| JENNIFER BRYCE: | Okay. Welcome, everybody. I hope you had a good weekend. This is Jennifer from ICANN Org. I'm just going to do a quick roll call. This is ATRT3 call on Sunday, the 1st of December at 21:00 UTC. I've lost track of which … Oh, we're on #41. Plenary #41. So, as I said, Jennifer speaking from ICANN Org. We have Bernie as well, our technical writer. Team members on the call, we have Cheryl, Daniel, Demmi, Jaap, KC, Leon, Osvaldo, Pat, Sebastien, Tola, and Vanda. I have a couple of apologies from Wolfgang. Jacques will be joining us, hopefully. He said he might be late and my ICANN Org colleagues, Brenda and Negar, send their apologies for today as well. |
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| | Okay. I'm going to hand over to Pat and Cheryl. Thank you. |
| CHERYL LANGDON-ORR: | Okay. I'll do the administrivia and I'll let Pat wrangle the report. We've got a couple of things we need to decide today. We're going to spend 10 or 15 minutes on the first little part which Pat and Bernie will bring you through to. It's a very abbreviated agenda in terms of the number of items but there is significant amount of time that we're planning on putting towards each of these activities, as we have no more time. Pre-publication needs to be finalized at today's meeting. So, with that, I wanted to ask if anyone has any statement of interest updates. |
| | Not seeing anything in our Zoom room and not hearing anybody going, "I've just been given an amazing job since Friday," let us then finish the administrivia and move into the report activities. |

We have some finalizing of actions carried over from our call a couple of days ago. Bernie, you've followed through on emails for that. Did you want to introduce those two pieces and Pat can run the administration, etc.? Over to you.

BERNIE TURCOTTE:     It would be a pleasure, ma'am. Thank you very much. All right. You'll remember that we closed off our meeting on Friday agreeing to not decide what we were going to do relative to the gender clause that we were recommending.

So, we basically have two positions that say one is, as was written, which was asking the ACs to alternate their nominations based on diversity of gender, period. And then we got into some discussions about that and we were playing around with the option of, based on diversity, and then including some things like as gender and geography as a second option for that one.

A few people have written in. We had I guess Sebastien coming in on the gender side and we had a few other people agreeing that we should go with asking them for diversity and then stating gender or geography or something like that.

So, floor is yours, Pat, as to how you want to manage this.

PAT KANE:     Thanks, Bernie. I just thought we'd walk through it. I'll manage the queue with hands and watch the chat and interrupt you when I need to.

BERNIE TURCOTTE:          All right. Thank you. Actually, I was just thinking of saying why don't we take a vote? I mean, if people have comments or questions, let's do that right now. And I see Leon. Leon?


LEON SANCHEZ:             Thank you, Bernie. I think this is a very interesting discussion, of course, but sometimes limiting either SOs or ACs to appoint their voting members to the Board based on gender or other criteria could affect the continuity of the Board. So, if you look at current composition in the Board, we are [inaudible]. That means that senior board members, so to speak, are beginning to end their terms. I mean, for example, we have Cherine just leaving this past general annual meeting and we will have Chris Disspain leaving at the end of the next year, too. That leaves us with a mix of board members that are either in their first term, some in their second term, and that could of course affect, as I said, the seniority and the continuity that the Board needs to have a stabile performance.

So, I would caution against being too strict in the recommendation that is sent [to dissent]. So, I note that we all strive for diversity. I note that we all strive for gender balance but we need to be careful on how we phrase it because, as I said, there are different issues that need to be taken care of. It's not only about regional or gender diversity.

So, as I said, I think continuity at some point and at some times is a very important issue to take into account to. Thanks.

BERNIE TURCOTTE:     Leon, just a quick catch-up. I guess part of what you're asking in what we're suggesting here, I guess it's not mentioned but what you're saying is if someone's term comes up, it could be reappointed. This doesn't say that people can't be reappointed, but after they're done, if you're going for a new person, then this alternation should kick in. I think that might address your point.

LEON SANCHEZ:     Well, that could work, I guess. But it doesn't say it right now.

BERNIE TURCOTTE:     No, no. I agree. That's what I'm saying.

LEON SANCHEZ:     Yes. I guess the way you're putting it would work better because that means that, yes, it shouldn't be just rotating just regions and gender for the sake of rotation but also to keep in mind this stability and continuity that the Board needs.

BERNIE TURCOTTE:     Obviously. All right. Thank you very much, Leon. Sebastien?

SEBASTIEN BACHOLLET:     Yes. First of all, I want to be clear that for me, gender balance is not a question of diversity. It's a must. And when in politics a country decides

to go from half of parliament to be women, of course, of course. It happens that the first time there are some men who are on that back and there is some new faces. But I don't think it's a big problem because, in fact, if I take some example in the past the people who are not returned, of course except in my case where I was a very bad board member, all the others were a good one and they could [inaudible]. That was meant all women.

Therefore, I don't think at all this argument at all about continuity. [inaudible] because the continuity is not a done deal in any case. Therefore, we can add caveat made by [Bernie] of course, if we want, but if you want me to be straight, for example, I will say that all the even number must be man and all the other must be a woman. That will solve the problem. We are not yet there. We are just suggesting that they take into account gender balance. Sorry if it's too much, then I don't know what to do.

The last point, I guess it was Vanda who writes something about geographic. Geographic, it's already embedded in the bylaws. We are not changing this point of the bylaws. Therefore, we don't need to take that. It's already here. Therefore, I really think that we need to say something about gender balance and taking into account other types of diversity will be great. Thank you very much.

BERNIE TURCOTTE:    Thank you, Sebastien. All right. Cheryl?

CHERYL LANGDON-ORR: Thank you. I'm sure you all know my views. I don't need to reiterate them here. I am a card-carrying feminist and not a card-carrying member of the affirmative action camp in any way, shape, or form.

However, what I was going to suggest is after we hear from Vanda, that it's probably timely for us to [inaudible] the directions that we have looked at, just noting that I think it was Jacques had put a slightly leaner version of more general diversity language forward and we should also perhaps copy that from the email and just make sure it goes into chat. There's a lot of noise on the channel. Just so that we can look at that as well. I just would not want to look at all of the options even if we decide to go without specifying gender and talking about a voluntary preference for diversity to be considered. So, perhaps polling, but making sure that we look at the contributions that our review team members have put forward is important. But I've asked Pat to run this, because obviously, I have firmly held views. Thank you.

BERNIE TURCOTTE: Thank you, Cheryl. Vanda?

VANDA SCARTEZINI: Yeah. In general, what I believe they need to pay attention when selecting people about everything, about quality, about qualifications, skills, what is the [inaudible]? And why I ask for geographic, because normally NomCom is in some way buried by the decision ACs and SOs had made when they [inaudible] to [decide], so they are limited to choose maybe even the best person because there is too much from or touch the limit of geographic because the ACs and SOs do not pay

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attention on how may people from that same region go into the Board beforehand.

So, that is the general idea. But I agree in some way with Leon that this must be not mandatory, not constrained liberty to choose the best representative person they believe they are doing a good service, for instance. Anyway, I believe that diversity should be highlighted anyway. What else are we going to put? Gender, geographical, government [inaudible] or they can feel free to maintain the people, whatever. But I believe that they need all the election process during for the groups, mostly SOs, need to pay attention on general diversity. It's not completely free for them to choose. That is my own point. It's not completely free. They need to pay attention and contribute to the balance. Maybe the word contribute could be used to facilitate the understanding. Thank you.

BERNIE TURCOTTE:    Thank you, Vanda. All right. I don't see anymore hands. Pat, how do you want to handle this?

PAT KANE:    Well, is there anymore input or should we just go ahead and make a decision?

LEON SANCHEZ:    Pat, I just posted another suggestion for the text in the chat.

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| BERNIE TURCOTTE: | All right. So, Leon's suggestion was, as such, ATRT3 suggests that SOs and ACs which nominate voting board members voluntary consider alternating their nominations based on diversity among which the gender criteria should be given particular attention. Here's another take on the text that changes voluntary accept to voluntarily consider. I mean, I like that, Leon. Sebastien? |
| SEBASTIEN BACHOLLET: | As the point of why we don't have all the proposals on one screen will be easier and I think … I tried to explain, for example, that AC must be out of the game here because they have just one board member, then how they will … The question of [inaudible], it's not maybe the best word that what we want to say. It's that … Okay, I will stop to talk. Yes, it was on the email. Of course it was on an email. But you have put it here, a few of them, and not all of them and I am sorry, I think we need to have all on paper and it will be better if it's on the screen and not on the chat. But never mind. |
| | I think AC, if we take AC in consideration, it must be to tell them that they must be embedded in the geographic diversity. They are not today. But for the gender balance, we can't ask for a single person to be boss, a man and a woman. We can try. What's at stake here is that SO, who have two; and Nominating Committee who have eight, they put half and half. The other … Geographic is already taken into account. The other diversity could be their choice, of course, and freedom to choose at the end of the day. |

The question of the NomCom having no possibility to do something, I am sorry but I never saw that and I don't see when and where it's relevant. It's the NomCom who fulfill the three seats from US people as the last time and now it's five. It's the NomCom. It's not the other. And I don't think that we have never seen in the Board five people from the same region selected by the SO and the AC of course on the [ALAC] in this case [inaudible] taken account in geographic diversity.

I know that we disagree but at least please take into account the reality of the situation. ACs, we can't ask them to alternate because they are just one member. Thank you.

BERNIE TURCOTTE:    [That's sad]. I would like just to clarify something. When we're saying alternate, that can mean, even if you have a single, it means that from one nomination, from one time you pick a person to the next time you pick another person, you should alternate on that point. So, I think it still applies regardless. We're not asking people to be split in two. But if you're looking at it over time, you're asking them to bury their selections.

SEBASTIEN BACHOLLET:    Frankly, I think here if it's a situation, I [can't] understand why everybody disagrees. I don't ask for that. I ask for when you have two, you need to have one man and one woman. For the rest, I guess historically it was taking care, and of course Leon is right in saying that if we do that we can't return somebody because we will alternate. If we say you [inaudible] each [nine years], then there is no big difference in

the time. We can leave that open. My point is, if it's not the right word, alternate, then it's to say to have a balance when you have two or eight, like the NomCom, four and four and leave aside the word alternate if it's [inaudible]. I don't think it's useful. Thank you.

BERNIE TURCOTTE:          All right. Thank you. Over to you, Pat.

PAT KANE:          Thank you. Does anybody have the options in front of us? I guess, anybody, Bernie. Do we have the option in front of us that we can actually talk through right now and list them? Because I think we ought to make a determination as to what we want to do at this point in time.

BERNIE TURCOTTE:          Okay. Well, I've got Sebastien's proposed text up in the chat. It will take us a couple of minutes to bring it up on the main screen if we need to. But I think that right now what we're looking at is … My understanding of the room is between Sebastien's proposal and a variation of Leon's proposal.

PAT KANE:          Okay. So, if those are the two proposals, then let's put in the participant window … Bernie, if you'll read again Sebastien's and then we'll vote hands up for that. Then we'll read Leon's and we'll vote.

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| BERNIE TURCOTTE: | Okay. So, from Sebastien, we had: given the bylaws specify how voting board members are selected, SO/ACs nominated and EC confirmed, and NomCom selectees are also confirmed by the empowered community, 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 two voting board members voluntarily accept to alternate their nominations based on gender and taking also into account the mandatory geographic diversity and other diversities. Additionally, ATRT3 notes that the empowered community should consider, take into account, the bylaws requirements on diversity when considering confirmation of the board members. |
| | Basically, there's a variation here, because the way it was originally written, as I was discussing a little earlier with Seb, was that we're saying we were proposing in the original text that there be alternates between nominations. Seb here very clearly points out that if an SO sends two candidates, the one needs to be a man and one needs to be a woman. So, there we go, Pat. That's Sebastien's proposal. |
| PAT KANE: | Thank you, Bernie. So, Sebastien, your hand is up. Was there something that you want to add before we give a thumb's up on this proposal? |
| SEBASTIEN BACHOLLET: | Just to be clear that, at some point, it was read by Bernie, it was proposed change text, for example. The general meaning is here. But when you [inaudible] I was suggesting that the previous text was … I |

guess the previous text was taken into account. I don't [inaudible]. But yes, just to say that we will have to tweak if we decide to take this one a little bit because we can take out ACs, for example, because they are the two voting members. Thank you.

PAT KANE: All right. Thank you very much, Sebastien. So, if we could go through and put a thumb's up or a green check for this version of the proposal. All right. We have two. Going once, twice. All right, we have two. Bernie, will you read into the variant that we have that was suggested by Leon?

BERNIE TURCOTTE: Sure. From Leon. As such, ATRT3 suggests that SOs and ACs which nominate voting board members voluntarily consider alternating their nominations based on diversity, amongst which the gender criteria should be given particular attention.

PAT KANE: All right. So, if in the participant window, we could have a thumb's up or a green check for that variation. I note that Leon has abstained. And we have four for this variation. We did not get a preference from Daniel or Demi or KC or Tola. Anything that any of you would like to add on this or would you like to vote one way or the other?

ADETOLA SOGBESAN: I'm okay.

PAT KANE: Okay with either or okay with this one or Sebastien's?

All right. So, of the people that are participating today, we have four that are for Leon's variation, two for the original as proposed by Sebastien, and we have five that have abstained. I'm not sure where that fits into consensus but I think it at least leans towards Leon's for this particular initial draft. Then let's leave a note in there, Bernie, that this was a close deliberation and we leaned one way based upon a 4-2-5 accounting.

BERNIE TURCOTTE: Okay, will do.

PAT KANE: All right. Thank you. So, we'll declare from there to move on. Sebastien, your hand is raised.

SEBASTIEN BACHOLLET: Just one thing. If we decide to go to Leon's proposal, you have [really] to consider [inaudible] because I think it's not the right word to use. But the rest I disagree but I could agree, but alternating is too much. Thank you. That's it.

PAT KANE: Thank you very much, Sebastien. All right. So, where are we going to next, Bernie?

BERNIE TURCOTTE:     Next would be the overarching text for section seven which was put on the email. Let me see if we can … I'll quickly pop that to a PDF so we can look at it. I will get that and send that over to our friend, Jennifer, very quickly.

JENNIFER BRYCE:     Is it not the same text that's in the Google Doc, Bernie?

BERNIE TURCOTTE:     Oh, good point. Yes. I forgotten I put that in there.

JENNIFER BRYCE:     Yeah, I thought so.

BERNIE TURCOTTE:     Thank you. It's been a long weekend.

JENNIFER BRYCE:     I know. Don't worry. It should be on the screen.

BERNIE TURCOTTE:     Yeah. It is on the screen. Exc. Thank you. Can you blow that up just a bit, please? Okay, great. Everyone will remember that we agreed yesterday to basically not make any specific recommendations for PDPs given everything that's been going on. But after a discussion, we did want to

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point out that we would make a suggestion regarding which way some of these things should go versus some of the potential options.

So, I'm going to read this, what's on the screen. It was in your email box yesterday—today, rather. ATRT3 recognizes that there are several significant activities being undertaken in parallel by other parts of the ICANN community that will potentially have wide-ranging [affects] on the current gTLD PDP process. These include the GNSO Council's work on PDP 3.0, the results of the GNSO's EPDP process, and outcomes from the current work on the evolution of the ICANN multi-stakeholder model, none of which will likely be completed prior to ATRT3 submitting its final report. Therefore, ATRT3 has deemed it as premature to make any specific recommendations or suggestions regarding gTLD PDPs.

However, regardless of the results of these processes, it is the ATRT3's strong suggestion that any proposal to change the current gTLD policy development process be limited to those that clearly enhance and not in any way reduce or restrict the open, equitable, and collaborative nature of the ICANN multi-stakeholder model.

Pat, over to you.

PAT KANE: Thank you very much, Bernie. Any questions? Any comments? Seeing none, Bernie I think … KC, please go ahead.

KC CLAFFY: I guess I'm not sure where the genesis of this particular sentence is coming from. It seems to me a lot of what the CCT Review Team came

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out with, that there are a lot of security and stability issues that ICANN had agreed to do but somehow didn't get through the PDP process. So, it seems to be that security should be given priority here by the ATRT. It sounds here like this text is saying that open and equitable processes takes precedence over trying to address all the DNS abuse issues that have seem to come to the forefront this year. I don't think that's intended but that's how it comes across.

PAT KANE: So, KC, are you suggesting that we make a reference to the CCTRT recommendations or are you suggesting that we put security and stability as one of the—and not in any way reduce or restrict the focus on security and stability as well as the open … Or something of that nature.

KC CLAFFY: Yeah. I don't know what these words mean. I mean, I don't know what is open, equitable. I think what I'm hearing come out through the multi-stakeholder process conversations is that people don't think that the current system is equitable, that there's such imbalance in stakeholder representations. So, this looks a little bit mud in the sand kind of text to me.

PAT KANE: So, can you give me an example of what you're hearing?

KC CLAFFY:          I just did. What I'm hearing are [inaudible] of the current process is not equitable because certain stakeholders are much more highly well represented than other stakeholders.

PAT KANE:           So, are you referring to any statements that will be coming, for example, out of—and I'm going to be very specific here—out of the IPC or BC indicating that ICANN is captured by the Registry Stakeholder Group?

KC CLAFFY:          I do not know.

PAT KANE:           I mean, I'm trying to get an example of what might be heard, so that I can understand where you're coming from in terms of the non-equitable nature of what you're hearing.

KC CLAFFY:          So, during the whole DNS abuse session in Montreal, I definitely heard a lot of people say that the issues of consumer protection and public safety weren't given as much weight as other concerns like keeping costs down and requirements on registries and registrars can for doing things.

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PAT KANE: I'm not certain I agree with that, KC, from the standpoint of DNS abuse conversation [inaudible] defining what is DNS abuse and trying to get to what ICANN's stated mission is and we've got people crossing over in the content which ICANN is trying to stay away from. So, I'd have to really disagree with you on that particular example because I think it's a new conversation and I think it's very hard for us to say that people aren't being treated equitably because we don't even have an outcome in that thing yet and there are all kinds of items like [inaudible] that's being discussed. So, I'm not certain how I would modify this, except to add would they focus on security, and stability, and resiliency of the work product or something of that nature? I hear where you're going but I just don't see an outcome that we can judge and say it's not transparent, it's not accountable, people feel that they're not getting what they want out of it.

KC CLAFFY: So, why is this … Do we need this paragraph? Because I don't understand why we're trying to restrict changes to the PDP process right now. Since we say there's so little that with know, why are we trying to restrict anything at all?

CHERYL LANGDON-ORR: Because one of the possibilities, KC, when you read—and I'm sure you have read—all of the options that the GNSO Council is considering and is likely to undertake, will be restricting any seats at the table, any input, into the PDP process to a certain number—probably two or three— seats as actual appointments in a PDP process from the support

organizations and advisory committee =s that are not the GNSO. And that is a concern, as was raised to us, for at least the advisory committees. We haven't [inaudible] the ccNSO or the ASO But it certainly is from the Government Advisory Committee and the At-Large Advisory Committee.

So, to that end, mentioning that the current open and equitable mechanism of the gTLD policy development process that is currently adopted was felt to be an important piece of text.

However, I would see no reason why [inaudible] that text with a sentence such as "nor to the detriment of the security and stability and resiliency of the system" could not be added. I would say that is a perfectly good thing and an excellent [patch] for us to put in as well. Sorry to jump in but it was important that we all understand why this text was even posed in the first place.

KC CLAFFY: Yeah. That would totally help if there was a footnote or something that explained all that context because, no, Cheryl, I'm sorry I hadn't read that. I hadn't read these things or hadn't remembered them if I had read them.

PAT KANE: So, do we have an actual [inaudible] or are we going to leave it—

CHERYL LANGDON-ORR: Pat, can we add the sentence regarding so it's not to the detriment of the security, stability, and resiliency? I say that is just a perfectly friendly amendment as well.

PAT KANE: I think we can.

CHERYL LANGDON-ORR: Well, seems like a way forward to me.

PAT KANE: So, Bernie, if you will work your magic on that.

BERNIE TURCOTTE: I will.

PAT KANE: Thank you. All right. Where to next?

BERNIE TURCOTTE: Next is prioritization, sir. And I guess we should bring up the white paper for that one.

PAT KANE: All right. Before we go, I still got, KC, your hand is still up. Oh, no, there you go. Cheryl, anything else?

CHERYL LANGDON-ORR:     No, just pure inability to get my pointer across in fast enough time. There we go.

PAT KANE:     Very good.

BERNIE TURCOTTE:     All right. Actually, before we get to prioritization, Pat, we should probably finish sections 11 and 12 of the paper that we have on the screen right now and then the document is [inaudible].

I'll take advantage of having KC on the line. Did you re-edit that section you were going to look at, KC? I think it was 11, ATRT2 [inaudible].

KC CLAFFY:     I didn't. I'll do it now. I'll work on it now. I didn't have time.

BERNIE TURCOTTE:     Okay, thank you. So, let's go to section 11, please, if that's okay with you, sir.

PAT KANE:     Yes, it is, Bernie. Please.

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| BERNIE TURCOTTE: | Thank you. All right. You'll remember that section 11, issue 9 is the accountability indicators produced that report which I had to re-adjust. I started doing that but somehow, this report, they were going to public consultation with ended up taking up more time. |
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So, what we're going to suggest here is say that that report which details the issues with the accountability indicators will be available later but we'll give a few examples to support our suggestion if we go down a bit. Because no one really knows that there are accountability indicators there. So, we're going to say, if we go down just a little bit further … Okay. So, basically, we're just saying that ATRT3 suggests that ICANN undertake a communications effort to make the community aware of the accountability indicators. Part of this effort could include formal presentations of these at ICANN meetings because the awareness of these is so [dismal].

The second one is ATRT3 strongly suggests that ICANN rapidly undertake a serious review of its accountability indicators to ensure that these meet the stated objective in each section and subsection, provide data that is useful as an accountability indicator and present data that is up to date.

So, instead of providing the full report on this, which is in other data, we would just give a few examples for now and say that that's coming. So, that's what I'm proposing for section 11. Pat, over to you.

| PAT KANE: | Thank you, Bernie. Sebastien, please. |
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SEBASTIEN BACHOLLET:     Yes. Thank you. Bernie, we were supposed to add something about the fact that it will be put at the same place or an easy place to find or something like that. I would be an additional bullet point that we add here.

BERNIE TURCOTTE:     I don't remember. That's a good suggestion. I'll weave that in. Thank you, Sebastien.

PAT KANE:     Thank you, Bernie. Any other comments? I see from Leon, "This is a good recommendation. Indicators are there but few people know where." Agreement from Vanda. Anything else? All right, Bernie, I think we have [inaudible].

BERNIE TURCOTTE:     Excellent. Let's move on to section 12 which is our last section. Prioritization and rationalization. Now, really, that's the point of our upcoming discussion. We'll run through the ATRT2 stuff quickly here. There is nothing that is exceptional, I don't think. Let's just walk through the issues in section 12.3 for those ATRT2 recommendations.

So, the Board should implement new financial procedures in ICANN that can effectively ensure that ICANN community, including all SOs and ACs, can participate and assist the ICANN Board in planning and prioritizing the work and development of the organization. As noted, this

recommendation has been implemented, but as stated in the effectiveness assessment, there could be improvements to allow for greater participation. As such, ATRT will consider making suggestions to improve the process to allow for greater participation to assist the ICANN Board, blah-blah-blah. Okay, we get the idea.

12.32, ATRT2 recommendation 12.3. Every three years the Board should conduct a benchmark study. Okay. So, let's go to the conclusion on this one. Benchmark studies, if done properly, are an effective tool in helping to assess accountability. Given that this ATRT2 recommendation was made in December 2013 and that the requested benchmark study has not yet been produced at the time of the writing of this report in 2019 is of great concern to ATRT3. The implementation report of October 2018 noted that ICANN currently identifies targets in its KPI dashboard which informs the annual report that is reviewed and approved by the ICANN Board. Benchmark references will be included in the KPI dashboard once a comparable not-for-profit organization is identified. The estimated time for the first benchmarking study to be completed is fiscal year 18. Yeah, okay. As such, ATRT will be making a strong suggestion on that one and we'll go through that in the suggestions part.

Next, 12.4 In order to improve accountability and transparency, ICANN's Board should base the yearly budgets on [inaudible]. It's very long. We're trying to get work done here. This recommendation has been implemented [audio cuts out] … That the budget reflects the views of the ICANN community. The Board shall improve the budget consultation process, blah-blah-blah. Can we go down a bit, please?

To provide their views proposed budget and sufficient time is allocated for the Board to take into account all input before approving the budget. The budget consultation process shall also include time for an open meeting amongst the Board and the supporting organizations and advisory committees to discuss the proposed budget.

Given the recommendation has been assessed as implemented but only partially effective, ATRT3 will be making a suggestion—that should be a correction—with respect to gathering sufficient data to track the level of acceptance and approval within the community.

All right. So, let's go to section 12.4. The rest are survey questions. All the survey questions are the subject of our discussion on prioritization in a few minutes.

So, from those things, we have just read, ATRT3 suggests that the budget consultation process be improved to allow for greater community participation by providing a plain language summary of the proposed budget as per the suggestions ATRT3 has made with respect to public consultations in section five of this report.

Recommendation 12.3. ATRT3 recommends the Board implement ATRT2 recommendation 12.3. ATRT3 understands that ICANN does perform some benchmarking related to salaries. However, this is only one element of the ATRT2 recommendation. If no comparable organization can be found for performing overall benchmarking, then the benchmarking activity should be broken down into component parts for which comparable organizations can be found in similar fashion to what is done for salaries.

So, those are our two suggestions coming from the ATRT2 recommendations. Sorry, I fell off there.

BERNIE TURCOTTE: Sorry, KC. I was on mute. Go ahead, please.

KC CLAFFY: So, this is the first time I've seen a sentence that says … What does it say? ATRT3 understands that ICANN does perform some benchmarking related to salaries. I didn't know they did, but if they do, why is not sufficient? Or what do they do, actually?

PAT KANE: Bernie?

BERNIE TURCOTTE: Thank you. Well, yes, they do. They do two investigations for benchmarking. One for the Board and one for staff. There are notes regarding those. Of course, they're not necessarily published but we do get information that those have been performed.

As to your point, why is this not sufficient, there are a lot more things relative to these types of organizations than just what you paid people. I believe what you were talking about a little earlier was about communities feeling they're not properly represented. That could be another option. But the point is we're saying if you're limiting yourself to just salaries, it doesn't make sense and doesn't meet the objective of

the ATRT2 recommendation and that there are other ways of doing that if there is not a single organization which matches ICANN which I can understand would be difficult. But then you can break it up into parts what the recommendation is saying to get it done. Sir, back to you.

KC CLAFFY: Can you point me at that? Because I don't remember ever being told that there was a benchmark study. But in reading recommendation 12.3, it doesn't seem like there's a lot more that was requested in 12.3, except for … I mean, it doesn't say anything about community feelings. It just says, basically, size of organization, levels of compensation, and cost of living adjustments. So, that's still salary. Salary and size of organization. So, if they've done that, why is this not implemented?

PAT KANE: KC, I went back and pulled up the original spreadsheet or the original table that had the assessment for these items and basically the focus was that it was indicated that there were some areas that could not be adequately done and that's why the recommendation to break them up into component parts came out of this.

So, I think if you went back and looked at line number 37 in that table, that's kind of got what the assessment this is based upon that we've been working towards. And we've kind of indicated that there's not any [inaudible] as well.

KC CLAFFY: Not any what?

PAT KANE:                    I'm sorry, it's not effective.

KC CLAFFY:                   So, again, I don't understand what we're asking for that we think was not already done. I mean, if somebody were to ask me to explain this recommendation, I couldn't explain it.

PAT KANE:                    So, here's something that comes directly out of the table. You know the table I'm referring to?

KC CLAFFY:                   I do know it but I can't find it. If somebody can put it in the Zoom room, that would be great.

PAT KANE:                    While that's going on, Vanda, your hand is raised.

VANDA SCARTEZINI:            Yeah, because in some way, I agree with KC because I don't remember any problem from staff complain about anything that community was alerted to make that recommendation in the ATRT2 and I haven't seen any other complaints from that time. So, I do believe that I would leave until the benchmarking—I believe it's just keep doing benchmarking and not explain much more than this because I don't know the real

motivation of that recommendation from ATRT2. If someone remembers, I do not. So, please explain because I really don't remember. I remember we talk about that but, for me, it's not clear that should be a recommendation—clear recommendation—and talking about salaries. I don't know if our business here. Thank you.

CHERYL LANGDON-ORR:     If I may, it was a matter of ATRT2's recommendation was very specific that, every three years, the Board should conduct a benchmark study and they listed out the relevant parameters, right?

VANDA SCARTEZINI:       Right.

CHERYL LANGDON-ORR:     And they also said if the results of the benchmark is that ICANN is an organization that is not in line with the standards of comparable organizations, then the Board needs to explain why there is a deviation. So, that's pretty much the short version of what the ATRT2 recommendation was. There is none of that publicly shown to be done. There is, as Bernie has said, some benchmarking done on very specific salary aspects. So, I'm unclear how that actually meets an implementation standard for that recommendation, just if we apply the same mechanisms as we've done for other recommendations. That's where this all came from.

In fact, at the time of our original assessment, I don't think we could even find the unpublished work. But Bernie was the one who dug into that a little bit more deeply and his hand is up as well. Thank you.

PAT KANE:                    Yes, Bernie. Please go ahead.

BERNIE TURCOTTE:            Yeah. Just to KC's question, if we read the recommendation, very specifically every three years the Board should conduct a benchmark study on relevant parameters, e.g. size of organization, levels of staff, compensation and benefits, cost of living adjustments, etc.

So, I mean, to me, it's not just about the salary. It's asking for a lot more and comparing. And if you're reading levels of staff compensation and benefits as one thing, that's fine, but under size of the organization, there are a lot of implications usually in these kinds of things as to how many staff you have for your revenues, what kind of services you're given to the community, how you're representing members of the community, etc.

And as Cheryl has said, we have been very strict, so I don't think it's a question that the recommendation has not been implemented, because by the same token that we've used everywhere else, obviously the recommendation has not been implemented. And in the ICANN assessment of the implementation, they clearly say that they haven't covered a whole bunch of things because they couldn't find a comparable organization. And what we're saying here is, well, it's

obviously going to be difficult to find a comparable organization but you can break it down in chunks. Back to you, Pat. Thank you.

PAT KANE:                     Thank you, Bernie. Vanda, is that a new hand or an old hand? KC?

KC CLAFFY:                    My hand is new.

PAT KANE:                     Okay, please.

KC CLAFFY:                    Okay. Again, I think we should … I'm trying to be as precise as we can in this wording, and I don't understand that ICANN has performed benchmarking related to salaries. I think it's confusing this recommendation because it looks like we're recommending they do something they've already done and then we're saying it's only one element of the ATRT2 recommendation. But then I think we need to be precise about what is it that they haven't done that we still want them to do?

And I think this sentence that Bernie read is just muddying the water, at least for me. Again, I would not know how to explain it, so I hope we can be as precise as possible about what is it we want them to do that they haven't done yet. And when you say perform some benchmarking related to salaries, I have no idea what that means and I'm wondering

what it adds to this sentence, to this paragraph, since in the metrics we say they didn't implement it.

CHERYL LANGDON-ORR:     In the metrics we also say what it is that they haven't looked at. Are you suggesting then, KC, in terms of a rewrite to this sentence that if we add in the "such as", the other elements, there's only one element of ATRT2 recommendations which specified, and we list a quote from the recommendation that that will make the sentence less ambiguous? Is that what you're asking for?

PAT KANE:               KC?

KC CLAFFY:              Sorry, I'm muted. Sorry. I don't think that would work because when I'm reading this as ICANN, I think, okay, we don't have to worry about any salaries for benchmark, any benchmarking for salaries. We only have to worry about size of organization or maybe number of staff. The implication here is that they've done all the benchmarking for salaries, and in the spreadsheet, it says they haven't implemented it. And I don't know about any benchmarking that was done for salaries. It seems like only Bernie knows about it and it's not public, so how does ATRT3 supposed to assert that it happened since a whole bunch of recommendations ICANN thinks is implemented and we don't think have been implemented? I just don't get what's the [inaudible]. How do we know what we're saying?

PAT KANE: So, when I'm reading the original assessment of implementation, I don't read that it was done.

KC CLAFFY: I fully agree with you, which is why I'm confused by the current text in the suggestion which implies that it was done for salaries but to for some other things that we haven't named here.

PAT KANE: No, it didn't say all salaries. It said some [inaudible] salaries. It just says some.

KC CLAFFY: Okay. But then the last sentence broken down in component parts in similar fashion to what was done for salaries, meaning you're talking about something besides salaries.

PAT KANE: Which, as stated before, was not adequate. [inaudible] benchmarking.

KC CLAFFY: What was done before that wasn't adequate? How do we want someone to read this? And in the last sentence, we imply that it's not salaries at all that we want. We want them to do something similarly to what they did for salaries but we don't say what they did for salaries

and I was not under the impression that they did anything for salaries, according to the spreadsheet that we have. So, we're at least inconsistent with the spreadsheet.

PAT KANE: Well, I don't necessarily read it the same way, KC, because I think that the spreadsheet, when we did this, I thought we went through this as an absolute. So, I don't know exactly what it was because it didn't say on the spreadsheet what exactly wasn't done. You're right. So, we'll have to figure out what—

KC CLAFFY: So, if we could say exactly what we want now, that would cover it. We don't have to worry about exactly what was done. But we're not saying exactly what we want now.

PAT KANE: But I don't know that we're going to figure it out right now with everybody on the phone—

KC CLAFFY: I agree.

PAT KANE: So, let's take a note to review this and let's move on, if we can. Is that all right?

KC CLAFFY:                    Yeah.


PAT KANE:                     Okay, thank you. Over to you, Mr. Turcotte.


BERNIE TURCOTTE:             Thank you very much, Pat. Let's bring up the white paper. With the exception of the GAC issue on a policy for members, which we're waiting for some input on, we're waiting for KC's text—KC your mic is open and you're typing.


KC CLAFFY:                    Sorry. Got it.


BERNIE TURCOTTE:             And this latest specifying the things on the benchmarking and the paper is closed for the public comment with the exception of survey—a recommendation for the survey results on prioritization. And this is what we're going into now.

So, if we go back to the white paper on prioritization, we'll just walk through that very quickly since it's not very long. Given the results of the ATRT3 survey and other ongoing work in this ATRT3, must make a recommendation on prioritization. The multi-stakeholder consultation results putting prioritization in first place, the ICANN Board paper on

prioritization, and the Board chair papers enhancing and streamlining ICANN reviews next steps.

The Board paper touches on community input for prioritization of review recommendations in two areas, section 4J of the report. Unless it has [diminished] budget or implementation implications, any recommendations approved by the Board for budgeting and implementation planning will be considered for funding, prioritization and implementation as part of the next budget cycle, involving a coordinated effort between the community, ICANN Org, and ICANN Board. For example, community could appoint a body of delegates accountable to the community to prioritize recommendations based on available funding and resources identified as part of ICANN's annual budget cycle.

The mechanism and process steps for such a process would need to be defined and could include community consultation and public comment proceedings. Such prioritization would also include possible retirement of recommendations and/or merging or grouping of similar or overlapping recommendations from different reviews. Retirement of recommendations would be based on an agreed-upon set of criteria such as the recommendation is no longer relevant, implementation requires too much money for too little value, or implementation would take too long.

In addition to a community recommendation, budget line item could be established to fund high-priority items out of the annual budget cycle which would permit high-priority recommendations as prioritized by the individual review teams and confirmed by the community via appointed

delegates to proceed to implementation more quickly. It introduced significant complexity, however, and would require timing rules and additional mechanisms to prioritize and fund implementation of community recommendations. Or depending on the number of recommendations and resource requirements as subset of those recommendations outside of the annual budget process.

Section 5b of that same report, the ICANN community and ICANN Org will collaboratively develop a methodology for prioritizing recommendations across review teams and for funding implementation, prioritized recommendations as part of the annual budget process. This methodology will be consistent with the existing budget development process including the solicitation and consideration of community input. See also discussion section 4 which we read above.

It would seem logical for ATRT3 to amplify the section 5b proposed process for arriving at a methodology and avoid making any conflicting suggestions or recommendations versus other similar ongoing work. When an ATRT3 recommendation for community process to develop a prioritization methodology for SO and ACs should include is a set of overarching principles as well as a set of core requirements to frame and scope this process. This team needs to identify those overarching principles by today.

So, this is where we are, sir. Over to you. Based on the results of our survey, based on the work that's going on, if we are going to make a recommendation in this area that is in line with what we've just read, then we need to get on with it now. Thank you.

PAT KANE: Thank you very much, Bernie. I'd like to open it up to the room for any commentary or questions. Yes, Bernie?

BERNIE TURCOTTE: Sorry, I was trying to mute and hit the wrong button.

PAT KANE: Okay. KC?

KC CLAFFY: Just trying to catch up here. I made a bunch of comments in the douc. I think Bernie read through some of that text. Should I be remaking these comments I made in the document over the weekend?

PAT KANE: Is there something specific that didn't get rolled in that you want to call out?

KC CLAFFY: I think nothing got rolled in. Okay. Do we have …

BERNIE TURCOTTE: Maybe it's the wrong version. Let me have a look here.

KC CLAFFY:              Or I could have the wrong version.

BERNIE TURCOTTE:        Are you using 5.2, Jennifer?

JENNIFER BRYCE:         This is 2.2.

BERNIE TURCOTTE:        2.2, sorry. I'm getting—

JENNIFER BRYCE:         Yeah, 2.2.

BERNIE TURCOTTE:        Okay. So, if we go down a little further into the reviews section—

KC CLAFFY:              Oh, the comments are below, maybe.

BERNIE TURCOTTE:        Let's keep going. There we go. Okay. So, the comments you had were in the reviews section.

KC CLAFFY:              Oh, okay. So, I guess I made my comments on the—go ahead.

BERNIE TURCOTTE:     So, I kept all the comments that were made in 2.0 and then I had 2.1 as a scratch pad to generate the new options for reviews. And what I did is I grabbed the two options for reviews, slid them into 2.0 and called it 2.2 and kept all the comments that were there.

KC CLAFFY:     Okay. I think my comments on this upper part went to the list instead of in the doc and I think Sebastien was the only one who responded and he said this will all be resolved after the public comment period. So, I think my comment to this section 4J was that I don't understand who is doing this prioritization, this body of delegates. What is the process for generating that thing or … This is just a cut and paste from the paper, I understand, but I don't know how this fits into what you're asking for as a set of community principles.  Do we have consensus on this text or could we talk about what's underneath it or should that all just wait until after the public comment?

BERNIE TURCOTTE:     Well …

KC CLAFFY:     Okay. I'm going to say this a different way. The two to three options that we have right now, they're kind of orthogonal to this text, right? There's no mention of a body of delegates that's going to help prioritize or anything. One of the options is just about cutting down the number of reviews and the other option is about keeping the reviews the way

they are but changing the way they're prioritized through some unnamed process.

BERNIE TURCOTTE: Okay, Kimberly, I think we have a bit of a disconnect here. Reviews are done. They're sealed. There will be a process for prioritization. This is a completely separate thing. And this process we're showing where the Board wants to go with that. And where the Board wants to go with that is to cut and paste, and it says it's looking at [inaudible] some sort of delegates from the community to help with that, and just leaving it there. It has to be defined.

So, what we're suggesting here is that maybe we can help move the marker a bit in the definition for creating that is all we're doing. Has nothing to do with the reviews.

KC CLAFFY: I'm sorry. This document also has a bunch of stuff considering options for reviews. That's what I'm talking about. You're saying it has nothing to do with that.

BERNIE TURCOTTE: We finished with reviews. We dealt with reviews on Friday. We came to a conclusion on reviews. This document has two parts. We did the second part. We're now trying to do the first part.

| KC CLAFFY: | Okay. And the second part won't … They'll be completely disconnected, like the second part won't talk about the mechanism that ICANN is asking for in the first part? |
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| BERNIE TURCOTTE: | No. We're only going to look at options for how to perform reviews as we agreed on the text for doing those things. Those are the things that are going into the public consultation document under reviews. That's section 10. Now we're looking at what we could say for section 12 for prioritization. |
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| KC CLAFFY: | Okay. It looks confusing to me. It looks like the options are [involving] both of those things because it's talking about some independent mechanism to prioritize. |
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| BERNIE TURCOTTE: | It's to prioritize recommendations. It's not talking about reviews. You seem to be conflating the two. We've gotten agreement on what we're going to go to public consultation with on reviews. |
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| KC CLAFFY: | It's talking about prioritization in [inaudible] option one. |
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| BERNIE TURCOTTE: | Pardon me? |
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KC CLAFFY:                    Option one says da-da-da, to ensure the prioritization of implementation of review recommendation.

BERNIE TURCOTTE:              Yes, that is part of the thing that is in that one agreed and that was thrown in when Michael requested that, but what that process looks like, I think that's a minor part of that segment. What we're looking at here is it's not mentioned in the second option but there is a process and there is a requirement for us to talk about prioritization, and not only applies to reviews going forward but it applies to the reviews that have made recommendations and that are pending which include work stream 2, CCT, etc.

KC CLAFFY:                    Okay. Let's let someone else talk. I think this is going to confuse readers. It's confusing me. But let's let someone else talk.

BERNIE TURCOTTE:              But we're not going to put this in a public comment document. We're trying to identify what this group would like to say about helping the community come together for creating this prioritization mechanism that the Board is going to go ahead and do whether we say something about it or not.

PAT KANE:                          Thanks, Bernie. Sebastien?

SEBASTIEN BACHOLLET:    Yeah. First of all, I don't think we closed the review part. It's why I ask that we add a single text—a single document with the comment made by KC. And I am sorry, I had one comment today because I make a suggestion to change part of the text. Therefore, I don't think that it's closed.

The second point is that, yes, it's a little bit difficult to understand we're having the same white paper two questions. I tried to [inaudible] at the beginning that our main task/responsibility is [inaudible] reviews because it's really what is in our mandate.

The question of implementation and the prioritization, it's a very one, but I think—and it's why it's a bit for me confusing—is that it's something we need to take into account after we have done the work on the reviews because of how we will do the review will change what we will have to prioritize because if we have less proposal, whatever the [inaudible] recommendation, suggestion or whatever, the prioritization will be easier, as a matter of fact.

And, yes, I understand that here we are not just talking about what is coming out from the review but what is coming out from all the work done by the community [inaudible] PDPs and some [inaudible]. But it's I guess part of the difficulty where we are here in understanding.

Regarding the prioritization … No. My last point is that we will not use this document to go to the main document, then what are we doing

here? Except if you rewrite something to put into the document, in the 5.2 document, why we are missing this document and trying to find what we will say to the community? I was thinking that this will be—and we were working outside of the main document to be able to have a [inaudible] document to go through. Then we will introduce it in the document somewhere, maybe in two parts, but that will be a useful part of the document. If not, I don't understand what we are doing. Thank you.

PAT KANE:                So, Sebastien, this document originally came about because we talked about an idea after Montreal and what was asked from the group was put this on paper so we can further study it. So, that's what it is that we're doing here from this particular document and we're trying to get our understanding of what this is so that we can take these words and put them into the 5.2 document. So, from that standpoint, I think since these are the two main priorities that we have, these recommendations around those two need to be very, very clear so that we understood what we were talking about.

I think when we put it into 5.2, it will look substantially the same but it would be presented differently, because this is us for our internal discussion and documentation. That's what this document is supposed to be about.

Now, in terms of being done with reviews, I went back and took a look at the plenary call notes from 40 and I read that as we're done, that we put out the two options regarding reviews and they were going to roll

into the white paper. So, I think of us as being done with the reviews section.

And KC, now I'm going to jump back into something that [inaudible] these things tie together. The way they're tied together to me is that each of these recommendations that come out of reviews are a [discreet] work product that has to then be prioritized against the funds.

So, they're tied from the standpoint of reviews make recommendations and those recommendations have to go into a process that says what can we get done, what should we get done, when should we get these things done? And at some point they're going to have to be retired or completed. They shouldn't hang out there forever. They should get melded into something else or reshaped or something. But there's got to be a deliberate process that says these things aren't going to hang out there forever because we don't want to get this process where we continue to have people declaring that something is done when it's not because we don't have a way to say do this a different way or don't do this at all or value not worth the cost. And I think that's where we're going from the recommendations standpoint and they're tied from that only.

Sebastien, your hand is raised.

SEBASTIEN BACHOLLET:        Yeah. Thank you very much. I have trouble to understand that. It's a paper for us, yes, definitely. But it will be introduced in the document in another form. That means that we will agree on some things, that it will be different in the 5.2 document. I have trouble with that.

The second point is that I am sorry but even if you say that review was done, it can't be done because last time we didn't have the document with KC's comments. It's only today that we have a single document with all [embedded].

I think even if we, at the end, totally disagree with KC's proposal, we need to go through and I hope that we will be able to do that today because I think it's an important point to be discussed. She makes some questions and comments that's fair to be taken into account. And I suggest some rewriting of the document, the part of option two. I am sorry, we did that part in Berlin in a very rushed time and I didn't have time to [inaudible] myself. I think it's no big change but I think it will be better if we take my proposal than the current text but I can't impose that to everybody. That's why I think we will need to go through that, too. Thank you.

PAT KANE:             All right. Thank you, Sebastien. As Cheryl has noted inside the group chat list, by done we only mean as we stated in the last call done, with the PC drafting not done overall. So, thank you, Cheryl. KC, please.

KC CLAFFY:            I am a little confused, I admit. So, the option one, option two text will be in 5.2 or is in 5.2? That's a question.

PAT KANE:             Will be.

KC CLAFFY: Will be, okay. I guess I'm hearing you say this was closed on the Friday call and you put in some—you added some stuff to the option on one Michael's request. My understanding of Michael's concerns is not consistent with what option one says right now. So, I don't know that he would agree with it and I understand we had to do this all on Thanksgiving weekend. I wasn't there for the first half of that call, so I definitely would pick neither option in the space of let's make sure everybody is comfortable with one option that's on the table. I'm not comfortable with [inaudible]. That's okay for this public comment thing. We can even make a note. In fact, this sounds sort of like what we went to Montreal work with and the slides and we got feedback from the community then that's consistent with my discomfort with either of these options. So, I suspect we'll get the same feedback again when we put it out for public comment and we can deal with it after, in the interest of expediency.

My big issue still are I don't think we're all on the same page with what problems that we're trying to solve and that's what I was trying to address in my markup in this document. And although I knew that, per se, this document wasn't going to get published, I thought the text would end up in another document that would get published, so I was treating it as text that would be published and that we should get consensus on.

PAT KANE: Alright. Thank you, KC. Sebastien?

SEBASTIEN BACHOLLET:     Yes. Thank you very much, Pat. KC, at the end of the current version of the document of the white paper, I tried—maybe I didn't succeed but I tried to answer your points at the end of the second option. I tried to answer your concern and tried to see why it's answering your concern. Maybe you disagree and I didn't succeed to convince you but at least I tried to answer. Thank you.

PAT KANE:     Thank you, Sebastien.

KC CLAFFY:     I need to go look, then. I saw some of them but not all. Thanks.

PAT KANE:     KC, is there something else? Your hand is still up.

KC CLAFFY:     Sorry. I should have taken it down, but as long as I have it, I'm wondering what are the … Are principles listed in this document right now that Bernie is talking about? Are they the things that are in bold with bullets? Is that what he's proposing as principles?

PAT KANE:     Bernie?

| BERNIE TURCOTTE: | I'm not sure what you're talking about, principles. All I said was the thing we agreed to on Friday was to have two options going forward in the public consultation and we published those texts. That's all I've said. |
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| KC CLAFFY: | Sorry. The thing that you said today was the team must identify those overarching principles by today. That's what I'm talking about. |
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| BERNIE TURCOTTE: | Oh. Well, I'm talking about prioritization and if we agree that we're doing something on prioritization and we agree that today is the last meeting to decide on what we're going to put into a document that's going to go into public consultation, then I was just saying if we're doing that, then we have to do that today. That's all I was saying. And those were the principles for prioritization. |
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| KC CLAFFY: | So, we don't have any principles yet. Today's call is to come up with some principles if we decide to do that. Is that right? |
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| BERNIE TURCOTTE: | That is correct. That's what we've been saying for the last 30 minutes. And just to be clear, if we go back to that text, it's not saying we will decide what prioritization is. We're trying to line up with the various other things that have come up on prioritization that says the community is going to have to come up with a process. So, what we're proposing as a discussion today is what parameters could we |
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recommend to the community to develop a system of prioritization and not for ATRT3 to develop a system of prioritization. So, it is just about, looking the way the text is written now, is about developing some guidelines or a framework for how the community could get to a process for doing prioritization. I'm probably not explaining it properly but that's the best I can do right now.


KC CLAFFY: It's clear. I think we need principles. I personally would recommend starting with the bylaws but other people [inaudible].


PAT KANE: Is there a particular part of the bylaws you want to focus on with this so we can put this in and not necessarily be—


KC CLAFFY: I mean, one way for a prioritization group to go through the 200 recommendations that are existing is which one of these are, if ICANN isn't doing them, there's an argument to be made that ICANN is violating what's in the bylaws. That would be a principle, I assume. [inaudible].


PAT KANE: I think that's probably fair when you think about in line with the mission or in line with—I'm just pulling up [inaudible] core values. If that's where we want to start, I think that's fine.

BERNIE TURCOTTE: But, on the other hand, I think you're diving into how to solve the prioritization problem. What we're suggesting here, which is in line with the Board [inaudible] is how to help the community get together to decide on what that process will be, whether that process includes it looking at the bylaws and seeing how they implement those things.

Now, your point specifically, KC, on if they don't implement something they're against the bylaws, well, the bylaws say a lot of things and also bylaws state that directors have a fiduciary responsibility for the organization. And if implementing something according to a majority of directors will cause the organization to be in financial difficulty, then the Board can simply decide to not do something and that is fine.

So, to a certain extent, I think what we're seeing here, just to put in some context, is that the Board understands there is something that is going to have to be done. The option of simply saying it's in the bylaws that these recommendations have to be approved and they've been approved so they have to be implemented doesn't hold water in the current context.

There can be rules passed that say these things are not going to be implemented. So, what we're seeing here is that everyone—I think absolutely everyone in the community. We've seen it through several processes, including our own process—understands that there will be a prioritization scheme coming. And I think the Board is trying to say, well, it's going to be prioritization of things that the community wants, so can we come up … Can the community come up with a system for doing

those prioritizations? And what we're suggesting here is just can we help frame how the community is going to get to that system? Thank you.

PAT KANE:                    Yes, KC?

KC CLAFFY:                    So, I'm happy for somebody else to talk. I just see no hands up and we seem to be running out of time, so I'll come up with something else if nobody else has any ideas.

So, another idea would be use the fact—and again, this is from previous reviews, not future reviews which we don't know how they're going to be. But the number of times a consistent recommendation was repeated by a different review team. Like, if it CCT said it and SSR2 said it and HRT said it, it should have higher priority than if just one review team said it. That's one way.

PAT KANE:                    Yes, Bernie?

BERNIE TURCOTTE:        I'm going to sound like a broken record but it's not about us coming up with rules for how to prioritize or cancel things. It's about what we're suggesting is about the framework so the community can get together

so it can decide which system it wants to use to prioritize things. Thank you.

PAT KANE:

Yeah. Bernie, thanks for that. I think that the process itself, yes, needs to be done by the community but what is it that we think are the core … If we're going to set them today, what do we think the overarching principles are that people should focus on? So, maybe we're not understanding what we're defining as overarching principles as opposed to core requirements. How do you see as you've written this—and Leon and Sebastien, I'll come to you in a second. I want to get from Bernie. How do you see, as you've written this, the difference between a requirement and an overarching principle?

BERNIE TURCOTTE:

What I'm going to say is this was written in the context of the community is going to have to come together in some fashion or another and come up with a process to do prioritization. I don't think ATRT3 has the time or has everything that is required to actually weigh in and come up with anything that is going to do the prioritization. What we can do—the principles I was referring to in there—is what are the principles that a working group that is going to be constituted like ATRT3 … There will probably have to be another group like ATRT3 composed of community members whose only task will be to come up with this prioritization scheme and consider everything that is.

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So, the overarching principles are what are the overarching principles that should guide that group that is going to come together to create that prioritization system? I don't know if that helps.

PAT KANE: Bernie, that helps. I don't think anybody is arguing with you or anybody … Let me put it in different words. I don't think anybody is trying to force fit a process defined by ATRT3. At least that's not what I'm hearing. But when we talk about what the requirements are for what the overall—the overarching principles are—I'm asking how do we think about that. And let me go to Leon.

LEON SANCHEZ: Thanks, Pat. So, I just wanted to reiterate that there are already some principles that are being suggested in the Board's paper on prioritization, so it might be good to maybe take a look at those. I am pasting the URL for the PDF on the chat, if you consider it to be useful.

And in regard to the discussion on requirements versus principles, I put in the chat that I believe that the requirements for prioritization are going to be set by the community based on the overarching principles. So, I think that what we're trying to find here is step one of a multi-step process and this step one will actually guide the larger discussion for the community to come together and decide which requirements should be taken into account for prioritizing implementation of reviews, recommendations, etc.

So, that's pretty much where I'm standing right now, Pat. Thanks.

PAT KANE:              Thank you, Leon. Sebastien?

SEBASTIEN BACHOLLET:   Thank you, Pat. I agree with the fact that we need to find whatever the word, overarching issues to be taken into account and it will be another group who will make the implementation, therefore all the suggestions how it will work.

I have only one concern here when we say that we will not retire any suggestion. I think there is one part of our work regarding ATRT2 where we can say this one is over. We consider that it was written so long time ago. It's not anymore applicable or any other reason that we have released it somewhere. Except for those ones, for ones coming from the other review. Yes, it may be not our task to do that but we need also to suggest that there is prioritization but how we will do the retiring some of the recommendations will be also useful in our document, if we can. Thank you.

PAT KANE:              All right. Thank you, Sebastien. Leon, your hand is raised. Is that a new hand?

LEON SANCHEZ:          No, Pat, sorry. That's an old hand.

PAT KANE:                      Okay, thank you. KC?

KC CLAFFY:                     I just want to understand Leon's point. Are the principles in the document you pasted on page four, the six bullets on the bottom on page four, or what exactly are the principles?

PAT KANE:                      So, are you talking about the principles for effective recommendations?

KC CLAFFY:                     Yes. The ones that Leon says have already been provided by the [inaudible].

PAT KANE:                      And I'm not certain that that's how I thought about principles because when you take a look at annex A, it really could be defined as how to write a good recommendation.

LEON SANCHEZ:                  Exactly.

PAT KANE:                      Yeah. So, I'm trying to …

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| KC CLAFFY: | Right. |

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| PAT KANE: | So, then, I'm struggling with how we're talking about principles in our 2.2 document. |

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| KC CLAFFY: | The only thing in the document I see referred to as principles is on page four. But they're not really principles. They're more like requirements for recommendations to proceed to the implementation phase. So, I'm wondering what the Board means by principles. |

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| LEON SANCHEZ: | Again, KC, this was just a reference for us to be informed on what the Board is doing but this of course doesn't mean that we should guide our work based on this paper. |

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| KC CLAFFY: | No, no, no. I just want to know which of the paper do you think … What in the paper do you think are the principles that the Board is suggesting? |

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| LEON SANCHEZ: | So, at this point, there are no concrete principles. This will be resolved of exactly the process that we're trying to— |

KC CLAFFY:              No. You said you will see in the Board's paper there are already some principles there put in place. Those could be used as a guideline or not. I just want to consider using it as a guideline. But I need to know which of the things in this document you're considering principles.

LEON SANCHEZ:           I was referring to annex A which Pat has more accurately described as suggestions for good recommendations.

KC CLAFFY:              I see. Okay, thanks.

PAT KANE:               So, then, could we bring back up 2.2? Bernie, I see your hand raised. Please.

BERNIE TURCOTTE:        Thank you. We seem to be getting lost in terminology here and I don't think we have the time for that. The whole objective of the first segment of the white paper was do we have any advice we want to give the community on how to structure a group that is going to look at arriving to prioritization? That's it. Boiled down, distilled to the bottom line, is there anything we want to ensure regarding how this group will be constituted and what its objective is that we can make for that group? I don't know if that helps.

PAT KANE: I think that's what we're trying to … At least that's what I think I'm trying to get to in terms of what would we tell … If we had an opportunity to go in when this group finally gets together and we were to say to them in five minutes what we want them to consider as they embark on this process—not requirement, not like you must weigh this weigh against this weigh and this weigh and here's an external metric that you should measure against. But if we were to say within five minutes the things that we want them to care about and focus—we want you to stay within the mission, we want you to focus on security and stability. We want you to focus on these types of things. To me, that's the guiding …

When I look at the overarching principles, I think about those—maybe I use a different word—as guiding principles. And maybe we don't need to do that at all in this paper. But if we were to give that five-minute speech, what would we say that we really care about as ATRT3? That's the way that I'm thinking about this.

KC, is that a new hand?

KC CLAFFY: No. Sorry. I'll take it down.

PAT KANE: All right. Bernie, please go ahead.

BERNIE TURCOTTE:     For me, it actually … A lot of those things I think are fairly self-evident in a lot of other documents and a lot of places and in the bylaws. What I as thinking here is any advice to the community about how they're going to form this group. Not going in and talking to them giving them the five-minute speech, if you will, of how the ATRT3, what it sees as important. I was looking at this more from a point of view of do we think we would like to tell them it has to be a cross-community working group? Do we have any other critical elements that we think we want them to take into account for forming that group?

It's all about how this group is going to be formed and what its scope will be more than here's what you guys should think about once you're together. At least that's the way I was looking at it. Thank you.

PAT KANE:     Thank you, Bernie. That is tremendously helpful. So, if that's what these overarching principles are in terms of what we think about the formation and the scope, does anybody have an opinion on what that should be? I see that Daniel has written something here. Quoting from the document on page three, starting paragraph, the existence of two— oh, that's about reviews. All right. So, let's stick with prioritization.

So, if that's the context for what the overarching principles are, what do we have to offer? Anybody? Sebastien?

SEBASTIEN BACHOLLET:     Yeah. I wanted to type something. Thank you very much, Pat, to ask me. Maybe we need to take into account a few things. Just I speak out of my

mind. It must be multi-stakeholder [inaudible] various parts of the organization. Specifically, it must have people from, I will say, from the organization who are concerned by the recommendation. But I would suggest that it's not the ones who are doing this job because [inaudible] let's say the co-chair of the work stream 2, the chair of the [inaudible] and SSR, I don't know how they will be able to do a prioritization. They will fight together. Then I suggest that it will be somebody outside of those people. Therefore, I am [inaudible] it to be close but not too close, I will say. Thank you. It's a first step and first try. Sorry for that. Thank you.

PAT KANE:                No, thank you, Sebastien. I appreciate that. So, if I hear you, you're saying it should be representative of those that have been involved in—teams that have been involved in generating recommendations as well as certain other elements from the community, not an open call. Bernie, your hand is raised.

BERNIE TURCOTTE:        Unmuted works better. And I think that's one of the key things we may be able to … Well, if we had the time, we would have thought about. But work stream 1 was this gigantic effort that everyone could join in but the SO and AC appointed members but it ended up being a significant undertaking with people—huge plenaries. I mean, we had sometimes 80-90 people in a plenary and we were trying to take everyone into account.

I think it's … For me, what was important is when we're talking about composition and scope is exactly that. Do we think we can … What kind of process and what kind of membership and exactly not an open thing … And if this is a community thing, I think the community has [inaudible] the way it is, although do we want to have observers, do we want to have third parties there? There's a whole bunch of things about how we could recommend or suggest to the community. They could lead such a process so that they could effectively get to a prioritization system for the things that we want to consider. Thank you.

PAT KANE:                Thank you, Bernie. I think that Leon has put into the group chat some items for consideration and that is community driven, budget considered, difficulty to implement, dependencies with other recommendations, and complexity and time for implementation which I would kind of roll into three in terms of difficulty to implement. I guess they would be different. Anything else? Yes, Bernie?

BERNIE TURCOTTE:        Again, on membership, we had one issue. If I go back to work stream 1 and work stream 2, there were no board members, there was no staff that were official participants. Is that something that we want to make very clear? I think it's clear on the Board paper they would like to participate. Do we agree with that? Do we want to say how that's going to go? And what is, at the end of the day, whether you couch it in any other terms, what is the voting structure that is going to help determine

how that is going to go forward, I think are some of the key elements here. Thank you.

PAT KANE:                        Thank you, Bernie. Cheryl?

CHERYL LANGDON-ORR:        Thanks, Pat. I think in addition to … Well, certainly I've been typing and Sebastien has also been typing some additional pieces of proposed text that may be considered here in addition to what Leon said. Just to reiterate, there was certainly referencing to a proper representativeness of our multi-stakeholder community and I would think that should be inclusive of the Org as well as the Board. I think that is an important point that was just made by Bernie, and certainly something that was a challenge during our work stream 1 and work stream 2 activities. It is no reasonable assumption that even if we were to encourage some sort of representativeness and "membership" that also included specific experience in the ICANN reviews process or similar.

So, there might be other reviewing processes or quality systems processes that may prove beneficial, that it should be some sort of criteria established there as well. But that doesn't mean it would be at the cost of openness and transparency. I don't think they're unusual sets of principles but I think there's possibly enough now for us to articulate say somewhere between five and seven specifics that we should be recommending are looked towards.

And whist I've got the microphone, I'll just remind that we're coming up to the top of our second hour in today's time allocation, so if we're going to do this, we need to knuckle down and get it done. Thank you.

PAT KANE:                    Thank you, Cheryl. Just to weigh in on a couple of items, Bernie, absolutely, I think that we should be inclusive of those that are providing other directions or a direction on this topic, prioritization, whether it be the Board, whether it would have come out of the multi-stakeholder—the evolution of a multi-stakeholder model issue where prioritization was a topic at one point in time. Those groups should all be included in a representative fashion, and again not an open call for the masses to participate.

I also think that they should consider whether this would be professionally facilitated so that the walk through of this process would be done by someone who was good at drawing out suggestions and processes as opposed to people in the community. So, that may be something [inaudible] as well. Sebastien?

SEBASTIEN BACHOLLET:     Thank you very much. I think we have, I guess, enough element to put some ideas. That probably means that in four minutes we will not be able to finalize it but I hope that you will suggest a way to go forward. I am still struggling with [inaudible] facilitation. I think really within the community and within staff enough people. Of course, you can leave the community and become professional facilitator. We know some of them. That's good. But maybe it's not absolutely need … Sometimes, it

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shows that we need somebody paid to do the work because we are not going to do it and that would be a pity. But I will stop here because we don't have enough time for my [inaudible]. I guess we have enough parts to write something on that and I hope that we can agree on something. Thank you.

PAT KANE: Thank you very much, Sebastien. All right. Given that we have less than five minutes, I want to thank everyone for coming today. I'm sorry, was there any other business that anybody wanted to bring up for today's meeting, if we get back to the agenda, please? [inaudible] the next topic was any other business. Does anybody have anything? Sebastien, is that a new hand?

SEBASTIEN BACHOLLET: Yes, it was a new hand but it's already returned next steps. My question was how you want us to [inaudible] this discussion, the discussion about the [inaudible]? We didn't really finish the new version of the white paper or of the report itself to be helpful and to be able to finalize it the right time. Thank you.

PAT KANE: Thank you very much, Sebastien. So, I guess two items on that. On the overarching principles, I think that there is enough that we can gather and we can push that back out, this five to seven list of things that we would put in for consideration. Then, I think that there's enough conversation that we captured, at least general direction for Bernie to

go ahead and roll this into version 5.2 such that we're not continuing to evolve on—or, sorry, make iterations on the white paper and take 2.2 plus the conversations today and then just go ahead and give Bernie direction to roll that into the report, version 5.2 plus. Is there any agreement with that or any disagreement with that? Cheryl agrees. Put in a green check or red check in the participant window. Daniel agrees. Demi agrees. Vanda says okay. Leon is good. Sebastien says don't make too many choices. All right. So, I think that's the path forward.

Thank you for the question, Sebastien. Very helpful. All right. Any actions or decisions that we need to walk through, Jennifer?

JENNIFER BRYCE: Thanks, Pat. I just wanted to capture for the record that the discussion on the diversity text for section 3.46 on the report and the vote that the team took to go with the text proposed by Leon and just a note that there is still some discussion about removing the word "alternating" from that text. But I did capture that as a decision on the diversity text. And that's it. Thank you.

PAT KANE: Very good. Thank you, Jennifer. Cheryl, your hand is raised.

CHERYL LANGDON-ORR: Yes, it is. Thanks, Pat. Just to say, Pat, as we discussed in Skype chat we won't be holding the leadership team call on Monday, tomorrow. There's no point in doing that for this week, but we will be holding that call as normal the following week and we will go back to our normal

schedule of meetings I'm assuming based on the discussion on the Monday coming—not this Monday tomorrow but the one next week on the leadership team that was foreshadowed in our last meeting but I just wanted to double check and make sure that the leaders are quite keen. So, this week, no Wednesday meeting and no leadership meeting. The week after this coming week, we will be a leadership team meeting and we will confirm our following meeting after that. Okay. Is everyone clear on that? I just wanted to make sure.

Back to you, Pat, to wrap up. Thanks very much.

PAT KANE:                Thank you very much, Cheryl. I appreciate it. So, I do want to say thank you to everyone for taking parts of your Sunday. And if you're on the other side of the date line, your early Monday morning to finish this up. I know it's been … We kind of jammed a lot here at the end but I think that we've made some good progress and some good decisions. Still many to go. But we're going to write the report and get it out. So, the next 60 days, we don't need to [inaudible] need to have conversations about some of these items. So, I look forward to [inaudible]. And again, thank you for your Sunday. And, Jennifer, thank you so much for coming in and hosting. Appreciate it.

JENNIFER BRYCE:        No problem.

PAT KANE:                Thank you, all.

CHERYL LANGDON-ORR:     Thanks, everyone. Bye for now.


LEON SANCHEZ:     Thanks, everyone. Bye-bye.


VANDA SCARTEZINI:     Bye-bye.


**[END OF TRANSCRIPTION]**