the bylaws. And why I say that, when I was at the board it was always a struggle with Legal to say we want to add this idea or this idea. And at the end of the day with Work Stream 1 on accountability we came [up] with very, very complex bylaws with a lot of changes but with a lot of things inside.

And we will have to change them because, obviously, I hope that we will [inaudible] to reorganize reviews. Therefore, we will have to do a bylaw. We will have to suggest a bylaw review.

I would like very much that we take this opportunity maybe to put outside of the bylaw what is not at the [heart] of [our] work and to something with [even] more of each SOs and ACs and so on who could be well in another type of document just to simplify.

My second point is that I really feel that election processes – and I am not targeting any structure in ICANN – but is rather complicated and not allowed to take into account diversities and some other issues and the fact that each one is solving these election processes in their own corner. I don't think it's really accountable for the rest of the organization and transparent within ICANN and outside ICANN.

I will stop here, but I hope that others have some other thoughts and that we can take them into account in a future version of our work. Thank you.

CHERYL LANGDON-ORR: Wolfgang?

WOLFGANG KLEINWÄCHTER: Thank you very much. I want to echo Sebastien’s first point. If you look at ICANN as a whole, indeed, it was growing, growing, getting more complex and complex and complex. And we have reached a level of complexity which is really difficult to handle and to understand for outsiders. Because if you try to explain today ICANN to somebody who is not involved in this, after five minutes he says, “Please, stop. I do not understand it. Make your homework, and we hope that everything is fine.”

I think with our discussion in Singapore to streamline the 15+ reviews into two main processes, I think this is a big step forward. And as Sebastien has said, if we make this proposal, this is a fundamental proposal, we have to have also changes for the bylaws.

But it will not stop with the review processes. So that means we have to think about what could be what some people have already called ICANN 3.0. Here we have to be also a little bit creative.

I just want to mention one point. I had a discussion also with Nigel this morning about the role of ICANN into the [broader] system. Yesterday in the plane, I saw an article in the “Financial Times” where the new – or the old – EU Commissioner Margrethe Vestager spoke about she’s responsible for all tech issues. ICANN is not in particular on their agenda, but it could be sooner or later.

The argument she used with regard to Google was an interesting one. She said Google is now so dominant that Google becomes its own

regulator. That means Google as a regulator, this was new music in my ears. Then she said if this is a regulator, we have to ask Google whether they have their internal accountability mechanism which works or we have to think about an external oversight mechanism.

And, you know, when I saw this paragraph, I immediately said that's [inaudible] of ICANN. Because ICANN is a monopolist in the DNS, it's its own regulator and it needs a certain oversight. And we have these two options. Either we as an ATRT team recommend [a] workable oversight mechanism for ICANN internal, or we risk that in three or five years from now somebody will come and will say we need external oversight.

I think this is a big issue, and here we have to be creative. Probably we can develop this in the coming weeks, options. So that it's not that we know how to organize this, but as I said in the very first meeting in Los Angeles, the original idea by the U.S. Department of Commerce when they introduced the review mechanism under the Affirmation of Commitments was that ATRT is, let's say, something like an oversight mechanism. Not only a review mechanism, it's an oversight mechanism over the board. And I think this is a point where we need more discussion.

I would also propose that the whole report which is now a very substantial draft could be further reduced. So that means probably we work with an annex that we produce a short, clear document which would fit into the challenge [of] what Sebastien has said. Simplify it so

that everybody understands it. And then we can put all the statistics and other things into an annex.

Though I have no further comments to the details because I'm looking forward to consultations with the community here. So that means we should open our ears and listen to the various communities. Because I was rather satisfied with the outcome of the Singapore meeting. All this is reflected in the new draft.

[So] that means I have no further details. But these two points, to simplify it and to make a proposal for a workable oversight mechanism, these are two points which are, for me at least, very important. Thank you.

CHERYL LANGDON-ORR: Bernie?

BERNARD TURCOTTE: Thank you. A few points. Sebastien, just so I'm clear, you were talking about election mechanisms. Election mechanisms for what? Just to be clear.

SEBASTIEN BACHOLLET: All the election mechanisms within the organization. I am talking about all. The one who brings people to the board, but also the one who will bring leaders to any SOs and ACs or to any constituency. I feel that sometimes it's a strange way to organize elections. Therefore, [we] think we need to have some....

JACQUES BLANC: [I don't really understand.]

CHERYL LANGDON-ORR: Yeah, use your microphone please, Jacques.

JACQUES BLANC: I just wanted to warn that I don't understand what he is saying at all.

CHERYL LANGDON-ORR: Okay, so it seems to me that we had trouble....

JACQUES BLANC: I'm asking him to speak up.

CHERYL LANGDON-ORR: Yeah, yeah, okay. So this is a volume or...?

UNIDENTIFIED MALE: Volume.

CHERYL LANGDON-ORR: Right, okay. I just wanted to make sure was it a technical problem or an information problem. Okay.

SEBASTIEN BACHOLLET: Sorry for that. Is this better?

JACQUES BLANC: Yeah.

SEBASTIEN BACHOLLET: Okay. We need to try to find the best way to talk in this new room. In answering Bernard Turcotte’s question, it’s which election I was talking about, for the moment I am not talking about any specific election. Of course, the ones who will bring people to the board. But I think more generally all the elections happening within ICANN must be taken into account one way or another.

Of course, the one to bring people to the board are more important, I will say, but nowadays when you have an Empowered Community, you have a different responsibility by the chair of the SOs and ACs eventually others, and it starts to be also something we need to have into our reflection. Thank you.

CHERYL LANGDON-ORR: [inaudible]

BERNARD TURCOTTE: All right, a few other points. It’s typical for organizations to overdo the complexity and to come back to basics. It’s a regular cycle we’ve seen I think enough of us around. So maybe we’ve reached that point and the pendulum is going to swing back to simplifying. And as Wolfgang has said, I think if we do go ahead with making a recommendation on

reviews, I think that's a clear indication and maybe we can actually talk about that while making the recommendation.

On going wider into a lot of the things that have been talked about, I would just say let's just be sure we're coherent with our mandate. There may be room for making a recommendation for another type of review where certain things that are being talked about here should be considered in the general context. But let's not forget that if we go too far beyond our mandate, some of our other recommendations may be affected by the fact that we do that. Thank you.

CHERYL LANGDON-ORR: Back to you, Wolfgang.

WOLFGANG KLEINWÄCHTER: It's unclear for me, Sebastien, what you mean with the election and how to reorganize the election. I was involved in this since the very early days when we discussed the role of At-Large. And the ICANN board original idea was we have nine directors coming via elections and nine via the supporting organizations. Then we had the reform process, and At-Large was removed to the sidelines. And then after long struggle, we changed it and At-Large got one voting director.

But the establishment of the NomCom was seen as a substitute for the loss of the At-Large directors at this time. That's why At-Large has five voting members in the Nomination Committee. The intention was to have a strong voice of At-Large in the Nomination Committee to bring people who, under the original idea, would have been elected by the

community, make his or her way via the NomCom. Unfortunately, the NomCom has more or less forgotten about this intention and now sends people to the board which could have been made its way to the board via one of the existing supporting organizations.

I remember and [CLO] will also remember that we always argued that the NomCom is not a second way for a ccTLD manager to make his or her way to the board. Though if a ccTLD manager wants to go to the board, he has his channel via the supporting organizations.

But the system in total with such a diversified system bringing people to the board, in my eyes, is not bad. Though we have to probably introduce some criteria. I think one criteria we discussed in Singapore was already a good one to say one male, one female.

We have the diversity criteria in the bylaws. Probably we could say that each region has to be represented by a minimum of two. This could be an improvement because so far we have only one. That means there's a guarantee for one African. Sometimes we had, indeed, only one African among 16 voting members in the board. But the general system I think is a good one. It's much better than if you go to other corporations and how they select or elect the board members.

One point we raised also in Singapore and probably this will come out also from the ATLAS III meeting here is that At-Large gets a second voting director. So this would guarantee more diversity in the board. But to give better criteria or better guidance to the NomCom, it's enough in my eyes. So there is no need to reform the whole system

because the whole system as such, at least on paper, is good. We have to implement it in the right way.

CHERYL LANGDON-ORR: Thank you very much. Back to you, Sebastien.

SEBASTIEN BACHOLLET: Thank you very much. I think we are entering into the discussion, and I don't want to jeopardize the agenda. I think it's a topic we need to handle, and I appreciate your inputs, Wolfgang. Part I agree, part I disagree. But if before we enter to this [and develop a] discussion, we need to figure out how and where we will discuss it and allow the other to be prepared to the discussion. Then maybe it's not the best time to do it.

I take your point and I think your story about the history of the NomCom, it's quite compelling for me. And when we return to what's happened, it's not so or it's not anymore understood like that. Therefore, once again, it could be – I think it's a good topic, and I am available to enter in that discussion on this topic when we decide to go ahead with that. Thank you.

CHERYL LANGDON-ORR: Thank you very much. Anyone else want to raise their hand or make a comment on this issue or issues? All right, then. Then what I've heard is there's a desire for a conversation to occur which encompasses a couple of matters. The first of which is, is there a method to work

toward a less complex ICANN and one that will increase the predictability, the accountability, and the transparency in and between the advisory committees and the supporting organizations? Is that a fair paraphrasing of at least one of the primary objectives that I have at the table? Okay.

Secondly, that there's also a desire for a conversation to occur where the matter of selection and election of leadership within the organization, including those appointed to the ICANN board, is carried out in a clear and predictable way where processes and methodologies are well advertised, published, and take into account various diversities. Is that a fair representation of what you were talking about? I'm getting a yes nod from Sebastien, and I'm not seeing anything negative around the table. So that's important for us to note.

We also noted in the conversation this morning, with our thanks to the amount of work that has gone on by Bernie with getting out the next version of our report since our Singapore meeting, that we'll also look at some design aspects of the report which is becoming quite substantial to ensure that it is still one that is simple and easy to read and understand and uses plain language. And that, of course, we may therefore bulk up the appendices in some way, shape, or form as we reduce the body text within the report itself. That's something that we will all be wanting to cross check each other on as we go through the next part of our drafting.

Just on harmonization or publishing and predictability of the various processes used within the organization for leadership, I think it behooves me as one of the two leads on the accountability Work Stream 2 efforts, we did in fact poll and survey and discover and report on all of the methodologies used for the leadership selections during that work. That is therefore a body of evidence which we can draw upon should we need to.

Whilst there was not any particular harmonization opportunity from what we discovered, what we did discover in fact there was some resentment if we were going to try and suggest harmonization. So I think we need to be aware of the [bear] under these circumstances.

But what we did discover that each of the advisory communicates and supporting organizations do in fact have a robust and published to their own membership quite effectively but perhaps not well enough accessed by other parts of the organization processes in place.

We did not find any of the ACs or SOs which were a laissez-faire or unstructured system. Yes, the complexities of it are quite wide ranging, but at least we have that baseline material that we can start working from and perhaps make some recommendations for the ACs and SOs themselves to take this on as a piece of work.

Bernie, is there anything else I'm forgetting about the outcomes of the review that we did on the election and selection process in Work Stream 2? He's shaking his head no. So just for the record to make sure that we do know that this is not a tabula rasa exercise should we wish

to take it up. It is one that has the basis of Work Stream 2 activities and reporting to draw on.

With that, we've had a couple more people join us. So welcome, one and all. You'll be added to the roll call here this morning. If there's nothing else that anyone wants to bring forward in terms of feedback and seeding of new ideas after the Singapore meeting, we shall have a look at Version 5.0 which has been sent to the list, thank you very much, kind sir. I assume we now have a – yes, look at that, like magic up on screen, and large enough for even me to read which is even better. Thank you, Jennifer. I appreciate that in particular.

So from the top, Mr. Turcotte, I assume. Over to you.

BERNARD TURCOTTE: Thank you. All right, let's go to the top of Page 8, please, 321.4.

UNIDENTIFIED MALE: [What page?]

CHERYL LANGDON-ORR: Page 32, 3-2.

BERNARD TURCOTTE: No, sorry, Page 8. Section 321.4.

CHERYL LANGDON-ORR: Page 8, sorry.

UNIDENTIFIED FEMALE: [That’s Page 9.]

CHERYL LANGDON-ORR: Page 9.

BERNARD TURCOTTE: Oh, sorry. Yes, top of Page 9. Apologies. I’ll get it straight. All right, so it’s not all recommendations and suggestions. We still have a few things we need to get closure on. There were a few ATRT2 recommendations which we did not complete in Singapore. This is one of them. Recommendation 4 from ATRT2.

Before I go into that, just a comment on Wolfgang’s point that we’re bulky on the report. I always thought that huge amounts of this would go to annexes. Just right now for simplicity of the working group, I thought it made more sense to have it. But I absolutely agree it doesn’t make sense for what we’re doing to have a 170-page main report, and we’ll be toning that down once we finish this work. Okay? So more than agree on that.

321.4, Recommendation 4 of ATRT2, the board should continue supporting cross-community engagement aimed at developing an understanding of the distinction between policy development and policy implementation.

Yes, I’ll slow down, Cheryl.

CHERYL LANGDON-ORR: Okay.

BERNARD TURCOTTE: Develop complementary mechanisms whereby the supporting organizations and advisory committees (SOs and ACs) can consult with the board on matters, including but not limited to, policy implementation and administrative matters.

All right, in the notes there we see there is an ongoing discussion at the plenary which touches on this as well as Section 7 on PDPs. I don't know if we want to take that on now. If we go down just a bit, please, Jennifer. Okay, so actually, let's just walk through the implementation discussion. Ah, Wolfgang?

WOLFGANG KLEINWÄCHTER: I think we had a discussion about timelines. I don't know whether probably it is in – because if you have 150 pages, sometimes you miss the point, but I think that we have not yet discussed this to the end. But I think there was an agreement in this group that a practice which is now more or less in five, six, or seven PDPs that you continue with the PDP over two, three, five, seven or more years makes no sense. So that means we have to come up with an idea how we either enable the board or the GNSO Council to introduce a certain timeline.

And what happens if this timeline is reached and no decision is there? Should we then propose that we pause the PDP, send them home to

reconsider, and restart after one year or two years? I think the EPDP is a good example that even with good intentions you enter into troubled water if there is no political will.

On the other hand, just to see and to watch and to say we cannot settle this problem if there is no political will, I think this is also not the right answer. That means we have to come up at least to raise the point in a very strong way that to have a PDP which goes over years, over years without no result, that this practice has to be stopped.

And the other thing we also discussed but not in detail and I have no answer how to settle this is if you have seven, eight, or nine, or ten PDPs in parallel, this makes also no sense because this leads to burnout. This overstretches the capacity. But if an issue is there and you need a policy, you have to do a mechanism. But this is also a point where we have not yet a clear proposal.

So I don't know whether we should propose rigid measures and say after two years there should be a pause or there should be no more than four or five PDPs in parallel. But this could have also unintended side effects that is too restrictive, that a number of issues remain unsettled or that you invite groups who say if we can survive the two years for the PDP without any result, then we have space, we can do what we want.

So this has a number of implications which have to be really considered but the situation, as it is, is not satisfactory. I think this is clear.

CHERYL LANGDON-ORR: We have Bernie, and then I'm going to put myself in the queue as well. Sorry, Bernie, Vanda, Sebastien, and then I'm putting myself in the queue, but I'll take it from a specific GNSO perspective. Go ahead.

BERNARD TURCOTTE: Thank you. First of all, to Wolfgang's point, you seem to be talking a lot about the GNSO. Let's not forget there are other places where they actually make policy like the ccNSO which is a lot more reasonable.

Also, you're talking about the timespan. Isn't that directly related to scope? To me, it's not a question of timespan. It's a question of what you're asking people to cover which may make, or not, sense. Maybe you need to develop chunks of these things that can be done in a specific time, but it's not a question of that.

And finally, limiting the timeframe for policy development I believe we heard at this plenary that some people would actually use that just to make sure policy does not get developed, and we have to be very mindful of that. Thank you.

CHERYL LANGDON-ORR: Did you want a right to reply?

WOLFGANG KLEINWÄCHTER: [No], [inaudible].

CHERYL LANGDON-ORR: Okay, Vanda and then Sebastien.

VANDA SCARTEZINI: Not only the scope but we have discussed here the idea of having some clear reducing of members that we will allow then to vote. Because, as you say, some people don't want to [make it through and bury] the evolution of the discussion. When you have members that need to be accountable to their position, not only members of the community that can be there for other interests, maybe you can find a more clear way. That we started to discuss, but we never finished if this could be a suggestion or not. So some groups that we have been working to like the NomCom review, for instance, worked very well in that solution.

And for the PDP, I do believe that maybe more people from not only one or two but more people for each community but a clear people and a clear process that they need to be accountable to their group itself so they can defend some points but very clear points that are not a personal interest of one or two. That's mine where I've seen participating in PDPs, we see really a lot of people with a personal agenda.

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: Thank you. I agree with Bernie that we need to look broader than just GNSO PDP. But we need also to look broader than the PDPs because the CCWG on the auction proceeds, for example, it's one of the examples where it's not a PDP but it could affect all the organization and it must be taken into account. And the fact that it goes on and on from three years now is just, from my point of view and nothing against the co-chair of this group, but it's just nonsense to spend three years on that issue.

You take the example that the ccNSO is working, I will say, better. It's my words, not yours, Bernie. But I am not sure, again, that the subject matter was clear, retiring the ccTLD. And it takes also a lot, a lot, a lot of time. Then I am not sure that we can find within the organization today a good way of doing things.

The EPDP is a test, but when you look at the EPDP Phase 2 there is not the same boundaries as Phase 1 but it's still named EPDP which is quite strange. And it's not going so well. They are doing a lot of work. We are involving people very, very deeply. Some of them are spending too much time, from my point of view.

And therefore, I would like that we consider as an idea to, like Wolfgang was suggesting, that we shut down any group after, I will say, two years or one and a half years with the objective that if they are not able to find an agreement, a consensus on the topic they are talking about, they must come up with a summary of the state of the art and the state of the discussion.

And leave to other six months later or one year later to take it back to the drawing board and try to go to advance the discussion. Because maybe fresh people, maybe fresh ideas, maybe another way of handling the topic will be beneficial. But if we leave these things going on and going on and going on, we are losing as a community time for people, money for the organization, and not succeeding in publishing any good advice or good solutions for PDP or CCWG topics. Thank you.

CHERYL LANGDON-ORR: Thank you, Sebastien. Back to you, Wolfgang.

WOLFGANG KLEINWÄCHTER: I think the last proposal from Sebastien is really an interesting one. Just to clarify – and this is a comment to you, Bernard – it’s true we are not responsible for the review of the GNSO. It’s GNSO business; it’s not our business. But we have to tell the board that the board has a responsibility to push the GNSO to streamline its processes or to make it more effective. Unfortunately, the board has not too many sticks, so that means the relationship between the board and the supporting organizations is complicated. In particular to the Address Supporting Organization there’s a special case, but also to the ccNSO and also to the GNSO there’s a power struggle who decides what.

But the board should show, if they have sticks, they should show the sticks also to the supporting organizations if they do not meet the criteria of a policy which makes a reasonable policy development. And the proposal made by Sebastien to say if you are unable with this

group to produce a result within two years, then probably we do not pause. We create another group and continue.

So these are our options and probably we cannot [inaudible] final solutions, but we marked the point something has to be done. And then we said this could be done. Among the options we have is A, B, C. you could have a pause, you could have a renewed team, or you could change the guidelines, or you cut the subject down to smaller pieces or things like that. But if you just watch and see, this is unacceptable.

CHERYL LANGDON-ORR: Back to you, Bernie.

BERNARD TURCOTTE: Thank you. What I get from bringing all of this together for me one point that sticks out and that I've seen through several processes around ICANN, it's all about how you – or not all – but a great deal of the issues we're talking about is how those processes are actually managed. And I think with few requirements but much better management we could achieve a lot of those aims. That's a personal opinion.

Really, there has been a longstanding tradition in ICANN that we deliver consensus by exhaustion. If we talk something to death for enough years, some people will give up and we will get consensus. And when we get that consensus, that is good.

What we're actually saying here is the price for that consensus by exhaustion is way too long. It is just impossible. And it's a balance. We have to understand that. To me, part of that answer is, yes, some better rules and, yes, much more effective management of the processes leading to some of those things. Thank you.

CHERYL LANGDON-ORR: Jaap?

JAAP AKKERHUIS: I want to remind we actually talked about this in Singapore as well. And basically the one line of Geoff Huston which came via KC it also takes place that volunteers are very bad employees. There's no way to control the process and to make them do things. That also hampers. It's not only the management. It's also the people involved.

CHERYL LANGDON-ORR: Back to you, Bernie.

BERNARD TURCOTTE: Thank you. I did forget, interesting discussion, but I'm just trying to wrap up this Point 4 here. We seem to be straying quite far from that, and we really need to get that settled, please.

CHERYL LANGDON-ORR: Although I did see Michael. Michael?

MICHAEL KARANICOLAS: I'm going down the [inaudible].

CHERYL LANGDON-ORR: You're going down the other tunnel?

MICHAEL KARANICOLAS: Rabbit hole.

CHERYL LANGDON-ORR: Okay, right. Well, perhaps I can fill in the rabbit hole slightly. What I've heard is what I've heard on any number of tables for an awfully long time. None of us have had amazing revelations around this table. None of the recognition of the issues are "oh, wow" moments. I've written down "usual comments" next to the word "PDP."

It's all well recognized and, in fact, there is work underway by the, dare I say, manager of the processes at least in the GNSO to look at all of this. So there's general work underway with what's happening with some of the work that Brian's doing and the evolution of the multistakeholder model. But there is specific work being done in the GNSO Council. And after all, it is their business to manage, at least the top-level generic name PDP processes.

So I don't think that we're going to have opportunity other than to recognize the work that's being done and make sure that it stays on the agenda of the organization to, again, look toward scoping, look

toward effective sized pieces of work, and perhaps not necessarily some sort of proscriptiveness which I think will probably get considerable pushback. But nobody has said anything new, so if we can park that in our very large, multistory car park.

And, Bernie, you've got your card up to – no? All right, I was going to say you're the one who wants to get back to. Let's finish this part. Thank you.

BERNARD TURCOTTE:

All right, so I'll read the implementation and then the conclusion and see if we can put this one to bed, as it were. The recommendation is effectively implemented in the GNSO but requires further cross-community engagement to be considered fully implemented when considering all ICANN communities. The observations regarding the identified GNSO working group, it's recommendations adopted, and the consequent activity of the EPDP developed in this process are accurate. However, the work of the CWG on CWGs like the outcomes and recommendations from other GNSO working groups on non-PDP working groups....

CHERYL LANGDON-ORR:

That's one hell of a sentence.

BERNARD TURCOTTE: ...should be recognized here, and it is the combination of these that can act as foundation for the development of understanding set out as desirable in this ATRT2 Recommendation 4.

This being said, this would aid in community understanding of the differences between policy development and implementation as well as the CWG mechanism for nonpolicy working groups. Implementation assessment, partially implemented. Effectiveness, insufficient information to assess.

Conclusion, there is no meaningful metric to show any particular improvement of the wider ICANN community understanding the difference between policy development and implementation of policy as was called for by this recommendation. ATRT3 does recognize and appreciate the considerable work already done in the GNSO regarding non-PDP and cross-community working group processes. However, this is not an example of ongoing and board facilitated cross-community engagement.

This being said, it does not properly implement what was in the recommendation. As such, ATRT3 will be suggesting that ICANN Org develop a framework for policy implementation which allows the community to understand, follow, and to some level participate in the implementation process.

Additionally, with regards to SOs and ACs consulting with the board ATRT3 will be recommending that agenda materials – there’s obviously something that fell off the track here, but I’m going to throw in that there is the advice registry and that we are making a

recommendation regarding board transparency that the agenda and materials from board committees be published along the same guidelines that are used for board minutes.

CHERYL LANGDON-ORR: Excellent. Thank you. So looking toward those conclusions, and hopefully at some point we'll be able to parse [up] that horrendous sentence in the earlier part of the document into something that might be declarable as simple language because that is not, is there anyone who feels that we need to embellish this any further or not?

We recognized what work has been done and how far anything has been implemented. We are saying, however, that there is a desire for a framework and more work to be done on this. Sebastien, yes?

SEBASTIEN BACHOLLET: Thank you. I am not sure that there the GNSO who is working on non-PDP and cross-community working group processes. I feel also that it's a little bit frustrating for me that we are talking the PDP is here and we are talking about [non something]. We are not very positive. It's something the rest of the work it's quite important, and it's strange to name it as not being something. Therefore, I think we need to think about how we call that.

And once again, [my second vote], I am sure that there is work going on, on those type of changes, cross-community. And the discussion, for example, about [the ex] cross-community working group on Internet governance, we'll change the name. We'll find another way to

go through. It's another example that there is work going on within the community on how to work together on some specific topic. Yes, well, not PDP, but we are quite important for the organization. Thank you.

CHERYL LANGDON-ORR: Thank you, Sebastien. Just to be clear, the nomenclature in that text using non-PDP and the type of non-PDP working group activity that was in fact a cross-community working group on cross-community working groups, that's the terms that are used within the PDP processes. It's not meant to do other than define what may or may not end up in, for example, the GNSO's picket fence. In other words, having carried your [or] influence with regard to contracted parties, for example.

So the specific work on non-PDPs that was done within the GNSO was, in fact, done as a wider cross group. So without going into what the value laden aspects of those terminologies are, it's what the work was called. Bernie, is there any other terminology used in any other of the supporting organizations that we haven't captured and that we should do? I'm not familiar with....

BERNARD TURCOTTE: I'm not aware of any.

CHERYL LANGDON-ORR: Yeah, I don't think there are any that we haven't captured. But certainly there shouldn't be any value labeling associated with

something either being a PDP or something that is not a PDP in terms of importance and something the cross-community working groups and the effort gone into those will attest to that.

Bernie, yes, so you're going to be able to [text] this up in more simple language for us?

BERNARD TURCOTTE:

Yeah. Let's just not forget here what the recommendation was about. We seem to be drifting again. The board should continue supporting cross-community engagement aimed at developing an understanding of the distinction between policy development and policy implementation. Full stop. That's the beginning of this thing. So we're talking about something very specific here.

And then develop complementary mechanisms whereby the supporting organizations and advisory committees can consult with the board on matters, including but not limited to policy implementation and administrative matters on which the board makes decisions.

I think we've got elements of both of those things covered. If we do, I would like to put this one to bed so we can write a suggestion.

CHERYL LANGDON-ORR:

Is there anyone who wants to speak further on this, or can we take this as discussed and agreed upon subject to some [inaudible] obviously in terms of the actual sentences? Sebastien, yes?

SEBASTIEN BACHOLLET: I feel that if we take and you read again Recommendation 4 and the conclusion, I don't think why as a conclusion we need to say thank you for people to have done work. But if we want to say that we appreciate the [considerable] work already done in the GNSO, full stop, we don't need to say regarding non-PDP because it's not the topic. The topic is between policy development and implementation. Therefore, why would we send them for something we are not linked with what we are talking about? I think if we can short as a conclusion like that, it will be better. Thank you.

CHERYL LANGDON-ORR: Thank you, Sebastien. I should point out it was actually the work in the non-PDP – or was it the cross-community working group on cross-community working groups? One of those two pieces of work, however, that came up and defined the specific roles and responsibilities for implementation teams. So we can't actually do just what you said without, I believe, risking a future reader not actually being able to track the done.

Perhaps there might be some footnote opportunities then, Bernie. If we trim down this sentencing, we might need to footnote....

BERNARD TURCOTTE: [Bring it down?]

CHERYL LANGDON-ORR: Yeah. So if we trim all of that off as Sebastien is declaring needs to be done, then we probably need to footnote the work anyway because things like implementation, working groups, how they should be structures, and when things should come back to the wider community are defined in those documents and final reports. I see Sebastien again.

SEBASTIEN BACHOLLET: Thank you. I don't understand what you told us, Cheryl, because here's it's talking about the GNSO work. You are talking about the cross-community working group work. I have no [problem] to add what the cross-community working group have done in this area, but here specifically it's written the GNSO, the work already done in the GNSO regarding non-PDP and cross-community working group process. It's not the same thing from my perspective. It's why I think it must be outside.

CHERYL LANGDON-ORR: Sebastien, those words reflect where the documents are archived and which part of the organization "owned" the process. It is how you find it even in the wiki. If it makes you so uncomfortable to have the GNSO specified here, as I have said, trim down the text and footnote the actual work. Because it is in the reports of those actual pieces of work that one finds important linkages to recommendations to things like implementation review teams and such. So no problem trimming it down. No problem not thanking anybody. No problem not even recognizing the work done as long as the way of finding where the

work pieces are, are footnoted. Bernie, do you have a handle on that or not?

BERNARD TURCOTTE: I will attempt to do that.

CHERYL LANGDON-ORR: Excellent. Anything else, Sebastien? Would that be okay then?

SEBASTIEN BACHOLLET: It's okay. I still don't understand. You say that it's because we will find something in the wiki. I don't know reading this how I can find something in any place in the website. But nevertheless, if because the cross-community working group was working on that issue under the GNSO, it's just becoming even for me too complicated. And if we ask other people outside this room to try to read that, they will get not understand.

What I would like very much that we concentrate on the conclusion and to say thank you for the job you have done, but you have not done properly. Therefore, I am okay, we can say thank you to everybody. But I would like that we have a shorter conclusion that what we want to do and suggest to the board and to the GNSO eventually on that issue. Thank you.

CHERYL LANGDON-ORR: So from all of that I gather you agree? You agree with pruning it down, yes? Great. I'm glad we've established that we agree. Bernie, you got what you need?

BERNARD TURCOTTE: I'll give it a shot, ma'am. Thank you.

CHERYL LANGDON-ORR: Okay, moving on.

BERNARD TURCOTTE: Moving on, let us go to our next hot topic which will be Section 321.7. That's right. Now this one was about review ICANN's existing accountability mechanisms through a community comprised group. After all the comments we had in Singapore, I've taken a shot at rewriting some of this.

Under effectiveness, given Work Stream 1 recommendations were implemented in the bylaws and that some of those changes are being used, such as the Empowered Community approval of bylaw changes which supports at least this being partially effective. The fact that the Work Stream 2 recommendations have not been implemented makes it impossible to assess effectiveness of those recommendations. Implementation assessment, partially implemented.

You'll remember that originally we had some text. KC was arguing that this was completely unimplemented, and I didn't think that was fair

because that whole review was comprised of two parts and one part is completely done. So I thought this was a fairer representation.

And then I rewrote the conclusion to match up to some of this, which is the recommendation has been transferred to the CCWG accountability Work Stream 1 and Work Stream 2, where the recommendations of Work Stream 2 have not been implemented. However, given the implementation of Work Stream 2 recommendations is required in the bylaws (Article 27), there is no need for any further action by ATRT3.

Because KC was arguing that we need to make a recommendation because those were not implemented, I'm suggesting to you it may be a bit of waste of our time given that this is all built in.

CHERYL LANGDON-ORR: Wolfgang?

WOLFGANG KLEINWÄCHTER: I agree with Bernie. As we discussed in Singapore, it's too early. We are waiting for cases. Though I think we have [inaudible] this is an issue which needs oversight, but it's too early to make any concrete recommendation.

CHERYL LANGDON-ORR: Thank you. Anyone else? Okay, Vanda?

VANDA SCARTEZINI: It's just that this is clear because the work [inaudible] needs to conclude. So it's clear. We cannot push them to conclude before we....

CHERYL LANGDON-ORR: Okay, so we think we've got it covered. Bernie, you all right?

BERNARD TURCOTTE: I'll be happy with closing this one off. Thank you very much.

CHERYL LANGDON-ORR: Excellent.

BERNARD TURCOTTE: All right, the next one, 321.8, was similar. This was about the Ombudsman. I rewrote the conclusion to match up with the previous one. It's exactly the same thing. So if the previous one was okay, I would suggest that this one would be okay.

CHERYL LANGDON-ORR: No objections there. Go ahead.

BERNARD TURCOTTE: All right, let's mark this one as done. Okay, I will note it in the document in real time so we're all there.

321.9, this one is still open because we've made a request. Someone pointed out quite clearly. Okay, so let's just put ourselves – sorry, I'm so much into this I don't think to set it up for everyone anymore.

So the recommendation says conduct a review of the anonymous hotline policy and processes, implement any proposed modifications to policy, and publish a report on the results to the community. Now Work Stream 2 did some work on this. The anonymous hotline policy was reviewed. There were recommendations made. But we cannot find a trace if they were implemented or not, so we've asked for a confirmation of that. We're still waiting for the result. That's why that one is still open because that will make a difference in what we decide to do or not.

As a preemptive action on this, if the report we do get back the information that these recommendations were implemented, then we'll close this one off saying it was done, it was closed. Does that seem reasonable to everyone? And if not, then I'll bring it back and we can discuss what we want to do with it.

CHERYL LANGDON-ORR: I see Sebastien, and I got a thumbs up from Michael. Sebastien and then Vanda.

SEBASTIEN BACHOLLET: Sorry, it was for the two previous ones, and I will ask you to give me the floor when you wish about the two previous ones. Thank you.

CHERYL LANGDON-ORR: No objection to go back to those now. Okay, hold your horses there, Vanda. Back to you, Sebastien.

SEBASTIEN BACHOLLET: Yeah, I just wanted to say what I wrote in the chat that it may be interesting to flag to ATRT4 that some work must be done or could be done on that issue because we are not doing it and that's normal because it's not done yet, but it could be a good way to help the future of people, members of the ATRT4 to take into account those two topics. Thank you.

CHERYL LANGDON-ORR: Thank you, Sebastien. It might be language that uses future review, not necessarily ATRT4. But I'm sure we can do something along those lines. All right, back to our previously advertised point and you, Vanda.

VANDA SCARTEZINI: Okay, for me, I agree with Sebastien that it needs to be clear that this should be done in the future. But about that one, I do believe that we need to have more clear that just the conclusion just we cannot assess the effectiveness. It's not reflecting from my understanding what Bernie just said that we are waiting for the conclusion of that. Okay? I do believe that we need to make more clear at least for people outside to understand that we are not just ignoring that. We are waiting for something.

CHERYL LANGDON-ORR: Bernie, back to you about embellishing the text.

BERNARD TURCOTTE: Yeah, I haven't touched this text since the beginning. I'm waiting for the information, and then the whole thing is going to get rewritten. And I don't propose that we go out to public consultation with this text in any way, shape, or form. Hopefully, we will – it's a fairly simple question. I'm hoping that within the next couple of weeks if not here at ICANN that I'll be able to track down someone, that we will get an answer on this, and then we can put this one to bed.

CHERYL LANGDON-ORR: Okay, Vanda? All good? Excellent. And I'm back to remembering the thumbs up from Michael. Bernie, next?

BERNARD TURCOTTE: Thank you. This brings us up to 321.10, which is the next one. I have a note here, Sebastien, to rewrite this element as of our last plenary. And I'll send it over to Sebastien, please.

SEBASTIEN BACHOLLET: I didn't have done my job, sorry.

CHERYL LANGDON-ORR: Okay, that's still pending. Moving on.

BERNARD TURCOTTE: Thank you.

CHERYL LANGDON-ORR: [inaudible] Vanda?

VANDA SCARTEZINI: Yeah, just for facilitation, when you get our job [inaudible] just put other colors because green, it's green, it's done. It's not. So if something is not completely done, maybe we should use some color just to facilitate our [homework].

BERNARD TURCOTTE: All right, we'll go over the color mapping again. On conclusions, the color mapping is green meaning no recommendation or suggestion. Blue, suggestion. Pink like this one on the conclusion, possibly a recommendation. Light yellow, uncertain if there is a suggestion or a recommendation. The highlight yellow are items, as you noticed today, the standard highlight yellow are things that are still open. And I'll make sure that I go through that and use the standard highlight yellow for open items. Thank you.

CHERYL LANGDON-ORR: Okay, so we know what our color coding key is now. That's great. Now we had planned to take – the agenda is printed so small that it is literally impossible for me to see. At this point in time, we should be moving on to a small break. We have coffee, etc., here. So if you just want to get up and stretch your legs very briefly, grab yourselves a caffeinated beverage or something similar, and try not to disappear too far in this enormous venue. Let's take a ten-minute break and then continue on from this point. So at half past the hour we'll restart again.

So for those of you who are in the remote participation, at half past the hour we will be beginning promptly. Thank you.

Okay, ladies and gentlemen, we're back. We'll be starting our next session continuing on our review and final text editing for various of our recommendations and conclusions in our Version 5.0 of our report. We're now on Page 41 for those of you following along at home, and we're looking at suggestions related to....

BERNARD TURCOTTE: Page 40.

CHERYL LANGDON-ORR: Page 40, sorry. That's not what I'm looking at on the screen.

BERNARD TURCOTTE: Oh, that's weird.

CHERYL LANGDON-ORR: But that's okay. Okay, depending on whether you're Bernie or whether you're the rest of us. On screen is Page 41, but if you're looking at the Google Doc apparently it's going to be Page 40. In general 3.4.1, over to you, Bernie.

BERNARD TURCOTTE: As Bernie finishes quickly swallowing his last bite, and you did that more quickly than I thought you would. Nasty woman.

CHERYL LANGDON-ORR: You got that right.

BERNARD TURCOTTE: All right, ATRT2 Recommendation 2, Survey Questions 322.1, 322.7, and 322.9. Basically, all of those come back to the same thing. We said we should harmonize a suggestion. Now as I'm saying, this section is suggestions only. You'll remember we agreed. Our rationale – actually, why don't we take a trip up the issues section, previous Section 3.3, just to give you an idea of what I did. Oh, okay. Well then, I'm wrong. Just go back up to the beginning of the previous section. Keep going. Okay, there we go, 3.3. Yeah, I was right.

Analysis of information, identification of issues. What I've done is I've copied all the recommendations which require, according to us, a suggestion or a recommendation into this section. So as you see it there, I've copied the recommendation as it was and our conclusion. That's all I've done, so there is no new text there for that section. I'm just bringing everything together. And then we go to Section 3.4 for each of those.

So if we look at the one that's on the screen right now, it's Recommendation 2. It has that conclusion, and then we take that up in the next section which is 3.4 so no one will be lost.

So if we can go back to Section 3.4 now, please. All right, so as we said, our first suggestion, 3.4.1, is for ATRT2 Recommendation 2, Survey

322.1, 322.7, and 322.0. Now this is new text, so what I've tried to cobble together from the various inputs we had in those conclusions.

Given the results of the ATRT3 surveys on board performance, transparency, and decision-taking (see relevant sections) show a limited satisfaction, this should encourage the board to consider the following specific suggestions from ATRT3.

The board should establish the same targets it uses for publishing agendas and minutes of board meetings to the agendas and minutes of all its official communicates and publish these in the accountability indicators. All of the relevant indicators of board performance should be grouped in a single area of the accountability indicators.

If you go back to some of those other points, you'll note that I make the point on the accountability indicators that we have a section on accountability and [inaudible] relative to board performance there are some other things that are scattered a little bit all over the place in the accountability indicators, such as publishing the annual report, such as publishing the minutes and agendas of board meetings. They're all in different places, and we probably can consider those measures of board performance.

So we're recommending that in the accountability indicators, they reshape those so that we can bring all of those together. Because right now all we've got in the accountability indicators under board performance is a) geographic origin of the director and b) something about training, which is not very exciting.

Board minutes should indicate how members have voted unless unanimous. This was brought up in a few places. Board minutes should include, in addition to the rationale, summaries of the main discussion points covered prior to taking votes.

Those were all the points that were raised in the comments that we had. This is what I drafted from that. Over to you, ma'am.

VANDA SCARTEZINI: Yeah, in general I agree, but I believe that the indication of when it is not unanimous, there is an indication of who is voting against or is not voting in that direction. So maybe it's another part, but even in the public fora when there's a meeting of the board publicly, they state and who is against states their position against.

BERNARD TURCOTTE: We'll double check that.

VANDA SCARTEZINI: Yeah, okay. Thank you.

CHERYL LANGDON-ORR: I think there's always the opportunity for someone who is abstaining to have on the record their purpose for abstaining. But I think the points that were made by some community members is that it was not clear who voted in what way in a normal reporting of board activity.

And I think that's the point that was to be picked up, that there was a desire for greater transparency regarding that.

VANDA SCARTEZINI: Yeah, okay. Normally in the records you can see that, but maybe not written.

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: Yeah, in the line of what Vanda just says, I think it's important that if we say that, that [we] say, okay, but you don't ask us to publish the rationale for the vote against our abstaining. Therefore, it's better if we put that don't change the good way you are doing but add those information, just to be sure that they understood that in the right direction.

Because I think if we say that, we may need to also be sure that they will publish why some board members could vote against or have vote against or abstain, if they are making any comments, of course. Thank you.

BERNARD TURCOTTE: I think the way it's written, we're not asking for removal of anything. We're just piling more things on here as requirements. And some of

them we'll have to check, but I'll take that into account as I'm doing my verification and reconsidering that. Thank you.

CHERYL LANGDON-ORR: Okay, did you want to say anything else, Sebastien? Okay. All right, Bernie, I think that one is one we're going to come back to after we see new text. Thanks.

BERNARD TURCOTTE: Thank you. 3.4.2, Recommendation 5. All right, given ATRT3 has assessed ATRT2 Recommendation 5 as not implemented, ATRT3 suggests this be rectified by completing the implementation of a single unified redaction policy as well as the adoption and adherence to effective processes in support of the requirements of the recommendation.

You'll remember this was about the redaction policy which is variable depending on what we're talking about, DIDP or board or this or that. There was a recommendation made on ATRT2 that there should be a unique one. There were a lot of recommendations made in Work Stream 2 about that, especially along the lines of DIDP. Michael worked a lot on that. And basically, just grouping all those various policies into one document doesn't mean it's a unified policy.

So we're going back to this and saying yes but no. It wasn't implemented, so please implement it. We're not raising this to the level of a recommendation for the moment because a number of reasons, but we're certainly singling it out. And we probably should

add the word “strongly” suggests here, which I forgot to do. Thank you.

CHERYL LANGDON-ORR: Okay. So with the addition of it being a “strong” suggestion then, are we all okay with this? Excellent. As soon as that’s capture, perfect, let’s move on.

BERNARD TURCOTTE: All right, 3.4.3, ATRT2 Recommendation 9.1. ATRT3 suggests that the board implement a minimum time to provide an initial assessment of recommendations made by SOs and ACs which require action.

You will remember that this recommendation was about making sure SOs and ACs get responses back from the board. And there have been significant improvements made. They’re noted in our evaluation of this. That said that the registrar of SOs and ACs advice does provide that.

However, as was pointed out, there is no minimum time. What we were told then is, yes, sometimes when there is action required to implement things the organization has to figure out what exactly is being done. And sometimes there’s a gap in time before simply noting, yes, we got this and this is what we’re going to do.

So here what we’re trying to say is maybe there is an in between there where we could add some information and say, so far do you think this

is a good thing or not or what you're going to do. So that's all we're trying to do with that one. Back to you, ma'am.

CHERYL LANGDON-ORR: Okay, the floor is open. Liu, did you want to say something? Liu, please go ahead.

LIU YUE: First, please add a slash between SO and AC at first. And then just in general, I agree with what Bernie said that we don't know how the board can decide which time, how long they need to decide to react to the SOs and ACs. So maybe we can change some words that we can maybe not delay to the next board meeting. Maybe we need [inaudible] board workshop or maybe we don't delay to the next ICANN meeting. Between two ICANN meetings, we need board to make a decision how we will react to the SOs and ACs. Okay, thank you.

CHERYL LANGDON-ORR: Okay, on the question of timeliness, Bernie, how would you like to go?

BERNARD TURCOTTE: Well, two things here. I understand what Liu is saying. Thank you for that. But this is doing two things. It's saying the board implement a minimum time. So there would be a rule which says once you get action related advice, you have a minimum time to provide an initial assessment. So I think it's covered in what you're saying.

And we're not constraining the board overly. We're saying you have to publish a rule, and that rule is going to say you're going to give us an initial assessment. We're not saying it's your final assessment, but at least we'll have some sort of timeframe in which we get an initial assessment. And I think that meets the requirement of what you were trying to get to.

CHERYL LANGDON-ORR: Anyone else? Okay, Bernie?

BERNARD TURCOTTE: Thank you. 3.2.1.10 which is ATRT2 Recommendation 10.5, to be determined. Waiting on Sebastien's text. Yes. For those not seeing this, Sebastien is hiding his head in shame, which is duly deserved. All in good fun here.

3.4.5, Survey Question 322.2, how does your structure feel regarding the board's interaction with your SOs and ACs? Oh, yeah, we haven't finished the level of concerns raised by EURALO and GNSO components may not meet the requirements to generate a recommendation [but could certainly].... You know what? I forgot to finish fixing this one.

CHERYL LANGDON-ORR: Now you can hide [inaudible].

BERNARD TURCOTTE: I'm not going to hide my head in shame.

CHERYL LANGDON-ORR: And now for the record, Bernie is hiding his head in appropriate shame. So between the two of you....

BERNARD TURCOTTE: And two in a row, yeah.

CHERYL LANGDON-ORR: This is all very, very disappointing, gentlemen.

BERNARD TURCOTTE: I guess, very disappointing, indeed. I have to agree with you, ma'am.

VANDA SCARTEZINI: You both are grounded.

CHERYL LANGDON-ORR: Okay, see if you can muddle through with it as a group think then, shall we?

BERNARD TURCOTTE: And I even highlighted it in yellow so I would remember, but it was getting late that night. So apologies to everyone for that one.

3.4.6, Survey Question 322.3, given the bylaws specify how voting board members are selected, SOs and ACs and NomCom – I'll put in

the slash for Liu there – it would be difficult for ATRT3 to recommend modifying this delicate balance without launching a major process to formally study this. As such, ATRT3 suggests that SOs and ACs which nominate voting board members voluntarily accept to alternate their nominations based on gender, which is the discussion. We had and came to our conclusion on this. Ma’am, back to you.

CHERYL LANGDON-ORR: Well, we have, in fact, had a very fulsome discussion on this, so anybody else want to put anything onto table at this point. No? As a raising and an “it seems fine” sort of moment. Tola is shrugging away there going, yeah, okay by him. Okay, fine. Aerial ping pong, back over the wall to you. Oh, Sebastien, please go ahead.

SEBASTIEN BACHOLLET: I totally agree. I just want to raise the issue that can’t we say the same thing for the NomCom? Gender balance? We are talking here about SOs and ACs.

BERNARD TURCOTTE: You’ll remember from the presentation that we had from the NomCom team for the review that they’ve already included that in their rules and that they work desperately hard to maintain gender balance already. So I didn’t see the point of including it here for the NomCom because it’s already there.

VANDA SCARTEZINI: Yeah, we made this recommendation for the review, so we need then time to implement it.

CHERYL LANGDON-ORR: Does anybody feel that we need to make suggestions and recommendations which are duplicative and, indeed, appear to be ignoring the work that's already being done? I think I'm more comfortable in the it is being covered, we know it is being covered, we have been told it's being covered, but it needs to be watched school of thought. Which I think this is covering. But let's [open it]. I'm not sure. I think Sebastien put his hand up before you, Bernie.

BERNARD TURCOTTE: Just a follow-up.

CHERYL LANGDON-ORR: Okay, sure. Go ahead, and then back to Sebastien.

BERNARD TURCOTTE: Just a note that in the analysis of that section, we actually refer to those NomCom things.

CHERYL LANGDON-ORR: Yep. Sebastien?

SEBASTIEN BACHOLLET: Yeah, I get your point then. If it's written somewhere in the document, it's good. But we will end up with a document where it will be shrunk or put somewhere in the back of the document and, therefore, I don't know how. I would have put it as a reminder here.

But if not, I would like that somebody who takes the document and when they read that they say, oh, they have taken into SOs and ACs but they don't [hear] about the NomCom. Because if it's at Page 200, they will not read it all. They may not read it. That's all my point. If we don't want to repeat something already said somewhere else, if we are sure that it will be done, it's okay. But we have to help the reader to have this information at hand. Thank you.

BERNARD TURCOTTE: Fair point. Since we're going to be shrinking the document, I've inserted a note there, and I'll be putting a point reminding everyone of that.

CHERYL LANGDON-ORR: All right, are we comfortable with that? I see Liu. Please go ahead, Liu.

LIU YUE: Since we talked about the board members, if I remember correctly, that we have Empowered Community (EC), they need to [reconfirm] the board member or they have rights to withdraw some board member or even the whole board. So can we have some suggestion to the EC to reconsider the board members?

CHERYL LANGDON-ORR: Let me see if I can – the ability of the Empowered Community to recall any one part or all of the board without cause was a very finely-honed piece of work out of the Work Stream 1 immediately after the IANA transition work. Now to use that very powerful instrument to redress diversity seems a very dangerous pathway from my personal point of view.

We are really subject to the way the board is populated by the supporting organizations and the advisory committee that does appoint a voting board person. We also need to recognize that the gender and diversity in general balance of the board also should take into account the liaisons that are sent, such as from the Government Advisory Committee.

And this is important because at least on the ICANN board the only thing that a liaison doesn't do is vote. Their functions in various subcommittees, their activeness in terms of influence and discussion and all those sorts of things I think are very carefully balanced.

So that whole creating of a board and populating it with the diversity that is not only desirable but also fits the needs of what the board needs at any one time, I'm a little concerned about using the recall power of the Empowered Community, however, to redress what may be seen by some and not others as an inappropriate balance of whatever diversity.

I'm not sure we'd get the support for that, but I understand that it exists. It would be an all-male or all-female board that could be perhaps argued isn't sufficiently diverse. Because it's not just gender. It's the collage. Go ahead, Bernie.

BERNARD TURCOTTE:

Having written part of that text, if you actually go down into the details as opposed to the top level of simply saying SOs and ACs can remove their own members or the community can get together to remove NomCom members, if you go down into the guts of the process, I think it would be a significant stretch to meet the requirements of the process for removing a board director simply because they're of the wrong gender. As a matter of fact, I would say it would be close to impossible. I understand at a very high level the point you're making. Probably the only argument which could be used would be the removal of the whole board, as Cheryl was noting. And that would have to be a big sell.

CHERYL LANGDON-ORR:

Boy, you'd need to be well and truly justified to go down that pathway. Sorry. The slightly cheeky individual that resides inside my head would love to see the fact that of a whole board be recalled because it was utterly populated by only women, for example. I think that would be such a hoot to have that as a problem. But I'm not too sure it's beyond a fantasy point really. Vanda, go on.

VANDA SCARTEZINI: Just to share with you that we had yesterday in the Internet Governance North America with the three board members over there a very interesting discussion about how they feel as a member of the board and what they believe. That was quite interesting because in the end you can see that we recognize that there are less women, but we also recognize that part of the job is on the women in this community to push others to apply. And a lot of discussion on that was quite interesting. Maybe we can share the [resume] of this session over there. Thank you.

CHERYL LANGDON-ORR: Thank you, Vanda. Noted. And, of course, NomComs every year take this part of their job very, very seriously, indeed. Go ahead, Bernie. Sorry, Sebastien?

SEBASTIEN BACHOLLET: Thank you. I wanted to come back to what you expressed, and I wanted to take one – I don't know if it's your idea. I don't want to put to my words in your mouth. But the role the Empowered Community can play here is that they can accept or not accept somebody to be on the board. Yes, today they accept all, and that's good.

But if, for example, one SO comes with two board members let's say from the same country, they could say no. No way. It's in the bylaw, then it's easy. But if for other reasons they can say, you are sure what you are proposing to us? Because it's unbalance of the board and, therefore, the Empowered Community can play a role here. I don't

know how we can write that, but we have an excellent writer for that.
Thank you.

BERNARD TURCOTTE: After the shame of the previous points. Well, yes, the Empowered Community could do that. You're quite right, Sebastien. But then again, as we start looking at how the Empowered Community makes those decisions, I would tell you that....

CHERYL LANGDON-ORR: Very hard to do.

BERNARD TURCOTTE: ...would be not very hard, extremely hard to do or approaching zero kelvin. So if we want to go down there, I'll be glad to craft something for you folks. But the Devil is really in the details on this one, and the Empowered Community is not just a bunch of people sitting around the table making a decision. We've been working since Work Stream 2 has made those decisions for the various SOs and ACs to implement their processes for reaching those decisions that the Empowered Community has to make.

CHERYL LANGDON-ORR: Back to you, Sebastien.

SEBASTIEN BACHOLLET: Thank you. Therefore, sorry for that, but I guess that’s not the SOs and ACs now who nominate [inaudible] the Empowered Community.

CHERYL LANGDON-ORR: [inaudible]

SEBASTIEN BACHOLLET: Yeah, but it’s one way to say the [inaudible] by the SOs and ACs to the Empowered Community like that we introduce the Empowered Community in our text without saying anything more, just to be more close to the bylaws I would say.

CHERYL LANGDON-ORR: Okay, just to be clear in case people got lost, we’re going to be modifying the text now to ensure that the role of the Empowered Community is appropriately reflected in our text. Liu, over to you.

LIU YUE: Maybe we can – thank you for the clarification about the EC and also the relation between the EC and the board. And maybe we can ask for the board or maybe EC to review the diversity of the board members. Not only for gender. Also, maybe for geography or others since I remember that the bylaws said that the board should be diverse. I remember that if we promote the board members to be more diverse maybe for geography or gender or something like this. Thank you.

BERNARD TURCOTTE: I understand the point, but let's be clear here. There are bylaws requirements already which specify those things. So really all we would be doing is encouraging the AC to ensure that those bylaw requirements are being met. Which I'm fine doing if we want to do that.

CHERYL LANGDON-ORR: We'll take belts and braces on that and add some text. Just reminding you all, we were going to prune this text. We seem to be adding more than subtracting, but that's okay too. We'll subtract some other bits later.

With that and subject to whatever Bernie is actually doing live [and is] turning up on screen which we seem to have dropped it for whatever reason.

BERNARD TURCOTTE: Well, I've gotten all those points. I'll be making those edits.

CHERYL LANGDON-ORR: Excellent. Okay, thanks very much. Okay, back to you, Bernie. And can you just run the queue? I just want to top up my caffeine.

BERNARD TURCOTTE: Yes, sure. I'll be happy to do that. 3.4.7, all right, I forgot. We haven't quite finished that discussion on, do you feel the NomCom as currently constituted is a sufficient mechanism for fostering nominations that

have adequate stakeholder and community buy-in? Let's actually go back up to that. Oops, I'm playing a trick on....

CHERYL LANGDON-ORR: Sorry. My apologies, you see. My fault entirely. Just when you need Jennifer to scroll, she's gone and got my coffee for me.

BERNARD TURCOTTE: Her magic finger is gone. Yes, that's right.

CHERYL LANGDON-ORR: Her magic finger has gone. Just hold your horses. Do the intro. Tell us what it says.

BERNARD TURCOTTE: All right, I will myself scroll up to....

CHERYL LANGDON-ORR: How's that for lousy timing?

JENNIFER BRYCE: I know, right? All right, Bernie, where are we going?

BERNARD TURCOTTE: So let's drive this thing up to 322.5 which shouldn't be too far up. It's in the survey section. No, that' in the analysis section. Let's go back up to the survey section. I'll give you a page number in a second. There we

go. Okay, that will be Page 23 on mine, so it may be slightly different. Somewhere around there, but it's Section 322.5.

CHERYL LANGDON-ORR: And thank you for the coffee.

BERNARD TURCOTTE: There we go. All right, thank you very much, Jennifer. Do you feel the NomCom as currently constituted is a sufficient mechanism for fostering nominations that have adequate stakeholder buy-in?

Individual responses are not quite split but close enough. And we have a two-to-one essentially split for structures, which is more of a concern.

Also, then we went through all of the comments noting the issues from a number of people. What's new is I've inserted the SSAC comment in there. If we can go down a bit to the bullet point that says SSAC, let's read that. SSAC, it's an inefficient process. The board may be better served by using an external recruitment agency to propose candidates subject to community approval. For further comments, please see SSAC document "Comments on Independent Review of the ICANN Nominating Committee Assessment Report," blah, blah, blah.

In our analysis, we talked about the split and two-for-one for the structures. We had a draft conclusion, if we go down a bit. Given individual and consolidated responses are essentially split – that's going to be changed because as I will – I probably forgot to mention

this. In redoing the survey responses everywhere – since I had to add in the SSAC, I had to redo every single table, every single analysis in the whole document again – we didn’t really use the consolidated section too much so I just removed it and adjusted accordingly.

I thought it would just leave us open to too many critiques since you’ll remember we had weighted it 25% individual/75% structures. And given we weren’t using it a lot, I just said I’d rather rewrite the few sections where we’re using it to not include it and just remove that potential irritant for everyone. So that’s my disclaimer. I don’t think that’s going to cause any heartburn to anyone. I’m hoping it will remove any potential heartburn from anyone.

So you will see here that you still have consolidated response because I haven’t touched on the text because we said we would go back to it. But let’s read the original conclusion. Given the individual and consolidated responses are essentially split, the XX% satisfaction rate with the NomCom in the previous question, and the fact that the NomCom is in the process of implementing recommendations which are the result of its review, it would seem inadvisable for ATRT3 to make recommendations or suggestions regarding NomCom based on the results of this question.

Now what we had from, Michael had made the comment if we can get that comment there, right. Thank you. This seems inadequate to me. A 50-50 split is indicative of substantial dissatisfaction, and it looks like there were a number of substantive comments and recommendations. I think saying we’re just going to pass the buck here is unsatisfactory.

And if we go back down a little further, Michael has another comment here if I remember well. I'm not sure I would mark this as resolved quite as of yet. As far as I can tell, we are planning to revisit so good to keep it flagged.

What I will say is we had agreed, given our materials in Singapore included the recommendations from the NomCom review, that we would look at that and then come back and close this one off. So I'll toss this one back to you, ma'am.

CHERYL LANGDON-ORR:

Gee, thanks, Bernie. That's lovely. I'll catch that. Okay, so there is a – and I'll ask Michael to perhaps propose some text on the fly now just because I can. The suggestion here is and what is on the table at the moment is the desire to beef up our text here in this conclusion, noting Michael's points and what he's going to talk us through now.

I certainly think that there's an opportunity here for us to add a sentence or two. And I don't think there's any intention of us passing the buck, but we do need to make sure that what we say is clear and unambiguous. So while you're all thinking about what you would like to say here in terms of beefing up the conclusion, Michael, what would you like? I know it's on the fly and we're not going to hold it against you, but just see how you go on throwing some words at us.

MICHAEL KARANICOLAS:

Thank you, as I cast aside my coffee cup. I think that the comment as I originally inserted it spoke to a more broad, I don't want to say

frustration, but a dissatisfaction with an approach that said – I had a problem with the way that it was being phrased insofar as it seemed a bit inconsistent that in sometimes we look at the survey responses that seem kind of divided or don't seem to point in one direction or another and use that to say we see significant lack of satisfaction here. And at other times, we seem to use a similar type of result to say it's evenly balanced, so what are we going to do?

Now I'm just channeling back to how I felt when I made this comment because I know that there's been a lot of edits. First of all, I'm hesitant about that first sentence for that reason, and that was why in the first part I kind of glommed onto that.

More broadly, I wanted to make sure that we were including discussions of the NomCom and not just passing the buck. But more broadly, it does seem that we are addressing it in various recommendations that we have.

So that said, I don't have a – this is a very long-winded way of my saying that I don't have additional text. But I also, to a certain degree, I inputted that a while back and a lot of discussions have happened in the interim and that's why I'm less. I guess should have just very shortly said my position has evolved and I no longer feel strongly in that direction. That would have been a quicker and shorter way of saying that.

CHERYL LANGDON-ORR: And we've got there now, so thank you.

MICHAEL KARANICOLAS: Okay.

CHERYL LANGDON-ORR: Thank you for that. I always appreciate a good bit of evolution on the fly. That’s an excellent example of it. Bernie?

BERNARD TURCOTTE: I take some of Michael’s comments. Fair enough. What I would propose, Madame Chair, is I’ll work offline with Michael and maybe we can adjust this slightly and come to a closure on this which will make everyone happy.

CHERYL LANGDON-ORR: Okay. Just so I want to make sure that on the record a guestimate of what we might expect to see out of that is in terms of the first sentence where we’re looking at a statement that is referring to a specific [numeration] involved with the split, that’s likely to disappear. And the introductory sentence would probably be saying something along the lines of recognizing what is happening in the Nominating Committee in the process of implementing its recommendations from its recent review, blah, blah, blah, and less reference to the survey in terms of the split of data points.

But what we would take out of the survey and perhaps put in in terms of text is some note on what we were being told, for example, from the

RSSAC, from the SSAC in those comments. Because that's where the dissatisfaction or the specific suggestions came out.

Is that kind of going to work for you in the evolved state, Michael?

MICHAEL KARANICOLAS: Every time I try and comment, something breaks. Yes. If I were to be editing this on the fly, I would probably either scrap the first sentence or minimize a reference to the actual split. Because I do think that it's problematic to hang our hat on that because of the broader context and I think that similar results are used in different ways in other parts of the survey. But I apologize if I may be mistaken on that and just remembering something wrong. But I believe that similar splits are used in different ways elsewhere in the survey.

I would minimize that first point, and I would also potentially express that not only are certain parts of the community expressing dissatisfaction but there are specific recommendations that the community has been making that are worth not necessarily crafting our own recommendation on but flagging for people to look at.

Because we've gotten these – from the beginning when we started the survey, I always thought that the substantive responses were going to be of much more value than the pure numerical values. I think that these splits like this of 40% or 50% when you're talking about a survey of 20 people or such small numbers, I don't think it's that useful. But I think the fact that we're getting these substantive things back by these respondents saying we have this problem, this is what we think, I think

that’s worth flagging and pointing to with more prominence because I think that’s a lot more value. Even if we don’t necessarily agree with it, I think that passing that along is a valuable thing to include in our discussion of the results that we got.

CHERYL LANGDON-ORR: Okay, so the answer to my question of adding in the points raised by the respondents is yes, correct?

MICHAEL KARANICOLAS: Again, a very, very long-winded way of saying yes.

CHERYL LANGDON-ORR: Thank you, Michael. Back to you, Bernie.

BERNARD TURCOTTE: All right, what I’m taking away from this: first sentence diminished or gone. Make more of a reference to the points raised in the comments. And I agree with Michael. There has been a bit of a double standard in the analysis. I’ll actually rework that so it’s more standard according to everything else.

CHERYL LANGDON-ORR: Excellent. I can’t wait for the next answer I ask Michael for. [inaudible] crafting it now. It’s such fun.

MICHAEL KARANICOLAS: It's going to be several pages.

CHERYL LANGDON-ORR: A tome, a tome. I think we're back to you, Bernie.

BERNARD TURCOTTE: Thank you. All right, let's head back down to where we were. I think we've finished – well, actually, we haven't quite finished with this one. It's highlighted in yellow because it wasn't closed off. We'll be making those points. Do we want to make it a suggestion or simply note it in our conclusion? That's the final point.

CHERYL LANGDON-ORR: Michael, your card's up. I was going to say it is with great trepidation that I will come back to you later. Someone else want to step forward and suggest whether we're going to suggest?

BERNARD TURCOTTE: Yeah, and just to be clear, originally you see the background is green there. We had no suggestion.

CHERYL LANGDON-ORR: It's only if we believe there's a change to a suggestion that may be being proposed. If there's not something glaringly obvious now on your quick readthrough, Michael, can I suggest that we put this in the car park and come back to it after we see the new text?

BERNARD TURCOTTE: Okay.

CHERYL LANGDON-ORR: Michael? Oh, dear, here we go. Put the clock on, people. Go ahead.

MICHAEL KARANICOLAS: This will be quick. Two of the suggestions – a bunch of the suggestions are for we think we should have more weight, which I tend to disregard. But a couple of them are around briefing and onboarding. So that’s potentially something that we could at least flag as being identified as an area where improvement may be needed or even if we’re not necessarily recommending something concrete.

CHERYL LANGDON-ORR: So there might be some suggestions coming out of it? Okay, thanks.

BERNARD TURCOTTE: Okay, I’ll work with that, and I think we can integrate the whole thing. That’s fine. All right, I have what I need on this one. Thank you.

CHERYL LANGDON-ORR: Next?

BERNARD TURCOTTE: All right, let’s go down to the next suggestion. I’m not sure where that will take us.

CHERYL LANGDON-ORR: Further along in the document is the guarantee.

BERNARD TURCOTTE: Indeed.

CHERYL LANGDON-ORR: One hopes.

BERNARD TURCOTTE: 3.4.something. 3.4.8, Page 41 for me. Ah, excellent. There we go. ATRT3 suggests that once suggestions related to ATRT2 recommendation are implemented that the board undertake a communications exercise to familiarize the community with these new processes and training programs.

You'll remember we talked about making those recommendations around ATRT2 Recommendation 2 for board performance and various other things. We came up with some recommendations which went to ATRT2 Recommendation 2 and several of the survey responses. And following up on that a little later, we're saying once we make all those changes it will probably make sense to communicate those out to the community.

CHERYL LANGDON-ORR: And we're opening the floor on that. No? This is one where I would actually strongly suggest I think any opportunity we can bring in at this

stage in immediate response or near to our final report being accepted time where the board can show to the community its new commitment in engagement and interaction is a good thing for all parties involved.

So I'm going to suggest that this might actually make it all the way to being strongly suggest that the board undertake this exercise. It's a win-win PR piece, but I think we should take a bit of a point to make sure it's higher on the priority than perhaps it might be otherwise.

I'm not seeing any objections to that so let's in square brackets pop it to the strongly end of the spectrum and if we all agree later on, then we'll remove the brackets. Bernie?

BERNARD TURCOTTE: I've simply moved it to strongly suggest. People can argue with it later.

CHERYL LANGDON-ORR: Well, that's a "make it so" moment. Thank you.

BERNARD TURCOTTE: Make it so, Ensign. 3.4.9 I guess is where we're going next. Ah, yes, okay. Are you satisfied with the financial information that is provided to the public by ICANN?

You'll remember that there was some satisfaction, but there was also a comment that said, again similarly to the NomCom thing, there were

some very pointed comments from the SOs and ACs about what they would like to see on that.

So what I've crafted is the following. In regards to communicating budget information to the community, especially for public consultations, ATRT3 suggests that the board and ICANN Org: 1) Adhere to Suggestion 5.4.2 of this report relative to public consultations.

So we'll see that later, but basically from the public consultations I've addressed a list of points, simple language. Basically, have some sort of a precis and you have to have a list of specific questions in plain language that you're asking the community to respond. Not a survey type thing, but at least provide some of the key requirements of what you're looking for with this public consultation. So that's what that first bullet is referring to.

The second one: 2) Tailor budget information for SOs and ACs. We got that comment a lot. Basically, people say I look at this. Where's the SO, where are the ACs? We're just like this odd lump that gets thrown in the background there. So they can easily understand budgeting relative to their SOs and ACs.

3) A clear rationale in simple language explaining key decisions should be included with these materials. Again, a common thread in the comments was that we see the numbers, we see what has been decided but we don't know why. So a little bit following up on what we did years ago with the board and rationales, I'm including the same thing here. For the key elements, not for every single decision,

obviously. But for key decisions there should be a rationale explaining what was the basis of this and why we went this way. Especially considering that this process goes through a public comment and sometimes people don't see all the analysis that comes out of it.

VANDA SCARTEZINI: May I?

CHERYL LANGDON-ORR: Yes.

VANDA SCARTEZINI: Just remember that some years ago, we had [this] annex what is explanation about the demand for some ACs and SOs and they recognize they are doing this in the [Line X]. Something like that. But anyway, it used to be, and then I haven't seen anymore.

CHERYL LANGDON-ORR: Okay. I guess the only other thing with regard to the 5.4.2 reference there, when we get to that, just if you make a side note however it is you keep on top of things, Bernie. We probably should also reference or perhaps even footnote the link to the, I suspect, well and truly forgotten by many people but excellent and it was adopted and to my knowledge not reviewed and overturned, but there was a document which was a standard developed by ICANN when Jean-Jacques Subrenat was on the board. That's how long ago it was. On how ICANN should produce documentation.

A lot of what we're saying was said in that document. So I think just with an eye to the work done in the past, if we could at least pick up on that work because as an adopted set of procedures it probably still should have some weight and carriage. Good luck on finding it, Bernie, but I know it exists.

BERNARD TURCOTTE: Well, with our next point we'll be very clear.

VANDA SCARTEZINI: We always can ask Jean-Jacques to send to us.

CHERYL LANGDON-ORR: Vanda, I'm utterly confident I would even have a paper copy back in the office somewhere, so I can scan it and send it if needs be. Go ahead.

BERNARD TURCOTTE: All right, if that's a comment, I've taken a note. We'll look at it in 5.4.2 and if there are no other points, then I'll consider this one cooked.

All right, thank you very much. Our next point is on 322. Yes, there's a split there. You don't see it. The reason it's not any clearer is this is about, do you believe the information ICANN makes available on ICANN.org or the wiki should be better organized? We said we would wait for the information on the ITI and the ITO or something, and I

think we're still waiting on that. We said that we would close this one off once we had that information.

CHERYL LANGDON-ORR: Yep, it's coming still.

BERNARD TURCOTTE: So is Christmas.

CHERYL LANGDON-ORR: Well, I suspect Christmas will beat it here, Bernie. That's the problem. I know you will have followed up, Jennifer. You know I'm going to say it just because I can. Jennifer, would you be so kind as to follow up on when, as opposed to if, we're going to get this documentation?

JENNIFER BRYCE: Of course, I'll do that. I'll take that action.

CHERYL LANGDON-ORR: I think we just need a stamp made for Jennifer to just ditto, duplicate, and repeat here. Okay, Bernie, we can but try with that one. Let's move on.

BERNARD TURCOTTE: You can "butt" try? All right, and this concludes Section 3, and that's about 33% of this report. So we've done quite well, and I'm hoping that the next section will be less exciting.

CHERYL LANGDON-ORR: Would it be about 30-minutes' worth of work? Because timewise that's the block I can offer you.

BERNARD TURCOTTE: It's the GAC, and I think we should be able to just about fit that in there.

CHERYL LANGDON-ORR: Perfect. A 30-minute block of work on the GAC sounds like a wonderful thing to move to next.

BERNARD TURCOTTE: Excellent. All right, so because I don't have any yellow on ATRT2, I don't have any yellow on survey results. And I think we can move right on to – yes, yes, I know. I'm humming in the mic.

CHERYL LANGDON-ORR: You are.

BERNARD TURCOTTE: I know. And be happy I'm not singing.

CHERYL LANGDON-ORR: There's this button on the front of your microphone, Bernie. You could disconnect it while you were humming and then bring us back online after that.

BERNARD TURCOTTE: All right, Section 4.4. I'm on Page 66. Section 4.4, please. All right, 4.4.1 which was addressed under Section 4.2.15, ATRT2 Recommendation 6.1(d). You'll remember this was our discussion around liaisons which I have boiled down to ATRT3 suggests that the GAC publish a short list – I added the word “short” – of suggested qualities or requirements for liaisons to assist SOs and ACs to select the best candidates to be GAC liaisons.

CHERYL LANGDON-ORR: Okay, and the floor is open on that. There shouldn't be a problem with the addition of that text, but let's just doublecheck. Vanda?

VANDA SCARTEZINI: Maybe, Liu, you have any other suggestion on that? Because I remember we have a few members of the GAC, so I don't want to just my suggestions on that.

CHERYL LANGDON-ORR: Liu, please go ahead.

LIU YUE: I know that GAC has a [chapter] working group working on the liaison requirements from the GAC. But I'm not very sure that this working group is focused working on the requirements of the SOs and ACs liaison [through] GAC [is evolved] into that working group.

VANDA SCARTEZINI: Just to make it clear, is the idea to GAC to get the recommendation? What is the profile that will work better for some ACs and SOs send some people to that? Because normally, the liaison is from the ACs to the GAC. So the idea is to suggest GAC publish this profile, the better profile that ACs and SOs can select inside their groups to assist as a liaison to the GAC. Thank you.

CHERYL LANGDON-ORR: Liu, back to you.

LIU YUE: I don't know if there's any reference from other ACs and SOs about the liaisons requirement of the criteria. Just with like GNSO and ALAC, they also have liaisons from other ACs and SOs. So do they have profile requirements?

CHERYL LANGDON-ORR: Well, for example – if I can speak and I'll ask Jaap to jump in here – with the SSAC it's very specific, particularly because a liaison sent from the At-Large Advisory Committee actually becomes a full member of the SSAC. So it's highly specific in the case of the SSAC, and they need to go through the approval process. So, Jaap, just to help GAC understand it is [inaudible].

JAAP AKKERHUIS: Yes, I can confirm that. Due to the nature of the work in SSAC the liaisons are treated as a full member. They are actually just a full member. They are not really a liaison and are also expected to be active full members. So they go through the same [ridiculous] screening as everybody else.

CHERYL LANGDON-ORR: Bernie? Oh, my apologies. Liu, please go ahead.

LIU YUE: Thank you. So there are [requirements]. Thank you, Jaap. I will discuss [and] transfer this information to the GAC [chapter] working group and discuss whether they can provide or they can [evolve] this into their working area, working issues and that maybe they can further – I know that they have their work for the whole year, for this year. Okay, thank you.

CHERYL LANGDON-ORR: This would be future work, if our suggestion becomes in the final document. Vanda?

VANDA SCARTEZINI: Yeah, just to make clear that we are talking about the ACs and SOs liaisons to the GAC because the GAC does not provide liaisons. I did not understand, Jaap, that. I remember that in SSAC what they have is how SSAC accepted and included liaisons from the other groups to the SSAC. So what is suggested here is how to select inside the ACs and

SOs, a suggested profile to go to the [SSAC]. So I remember we this process selection in ALAC, but I don't remember if we have a profile statement. But when we have call for applications, we have in the ALAC some profiles. That is that this profile acceptable for the GAC or not? So the suggestion is the other way around. Thank you.

CHERYL LANGDON-ORR:

Thank you, Vanda. Absolutely, and it is all about trying to ensure that any liaison proffered to a receiving body, regardless of who it is – in this case, the GAC because this is what this section is about – is as effective and as able to be as established in the GAC work as it possibly can be. So it's all about making sure that anyone who is sending a liaison to the GAC understands if there are any particular criteria or desirable characteristics.

In the case of SSAC, there is some very specific background experience and information. It may be that the Governmental Advisory Committee working group may decide to have demonstrable experience in a level of government or large multistakeholder organization or whatever. So it doesn't have to be heavyweight, but it's to assist to make sure that the very best choices are being made so acceptability and effectiveness are enhanced. Jaap?

JAAP AKKERHUIS:

To confirm [inaudible] I was [confirm] to the incoming liaisons into SSAC. For outgoing liaisons, SSAC doesn't do that at all. [inaudible] liaisons. I can explain that. The problem there is that SSAC will come

out with a report done by the whole SSAC. Having liaison often people have the idea that somebody speaks for the SSAC about subjects which are not really concluded yet in the SSAC itself. So that's why there are no official liaisons. It does happen that if there are subjects interesting by some of the SSAC people, they actually will join a committee or whatever on personal title only.

CHERYL LANGDON-ORR: Thank you. Okay, so I think that one's pretty settled in, Bernie. Back to you.

BERNARD TURCOTTE: Thank you. There is a companion suggestion for that, 4.4.1.2. ATRT3 suggests that the GAC in conjunction with ICANN should provide training for liaisons to GAC so that they understand the environment of the GAC as well as the expectations for liaisons.

CHERYL LANGDON-ORR: Thank you, Bernie. A little bit of orientation I think is probably what we're after here, not necessarily a course in diplomacy. Although, perhaps some diplomacy wouldn't go astray. Vanda?

VANDA SCARTEZINI: Yeah, just to confirm, not training because they are not [going there], but like orientation, as you say.

CHERYL LANGDON-ORR: Bernie, perhaps the term “training” is a little laden with too much expectation. “Orientation.”

BERNARD TURCOTTE: Done.

CHERYL LANGDON-ORR: Perfect. Sold. Right, next.

BERNARD TURCOTTE: 4.4.2, element 421.9, ATRT2 Recommendation 6.1(h). ATRT3 suggests that the GAC commit to a continuous improvement effort focusing on ensuring early engagement with relevant SOs and ACs on matters of import to it.

We’ll remember that 6.1(h) was about how the GAC can better interface. And we’ve got some other recommendations later on, but here we’re just saying for that specific one just make sure you keep working with the other groups to include in.

CHERYL LANGDON-ORR: Okay, so this is it appears a light-touch suggestion, but it is a very important light-touch suggestion. Is there anyone who wishes to speak to this or make any editorial comments? Vanda’s happy with it. [Liu’s] [inaudible].

VANDA SCARTEZINI: Yeah, they have done a very good job for including [things]. So it's just to remember this is never a work done. It's something that continues [inaudible].

CHERYL LANGDON-ORR: So, Vanda, is it possible that we may need to suggest the GAC "continues" to commit? Because we're recognizing that they're doing it. Or is that getting back to Sebastien's earlier issues with the some reference to GNSO and work that was being done in there where we don't really need to recognize what's being done [in a way]? But "continues"?

VANDA SCARTEZINI: I believe that is a specific suggestion for GNSO.

CHERYL LANGDON-ORR: Okay. So, Liu, do you think that the sentence there is going to be effective in what we're trying to do? And then I'll go to you, Sebastien, after Liu responds.

LIU YUE: I think in general I agree with that point, but to my knowledge just like Vanda said that GAC's only concern [are the] engagement with GNSO. But I don't know whether the – I think the GAC also has a good relation with ALAC and also [inaudible] I think it's okay. So maybe the concern is only GAC and the GNSO. But I think [inaudible] I think they have

made improvement on that. So maybe we can suggest that GAC maybe continues to [commit]. So can we change some words?

BERNARD TURCOTTE: I think that’s what we’ve changed it to. ATRT3 suggests that GAC continue to commit to a continuous improvement program effort focusing on ensuring early engagement with relevant SOs and ACs on matters of importance to it.

CHERYL LANGDON-ORR: Think about that. While you’re thinking about that, let’s go to Sebastien. Sebastien?

SEBASTIEN BACHOLLET: I was thinking we are doing poetry with “continue to commit to continuous.” Thank you.

CHERYL LANGDON-ORR: I was going to suggest we quit one of the “continuouses,” but anyway, nothing wrong with a little poetry. How about then if we just do “commit to” just “an improvement effort” or “its improvement efforts.”

VANDA SCARTEZINI: “Its” is best.

CHERYL LANGDON-ORR: Yeah, “its improvement efforts,” plural, “focusing on ensuring early engagement with relevant SOs and ACs on matters of importance to it.” Is that more comfortable now, Liu? I’m getting a nod yes. Excellent. We could have the perfect sentence here, ladies and gentlemen.

BERNARD TURCOTTE: Thank you, ma’am. And let’s not have the perfect be the enemy of the good. All right, 4.4.3, Recommendation 6.6 from ATRT2. There’s a missing ATRT2 there. Sebastien?

SEBASTIEN BACHOLLET: I have just a question. I understand we talk about the GAC, but of importance, can’t it be for both sides and importance to them?

BERNARD TURCOTTE: I thought we already went through that whole discussion.

CHERYL LANGDON-ORR: Go ahead, Bernie.

BERNARD TURCOTTE: I think we had that whole discussion in Singapore and said that in this GAC session we would focus on the GAC.

CHERYL LANGDON-ORR: Okay, so I think as a suggestion to the GAC it’s clear and it seems to be doing what our intention is. Moving down then, Bernie.

BERNARD TURCOTTE: All right, ATRT2 Recommendation 6.6. ATRT3 suggests that the GAC develop and implement an accreditation process for GAC members based on the process for providing diplomatic credentials.

VANDA SCARTEZINI: Liu, that was what we discussed with the members of the GAC itself because they are not [comfortable] with the many people showing up not really as [reference] or recommend by the [government] itself. So it can make a lot of future problems in diplomatic area. I don't know if we can use "diplomatic" maybe between brackets because diplomatic is another process. It's the idea of diplomatic.

CHERYL LANGDON-ORR: So, Liu, the word "diplomatic," if we remove the word diplomatic and replace it with something like providing "official"? Official is a good word? Are we happy with official? Yeah, because quite often even one department versus another can be an issue. But official will at least give a response. Go back to you, Liu?

LIU YUE: To my knowledge, the GAC doesn't need the representative from the government. The official from that government, maybe they can appoint someone. So "official" is okay. It's better. Thank you.

CHERYL LANGDON-ORR: Excellent. Wolfgang?

WOLFGANG KLEINWÄCHTER: Yes, we discussed in Singapore also the problem that various governments and representatives from different ministries to the GAC which very often reflect only the position of the ministry and not the whole government in the GAC. I recommended in Singapore to use that language which is used also by the [OCT] that we recommend the GAC if governments nominate GAC members to take a whole-of-government approach so that the GAC representative really represents the government as a whole and not only one ministry.

I think this is in my eyes and important point because in many governments we can observe that different ministries have different strategies and if you have somebody from the ministry of interior, you have probably a different position than somebody from the foreign office or the ministry of economics. But in my understanding, the GAC is like an intergovernmental body which represents the government as a whole and not only certain ministries. And this is not yet fixed.

We could find a very diplomatic language because it's the sovereignty of government to nominate a GAC member. But to give them a push that if they nominate GAC members, that they take into account that this member represents the government as a whole and [inaudible] only one ministry. Thank you.

CHERYL LANGDON-ORR: I'm going to challenge you on that, Wolfgang, because I think the messaging here is too important to have it risk rejection by governments in the GAC who do not take whole-of-government approach. I hear what you're saying and I don't deny that it's an important issue, but it is a matter for those governments not for us and the GAC. Really, all that can happen is the GAC can establish some desirability on the best practice modeling for the governments to then aspire to. But it's a long reach for us to make a suggestion that would have any effect, at least in my view.

And in some cases, a whole-of-government approach may still not be necessary. Let me use Australia as an example. We have a department whose job it is to be here. And that department meets with other departments but it's their job, not anyone else's in the other departments.

So we just don't want to risk this for getting that in. But I hear what you're saying. It might be a gradual part of improvement. I see Tola and then I see Bernie. And then I see lunch in the not too distant future. I'm sorry, Vanda. When did you put your card up? Were you before Tola or after? Okay, so we'll do Tola, Vanda, and then Bernie.

ADETOLA SOGBESAN: All right, thank you. I was [going] the same line of thought with Wolfgang. When you cited the example of Australia, then it gave me a bit of the diversity that we have in different governments [sovereignty]. My thinking is for us to identify what the objective of ICANN is in allowing the GAC to exist. What is the objective? And in

determining the objective we can set out the parameters suggesting to government the responsibility of its members that will be attending the GAC.

Now I can give an example of Nigeria. A couple of times ago the first organization that got to know about ICANN was by chance. And that particular agency got members attending the GAC for a couple of years without the government in the real sense having any input. Now down the line other agencies got to know about ICANN, about the GAC.

Now there used to be a misunderstanding of who should represent the country on the GAC until such a time when the reference was made to the GAC description on ICANN. And the three agencies battling for it met and understood that this is what ICANN wanted and we needed to now follow that suggestion.

So, yes, I agree sovereignty of nations, but most important I think we need to know that ICANN [had] a particular thinking by setting up the GAC. And we just put it a recommendation. We are not dictating to the sovereignty of the nations, but we are suggesting anybody coming from particular countries should please meet this particular requirement. Thank you.

CHERYL LANGDON-ORR: Thank you, Tola. Does that require any changes to our text though? I don't think so.

ADETOLA SOGBESAN: Not really. But either we're talking about a diplomat and are not wanting to [hurt] the government and at the same time trying to pass on the message. So if we're able to just tweak a little bit to ensure that that diplomacy is sustained without [hurting] the government at all but achieving the objective, then [I'll be fine].

CHERYL LANGDON-ORR: You see, what I hear through all of what I'm hearing here, I'm hearing think globally – in other words, these big picture things in these recommendations – and act locally. And this is where the local Internet communities of interest and their governments within their jurisdiction we need to constantly encourage better communication, better interaction, and better local networking. And that happens in a number of countries and serves as a good best practice example for other countries to follow. Vanda?

VANDA SCARTEZINI: Just to remember that in the beginning of ICANN, we had a clear representative and a deputy that was some member from the other agencies, one or two deputies on that. So it's all about best practice, and we could really put something in the recommendation about suggesting that they provide best practice to the government.

CHERYL LANGDON-ORR: Okay, thank you. I think we probably learned through Work Stream 2 that we're support to say good practice these days for whatever reason. Bernie, it's getting back to you.

BERNARD TURCOTTE: Yeah, I was just going to say I really support your analysis of this thing. We want to be very, very careful to not put a chilling effect on anything we add on this recommendation because just going this far is already a big stretch. So I will take a note to look to see if there's anything we can very softly include in there that would make sense, and then we'll take it away.

CHERYL LANGDON-ORR: Bernie, do we have anything that's going to take us about six minutes to do now?

BERNARD TURCOTTE: We're almost at the end of the GAC. So if we persevere, let's push through. All right, 4.4.4, survey question. Should GAC accountability be improved?

ATR3 suggests that the GAC in addition to suggestions 4.4.1.1 and 4.4.3.1 continue its continuous improvement efforts and focus on making the GAC Communique clearer to improve the community's ability to integrate the GAC's positions into their work.

CHERYL LANGDON-ORR: And we're opening a queue with Vanda.

VANDA SCARTEZINI: For me, it's clear because they are doing more and more a good job. But we need to – this is kind of a recognition that they are improving but not enough. Because some of the words, the way they use the words to adjust the position inside the GAC in a diplomatic way is quite difficult for outsiders to understand. So they are trying to make improvements [with that] and face difficulties with one or another government. But that's the maximum I believe we could go into this.

CHERYL LANGDON-ORR: Okay. What I would also suggest, however, is as we've changed the text in the previous one, removing one of the continuouses, etc., this text should match that. So we need to subject this and any others that were clones with the same [inaudible] on the text. Sebastien? Okay, great minds think alike. Thank you then. Next, Bernie? Never be sorry to take a note.

BERNARD TURCOTTE: All right, that will be done. 4.4.5, survey question. In your view, are you satisfied with the interactions the GAC has with the board? We'll remember where we landed on that one. And so the suggestion is ATRT3 suggests that the GAC and the board develop joint messaging about the current state of their interactions and the mechanisms which support these.

CHERYL LANGDON-ORR: It seems a very simple and clear sentence to me, but let's see if there are any comments. Vanda?

VANDA SCARTEZINI: It's just recognizing that when we were assessing these things it was not clear. It was Maarten who explained to us what's going on. So nobody in the community has the same opportunity to have Maarten explain to them.

CHERYL LANGDON-ORR: Which I believe you're still agreeing is clear in what we're saying. Okay, Liu, you're happy with that? Good. Thumbs up. Done. Next?

BERNARD TURCOTTE: 4.4.6, survey question. In your view, are you satisfied with the interactions the GAC has with the SOs and ACs? We'll remember there was quite a lot of discussion around that. What I've tried to craft while keeping it simple is the following. ATRT3 suggests that the GAC, considering the success of the current mechanisms that are in place for interacting with the board, work with the GNSO to implement similar mechanisms to facilitate interactions between the GAC and the GNSO.

CHERYL LANGDON-ORR: Okay, high-level. Very generic. Not very specific. Deliberately so. Particularly looking to Liu after he reads through that to see if he's okay with that. But, Vanda, this seems to not require text massaging from your perspective. Liu, do you see anything inflammatory or difficult with that? Over to you.

LIU YUE: [inaudible] that GAC and the board they have BGIG and also a scorecard from the board to the Communique. So that means we just suggest that GAC and the GNSO they have such mechanism like BGIG and also the scorecard?

CHERYL LANGDON-ORR: Some form, something similar in terms of opportunity to interact.

LIU YUE: More formal?

CHERYL LANGDON-ORR: And some formal card scoring, etc.

LIU YUE: Okay.

CHERYL LANGDON-ORR: Yeah? Okay? Good. The intent here is to allow the individual GAC members to have something familiar and concrete to work with their governments in how they also then take things to and from policy processes that are going on in the GNSO. Obviously, there are the liaisons, but there may be small group activities that might be enhanced as well. Bernie?

BERNARD TURCOTTE: I would like you to note that I have now completed Section 4 at 11:50 AM.

CHERYL LANGDON-ORR: And can we say well done to all of us? We now have a one-hour, that is a 60-minute break. We will be reconvening back here. For those of you online – sorry, I’ve got Vanda? Oh, Vanda, I’m not sure what she’s got. An apple or something up there. She’s applauding. Ah, okay. I looked down and no idea what was going on in that room. Okay, we’ll be reconvening at – let me do the math here – 17:00 UTC for those of you online. With that, we can stop the recording over lunch.

Lunch is served in this room, ladies and gentlemen. But I’m quite sure if some of you go out for a wander, you’ll be watching your clocks very carefully because we will be starting back on time and indeed with my fellow co-chair who during this last 40 minutes has texted and said, “I’ve landed. I’m on my way to the hotel.” And I responded, “Marvelous. We look forward to seeing you shortly.” So we will have more people, weather permitting, after.

Well, good afternoon from Montreal. This is the ATRT3 face-to-face prior to our ICANN 66 meeting, and we’re reconvening at some approximation of 17:00 UTC. A couple of people still have to wander back in after their lunch break, but we will get ourselves underway now.

I’m delighted, absolutely delighted to say that they’ve let Pat in the country, so I actually have a co-chair here which the airlines did their

very best to try and stop for hours and hours by the sound of it. I'll let him continue finishing his sweets intake. Bernie, where are we going to now? Are we going to 7 or where?

BERNARD TURCOTTE: We're going to Section 5.

CHERYL LANGDON-ORR: Section 5 it is. Page?

BERNARD TURCOTTE: Give me a second.

CHERYL LANGDON-ORR: Which issue?

BERNARD TURCOTTE: 5.4.

CHERYL LANGDON-ORR: There we go. That will be around Page 20-something, whereabouts?

BERNARD TURCOTTE: Oh, no, imagine it's going to be around 80-something.

CHERYL LANGDON-ORR: 80-something? Right, okay. All will be revealed shortly, ladies and gentlemen. I know you're on the edge of your seat. Vanda, you're still clapping. You've clapped the whole of lunch. You'll be exhausted. You best put those – 5.5? It looks like it's on Page 86, is that correct?

BERNARD TURCOTTE: 5.4.

CHERYL LANGDON-ORR: 5.4, there we go. We're alright? Suggestions with respect to issues. With that, Bernie, over to you.

BERNARD TURCOTTE: Thank you, ma'am. I will synchronize to that so I can – look at that. Page 82. Do I spend way too much time in this document? All right, 5.4.1. ATRT2 Recommendation 8. Our suggestion would be given this ATRT2 recommendation was not completely implemented, ATRT3 strongly suggests that ICANN perform and publish some type of quality measurements with respect to its language services. These could be quite simple, such as regular user satisfaction surveys at ICANN meetings and obtaining a rating as to the quality of the translation of documents from members of the community which use these translated documents.

We will remember this conversation. This was the ATRT2 recommendation that said language services should provide some sort of measurements and some sort of benchmarking. There are all

sorts of promises to do so in the implementation report but nothing ever really happened. We're getting yet more promises that something is going to happen. I think we have to do a suggestion, possibly a strong suggestion that something does move. Over to you, ma'am.

CHERYL LANGDON-ORR: Thank you, Bernie. So the proposal here is that his is a strongly suggests that ICANN perform and publish some type of quality measurements with respect to its language services. And we go on o indicate that this is not necessarily a complex matter, but it is something that should be able to allow our community members to see what use is being made of the services and what documents are being translated. Opening the queue with Sebastien. Over to you.

SEBASTIEN BACHOLLET: Thank you. First of all, I wanted to be – I have a question. We just talk about quality. There is a reason? It's maybe because of the [inaudible] ATRT2, but that's my first question. Thank you.

CHERYL LANGDON-ORR: Go ahead, Bernie. To rephrase or clarify the question, we are only talking about quality?

BERNARD TURCOTTE: At this point, yes. Let's not forget that we are going back to language services in accountability indicators. We have two points very specifically on that.

VANDA SCARTEZINI: Just to add that I know this is important. Just to give one example, we need to have those metrics because some of them, for instance, Portuguese is not used. So someone is paying for that, but nobody is using it. Because most people understand Spanish or understand English, so they can use both. They put that, and I see never in the LACRALO, for instance, someone using the language translation for that. That is some metrics will really help to identify the real needs of language. Thank you.

CHERYL LANGDON-ORR: Thank you, Vanda. Again, that's not quality. That is usage metrics. And of course, there's often – it's a multifactorial issue and we can't necessarily extrapolate to the rationale for inclusion of a language like Portuguese just from one part of ICANN's usage or not in its regular regional calls. Sebastien?

SEBASTIEN BACHOLLET: Thank you very much. I think we if can have some discussion about metrics, it will be useful. Here may I suggest that we don't say to people that we know it will be simple. It may be that it's not so simple or maybe, yes, it is simple but they have already done or they will do. Let's be factual. We ask them to do that and we don't argue about the simplicity or not simplicity.

I would like very much that we add something about that there are two types. There is interpretation and translation. We talk about the

survey at ICANN meeting. I think it will be good to ask a survey about interpretation and document translation, both of them, and that we say it in this piece of words. Thank you.

CHERYL LANGDON-ORR: Thank you, Sebastien. I believe I might just go to Tola before you, Bernie, if you don't mind. But I thought the use of language services was carefully selected to make sure it included both the translation and the interpretation services but Bernie can clarify that. Tola?

ADETOLA SOGBESAN: Okay, thank you. I'm just struggling to understand how we put the message across to the board. Given this ATRT2 recommendation was not completely implemented, and I'm wondering why wasn't it completely implemented. Is it as a result of challenges? Is it as a result of inadequate tools for them to do it? Did we get this fact? I don't know, but just given that it was not completely implemented, is it that they have the tools and they did not do it, or they don't have the tools to get it done?

So I was wondering if we just let it slip by and we just jump to suggesting to them what they should do, there is no consequence for not completely implementing what a review team has recommended them to do. And as I'm thinking we should have somewhere along the [craft] end of these sentences somewhere to reflect that not completely implementing it has consequences. The community

deserves to know why it was not completely implemented and what we suggest they should do. Thank you.

CHERYL LANGDON-ORR: Thanks, Tola. Bernie, just before we go to you, our job is to assess whether or not it is. If it's obvious why, then, yes, it should be noted in our scratch document which is an appendix if not in the body text of the report. But I'm not sure that looking back at something that is now more than six years out of date and bleating about consequences is going to be a rewarding system if indeed what we can do is recommend a system that allows ongoing analysis that will ensure that the intent of the ATRT2 recommendation is met. That's just my personal opinion, just to be really clear that it's my opinion, not that of the chair. Bernie?

BERNARD TURCOTTE: Okay, a whole bunch of things. When I was saying survey at ICANN meetings, I was clearly targeting interpretation. Now I've included the word. So hopefully, that will help with Sebastien's concerns.

Let's not forget that we've got Section 9 which is all about ATRT2 implementation or not recommendations. So we're making the point there I think quite strongly that we did not agree with the implementation. And in some cases with respect to those that we have assessed as not implemented that we're asking the board to look into why we got a report saying it was implemented when we look at it and say it's not implemented.

So I think that's sort of covered in that further Section 9 and that here we're just trying to cover a very specific subset of saying there was some benchmarking required. There were statements in the implementation report that said it was very complicated. Trying to do this was very complicated. And I think we're modifying it here and saying all these things are fine. We're going to look at the usage statistics in Section 11, but here we're just saying as far as anything else it would be nice just to have some sort of information quantified as to what we're providing. Do people appreciate it? Is it worth the while? Ma'am, over to you.

CHERYL LANGDON-ORR: Tola, does that help from your point of view?

ADETOLA SOGBESAN: Yeah, very well. It's okay. Thank you.

CHERYL LANGDON-ORR: Okay. Any more voices coming forward on this one? I strongly suggest still is strongly suggested. It's being modified as per Sebastien's suggestions in text already. I think that one then just gets ticked off and we move on. Thanks, Bernie.

BERNARD TURCOTTE: Thank you, ma'am. Moving on, 5.4.2, Survey Questions 522.1 and 522.3. ATRT3 recognizes that the number of individual respondents to its survey do not represent a statistically significant sample. ATRT3

further recognizes that allowing respondents to only respond to survey type questions could easily open the door to abuse of the public comment process. This being said, ATRT3 also recognizes that individuals, especially those whose mother tongue is not English or who lack detailed technical knowledge, may find it challenging to provide meaningful input on long and often complex documents that are published for public consultation only in English and where key – it should be key elements – to comment on may be difficult to identify without reading the entire document. I should fix that.

Considering all of the above, ATRT3 strongly recommends that public comments not only seek general input on entire documents but also: 1) Clearly identify who the intended audience is – general community, technical, legal experts. This will allow potential respondents to quickly understand if they wish to invest the time to produce comments. This is not meant to prevent anyone from commenting but is rather meant as clarifying who is best suited to comment. You want to comment on that one, ma'am?

CHERYL LANGDON-ORR: No, no. I'll hold, thanks.

BERNARD TURCOTTE: Okay. 2) Each public consultation should provide a clear list of precise key questions in plain language that the public consultation is seeking answers to from its intended audience.

3) Where appropriate and feasible, translations of a summary, precise key questions, and maybe the entire document should be included in the public consultation which could also allow for responses in the official ICANN languages. Results of these questions should be included in the staff report on the public consultation. Over to you, ma'am.

CHERYL LANGDON-ORR: Thank you very much, Bernie. So this looks like very clear text to me. Is there anyone at the table who wishes to make any comments or contributions to this? Jaap, go ahead.

JAAP AKKERHUIS: It's a bit of a borderline question but the responses from staff to the public comment or the staff report, should it also be in the same language as original produced or not? Because if the official language, the final [formal] language is English, some of these [reactions] might be lost.

CHERYL LANGDON-ORR: Go ahead, Bernie. And then go to Pat.

BERNARD TURCOTTE: What has been a tradition so far when there have been, or at least my experience with those given Work Stream 2, you'll remember we accepted comments in multiple languages. Those original comments

were posted along with the official translation. But the staff report was only in English but included the comments where necessary.

CHERYL LANGDON-ORR: You're happy with that then, Jaap? Okay.

JAAP AKKERHUIS: Sounds good. I mean, I just want to bring it up.

CHERYL LANGDON-ORR: Thank you. Important, important. Pat?

PAT KANE: Thank you, Cheryl. The thing that jumps out at me that I think we have to be cautious of here is when we talk about the intended audience, we don't want to use this as a way to discount newcomers to the process that have less experience or get into an ageism discussion where we have people that have been around for 20+ years....

CHERYL LANGDON-ORR: Or longer.

PAT KANE: Or longer, Cheryl, yes. [inaudible] So while I like the idea of giving a directional key as to the types of people that the response is probably best suited for, we don't want to be able to use it to discount commentary coming in from other people in the community.

CHERYL LANGDON-ORR: I think we've got that covered, but let's just doublecheck. Bernie?

BERNARD TURCOTTE: Yeah, I had exactly the same thought which is why I clearly included that last sentence: This is not meant to prevent anyone from commenting but is rather meant as clarifying who is best suited to comment. That is all.

PAT KANE: No, I think that part is captured clearly. But when the comments are reviewed, I want to make certain that the people that would be reviewing the comments don't discount those that aren't identified for. So it really is how the comments are processed, not how the comments are received.

CHERYL LANGDON-ORR: So just before we go to Sebastien, there is a possibility of perhaps suggesting something like a staff checklist or a process form or something that may be of use to ensure that sort of thing doesn't happen. Have a little think about that, people. Sebastien?

SEBASTIEN BACHOLLET: Thank you very much. I have one question about the 3 bullet point. It's "maybe the entire document." I could be agree, but I really think that we need to concentrate on what is more important for us. And more

important for us, it's the translation of a summary and key questions. Because I am afraid that we will enter to something that they will say we need to translate the document and then we need to have two more weeks and so on and so forth. I will be cautioned on what we want really to ask for.

My second point is just I would say [inaudible] but “mother tongue,” I could be father tongue English.

CHERYL LANGDON-ORR: Okay, the last point is lost on me, but then I don't speak anything other than Australian well. Bernie, is there any option in this text to pick up on Sebastien's first point?

BERNARD TURCOTTE: Concentrating on the focus from what he was saying is just eliminating the first point which is just a helpful point which Pat had some notions on.

And when we were talking about how to process the comments, this is interesting. In my mind, I had it divided as the public comment process and that we're not really affecting those who are processing the comments. It's just making sure, giving guidance for those who approve public comments on what they should accept and not accept and not going that step deeper into telling people how they're going to process the comments because there I think we're opening a serious can of worms.

CHERYL LANGDON-ORR: Okay, Sebastien, back to you before we go to Vanda.

SEBASTIEN BACHOLLET: I have trouble to follow the feedback, but I guess I get for my second point what was the answer. The [inaudible] everything that in the [inaudible] point we may leave away maybe “the entire document.” Thank you.

CHERYL LANGDON-ORR: Okay, Vanda?

VANDA SCARTEZINI: Yeah, I tend to agree with Sebastien that most of the problems are concentrated on people that really work and have some problems with the language. So they take so much time for the formal translation to get out, so when they go through that it’s too late to read everything and make comments. So I do believe to focus on, as Sebastien said, on the precision questions because those that are comment normally [are already] following the issues. And need to focus on that and have those in their language is good. But wait so long to have the entire document to make comments, they normally are following the process itself, is to waste money and time and reduce the possibility to those to make comments, really have time to comment on public consultations. Thank you.

CHERYL LANGDON-ORR: Thanks, Vanda. I don't disagree with a word I've heard, but I do want to remind you it says, "where appropriate and feasible, translations of a summary and precise key questions should be included." So it seems to me we're all agreeing to agree to agree to the text. Bernie?

BERNARD TURCOTTE: Well, that's because I removed "entire document" from that, okay, is the first thing. And basically my question for Vanda and Sebastien is do we lose the summary portion? Okay, so exactly as written now? Yeah, so exactly as written now: "where appropriate and feasible, translations of a summary and precise key questions should be included in the public consultation." Okay.

CHERYL LANGDON-ORR: If I may, Bernie, it also strikes me, not that we should be making this part of our recommendation, but when one is doing public comments if one is going to be doing some translation, you should be able to get those translations lined up and done in advance of making the public comment public. I think that's just a sheer organizational laziness is what we're seeing if it's not happening.

This business of going out in English and then however long the translation services take and then we end up with extensions, etc., well, hold off on publishing it for another fortnight and go with something that's fully prepared. That seems a perhaps naïvely simplistic way of viewing it, but get it ready first would be my reaction. Go ahead, Bernie.

BERNARD TURCOTTE: Well, having been stuck in that crunch, every once in a while there is a really valid timing question, and this was certainly the case in Work Stream 1 and Work Stream 2. We were under the gun and we were trying to do that. As I said, there are a few exceptions. I think I agree with you that in most cases if there is no real good reason for it, that simply it just needs to get done if there is a need to have it in multiple languages, as we state here.

CHERYL LANGDON-ORR: Okay, so, Sebastien?

SEBASTIEN BACHOLLET: Sorry. Just one point. One of the reasons I am not too much in favor of translating the document is that if we translate it before the comment and after the comment it may change and it may not be translated. Then we are stuck with the document to go to comments and not the final one. And therefore, if we have something to ask for translation, it's the final one. I just want to give you if you go to the guidebook, the final version is only in two languages: English and Chinese. The other languages it's not the last version. Therefore, when we ask people to go to look at those documents, they are not the right one and we are in trouble. Therefore, it's just to explain why I am not pushing for the entire document to be translated. Thank you.

CHERYL LANGDON-ORR: Okay, and Vanda is saying, “Me too” as well. Okay, Bernie, I think that’s it without any further modification.

BERNARD TURCOTTE: Yeah, I think that’s it too. All right, moving on. And we’re done for Section 5. For recommendations, we have none. So you will remember that this is a strongly – oh, strongly recommends – strongly suggests. No one picked that up. There we go.

All right, Section 6 of 13. This is the great acceptance of decisions section. Hopefully, we will not take too long. We have gone through this, the analysis of the results. And the analysis of the information in Section 6.3 is as the analysis of the survey responses clearly indicates, there is widespread support for decisions made by the board. As such, ATRT3 will not be making any recommendations or suggestions with respect to this issue. Over to you, ma’am.

CHERYL LANGDON-ORR: Thank you very much. It’s simple. It’s clean. It says what we mean. Does anyone wish to discuss or change it? All good. Tick and move on.

BERNARD TURCOTTE: Tock. Moving on, Section 7. Now here we’ve got a bit of work to do, folks. Several of these items we did not conclude. We had part of the discussion up in ATRT2 recommendations of Section 3, and we’ve got to clean this up now and put it to bed. There is just nothing else to do about that.

So here we are, 7.2.1, ATRT2 recommendation and analysis on Recommendation 10.1. Okay, that one I think, yes, okay, this was around this whole participation issue. There are several recommendations, and here let's actually take the time to go through this properly one more time.

So the original Recommendation 10.1 was to enhance GNSO policy development processes and methodologies to better meet community needs and be more suitable for addressing complex problems, ICANN should:

a) In line with ongoing discussions within the GNSO, the Board should develop funded options for professional services to assist GNSO policy development working groups. Such services could include training to enhance work group leaders' and participants' ability to address difficult problems and situations, professional facilitation, mediation, and negotiation. The GNSO should develop guidelines for when such options may be invoked.

b) The Board should provide adequate funding for face-to-face meetings to augment e-mail, wiki and teleconferences for GNSO policy development processes. Such face-to-face meetings must also accommodate remote participation, and consideration should also be given to using regional ICANN facilities (regional hubs and engagement centers) to support intersessional meetings. Moreover, the possibility of meetings added on to the start or end of ICANN meetings could also be considered. The GNSO must develop

guidelines for when such meetings are required and justified, and who should participate in such meetings.

c) The Board should work with the GNSO and the wider ICANN community to develop methodologies and tools to allow the GNSO policy development processes to utilize volunteer time more effectively, increasing the ability to attract busy community participants into the process and also resulting in quicker policy development.

All right, now, just one minute. I want to go to – we said partially implemented. There were a whole bunch of discussions. There was the discussion around EPDP. There was the discussion around where PDP 3.0 was going to land. And we ended up with a conclusion, given the success and effectiveness of any GNSO policy effort can be strengthened by nonbiased focused and consensus oriented leadership with experience in negotiation, facilitation, and mediation and the recognition that ICANN over the last six years has sought volunteer leaders from within the community with these skills as opposed to developing them from within the community as recommended in ATRT2, accounting for the nuances in our community the ATRT3 will be making recommendations to further develop working group leaders in our community.

Given that the competition for resources to not only implement recommendations in working group outcomes but to actually facilitate policy development is high within the ICANN community and that the technology for remote and distributed team facilitation has

evolved over the past six years, ATRT3 recognizes that the ATRT2 recommendation to fund greater face-to-face has occurred. However, the development of tools and regional hubs with exceptional communication services has not yet been made available.

ATRT3 will be making recommendations to provide for short-range travel options to permanent ICANN operated micro hubs that facilitate participation and effectiveness in global meetings while reducing the amount but not the quality of volunteer participation and input.

There we go. So that was where we landed on that one. Then we got into the discussion about face-to-face versus not face-to-face versus usefulness of tools, etc., and we did not land this bird. So over to, ma'am. We need to do so.

CHERYL LANGDON-ORR:

Well, perhaps we can dissect the bird. Not a postmortem. Just a simple dissection. We're not going to kill it, Tola. We're just perhaps going to excise something. Would it give comfort to the majority of us who are deeply concerned over the desirability for properly facilitated face-to-face opportunities to continue to exist in an unfettered way to – actually I need you to scroll to the end of the red bit, thanks, Jennifer – to take that last sentence away that talks about specifically the short-range travel options to permanent?

It is a bit of micro, not just micro hub, discussion but also micromanagement. We're getting down into a very deep detail, a specific detail of how we think some could be operating this. But is

there something we can do by excising that sentence out and putting a recommendation text together here that covers it without specifying that any limitations to travel opportunities go on?

The thing I should point out too is if you looked at the cost of bringing the EPDP team together to their hubs, it's an extraordinarily expensive exercise even with micro hubs. So this has got to look at what we are or are not saving here.

So with that, I've got the floor open with Wolfgang and then I've got Pat. And then what I might do, Pat, is go Wolfgang, Vanda, and then you, and then back to you, Bernie. Wolfgang?

WOLFGANG KLEINWÄCHTER: Thank you, Cheryl. I have no problem with the language. I also agree with Cheryl that we should avoid to be too specific and not go into the micromanagement.

But I want to add an additional issue. I've seen on some lists a debate before Montreal about visa issues. This could be in the future even a bigger issue if it comes to face-to-face meetings. So we should just add the language taking into consideration visa problems or something like that, that reflects the issue. We do not have a solution, but in selection of the places for face-to-face meetings by taking into consideration visa issues I think could be an important issue.

I was involved in a meeting recently in New York where some delegates had also problems to get a visa to the United States and the argument of governments was we do not come to the United States.

We come to the United Nations. And if the United States cannot provide visa for meetings in the United Nations, we should move meetings of the United Nations to another place and not to the United States.

So I think ICANN is not in a position like the United Nations, but we should take this complaint seriously which comes in particular from African countries. And more will happen because more and more countries, including European countries like Germany, are so careful now by giving away visas even if they have full documentation, letter of invitation, and all this. And this is a problem, and we should be aware about this problem. Thank you.

CHERYL LANGDON-ORR: Thank you, Wolfgang. Of course, we don't necessarily need to be aware of this problem in this part of this document. We can be aware of this problem somewhere else in this document, if needs be. So that's an option that we need to perhaps consider. I've got Vanda, then Pat, then Sebastien.

VANDA SCARTEZINI: This is just to state that I'm in agreement with taking out the suggestion of a micro hubs because we did for Latin America alternative and it is more expensive to bring Latin Americans to Uruguay than go to Europe or someplace like Canada or where else, besides visa issues. There is something that I believe to take out

agreeing with Cheryl's suggestion that we don't need to micromanage on that.

CHERYL LANGDON-ORR: Okay, Pat, and then Sebastien.

PAT KANE: Thank you, Cheryl. I get your point, Cheryl, very clearly. But I think that I would be happy if we were to take that and use that as an example or for instance. As opposed to saying the specific recommendation would be this, we would say we're going to make recommendations about participation such as something similar to blah, blah, blah. I would be happy with that.

CHERYL LANGDON-ORR: Okay, so there's wiggle room here, people. We might be getting closer to some sort of final text. Sebastien?

SEBASTIEN BACHOLLET: I love that last proposal because I really take time to think about the question of the [inaudible] and nobody will be able to solve it. The only thing that I think today we as ICANN can do is to mix the way they are allowed the participation. For example, if we are sure that people from one part of the world will not be able to come, then ICANN must organize whatever you call that micro hub meeting place to allow people to come there and to participate to the full meeting.

Okay, some will say that I am micromanaging, but what I want to show is that what we need to do here and say here is that there are different solutions and it's not one or the other. It's maybe one and the other.

And the example that Pat gave us last time with a [pajama party] in Washington, DC, during a meeting in Africa was a good one because it was not for the reason because you will not get a visa but for other reason. Therefore, we need to take that into account.

I suggest that at that time in Washington, DC, you self-organized, but here we ask ICANN to help to organize. For example, people from Nigeria have a lot of trouble to come here, but we may help them to organize for a [pajama party] in Abuja. Thank you.

CHERYL LANGDON-ORR: Okay, it seems like we're getting some traction for some example language. Tola?

ADETOLA SOGBESAN: Thank you for that intervention of having [a pajama party] in Abuja. I know IGF has a similar arrangement where local hub is encouraged to be applied for. And I know I have participated in a couple of [search] and I had even made intervention contributed at the hub and I could see my question being projected at the IGF. Meaning that if I was doing that in one remote location in Abuja, somebody can do the same thing in [Cotonou] or somewhere in [Delhi].

On the website of IGF it is there if you want to organize a regional hub, apply for a regional [inaudible]. Maybe we can have similar one such that people that want to be part of ICANN meetings have the opportunity of applying for a regional hub. The question is who funds it. I don't know how that is going to happen eventually. But the IGF fund – no, not IGF anyway. IGF doesn't fund that but the one I participated in I know we had funding possibility [inaudible] and requested for that and [inaudible] funded that and we were able to be part of the IGF. So if it is possible, I don't know how it is going to work out, but it is possible to have hubs applied for by people and to be part of the meeting. Thank you.

CHERYL LANGDON-ORR:

Thank you very much, Tola. I think the other thing that we have as an advantage here is we do have a very vibrant global stakeholder engagement set of departments which are regionalized and do operate out of physical office space hubs. So ICANN has some distinct advantages in terms of the longevity and the stability of its infrastructure over the very ephemeral nature of an Internet Governance Forum which is just a construct that exists and then disappears again. So there are some opportunities I think if it comes to implementation that we can actually let ICANN as professionals work it out. Let's not get, as I say, too deeply in the weeds. I don't think we've got anyone else now.

ADETOLA SOGBESAN:

Sorry, please?

CHERYL LANGDON-ORR: Yes?

ADETOLA SOGBESAN: In addition, could that mean, for example, we've got a regional hub in Nairobi, and could that mean for everybody in Africa not able to get visa could please travel to Nairobi where a hub is established that you have direct participation or something like that?

CHERYL LANGDON-ORR: In the example that I'm sure Pat's about to tell you about the answer to that question would be yes. Pat?

ADETOLA SOGBESAN: Thank you, Pat.

CHERYL LANGDON-ORR: Go on. Say it.

PAT KANE: You were right.

CHERYL LANGDON-ORR: Thank you for saying on the public record that I am right. You didn't say again. "Again, Cheryl, you are right." It's all right. We've got to have a bit of fun. He's had a tough day getting here. Bernie?

BERNARD TURCOTTE: That was going to be my question. All right, have we sort of landed on here? We've deleted the last sentence, but it sounds like we're rewriting this to some sort of suggestion that has several examples of what should be done because something needs to be done. And in there, we will mention that part of the other problems are visas because of what's going on so that we have to structure those things accordingly.

CHERYL LANGDON-ORR: I think that would satisfy everybody around the table. But hopefully, Tola is going to agree. Go ahead, Tola.

ADETOLA SOGBESAN: Of course, I agree with that. I just wanted to clarify from Vanda when she said traveling to Uruguay was more problematic and expensive than traveling to Europe for other reasons apart from visa. Could we learn one or two things what that is so that we can [inaudible] context?

VANDA SCARTEZINI: That's because I should take out this because those problems is more related to visa issues than other things. And we should give examples like that on visa issues because those are particularly affected by. Because to get everybody in the same place sometimes of course is expensive, but sometimes it's more expensive to select many hubs

around. So we test that. When we come to the visa issues, you need to consider the additional costs to [overpass] the visa problem. But this must be addressed in the visa issue, not in this. Just that.

CHERYL LANGDON-ORR: So she's suggesting that visas are dealt with separately. Bernie?

BERNARD TURCOTTE: I'd just like to put in a caveat on that in that we'll remember our discussion from earlier this morning where we talked about PDP processes and the need to focus this thing so they don't become endless processes and the discussion we had around that where it depends on a number of factors but the point is we've got to come up with something. So that will influence this also. Those two things are linked.

But, okay, great. If we can land with strong suggestion something needs to be done. Here are some of the issues. Here are some of the possibilities.

CHERYL LANGDON-ORR: Here are some examples.

BERNARD TURCOTTE: Do something.

CHERYL LANGDON-ORR: I'm not seeing anything negative to that around the table then. Okay, good. Where to scroll to next, good sir?

BERNARD TURCOTTE: The next one, but I'm going to need a second to type in some notes so my addled brain doesn't forget this.

CHERYL LANGDON-ORR: Okay, just while we're scrolling through, just to remind you of course with this document we'll also have a table of our recommendations – as few as they may be – our strong suggestions, and our suggestions so that there will be an [ease of look up] as well. So don't think at this that people have to drill down into the document to find what we're saying. We will be tabulating all of these either as an appendix or up at the front end of the document so that people can access them. You're telling me to speak up or to shut up?

BERNARD TURCOTTE: No, they're going up.

CHERYL LANGDON-ORR: They're going up? Right. Okay, I'm not sure what this was meaning. I was to elevate myself.

BERNARD TURCOTTE: It was a guy thing.

CHERYL LANGDON-ORR: Okay, well, not being a guy last time I checked, thank you.

BERNARD TURCOTTE: But you're so much like one. You're one of the guys. Come on, Cheryl. All right, this next one was up for discussion but essentially falls back to what we just talked about. So I think we should just go copy-paste unless there's a disagreement here. All right, that would resolve two of my problem child questions here. And in resolving that, then I'll be able to write a suggestion which I was not able to do with what we had so far. So I will then be able to write this up and publish it for discussion by the group, but I think we're pretty clear with what we're going to see, especially you see what I did with the other ones when I have a clear conclusion. Over to you, ma'am.

CHERYL LANGDON-ORR: Thank you very much, Bernie. This certainly is in my comfort zone. Is there anybody who wishes to discuss this further? No, no, and no again. Okay, Bernie, where would you like to take us next?

BERNARD TURCOTTE: Section 8. Just to remind everyone, this is IRP and that we put this to bed in August sometime. So that one's done. 9 is the assessment of ATRT2 recommendations. We've also put this one to bed. What we need to do is once we finish what's implemented, what's not implemented, what's effective, etc., this section will be done.

CHERYL LANGDON-ORR: Sorry, if you're trying to follow this in the Zoom room and your head is spinning, we'll just give time for the fastest scroller in the west to get settled.

BERNARD TURCOTTE: Then we're in Section 10.

CHERYL LANGDON-ORR: On to Section 10 then.

BERNARD TURCOTTE: Yes, and we love to see Tola up on the screen there. Hi, Tola.

CHERYL LANGDON-ORR: You know your video is on. It's looking good.

BERNARD TURCOTTE: All right, Section 10 please.

CHERYL LANGDON-ORR: A page number would be wonderful.

BERNARD TURCOTTE: 106 for me. Okay, Section 10, Issue 8. Assessment of periodic reviews. Introduction, blah, blah, blah. Okay, so [recommendation], there we're cool. There I think we did that paragraph. Okay, we're good there.

Oh, yes. Okay, Page 109, Number 10.2.1.7. I read this and I was very unhappy when I read this thing. I don't know if it was the time of day or what, but I just decided to rewrite it. It was just not working for me. I actually think I rewrote it in a way that I'm hoping KC would be happy with. So I'm going to run through it because I actually redid the whole thing.

Recommendation 11.7 of ATRT2. In responding to Review Team recommendations, the Board should provide an expected time frame for implementation, and if that time frame is different from one given by the Review Team, the rationale should address the difference.

Implementation. First, it should be remembered that this recommendation was written in 2013 when all AoC review recommendations were expected to be accepted and implemented in the short- to medium-term and, as such, timeframes were never mentioned or discussed with the review team. See ATRT2 report. I give the link. If you listen to this afterward, KC, I put in the URL so you can check.

Since the ATRT2 recommendations were published, the only AoC specific review to be completed is the CCT-RT review. This review did not fully comply with the new operating standards for specific reviews since its final report was published prior to these being put into effect but did provide prioritization of its recommendations which included implementation timeframes. I give the URL and the three bullets from the CCT review.

High priority must be implemented within 18 months, medium priority must be implemented within 36 months, and low priority must be implemented prior to the start of the next CCT review.

For those CCT-RT recommendations the board did approve (see Section 10.2.1.6 of this report) there is no documentation in the board resolution approving these or in the associated implementation plan – I give the URL – that there has been any discussion of timeframes with the review team. The implementation plan seems to rely on public comment with respect to timeframes.

“Next step in exercising its fiduciary duty, the board intends to consider the proposed plan for implementation as well as community feedback received on the proposed path forward and considerations specific to each recommendation. Once the community input is adequately considered, the ICANN board will direct ICANN Org to produce a detailed implementation plan that results in the implementation of Recommendations 11.7, including any adjustments the input received through the public comment proceeding may potentially prompt. Further implementation details, including resources, availability, scheduling will be supplemented with specific details and budget plans once the implementation steps are underway.” That’s a quote from the report.

One must also consider the new operating standards for specific reviews which was implemented in June 2019. These include the following. “Transparent exchange between the review team’s subject matter experts, ICANN organization, ICANN board must occur so that

the identified problems, the recommended solutions, and the expected impact of implementation is clearly defined and well understood by all.” That’s in the new operating standards. That’s a quote.

The next one is: “The review team shall take into consideration the expected impact of implementation on ICANN resources and on the ICANN community workload. Also, the review team should consider whether there is sufficient community capacity and expertise to ensure successful implementation. These considerations should not limit the number of recommendations a review team may issue.”

So what would seem to implement the core of the ATRT2 recommendation, those two things in the new operating standards seem to address the core of what was being asked for in the ATRT2 recommendation. Given ATRT3 is the first review to be subject to these new operating standards and considering ATRT3 is still developing its recommendations as of the writing of this assessment, it can only conclude that this recommendation has only been partially implemented. All right, so that’s the implementation.

Effectiveness, impossible to assess given the lack of relevant information.

So the conclusion now is given the assessment, ATRT3 will make a suggestion that board properly implement in practice the sections of the operating standards quoted in this section.

So I've explained why, I've explained what that's taken us, and I think this makes more sense to just saying it wasn't implemented and you need to implement the original recommendation.

CHERYL LANGDON-ORR: Thanks very much for that, Bernie. Do I have any request around the table for reading time? This is new text. Do you want a couple of minutes to read through it?

VANDA SCARTEZINI: No, it was clear.

CHERYL LANGDON-ORR: You're clear? I mean, I followed, but I know that's not everyone's skillset.

UNIDENTIFIED MALE: KC's got a hand up.

CHERYL LANGDON-ORR: Okay. All right, so that's fine. Okay, over to you then, KC.

KC CLAFFY: Okay, yes, there's a lot of new text here. I'm still not quite getting how it matches the recommendation. Bernie seems to think that they did the new operating standards and that's a substitute for Recommendation 11.7. But the operating standards have the board

put this on the review teams. 11.7 says the board should provide an expected timeframe and if that timeframe is different from the review team, the rationale should the difference. So even with CCT I'm not seeing where the board did that in the URL that you're pointing us at.

CHERYL LANGDON-ORR: Back to you, Bernie.

BERNARD TURCOTTE: Thank you. I actually, KC, am saying they didn't do that. I'm pointing out, the text is showing they did not do that. But I'm also saying that when they produced their final report, the operating standards weren't in effect but it wasn't done. So we're in agreement there.

What I'm saying is that, my interpretation at least, of those chunks of the new operating standards match the intent of what was being sought in the recommendation. My view of what the intent was, was that there ends up with an understanding and an agreement as to what should be done relative to the implementation of the recommendations. I think those things in there when we read them are exactly that which should go on.

CHERYL LANGDON-ORR: Back to you, KC.

KC CLAFFY:

I think it's exactly not that is my read of this. But, of course, we need some input from other people on the review team. The issue here is accountability with respect to the recommendations that come out of this review process. So we need to separate what they did that is not what was recommended but may be trying to have the same effect from our assessment of whether the recommendation was implemented.

So it says in here it was partially implemented, but I hear you saying it was not implemented. They did something else instead, but that something else really wasn't about the board coming up with clear timelines for implementing. It was about the board requiring the review teams to have an exchange and the review teams taking into consideration impacts and [inaudible]. But this is sort of obliquely related to what ATRT2 was getting at which is they wanted the board to be transparent and accountable with respect to the recommendations coming out of the reviews.

So I really [do] think these are orthogonal things and I don't think we should convolve them in our response to this recommendation.

CHERYL LANGDON-ORR:

What do you want to say then, KC?

KC CLAFFY:

Didn't we decide in Singapore? Because we had a similar recommendation where we had a long conversation about they didn't implement this but they tried to do something else that was trying to

address a similar concern. And I can take a whack at this text over a break, but that would be my preference here. This would be as precise as we can about what actually happened with respect to Recommendation [11.7] and then say they didn't do this but they tried to this other thing instead.

But I don't understand how the CCT stuff fits into the story here because you're only referencing seven of them which means the board only talked about seven. Your interpretation of it is because they responded to these seven but not all of the other ones in the report that that's them being responsive to this. And I'm just wondering what others think of that because I doubt that CCT would agree with that and I doubt that SSR2 would agree with that.

CHERYL LANGDON-ORR: I've got Sebastien and then I've got back to Bernie. But do try and pop some text. If you think that the new text that we've just gone through is failing so specifically in those areas, we'll be happy to look at alternate text. Sebastien?

SEBASTIEN BACHOLLET: Thank you very much. And thank you for offering to have more time to read. I guess I must ask for, but maybe we'll have a second reading or something like that.

I have a few points. The first one is a question. When the board write fiduciary duty I remember was that we had fiduciary responsibilities. I am quite interested on why they changed the wording and, if so, when

they are changing because my recollection was fiduciary responsibility. That's maybe not exactly the same.

My second point is that we are on a slippery whatever situation because if we allow the board to decide which recommendation from a review team they take and the ones they didn't take, we may end up with the same thing for ATRT3. And if we take into account the discussion, and particularly what Wolfgang has said earlier today when he said that ATRT was the review that was supposed to oversight the board. It's short. It's not the same wording as Wolfgang. But we get into including to some trouble here, and I want us to be very conscious of what we write and what could be the consequences. Thank you.

CHERYL LANGDON-ORR: Thank you. I think we're all very keen to make sure we have watched our consequences of what we write very, very carefully, indeed. KC, your hand is still up?

KC CLAFFY: Sorry, no. I'm thinking. I'll put my hand down.

CHERYL LANGDON-ORR: Oh, okay. Right. So I've got Bernie.

BERNARD TURCOTTE: If I remember my reading in the bylaws correctly, to address Sebastien's point, the board is in its right to be able to refuse any

recommendation from any of the review teams except ATRT. So this is not a slippery slope. This is the way it's written. However, over the years, all the review team recommendations have been accepted. Everyone accepts that. But it's not that it's not written in the bylaws very clearly that the board can reject any recommendation made by a specific review except for some by the ATRT.

The second thing I'll go to KC. I think I remember the case you were talking about where we ended up saying it was not implemented. There was this other option that was done instead. And we sort of concluded that this other option should be okay and therefore we're not making any further recommendations is the way we ended up dealing with that one. I don't remember which one it is specifically but it sticks to the back of my mind. Thank you.

CHERYL LANGDON-ORR: Thank you. I see Pat has just pulled up the bylaws, so he's probably going to give us chapter and verse. Are you, good sir?

PAT KANE: There are 439 mentions of the word "reject," so no. I'm not going to get there.

CHERYL LANGDON-ORR: So he was trying to do that.

BERNARD TURCOTTE: Under specific reviews.

CHERYL LANGDON-ORR: Yeah, I was going to say if you go under specific reviews, you'll probably find it easier.

All right, so we're going to park this new text and perhaps come back for a second reading of it. We're going to look at what KC's going to offer in terms of text modification. And, KC, we're going to have to tie you down to when on that. When are your breaks going to be, knowing that you're fully occupied with SSR2 today as well?

KC CLAFFY: [inaudible] today. I'll try to do it as we're working here.

CHERYL LANGDON-ORR: Fantastic. Okay. All right, then, so we'll watch this space closely. Any other comments from anybody? Bernie, you're comfortable with all of that now, know what's happening? We shall see?

BERNARD TURCOTTE: We shall see.

CHERYL LANGDON-ORR: We shall see, indeed. And we'll come back to any references that Pat unearths as he's trolling through the bylaws at high speed. Okay, Bernie, next?

BERNARD TURCOTTE: Thank you. That will take us to Section 10.4, suggestions relative to issues. Given the issues raised, so 10.4.1, ATRT2 Recommendation 11.4.

CHERYL LANGDON-ORR: Page?

BERNARD TURCOTTE: Page 117 for me, 10.4.1 and not 10-4. Okay, this was along the lines of ATRT2 Recommendation 11.4. We've got a suggestion here. Given the issues raised regarding the implementation of ATRT2 and SSR1 recommendations and considering that the CCT-RT and CCWG Accountability Work Stream 2 recommendations are not subject to the new operating procedures for specific reviews, ATRT3 suggests that while the board is responsible for approving specific reviews and Work Stream 2 recommendations that it publish an annual report on the status of implementation of these recommendations for public consultation.

You'll remember that our discussion in Singapore landed us here whereby there is obviously a new set of ground rules for those recommendations that are under the new operating standards. But we also elicited that those other recommendations from those other groups are not. And so, therefore, what we're suggesting is there be a public consultation on the report so that it's very clear what's going on

and where we are and if the community agrees with it. Over to you, ma'am.

CHERYL LANGDON-ORR: Thank you, Bernie. Happy to open a queue on this point. Give you all a moment or two to read it again onscreen if needs be. Sebastien?

SEBASTIEN BACHOLLET: I wanted to suggest that maybe we don't do that annually but biannually or every two years. We are always asking for more documents, more things, and I am not sure that anybody reads them. Therefore, it's more document to assess or to force the board to say what they have done, where they are. And, therefore, I consider that if we can have that each two years, it will be enough. Thank you.

CHERYL LANGDON-ORR: Thank you, Sebastien. So the suggestion is to change from an annual report in the recommendation to a biannual or perhaps another word would be regular. That way a little more flexibility. So do you want to pop regular or biannual in as square bracketing then? And we'll see where the rest of the group land on that. Vanda, go ahead.

VANDA SCARTEZINI: It's normally for any organization around the world to include those things in the annual report. So we can suggest regular, but normally the organization should do that annually for everything in that report

that represents what the organization has done wherever the organization is. So even the government does that.

CHERYL LANGDON-ORR: Okay, well, regular does not mean it's not annual. But annual means annual and not regular. Well, it is regular, but I don't think there's a downside, but it may offer some of the flexibility that Sebastien was seeking. So regular is in the document at the moment. Going, going, gone. Bernie, back to you.

BERNARD TURCOTTE: Thank you. 10.4.2, ATRT2 Recommendation....

KC CLAFFY: My hand is [up].

CHERYL LANGDON-ORR: Sorry, KC. Go ahead.

KC CLAFFY: I want to agree with Vanda but say it more strongly. I think this should be annual. I think it should be a part of the annual report. And I don't think it should be long. So I completely agree with Sebastien that people get DoS attacked, their attention spans get DoS attacked with these long reports and I think that's part of the problem. But part of the solution needs to be we just want a concise explanation of the

status of each of these recommendations. So I think it should stay annual. That's just my opinion though. Back to you.

CHERYL LANGDON-ORR: Thanks, KC. Sebastien, you've got some of agreeing that regular will do. Now a call by KC to go back to annual. And I'm going to go to Vanda in a minute. But there was also the suggestion that the term concise go in, and concise isn't a bad word. Bernie, and then Vanda?

BERNARD TURCOTTE: What I got from the intervention is not annual public consultation. I got in an annual report.

KC CLAFFY: Yes.

BERNARD TURCOTTE: That's right? Okay, so I see that as a friendly amendment, personally.

CHERYL LANGDON-ORR: Okay, so now it would read in an annual report. And the term concise was the other thing up on the table. Michael, can you concisely react to the word concise?

MICHAEL KARANICOLAS: Very briefly, I support annual and I support the inclusion of concise.

CHERYL LANGDON-ORR: Well done. Post-lunch changing. Excellent. Okay, we've got Michael's blood sugars back up and beyond critical. That's fine. All right, so it seems like we've got some text there. KC, I assume you would chat at us if it was an issue for you, so you're probably in agreement with the addition of concise and in the annual report.

KC CLAFFY: That's fine.

CHERYL LANGDON-ORR: Okay, right. Once Bernie makes his notes, we shall move on.

BERNARD TURCOTTE: All right, 10.4.2, ATRT2 Recommendation 11.5. ATRT3 suggests that the portions of the budget process which require community input should provide greater exposure to the budget elements associated with these reviews.

Now I did not spend a lot of time on this one. This is a severe distillation within the context of what some of our other recommendations regarding to reviews are coming up to. Over to you, ma'am.

CHERYL LANGDON-ORR: Okay, so it's a lighter text which is really just a prelude to more detailed interactions with this topic later on. Floor's open if anyone

wants to bring forward any points. Getting a no. I believe not, Bernie, so let's move on.

BERNARD TURCOTTE:

10.4.3 we said we would defer and we would get back to after we've played with the text, so let's go down a bit. Then we get into recommendations, and we have our first recommendation of the day. Here after discussion from our last plenary I've tried to recap everything and throw it into the pot. Please, no gasps. Here we go.

Replace specific and organizational reviews with one systemic ICANN review every five years with a set duration of one year. This review should:

- 1) Only include the effective elements from the current specific reviews, e.g., RDS review may no longer be needed.
- 2) For SOs and ACs the review should address the interaction between themselves and with the board.
- 3) Continuous improvement of the review based on the results of the previous such review, including the review scope. So that's the one big review.
- 4) Changes to the scope of the review should be the subject of a public consultation.
- 5) Should allow for the creation of specific sub teams with very narrow scopes for specific issues.

Transition. The board should put a hold on all reviews going forward until this is implemented. There should be one final CCT-RT review commissioned after the next launch of gTLDs. SOs and ACs would be responsible for implementing and reviewing their own continuous improvement programs as supposed by ICANN Org. Reviews of SOs and ACs continuous improvements should be handled internally by each SO and AC and should occur regular, possibly annually, and consist of a focused effort which should only last a few days in total and the results of which should be published.

That's it. For now.

CHERYL LANGDON-ORR: We have Sebastien starting the queue.

SEBASTIEN BACHOLLET: Thank you very much, Bernie. Quite interesting that you came with this proposal. It seems that I didn't understand the same thing, and that's good. No problem with that. I was thinking more of two reviews: one for organizational review and one for specific reviews. But I love that you put on the table that we may wish to have only one. We have to balance the pros and the cons of one single or two reviews. I have not made my mind because I discovered that now. But I want first to thank you to have put it like that because it's triggered some reflection and I hope some discussion here.

I have one caveat. It's that you may wish to write something about to add after possible next round of new gTLDs because it's not yet sure

that we will get one. And if we write that like that in the document, it may become a little bit tricky that we are not the ones to decide about that and so on and so forth.

But, okay, I will need to read it again, but thank you for putting that in front of us.

CHERYL LANGDON-ORR: Yeah, right of reply. But we might just need to work on that end language a little bit more as well, and I'll possibly have to pop another hat on while we do that. Bernie?

BERNARD TURCOTTE: Thanks, Sebastien. Yes, I did it a little bit to provoke thought patterns. So, yes. And the reason I did it was the following. In our discussion at the last plenary a few days ago, Pat clearly identified that on the organizational side for SOs and ACs, as stated here, they're responsible for implementing and reviewing their own continuous improvements inside. And that the organizational review we were talking about was about the white spaces, I believe the term Pat used, in between the SOs and ACs themselves and with the board.

So if you start thinking about that and then you think about the fact that the specific reviews which include ATRT reviews already touch on the board and the GAC and PDPs for the GNSO and if you're just looking in the white space, my thinking carried me over why are we having two reviews? I'm not saying – I'm just saying I'm proposing it to you and explaining to you my thinking process for getting us there.

CHERYL LANGDON-ORR: Thank you. KC, you're next.

KC CLAFFY: Okay, so that is definitely provocative, Bernie, the text in the document. I think it's very high-level at the beginning, unclear what the scope of the review, and then you say the scope should be the subject of a public consultation and then allow for the creation of specific sub teams with narrow scopes. But it's unclear to me who would create such specific sub teams and determine the scope.

So this looks kind of hand wavy to me given how concrete the current architecture of the review process is. And it concerns me that we would just say do something hand wavy to replace all this stuff that was thought about for, well, maybe not long enough.

But the thing that most concerns me is the same with Sebastien. I don't see, given what came out of the CCT review and the fact that the CCT review was complaining that many of the things that ICANN had promised to do before or as they launched new gTLDs to monitor security and stability issues were not done. I mean, that was the main thrust of the CCT review. Why we would say there should be one final review after the next launch.

My perspective, and I think it would be SSR2's perspective and I think it would be SSAC's perspective and I think it would anybody's perspective who looks at security of the space, would be there should be another CCT review before the next launch of new gTLDs to make

sure that all the things that CCT thought were important have actually been done and have been judged to be done by independent parties or the CCT team themselves.

CHERYL LANGDON-ORR: I'm going to look to Jaap on this because he has a frown on his face. Jaap, you want to buy in on that one?

JAAP AKKERHUIS: I don't remember ever discussing SSAC at all. That's why I'm frowning.

CHERYL LANGDON-ORR: Okay. Okay, Bernie, you want a right of reply? Go ahead.

BERNARD TURCOTTE: Well, I don't know. What KC seems to be talking about is implementation of the CCT review recommendations. And we've just finished talking about the process and publishing an annual report, including them in an annual report and making sure that they're done. There's the new board tracking option for making sure these are done. And we've got the ATRT2 recommendations that are asking the board to clear up the process about things that are noted in implementation reports as done which are not. So I don't know if doing another CCT review is the answer to meeting the requirements of what you're talking about. I don't see that.

CHERYL LANGDON-ORR: Let's go to Pat next.

PAT KANE: Thank you, Cheryl. KC, you brought up a lot of different points in your commentary, and the one I want to address initially is the handwaviness of what we're talking here. I think one of the comments in one of the discussions we had while we were in Singapore was there are so many recommendations that come out that are never going to get done. There's the money. There are the resource issues. And I think CCT-RT took the brunt of that observation from the board and then from the community in terms of expectations that didn't get met in terms of how their recommendations were addressed.

If we leave more room for review teams to focus on those things that are the most meaningful and if we're only going to get a few recommendations that we're going to be able to get into the amount of work that's getting done, should we give review teams more latitude in terms of what they decide they want to work on? Is kind of where I thought we had talked about in Singapore from giving more room and being less specific in terms of what they chose to do.

Your comments on the CCT-RT getting into security and stability, I know that there certainly are some recommendations around metrics that were both security and stability oriented as well as competition and pricing oriented that they were struggling with in terms of getting data to make their initial assessments. But if we're focused on competition and consumer trust, is security and stability the right set

of metrics to focus on within that particular review team would be my question.

CHERYL LANGDON-ORR: Thanks, Pat. So, KC, I'm just going to note in I guess some degree of support for what Pat was just saying with the ability for a future review team – be it two of them, one of them, or some other design – to have sufficient self-determination in its scoping, that's the type of right that was fought for very hard in the Work Stream 1 and 2 activities. So I'd be very surprised if the community would be having had a wholesale change of face between now and then.

It was very important, for example, that even the bylaw changes that were agreed upon regarding the population of an ATRT, noting how important that is as a review mechanism and indeed as Wolfgang was saying perhaps even an oversight mechanism, that an ATRT was to always be able to add and define its own scope.

So I think the way this is currently written is perhaps less hand wavy, in my view at least, and more sufficiently broad that we are saying that an RT in whatever design and form and periodicity and how many of them, but whatever they look like should also be able to scope out, narrowly scope out, its own sub team or work track activities and have a good deal of say in what its scope should be outside of obviously what may be fixed in some future change of the bylaws.

Pat, your card is still up so I'll come back to you, but Sebastien is next.

SEBASTIEN BACHOLLET: Thank you, Cheryl. A lot of things to say here. I would like to state that the Devil is in the details. And I want to put some question or idea on the table, and I still not make my mind and we have to discuss that.

First of all, I think if we are going in that direction, my image will be that ATRT is eating all the other reviews. Because it's an image to see that the power of this new review needs to be as high as we have in the ATRT. Even if I didn't find in the bylaw anything differentiating the ATRT from the other, I take as a done deal that we have as ATRT more power than the other review.

That's if we go into the direction of one single review. I am still questioning why not to have two. One of my reasons is that – and I get the point of part about that this organizational review will be just in between the [planet] or in between the silos – but I want to challenge that because my trouble if we do that is that we reinforce the silos. We give them still a lot of power, and we need to have somewhere a place where we can think about a systemic review that can allow us, for example, to suggest or to propose a change in [inaudible] to reorganize.

And therefore, I think if we talk about organizational review, it must be at least a systemic one allowing some change between the players. I don't know what I can [take not to be], but if tomorrow we need to create a new structure to take care of Internet of Things. It's just an example outside of anything. Not to conflict with anything about what is happening between At-Large, GNSO, or other part of this [world]. How do we do that? We need to have this possibility. Or if we want to

say that the, let's say, NCSG is not anymore part of the GNSO but is now joining with the At-Large. How do we do that?

I think it's this type of possibility that we need to keep, and it's why I would like really that we think why not to have two reviews. One to do the part at the organizational level and the other one with specific topic. That could include in ten years that we need to come back to have a [RDS] sub review or security and stability because something happened and we need a specific review at that moment. But it will be under the specific review part.

I hope it's clear. It's just difficult to go from my thinking and come to English like that, but I hope that it provides some input to the discussion. Thank you.

CHERYL LANGDON-ORR: Thank you, Sebastien. We've got Pat, then we've got Vanda.

PAT KANE: Thank you, Cheryl. So, Sebastien, I agree with you. Because as you're talking through a separate organizational review, I can see where this thought of reviewing the white space in the interaction between the structures would actually drive recommendations into the structure to solve certain issues that the structure may be creating for the rest of the organization, the ICANN community organization. So I agree with you that we should have two separate ones.

Now the only thing that I would add is I was sitting here thinking about the five-year term. A five-year term may be too long. We've had complete MoUs, AoCs, leadership administrations within the ICANN community in terms of CEO or president or chairman of the board that have come and gone within a five-year period. So we may see wholesale changes within that five-year period in terms of how either ICANN Org is part of the community or ICANN Org services the community. And five years feels like a long time for a single review, especially if we're going to advocate that we give as much latitude as I think we're advocating for.

CHERYL LANGDON-ORR:

Just if I may almost as a reply to that. Language frequently seen in this type of suggestion in other things that I've worked on will say as required but no longer than a period of insert time. In this case, it would be five years. So there are ways of having that flexibility that you seem to be wanting, Pat, which means you can do it sooner but just make sure it doesn't get extended out too long.

I'm hearing a good degree of comfort with the two model rather than the just uber model. That does allow of course a degree of separation so you can get an appropriate cadence between the two of them. I'm hearing that we've got the possibility of allowing an as needed but no longer than language in. Let's go to Vanda, and then back to Bernie.

VANDA SCARTEZINI: Okay, what I see is that one of those – I agree with two – and one of those should be strategic review. So allow us to review exactly the whole ICANN structure and allow new things to come out. Because I agree, five years is too long for our business, even [model] business could change.

And I do believe that we need to [inaudible] the community that we're going to have before that some good review about the whole structure, how we're going to do that. So I will call this a strategic review and could be those ATRT or whatever the name, but should be focused on possibility of changing the model we are dividing and organized as a [ccNSO] and this should be. We need to have open points for that. It's just a thought.

CHERYL LANGDON-ORR: Thank you, Vanda. I'm wondering whether strategic is the right word. We might need to look for a different word there. Bernie, then Sebastien.

BERNARD TURCOTTE: Thank you. Just a few comments on what's being discussed. First of all, I'm fine with the regularly no longer than five years. I think the idea was to try and line up with the strategic plans. Meaning that these reviews should be completed one year before the strategic plan finalizes so that the input can be included in there.

Secondly to Vanda's point, which may not be strategic but a full organizational review, again to me that just seems to drive home the

point of one review, personally. If you're going to look at the structure, are you really going to have one review saying – it's a little bit like, to me, what I'm hearing, it's a little bit like EPDP versus RDS which ended up basically invalidating the RDS review. But they went through it. Bravo for them.

So I think the key driver here is we have to understand that point. I think that's a little bit what Wolfgang was driving to. I think that indirectly is what Sebastien is driving to is this notion that we need this real focus of being able to generate an all singing and dancing review that can look at the whole package and make recommendations. I understand that, and that was the idea behind a continuous improvement of that review so that it could include any segment that it would think was reasonable. Thank you, ma'am.

CHERYL LANGDON-ORR: To Sebastien, and then to KC.

SEBASTIEN BACHOLLET: Thank you. I think for the moment we need to leave on the table the two possibilities. We need really to think about that. One of the elements I would like very much to go through is, one or two, what we will put as the main topics. I guess if we write to paper what this review will need to do, what these reviews will need to do, because the idea of having sub team taking care of one specific topic at one moment it's possible if it's a review that takes a certain time I will say.

If on the other hand we say that, and just once again for the matter of the reflection, if we say that next year we will start for one year a systemic organizational review and we wait for one year to start a single specific review or specific reviews, we end up to have something each three years but not in parallel, not conflicting with one another. And it could be better than to have everything coming to one single moment in one year at just one year before the strategic planning.

Now we need to be sure that they are not something we leave aside and if there are something present urgent at one moment which is supposed to belong to the other part of the review, it can be handled also. It's really something we need to think about and how it could be organized. If it's one single, I really feel that every five years will be too long. It must be something like not more than, but I guess more than five years we will end up to do it each five years because if we have no pressure on that, other things will come up and will be more important at that specific moment.

And one other question is, when could be the first one of those reviews? Do we wait for one year, two years, three years? And those are my questions. Thank you.

CHERYL LANGDON-ORR: Okay, Bernie might have some answers. Go ahead, Bernie.

BERNARD TURCOTTE: Quick one on this. It really, to your first point on the one review, every five years is long. It depends when you schedule the five years. If you

schedule the beginning of the review five years from the beginning of the previous one and the previous one has just finished handing its result after one year and then people look at it, you're really talking about less than four years in between the reviews. But as needed, no longer than five years. That's the first point.

I think that with respect to – I've gone and lost my thought on the second one. All right, sorry.

CHERYL LANGDON-ORR: Seeing as you don't have any more answers, we'll come back to that. KC? We're not hearing you. There we go. That's better.

KC CLAFFY: I was hiding. I'm still trying to wrap my head around this stuff. I find this proposal of these six bullets to be sort of disconnected from whatever the problems with the current review system are that we're trying to address. So, for example, I assumed that one of the problems was for every review that we've looked at and ATRT2 [inaudible] experience there's an incongruity between what ICANN considers implemented and what the review team considers implemented. Is one of these bullets addressing that problem?

CHERYL LANGDON-ORR: Well, obviously not in terms of what the bullet is saying. But if it is either a design feature that the implementation and the success of implementation reporting under the new guidelines or

implementation and implementation ongoing reporting under the guidelines is part of the required scope, then the answer is but it would be. So that's a question yet to be looked at in the implementation.

And I think as has already been raised, if we go down this pathway be it a design of one or a design of two, there is still a good deal of implementation specific stuff that needs to be done.

So if we can then take your next questions, we'll try and solve those as well.

KC CLAFFY:

Great. So again, I'm just trying to figure out for each one of these suggestions we make, what is the problem that we're trying to address by making a change. Geoff's mail that I sent after the last meeting was thought provoking for me. I don't necessarily agree with each thing he said [inaudible] talking about and maybe by the end of talking about it I might agree with more of them. Because I [inaudible] identify the problem and I think in his mind it was there is a huge problem with these reviews going on for a year.

I think we've hit that [badly] in Singapore and I guess we're still in the throes of it because we've got an annual report or some such thing that was released this week that really I guess we should, if we had infinite time, we should go look and check if our assessments need to be updated in light of that development. So that the first suggestion Geoff has is forget about this one-year long thing. These should be....

CHERYL LANGDON-ORR: We've all read what Geoff said and hopefully all of this is in some way, shape, or form at least reflecting some of what he said along with what many people have said in our discussions. So what else are you questioning in these bullet points?

KC CLAFFY: Oh, okay. So, yeah, let's dig down a little. How does it reflect what Geoff said? Or why is one year better than to do it a few days every year, for example?

CHERYL LANGDON-ORR: It's a suggestion of a time binding which is not endless. Now it's not three days. But again if we have an implementation plan and then testing of the implementation that goes with the lock people in a room for three days principle, then that's something that may or may not come out of these higher-level suggestions. So I'm not going to go down that rabbit hole, but it is not an endless process which, dare I say, some of the other specific reviews.

The only timebound specific review is an ATRT, and this is using that already accepted example of a one-year term for an ATRT which is an overarching uber style review. And what we're proposing is a type of overarching uber style review or reviews. So that's the rationale for picking that as opposed to some other random thing like six weeks, six months. But it's certainly not six years. It's certainly not three days in a

locked room either, but it's one of the existing time binds that we have.

Next question?

KC CLAFFY: Okay, I don't – I'm still having trouble with we pick a timeline because it's one of the existing timelines when....

CHERYL LANGDON-ORR: KC, I'm sorry if you're having trouble, but the rest of us aren't. What is the next question?

KC CLAFFY: Why have decided that one year is the right timeline?

CHERYL LANGDON-ORR: Okay, I tried to explain what the rationale was. If anyone now would like to suggest a different time binding or do we, if we even go in this direction, simply say fixed time bound, then we can avoid trying to slice whatever duration of time between a mini time which I think would be utterly unachievable. If anyone thinks any fulsome review process can be done in three days when I haven't seen a review team in any way, shape, or form manage to get its Terms of Reference sorted out in that length of time, I'd be astonished. But then, I may live and learn. So Sebastien is most concerned that I'm not giving all the due time to every one of your questions. So we will now take the

remaining time we have which is another 11 minutes for every one of your questions on this point because it's the last thing we need to do in this section. Sebastien, do you feel comforted with that? KC, just hold. Sebastien has the microphone.

SEBASTIEN BACHOLLET: Thank you. And sorry, KC, but I think we need to calm down and be able to have a discussion and everybody needs to have the possibility to express and put their opinion. And sorry, Madame Chair, but you must not answer every question by yourself. We are a team and if we have an answer to give, it's a collective answer. It's not just your answer. And we have out of the box thought who came to us, and it must be something we take into account. Of course, three days will not be the same as work done in one year. Of course, it will not get the same result. It will not so on and so forth. But as somebody who was a member of this team, not anymore, put that on the table, I think we need to have that as a thought like Bernie came with one single review. It was interesting. And the other ideas need to be put on the table, and we need to have time to think about and to discuss together about it. Thank you.

CHERYL LANGDON-ORR: We now have 10 minutes until the break, and we'll take every bit of that 10 minutes to continue this discussion and we may continue it afterwards. Your suggestions then, Sebastien? Before we go to Pat and then continue on looking toward the suggestions. Your suggestions, Sebastien? You don't have any. Okay. Pat?

PAT KANE:

Thank you, Cheryl. I think that when we take a look at the diversity in the community, we can't get anything done in three days or three weeks or three months in terms of the conversations even that we've had within this group. A time binding of one year has got nothing magical other than it is a time binding that seems to have worked specifically for the ATRT reviews. So I think that it's a structure and it's a time binding that is interesting if we're going to have a single review.

If you're going to have pieces of work that you're going to peel off and do in an Agile format where you've got three or four people or two people in a room to solve a problem or at least put together a presentation, the shorter period of time works. But if you're going to have 18 people from different backgrounds, we're going to need the time to consider each other's positions because we come at this from very, very different places and experience sets that I think that a year seems like a right amount of time to put into this if we're going to do this at least every five years.

CHERYL LANGDON-ORR:

Okay, so if I'm allowed to at least act as traffic cop, which I think is the primary role I've been taking here, KC, that may not be a total answer to the question regarding the choice of duration but it certainly is what I had heard in our discussions to date. And if you've got some additional points, let's go through them now between now and the break.

KC CLAFFY:

Okay, yeah, again my initial reaction to these bullets is I don't understand how they map to the problems with the current reviews that we're trying to solve. We're making recommendations and presumably we're making recommendations to change things because there have been issues the way the reviews have worked so far.

One of the issues is that they've gone on too long, so I get why the set duration of one year. At least it won't go on longer than a year. Although, we ourselves have run into the issue at the last meeting that a year causes some issues because developments happen in the year and then we don't have time or we resent that we have to go back and redo work to take care of something that's happened. So I would question that one year is the right thing, but let's just leave that on the table for now.

When Pat says one year work for ATRT2, it brings up the question of, what is the metric for the previous reviews working? I've watched us just go through the process and I've watched it on another review team too, and I've looked at the ATRT2 report where they did it, the previous review teams, and in all of the reviews, a significant fraction, if not most, of the recommendations were not implemented or they were not effective.

So I don't think we get to say the previous reviews were working and that one year was the right boundary for them to be working. The whole reason we're doing this is that we think that previous reviews

were not working, so if we decide that, well, another big problem is the recommendations don't seem to be getting implemented or they don't seem to be affected, okay, let's drill down into that. Why?

Well, sometimes the recommendations are written really badly, or there's no way – now, ICANN's apparently accepted all of them in the past, so there's some disconnect there because if they were written badly, they should have been caught before they were accepted, so how do we address that problem? Well, okay, the new operating standards are supposed to address some of these problems in the following way. Do we think they're going to address those problems?

I personally will have to put some comment at the end of this report saying I really question whether those operating standards are even feasible, much less that they would address the problems if they could be implemented.

So again, I just think this section is a really important section of this report. It's probably the most important section of this report given how up in arms the community is about the effectiveness of the review processes.

And it looks like we took some text from Bernie. I haven't seen input from more than two or three other people about this text, and it sounds like we're just trying to get closure on it rather than having a brainstorming discussion about what are the problems we're trying to solve here, and how do each of these suggestions map to a solution to that problem?

One more thought. Part of the issue is that there's a disconnect between reviews and the implementation, and these operating standards are an entirely new experiment that we're starting, I have no reason to believe that that's going to be effective. But one thing we could suggest is the review is a year but then for the year subsequent to the review, there are quarterly meetings for two days where the review team gets back together, or maybe one day where the review team gets back together, and assesses the implementation thus far of the recommendations that were in their review so that there's some accountability channel with the people who made the recommendations to track exactly how things have been implemented.

I'm not saying that's the right thing, I'm saying that would be a suggestion that would map a problem that we've identified with reviews to a proposed solution that we could come up with. And I want the bullets in this section, whatever they are – and again, I'm happy to do the text, but I don't understand how these bullets map to the problems that we're trying to address with the previous review teams. Okay, I'm done.

PAT KANE:

Thanks, KC. I think there's a difference between the success of the review team in producing a document and the success of the ICANN Organization or the community deploying those recommendations. And I think that you're absolutely right, some of the recommendations are written in such a way that they can be

interpreted in many different ways, and then the implementation can be interpreted many different ways as we have seen in our own review of ATRT2.

So when I say that ATRT2 I thought was successful within a year, I think the people that developed that work product felt good about that work product in terms of what they were doing for the community.

I do think that the organization fell down on some of the implementation of those items. So in the new operating standards that we're going towards in terms of having a greater threshold or level of what a recommendation is, I think it forces us to write better recommendations and then the way the prioritization is being reviewed and recommended in terms of how we prioritize all the work products going forward, I think that's also going to drive greater transparency into what's actually being implemented because as long as the community is part of that prioritization process, we're going to be focused on the things that we want to get done as a community and we're going to spend a lot more time focusing on what actually ICANN staff is doing or ICANN Org or the ICANN community is doing to get those items done.

So I agree, we're in a whole new space right here. What comes out of this and how it works and how effective it is is going to start here, and this is, in my mind as well one of the most if not the most important section of what we're trying to do here.

What I thought we were solving for was really part of the CCTRT feedback in that they put a bunch of recommendations on the table,

and what came back was no money, no time, or lack of money, lack of time, not the board's responsibility, some other organization's responsibility.

So I think we're dealing with a whole new environment, and so when I think about that, that's what I think these bullets solve for, is that we're under a new regime, if you will, in terms of trying to get the most important things done for the community. Thank you.

MICHAEL KARANICOLAS:

Hi. I definitely agree with the idea that we should be careful and have a fulsome discussion how this is phrased. We've discussed previously this idea that we're really paring down the number of real recommendations that we're doing as oppose to all the other things which are just going to be suggestions when we get to these recommendations. I support this discussion that we should take a lot of care on it.

Maybe the fact that there's so much confusion about the problem – or I don't want to say confusion, but there are differing understandings of the problem that we're trying to solve, suggests that in framing this specific recommendation, we should have a brief paragraph at the outset identifying and consolidating our understanding of that problem so that we're all on the same page.

And I understand that we want to keep things concise, but maybe opening with something like that would be helpful. I also just want to add, in terms of substance of the recommendation itself, I do think

that the specialized reviews play an important role, particularly when it comes to the fact that there are often technical challenges that come into play that some people in the community are going to understand and others are not, so I think about the idea – I understand the appeal of consolidating things, but if the people in this room had the role of doing that kind of a consolidated review, I think there would be a lot of challenges insofar as there's imbalances in terms of different degrees of technical skills and other areas of specialization which I think would potentially speak against the idea of consolidation, and I think it's also worth noting that there's a potential to lose agility in the new system as it's being proposed.

So this idea that a novel issue comes up, somebody points to some issue that needs to be addressed, and you create this kind of review to look into that, under this structure as it's proposed, that might be less possible. So those are my thoughts. Thanks.

CHERYL LANGDON-ORR: Sébastien?

SÉBASTIEN BACHOLLET: Thank you. I guess one part also of the question we are trying to solve is a question not just in coming to the ATRT3 but also in the review of the multi-stakeholder model where we were discussing about a systemic review of the organization.

And if [inaudible] in the provocation of the idea, it's maybe ongoing review team, and when there is some specific issue, they gather

specific people with specific knowledge to do this work in a short period, not one year, not three days, but something in-between, and then they give it back to this – I call ongoing review, and like that ,we can handle all the topics and we have a possibility to take those topics all together and not one by one. Or yes, one by one, but the group who will look after that is one and need to get the input of different, more trained people on specific topic to handle for example privacy, this is becoming a topic we'll need some specific people, and security also and so on and so forth. Thank you.

BERNARD TURCOTTE:

I'm seeing a common point between Michael and Sébastien here, and as I said, this was just a thought-provoking exercise to see. But let's be clear, similarly to if there's one review, we're not expecting a group like these people to be handling all the questions. As with this review, as it says, we can form specific subgroups, we can go get the experts that we need.

I think the notion is that this type of a group in an augmented review gets to look at its scope, and once it understands its scope, gets to choose what resources it's going to need to make sure that these things get done. If there are subgroups that are needed – I think that's written in there – that are for specific things, then they can do that.

Yes, this thing is deficient in specifying a lot of things, but presume that the core requirements of an ATRT requirement was still there and that this would be properly funded and would allow for the proper resources to be focused on those things and to feed back up the

results to the main group which would just ensure that everything is coherent. Thank you.

CHERYL LANGDON-ORR:

Thank you, Bernie. We've got five post the hour and that means that our break does need to start now. So our break will be running until 15:20 local time. That will be 19:20 UTC, and when we come back, we've got a slightly modified agenda with a continuation of this last part of this section with the knowledge that we may also be putting this as a topic for our next plenary. This is not the close of discussions, Sébastien, it is the continuation of what we started with extensive discussions in Singapore and some thought exercises that we've got in front of us.

And the other thing is, Michael, I want to make sure we do remember that any future – regardless of what it's designed like – review team – notice I'm not saying specific or otherwise – would also then have an implementation team that operates quite separately from it to oversee and work with the Org in the implementation program.

So again, very different circumstances than we had when any of these were run last time. So there's now guidelines for Implementation Review Teams and how they operate and when they need to come back, etc.

So while you're having your caffeinated beverages and stretching your legs, think about that and we'll come back to this topic at 25 past the hour.

Right. Let's get started again. Where we left off, some of us have spent the break hopefully incorporating some of the text or some new text which has incorporated some of the ideas that we heard in the last discourse in this section.

The reason we're going to continue on with this for a little while now is that it was our hope to also have some feedback from the community as we go through our interactions with the community here in the Montréal meeting, so if we can pare down these points for discussion, please note these are points for discussion, they're not a detailed implementation plan. Right now, they're not even a full recommendation. And to be a full recommendation, of course, just going back to something Michael had said before the break where – and I think to some extent, this was also to satisfy what KC was asking for. To make a recommendation, we have to have a problem statement clearly articulated anyway. So fear not, people, for it to make it as a capital R Recommendation, one of the gating things will be problem statement, etc. So plenty of time, not all to be closed down today, for us to continue the discussion on what is I believe we all agree arguably one of the most important parts of our planned report.

With that by way of preamble, if I can draw everybody's attention to their screen or their display in the Zoom room, and we will go over what will be a slightly new set of discussion bullet points, so look at them with fresh eyes if you don't mind.

A couple of things, one of which you'll notice if you just scroll down slightly, there's some red. The proposal is that these be removed for the purposes of our current exercise. In other words, so that we can take this out into the wild with ICANN whilst it gathers in its meeting here in Montréal, let's take away what seems to be more detailed, a sub of a sub, take away the part about interaction between themselves and the board.

Doesn't mean it wouldn't go back in later on as part of recommendation or in detail planning, and also the transition details with any mention of CCTRT-style reviews being commissioned, when, where and how, and any relationship to any possible launch of new gTLDs that may or may not come back in in a later version. But for now, the proposal is that we strip it down to the existing five bullet points for discussion. By existing, I mean on the screen now as opposed to where last time you looked.

With that, Bernie, if you'd like to talk us through from the top. If we can take these now as relatively new points, that would be great. Thank you.

BERNARD TURCOTTE:

Thank you. From speaking to people during break, some people were concerned that this was a hard and fast recommendation. I think as I stated earlier on, more of a thought exercise, so I thought I'd write it in big letters, this is a proposal for a concept. The subpoints are possible considerations for this concept.

So done a minor edit here, replaced specific and organizational reviews with one or two specific and organization combined or separate ICANN reviews. Every five years, we've got to work on the every five years, with a set duration of one year.

The review should only include the effective elements from the current specific reviews, e.g. RDS review may no longer be needed. For SOs and ACs, the review should address the – white space. We proposed to take that out. If we do go to the reviews as has been discussed, maybe we should look at more things, which brought in the next point, which is a new point. The review or reviews should be responsible for a holistic review of the organization, which I believe was a common thread for many people.

Continuous improvement of the review or reviews based on the results of the previous such review, including a review scope. Changes to the scope of the review should be subject of public consultation. KC had brought up a point that who changes the scope and who makes a public consultation?

In my mind, what I was thinking, it's the review team that decides on a scope, as we did, but if we're going to go into major changes, there should certainly be some sort of consultation on this.

VANDA SCARTEZINI:

Just to follow, this is the holistic approach or internal [inaudible]? The holistic approach that we're talking about in the change of the scope?

BERNARD TURCOTTE: Yeah, that is correct, the holistic approach if we go to a much bigger thing. Sébastien.

SÉBASTIEN BACHOLLET: I think it's better if you go through all, and then I'll come back, a few comments.

CHERYL LANGDON-ORR: KC's hand is up so she might need to have an intervention now.

KC CLAFFY: I don't know where's the appropriate place, I'm just still wanting to brainstorm a little broader than even this kind of thing. But I don't want to derail this thread, so tell me when would be a ...

BERNARD TURCOTTE: Okay. Well, after I'm finished going through them, it'll just be a minute. Allow for the creation of specific subteams with very narrow scopes as we talked about similar to what is being offered right now in ATRT reviews with subgroups and specialties, and then if we go down, basically that text has remained the same, SOs and ACs would be responsible for implementing and reviewing their own continuous improvement programs supported by ICANN Org, should be handled internally by each SO and AC and occur regularly.

So there we go, back to you, madam chair.

CHERYL LANGDON-ORR: Thank you, Bernie. Sébastien, do you want to let KC go first with her additional points? Over to you, KC.

KC CLAFFY: They're not really additional. Again, if people want to discuss these points, it may be better because I want to kind of make a more radical alternative suggestion. I can wait.

CHERYL LANGDON-ORR: No, go ahead.

KC CLAFFY: I remember the first day I was talking to Maarten about models other regulatory spaces use for accountability, like US government, which we can have a whole other review team about, but they have a whole other agency called GAO.gov, government accountability office or something.

And of course, this thing is there all the time. So another direction for us – and again, if I were trying to save ICANN at this interesting juncture in history, I might say what is needed is something that is more continuous, like a standing group the way SSAC – sort of an SSAC for accountability and transparency whose job it is to monitor the recommendations that have come from previous review teams and give an update to the community on what the status is of those, including its own editorial comments on the recommendations and have a fixed amount of budget that comes from ICANN to be allocated

to an independent group that does this watchdog-y kind of role that we're trying to all do as a bunch of volunteers every N years, which doesn't seem to be working.

So I know that's kind of a radical departure from this, but again, I'm trying to – and during the break, think about what are the real problems, how can we make a real attempt at trying to do something that we think would address them and be accountable in that. So just put it on the table for brainstorming, and if this isn't the right time, I totally understand. We can do it another time.

CHERYL LANGDON-ORR: No, I think it's a perfect time to put that down, and it's an alternative we can consider and pop that in as another point for deliberations while we're here in ICANN 66. Sébastien, then Michael.

SÉBASTIEN BACHOLLET: Thank you. And thank you, KC. I guess you put a name on my suggestion earlier on, on having a continuous team. And yes, if we compare it with one or the other groups. [inaudible] another example, I didn't know about [STP.] I guess it was for that. I think we need to have that.

My trouble here is that I would like very much to have a design board and to be able to have a different possibility in front of us, the ongoing review team, the one single review team, and the two review team options, and to see what are the advantages and the disadvantages of each of the solutions, how we can agree on one or the other, how we

will sell that to the community, and how it could work. I'm not sure that I am yet ready for wordsmithing any of such a proposal, but I think whatever's the solution we take in the three I design here or I suggest here is that part of what is written as a bullet point can be useful, and we need to see also how this or those team are convened, who is in charge of, and so on, what is the responsibility from each SO and AC under constitution of these review teams, and so on.

And once again, I think we need to have different proposals on the table and to see what is the one who fit better with our collective wish. Thank you.

MICHAEL KARANICOLAS:

I'm also not completely convinced of the value of consolidation. It seems to me like if I'm understanding the problem or a big part of the problem in my mind is ICANN is getting these recommendations and they're not following them.

That is central to the issue as far as I see it, and the solution that we seem to be moving towards is less recommendations, and I see that as being very generous to ICANN – and I don't know that that will solve the problem, particularly in right of the fact that the recommendations are being coded as done when they're not.

That to me speaks against this idea that if we just give them less, put less out there to do, that will get better results. So I didn't raise my hand [inaudible] when KC mentioned her idea, I think that's a better solution because to me, I would push for more robust oversight. I think

that's the idea, I think that the idea of pushing different reviews together just based on my experience in this group, I've seen we've had to pick and choose what we're going to focus on and what we're not, what we're going to prioritize and what we're not. there's issues that were left by the wayside for one reason or another, and I imagine expanding the importance of a single review and putting all your eggs into that as making that challenge worse.

So yeah, I have concerns. Thanks.

CHERYL LANGDON-ORR: Pat.

PAT KANE: Thank you, Cheryl. I get all the points, and I guess the thing that I get concerned about is going forward, does it become a matter of ICANN not doing or ICANN not being able to afford to do? They're facing flat revenues, there's not growth in the tax base in terms of what they're at today, but how do we make certain we're doing and recommending the most important things we can and leave suggestions as suggestions? And I don't know how suggestions will be dealt with the board at this point in time under the new operating standards.

But it just seems to me that one of the things Sébastien and I talked about in the hallway is how do we make certain that the things that we as a team are going to recommend get done, because KC was focused on, is it a successful review team if recommendations don't get done? I think that's a very fair topic, and maybe that's a responsibility of the

review team in that we don't have just a one-year remit, it's one year to make our recommendations, but the follow-on is that we hang on and follow the recommendations until they are either implemented to what we intended them to be – because we're making assessments on what did ATRT2 mean by something. So if we stay in that process until they're implemented, or retired, because some of these recommendations were never going to get [inaudible] prioritization process, not just ours but when you put in SSR2s and you put in CCTRTs and all the recommendations, we run out of money and staff at some point in time to get all this stuff done.

PAT KANE:

Okay, the queue at the moment is Sébastien, and then I'm going to go to KC and then to you, Bernie.

SÉBASTIEN BACHOLLET:

Thank you, Cheryl. Michael, I don't think it's the answer to the question you raise, it's more the question of how we are able to have holistic view of the organization and how we can take all the question and try to get priority to them. That's a way of doing it, is to have one single or two reviews, and organize that. Like that, there is no confusion on how it's working, who is taking the decision of this one must be done before or after the other, and that's a way I think to solve those issues.

And I think you rightly put the question, and KC also, what are the questions we try to solve? And we need to write those question and to try to see how we will solve it.

From my understanding, I think one of the three possibilities will be a good one for the future and will be easier for ICANN to handle any type of topic linked with review, either organizational or topic-wise specific-wise. Thank you.

CHERYL LANGDON-ORR: KC.

KC CLAFFY: I just want to say another thing, if we're going to do this continuous and have the review team be responsible, going to echo what Jeff said in his bullet number two which is this can't be done by volunteers. This has to be a paid function, and then the volunteers can be sort of an oversight. The model that SSAC is currently using for the name collision project, which I can't say is successful because it hasn't happened yet, but this is the first time they're trying it because they realize this is a big chunk of work that ICANN needs done, it's a security chunk of work, and it wants SSAC involved but it knows SSAC is a bunch of volunteers that can't do the work. So SSAC's having some involvement in – I don't know if they actually pick who does it, but they're going to have some oversight in what comes out of that. So that's the model I think we need if we're going to go to a more continuous and less light touch oversight.

CHERYL LANGDON-ORR: And of course, that fits very much with the aspects of what an implementation team post a review or any other activity is supposed to do as well, work with the Org as basically the volunteer oversight of what the org's doing regarding the implementation. And I think that might be fairly analogous to what you're describing in the SSAC model at the moment with the name collisions work, so I'd encourage you to have a look at where we might find leverage with that.

Going to go to Bernie, but before we do, just to remind you all, what we're trying to do here is find five or so bullet points that we can let out in the wild while we're here in Montréal in our interactions with the community to say some of our thinking regarding a radical overhaul to do with specific and organizational reviews includes the following. So not saying this is our recommendations, just saying this is some of our thinking.

So while we go to Bernie, make sure that you've all looked at those points yet again and see whether there is some more out-of-the-box thinking that we can get, and we've got the additional point now of course with the possibility of a standing committee acting in oversight. Bernie.

BERNARD TURCOTTE: Thank you. You know what? I don't see the concept of a standing group being contrary to what we're talking about here, because that to me is an implementation detail. And if you consider a lot of the

elements of being able to follow on in everything else, I'm absolutely not arguing with KC on that. As I said, for me that's really an implementation detail. But an important one, let's not forget. So yeah, that's absolutely, I think, a worthwhile consideration.

The other thing we're going to have to understand if we go down that route is two things though. The first thing is, are we creating a new structure within ICANN? Because it wouldn't be an SO which makes its own policy, and would it be more than an advisory committee? It would almost have to be in a certain way. Or is it just giving advice? So that's number one.

Number two is, yes, we've had these discussions about implementation, we've had these discussions that this group would bring all these reviews together, and then the interesting notion of having a permanent group is, yes, they could launch specific groups, and one of the mandates of the group would be to make sure that here is a set of recommendations before the next strategic plan. Great. Okay, we're good.

Let's not forget the following though which is going to color all of this. From Brian Cote's work on the multi-stakeholder model, from our work with the survey, number one on the community's list is how we're going to prioritize and what kind of money is going to be given to these things, so let's not forget, regardless of the idea that we come up here, this idea is going to be looked at in the context of this prioritization work that as we know is going on in three places. It's going on here, in Brian Cote's work, and at the board.

And one thing we can be certain is as Pat has mentioned, given the realities of the Organization, there is something that's going to happen with that one way or another, and we may as well be ahead of that curve. Thank you.

CHERYL LANGDON-ORR: Thank you very much, Bernie. So where are we now? Let's see what our level of comfort is with what we may or may not be saying while we're interacting with the community. What I might do actually – Wolfgang, as the architect of the thought process that took us to the radically reduced or consolidated approach, and now you're finding Michael amongst others pushing back against that, did you want to speak to that before we now go to Michael?

WOLFGANG KLEINWAECHTER: Yeah, what Bernie just said, prioritization and money, so if we make this more or less radical proposal to reduce this, we would save a lot of money, so this is probably one of the first proposals in ICANN history which we will save money. And certainly, if you make the next step, this has pro and cons, and we are in the early stage to think about the pro and cons. That's why I said this morning, let's have this communication with the community and let's get feedback.

So if we ask direct question, what they think about it. So that means, what Michael has said, certainly, there are unintended side effects. We can lose something, and if we say, okay, it's not the answer to bring

more efficiency by reducing the number of recommendations, so this would ...

But on the other hand, I think review and oversight also should take the perspective of an eagle and not of a frog. That means we should look from above –insofar, the language, the holistic approach to see ICANN as a whole I think is really important.

A lot of these specific recommendations which are needed should not be the business of review teams. That’s the internal business of the supporting organizations or the advisory committees. Probably, one element of this new approach could be that we encourage to the SOs and ACs to develop in an innovative way their own review systems for a lot of very practical things, including PDPs, although there is no need to have a big body which oversees all this or the external consulting firm with only limited knowledge about the internal procedures.

So that means in all the SOs and ACs, as I see this from my many years in ICANN, you have people who are permanently criticizing the committees from inside the organization, and so far, you could delegate some of the critical reviews back to the organization. And this would give then the key review teams much more flexibility to take this view from an eagle’s perspective and to leave the frogs in the communities.

CHERYL LANGDON-ORR: [inaudible].

WOLFGANG KLEINWAECHTER: Okay. You know what I mean? But again, before we come to a final decision here within our group, I would prefer to listen to the community. I had already a number of discussions after the Singapore meeting, and the general reaction was if we come with a proposal to reduce the reviews and to have a more strategic approach to these review processes, the reaction was mainly, “Yeah, this is good.”

And again, this saves money. The question of a standing committee or a permanent committee, yes and no. I'm discussing with Pat in [inaudible], whether we need a second board. I think in the German economy, big corporations like Siemens have a board and what is called the [inaudible], it's like oversight committee. Very often, board members go to the [inaudible] but as a certain control which is part of the whole corporation. But it's external but in a certain way internal.

And certainly, we could think about this, and to introduce this new structure, but I feel not yet really comfortable at this stage to make already such a fundamental proposal.

So this would need much more discussion with the board, more discussion with the empowered community, whatever it is, but it could be part of, let's say, a restructuring of ICANN as we had in the years between 2002 and 2003 where we also had fundamental restructuring. I would see this as a package for the next two, three or five years which would include reconsideration of the structure of the GNSO and probably – we discussed this also already, bilateral, whether we should remove the noncontracted house in the GNSO and to move this into business advisory committee. We have no business

advisory committee so far. We have technical advisory committees, governmental advisory committees, At-Large communities.

All these are very early ideas, and so far, the summary is let's have a good communication to use this Montréal meeting with the community and to get some feedback, to provoke them with some radical proposals and then to come back and reduce our ideas to realities.

CHERYL LANGDON-ORR:

Thank you. And apply Occam's razor at one point to make it as simple a model as possible to maximize performance. Just on your lots of other good ideas, we've also got to stick to our mandate here, and we do have a mandate to make – ATRTs do have a mandate to make recommendations about other reviews. We don't have a mandate to talk about restructuring of the whole organization as such, but that may be a consequence of some of the next steps.

So I think we need to keep our powder dry on some of those things. I don't think we're going to get it all done in the one step. It might take two or three steps to do. But that doesn't mean it's not a worthy exercise by any stretch of the imagination. But our mandate does include to make specific recommendations on the continuation, change of purpose, or closure on the other reviews. Michael.

MICHAEL KARANICOLAS:

Thanks. I think that it's good that we're having this discussion in more detail that goes into some of the scope of the problems that people

are finding, particularly because as I hear these problems mentioned, I think that a lot of them can be solved without necessarily going down this route of consolidation which I'm still having difficulty seeing as anything but a move to less oversight and accountability.

I hear issues around prioritization which I understand, but again, that can be resolved without necessarily consolidating things. In terms of issues around costs, you can bake that into the reviews as you go. In terms of scheduling and harmonization, certainly, the messiness of having the different reviews together and the overlapping time frames, I think that we can all agree is a challenge. But again, that's something that can be resolved through improvements to scheduling and clarity of when reviews take place and start and end dates. That doesn't necessarily involve pushing everything together.

There is one other thing. The reason why I originally raised my placard is not as much about that as about the thing that's mentioned at the bottom in terms that's – that bit right there. I dislike the endorsement that SOs and AC reviews should be exclusively internal. I think there's value to cross-community assessment. I think that phrasing it the way it is now and pushing for that position is a recipe for internal rot, and for SOs and ACs to grow more insular and more removed from the actual constituencies that they're purportedly representing.

I think that that's already taking place in some instances. I've expressed as much as part of this review. I received pushback on some of these areas of inquiry, which is fine and which I accepted, but I have a problem turning that around 180 degrees and basically saying that

the SOs and ACs should be walled off and autonomous entities given the public interest position that they hold.

I would like to see a recommendation in the opposite direction of this. I accept that that's probably not going to happen, but I have a problem going in this direction.

CHERYL LANGDON-ORR:

Thank you, Michael. We'll go to Bernie next, but I'm pretty sure with at least some of the modeling which is yet to come, we had said that whilst continuous improvement would go on as a regular thing within the ACs and the SOs, there would be a periodic larger review, and that's something that could come in a one or a two model.

If it's a two model, then one of those models is that those looking at the organizational – the whitespace between them, etc. So I'm not sure that it's going to be totally – it's the same as having an ISO 9000 accreditation. You do internal auditing, and then every three or four years, you still reaccredit. So I thought that was some of the thinking, but Vanda, correct me if I'm wrong, but from the original thesis that we were discussing in Singapore, I left with that as at least part of one of the models.

That may be, again, another option. Vanda, you're next, and then we'll go back to you and then to Bernie.

VANDA SCARTEZINI: Yeah. What I understand, exactly that. If you give power to those AC and SOs to make the arrangements they needed to do inside, and this holistic view will see and oversee this – if what they have done is enough or not. So it's like to have five-year review for the community, because this holistic [inaudible] will be the same. They will review everybody in the holistic way better than now that we are more closed silos even with people from outside, they are implement by themselves, not connected with the other.

So I don't see that we are in a better world than we will be with this holistic idea, because it's not two, it's one I saw, that's one big [group] where we're going to spend more money. And inside each AC and SO, they will improve themselves because they need it, and they can understand easily. It's like any organization. Any organization has that departments, and the departments need to improve themselves.

So I see this model much more effective than we have today.

CHERYL LANGDON-ORR: Thanks, Vanda. And I think the fact that the holistic review of the organization could even include external bodies, those who do organizational reviews for their daily bread, coming in and looking at what has been happening within the ACs and the SOs, etc. Back to you, Michael.

MICHAEL KARANICOLAS: I didn't think I had my card up, but I was thinking, yeah, just a couple of words in the second section that sort of got my back up a bit. And I

think that it's possible that I'm misunderstanding it as a push into – that I'm misunderstanding the broader thrust of that.

CHERYL LANGDON-ORR: If you can work on some word changes for us while you're thinking about that, because we don't want to have misinterpretation of intent, we do want to try and get something for our communities to get their teeth into and for us to hear what they want to say about all of this. But we need to get our thinking straight. Bernie.

BERNARD TURCOTTE: I think that was the whole point. The bullet on top – that's in purple, Michael – was originally less inclusive, and we wrote the bullet right below it to handle exactly the case you're talking about in that we would no longer be just looking at the white spaces as it has been referred to, but we would include everything. And I didn't retouch the bottom, which could use a little bit of editing. I'm not having a problem with that. So just to be clear, I think that's in lien with what we're trying to do here.

CHERYL LANGDON-ORR: Thanks, Bernie. Pat and I thought we'd like to spend at least another five minutes on this, so I think we've got some time to try and get four or five bullet points – maybe a mere modification of what's in front of you or it may be something entirely different – put together so that we can use these to seed interaction with the community, which of course is exactly what Wolfgang was talking to, because we want to be able to

have something that we can display with our brief interactions and say this is a reflection of some of our thinking, what's your reactions to it.

It's then our intention, just so we're all very clear, this is not the end of the conversation but the beginning on this section, so any stopping in the next five minutes does not mean we have stopped, but rather we are pausing to take it to the next stage.

We will also declare now that we have then planned to spend at least the next plenary, which I believe is around the 13th, Jennifer, correct me if I'm wrong. Put the date and time in the chat if you would. The next plenary on our continuation of this topic as the major discussion piece, but that allows us to bring to our thinking then anything we glean from interactions with the community here at Montréal. Sébastien.

SÉBASTIEN BACHOLLET: Thank you. I think if we want to have feedback from the community, we can't just come with one solution with just [inaudible] to show that there are two possibilities. We need to design two or three possibilities and ask their feedback on each one of them or one of them if they pick one, because if not, we will give them more darkness [than light.] Thank you.

VANDA SCARTEZINI: I think just the opposite. If we are not doing surveys about that, we are presenting our point of view and asking them to think about and

maybe they can give feedback how they feel about that idea, because we have no time for that.

There are no long sessions to discuss, and will not work if we present many things, because it's too much to understand. And we are here talking for many times, many days, people that are listen first time cannot deal with a lot of alternatives on that. Even we are talking different cultural behavior, understood and so on.

So in my point of view, we should just be clear, present this concept as not a solution, not a recommendation. That needs to be clear to not confuse people that we are not presenting formal solution. We are thinking about a concept that is changing things. So we need some feedback. It's just that, in my opinion. Thank you.

CHERYL LANGDON-ORR:

Thank you, and I think as we move towards any such recommendation or choice of recommendations on models, Sébastien, one of the things we can do in the plenary meeting is of course use the – correct me if I'm wrong, Jennifer, but we can use a shared space as basically a scratchpad, can't we? So your desire to have either a matrix put up, a set of choices or whatever, we can actually do that in the remote.

We also, if we have time after just finishing one or two other essentials, come back to it. [We've] made some flipcharts magically appear, so we appreciate that. Would have been good to have them at the beginning, but anyway, they're here now. So we might be able to get a little bit of rough work started as well so that we capture some of our thinking.

Bernie, where do you want to take – I just want to ask a point of timing– accountability indicators in our face-to-face meeting? Is that something that is going to take a block of what time?

BERNARD TURCOTTE: 30 minutes.

CHERYL LANGDON-ORR: Okay, so it looks, for me, if Bernie’s estimate is correct on accountability indicators, that we should have time to come back to this, and that might be a good thing after we've had a little break from thinking. Okay, KC, over to you.

KC CLAFFY: Hi. I guess I would agree with Vanda if we had a consensus view, but I'm not hearing a consensus view on what a proposal should be, and I definitely don't agree with Bernard that having a separate standing committee or organization or something, whether it's in or outside of ICANN, is an implementation detail of the current written text.

So I think I must agree with Sébastien that we should, if not have a few proposals, capture the different opinions that currently exist in the group that we are noodling over, and use Montréal as an opportunity to get feedback so that we can noodle over them in a more informed way in our calls in November.

And I'm happy to take some text, a whack at that probably tomorrow at this point, if that helps.

CHERYL LANGDON-ORR: Tomorrow's getting on in the lateness stakes if it's going to influence what we talk about as our thinking. Obviously, it's not too late if it's going to be from our thinking and our feedback fleshing out on mobile options, but we just need to be careful that we don't interact with the community and then basically ignore what we might get back from them because we've already gone off and designed another model.

We've got Sébastien, but Vanda, you were referred to by KC and you were shaking your head at one point. Did you want a right to reply?

VANDA SCARTEZINI: What I believe, we are not make a proposal. We are just discussing ideas, and to discuss idea, we cannot present several ideas. We are not asking them to choose then. I believe we are just giving them opportunity to think about disruptive idea than they are used to have here. So it is not easy when you have 20 minutes to do that. So I'm afraid to put [much things] in front of them and not get anything.

So this is not a proposal, finally, it's just exchange of ideas, and we need to present our idea as a general concept. That is, as I said, disruptive and brings al to of problems together with disruption in any place. So that's my point.

CHERYL LANGDON-ORR: Okay. Sébastien.

SÉBASTIEN BACHOLLET: Thank you. I don't know what we want to put on the table, and if you want, I disagree with myself. Therefore, I don't think that anybody here can say I want to push this idea, because which idea we want to push? One? Two? Three? Leave it like it is? What we want feedback on that? If we push one idea, if we put one idea on the table, that means that this one will be discussed. And why this one and not the other?

We are in a tricky situation, short time, therefore I don't know where we will end up, but I hope that we will be able to have good discussion with the community.

I wanted to come back to the question of schedule. I really feel that we need to postpone the discussion about the metrics or what was supposed to be discussed, because I really feel that we need to have discussion on what our next steps and how we organize ourselves in the future and that needs to be done now if we want to, for example, have a face-to-face meeting after we have the comment period close and the report of the stuff. If we don't want – at least we need to discuss it and to try to find an agreement on that type of issue. Thank you.

CHERYL LANGDON-ORR: Thank you, Sébastien. That's part of our Any Other Business planning, but we can shuffle that around. Vanda.

VANDA SCARTEZINI: What I was thinking about, Sébastien, is just a view that I do believe we agree here, is not one, two, three or five, is just to have a holistic

review of the organization. How we're going to do that is another thing, and we are not asking community to respond to that. We are just showing and sharing that we think that is needed holistic review of these things, and listing what they think about.

That's my opinion. I don't see – because I believe we are in agreement – why not ask and use the opportunity if they believe that's a good approach.

CHERYL LANGDON-ORR: KC.

KC CLAFFY: I'm sorry, I don't agree with that, Vanda. First of all, I don't know what a holistic review is, and I guess we would have to flesh that out before I knew whether I agree with it. But the point that we're not making a specific proposal, the current text says replace specific and organizational reviews with one or two reviews every five years with a set duration of one year.

That's a really specific proposal in my mind, whether we want to call it that or not. That is not – I offered a countersuggestion, and Bernie said it was an implementation detail of this suggestion, but I really don't agree with that. I think it's something quite different from what's here. So again, I'm happy to write up what I think as an alternative here, but I'm not convinced either that presenting them a couple of scenarios is going to overwhelm them.

On the contrary, you could think of it as a multiple choice question rather than an essay question, because if you just present them one scenario, they have to think, well, is that going to solve all the problems? But if you present them A and B or A and B and C and you say we're trying to address this problem with A, B, C, which of ABC do you think addresses this problem better, and then we do the same thing with problem Y, does A, B, C address problem Y better?

And I think we're likely to get more concrete feedback from folks rather than, "Do you think this proposal works to address all the problems?"

CHERYL LANGDON-ORR: Thanks, KC. I did think what we were trying to do with these points was to make sure that we were in fact going to offer at least an A, B or a C and then ask them if they want to put anything else up to the table as well.

KC CLAFFY: I didn't get that. Okay, I missed [inaudible].

CHERYL LANGDON-ORR: That was the point of adding things such as a standing committee for example as another piece of thinking. I see Pat.

PAT KANE:

I'm going to say what Bernie's whispered into my ear because I think it's right, is that we do have a limited amount of time with each of these groups, so we need to make certain that we are succinct in terms of what we're putting on the table to have a conversation with, and it's not a small group of people, it is a large room. So I've completely stolen your thunder, Bernie, sorry.

So we need to try to balance that, but I hear what you're saying in terms of the conversation, in terms of we still don't really have a proposal. We have some suggestions here. But how do we do that in some cases where we have 20 minutes, I think, or 25 minutes? And how do we talk about where we are and what our thinking is? And is it one, two, the same? Is it once every five years? Is it as needed with a maximum in-between of five years?

I'm okay with whatever we put on the table, but that's really what we're thinking here. it's still a conversation. We're not at a proposal yet, I don't think, at all.

CHERYL LANGDON-ORR:

And certainly nowhere near calling for any form of consensus. KC, back to you.

KC CLAFFY:

I wanted to ask about the purple task, particularly the transition bullet at the bottom. Are we not talking about that in this conversation, or should I mention [inaudible]?

CHERYL LANGDON-ORR: The suggestion was that we certainly don't talk about that during our interactions with the community here in Montréal. At the moment, you would see that as proposed for strikeout, but we may revisit it later depending on where our next thinking may or may not take us.

KC CLAFFY: Okay. I don't understand the final part of it in the CCT, but let's just postpone it to when it comes up, and I'm going to assume [it's struck.]

CHERYL LANGDON-ORR: Or even if. Yeah. Okay, so where we are now is with a little bit of time to the half hour, so let's take some of that time to the half hour to try and recap one of our objectives for this last session which will be running through to 17:30 local time, 21:30 UTC – so everyone understands what your time commitment is here today – is to look at what we'll be presenting or using as material in any of our engagement sessions.

So this current conversation fits with that piece of the agenda, so it's not that we're bumping things off the agenda or shuffling things around, this current conversation fits with that.

Would it be helpful, having failed to do much in terms of modification of the text that we put up over the break, would it be helpful now, Bernie, for us to have a very brief look at – there's a large selection of slides, two or three of which we may use in any of the conversations.

What else do you need us to do as a group in terms of finalizing presentation materials beyond this part of the work, which we are planning to come back to?

BERNARD TURCOTTE: I think all the rest of this stuff is fairly neutral, and I don't want to waste the plenary's time with it. This is the one that we need to resolve.

CHERYL LANGDON-ORR: Okay, that's good news. Has that been distributed to the list yet? Because it might be important to make sure that between now and when we start our first interactions, which is on Sunday, that everyone has a look through the slide deck and perhaps finds a favorite one or two of their slides if, out of that, they think we should probably use each time. But obviously, we've got them there and they'll be appended to each of the meetings, so they can be there for informational purpose so then we can come back and work a little bit more on this because this would be a fresh slide – or two slides, I suspect – in the deck.

Sébastien's also asked us to pretty much do the next steps in the AOB as a priority as well, and we were looking at a 30-minute on the indicators. If you do not get the indicators done in our face-to-face, I don't believe the world as we know it is going to come to an end, so that's an easy one, and I've got an agreement from, I think, everybody around the table with that, although it's hard to tell.

So we may in fact bump that one off the agenda. Great, that's more time for this. Good. So I guess what we might do now is, Sébastien, you're the one who wanted to bring the planned Any Other Business forward, and you've got your card up, so if you speak to what you need to on this matter, and also just let us know whether the end 15 minutes or so may be sufficient for us to discuss what we would be doing in terms of further face-to-face meetings.

We've discussed, just so you know, the potential of timing and etc. to work with the documentation process, so we do have some provisional time blocks to look at, at the very least. So at least that much work's been done in preparation for it. Sébastien, over to you.

SÉBASTIEN BACHOLLET: Thank you. Regarding Any Other Business, I already said what I wanted to say, and we have to look to what is our next step. And I would like to make a proposal to change this text to be hopefully lighter for the discussion with the community, but I don't know, I don't understand where we are, then it's up to you.

CHERYL LANGDON-ORR: Okay. If it's up to me, we'll take the last 15 minutes to look at the next step as we do the wrap up, because it kind of leads to an ending and going on.

So your proposals then.

VANDA SCARTEZINI: Just for the [inaudible]?

CHERYL LANGDON-ORR: Yes, Vanda, go on.

VANDA SCARTEZINI: Just to understand our week work with the community, after each community, we get together to ... Or no?

CHERYL LANGDON-ORR: No, we're not getting together again here.

VANDA SCARTEZINI: Or any place.

CHERYL LANGDON-ORR: But we will have the plenaries that are running through November. We've got to pack an awful lot into that time. In which case, Sébastien, we're back to your proposed text and changes.

SÉBASTIEN BACHOLLET: Thank you very much. We start with what Bernie had written, but I suggest that we reverse the discussion and replace specific reviews by one, replace organizational review by one. Eventually, joining the two into brackets, and we don't put what is written in red. That's not, from my point of view, a useful point of discussion because if we discuss – if RDS is still needed or not, we will not get what we want, and put the

four bullet points like they are, I think could be a good way that's explained a little bit why we want to have just two reviews or two reviews or just one. Thank you.

CHERYL LANGDON-ORR: Okay. So let's look at the screen and make sure that we're reflecting your proposals properly then, Sébastien. While we're doing that, can I ask, with the red text, do you want to delete the reference to only include the effective elements of the current specific reviews and delete the specific reference to RDS? Which I agree with you, I don't think we need that there. But did you want to stay silent on the inclusion of the effective elements from the current round?

SÉBASTIEN BACHOLLET: Yeah, Cheryl, I don't think that it brings something useful today to the discussion, and that's why ... Yeah, thank you.

CHERYL LANGDON-ORR: I'm happy to keep it simple. And like the rest of the purple text, we may or may not come back to it. Okay, we've got a queue open. KC, over to you.

KC CLAFFY: I just want to make sure we get in the idea and talk about it, and everybody says no, about a standing funded committee to track the implementation of previous reviews. That's outside of ICANN Org.

[inaudible] implementation detail could be inside, outside, and that's the kind of thing to get feedback from the community on, I guess.

CHERYL LANGDON-ORR: Okay. I'm not sure outside of ICANN or inside of ICANN is going to be a great conversation with a potentially confused community, but certainly, the standing committee I thought got carriage around the table for inclusion.

KC CLAFFY: [inaudible] how about just independent and we can let people interpret that?

CHERYL LANGDON-ORR: So now I think you've confused me. Let me use your words. I don't understand what you mean with reference to a standing committee which would be an oversight, if that's going to be an external standing committee. I'd automatically thought internal, some form of cross-community sub-beast of something of the empowered or whoever's. Don't really mind about the implementation. But I hadn't thought about that as a third-party purchased product.

KC CLAFFY: Yes, the third-party purchased product is critical in my view, it's like an auditing function that has to be independent from the organization to see if – and again, this is specifically trying to address the problem that we've uncovered, that ICANN's assessment of its own implementation

seems to be a bit off sometimes. So we'd like an independent assessment of the implementation of previous recommendations and that takes a lot of energy and resources, so we'd like that to be funded, is how I look at it.

CHERYL LANGDON-ORR: Alright, so I certainly didn't understand, and it's quite possible no one else understood that that's what you meant when we all agreed to the standing committee. I think we're all thinking our internal and less paying consultants to do these things. Michael?

MICHAEL KARANICOLAS: Yeah, I understood it the way that she phrased it. Yeah, I think that if we're pushing for this idea – if the idea of consolidation is presented to the community as not even a draft recommendation but a recommendation that is being strongly considered, that it should be presented as one option among others that we're considering in the context of the problems that we're facing.

So looking at the way the language has been edited, I feel better about it than I did previously, but I'm still – it still looks like it's going to be significantly paring down accountability, and I see that as problematic.

CHERYL LANGDON-ORR: Okay. And again, we're going to have a lot of individual voices, and we're not all going to be happy at the end of it. And I'm quite sure, as I

say, the architect of the opposite idea probably feels just as strongly. I'm looking at Wolfgang and he's probably feeling just as strongly in the opposite direction, and he's even been doing some customer satisfaction surveys in-between. So who knows where we'll end up, but we'll have – not diametrically opposed, but diverse views, and we want to get some feedback from the community on those diverse views.

Alright, so we've got a few more possibilities to list in some way, shape or form. Let's see if we can make sure we capture those. Pat?

PAT KANE:

I think it's safe to say that when we introduce this topic within each of our sessions, is that we all agree – I think it's consensus that this is an area that we really have to focus on, but currently, we are still working through a broad variety of things to solve the problem. But I recognize that reviews are a problem in terms of what we're driving.

And I think that that's the message we need to send, and that we've got a lot of ideas and we're circling around and having lots of conversations, and we've not decided on a proposal. These are just some of those items.

KC, on your suggestion, I think that I'd like to some of the wording that we could use from what Jeff proposed, which is if we were to say an external entity or some kind of entity that is contracted with oversight from community volunteers, or from within the community – I think that the idea that we're going to have something that's kind of an

enforcement arm post-recommendation, that we follow through on the implementation is important, but I wouldn't want to settle on paid versus volunteer as opposed to paid or volunteer. Would you be okay with that?

KC CLAFFY: I don't think so. I think one of the things I've seen in all of the review things I've been on is that the volunteering part is hugely problematic. It's just not working. We get 20% of the people doing anything.

CHERYL LANGDON-ORR: Sébastien.

SÉBASTIEN BACHOLLET: Sorry, KC, but if we're going in that direction, we can also decide to close and leave the staff to do their job, and we go home and we stop to work. If it's that we want, let's go, and I am sure that plenty of people will agree with that, especially the government will be happy. But I don't think that's the way we need to pursue. If we are here and if we have just 25% making the work, we have to solve that as a problem of the multi-stakeholder engagement, but it will not be solved by having just paid people.

I would like to take this opportunity to say there is a problem how we go from unpaid to paid people, and maybe there are other solutions, but if we say there are just white and black or one or zero, it will not work here. Sorry for that. Thank you.

CHERYL LANGDON-ORR: And I suspect, KC, we're going to get a very diverse reaction from community as well, but we may get diverse reactions from everything. Do you have anything else to say, KC, before I go to Michael?

KC CLAFFY: In response to that, yes, I agree this is complicated. We're not going to resolve this now, and this is part of the reason I thought we need to present multiple scenarios to make it clear that we don't have consensus on this year, we're still thinking about ideas.

The reason I brought up the NCAP model, the SSAC-NCAP thing, the name collision project is that it's an example – and again, I'm not claiming it's successful, it's too early to say, but where they recognized this issue and decided that volunteers – in this case SSAC, so that version of volunteer is going to have some oversight to the paid function.

So I don't know if that addresses what Pat was trying to get at, that they're sort of both in play here, but we're trying to address the issue of when there's a huge amount of work involved, there's resources to devote to that work that are secured and independent. That's all.

CHERYL LANGDON-ORR: Thanks, KC. Pat's jumping in with a right of response before we go to Michael.

PAT KANE: Yeah. KC, you bring up the NCAP study and I think that's very specialized work that can be outsourced because people understand with the data that we're looking at there, so I think it's a little bit different. We're taking a look at some of the nuances within our governance model. I think there's a challenge when we look at that and say, "How does this work within these types of groups to bring somebody in from the outside who's not experienced with our groups?"

So I totally understand where you're coming from on this, but I think that the lack of community volunteers who understand the model or have history with the model in what we're trying to achieve with some accountability and transparency of that model requires people that are experienced in the space.

KC CLAFFY: Can I respond?

CHERYL LANGDON-ORR: Go ahead.

KC CLAFFY: Yes, but I don't see it as mutually exclusive. So I guess my final comment on this is that it might be good to put – it might be good for some of you guys to talk to the SSR2 folks this week, and I'll try to join that joint meeting if I can, because they're definitely in the space of

considering recommending some paid auditing kind of function for compliance.

And that doesn't mean not experts. I guess I'm a little confused by Pat, because you can certainly find excerpts in this space. So I don't know quite why what I'm recommending means you're stuck, but [inaudible] maybe I said enough. Go ahead.

PAT KANE: I think when we talk about experts in our space, there are people that have been in this space for 20 years that this space is their livelihood, and they're representing certain people or other people. And I'm trying to also have an understanding if we have paid people, are they actually nonbiased? Are they nonpartisan in terms of how they're taking a look at all this?

KC CLAFFY: Oh, sorry, that's a given. That has to be handled, of course, yes.

PAT KANE: So I know that everybody in this room has something that we care about passionately when it comes to accountability and transparency, because we all have topics that we weigh in on more than others, so we certainly have things that we care about more than other items. But if we're going to have a paid entity and we're going to say that that is the definition of what oversight towards implementation looks like, it's got to be nonbiased.

CHERYL LANGDON-ORR: Michael.

MICHAEL KARANICOLAS: Yeah, I agree with KC's proposal, and I also don't see them as being mutually exclusive, if I'm understanding it correctly. I don't think what KC is suggesting is that we should be handing this role over to KPMG or Deloitte. I think what she's saying is that it should still be done by people from the community but that there should be funding provided – and I think that that's an important point because there is a problem with the current structure, and that problem is going to get worse if you consolidate it down.

And if you put more work under a smaller number of reviews, there's going to be more work. We had a bunch of people who dropped out of this process. There are challenges with getting noncommercial people to the table.

I've heard it said that we're all volunteers, but some are more volunteers than others, and I think that if you put more emphasis on a smaller number of reviews particularly, then the current imbalances which privilege certain types of participation over others are going to get worse, and that will need to be addressed.

CHERYL LANGDON-ORR: Bernie.

BERNARD TURCOTTE: Following on Michael's thing, I don't have a problem with Michael's point of view. If we look at the reviews, there is funding for work. I think what we're talking about is how much work the community members are doing versus how much work can get contracted out. And I think that's a discussion to be had. But I'm not saying that – from what I understand, I don't see a problem.

I agree with you that as the thing grows, if we're actually merging these things, that there will be additional work, and it's unreasonable to a certain extent to expect community members to do most of that work. They can do some of it, and they can decide what's important for the community and they can decide if there are some people out there that can do some of the grunt work to bring it back to the community to decide what they're going to do.

I don't see that as incompatible with what we've got right now if that's what you're talking about.

CHERYL LANGDON-ORR: Michael.

MICHAEL KARANICOLAS: To clarify, I'm not talking about greater support from greater travel funds or external consultants or whatever. I mean that if you're consolidating us down and you're expecting a huge work commitment from people over the course of a year, that funding for the people participating, paying the people who are participating, has to be part

of that discussion, especially if you're increasing the amount of pressure that's on them by consolidating the reviews down.

Okay. I'm not sure how far we've drifted away from what KC originally envisaged, so let's double check. KC, back to you.

KC CLAFFY: I'd have to go look at the text here. I still don't see something that says –

CHERYL LANGDON-ORR: No, the text hasn't changed, but you've just heard from Michael and he's talking about paying the volunteers to do this work. Now, I don't know how far away from your concept of external body and independent that is, so I was coming back to you.

KC CLAFFY: You kind of broke my brain with paying volunteers. If you're paying them, they're no longer volunteers. [inaudible].

PAT KANE: Well, then how does that fit with external and independent then? And there is in fact a complete body of work on paying volunteers in the volunteer literature. It's just you probably don't read a lot of it. But it is a terminology [you can upskill if you need.]

KC CLAFFY: Okay. So I don't know how to answer that question until I go do that, but I will say that the conflict of interest issue that Pat brought up should be mentioned. If we're going to talk about paid volunteers, we should talk about with the appropriate conflict of interest guidelines or rules in place.

CHERYL LANGDON-ORR: Of course. Yes. There'd be a lot into the details. I guess the other thing, especially while we don't have Bernie for a couple of minutes now, that we also should note for the record, is that each of the specific review teams have had the budget and the capability of bringing in experts, doing surveys and bringing in professionals. So if for example, we did want to bring in KPMG, we could very much do that, or any similar organization. I just picked them out because it was used as an example before.

So some of these things, again, are not mutually exclusive, it just depends which pathway we may or may not end up in.

KC CLAFFY: So that's slightly different because I'm talking about in-between reviews or as a follow up to the reviews. So there hasn't been any resources allocated to making sure that the independent body can assess whether implementations are implemented along the way before it gets to us [on next] review.

CHERYL LANGDON-ORR: Understood, but support for an implementation review team now exists where it has not existed in any other previous exercise of what we have or what we may have if we change. So that also makes a difference as well.

KC CLAFFY: Sorry, where does it exist now?

CHERYL LANGDON-ORR: Well, for example, if you need to have meetings of and support in whatever way, shape or form for the implementation team associated with all of the 100-odd Work Stream 2 recommendations, that's got to be funded and facilitated by ICANN. That's part of the deal on what an Implementation Review Team does.

KC CLAFFY: Oh, that's in the bylaws or something?

CHERYL LANGDON-ORR: It's in the guidelines for IRTs, which came out of what Sébastien was discussing he thought was poorly named earlier, it was the non-PDP working groups, so the cross-community working group on non-PDP policy development. That's where the IRT works came out, if memory serves. It was a while back.

KC CLAFFY: Has that been done for any of the reviews so far?

CHERYL LANGDON-ORR: No, because it came into pass after the last one, and the CCT RT is the only one that has fully run since it's been an accepted document, and they haven't put together their review implementation team yet. So we're in that flux stage again.

KC CLAFFY: Got it. Thank you.

CHERYL LANGDON-ORR: Yeah, it's just that we don't have proof of the pudding. But we do have all the makings of it. Okay, Wolfgang.

WOLFGANG KLEINWAECHTER: I don't really agree with Michael that consolidation means to take away pressure from the board or from other groups. In my eyes, consolidation means a redistribution of work which is needed, and if you look into all the reviews, I see a lot of duplication and a lot of unneeded work.

And the risk - this was my argument in Singapore - that we promote a silo approach. ICANN is seen from the outside as one body, and insofar the reference to the holistic approach, which is needed to get this eagle's perspective, is a strong argument to streamline these processes and to redistribute.

And the consolidation means indeed to check what is needed, what is not needed, and who can do what at the best. So at the moment, the proposal is in my eyes that we say, okay, we reduced the number of reviews and [bring substance into] organizations and probably something like a standing committee or so. But let's wait and see what the community will say, because we have to listen to it.

But again, I think consolidation is needed because a lot of things have to be done and are costly which are really not needed. And there is duplication, and we should not contribute – or we should [first feed] this diversification which every group then produces another mechanism and another mechanism and gets bigger and bigger.

We are not United Nations. I worked in many committees in the United Nations, and this is normal in the UN, that one body creates another one, and you have a huge bureaucracy, which is really not needed. It's also an issue of reducing bureaucracy within ICANN.

CHERYL LANGDON-ORR:

Thank you. I'm not seeing anybody else with their hand up on this point. I think one of the options whether or not it with as to be one uber review in the near term or the mid-term or the long-term, or as we've written here, something that will focus on organizational and one non-organizational review, a consolidation of the organizational review approach would make significant savings in terms of using external resources in terms of consolidation. You wouldn't be paying for every single component part of ICANN to have an independent examiner as frequently as we do. We may pay the same sort of

standard of independent examiner, or perhaps even a different standard of independent examiner depending on the independent examiner, to do one of the larger, more full organizational reviews which can be of course, the trigger points to come back to the specific and significant changes that you were discussing earlier, Wolfgang. That's another trigger point and an opportunity when one does larger, external audit/reviews of organizations. That's often an opportunity.

Bernie, going over to you then.

BERNARD TURCOTTE:

Thank you, just brings to mind in the public consultation the MSSI group did on reviews, one of the consulting firms that has done a number of the organizational reviews put in a comment that after doing several of these and looking at how the community is reacting to them, that they felt that really, there was a need to, if you were going to continue with organizational reviews, that you go with one supplier for all the individual organizational reviews.

CHERYL LANGDON-ORR:

I wonder if they had a suggestion on who that supplier might be. Who know? But it is actually a thorny problem, because as one uses external examiners for these processes, at least in the organizational reviews, they do develop a skillset. Now that's both good and bad, because they also develop inherent biases as well. So it does get to be a little more complicated.

One of the rewarding aspects of regular “internal audits” and continuous improvement programs, so what you're auditing is a continuous improvement program, and occasional external accreditation and audit processes which work in the rest of the real world which isn't ICANN, is that of course it can be a very predictable, checklisted, less likely to be drifting with biases and personal opinions of the “auditors,” and that gives a little bit of safety in at least that world, which I guess I should again admit I at least historically know a little bit about.

With that, Bernie, we've not modified a great deal here. We've got a new top sentence. Is everyone comfortable? Sébastien, do you want to make some more edits, assuming that you've got buy-in for those changes at the top sentence already? Okay.

Bernie, can I ask you to read to the record now where we're standing? And if anyone has an “oop” moment, bring it up now so we can massage this into some sort of text. Thank you.

BERNARD TURCOTTE:

One of the possible recommendations we are considering is replace specific reviews with one review and organizational reviews with one review, potentially combining these two. ICANN review should be struck there.

CHERYL LANGDON-ORR:

Can we ask you to hold for a sec? I guess my hand is up now with your permission. This is me not being the chair and answering every

question, but actually putting a personal piece of opinion forward. I would still prefer us to not just push only one when we're trying to see conversation.

So I would then go to "Another concept is..." and then another and another. Am I off base here? I'm getting I'm not off base from Michael, so that's a rare and wonderful thing. Michael?

MICHAEL KARANICOLAS: Yeah, I think that starting up top and saying that consolidation is one option, and then presenting a few other ideas, is a better way to go, especially since personally, I still think consolidation is problematic for accountability.

CHERYL LANGDON-ORR: That's what I wanted to do, I want to make sure we give the opportunity to say, "This is one idea, and there's thinking that's discussing this, and this, and this." So can we kind of use that language, is what my intervention was. Now I'm no longer me and I'm going back to being a traffic controller. Bernie, back to you.

KC CLAFFY: I'm in the queue too.

CHERYL LANGDON-ORR: Over to you, KC. Please go ahead.

KC CLAFFY: I'm still concerned that we're not saying what problem we're trying to solve with this consolidation.

CHERYL LANGDON-ORR: Okay. Well, if we are challenged by the wider community about the problem statement, which if we were to make a recommendation must accompany the recommendation, so there would be a detail problem statement along with all of the other requirements that we've discussed in gating for a recommendation, should that come to pass, we can simply use the basis of "The response we received from the surveys ..." "There has been the observation of dissatisfaction with the amount of time, energy, resources, etc. being committed to organizational and specific reviews." There's a whole lot of things, including the cadence, the cost. We could go on, we can reference to any of the public comment input and the whitepapers that we discussed with two if not three public comments over the last – I'm going to say two years, but it might only be 18 months. So even that would be a foundation upon which this thinking could then be discussed, but I saw Pat put his hand up, and Bernie as well.

PAT KANE: So KC, I guess this is a question I have since we talked about what Cheryl just said several minutes ago. Do you not agree that that's a possible problem that we're trying to solve for, or you can't see where that is – so I'm trying to understand what you're saying when you can't see it. Is it that you don't agree with us making the statement that

that's what we're trying to solve for in terms of reduced funds for this or not enough volunteer time?

KC CLAFFY:

I totally agree that that is a problem that needs to be solved. It makes sense to me to say this is a suggestion for solving that problem. What I think Michael's been trying to get at for the last hour is that it might make another problem worse.

So that's why I really want this section to first outline what are all the problems that we see with reviews that we're trying to solve, and what are all of the recommendations that we might come up with to address these problems, and how do they interact? Because they're obviously going to be [intention.]

PAT KANE:

I completely understand where you're coming from now. I didn't grasp it from that standpoint to say, "Here's the ten things or the five things or the four things we're most focused on in the reviews section."

I didn't think we were critiquing each of the recommendations in terms of we're putting in place to say that this recommendation would cause greater harm to do something else, but I'm supportive of us identifying all the items that this group is trying to think about when we resolve reviews.

The conversation's going to come up from the community when we present these things anyway that the same thing Michael's thinking, is

other people are going to think the same way in terms of you have less accountability and less transparency, you make fewer recommendations, less good comes out of those. So I'm great if we put recommendations up, but I would caution that we not try to evaluate the suggestions or the areas that we're trying to focus on in the limited time that we're going to have, one, but two, I don't want the whole community to see us in front of them debating each other on the same conversation we're having here.

CHERYL LANGDON-ORR: In fact, I would discourage us to air our dirty linen in public at all. So bite your tongues and sit on your hands during our interactions, please, people. I'll come back to you in a minute, KC, but I want to make sure, Vanda I think had a right to reply to that. Go ahead, Vanda.

VANDA SCARTEZINI: Well, that's exactly this. We are listening to each other here, and with different opinions on that. So that's what we need to do with the community, because we are not talking only about our ideas. We want to listen others about that. So we are not analyzing in the side what we're going to do with that, but we recognize that we have a priority on review issues that is not working. That is our point.

So we need to listen what, and we can put out what is discussed here, just that. It's not to define it as a good idea, bad idea. It's well defined, it's not well defined. So it's just ideas to listen to the community, but

we need to start that, recognizing that review is not working. It's just that. Thank you.

CHERYL LANGDON-ORR: Thanks for that, Vanda. KC, back to you.

KC CLAFFY: I totally agree with that, I just think we need to be more precise than "It's not working," and say what we think the top four problems are, which I don't think is too hard to do. I think we could probably even get consensus on that.

CHERYL LANGDON-ORR: Alright. Fine, let's do that. We've got a little bit of time to make it so. So let's see if we can make it so, but remember, we've got no more than 20 minutes in any of these interactions. So we really have to keep it, I'm afraid, fairly light and fluffy, and say we've recognized from the survey and other aspects of reviews have shown that they are not working the way they are right now, and here are some of the current thinkings that we have. That's about as much intro as we're going to get.

Remember, this has suddenly turned into a bit of a scratch pad for what we're going to do for presentations. I think what we should remember is that we've also got to come back to this in the document and look at properly designed and developed text, but that's not what

we're trying to do now. So please do think about the properly designed and developed text. But not just in the next couple of days.

Okay, back to you, KC.

KC CLAFFY: My hand's down, I think, unless you have questions.

CHERYL LANGDON-ORR: Okay. Michael?

MICHAEL KARANICOLAS: I'll make a stab at what we see as the problem. And for a start, I think we can list conflicting schedules for the reviews. I think that we can list lack of implementation, and I think that we can list overlapping responsibility between different review processes. That's what I would say is a start.

CHERYL LANGDON-ORR: I'd like to see your group, and put the lack of interaction and coordination in the purposes between the existing reviews. And it doesn't matter whether it's an organizational or a specific review. They are so duplicative in some cases and they are so antithetical in other cases, that that is a big issue as well.

PAT KANE: Can we also add competition for limited funds?

CHERYL LANGDON-ORR: We can add competition for limited resources. Not just funds but resources, there's humans as well. I think some of us would suggest that that's a big part of the resource management. Next, more good ideas. Come on. KC?

KC CLAFFY: Well, it fits into competition, number of reviews is overwhelming the system. There's incongruity between ICANN's assessment of implementations and the subsequent review teams' assessment is number two. Volunteers don't have the resources to do the work, and you have 20% of people doing most of the work on the teams, would be my top four. I don't actually think the redundancy in the reviews – I mean, I get that it's a resource and competition, but I think that if SSR2 and CCT and ATRT all come up with the same recommendation, that is a great way to prioritize a recommendation in the ICANN space. Obviously, if they come up with opposite ones, we are in difficult territory.

CHERYL LANGDON-ORR: It's the opposite ones that make more problems. And sadly, they often do it without any knowledge of what the others have ever done. The only ones that are responsible for looking at all of them are the ATRTs, and that does make us a little bit rare and special on so many levels.

KC CLAFFY: [You want me to typ it,] Bernie? It was incongruity between ICANN’s assessment and the review teams’ assessment of implementation. I can type it if [inaudible].

CHERYL LANGDON-ORR: Sure, but I think some of what you said is just different words to what Michael said, isn't it?

KC CLAFFY: I don't know. Michael should tell me that.

CHERYL LANGDON-ORR: Michael, are you seeing KC’s text now going in as complementary, contrasting, or confuting with what you had put forward?

MICHAEL KARANICOLAS: What I said was conflicting schedules, overlapping responsibility and lack of – poor implementation. Poor implementation is definitely up there. Is it?

KC CLAFFY: No, it’s not up there. Incongruent is up there, and those are maybe two subtly different things. The lack of implementation, but if ICANN thinks it’s implemented everything, what are they supposed to do?

MICHAEL KARANICOLAS: Yeah. I would say I would see that point you just mentioned as a subset of poor implementation, exacerbated by claimed implementation.

KC CLAFFY: Yes, fair enough. I agree.

CHERYL LANGDON-ORR: I hope we've captured those words. I like those words, Michael. Sébastien, while we're stealing Michael's words.

SÉBASTIEN BACHOLLET: You will not steal my words because I'm not really English. But I don't know what I would say, it's chicken and eggs, but one of the reasons why I think one single or two review is useful, it's the only way to have a systemic review of the organization. Thank you.

CHERYL LANGDON-ORR: So, systemic [review of the organization,] which of course is also where we started this morning, looking at the desirability of that. Wolfgang, I'm wondering if you can give us somewhere between five and seven words, maybe stretch it to 12 or 13, that might pick up without making it sound too cart before the horse, the opportunity to – holistic should help, but what else can we put into a bullet point that might pick up on the desire for an overarching review capability that the holistic nature of what's aimed for in any change model? And while you're thinking of doing that, I'll go back to KC whose hand is back up.

KC CLAFFY: Sorry, no it's not, I'll take it down.

CHERYL LANGDON-ORR: Alright. Off the cuff then, Wolfgang, go.

WOLFGANG KLEINWAECHTER: You're asking for some language? Okay, probably in this period – and Bernie will put this into the right words, that the complex review process of the last years should be reconsidered and to streamline [that] the review enables a holistic approach in two directions to review the work of the SO and ACs and to review the substantial policy implementation. But this can be certainly shortened. If I had a little bit more time –

CHERYL LANGDON-ORR: I was going to say, any allowance I get, I'm going to get you to count it out, because that's more than 15 words.

UNIDENTIFIED MALE: If it was German, that would have been 15 words.

CHERYL LANGDON-ORR: Okay. Understood. So, can we see how you've gone there with that text? And I think we need to stop now and hope that we've got enough to just seed the conversations that we want to have with the group. So

let’s run it once from the top then, Bernie, with as much feeling as you can muster.

BERNARD TURCOTTE: ATRT3 concludes that reviews as they are currently implemented do not work for the following reasons. I'll fix the text later.

MICHAEL KARANICOLAS: Can we switch that to “Have not been effective for the following reasons?” Because saying they do not work kind of places emphasis on the reviewers.

CHERYL LANGDON-ORR: Fair point.

KC CLAFFY: KC would agree with that.

UNIDENTIFIED MALE: Can we say they have not been entirely effective, since some parts of it have been? Presumably.

CHERYL LANGDON-ORR: Okay, Bernie, ready for continuing?

BERNARD TURCOTTE: I think we need to make “entirely” be “sufficiently,” or else it’s like we’re saying they're 98% effective. I think the problem is that they're not sufficiently effective.

CHERYL LANGDON-ORR: Okay.

UNIDENTIFIED MALE: I accept that.

CHERYL LANGDON-ORR: Friendly amendment, done. That in itself is a very strong statement, certainly one I'm happy to talk to the community about.

BERNARD TURCOTTE: Alright, so we have ATRT3 concludes that reviews as they are currently implemented have not been sufficiently effective for some of the following reasons: lack of coordination and overlap between reviews, number of reviews, competition for resources, and lack of implementation exacerbated by erroneously claimed implementation.

UNIDENTIFIED MALE: [inaudible].

BERNARD TURCOTTE: Yeah, I know. I think I would rewrite that to say issues surrounding the implementation and recommendations, and try to be friendly here.

PAT KANE: Bernie, why don't you type that up and send that around to everyone for review? Since we don't have anything until Sunday, we can bless it or condemn it tomorrow.

BERNARD TURCOTTE: We have a presentation tomorrow, [I think.]

CHERYL LANGDON-ORR: No.

BERNARD TURCOTTE: No, we don't, I'm sorry.

KC CLAFFY: Is competition for resources about the review team time, or about ICANN implementing the recommendations time? Or both?

CHERYL LANGDON-ORR: I suspect both. Let's leave it so both is covered.

BERNARD TURCOTTE: How about issues surrounding implementation [of a] recommendation?

CHERYL LANGDON-ORR: Vanda is saying better, off mic. So that's something. Okay, let's do a run.

BERNARD TURCOTTE: ATRT3 concludes that reviews as they are currently implemented have not been sufficiently effective for some of the following reasons: lack of coordination and overlap between reviews, number of reviews, competition for resources, issues surrounding the implementation of recommendations.

CHERYL LANGDON-ORR: Okay, nobody's giving us a thumbs down. Let's move on.

CHERYL LANGDON-ORR: Tola, go on.

ADETOLA SOGBESAN: [inaudible].

BERNARD TURCOTTE: Inability to have a systemic view

CHERYL LANGDON-ORR: Systemic or holistic, would take that as a friendly. Use both. I'm not saying use one, I'm saying use both, because systemic does not need to be holistic. Systemic can be very narrow, and that's not what I think you're after.

BERNARD TURCOTTE: Holistic and systemic?

CHERYL LANGDON-ORR: Systemic and holistic because we don't want them wriggle rooming into a narrow systemic.

ADETOLA SOGBESAN: [Is that correct, is that a true assessment?]

SÉBASTIEN BACHOLLET: [inaudible] the last review, the last systemic or holistic review was in 2002 when we built ICANN 2.0. Since then, we were stuck in the silos.

ADETOLA SOGBESAN: Okay, so I just want to be sure that we're making a fair and correct statement.

CHERYL LANGDON-ORR: Yes, we are, and of course, there is the opportunity theoretically to have some changes made within the model of organizational reviews, but while they are silo-based, that is so unlikely. It's theoretically possible, but very unlikely to ever happen. Go ahead.

WOLFGANG KLEINWAECHTER: Just a comment for the understanding, it's not a fundamental looking backwards. The individual reviews had their value at the time when

they were done, but ICANN is moving now into a next stage of its development, and insofar with the – we are building what we have achieved, and on top of this, we have some conclusions how to move forward. So there is no need for a permanent repetition of what we have already. So that means all the reviews have produced valuable outcomes.

So it's not that we said this was totally wrong, this was nonsense. It was good, but we are moving now into a new area and we need something new.

CHERYL LANGDON-ORR: Okay. Michael.

MICHAEL KARANICOLAS: Looking at this list, it's starting to increasingly look like we are engineering the problems that we identify in order to suit a particular solution as opposed to doing it the other way around. And I say that specifically pointing to the inability to have a systemic and holistic review when one of the proposals that's there is, well, let's just only have one review.

And maybe this is just me as the only one who thinks that the consolidation is problematic and a bad idea, but fundamentally, as I look at this now, this conversation has drifted a bit from where we started, and it seems to be pushing towards that solution. And I find that a bit problematic, particularly when the original language which emphasized the main problem in my mind, which is a lack of

implementation, has now been watered down and diluted significantly from recommendations are being ignored and falsely claimed to have been implemented when they're not, to issues surrounding the implementation [for] recommendations, which is much more euphemistic.

CHERYL LANGDON-ORR: Okay, Michael. Wolfgang?

WOLFGANG KLEINWAECHTER: Michael, you repeat again and again this consolidation is problematic. I do not fully understand. Can you specify what the problems are you see which are risky, dangerous or counterproductive?

CHERYL LANGDON-ORR: And do remember, people, we don't have to litigate this now. We're looking to seek input from the community, but please do help because you've got a number of people around the table who – not just Wolfgang – who want to hear.

MICHAEL KARANICOLAS: Sure. I feel like I've said this a bunch of times where – and it's come up in a lot of the different comments. One is that if you have just one review, there's different technical components that are not necessarily going to be addressed [inaudible]. I feel like there's a resourcing problem. So you say, "Well, it's less work for the community as a whole." And that's true, it's less work for the community to do one

review than to do five reviews, but it's way more work for the people that are on that one review, and it's exacerbating an existing problem which is going to be the burnout of the people that are on that review.

There are going to be issues that are going to get left by the wayside because there are specialized issues, as I mentioned at the outset. And fundamentally, I think that it doesn't address the core of the problem, which is the lack of implementation.

I don't think the reviews are the problem. I think it's the lack of uptake of them. And I think that by pushing towards less recommendations, it's exactly the wrong direction to go in.

PAT KANE:

if I could add, one of the things I'm hearing Michael say is that by having fewer cycles, fewer reviews, fewer numbers of people doing one as opposed to multiple reviews, you end up missing items that are really important to make changes to in the community. And that is a risk, and we need to make certain that even if we gravitate towards – maybe we don't end up with full consensus but some kind of consensus around trying to streamline and do fewer, we have to recognize that that's a risk and we have to call that out specifically in any of our recommendations and give some ideas on how to manage that risk.

So I think that Michael's calling out something very important, and that is we're asking the community to do less work, which means fewer items come up with specific recommendations, especially given

the threshold with which recommendations have to achieve under the current operating procedures. Is that fair, Michael?

MICHAEL KARANICOLAS: Yes, and I would also add that I don't think that that's necessarily – that move, I think the problems that I identify are exacerbated by the fact that that the main issues in terms of a lack of implementation – the main issues that I see which are lack of proper coordination among the different reviews, conflicting schedules of different reviews, overlapping responsibilities of the reviews, and that core aspect of implementation, those problems do not require boiling it all down to a single review to resolve. Those problems can be addressed by tailored solutions to focus on improving coordination and timelines and clarifying responsibility of the different reviews as opposed to boiling it all down to one.

So I also see it as creating these problems which are unnecessary, and fundamentally, I see it as a move away from community accountability which is problematic for ICANN.

PAT KANE: Michael, fewer reviews and consolidation of reviews actually address three of those problems. To your point, there are other ways to solve those same problems, but reduction in number of reviews solves three of those four, or at least addresses them. I shouldn't say solves.

MICHAEL KARANICOLAS: Doing no reviews would also solve that problem.

CHERYL LANGDON-ORR: Yeah, there's a bunch of ways to solve some of these problems, and that's fine. Again, we don't need to litigate this now. Sébastien.

SÉBASTIEN BACHOLLET: I wanted to take one of your comments in changing the wording, to changing ability to have, I suggest putting difficulty to be able to have a systemic and holistic view. That's a proposal. It's not answering totally your point of view, but I wanted to try to decrease level of –

CHERYL LANGDON-ORR: Fear and loathing that we're pushing in one direction. Okay, so you would see that as less problematic text now, "Difficulty to be able to?" That's less blatantly engineering? That's what's on the table at the moment, what Sébastien just suggested.

KC CLAFFY: I agree with Michael, it's getting at the inverse of what we want the solution to be. What is the problem of not being able to have a systemic and holistic review? Why is that a problem?

PAT KANE: You end up with review teams that come up with conflicting recommendations to solve a problem.

KC CLAFFY: But isn't that covered by the first bullet?

PAT KANE: I don't think it addresses it specifically, no.

CHERYL LANGDON-ORR: KC, and I'm not, other than trying to capture what's been said a lot in Singapore and a lot in the corridors and a lot even here today, it also doesn't open the opportunity for what Sébastien and Wolfgang in particular were introducing to us this morning, and that is the opportunity for a more systemic change or review of the nature of ICANN and its silos as well.

So I guess there's certain desire to defend that as possibilities at some future place and space. Can I ask, ladies and gentlemen, as we are now perilously close to the end of our supposed time together, we did start at least ten minutes late this morning. Some of you started significantly later than that.

PAT KANE: I'm sorry.

CHERYL LANGDON-ORR: And some of that was through no fault of your own. But if we can extend 10-15 minutes, let's try to make it 10, we can spend a couple more minutes putting these to some form of agreement that we can

work with these as talking points, and that's all they are, they're just talking points to seed the conversation with the community. You'll see them added to the slide deck. Then that would be worthy work, I believe, to do, and it will still allow us to come back to the matters of next steps and where to from here. KC, your hand's still up. Over to you.

KC CLAFFY:

I still would like to get the problem that the difficulty to have a systemic and holistic view, what's underneath that to be written here? And I'll just add that it sounds to be like no wonder we're having trouble with the solutions, because I don't think we have consensus on what the problems are. So maybe that should be the focus first for the week, is to get the community feedback on what they think the problems with the review system are. I know we don't have much time, but this seems important.

CHERYL LANGDON-ORR:

Well, the survey, of course, asks specific questions and we have got all those data points, and this could be limited to nothing more than a reaction to that data if we so desire.

KC CLAFFY:

Yeah.

CHERYL LANGDON-ORR:

Good, we'll do it that way then. Jaap, did I see your hand go up?

JAAP AKKERHUIS: Well, I'm thinking about the remark about whether we could add something to the first bullet, and thinking about adding just between review resulting in sometimes conflicting recommendations. Something like that.

CHERYL LANGDON-ORR: You've got support from Vanda on that one. Where would you exactly put the language then so Bernie can capture it?

JAAP AKKERHUIS: At the end of the sentence.

CHERYL LANGDON-ORR: So as it's going up there now? Sometimes resulting in conflicting ... Okay, happy with that? I'm getting a [nod.]

KC CLAFFY: It does kind of read as if you mean lack of overlap. I think you want a comma or something to make sure you mean too much overlap.

CHERYL LANGDON-ORR: Okay. In terms of the grammar advice, Jaap has put his hand up and said, yes, whatever is fine. I'm sure someone who manages English far better than I do will make that so, although these are bullet points to go on a PowerPoint slide, so grammar probably isn't critical.

Looking at the bullet points you've got now, I believe it is only five of them. Can we make sure that that's the case? Yes, it is. How are we fixed? Bernie?

BERNARD TURCOTTE: Good.

CHERYL LANGDON-ORR: Alright, so we seem to have that top section that we can all live with, leaving us sufficient wiggle room to get the community talking. If we scroll down now, please, Jennifer, then we've got a couple of possibilities.

Can I ask – I would feel more comfortable – yes, this is me not as a co-chair and me speaking on my own behalf – if we softened the joiner sentence there where it goes probably as a head or a sub header on a slide, ATRT3 is considering the following possibilities to address this situation. I would like that somehow to be a little bit softened so we say, “Amongst the things that ATRT3 is considering as ways of possibly addressing the situation ...” And then we've got the sort of, “Is included.”

So it's not trying to be a definitive list, rather that this is sort of a high points and holidays of some of the things we've spoken about. Is anyone terribly discomforted with that? KC, your hand is up.

KC CLAFFY: No, it was from before, the fact that the incongruity part – so the people are not worried about the inconsistency between ICANN’s assessment and the review team’s assessment, and they just want to fold that into failure to implement? I just want to check.

CHERYL LANGDON-ORR: I believe that’s the general feeling at this stage. It’s not that we’re not concerned about it, it’s just that that’s not the purpose of the conversation for the community.

KC CLAFFY: Okay.

CHERYL LANGDON-ORR: Doesn’t mean it’s not important and that we’re not concerned, it just means for this exercise, it’s not the key. Back to you, Bernie.

BERNARD TURCOTTE: So now we've got, “Amongst the possibilities ATRT3 is considering to address the situation include replace specific reviews with one review, and organizational reviews with one review, replace specific reviews and organizational reviews with one review.

CHERYL LANGDON-ORR: I believe we’re also in agreement that we would add something about – if you can literally talk some text at us that makes it really clear what your intent was, KC, about the standing committee, an

external body, an external independent consulting body which would act as a standing committee?

I think for me, the term “standing committee and external body” is antithetical thinking because a standing committee tends to be of self and external bodies are not of self, so I guess I would come back and want those terms separated. But if you can help us with that now, we can add that one. Over to you.

KC CLAFFY:

Therein lies the crux of it, and why the incongruity thing – it’s the problem that that is trying to address. So if we don’t agree that that’s a problem that ICANN’s first-party view of the implementation is – that’s a high-level problem that needs a special bullet to address, then it makes less sense.

So my view is that maybe ICANN isn't in the best position to evaluate its own implementation of these recommendations, so there should be some third party that does it.

PAT KANE:

KC, I think we agreed on the first part of what you said. I don't think we've actually talked about getting the third party to come in and evaluate those implementations specifically. But I think that we do agree in the room that that’s a problem between what is perceived implementation by ICANN itself and what we have done from an evaluated review of implementation – maybe ICANN would consider

that our perception, but I don't think anybody said there's not something that we're in agreement upon.

KC CLAFFY:

Right, I'm just trying to have the bullets that we're doing now match the bullets up top. So the first bullet here, replace specific reviews, it's solving competition for resources among the review teams, it's solving difficulty to have systemic and holistic review, it's solving the top one about coordination. Well, it's addressing.

So what do we want to put to address the issue of the incongruity in the assessment of implementation or the failure to properly implement?

CHERYL LANGDON-ORR:

Tola, Michael, then Bernie.

ADETOLA SOGBESAN:

Thank you. I think KC just talked on one of the things that was bothering me, and [inaudible] trying to make [the two] suggestions ATRT is making to see if we are actually solving the problems we have identified. And luckily, KC was talking on that.

The second part, it's been difficult for me [inaudible] capture it. And as what Michael brought out about the challenges of collapsing every review into one, we identified one – the chances of losing some of the key points to review. If you have five specific reviews and each of them identified different technical issues and we're collapsing all the five, it

was discussed earlier, there is the risk of losing some of the technicalities that we want to achieve.

Now, I don't know how we're going to capture it such that ATRT3 is not unmindful of those risks, that it's despite all those risks that we've come to this conclusion. Now, should risk open up later, maybe when we're engaging with the communities, [inaudible] consider it at all. So that's what's bothering me.

I don't know how it's going to be, but I've been trying to see how this has been able to solve that but it just wouldn't go away from my brain. Thank you.

PAT KANE:

Tola, we're not saying that these are recommendations or these are going to solve the problems, we're talking about these are the areas that we're having conversations about how to solve these problems. We're not putting on the table for the community the recommendations. Because at some point in time, we're going to have to come back to the definition of consensus within the operating procedures. We've got full consensus, which we're clearly not at, you've got consensus which is defined in the operating procedures as a small minority disagrees. We're not defining who's majority, who's minority at this point in time. But then we have strong support but significant opposition.

So at some point in time, we have to figure out where we are in those three, or divergence, which means nobody can [inaudible]. Right now,

I would say that we have not full consensus, but consensus as defined in the operating procedures on what the problems are that we're solving for, and here are the topics that we're kicking around to try to figure out how to solve it.

And yeah, there are problems with some, and there are opportunities with others, and so we're still debating that. And I think what you said is absolutely right, but we're looking and saying, guys, here's what we're dealing with – this is the best conversation that we've had as a review team on a specific topic in terms of where we're challenging each other on everything that we've got going on. I think it's fantastic.

But that's really the conversation we're having, is that we all agree there are problems, we're struggling with the solution but we're going to get there.

CHERYL LANGDON-ORR: And we want to take everyone else on the journey. Michael.

MICHAEL KARANICOLAS: Just flagging that I suggested text in there for what I understand to be KC's suggestion and which I also support, bearing in mind what you said, that standing committee is not necessarily the appropriate thing, but a single entity that does that. And KC can correct me if I'm getting things wrong.

CHERYL LANGDON-ORR: Okay, and of course, some of us when we heard KC propose standing committee in the first place –

BERNARD TURCOTTE: I'm sorry, I tried to put it in and it went away.

CHERYL LANGDON-ORR: Okay, Michael's now going to have to put all 20 words back onto the page. Dear me. Some of us also were very happy with the idea of an internal standing committee, so I'd actually think that a standing committee, not a third-party entity, would be fine. That's another option, and I'm getting nods from a couple of people around the table, so it's one that may in fact get some carriage in the community if they wish to discuss it.

ADETOLA SOGBESAN: These imply that it's not necessarily external, because [inaudible] single standing committee. So it could come from the community and it can be external.

CHERYL LANGDON-ORR: I understand that what is written right there, a single entity to coordinate the reviews and independently assess recommendations would satisfy either my more internalist view with occasionally taking the resources to pay anybody, including the big end of town auditors to come in and do a full external, frank and fearless review, or what I believe KC and Michael would prefer, which is a regularized, routine

and continuous assessment by a third-party external operator acting as some form of oversight on ICANN which strangely enough I thought we spent a great deal of time doing the reverse of when we got rid of the government oversight. Now we'd have a – and then we get to the question of how are they paid, how independent are they if they're paid.

There's a whole lot of stuff if we go down that path we'll have to talk about. We're not doing that talk now though, we need to find out even if we go in that direction.

Right, I see people packing up, but I did actually ask for your prevalence for another couple of minutes, so holding of your horses would be good. How are we now with what we have got to put up, Bernie?

BERNARD TURCOTTE:

A, I have a question on the third bullet as Michael has written it. Constituting a single entity to coordinate reviews and independently assess them. Reviews as they are or reviews as they are merged? It's just going to confuse people given the two previous points if we don't specify.

MICHAEL KARANICOLAS:

You could just put it at the top, and then if you put it before the other two, then presumably that confusion wouldn't necessarily be there, but if you're asking me, then n, that recommendations as I envision it does not involve a reduction in the number of reviews.

BERNARD TURCOTTE: Okay, that's fine. Then I agree with e should move it to the top but make that specific.

CHERYL LANGDON-ORR: Alright, let's make that so then.

BERNARD TURCOTTE: And then to me, we're talking about reviews, and the last point, fund specific function to have independent, noncontracted third parties regularly assess ICANN's implementation of recommendation, is about a subset of reviews. I don't know, to me if we're talking about that, we've just changed gears completely. I don't see the point of that here.

KC CLAFFY: That was my text, and we can take it out. I was trying to do what – I thought Cheryl wanted me to try some text. I'm partly okay with what Michael did, but I think these are two separate things, constituting a single entity to coordinate reviews is one, which is mutually exclusive with consolidating it all into one, I think, unless I don't understand what coordinate means in there.

And then independently assess recommendation, implementations, should be a separate bullet which if we think – I'm not sure what the room is thinking, but that's orthogonal to whatever happens with the other three bullets that we want an independent assessment of these

recommendations. That's not once every N years. It's something more regular.

And that's why what I put in the bottom – and I'm imagining something like a workshop on the end of an ICANN meeting where a set of people come together and try to do a status report and they put it up on the website, twice a year, or once a year or whatever. The details aren't as important as, does this makes sense to have added to the budget to do this piece? And Cheryl mentioned before, this IRT stuff, maybe that's sort of already in there and we just haven't tried it out yet, and maybe we need to mention that.

CHERYL LANGDON-ORR: The review teams in fact could very well do exactly that, so that certainly is within the bailiwick, which is a good thing to know. Bernie, back to you.

BERNARD TURCOTTE: I'm still not clear on the status of that last point there. And part of my problem – I'll tell you the following. You mentioned the NCAP thing, uncertain if it's going to work. We've got a bunch of things that are going on.

Let me back up a bit. Yes, we're all clear and there have been problems with the implementation of recommendation issues, and we have that as one of the problems. Yes. Agree. This, the last set of reviews were a number of years ago. We accept that things have changed

significantly. We have proof of things having changes significantly in at least the concept of how they're going to be addressed.

And this recommendation, I think, sort of tries to go beyond even understanding that, including the registry of following review recommendations, and doesn't talk about what we're going to do with reviews. I think this topic here is our problem statement we started with we have issues with the reviews, and now we're talking about the implementation of reviews. So I just don't see it fitting. I'm sorry.

KC CLAFFY:

But Bernie, one of the problems we've identified is failure to implement the recommendations. So we need a bullet that tries to address that problem or we have to say we're not going to try to address that problem right now.

BERNARD TURCOTTE:

I don't see that. I think once you pick a model, however we get there, whatever that model is, that is a consideration for that model. I'm sorry, I don't see that as a standalone system. It's a problem that has to be addressed. Right now, we're trying to communicate to the community something fairly straightforward. Here are some of the options we're considering for reviews. Not just the implementation of reviews, we're talking these are options – at least that's how I see it. Thank you.

CHERYL LANGDON-ORR: So without in any way underestimating the importance of or not focusing on the glaring problem that we have between declared and perceived and actual implementation when a following review team goes to look at it, we recognize there's been some changes. We haven't had any opportunities to see any of those changes in any sort of action, so we can't make a judgment on what we haven't tested or what we actually haven't seen try and be attempted.

So we're going to keep ourselves cautiously optimistic but not committed to the fact that this is going to be a cure, but we also want to make sure that future reviews which may very well have an action that includes going back and doing exactly what we did, which is to look at the success or otherwise of implementation, and that would then also include how well or not any implementation team did or didn't do in these processes.

Without any of that being compromised by any of this text, can we go forward with this text?

KC CLAFFY: I now think that bullet one is the only bullet that actually tries to address all five bullets above, and I'm happy with bullet one. So thank you to whoever modified it.

CHERYL LANGDON-ORR: Okay, so bullet one is good, the others, icing on the cake, or is there anything that is a problem with the others? Vanda, please.

VANDA SCARTEZINI: And I have no problems with the three of them because that is what we discussed here.

CHERYL LANGDON-ORR: Okay, so remember, this is just a tasting plate of a full menu that is yet to be written perhaps, and it will include, of course, the status quo. We won't forget to say that no change is a possibility as well. I hope not, but ...

BERNARD TURCOTTE: No, I disagree with that. We start with the conclusion that there are issues, so I think it would not play well for us to say we ...

CHERYL LANGDON-ORR: Fine, happy to not mention status quo.

PAT KANE: Bernie, I'm not certain that that's accurate, because the cure may be creating more pain than status quo. So I think status quo has to be at least an option to consider, because we could cause problems with whatever we decide to go do. But hopefully it won't come out that way, but ...

CHERYL LANGDON-ORR: Alright. Ladies and gentlemen, this is a last call for what is very helicopter, very high-level, just seeding conversation text that after a bit of tidying up will be circulated to the list over the next few hours so that over the next day, before our first interaction which will be our session with the GNSO on Sunday at 10:50 in the morning, local time, that we have these as conversation pieces. Yes, Vanda.

VANDA SCARTEZINI: What I don't see, if we identify in the previous – up there – all these problems with the current review, why we are considering to keep them? What is the status quo [inaudible] review? If we identify a list of problems with this status quo and we can consider to ignore the problems ...

So I'm not comfort with that .

PAT KANE: If I'm the only one that thinks that, I'm happy to have it taken out because I certainly don't want to drive something that nobody else in the room agrees with. But Vanda, my point was that if we make recommendations or get to a point where recommendations as to where as we flow through, think those through, that they're actually going to create bigger and greater problems than what we currently have today, then I think you have to have an option that says, of all the bad things that are out there, status quo is the least bad.

VANDA SCARTEZINI: But not in the first place.

PAT KANE: Okay.

CHERYL LANGDON-ORR: Okay, so I like three better than four, so let's delete it, and we can speak to it. So get rid of that one, it's gone. Right, done, nobody has to worry about that. You'll get over it. It's fine. I'll buy you a [inaudible].

Okay, so we can talk to that, should the urge take us. We are going to circulate this, not immediately but in the not too distant future, and then we are going to give, what, 12, 24 hours? No later than this time tomorrow for feedback, sudden rush of blood to the head, or whatever, minimalist, if any, changes please. We really need to have big oopsies to make it worthwhile to make a change at this point in time. Yes, Bernie.

BERNARD TURCOTTE: Alright, so this is right in 5.0, so if you want to make suggestions – and I do say please use suggestion mode if you're going to type anything in – then do it right in the document 5.0. In the meantime, I'll be building the slides with this, we can adjust that after.

CHERYL LANGDON-ORR: Okay. Are we all clear on that? Suggestion mode in 5.0. Time is never our friend in these meetings, especially when we're having a good –

and it has been a good conversation. It is not the end of the conversation, it is not even the beginning. It is just getting to the beginning of the conversation, so thank you one and all for all of that today.

We had earlier talked about the where to and what happens next. I believe Sébastien, one of the most critical points from what I've heard you say so far on this – I don't think we need to talk now about how we're going to do the drafting and how we're going to do dotting the Is and crossing the Ts and when we will or won't make consensus calls, but you have raised particularly because of the advanced notice requirements and of course just organizing our lives, whether or not there's an opportunity for us to have another face-to-face meeting where we would at the beginning of the 2020 calendar year dig in deeply and do a lot of substantive work.

My feeling is – and when we spoke with Pat and Bernie over lunch, they don't disagree either that based on some of what we're doing now, that's going to be pretty important to do, so we've looked at where the document would be and at what point in time, and it appears to us that we should consider and ask ICANN to explore the opportunity of having a two- or three-day meeting – and make sure I'm saying correctly – mid-February, is that correct? And probably out of the Brussels office to make life easier.

That's just a float that we wanted to put on the table. Hopefully, Sébastien, that works to give what you wanted to make sure we

picked up as opportunity to bring proper closure in face-to-face discussion as well. Back to you, Sébastien.

SÉBASTIEN BACHOLLET: Yes, definitely. It will be good. It'll be on my birthday and you will have to take that into account, mid-February. And if I can ask if we can't [inaudible] a little bit south, because Brussels will be just awful in February. Cold. Why not Istanbul? If you can consider this too, will be great. Thank you.

CHERYL LANGDON-ORR: Yeah, not sure that my travel insurance would like that, apart from anything else. And we're not there for vacation, of course, so miserable weather that keeps us in the rooms probably means that the rooms are cheap as well. So that might be an excellent thing. I suspect, looking at the way ICANN runs its meetings, it seems to be off-season wherever we go. So perhaps that'll be the motivation.

But let's explore it, but we actually thought something like brussels would make sense, probably because of all the reasons you think not. But go ahead, please, Wolfgang.

WOLFGANG KLEINWAECHTER: Do we have already dates in mind? Because the February, we have the Domain Pulse in Innsbruck, this is an important German meeting. There's the Munich Security Conference where I'm also involved. That

means I would be thankful to fix the date as early as possible so that we can avoid ...

CHERYL LANGDON-ORR: Okay, so here's what we're going to do about that. We're going to ask everyone over the next 12 hours to send to the list their blackout dates, those dates that they cannot, will not or shall not travel. And you want to pop your birthday down, Sébastien. That's fine too. We'll all know your birthday and we'll make sure that we don't have you traveling on your birthday.

So put those dates so staff has it, and we'll do our best to comply. We recognize not everyone will be able to get there, we recognize we will have to run remote participation, and we recognize that what we will do our very best to do is find somewhere in the world that will allow most of us to travel easily and cost effectively. But that's not going to be the case for us all.

And those of us who are grossly inconvenienced, and unless you're coming to Sydney, that'll be me – unless we hold it in New Zealand, that'll be alright. Brazil is open, says Vanda. No office there, that's the problem. We'll try and stick to somewhere where there's an ICANN office, and shock horror, actually have it in the ICANN office as opposed to the Singapore plans seemed to somehow get morphed into something else.

So if we're happy with that, we'll see what happens and watch the list for that. Blackout dates, matter of urgency, and we'll get staff to look

at what's possible because there'll be other ICANN meetings, which will also give us blackout dates as well. So let's get our blackout dates and then let's see what we can or can't do. Pat, over to you to bring this home.

PAT KANE: Well, Sébastien was contemplating whether or not to put his tent up or not. did you have something else you wanted to say, Sébastien?

SÉBASTIEN BACHOLLET: Yeah, I just want to say that it's not fair to tell us to come to someplace because there is an ICANN office any more than – first of all, I think Brussels is not the best hub in Europe if you want to decrease the cost of travel, maybe you need to choose a real hub, and Brussel is not.

CHERYL LANGDON-ORR: Is Paris appropriate then?

SÉBASTIEN BACHOLLET: I'm not selling anything. Frankfurt, Paris, of course, Amsterdam, much more easier to go from and at than Brussels. And I worked few years in an airline business. Thank you.

PAT KANE: Thank you, Sébastien. So we're just collecting, over the next 12 hours, the blackout dates, and then we'll see what we can work out with the travel team.

Thanks everybody for today, thanks for the remote participation, KC. Really appreciate it, although it appears that you have disappeared. Okay, but we'll send you a thank you later or you can listen to the transcript again if you want to.

I do apologize for being late this morning, would have loved to have been here, but United was my problem. Alright, we'll see everybody around the campus throughout the week. We had our first session at 10:50 on Sunday, we'll meet outside of that particular room. Thanks, everyone. Have a good evening.

CHERYL LANGDON-ORR: Bye for now.

[END OF TRANSCRIPTION]