

BRENDA BREWER:

Good day, everyone. This is Brenda speaking. Welcome to ATRT3 plenary number 39 on the 27th of November 2019 at 21:00 UTC. Members joining the call today include Cheryl, Daniel, Pat, Sebastien, Tola, Jaap, Demi, and Osvaldo. We have observers Chantelle and Chokri joining. Apologies today are from Wolfgang, Negar, and León will be delayed. Attending from ICANN Org is Jennifer, Larisa, and Brenda. Technical, [Vanda] Bernie is on the call. I'd like to remind you to please state your name before speaking for the record and also the call is being recorded. Cheryl and Pat, I'll turn the call over to you. Thank you.

CHERYL LANGDON-ORR:

Thanks very much, Brenda. I might kick us off. If I drop off the interfaces and the interwebs, Brenda will call me. I've had Internet outages overnight but Pat's ready to be very aware and jump in at a moment's notice. He'll be doing, of course, a whole lot of the lion's share today once we go through the white paper, as well. With that, let's get on to our admin ... And, "over-sell you." Pat, I couldn't possibly over-sell you. You sell yourself. You're a perfect product. Back to the serious matters at hand. Does anybody have a statement of interest update? Not seeing anybody waving their hands at me in the room.

Noting KC has joined the call. Welcome, KC. Not hearing anybody try and get some attention to tell us about a change in their employment relationship circumstances that affect their work in ICANN. Let us, then, move on. Here, I'm going to ask Jennifer to give us a quick update on action items including the two rather important ones that are listed in

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today's agenda. Brenda, over to you. Oh, what did I say? Jennifer, over to you.

JENNIFER BRYCE:

Always, always. Thank you. Yes, just a quick update on the face-to-face meeting that's happening on the 7th to the 9th of February. Brenda has kindly sent calendar invites so you may already have noticed that the location has been confirmed as the Brussels office which is in the center of the city for those of you who know the city. We've worked with the meeting's team already. They know that the meeting's happening and they will help us to get the equipment there and remote participation will be available for those of you who are not able to travel.

We've also asked the travel team to expedite the Visa invitation letters for those of you who will need a Visa. I know that one or two of you have already been in touch with us but if you will need a Visa for the Brussels meeting feel free to just drop us a line, Brenda and myself, so that we are extra aware and we can help you to get the Visa letters in good time.

I think, really, that's all. Just a note that we confirmed the decision on the leadership call on Monday. The Doodle poll was fairly decisive based on everybody's votes so thank you for your participation in that. I am happy to answer any questions. Looking forward to the meeting in Brussels in February, which hopefully won't be too cold. Back to you, Cheryl. Thank you.

CHERYL LANGDON-ORR: Thanks, Jennifer. I'm sorry to hear your voice is a little croaky. Maybe you've got some herbal tea or hot lemon juice or something to sip with some honey. Look after yourself, please, we need you. And welcome, Vanda. We're becoming more complete as we move on in the next few minutes. Thank you very much. I've also noticed we have a couple of non-usual audience. Welcome to one and all. These are open meetings and you are more than welcome to observe us as we do our busy work.

Now, with that, let's now move on to what I would think is the most important part of today's agenda. In fact, it is the lion's share of today's two-hour call. The white paper version two discussion. We will have a preamble where we will be walked through by Sebastien. His audio has been checked so hopefully it'll hold up through his recently updated PowerPoints. If you've looked at his PowerPoint before about four or five hours ago you will note that there are some changes in the one that he will be presenting here today.

Then, we will look at/continue our report, version 5.1. With that, Sebastien, I think we've got about 10 or 15 minutes for you to take us through your current PowerPoint presentation, which I certainly still see as highly complementary to the work we are doing. Over to you, Sebastien.

SEBASTIEN BACHOLLET: Thank you very much, Cheryl. Yeah. Therefore, I have tried to set up a PowerPoint or presentation to try to see how a part of the discussion we have within the white paper could be put in place, how all the different pieces could come together. Therefore, it's where we are with this

document. Can we go to the next page? In fact, the first page gives you the link to the resources. I have taken into account that on the website this is a review timeline currently addressed. Next slide, please.

That the one that would take into account the next phase if we didn't change anything on how it's working for our organizational review and the specific reviews. Next slide, please. Okay, I tried to put some element of thought about what we are doing. Therefore, we have discussed that for enough time. The last holistic review of the organization, or systemic review of the organization, was in 2002. Therefore, it's maybe a good time to have one, taking into account the various pieces.

Now that I have done the last slide we will go and discuss that at the moment, taking into account all the organization pieces and putting them together. It seems that around each seven or seven and a half years, or eight years depending on how we count, a systemic review will be possible and, I hope to say, will be welcome. What is important also is to take into account that for continuous improvement I tried to add or to use the idea about two days of retreat for each organization to do this continuous improvement and to have some moment where they can stop and think about what they have done and where they want to go for the next, I will say, three years. You will see, later, why.

What's also important is I took into account the ones who are currently on the graphic we just saw. I add the GAC and the board because I think that they could be included. Not to say that they will follow totally the same process but at least it could be taken into account. If they wish to follow the same process, great. If they want to do something different

the time will be allocated to have the same [persons yield there]. Next slide, please.

Therefore, for our organizational review, one systemic review, here, I tried to put some figures. It's absolutely taken into account some information but it can be discussed, changed, whatever. At the end, we will need to have that information. I tried to put it on this slide. Then, lengths between two. 12 months and 18 months. You will see why but I suggest that it could be 18 months. The selection could be the same type of selection that's for the current ATRT budget. I'm asking if we can't mix with the ATRT answer ... "Next phase of ATRT-something," making just one systemic review.

Here, I didn't change. Sorry, but the possibility of a five-day retreat ... I will explain later why five days each three years. Selection by SO/ACs, NomCom Board, etc. The objective will be to publish a short report paper every three years after the retreat. It could be done by the SO/AC participant with or without staff support. I guess, "with" and "with or without." I guess also "with" external support. Here, I put a budget to be discussed. Next slide, please?

The next one is the tentative ... No, it's not very well ... We can't see but it's tentative to show that each year will do something and we will come back at the previous situation with a lot of changes to do, again, a cycle. It could be done by each and every SO. In the seven years or eight years will be a systemic review. It's a pity that the needle is not working well but we'll try better next time. Next slide, please?

Here, there is no change since already a few discussions about the specific review, what we do with all those reviews. I will come back on the last slide to that. Next, please? The specific review. Once again, we need to decide what we do with the LDDS, with SSR. But they could be taken into account and do like I have suggested for the organizational review; to have one topic every three years and to be dealt with in five days, even if here it's still written "three," to take this to be implemented.

You have the ATSR, or whatever, if you don't want the S it will be another letter. It could be, also, 18 months, and like the ATRT in the budget. The duty will be the same thing that we are doing. It could include all the elements from the other specific review. If we decide to merge with the previous systemic review I talked about, it could be also taking into account all the papers from the organizational review. Next slide, please?

Okay. This is one, then, on the left side, that's the current situation. On the right side, it's what I tried to put. It seems that it's a little bit tricky to read but I will try. Therefore, the idea is that as there is nothing going on except implementation in that it's important in 2020 we don't change. We don't need, really, to declare moratorium. We suggest having a systemic review both for organizational and for specific ones. The green part is to ask the question, "If we merge." As you can see, the next iteration of that, I suggest just one but it could be done as it is on the left side or in the two green boxes at the right middle.

The CCT needs to stay like it is if we have another round of TLDs and if it's done in one round or not will be questionable. It's why in the second part at the right-hand side I suggest that every two years, or three years, we

have specific work on CCT, especially if it's not a single round and if the decision is taken that it's something else. Cheryl knows much better than me what we could get out of this work she's conducting currently.

For SSR and for LDS, I suggest that every three years there is a retreat on one specific topic. I add one subject. It's not to say that it's the one we need to decide on but it's to show that we can add a new topic and it must be quite fluid to add one in here. I added one about the multi-stakeholder model because maybe it will decrease the tension that we currently have on this issue. Everybody wants to do everything now but it could be, maybe, done in a later stage if we take that into account like that.

The organizational review. I will explain one of the list here. You have all the organization and they go three-by-three. One year, you have three of them doing a five-day retreat and the report. Of course, they don't need to do that the same day. It could be one the first quarter, the second quarter, and the third one the third. It's one year and the year after it's three following one. This next year will be the last on 7th-9th. The name of those organizations can be changed. It's just to show something. It's repeated a second time.

After these two cycles, we stop and we do a systemic review. What is important to note is that, as we have said, it's a continuous improvement, therefore this five-day retreat is just ... But it's important to say what we have done and where we want to go. That's a way to decrease the work, I would say, outside, and to publish a long report but to do a few things which could be reported in a short document. And nothing [prevent] to announce work and the possibility ... The way any organization is working

with this continuous improvement. That's, I guess, what I wanted to show you. I hope that it's clear enough and I am happy to answer any questions if you have. What I would like, also, is not just questions but also your point of disagreement because I think to improve that we need to have some disagreement. Thank you very much.

CHERYL LANGDON-ORR:

Thank you very much, Sebastien. I know, for example ... First of all, just to note – I'm sure Brenda's already noted it – that Michael has joined us. Welcome, Michael. I know that KC was particularly keen on Monday to have you go through this. I'm sure she's going to have some questions or clarifications because the whole of the white paper and its concepts have been under her scrutiny for quite some time. Pat, over to you.

PATRICK KANE:

Thank you, Cheryl, and Sebastien. Thank you very much for this. Let me see if I can put this into some words that I think I'm hearing. Essentially, what we're doing is we're saying, "Let's look at the specific reviews or the substance of the reviews and pare them down, take the pieces out that are kind of accountability or transparency items and roll that into ..."
What you have is the accountability/transparency systemic review. Maybe kill the CCT after the next version. It sounded like you said, "Get rid of the RDDS altogether and then maybe have smaller SSRs over periods of time so that you would have, really, two substantive reviews?"

And then, on the structural reviews, you would pare them down into a small workshop and complete your work in what you have here as five days, whether five days, or three days, or three weeks is the right length

of time. Some smaller window to where you complete your recommendations in three or five days, is that what I'm hearing? And then, you've got a more frequent cycle on the structural reviews because those review periods are so small. Is that accurate?

SEBASTIEN BACHOLLET:

Pat, thank you very much. I would say yes and no. The fact is that you can't have this impression because I replaced CCT2 after doing that every two years. But that's really up to us. You can tell me, "No, we need just every three years, like the others." What I have tried to do is to apply what you described very well for the organizational review to do the same thing for the others, to find the topic. But we can also decide the LDDS is not, anymore, needed. But if we need, then, we will treat them on the "light" way, like five or three weeks, whatever. I will explain in a bit why five days. You treat it in a short time, you implement it, and you do that every three years. If it's not three years but four years, it's four years. It must be a little bit more flexible than it is today.

The ATSR, for me, in the second one, it's merging the two suggested in the first time. It could be also merged this time. It's up to use to make one or the other proposals. But I wanted to give you this choice. I don't want to say ... I can say my preference but I want you to see that there are two possibilities. One, to do a systemic review taking into account only the organizational side of the current review. And the second one, taking into account only the specific review. Or, we can do only one. My preference will be to do that but it's just my preference and at the end of the day we will need to agree on one or the other. I wanted to show you both.

PATRICK KANE: Why five?

SEBASTIEN BACHOLLET: Yeah, okay. Sorry, Pat.

PATRICK KANE: No, that's all right. Thank you for that. I'm struggling with merging those two together because I think they're two different types of reviews. The other question I had for you is, what do you envision with the multi-stakeholder model review? Because you've introduced a new substantive review team, here, and I'm trying to understand what you think that MSM is that's different from looking at the structures or looking at the systemic review. When I think about that MSM that's really how the model works. It's either the systemic review or the structures within that review. Help me understand what would be the focus of the MSM line that you have there.

SEBASTIEN BACHOLLET: First of all, I put that, really, as an example.

PATRICK KANE: Okay.

SEBASTIEN BACHOLLET: Maybe you can find a better example than this one but the reason why is the following. It's that if we wait ... You know, the current work on MSM, it's not about structure. It's not about changing the structure of the organization. Then, my idea was that it could be something we need to do or to review every three years. The big change, if we need to have changes in the organization, is each seven years with this systemic review. That's the difference. But if you tell me, "No, we need to do something about," I don't know what I can say, "the organization of the meeting ..." It's a bad example, also, but it was just not to stick with what we have currently but to allow us as we are in charge of deciding where we retreat some of them ... But we put the new ones and we have to discuss which one in both cases. That was the idea behind my suggestion, here.

PATRICK KANE: Thank you.

CHERYL LANGDON-ORR: Okay. We've got Daniel in the queue. Daniel?

DANIEL KHAUKA NANGHAKA: Thank you very much, Sebastien, for the presentation. Regarding the systemic reviews, I would like to enquire ... Are we putting into consideration the timeline that it takes to implement each of the recommendations for the outcome that comes out of the review process? Because if you look at the time in between two years to three years, and I know the review process is starting, we're not putting into

consideration the respective time that it takes to implement the recommendations that come out of the respective review process.

I think that a reduction in time of conducting the review could be good, but also the time of implementation may affect the start of the next review process. That is also part of the things that we should think about. As part of [the negotiation] have to accept that some of these review processes take quite a long time to come up with perfect feedback. Back to Sebastien.

SEBASTIEN BACHOLLET:

Daniel, I hope that I get you. If we take the organizational review, the implementation, it's because we have two years in between. But in fact, what is important is not so much the word "implementation," it's the word "continuous improvement." Amongst that will be some implementation of something that would have been discussed during the retreat. That's the idea and maybe it can be written differently.

Regarding the systemic review, I must admit that I just cut and paste and even I must have cut and pasted the date without ... No, I may have changed it a little bit. If we think that, in fact, implementation can take longer or less time it's something we need, together, to adjust. Once again, I am not coming to tell you I am right with everything and you need to take that. We need to work together. What is the best suitable timeline that we want to produce to the community? It may not be my idea that you have on the table, but I was thinking that it was easier for us to have the discussion with this in front of us. Thank you.

CHERYL LANGDON-ORR: Vanda, and then back to you and then back to you, Pat. Just doing a time check, we've taken about 25 minutes on this matter already but it is helping, I'm sure, many of you crystallize your thoughts. Vanda? Vanda, we're not hearing you. You might be muted.

VANDA SCARTEZINI: Hi. No? No, I'm here.

CHERYL LANGDON-ORR: We can hear you now, go ahead.

VANDA SCARTEZINI: Okay. Thank you. Thank you very much, Sebastien, because I believe that we now have in hand something that we could work quickly on all the issues related to reviews. In my opinion, this shows an agreement about what we have about the systemic reviews and the constant improvement. For me, this makes whole sense and I would like to discuss next steps, what we're going to do based on these suggestions that are quite clear and very easy to be implemented, solving one interesting question that is we reducing costs, reducing overload work, and allow some independence to the AC and SOs, to the constant reviews and improvement inside each SO and AC.

What I do believe is we need to also add some ... If we agree with that, we should also suggest that each AC and SO define their own way of how they will work to arrive with this workshop time with something concrete to work with. It's not for us to do that but we could suggest they think about that and improve in each AC and SO how they will deal with that

alternative to constant improvement in their groups. With that, for me, it's done. Certainly, it's for the others to agree or not agree. But for me, it's quite clear and easy to transform this into a recommendation. Thank you.

CHERYL LANGDON-ORR: Okay, Vanda. Thanks very much for that. You've got a thumbs-up from me on the self-determination aspects of the organizational reviews being an important part of whatever we do. I'm less convinced about immediately making this a done deal. I think there's a good deal of conversation and all the number of others need to consider everything that Sebastien has presented to them as well. Pat, you're in the queue next but Larisa has her hand up. Did you want to hear Larisa and then you can wrap it?

PATRICK KANE: Yes, I'd love to hear Larisa.

CHERYL LANGDON-ORR: Okay. Larisa, over to you.

LARISA GURNICK: Hi. Thank you very much. Just an observation that as this develops it certainly would be helpful, and it may already be included in the earlier slides, to understand what the definition is of the defined purpose and objective for each type of review so that it's really clear how the different types of reviews that you're proposing compare to each other or differ

from each other. Also, perhaps, some thoughts on how that ties into what's in the bylaws currently. Or, perhaps, what's in the bylaws currently may need to be changed. For example, the independent component for Org reviews, hearing the conversation, the dialog, on the sole-determination obviously makes a whole lot of sense. But would there be, still, some sort of an independent component to evaluate how the ... [Shall] update continuous improvement process is working out. Things like that. Thank you.

CHERYL LANGDON-ORR: Thanks, Larisa. Certainly, other conversations not in this presentation by Sebastien, but that are still very much on the table along with this presentation by Sebastien, have included periodic external link-back or independent evaluation. And of course, we may even hybridize. Who knows? Okay. Sebastien, did you want right of reply before we go to Pat, or do you want to hear what Pat's going to ask before you reply to both Larisa and him?

SEBASTIEN BACHOLLET: It's up to you. I can do both.

CHERYL LANGDON-ORR: It might be better to just hear Pat, and then you can respond to everything. Pat, and then you can round up, Sebastien.

PATRICK KANE:

Thank you, Cheryl. Larisa, I think that we need to conceptualize, here, because the questions that you're asking are the right questions when we get to the details but right now I think we're kicking around some high-level options to think through. While you may have the right questions it's not the right time for those questions because I think that what we've got here is something that nicely replaces the "option one" that we've got in the position paper, the white paper.

What we've done here is we've drawn out the timeline of reviews. We've consolidated the reviews and we've not really changed the type of reviews that we have in the bylaws except that we may eliminate some, which is part of what our charter is in terms of what we're doing. I like that we have these very small windows that we do something, again whether it's five or three days, because we get a lot of work done, focus on it, and produce recommendations in that period of time.

We're not drawing this out for a long period of time, which forces us to have the prioritized recommendations, and probably fewer recommendations, because we've only got a little bit of time to go do those types of things. I would think that this would be ... And I think that while you put a lot of stuff on here, Sebastien, in terms of this last slide that we've got up right now, you could shape that to show that you're drawing things out longer periods of the time.

We're adding a systemic review with the holistic white-space concept that we talked about in Singapore and you're not getting too far away from ... Well, you're preserving a lot of what is still in the bylaws for reviews which are making them smaller, less expensive, and probably things that we can get done over a period of time, which is kind of where

my focus has been in trying to take a look at how we do reviews that produce items that have to be prioritized and then go be funded. I think that this can be shaped nicely into a replacement for option one, which is not “do nothing,” now, which is preserve a lot of here, draw it out, and make them shorter windows. Thanks.

CHERYL LANGDON-ORR: Thanks, Pat. Sebastien, back to you, now.

SEBASTIEN BACHOLLET: Thank you, Cheryl. I think that that version of Pat’s is okay with me. We can spend time to discuss in more detail. I guess we will go through the white paper and maybe we will take back and forth. But if you think the element here in this presentation that I can announce then just tell me and I will try to add that in the document. It’s very flexible and I hope that it will be a [full proof of our] work. Thank you very much for listening and discussing this document. Thank you.

CHERYL LANGDON-ORR: Okay, thank you, Sebastien. Of course, this is part of framing and another piece of our thought processes. We’ve got several things on the table including some on-the-run modifications such as the proposal to use aspects of, and I would suspect many aspects of, this presentation as a replacement for option one, which was what Pat was just suggesting. With that, let’s bring up the white paper. I’m going to actually boil the kettle because I’m in desperate need of coffee. It’s been many, many

hours since I've had some. I'll ask Bernie to take us through the paper and Pat to take over the chairing of this section. Thanks.

BERNARD TURCOTTE:

Okay. Thank you, Brenda. The first part hasn't really changed that much. It's still pointing out that our two main points are prioritization and reviews and that we've got to drop that date. I've actually got to provide ICANN public comments a final document on the 12th of December if they're going to have it up by the 16th. We need two days to get ICANN comms to go through it, prettify it, and do a sanity-check ... Well, not a sanity-check, but do the editing for any specific things. So really the introduction is just laying out those things.

Prioritization remains prioritization. I think nothing much has changed, there. If we go down the next page, please? We're still talking about, here, that it would seem logical for ATRT3 to amplify section 5b of the proposed process for arriving at such a methodology and avoid making any conflicting suggestions or recommendations versus the other, similar, ongoing work. 5b, up there, is from the board paper.

As we did last time we're talking about ATRT3 going the next step on that recommendation 5b and providing a framework for that so people can carry on with that. I'll stop there and I'll turn it over to you, Pat, in case people have questions on this part since the next part is the big part where there were changes.

PATRICK KANE:

Thank you, Bernie. Any questions that we have? Either raise hands or write in the chat. Alright. Seeing none, I guess we roll into the next section, Bernie.

BERNARD TURCOTTE:

Thank you, sir. Alright. Let's drop down a little bit, please, Brenda? Okay. This is where the changes start. Reviews. After discussing this topic at its 20th November 2019 plenary there was general agreement that ATRT3 and its public consultation on the draft report should propose a limited number of clear, concise, and distinct options which the community could comment on. This is under the heading of "reviews." What we're saying here is the decision has been made. We will go to a number of models and seek official input from the community on those various models.

Now, what was done next was considerations for supporting ATRT3, making recommendations regarding reviews. As we know, we have a number of gating factors for making recommendations and this one would certainly be a recommendation. So, try to expand the problem definition from what we had done in Montréal and see where we can go with that.

ATRT3 survey results. There's no surprise, there, on specific reviews and organizational reviews. The next point is new but it's a restatement of a fact. Given the current backlog of review recommendations to implement versus the funding projections, the organization has clearly indicated that it will be unable to meet the implementation expectations of the community and that the current system of reviews will only exacerbate the problem.

The general sense of ATRT3 is that this cannot continue. The prioritization system will have to be implemented to deal with the backlog and any future review recommendations. This implies that not all review recommendations will be approved and implemented and that a deliberate process to retire recommendations is required, recognizing that it is not optimal to expend the limited resources. Communities are generally opposed to adding resources to the Org to hold reviews that make recommendations which will not be implemented. It's expected that ATRT3 will recommend modifications to organizational and specific reviews. Next page, please.

Really, just trying to set the stage here. I guess the message is we can think about this any way we want but if we take into consideration the multistakeholder process, we take into consideration the board paper, we taking into consideration our own survey results ... Even if we don't come up with a prioritization scheme there will be a prioritization scheme, one way or another, and things are going to change. We're going to have to factor that in any kind of thinking.

Not all reviews remain relevant as the organizational context in which they were originally created has significantly changed. We hear "trying to set the context" a bit. I guess this was several discussions we've had with a variety of people over the last few months. Reviews were instituted when the board, organization, and SOs and ACs have few formal accountability and transparency processes in place and less staff to support this type of work. Since this time, several significant changes have occurred with respect to the accountability and transparency for all segments of the organization.

After the current cycle of reviews is completed with ATRT3 and SSR2, all organizational reviews and all specific reviews, with the exception of CCT, will have been conducted at least twice and a significant number of their recommendations will have been implemented.

During the transition away from the US Government, the obligations of the AOC, which were structured to reflect the concerns of the United States Government, as well as the implementation of the CCWG Accountability Work Stream 1 recommendations, are included in the ICANN bylaws. By allowing the transition to occur, the United States Government believed ICANN had significantly evolved since the adoption of the informational commitment with respect to accountability and transparency.

I think that raises an important point for us to consider in the reality of things. It's if between the time the OAC came into ... Sorry, dropped off, there. As I was saying, during the time the OAC came into being and the USG stepped away, there were obviously a lot of changes and one should not think that the US Government would have stepped away if they didn't think we were evolved enough for them to do so. Those reviews are just part of that context.

The CCWG Accountability Work Stream 2 recommendations were approved at ICANN66. These include significant accountability and transparency recommendations for the board, organization, and SO/ACs. The implementation of most of these will begin in the next fiscal year and consume resources for several years, which means that the impact of these recommendations cannot be assessed for a number of years.

Again, talking about a point Daniel brought up earlier, it's one thing to make recommendations. It's another thing to approve them for implementation. It's another thing to implement them, and it's yet another thing to really understand the impact of recommendations once they've been actually put in. What we're saying here is there are a lot of recommendations pending which are going to change the way a variety of things are done in ICANN. If we just think about something that's close to us and has an impact on us it's the new operating standards for reviews, which are brand-new as of June this year.

Some reviews, such as RDS-specific reviews have lost much of its relevance for the foreseeable time given the proliferation of global privacy regulations which affect the disclosure of registrant and other contact information.

Context for RDS. When you consider how long ago it started versus the current context it shows that that one's out of context now. It's going to be very difficult to continue in that same vein for that one. Other reviews, such as CCTs, should require the majority of its remit to be conducted only a few years after the next launch of new gTLDs and then possibly retire. As Sebastien mentioned, it depends on the approach ICANN takes for new gTLDs. If they're going to release them in very small batches in a continuous process that's one thing. If they're going to go to another major release then that's more what we're talking about, here.

Organizational reviews were implemented, at least in part, to ensure improvements of SOs and ACs in the context where SOs and ACs did not have, and were not ready to implement, continuous improvement programs internally. Although effective, holding organizational reviews

every five years creates an undesirable peak of improvement work every five years, which is also subject to a number of environmental changes beyond the control of the SOs and ACs such as the transition which can significantly alter the applicability of the recommendations. As such, and as the best practice of the Chartered Quality Institute, SOs and ACs should transition to a continuous improvement program, at the discretion of the SOs and ACs, including a periodic self-assessment and audit to ensure their evolution in a more continuous and controlled fashion. Next page, please.

The total number of reviews combined with the five-year cycle time creates resource issues as well as issues related to overlap. I'll go through this quickly. I think we're all familiar with that. Overlap of various reviews, which is inevitable in considering a five-year cycle for both organizational and specific reviews, creates issues concerning the efficient use of resources for both the organization, staff, and money, and the community which must supply volunteers which then become unavailable for other SO/AC work. Given the time it takes to implement review recommendations, not all recommendations are implemented prior to the next same review being initiated. We've lived through enough of that, thank you.

Many of the implemented review recommendations have not sufficiently matured to allow them to become routine so that their effectiveness can properly be assessed. I think those are all self-evident through truths that we've been dealing with, here, for a while. Next one.

Reviews are now subject to a significantly higher standard for making recommendations which could affect the scope of reviews. With the

implementation ... Sorry about that ... Reviews, making recommendations has become significantly more complex. These operating standards not only ask for a significant amount of detail with respect to justifying making the recommendation but also require implementation details, prioritization, and success criteria in alignment with strategic objectives. Prioritization and alignment with strategic objectives could significantly impact what recommendations specific reviews can make if the basis for these reviews has not been amended to take this into account.

Although the new operating standards do not apply to recommendations made for organizational reviews it should be expected that at least part of it, if not all of these requirements for recommendations, will become applicable to organizational reviews and would have a similar impact.

Review recommendations are no longer automatically accepted. It was common practice until 2018 that most, if not all, specific organizational review recommendations were accepted for implementation. Sebastien's comment has pointed out that it was not absolutely the case for all but certainly it was common practice for, I would say, a majority of recommendations.

The At-Large Advisory Committee rejected eight of the 16 recommendations made in the final report by the independent examiner responsible for the At-Large organizational review in 2018. The ccNSO negotiated the recommendations to be made by the independent examiner responsible for its organizational review in 2019. The ICANN Board, for the first time in its history, has placed a number of CCTRT review recommendations in pending status. We're definitely in a different system now when it comes to review recommendations. Yet,

the only thing that has changed is the set of rules by which recommendations can be made for specific reviews and the “charter,” if you will, of a lot of these reviews has not significantly changed in a while.

Not all review recommendations are implemented and those that are may not be in a timely manner. Prior to the new operating standards for specific reviews, even if recommendations were accepted for implementation there was no formal timeline provided for implementation and there were no formal criteria for assessing the implementation. ATRT2 recommendations were submitted to the board in December 2013 prior to the transition and the organization did not report these as completed until October 2018 after the transition.

ATRT3 assessment. Well, we know our assessment of the evaluation of the implementation of these. I'm not going to go through the detail of that but it's important to note that there were no criteria for implementation. The implementers had no contact with the review team during implementation and there was no process to reconsider or cancel recommendations. In this context, implementation was often a “best effort,” which has led to disagreements with the community with respect to implementation. Certainly, everyone understands that.

Similar situations have been reported with respect to the implementation of other specific review recommendations such as SSR1 and SSR2. As noted in a previous section, given the time it takes to implement review recommendations not all recommendations are implemented prior to the next same review being started. Many of the implemented review recommendations have not been implemented long enough for them to allow for maturation of the implementation so that the next review can

properly assess their effectiveness. It's expected that the new operating standards would help address these issues but, given no review has yet published recommendations under the system, it's impossible to assess.

Going down, [Flip], please. The current set of reviews does not offer the possibility of the holistic review of the organization. The last holistic review, as mentioned by Sebastien, was conducted in 2002, although we can think that CCWG Accountability Work Stream 1 certainly came close to doing part of that. That's for us to consider. Then, we go into the various options as they've been listed. Before I go to that I'll hand it back to Pat to see if there are questions on this section.

PATRICK KANE:

Thank you, Bernie. Any questions? Please raise your hand or put something into chat. Yes, Sebastien. Please, go ahead.

SEBASTIEN BACHOLLET:

Thank you very much, Pat and Bernie. Yes, to the discussion about CCWG Work Stream 1. It came close but not close enough to allow to say that it was the same level because there was no discussion about the eventual evolution of the organization. There were a lot of things done but nothing ... And then, it's something we need to take into ... It's why I say 2002, not to say that nothing was done and [our amendment] and specifically our CCWG Work Stream 1.

My second point is that ... Page ... Oh, it is, I guess ... I can't remember the page. Let me see. Page five. It says that ... Oh, it's maybe not page five. It's where we talk about the fact that each and every organization will do

as they want. I guess we need to suggest a framework and then, from this framework, there can be an adaptation. For example, for the budget, I think it's good to have a review on that. And to have a budget we need to have some idea of how it will be done. If I find the place where it is, it will be there.

The second is that it's ... Yeah, it's page five. Organizational review and the charter quality. Okay. Including sporadic self-assessment and audit. I really feel that the idea of the systemic review or holistic review every seven years is also the place where this will be a review, then. We don't need to have an audit or to have outside people to assess or to ... It will be done in my suggestion, I guess in other suggestions, in the holistic review ... It's where those papers, every three years, will be an input to themselves but also to the other and specifically to this holistic review. Thank you.

PATRICK KANE:

Thank you, Sebastien. Any other questions or commentary? Back to you, Bernie.

BERNARD TURCOTTE:

Thank you, sir. Alright. I apologize. My equipment seems to be dropping off about every 15 or 20 minutes so please bear with me. Alright. Considering options. Option one. I will put in a disclaimer, now. I tried to do my best on these. This is when I was writing them up. The co-chairs have reviewed them. These are put up here for ensuring, as we said at the beginning of this section, that we come up with a couple of clear and distinct options.

I think, if we're going with the notion that our public comment document will provide options on which we want the community to comment, it's really a good idea to have a limited set of options. Otherwise, people get lost. It's important that these options be very clearly and simply stated, that they're understandable, and that they be distinct because if you start having way too many options that overlap in between the choices, then it really muddies the waters.

I see Michael's comment, there. "Didn't option one include the coordination function which would include inheritability, too?" Hey, listen. As I said, this differed. Please correct as we go along. Let's just run through them very quickly to understand what's been laid out, here, and then we can take shots at fixing them as they need to be.

Option one, keep the current status specific in organizational reviews as they are given they are important accountability mechanisms for the community and establish a better mechanism, possibly an independent function, to ensure implementation of review recommendations. And I may have missed the ability to modify reviews. I fully accept that.

What I did in the table below is have a look at the main categories we just finished discussing and see if this meets some of the requirements. Really, this is just a first cut to see what happens. ATRT3 survey results to require changes to reviews. No. It's expected that ATRT will recommend modifications to organization-specific reviews, which we will address.

Other issues. No. Not all reviews remain relevant in this context. Are these changing? No. Total number of reviews combined with a five-year cycle creates ... Does this really address that? No. Reviews are now

subject to a slightly higher standard for making recommendations which could affect the scope of the reviews. Does this modify that? No. Are the review recommendations no longer automatically accepted? I put that as “to be determined.” Not all review recommendations are implemented and those that are may not be in a timely manner. Yes. I thought this could be right as the current set of reviews does not offer the possibility for a holistic review. The way this option was framed, I didn’t think that addressed that.

Option two. Replace all specific reviews with one review and all organization reviews with one review. A single organizational review at regular intervals. If there is a continuous improvement program that is put in place, the single organizational review would not be attempting to combine the work of all the organization reviews as they are currently structured. Instead, it would focus on auditing the results of the continuous improvement efforts in the SOs and ACs and the relationship and interdependencies between them. The review itself would also apply the principles of continuous improvements to its scope and working methods.

A single specific review at regular intervals. This includes RDS, CCT, SSR, and ATRT reviews. More specifically, these are all points ... Sorry, dropped off. RDS generally agreed that it’s probably no longer needed. CCTs only need it if and when there is a new round of new gTLDs. SSR; reviews should be reviewed based on the final results of SSR2 versus the current needs.

One option which could be considered is to have a more focused review performed by paid professionals overseen by a group of qualified

volunteers in the community members, a possibility similar to the NCAP project over in SSAC. ATRT could remain fairly similar to what it is but Sam had a comment with that. If we drop down a bit, please? “Should SSR be reviewed? It might be easier to include in ATRT.” Also, Seb was saying, “Does this not include the idea of a holistic review?” and that is a point. But I don’t think that’s a big issue. That could be included in here fairly easily.

If we run through the same table that we did in the last one. Does it address the survey results? Yes. Does it bring modifications that would address some of the basic concerns of the organization implementing reviews? Yes. Not all reviews remain relevant. Yes, we’re changing that in this option. The total number of reviews? Yes, only two reviews, now. Reviews are now [subject significantly higher?] Yes, creating these would automatically require a review of the scope. Review recommendations are no longer automatically accepted. To be determined. Don’t know.

However, one would expect that given there are only two reviews, the recommendations would carry more weight and there would be less of a plethora of review recommendations. Not all review recommendations are implemented and those that are may not be in a timely manner. Again, same point as above. Given there should be fewer it shouldn’t be an issue. The current set of reviews does not offer the possibility of a holistic review. I said, “To be determined.” As I said, I think this could be included in this option as an add-on or possibly combining the two.

Next option, please., Going down a bit. Combine both reviews of option two into one. Possibly add the holistic component. Basically, it’s all the

same thing and I don't think I want to waste a lot of discussion time on this. The answers are essentially the same.

Let's go down to option four, please. Okay, option four. Hold annual two or three-day or other short time duration intensive sessions facilitated by professionals to review each SO/AC, expecting that a continuous improvement program is in place for the SOs and ACs. I guess that comes close to some portions of what Sebastien had in his presentation. And any specific reviews which are still required. The said review period would probably have to be supported by an upfront preparation period so proper material information and eventual surveys can be properly harvested and implemented.

Basically, as we go through this, it covers a lot of the concerns that were listed in the issues above. However, it doesn't lower the number of reviews and may not address the fact that there are recommendations coming out in higher volumes.

Anyways, this was just a point of trying to give a sense of what four options could look like. I expect these are going to change as we have our discussions and I will turn it back to Pat at this point.

PATRICK KANE:

Thank you, Bernie. Any questions? Any additional comments?

KC CLAFFY:

I can't raise my hand easily so just put me in the queue.

PATRICK KANE:

Okay, KC. You're the only one in the queue so go ahead.

KC CLAFFY:

Thank you. I appreciate all that work that Bernie did. I'm still trying to get my head around the way that it's structured in terms of the issues in the tables, there. These are not what I remember. It's evident my memory's failing from the Singapore meeting on the issues that we enumerated with the current reviews. Maybe Bernie took that and modified it based on the subsequent conversations in Montréal and everything but I feel like I need to go back to ... And maybe ICANN staff can point me at the notes from Singapore at the high-level problems. I thought we had like three problems that we thought the reviews were facing and we had ordered them, or maybe we could order them.

I'm saying that because my concern with the way these issues are structured is that I don't feel like they're all on the same level and I feel like maybe we should try to prioritize the issues, the things that we think are the most broken about the current reviews and how they relate to the ATRT3 charter. I was going to offer to take a pass on that and try to do it myself. I just didn't get to it by today so I'll try to work on it over the weekend. I can't make the call on Friday, however.

But I think the "yes, no, yes, no," I'm having a little trouble with because I feel like not all of those lines are the same priority of an issue. That's why I'm ... I like the way of going about this but I think the parameterization I'm having trouble with. I want to take a whack at it myself.

PATRICK KANE: Yeah, thanks, KC. I'm sitting here thinking through what you're saying, there. You want to add other categories that we weight ... That support?

KC CLAFFY: Right. First of all, I want to go back to the Singapore ... Maybe Bernie can tell me. Did this set of issues come from the Singapore document that we had? Because I remember watching a Google Doc get created in Singapore that at the end of that document, at the end of our meeting, we enumerated the set of issues as we started talking about options. Is that where this list came from? It doesn't feel like the same type of list.

CHERYL LANGDON-ORR: Maybe I can help you, KC. The Google Doc we created which started with about ... At one point, I think it had seven, which ended up with five. That was, in fact, for what we were going to work on in terms of outreach and engagement during our Montréal meeting, not necessarily these issues specifically. They were the issues we were going to seek engagement on and it was what we were going to take to those engagement sessions. You'll see some of them are in here but others that are in here, such as the ... I'm just trying to pick one. Well, the holistic review was mentioned. "Not all reviews being implemented" was mentioned. "Subject to a significantly high standard" was mentioned.

We didn't specifically talk about the five-year cycle but we did say that there had been a number of recent public comments out about the problems that the cadence and periodicity of reviews were on. If you're not seeing the exact words that's because that kind of went into building

a PowerPoint presentation rather than this table. Correct me if I'm wrong, Bernie and Pat. You've also got Sebastien's hand up.

PATRICK KANE:

Thank you, Cheryl. Sebastien, you want to go ahead?

SEBASTIEN BACHOLLET:

Thank you. I have a broader question. It's that we have a choice of ... Maybe it's already behind us but I feel that we may decide to have one proposal, four proposals, or five proposals. I am not sure that it will be very easy for the people to understand and to make the difference and to tell us what is the best solution. I have the feeling that we got some input during the Montréal meeting and where we are now could be to put a single proposal ... I will say that I tried to embed what is the best entry of each of those four to try to have one single proposal.

Not to push my proposal. We can add that as the fifth one. But my concern is how we will [order] the response and how we will be sure that we are going in the right direction with that. I am not sure that it will be easy to have four proposals put like that. If it was a one-to-one discussion, survey, or something, it's different. But to have comments on that, I have trouble understanding how we will do it. Thank you.

PATRICK KANE:

So, Sebastien, I'm struggling a little bit with that because last Wednesday when we went through this I specifically asked, for the people that were on the call, did we have a general consensus for the direction this paper was going and where we were leading it to in terms of continuing on?

There was no objection last week from that standpoint and we spent a lot of time this week to get it here to continue the conversation. I hear what you're saying but last week you were on that call and there were no objections this being defined as a general sense of the room. We didn't look for a consensus, we didn't look for anything like that. We just wanted to know, directionally, was this a general sense of the room? To go back on that now and try to push all of this into one option that we're going to put out knowing that we're going to publish something shortly ... I'm struggling a little bit. Go ahead, Sebastien.

SEBASTIEN BACHOLLET:

But definitely I understand that you struggle with that. The fact that I have spent a few hours working, trying to do something, [can make me doing] this proposal and I will not say the same thing. Last week, I was not close enough to the possibility to elaborate. But my feeling now is that four is too much. We have to take a stand, and when the answer is, "No, no, no, no," then take it out.

We need to have two [inaudible] three proposals and it must find out very different things that we can have input on yes or no. If it's too close, it will be difficult for the people to answer. At the end, what we will get to make any decision on that will be, I am afraid, not efficient. You didn't look for a consensus but you ask and I agree with that. But work has come to some of us and it's where I am today. That's it. I have nothing to say you were wrong at all. If somebody was wrong it was me. Thank you.

PATRICK KANE:

No, no. Sebastien, I'm not suggesting that you're wrong. I'm just suggesting that we don't have the luxury of time on this review. That's all. I understand that our thinking is going to evolve and it's going to change as we think through these things. I'm not criticizing at all. I'm just recognizing that we've got limited time. KC, please.

KC CLAFFY:

So if we did have one as opposed to several, I think we'd need our calculus for how we got to have that one. Again, I want to repeat I really like the way Bernard has set up a table where you can score these things like a consumer report and you're buying a dishwasher or something. I find it to be accountable and transparent of us to assess the alternatives in that way. But I think, then, the devil is in the details. We have to make sure those are the right issues that we put in that table.

And what do we think are the most important issues to be having "yes" in that row, so that if three rows have "no" but the one row that we think is the most important has "yes" then that should get weighted? That's why I think regardless of how many issues ... And indeed, what we should do for the community so that they can make an informed decision about giving us feedback, is try to tease apart exactly what Bernard tried to do, with, "Does this solution address this issue? And if so, how well?"

Maybe what we need is a finer-grain scale than "yes or no" on this table. And we all have to agree that these are the right issues. If we think some of them are way more important than others we need to draw out some consensus on that. I think if we do have one, and I would lean towards having more than one proposed alternative at this point in time, we need

to explain how we either have got to the conclusion ourselves of which one we think is the leading candidate or how we offer a framework for others to make that kind of assessment themselves.

PATRICK KANE:

I'm sorry, I'm sitting here talking while I'm muted. KC, I think that's absolutely right. We have to have some kind of introductory that says where we are as part of this. I think that, in terms of taking this discussion paper the way that it is and then rolling that into the review paper or the review team work product, at the end of the day, has got to have that. I think Bernie recognizes that and that we're going to have to go and make that happen.

I think that when you talk about our team being accountable, or at least transparent, it's that we don't have a consensus. I'm not certain that we're going to have, directionally, what we feel is the right one. Although, I think that what I'm hearing tonight is a lot of coalescing around the foundation that we got in Sebastien's presentation. There's a lot of good in there but there's also a lot of details to your point. I want to make certain that we balance the addition of details at this time to get something out for people to review.

What is the value going to be to the community in making that review if we're going to jump through that hoop? Because we've really got a couple of days to finalize on this and, like you said, you're not going to be able to be there on Friday, and Bernie's got a timeline to get this into ICANN staff production so that we can get it delivered on the 15th. I'm

trying to balance all that right now as we talk through this but thank you for the comments. Michael?

MICHAEL KARANICOLAS: Hi. Yeah, I support the [ADF] going out with multiple ideas, lots of options, just because I think there remains a lot of division in the group and there are ideas that I've argued against strongly. If we come back and the community says, "Oh, my God, that idea that I didn't like is absolutely marvelous and we should definitely do that," then that's that. I think that the best avenue forward is to let the community bridge that gap.

I do think that, first of all, the first option should be modified slightly in order to properly address that I think it is more of a structural change, that it has more powers than was spelled out, there. Although, that's just the way that I remember it. I think that it was meant to serve more of a coordinating function and to look into the different reviews, as well. But KC can correct me because I think that she was the original person that created that one.

I also think that the table that's there can be narrowed down quite a bit. I think that number one and number two basically ask the same thing, which is we need to do something. Frankly, it's redundant, and I don't think either of those are necessary because I think all four of these are going to do something. Six and seven are also, I believe, different ways of saying that there are implementation challenges. I'm not sure why we need a specific table for automatic implementation but that's essentially saying the same thing. Thanks.

PATRICK KANE:

Thank you, Michael. KC, is that an old hand?

KC CLAFFY:

I'll make a new hand if I can, although I don't have the text in front of me. To Michael's point, and again this goes back to ... I'm not sure the things that are on the issues line are exactly the right issues. I agree with him that those first two are similar and it's not clear they're needed because it's like, of course, something needs to be done. My recollection of the Singapore issues ... I have some weird feedback I'm hearing. Do other people hear that? Okay. It stops when I stop talking. That's even more disconcerting. I'm in the car, so God knows what that's doing.

My recollection in Singapore was that the two big issues were the recommendations aren't getting implemented and there are a variety of underlying themes to that. The second one is the assessments from ICANN of whether the recommendations are going to be implemented are incongruent with the external assessments. There's an accountability issue, there, of they're not doing what the recommendations say for lots of good reasons that we can go into, and there is an accountability transparency issue of their self-assessment doesn't match the external assessment.

My first reaction to that – I'm going to import some thinking from the SSR2 review that I'm sitting on too, and hopefully do it justice – is that they are wording some recommendations, or trying to distill some recommendations, that try to extract some of those things where it's maybe not reasonable to expect ICANN's assessment or implementation

to be in line with what a third party might think, by having a third party maybe even doing the implementation.

The quintessential example of this is compliance where you don't necessarily expect a company to be able to enforce compliance no its own for something and so that's why you have auditing industry to do these kinds of things. That's where the idea of a standing independent body came from. That's kind of where I was taking it. A standing independent body should be doing these assessments of implementations. We shouldn't leave it up to ICANN to do that. It's, maybe, not even fair. That actually addresses the issue of the incongruity between ICANN self-assessment and the external self-assessment.

We can talk about which of these two issues I just named are more important but this is what I mean about a proposed alternative that's directly targeting one of the problems that we've identified with the review system. I'm kind of missing that in the current set of alternatives that map to the table. Maybe it's because my view of what were the highest priority problems are different from other people's view of what that meant, the highest priority problems.

Again, I don't think we need to have consensus on this. We need to just draw out the different positions that we have and map them to the problems that we've identified because I think we all agree on a set of problems. Maybe we just prioritize them differently. Sorry. I'll shut up.

PATRICK KANE:

Thank you, KC. Can everybody hear me?

KC CLAFFY: I hear you.

CHERYL LANGDON-ORR: Yes, we can hear you, Pat.

PATRICK KANE: Alright, thanks. I didn't know whether I was losing you guys or we were losing KC because we were starting to lose KC there, at the end.

CHERYL LANGDON-ORR: It was a little bit shaky, KC, but I think we certainly got the gist of what she was saying. You've still got Bernie.

PATRICK KANE: Bernie, I'm going to ask KC a question real quick on this. Would you be comfortable with a separate recommendation that really focuses on the implementation and not tie the implementation to how we structure the reviews in terms of our recommendations? I know we've talked about the implementation being part of the review process but would you be comfortable if we separated the two? When I'm hearing you talk about this focus on ICANN's assessment of the completion of the recommendations it feels like it's a separate entity, to me, rather than having it sit in how we think reviews should be done so that we're getting them done appropriately, we're not killing staff, we're not killing the community, and we're spending less money and less time. Again, those

are the things that are in my head to focus on but would you be okay separating those recommendations?

KC CLAFFY: I think so. I might have to see how it's worded but yes, it sounds reasonable.

PATRICK KANE: Okay. Alright, well, thanks, KC. Bernie, please?

BERNARD TURCOTTE: Thank you. A few points on the implementation. My thinking has evolved on this and I've been changing the text in 5.1 on this. I understand the frustration on the implementation part. However, let's not go into details about that. Let's look at what has actually changed as of today on the implementation going forward.

If we look at the new operating standards I think that there is very literal room for having an argument with ICANN whether something is implemented or not given everything that is now required of the recommendation. It doesn't fix the old ones, I agree, but on a going forward point, which is what we are about, ATRT3, the way recommendations are made certainly is a lot clearer and a lot more specific for those that are going to implement.

The second point is we have, now, an implementation website from ICANN that is tracking this as we go along, which is, I think, a significant improvement. Third, which is a non-negligible point, which is also

included in the new operating standards, reviews when they make recommendations are now required to provide an implementation shepherd. That can have, potentially, an S on it, “shepherds.”

That is, really, the notion that as ICANN goes along its implementation path they now have a continuous contact with some of the group that made the recommendations, people selected by the group that made the recommendations, to answer questions if there are any questions to be had or even, maybe, respond to some misunderstandings as to what a recommendation could actually mean.

I think a lot of the work on addressing ICANN actually making sure they’re going to implement what is being asked for going forward for those recommendations that get approved for implementation ... That’s why we’re making the case very clearly that not all recommendations going forward are going to be implemented. I think that problem, for the most part, is licked going forward. That’s a personal opinion. That’s the first thing.

The second thing is on the prioritization of the list, as I wrote in the chat. I did not write it in any prioritization order. I just tried to put in the things that seemed to make sense. As far as canceling the first two, I don’t agree. It’s not just about, “We need to do something,” as Michael said. My idea when putting that in there is the notion not just that we have to do something; we have to do something that’s going to address the problems that have been brought up. Fair enough, on the first one, it’s just the survey results.

But on the second one, it's addressing the issue that there are too many reviews and there are too many recommendations coming out of too many reviews. For me, I think that's a reality which anything we're going to put forward is going to have to take into account. Thank you.

PATRICK KANE:

Thanks for that, Bernie. A couple of items. On the first one, we talk about the implementation. Yes, there are some new guidelines to follow, but we've not seen them executed. I think that it's important that we recognize that maybe that's the solution. I think we ought to call that out because one of the biggest issues that we've seen from our review is just 53% of what was declared to be complete we actually consider to be complete. Maybe it's a pointer to that but I really think that we've got to call that out because it's something that we've all struggled with as well as other review teams. Thanks for the check on that, Bernie.

Then, on the second one, I want to make certain that what we put in here meets the general sense of the room in terms of what issues are listed on the tables. I'm not certain that we want to dismiss changing them but we certainly do want to be able to take a general sense of the room. I know we don't have a lot of time on this, and I apologize, but if we've only got one or two people that are focused on changing them then I think we have to say, "Let's keep it as close as we are right now." But if we have some [general] movement in the room, let's take a look at that. Alright. Thank you, Tola. You're up.

ADETOLA SOGBESAN:

Okay. Thank you for the presentation. I was struggling a little bit trying to place the observation KC made where we were in Singapore. I'm trying to see if we can an assessment [appropriate] but Bernie clarified by saying these eight items were just put there ... I'm thinking if it is possible we introduce two things.

One, a short note stating that the issues listed are going to be in order of priority. In which case, issue one would probably the most important and issue eight will be the least important. If it is possible then at the end of the day we're going to see if issues one and two, for example, as we know it's a top priority and we need to be careful with it, and if issue eight, for example, which is the least important has a "yes," we'd know that "yes" has less weight compared with the "no" that issue one, with the highest priority, has. I'm thinking if we're able to get that sorted maybe we'll be able to see how easy it becomes for the community, when they are making their comments, to assess which one carries more weight or not. Thank you.

PATRICK KANE:

Tola, this is [inaudible]. I think your [inaudible] point of we need to weight the issues, but maybe we do that when we evaluate what we get back and not necessarily do them as a weighting going into the community. I would just offer that up as a suggestion. Michael, to you please.

MICHAEL KARANICOLAS:

Hi. Yeah, I just wanted to comment on the last thing that Bernie said which is that there seems to be, in his mind, this underlying assumption that we just need to dramatically scale back the number of reviews and

recommendations. I hear from the community a lot of frustration at the resources challenges that they face. I don't necessarily think that that translates to a feeling that there's too much accountability, too much community review, or too much of a community role in assessing what the institution is doing.

I think there is a frustration at a lack of follow-up and I think that there is frustration at perceived lack of support on some of these things. But I don't think that those are necessarily the same thing and I would strongly take issue with that as being this underlying assumption that where we get to at the end of a day has to, or that it fundamentally needs to, be about scaling back accountability to the community. Because that's what that sounds like to me and I think that a lot of folks are going to have a lot of problems with that. Thanks.

PATRICK KANE:

Yes, thank you, Michael. I hear you, and I think that that's what I like about the foundation of what Sebastien has put forward. It's that you are keeping the structures in place. We take a look at streamlining them or trying to do something a little bit different with them and stretch them out. But I hear you and I think you're right. No one has said there's too much accountability and I think that that's something we should all keep in mind. Thank you. Bernie, go ahead.

BERNARD TURCOTTE:

Thank you. To Michael's point, I don't think there's a requirement here, or an undercurrent, that we're trying to reduce accountability. At least, that's not how I see it at all. What I think we're trying to state is the reality

that recommendations ... One way or another there's going to be a prioritization process. I think that's what we have to wrap our heads around. For me, from just a purely systems point of view, if you're saying, "Well, it's up to the organization," then I'm sorry, that doesn't cut it for me and it won't cut it for being accountable and right. If you just go ahead with recommendations, make recommendations, and they just fall by the wayside and never get implemented, why are you doing the process in the first place?

For me, to maintain that accountability and maintain those things from a practical point, if there is an acceptance, the organization cannot go on and implement all the recommendations it's got right now and cannot keep going at this level. I think if we don't want to deal with that, that's fine. But I think it will be dealt with one way or another and it is coming. That's a reality we have to face. In that context, I'm only suggesting, what is the best thing we can do so we can maintain and ensure the best accountability? Because simply sticking our head in the sand saying, "Well, it's just a resourcing issue, and it's just a follow-through issue," I don't agree with. Not that. Thank you.

PATRICK KANE:

Alright, thanks, Bernie. I didn't hear in Michael's comments that we should ignore the prioritization process. I think what I'm hearing Michael say is that there are things that we should still look under. There are stones that we should turn over, see what's there, take a look at it, and make recommendations. And yeah, the prioritization process is going to cull some of these out over time. That's a reality of how you have to balance the resources going forward. I think that we're in the middle of

the thread right now, the conversation right now, to where we can balance to make certain that we're looking under the right rocks for the right things.

And then, someone else is going to make a determination over time what we can afford to do, what can get done, and how we retire items that, at some point in time, they've been sitting there just too long. I think that's the reality that we have to see. We've got two separate recommendations, here. You're right, Bernie. We're going to have a prioritization process that's either given [inaudible] to us or we can contribute to. Michael's addressing that. You should look under the right rocks. If you make 100 recommendations and the funds run out at number seven, that's what happens. I feel like we're getting closer, to be honest with you. Cheryl, go ahead, please.

CHERYL LANGDON-ORR:

Thanks very much, Pat. With the 15-20 minutes, and 20 is generous, that we have left on today's scheduled call, I'm a little concerned about us moving into the "where to now?" part of the discussion. I'm going to encourage us to move into that phase. A couple of things, though. We thought we might be able to, if needs be, sneak in another meeting, perhaps on Monday of next week. With the ICANN public comments, people are requiring the document even earlier than we had thought. That really isn't going to be practical.

Pat, It may very well be that we need to not only have a two-hour meeting on my coming Saturday and everyone else's Friday but perhaps extend that to three hours to get enough of our work done. I wanted you to also

consider that as we move towards the end of this call. This work simply has to get finished.

Pat, we haven't dived into the report and I'm not sure that we're going to have time to do so. Can you do your damndest to work out with this current white paper discussion what we can be putting into our report for our consideration at the end of the week? Or, in a couple of days, actually, from this conversation, from this thinking. Are we moving on with a new one, another three? What are we doing? Sorry to be a bit pushy but that's my job.

PATRICK KANE:

We need to be. We need the push. This is a time issue at this point. Yeah, let Sebastien and I hammer through this tomorrow when we get together and update the document tomorrow so people can take a look at it. I might offer up not just to do a three-hour on Friday but as a different suggestion do another two-hour on Saturday. I don't know. I'm trying to think about, how do we get more time to try to get this thing done at the end? I know everyone's got tight, tight schedules, but maybe that's another option we have as well, Cheryl, instead of doing a ... Either do a three-hour on Friday or do two two-hours, one on Friday, one on Saturday.

CHERYL LANGDON-ORR:

Well, the advantage of splitting them, if I may, Pat, is that there might be a very small refractory time. But of course, yes, Larisa, we're very well aware that staff would have to be checked whether they could even work with us on the weekend. Of course, they do work with us when we work

on the weekend face-to-face so who knows? Regardless, the review team, with or without staff, need to get the work done.

I'd doubt that Bernie is going to have a problem getting the work done. He works whatever day it takes. If you do split them then there is a small refractory period to modify what you've done in one to the other. There may be an opinion amongst you all that thinks that's an advantage. I think it probably is an advantage. But then again, it would mean you have taken not only my Saturday but my Sunday as well. So be it.

PATRICK KANE:

Then, I would put it to the team. Do we want to do some ...? Well, I know that we have to get checked on support. Would the preference be to do a three-hour on Friday or to do two two-hours on Friday and Saturday? What day did we have to have it to staff, Bernie?

BERNARD TURCOTTE:

I have to hand it in to staff on the 12th.

PATRICK KANE:

Okay. Or maybe we take the leadership team meeting on Monday and make that the next session? I don't know. I'm looking for comments ...

CHERYL LANGDON-ORR:

If you're speaking, you're muted.

PATRICK KANE: No, I'm not muted.

CHERYL LANGDON-ORR: Okay.

PATRICK KANE: Maybe the WiFi's going bad here again. I don't know.

BERNARD TURCOTTE: No, I can hear you very well. I have to tell you, depending on what we have to write up, Monday is getting pretty darn tight.

PATRICK KANE: I know. I see a suggestion from Sebastien to do Friday and Sunday. Cheryl, it'll be on your Monday, so you'll get a day of your weekend. Anybody else? Daniel, you're okay with what? Either one, or both, or ...? Okay, because we've a couple of options, there. Alright. Then, let's do Friday and Sunday. Bernie, your hand's up?

BERNARD TURCOTTE: Yeah, I was going to say, given where we are, put both in but block three hours for the Friday call anyways.

PATRICK KANE: Okay.

BERNARD TURCOTTE: Because we're running up against that wall. We're running out of runway, whatever euphemism you want to call it. I think we have to get there, as we all know. My suggestion would be to do both. Three hours on Friday and two hours on Sunday, fine. Hopefully, we can decide a few things so I can start writing in between, there. Thank you.

PATRICK KANE: No, I got you. Alright. Let's go ahead and do that. Let's extend Friday to three hours. I do see that there are people that are traveling and not available but we were already going to have two hours on Friday, anyway. Then, we'll have a two-hour tentative on Sunday. Larisa, you'll let us know if we can get staff. I know it's a four-day weekend here in the states, or over there in the states. We'll see what we can do from there. Let's at least get it on the calendar. Sebastien, your hand is raised?

SEBASTIEN BACHOLLET: Yes, thank you. Just to suggest that [less] the same time we can extend at the beginning at the end. If I may suggest that we extend at the beginning. It would be easier for me as I am in a hotel room and I share the room with somebody else. It would be quite complicated. If it's not possible I will go somewhere outside the middle of the night. That's okay. If we can do it earlier it will be better. Thank you.

PATRICK KANE: Alright. Thank you, Sebastien. Jennifer?

JENNIFER BRYCE:

Thank you, Pat. I'm sorry. I'm really losing my voice, here. I'm going to do my best. I was going to ask the same question as Sebastien in terms of the Friday call. If we extending earlier before ... Either is fine with me. Then, on Sunday, I'll be the staff support given the US holiday. I'm available, which makes me sound so sad. I can do that. The only thing is, if we do the call at the same time, at 21:00 UTC, that works fine for me. The only time I probably can't do is between 18:00 and about 20:00 UTC on Sunday. If at all possible, we could avoid that window. I'd be grateful. Thank you.

PATRICK KANE:

Yes. If you will give up your Sunday, we will make certain that we do the time that you're available. Is everyone okay with this timeslot for Sunday night? I know that it's tough when you've got to get up and go to work Monday morning. Yes, KC?

KC CLAFFY:

I'm just trying to figure out how these calls are going to work. I have family visiting. I can't make any of these calls. I'm already in trouble for this one. I'm happy to put text in the document for review but I'm trying to get my head around, how many versions of this do you think there are? Pat, you said earlier you didn't think there was going to be consensus in the group.

Is it the case that you think this group will distribute along the three to four proposals that we're going to create? Or, do you think that there are going to be minority reports, or whatever they're called, commentary on the specific issues that are being presented? How do we want to go about

presenting the lack of consensus in as useful a way as possible? Maybe I can work on that asynchronously with these calls?

PATRICK KANE:

Thank you, KC. That's a great question. We're not going to have a consensus that we push in the document out to the community. We're going to push our thinking out to the community and get feedback. We will seek consensus for our final report. When we're in Brussels, my belief is at that point in time we'll be seeking consensus on each item as we plow through it. And maybe even in the day that we meet in Cancún. That's what we're going to try to establish consensus on what our actual recommendations are. I think this is just our thinking.

My point about not getting to consensus was if we were going to get to a single or fewer options to put in here that we probably wouldn't be able to get consensus on what that single or fewer set of options were at this time. I believe that our thinking, ... While it may have coalesced in the past few days on something we've still got a lot of things that are ... I would think that we would just have options, get feedback, figure out what the recommendation looks like after that, and then look for consensus. Is that helpful?

KC CLAFFY:

Sort of. Again, does it assume that the lack of consensus is primarily along the dimension and [which of the end] alternatives we all would vote for if it were up for a vote? Or, is it deeper than that, the lack of consensus, you imagine?

PATRICK KANE: Well, I just think that we've got a lot of ideas around a lot of different options. The option one that we currently have in there, I've seen Vanda writing e-mails on it that it really is just not an option at all because doing nothing when we say there are problems ... That's sticking our head in the sand. If we can modify the one [and developing] we're not really certain what a replacement for option one would finally look like. We may get that to talk about on Friday. But if we're trying to get something pushed to print by the 15th, I'm not certain that we've got much more time to talk about, how do we get to a consensus on an option? That's all I'm trying to recognize.

KC CLAFFY: Yeah. I mean, I'm not sure how much to put into the deadline issue because this problem's going to have to get solved eventually as Bernie said.

PATRICK KANE: It is. But we've got one year to get this done and the way that our timeline looks right now we are tight getting mapped out through the remainder of that one year. Even though there are five months ahead of us there's a lot of work to be done between now and April 1st.

KC CLAFFY: Yes.

PATRICK KANE: I mean, we can continue to debate this, and we will continue to debate this, while we have the initial document out for public comment. We're going to continue to think through this, stew on this, and probably come to some other views. But I think that right now the objective is to get the initial report out. Then, we've got 45 days, while we're waiting for comments, that we're going to continue to talk.

KC CLAFFY: Right, but that's my point. If there's a lack of consensus, it seems to me that the initial report needs to reflect as much of the lack of consensus as if coherent. I'm wondering how many different positions there are that need to be represented. Those people should go off and write their position in a one-page document or something if that's what we see. I don't understand what ...

CHERYL LANGDON-ORR: We're not going to be attaching minority reports to a public comment document. Minority reports belong in final documentation if there is no consensus. I can't see the benefit of even having appended 15 people's personal views. [It either gets the carriage] or not.

KC CLAFFY: Right. That's why I'm not clear what it is we're trying to ... But I also heard Pat say, "We're not intending to get consensus for this document," so I'm still not sure ...

CHERYL LANGDON-ORR: There's no intention ... As I went into great detail last week to make clear that this is not a consensus document. This is a set of current thinking, as Pat's just outlined, that we are taking to public comment. We have to have one public comment. It is a requirement. That is what we need to do and that is what we've got some deadlines about, as well as our full 12-month deadline that we're clearly working towards.

KC CLAFFY: Yes, I agree with that. I just think it would be useful if we could distill as much of whatever the lack of consensus is into this public comment so that we could use it to inform trying to get consensus subsequent to this.

PATRICK KANE: Sebastien, your hand's up?

SEBASTIEN BACHOLLET: Thank you very much, Pat. Just to say that we need, at least, to be sure that we embedded enough proposal ... That we are sure that every one of us could be comfortable with one solution or another. Because, if we are ending with something that we know that part of us will already show a minority report for, then we are in trouble. I don't know how we can do that but I think that at least we need to be sure that they are a part of it. If there is community push-back for this part then so be it. But that's something I would like that we try to solve. I understand the short time we have in front of us. Thank you.

PATRICK KANE: Thank you, Sebastien. KC?

KC CLAFFY: Yes, Sebastien, thank you. That nailed it. If we could get assurance that everybody on the team would vote for one of the alternatives that are going to be in the document, I think that covers my concern. I'm done. Sorry, I don't mean everybody votes for the same one. I mean what Sebastien just said, that everybody can pick one option that represents their view in the thing that we send out.

CHERYL LANGDON-ORR: I think Pat thought ... That's what he did last week when he got the general feeling of the room. But Pat, maybe you were really wrong.

PATRICK KANE: I've been really wrong before, Cheryl, so it's possible. I think that's right, KC. I think that when we talked through this last week we knew that there were details that are going to fall out of this, like option two. If people were to like option two there's probably a two-one, two-three, two-four, that you can grill down. I think that in terms of what we've discussed there's a lot that we've started to include in terms of short timeframes.

The Geoff Huston suggestion to get to ... I know he used three days, but the short timeframes and those kinds of things. If we're missing elements that you've talked about, and I don't think we are, then let's [inaudible] quickly. But in terms of having a bold, [inaudible] option, I don't think we have one. KC, is that a new hand?

KC CLAFFY: No, sorry, new hand. But now that you've said that, I wasn't aware that's what you meant by "last week's consensus." I think you just meant "in the direction of having four options," not that everybody would commit to one option if they had to today. I'll go read it again with that in mind and I think it'll help.

PATRICK KANE: Yeah, and I don't think that I actually said it that way but I think that it covers all of the options that we've talked about, is what I think I'm saying. Alright, Tola, real quickly because I think we've come to the end of two hours and we're going to shut down here in a second. Real quickly, Tola. Thank you. Tola? You're on mute.

ADETOLA SOGBESAN: Oh, sorry about that. My thinking is last week when you put this question out it was for us to go in the direction of ... There were three options, then. But I remember we talked about the pros and cons of each of the options and that is what Bernie has just done today. If any of us are going to be making a choice out of option one, two, three, it was going to be today. It was on last week. Maybe if it's not going to take time members of the time can easily look through what Bernie has put on option one, two, three, four, and make a choice.

After that choice, maybe through e-mail or whatever it is, then we'd know that we have [a view] of the room what our consensus is towards. We can then begin with that with the call on Friday. I'm thinking that that

would be able to balance what KC is talking about, how we move forward from there. Thank you.

PATRICK KANE:

Thank you for that, Tola. I would suggest that what we offer, what we vote on, is not which option. I would have us make an indication, "Is there something in these options that you would say yes to?" as opposed to saying, "Which option would you like?" I think that there's enough in here that we would like to get feedback from the community. If we had a Doodle poll I don't think we should say "option one, option two," I think we should say, "Is there an option that you could get behind in these four?"

ADETOLA SOGBESAN:

Thank you, Pat. I would think where we are having consensus [inaudible] the options, not necessarily the point or the issues that are the options. If I'm correct, that's what I'm thinking we have an issue of consensus about. For example, from the beginning, we have two options. A few of us feel option one was not ideal and option two was probably okay. That was what gave birth to option three. It was because we were still not confident with option one, two, and three that the fourth one was probably given birth to. Maybe if each individual is made to ... When we send the Doodle poll I'll see a few of us tilted towards a particular option and we see one or two people not going in that direction. We can then ask what they want to [entreat] on that particular [iteration]. Thank you.

PATRICK KANE: Thank you for that, Tola. I appreciate that. We're going to get to the end, here, and shut down. Shall we put the agenda back up, please, Brenda? Alright. We've confirmed, and Jennifer's put into chat, the next two meetings that we've got. We've got Sunday tentatively scheduled and we've got Friday at 21:00 to 23:00. I thought we were going to take it 21:00 to 00:00 the next day from there? Anything else that we have from any other business at this point?

CHERYL LANGDON-ORR: Pat, you need to roll that back an hour. It's to start earlier on Friday. It's 20:00 to 23:00.

PATRICK KANE: My bad. I was reading the Sunday numbers, not the Friday numbers. Yeah, roll it back from [20:00] UTC to 23:00 UTC. Then, Sunday's tentatively scheduled. Sorry about that. Jenn, have we got any other actions or decisions reached for today?

JENNIFER BRYCE: That's all I captured. Thanks, Pat.

PATRICK KANE: I'll try not to make you speak again today. Alright, well, thank you, everybody, for being on the call tonight. I appreciate it. Or, this morning, this afternoon. We'll catch up on Friday. Sebastien, I will [give you on Sunday] some times tomorrow that we can work. Great.

CHERYL LANGDON-ORR: Thanks, everyone. Bye.

[END OF TRANSCRIPTION]