
UNIDENTIFIED FEMALE: This meeting is being recorded.

CHERYL LANGDON-ORR: Thank you very much. Welcome back to the afternoon's work of the Accountability and Transparency Review Team 3 at the Brussels office in ICANN and for our remote participants. We're going to dive straight back in after a mini break to 3.4.8. If you're in the Zoom room – and we apologize if the Zoom dropped for you over the break, it did for some of us – is on screen. If not, again, just in case people have lost the patency of their chat, staff will put in the link to the spreadsheet again in a moment or two. With that, Bernie, over to you.

BERNIE TURCOTTE: Thank you, ma'am. Welcome back, everyone. Now, we have gotten our sea legs on this, and so we will now take the training wheels off. My objective is to get us to Section 10 by the 3:30 break, so you have been warned.

Alright, so we are now at 3.4.8. The definition of 3.4.8 is "ATRT3 strongly suggests that once ATRT3's suggestions related to ATRT2 Recommendation 2 are implemented, the Board undertake a communications exercise to familiarize the community with these new processes and training program."

If we go back to the comment from our friends at RySG, "The RySG supports this recommendation, but again notes no obvious connection between the survey question and the recommendation. We suggest

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that the final report would likely benefit from the inclusion of a problem statement which this recommendation is intended to address, and provide the following example language: ‘Although Structures seem largely aware of the Board training program, the same does not appear to hold true for individuals.’” I’m saying, “Agreed, will amend.” Fine, okay.

3.4.9: “Regarding communicating budget information to the community, especially for public comment proceedings, ATRT3 suggests that the Board and ICANN org adhere to the suggestions regarding public comments made in this report relative to public consultations, tailor budget information for SO/ACs so that they can easily understand budgeting relative to SO/ACs, a clear rationale in simple language explaining key decisions should be included in these materials.”

So, if we go back to our comments here, we have two – one from the registrars and one from the registries. “The RrSG has previously commented on multiple occasions about the need for greater transparency and context with regards to financial budgeting. Therefore, the RrSG also supports the ATRT3 suggestion to tailor budget information for SO/ACs so they can easily understand budgeting relative to SO/ACs and that a clear rationale in simple language explaining key decisions should be included in these materials.” We thank you for the support and recommendation.

The RySG comment, “The RySG notes that the survey feedback provided by Structures is that they would like to see more information on how financial decisions are made at ICANN. Given this, the RySG supports

suggestions made by ATRT3.” We thank you for your support for support for this recommendation. We’re good?

3.4.10. Oh, Sebastien?

SEBASTIEN BACHOLLET: I am sorry to derail your train. We’re wishing to go to 10 as soon as possible. I just wonder if we can’t have an exchange with the financial department because – except if somebody has in depth go to the publication for this year’s document but I think that part of this request, it’s already taken into account and it may be not necessary for us to say something if it’s already done. I don’t know. I am not saying that it’s done but I think it could be useful for us to have an exchange with finance department to see if it is not. Thank you.

BERNIE TURCOTTE: Osvaldo?

OSVALDO NOVOA: I’ve been studying the new draft Five-Year Plan and the Year ‘21 Budget, and they have improved compared to previous year. It’s more information and it’s organized different. I think there is an improvement but I still think this is valid still. They could make it better.

SEBASTIEN BACHOLLET: Just one point – we started discussion this morning with something around simplification. Each time we ask something more, something

more, something more. This document is becoming, as a financial document, it's just readable by very few people. Therefore, we can still ask for more, but it will be for less people. That's something we need as ATRT3 to take into account. Yes, it could be a very good wish but maybe it's not in the way of simplifying those documents. Thank you.

BERNIE TURCOTTE:

I disagree a little bit with Sebastien. I've gone through the Five-Year Plan and the Budget, and I agree with Osvaldo. I think these points are still valid. We're not asking for a lot more information. We're just asking that it be presented differently so that it makes more sense for SOs and ACs. And as the SOs commented directly in our survey, they want to know why certain decisions are made. If you go through those documents, you cannot find in most cases why key decisions were made. So, I think we're on pretty solid ground.

CHERYL LANGDON-ORR:

If I may, having watched quite closely as many of you have, the development over recent times for more useful information as the community has been asking for for many years, it was limitations of the tools that the finance department actually had to work with. So they got through a whole lot of things that are making the specificity and usefulness of these reports more and better. But we can perhaps recognize that continuous improvement in our text a little bit more clearly. So I don't think it's a matter of making things more complicated. I think what's the desire is and what's being recognized by – as Osvaldo was saying here today is that it is getting better and there's a desire for

specificity and details that meets the particular needs and interest of each component part of ICANN. Because what is of importance to one of the SOs may not be the same as would be to one of the Cs or Gs or something, right? That I think we might need to just tease out a little bit more. Thank you.

BERNIE TURCOTTE:

Alright, amended in the note. We'll take care of that.

3.4.10. Now, 3.4.10 is "ATRT3 suggests that the next ATRT or equivalent evaluate the results of the implementation of the ITI initiative."

The RySG comments, "RySG supports the suggestion. The RySG would suggest that any review or evaluation of the ITI in the future use the Board resolution which established the ITI to assess its effectiveness."

Actually, I'm not really sure where we're making a suggestion on this one. It's going to be almost automatic. I would suggest we drop it, really. Just leave it as a comment. Okay.

Alright, we're finished. Section 3, yay. Alright, big check mark. Big check mark. But there are other sections, yes.

GAC 4.4.1.1. Bingo. Sorry, I couldn't resist. 4.4.1.1: "ATRT3 suggests that the GAC publish a short list of suggested qualities or requirements for liaisons to assist SO/ACs to select the best candidates to be GAC liaisons."

Now, we have a recurring theme here and our friends from the RySG commenting. The GAC comment is, "The GAC welcomes the proposed

suggestion. The liaison or point of contact as it is typically called within the GAC function is an important role not only for GAC members to take to other communities, but for other communities to utilize in outreach to the GAC. Beginning at ICANN63 in Barcelona, the GAC established a new working group to focus on developing improvements to help update and amend its present operating principles. One of the areas identified in chartering that working work was the role and functions of GAC liaison. The GAC will utilize the new working group to develop criteria that will improve the clarity and specificity of liaison/point of contact roles. The work of the individuals presently assigned by the other communities to serve as liaisons to the GAC has offered very useful insights and opportunities for learning for the GAC leadership. The GAC can use the examples of those experiences to help [fashion] guidelines for future liaisons and point of contact appointments.”

So the GAC likes our recommendation. It’s already working in this area. The RySG, which is the next comment, “The RySG is unclear on how ATRT3 reached the conclusion that the effectiveness of implementation hinges on the quality of liaisons to the GAC. Have concerns about liaison quality been raised. What is the problem or issue being addressed by the statement?”

VANDA SCARTEZINI:

Written by the liaison.

CHERYL LANGDON-ORR:

Vanda, that was written by the liaison. We are in deep, deep trouble. I think the response to this, which might be rinse and repeat for a

number of these, is that these suggestions are born out of detailed interaction with the Government Advisory Committee and the – I’m going to use the wrong word but I think it’s focus group, is it? The group that’s involved with this.

BERNIE TURCOTTE: We don’t want to get into too many details.

CHERYL LANGDON-ORR: That’s where the data has come from. I guess the answer is, this is meeting a need that’s been identified by the Government Advisory Committee itself and we might –

VANDA SCARTEZINI: Just remember not to use that, but it was a suggestion that came from the registries. The registries, during our talking in our meeting in the first meeting we went there last year, suggest – I have this written – that we need to have more clear qualities in the information and the capacities for the liaisons to the GAC because it’s a very untypical task for those and maybe they have or not have more information about how to identify the best person.

So it’s not from the GAC. It’s from the GAC, it was clear, but from the registries too it was clear that was needed to have some kind of [providers] to help them to identify the best person for that liaison. Thank you.

CHERYL LANGDON-ORR: Are you okay with checks then?

BERNIE TURCOTTE: Yeah. For the GAC comment, thank you for your support. For the RySG comment, "These suggestions are the result of detailed discussions with the GAC and registries."

Alright, 4.4.1.2.

UNIDENTIFIED MALE: I ask, what is the problem? I think we could give the impression if we go too far with the comment that the GAC has veto in the nomination process, and this would be avoided that we do not give an impression. It's good if the GAC formulates criteria but it's totally in the hands of the sending community to send the right person. GAC would not get a veto or a power to reject a nominated candidate because in the eyes of the GAC, this candidate is not qualified. This would open a can of worms and we should not give the impression that we consider this.

CHERYL LANGDON-ORR: Just on that, a number of parts of ICANN, that acceptance in liaisons, do in fact have a veto. The classic is the SSAC. You don't send the liaison to SSAC and assume it will be accepted. It has to be accepted and that person can be rejected and they actually become members of SSAC to function in their liaison. So I think we need to be very careful about getting too much into the weeds on this. Otherwise, we're going to upset other apple carts, not just the sensitivities regarding vetoes on an

Advisory Committee, because we actually have Advisory Committee that does have veto but not the one you think as SSAC does.

BERNIE TURCOTTE: Jaap?

JAAP AKKERHUIS: Just to expand on this a little bit. SSAC doesn't recognize any liaisons but they welcome anybody who wants to become a member [inaudible] the GAC that will just add to the diversity of SSAC. That's so they're welcome. There used to be so many liaisons, so many GAC and they never showed up. But they are considered full members. For the same token, SSAC never sends a liaison out. The reason is that when SSAC brings out a report, it's actually done by consensus. And a lot of times, whatever a liaison says, it's often interpreted as point of view from SSAC but a lot of times that's not really established yet. So, people [inaudible] by other groups to join as an expert for something like that, but they never represent SSAC. It goes both ways.

BERNIE TURCOTTE: I think our current text is okay. Alright, 4.4.1.2: "ATRT3 suggests that the GAC in conjunction with ICANN should provide orientation for liaisons to the GAC so they understand the environment of the GAC as well as the expectations for liaisons."

Our comments are, "The GAC welcomes this proposed suggestion. The liaison functions an important role, not only for the GAC members to take other communities but for other communities to utilize outreach

for the GAC. The GAC has recent experience in developing onboarding resources for the first-time GAC meeting participants and will consider utilizing that expertise to provide orientation to new liaisons.”

Next we have the RySG. “The RySG is still unclear on how ATRT3 reached this conclusion that the effectiveness of implementation hinges on the quality of liaisons. Have concerns about liaison quality been raised.”

Copy-paste. We can copy-paste the answer. However, there may be an opportunity when you read this to actually combine these two. Could combine the previous one. There we go.

Alright, 4.4.2. “ATRT3 suggests that the GAC continue to commit to its improvement efforts focusing on ensuring early engagement with relevant SOs and ACs on matters of importance to the GAC.”

So we have from the GAC, “In its Recommendation 6.1H, the ATRT2 recommended that when deliberating on matters affecting particular entities to the extent reasonable and practical, the GAC give those entities the opportunity to present to the GAC as a whole prior to its deliberations. The GAC is pleased to see that the ATRT3 has determined that the overall implementation and effectiveness of this recommendation are currently deemed to be satisfactory. The GAC welcomes the proposed suggestion that it continue to commit to its efforts in this area. The committee will continue its collaborative outreach with other GAC communities impacted by its advice both during ICANN public meetings and intersessionally, when appropriate.

Suggestions from other communities how this might be done or improved upon will be most welcome.”

Then we have the RySG. “As the RySG has noted in our overarching comments, we have concerns about ATRT3 making recommendations or suggestions of a continuous improvement nature. We recommend that ATRT3 revisit the suggestion in the final report in an attempt to make it more specific, meaningful, achievable, realistic, and time bound (SMART).”

Thoughts, comments welcome.

VANDA SCARTEZINI:

Yeah, I have one. I do believe that in some way they are right. Some of these suggestions, we should put a general comment on that. They make all those comments on how they can improve one or two suggestions on how to improve, and not only suggest that they should improve. Make some suggestions not to be concerned about how deeply we go or it is completely right, but make it as some really practical suggestions on how they could improve.

For instance, in some way they could establish a small process on how to meet someone, how often they can meet. It’s small suggestions like that for general improvement, because sometimes people have really difficulties to understand because they are involved with their own task. So they have some difficulties to understand how the others are [thinking], “I’m not okay with this process.” So since we talk with all the groups, we could suggest some small movements on improvement for those. We can do for GAC, we can do for the others. Because a lot of

them are done but we suggest that they could improve, because we have discussed a little bit about those kinds of things that they could improve.

CHERYL LANGDON-ORR: Jacques, can I just check with you? Is that hand of yours still – are you still on the queue? Jacques, are you in the queue? No, okay. It's just your card is up, so I'm trying not to mix things. That's all. Okay, Wolfgang.

WOLFGANG KLEINWÄCHTER: I find this SMART concept very smart, and it's not only for the 4.4.2, I think it's for general. I would propose that at the end of our work, we use this as a methodology to check all our recommendations whether they are SMART so that they would meet the criteria. I think the five criteria here are excellent, and so if we match this test, it's like a test was our recommendation, so really smart. Thank you.

CHERYL LANGDON-ORR: Perhaps spent some time, as did I, making sure that at our kick-off meeting that we recognize that the SMART system, which was used in previous ATRT2 work was going to be the foundation ...

BERNIE TURCOTTE: Following.

UNIDENTIFIED FEMALE: You are unmuted.

BERNIE TURCOTTE: “The GAC welcomes this suggestion from the ATRT3 and notes that more details on this suggestion in the final report would help clarify the expectations in this area. The GAC partnered with Board members late last year in the context of the BGIG to discuss improvements to the other order and timing of Board responses to formal GAC advice, the Board scorecard, in the hope of providing a more regularized process for the GAC to evaluate the Board response to that advice. That improved process already features a back-and-forth clarification procedure that enables the Board to confirm its understanding of GAC communiqué advice to help it in evaluating the specifics of communiqué text. This ATRT3 suggestion offers insights...” Connection is unstable apparently. “The ATRT3 suggestion offers insights for limiting or potentially eliminating the need for clarification questions entirely. Over the last several ICANN public meetings, the GAC has evolved its communiqué drafting process to improve the effectiveness and efficiency of GAC member advice deliberations during each public meeting. These improvements have had the effect of putting more focus on discussions surrounding communiqué drafting efforts and have led to adding a rationale section to accompany certain GAC advice to help improve understanding by providing background and context on particular advice topics.

CHERYL LANGDON-ORR: To work for your particular purposes. Empower and encourage rather than guide and limit in what we say. That's all. Thanks.

VANDA SCARTEZINI: I do agree. I said that in our specific points that those groups asking for more clarification, we can recognize that that one that they – I haven't read this so I need to read – but recognize that this is the kind of improvement that we are thinking as continuous improvement, something like that.

BERNIE TURCOTTE: Thank you. A thought on that as Cheryl is speaking is that we may well get back to continuous improvement as part of the reviews process and that may be an overarching recommendation anyway. So let's not carry too much time on this one.

However, I'll read the RySG comment. "The RySG questions whether this is an appropriate suggestion, as it appears to largely reflect an ignorance of the nuances involved in drafting the communiqué in the manner that is acceptable for all GAC members. The drafting of the communiqué is open for anyone to attend and this should be encouraged. The Board and GAC also have a follow-up dialogue to ensure a common understanding of the intent of the language. The RySG notes that individual GAC members are accountable to their own governments, and ICANN does not have jurisdiction to manage individual government processes. The RySG is unclear how this suggestion is measurable. If ATRT3 does make the suggestion, the RySG request that the RT avoid overly vague language that will be difficult to

implement and impossible for the community to measure whether the suggestion is fulfilled over time. As such, we recommend that the ATRT3 includes this suggestion in the final report they attempt to make it more specific, meaningful, achievable, realistic, and time bound (SMART).”

SEBASTIEN BACHOLLET:

I think we are happy to have comments but, frankly, to write that to people who write proposal didn't know about how the GAC is working will be too much. I was not part and they deserve some respect because one is Vice-Chair of the GAC and the other one was in the GAC, and if those people don't know how it's working, it's strange. Thank you.

BERNIE TURCOTTE:

I'm not really sure what we're going to do here. Vanda said maybe more details on this one. I'm thinking when we go through the second round, this one may not survive is what I'm telling you. Let's move on.

4.4.5: “ATRT3 suggest the GAC and the Board develop joint messaging above the current state of their interactions and the mechanisms which support these.” You'll remember that in our survey, the SO/ACs were quite familiar with how the GAC and the Board worked together, but the community was particularly in its responses unaware about that, and so this led to this recommendation.

The GAC comments back, “The GAC acknowledges this suggestion and request that it be clarified the joint face-to-face meetings of the Board and GAC and gatherings of the Board-GAC Interaction Group are all open, public, recorded, and transcribed. The GAC communiqué

production effort clarification process with the Board and ultimate scorecard response from the Board are all public. GAC advice status is regularly tracked and reported on both the GAC and the ICANN org websites also. This ATRT review process in itself provides substantial notice to the community about improvements over the last couple of years with respect to GAC/Board interactions. In using the term ‘messaging,’ does this ATRT3 suggestion contemplate expectations about certain reporting mechanisms of resources that need to be developed? More details on this suggestion in the final report would help clarify.”

To me, it seems taken out of context a bit.

VANDA SCARTEZINI:

Remember that when we discussed with the GAC, they said there will be improvement – the Board said the same – and we need to review if it’s done before we put out any kind of recommendation. At that time, they need to improve. Nowadays, in the end, maybe they made a lot – because they are working already many of our suggestions.

BERNIE TURCOTTE:

The point of this one was simply getting members of the community more aware of what’s in place and that we’re happy with what’s in place, but we want to make sure everyone is in place in getting sort of a bizarre reaction from the GAC.

Then we have “The RySG does not object to the Board and GAC developing joint messaging on their interactions and mechanisms which

support their interactions. However, the RySG is unclear on why the suggestion is being made and where the problem was raised. The Board and GAC have open public meetings correspondence between the Board and the GAC published and minutes are published, and their interaction regarding GAC communiqué is unclear what the joint messaging would achieve.”

They’re very similar in their comments in some ways, which should point to something. I think we were trying to make a minor point saying it’s a communications exercise. Again, I’m not sure this one will survive our second phase testing.

VANDA SCARTEZINI:

We cannot forget about the points that the community raised that they are not aware about that. So in some way, it needs to be published. Maybe it’s kind of a recommendation for .org, the ICANN org, because the communication is the issue here, not the process between GAC and Board. Between GAC and Board, they are very clear nowadays. It’s all done. But the way things reaching the community, when community respond, they don’t feel they know anything about.

BERNIE TURCOTTE:

I’m not sure it’s communication issue. I think as both responses state, there’s a lot of information out there, people are not aware of it. That’s why I think –

VANDA SCARTEZINI:

We need to take into consideration.

BERNIE TURCOTTE: Yeah, but when we consider all the rest of the things that we're going to do. That's what I'm saying. This may not rise to the test later on.

CHERYL LANGDON-ORR: Leon?

LEON SANCHEZ: Thanks, Cheryl. I agree with you, Bernie. I think what we're trying to do here is to say, okay, let's give a hand to those who are lazy and do not read, do not follow, and publish a simple blog post maybe that is a joint communication from Board and GAC saying, "Okay, guys, in regard to GAC communiqué from whatever meeting, this is where we are and this is the next steps that we will be following." As a blog post, very concise. So maybe if it's advice to the evaluation, maybe adding just a specific point saying, "The expectation is that you do this kind of communication," would be helpful.

CHERYL LANGDON-ORR: If I may, Vanda, I'm assuming your hand is going to go down in the room. It's not still up. That's actually got another benefit, Leon, and that is that yes, one can keep one finger on the pulse of all of this and be a truly engaged part of the community, should one wish to. That actually isn't all that easy to just quickly and easily find in some sort of searchable system – simple communiqués, blog posts, something that is easily searchable – and then one can drill down from a historical point of view if one needs to could actually be quite handy. So we might just

pick that advantage up as well with this lighter touch. And maybe we might need to pop that into the text as well. But it could very well be an example of better Board-community communications.

LEON SANCHEZ: Do we need that?

CHERYL LANGDON-ORR: We don't know. No, Leon, of course not.

BERNIE TURCOTTE: Said the spider to the fly. Alright, moving on, folks. I think we've got this one, 4.4.6. Where are you, 4.4.6? There you are. "ATRT3 suggest that the GAC, considering the success of the current mechanisms that are in place for interacting with the Board, work with the GNSO to implement similar mechanisms to facilitate interactions between the GAC and the GNSO." That was rather straightforward.

4.4.6 from the GAC: "The GAC welcomes the ATRT3 assessment that the current GAC and Board mechanisms for interactions are deemed a success. Noting that they take place in a somewhat different context, the GAC will explore how those Board interaction mechanisms could inform and facilitate further interactions with the GNSO and even potentially other communities. The leaders of the GAC and GNSO currently work to have at least one intersessional call between the two groups and community members currently interact on topics of similar interest in a number of cross-community environments. There may be mechanisms that can improve those interactions."

Then we have the RySG. “The RySG identified in our survey responses that we would appreciate more dialogue with the GAC and the RySG would support the ATRT3 suggestion that the GAC work with other ICANN Structures that would like more dialogue with the GAC, considering the mechanisms in place for the GAC/Board interaction, to establish regular interactions.”

A bit of a win. Let’s take it.

VANDA SCARTEZINI: So clear from the GNSO.

BERNIE TURCOTTE: Yes. Next. Alright, we finished Section 4. Just outstanding.

Section 5, you’ll remember it’s about public input or community input. Alright, 5.4.1. “Given ATRT2 Recommendation 8 was not completely implemented. ATRT3 strongly suggests that ICANN perform and publish some type of quality measurements with respect to its language services. This could include, for example, regular user satisfaction surveys at ICANN meetings for interpretation and obtaining a rating as to the quality of the translation of documents from members of the community who use these translated documents.”

Basically, you’ll remember there was this objective to have measurement. This being said, there’s something in the accountability indicators relative to translation, but the only thing we get is how many sessions at each ICANN meeting they interpret, so very limited. Wolfgang?

WOLFGANG KLEINWÄCHTER: Normally, we have a problem if we discuss quantity and quality that we say quality first. But in this case, I would prefer also to have an overview about quantity. That means that we get an overview how this is used. You know how translated documents are used and how translation services during ICANN meeting is used.

I remember meetings where we had Russian and Chinese translation, and all the Russians and Chinese did not follow Chinese translation but followed English. So I think if we have a better overview about how this is used and practiced and we see this is underused and we could more push for it and say, "We offer this to you." It's not an argument to reduce the offer. But it's an argument that we get more facts on the table to push for the usage if we offered it and it should also be used by the people in the room.

My observation is that sometimes there are two people working eight hours a day more or less for nothing, and this is a situation which I think is very sad. By the way, it creates a lot of cost. But we should have here better facts that we can make recommendations based on facts, how the offered services are used. Thank you.

BERNIE TURCOTTE: Thank you. Vanda?

VANDA SCARTEZINI: Just for your comment, Wolfgang, in the LACRALO, for instance, we have people from Brazil. When we have people from French language in

that we ask beforehand each meeting that if you need translation or not. So if you don't need translation or you join Spanish or English that's more normal, we do not contract and ask for this job. So it's more professional way to do the things. You should ask beforehand if you need that or not for that specific meeting. So we do this each month in the LACRALO month call. If we need Portuguese, if we have two or three people, we have French people from Caribbean, why not? Or we remain with the Spanish and English only. So it's available but it's over there if we need. But it's not contract, so not paid.

SEBASTIEN BACHOLLET:

Thank you. I didn't use very often the tool but it happens sometime. But now I have really many people using the service and they just don't use it only online. The question is that, are we able to know how many went to recording? That's part of the prime of measuring yes, at one moment you may have nobody in the room but the fact that it's recorded, it could be used after. If we know that it's never used, let's say during one year nobody is listening interpretation of any call in whatever language, we may reconsider. But we need to take into account all the usage of one single tool in interpretation and translation with different ... I think I already told you but the French translation of our document, it's 95% accurate but it's still 5% there where ... and it's not too much the fault of the one who makes the translation. It's the fact that as many comments we get, the intention of what we write – sorry, I will take one minute more.

Last time I was translating into English, that's wrong to do that because it's not my native language, but what's interesting is that in translating, I

sometimes correct the French version because I think it will be more accurate to write in this way and to have a better translation. Therefore, language is quite difficult but we need to find a way to have our input in that to have a better translation and to be sure that it's a good level. Last time in one call, I was on the French channel, it was the first time, one of the calls of At-Large. People told me that it was badly translated. I couldn't hear because I couldn't be in both. That's a pity because I use the tool and I trust the tool, and if the tool is not what we need, it's difficult. Thank you.

CHERYL LANGDON-ORR: Osvaldo?

OSVALDO NOVOA: I think there are two different aspects here. One is the simultaneous translation during the meetings. Usually to the meeting, the people that go there, they know they have to use English, and they usually understand it.

But the other point that I think is more important is the document translation, because a lot of people access the documents, people that don't speak English. In my case, usually I don't use a Spanish document because I don't trust them. I usually find differences so I go to the English documents, but many people cannot do it. So I think that translation of the document, that's important and it's vital for the community because everybody can access them. Thank you.

CHERYL LANGDON-ORR: Just putting myself briefly in the queue. I think a couple of points that need to be perhaps teased out in our text then, because I'm hearing the justification for uses and use cases vary with the purpose of the translation services being used. So the difference between a large face-to-face ICANN meeting versus the benefit of having a language services with an effective and highly accurate document being able to be accessed later. And that can be said for things like webinars and presentations and meetings as well. With captioning of course also get a little bit rough but, nevertheless, almost real time text out of meetings and discussions in various languages. You just have a caption that is native into a particular language. So there's a bunch of ways of looking at a cost-benefit analysis to meet the same needs. What seems to be missing is some specificity about what data needs to be collected for what purpose and perhaps we might want to make some sort of observation on that.

It is possible if you are firmly believing that the use of language services at a high level of accuracy is essential to reduce any barriers for people to be engaged in your policy development process to have occasional audits, even external audits of it, and that brings up the skills. Yeah, all departments report and have metrics and things like that. Let's look at just making comments about effectiveness, accuracy and a fit for purpose without getting too much in the weeds on this one at least.

PAT KANE: I think that what I'm hearing really from a written standpoint versus a verbal standpoint that verbal has to be accurate but written needs to be precise. When I talk to security people, they make the distinction

between the two, and I think maybe in our document, in our reporting, that we should make that distinction that, again, written should have precision while the verbal should be accurate.

JACQUES BLANC:

A couple of comments here. The first one is if we consider what might be a reference, which is what is done at the U.N. organization, we have a set of languages which is fixed and which gives more or less the standard for what ICANN has become, meaning a multistakeholder international community. That's the first thing.

But the second thing is, if we start talking about prioritizing once more what kind of documents should be translated in what languages, sooner or later we will go back to budget issues. So maybe that's something that we will have to keep in mind moving forward.

CHERYL LANGDON-ORR:

Okay. Got what we need?

BERNIE TURCOTTE:

I think so. Well, the point I wanted to throw in is we have this exact point in the accountability indicator as I mentioned earlier, where the accountability indicator is only the number of sessions that are translated at ICANN. There's an objective on this but it's so low that it's always met, and we don't know how this objective was set.

I like all the comments but I think what we're saying is we'd like some measurements. There aren't any and I think we need some information

about – as a minimum, how this is appreciated, how it’s used, what the quality is and those things. I think that’s what we’re wrapping ourselves around.

Okay, moving on. Oh, there was a RySG comment we never got to. “The RySG believes the implementation of the ATRT2 recommendation is complete. However, it appears that the ATRT3 has identified a new issue: missing metrics.” Yes, we have. “We have no way to know how translation services are working. ICANN may not be auditing vendors or doing quality surveys. The RySG suggest the ATRT3 draft a new and distinct recommendation related to metrics and quality control over translation services in all its various forms in the community. While the provision of documents in multiple languages will be helpful to non-native English speakers, another challenge to meaningful participation is not being able to submit comments in languages other than English, we suggest that this concept be explored further to understand whether offering such capability will enhance participation in public comment proceedings without overly complicating the process of summarizing and processing comment responses and without significantly increasing cost.”

We actually did that at this meeting today. And we already have those recommendations in our public participation a little later in this very section. I think we’re all on the same line here.

Alright, 5.4.2. What’s this one all about? “ATRT3 strongly suggest that public comments not only seek general input on entire documents but also clearly identify who the intended audience is (general community, technical community, legal experts, etc.). This will allow potential

respondents to quickly understand if they wish to invest the time to produce comments. This is not meant to prevent anyone from commenting but is rather meant as clarifying who is best suited to comment. Each public comment proceeding should provide a clear list of precise key questions in plain language that the public consultation is seeking answers to from its intended audience. Where appropriate and feasible translations of a summary and precise key questions should be included in the public comment proceeding which could also allow for responses in the official ICANN languages. Results of these questions should be included in the staff report on the public comment period.”

It pretty much addressed some of the points that were being made before. So let’s go to our comments. “The RySG supports the suggestions but notes the following items for ATRT3 to consider further...”

“Key issues into ICANN’s official languages are very important improvements. It should also open the possibility of organizing exchanges based on previous comments such as collective chat.” Okay. The same one. So I think we’re good with our recommendation, right? It’s how I read this.

ALAC, yes. “We support the suggested changes to ICANN public comment, public input as well as the accountability indicators. We believe these changes would make the public comments more effective and show better transparency. We strongly believe that a wide open and an inclusive process should be maintained in policy development processes especially with input representing the multistakeholder

environment. Policy development must be transparent, efficient, and should not be biased or skewed towards a group.”

I think I finally got all of them. I don’t know why I had a blind spot there for a second. Thanks. I think all in all, we’re good.

VANDA SCARTEZINI: Yeah.

BERNIE TURCOTTE: Okay.

DANIEL NANGHAKA: I just wanted to add something that I appreciate that I’ve kind of done a lot regarding translation, but sometimes when we want to include more languages, it requires looking into the budget and sometimes the budget may be so much restricted. So I think ICANN, I believe, sometimes make boundaries, under which we as the ATRT can’t do anything about it. That’s my comment. Thank you.

BERNIE TURCOTTE: 5.4.3 – other processes versus the public comment. You’ll remember that in digging around when we were looking at public comment, we found that there’s a document which we’re not allowed to see public comments, and so we came up with some suggestions.

“ATRT3 strongly suggests that for those topics which do not specifically require a public comment process to gather community input ICANN

org should develop and publish guidelines to assist in determining when a public comment process is required versus alternate mechanisms for gathering that input. ICANN org should develop guidelines for how alternative mechanisms for gathering input should operate including producing final reports. ICANN org should develop a system similar to, and integrated with, the public comment tracking system which would show all uses of alternate mechanisms to gather input including results and analysis of these. ICANN org should publish the complete Public Comment Guidelines for the ICANN Organization. ICANN org should explain why its blog posts collect feedback information when the Public Comment Guidelines for the ICANN Organization state that they will not be used as mechanisms for collecting feedback.” I think we were clear in where we were going with that and we can put that into SMART fairly easily.

We have a comment from Chokri Ben Romdhane. The issue: public input. “The public comment process may include a mechanism that give the opportunity to commentaires to give their opinions about the staff report on the public comment proceeding and to claim any omission.” We’ve actually talked about that. If there is an issue with the staff report, people can make a request for amendment, so I think that’s covered and we can state that. It may just be a lack of understanding of the process.

Then we have the RySG. “The RySG appreciates ICANN org establishing Public Comment Guidelines but request that these guidelines are made public so that the community can fully appreciate how it’s determined when public comment should apply. The RySG also notes that the Community Leader Updates sent biweekly are also useful summaries of

activities going on and opportunities for input. However, the RySG is particularly supportive of ATRT3's suggestion to develop a system similar to, and integrated with, the public comment tracking system which would show all uses of alternate mechanisms to gather input including results and analysis of these. The RySG has experienced difficulty finding all input opportunities in the past and would support a mechanism which streamlined communication expectations for non-public comment input." I think we're doing pretty good overall.

We don't have 6, so we're on to 7, I think. Alright. Folks, I'm going to give my voice a 30-second break here and I'll be right back. Actually, my headset on long calls just drops off. It's just one of those things.

7.4.1 PDP. Now, we will remember that we wrestled mightily with this one and ended up with: "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 effects 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 Multistakeholder 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 other processes, the ATRT3 strongly suggests that any proposal to change the current gTLD Policy Development Process clearly enhance, and not in any way reduce or restrict, the open, equitable and collaborative nature of the ICANN multistakeholder model nor adversely affect the security and stability of the DNS."

Not obvious to make SMART though. It's a really nice sentence but it may be one of these conclusions we published and not a recommendation. Let's be clear.

Yeah, the PDP from Chokri Ben Romdhane – if I'm pronouncing this incorrectly, I apologize. "The PDP working groups should develop their policies independently of any technical issues, and any technical or jurisdiction study should only support and not influence policies and transform them in technical solutions rather than policies applying for different technical issues. All the parties including the Board should avoid such technical or jurisdiction study that will limit the scope of those working groups." Okay, noted, right?

CHERYL LANGDON-ORR: This is one of those points where just saying no bothers me because, unfortunately, I see something has been lost in translation here.

BERNIE TURCOTTE: This was not translated. It was submitted in English.

CHERYL LANGDON-ORR: No. But that could still be the problem. The fact that it had to be submitted in English is where I believe it's been lost in translation. So I see this as – if we were running a different process, if we were a PDP of some sort or doing public comments for some other purpose other than our very tightly time bound ATRT3, I would be saying we need to go back to this person and find out from them directly with clarifying questions what exactly they were trying to tell us.

We don't have the luxury of this time, and so what I would suggest we might do is see this as why some of our suggestions in 5 are as important as they are, because I truly feel that this is not easy for us to understand purpose and intent because it's been forced into English, and I don't think we're doing anybody a service. This is effort made and not being the benefit reaped of. Sebastien?

SEBASTIEN BACHOLLET: Suggestion. Do you want me to reach out to him and ask him to write it in French and come back to you with whatever, if it's better to help?

CHERYL LANGDON-ORR: If that can be done in a timely manner.

SEBASTIEN BACHOLLET: Yeah, if it's done today. If it's not, it's over.

CHERYL LANGDON-ORR: Because this one of those that really bothers me deeply. I think this could why the sentence does not make much sense. Jacques?

JACQUES BLANC: From what I read here and I will be very glad to have – the initial is the intent must not be constrained by the tools. That's really [safe here] I think.

VANDA SCARTEZINI: Yeah. I remember in one or two auction proceedings that people start to debate about that's not work in our jurisdiction or another jurisdiction. So when there was concern about – those are not a boundary for us to work in that specific process. Just because in our system you cannot work because if in general this will be review for the lawyers and so on. For one point, Jacques can be right. That could be technical issues or something like that, but also it can be a problem for when you discuss issues related, for example, WHOIS process and the technical issues behind that, and the technical issues behind the WHOIS where the jurisdiction behind the WHOIS and the discussion may be in EPDP, I don't know. But probably there is a lot of complaints that is not and trying to introduce into the policy process some specifics for one country or one region or something like that. It's just some speculation, but I agree that Sebastien should do that.

CHERYL LANGDON-ORR: Okay. Let's move on but we will have to look back into this one.

BERNIE TURCOTTE: I'm skipping line 50 because it really belongs in Section 9. Line 51 currently is the RySG comment which is their shortest comment in all their replies. It says, "Support." Yes. This being said, I think on the second pass this will not make a suggestion. It will be a comment. Okay.

9.4.1, Section 9, folks. We're racing towards there. Alright, let's go to 9 and see what we're talking about here. ATRT2 recommendations. 9.4.1: "The Board should ensure that the CCT1, RDS2, and CCWG-Accountability Work Stream 2 review teams provide implementation

shepherds as defined in the Operating Standards for Specific Reviews to avoid any confusion as to the intent of their recommendations during implementation. Implementation of these recommendations should also be tracked using the reviews website.” Clear, straightforward.

Then we have 9.4.2. “If the implementation of Specific Review recommendations is transferred to another process, the Board should ensure that any implementation reporting should clearly note this and ensure factual reporting on the progress of the implementation of such transferred recommendations.” Those were rather straightforward.

Alright, let’s see our comments. Our first one, the SSAC comment. Thank you for moving that, Jennifer. The SSAC comment: “The SSAC is greatly concerned by the large disparity between ICANN’s self-assessment of implementation of review recommendations and the assessments of the review team. We note that for all of RDS, SSR2, and ATRT3, the review teams disagreed with ICANN’s self-assessments. However, the ATRT3 Draft Report also states in Section 9 that the new Operating Standards for Specific Reviews adopted by the ICANN Board in June 2019, combined with the new website for tracking the implementation of review recommendations should address most, if not all, of these issues going forward. The observed disparity is a fundamental accountability problem and it is certainly hoped, though yet to be proven, that the new operating standards and website will go some way towards resolving this. Part of the problem is inherent in the untrackable nature of some recommendations as they were provided to ICANN and new operating standards and website will not help that aspect. Another aspect is the preservation of the true intent of recommendations so that their successful implementation can be

accurately assessed. While ICANN accepted all of these past recommendations, the tracking of their implementation and effectiveness has not necessarily been transparent or accurate. Thus, the SSAC agrees in principle about the need for some independent accountability oversight function, although we think ATRT3 should consider more deeply how something like an Independent Accountability Office, proposed in part of Issue 8, could work and be funded. In particular, it is important that such a function not add to the underlying problems of volunteers and ICANN org overload and ideally should relieve them. Perhaps it would be a reasonable use of the gTLD Auction Proceeds funds, some of which are currently being used to replenish ICANN's Reserve Funds anyway."

We have other comments so let's just walk through them. "The BC supports the suggestions regarding implementation of prior ATRT recommendations. The BC further suggests that implementation shepherds be recruited from among community volunteers who actively participated in the identified prior review."

We have the RySG. "The RySG supports this recommendation, noting the specific issue raised by ATRT3 in report Section 9.3 related to the transfer of certain ATRT2 recommendations to CCWG-Accountability Work Stream 2 highlights this problem. We agree that the Board may not always be in the best position to implement Specific Review recommendations. Where the Board transfers recommendations to a different process or body, the RySG supports documenting this transfer and tracking the implementation by the new body responsible."

And that's it. So we seem to be getting some good traction there. I don't want to step into the SSAC thing too much. The SSAC thing would be noted. The two other, we thank them for their support.

CHERYL LANGDON-ORR: Of course, there is support from SSAC as well. There's just some aspects of what SSAC has said. It's overstepping the mark, for example, the suggestion of use of Auction Funds is way out of our remit. That's noted but the support of, in principle –

BERNIE TURCOTTE: [Mutual] support.

CHERYL LANGDON-ORR: Okay, fine.

WOLFGANG KLEINWÄCHTER: Is this the time to discuss the idea of an independent accountability office or should we discuss this later?

BERNIE TURCOTTE: Okay, what's the time to the break?

CHERYL LANGDON-ORR: We have an hour.

BERNIE TURCOTTE:

Okay, I would propose we skip Section 10 right now and go to 11, which is accountability indicators. Then we'll get into the fun stuff. Alright. Plus, it may allow KC to join first some of the festivities there.

Alright, 11.4.1. Let's go. What is 11.4 about? 11.4.1: "ATRT3 suggests that ICANN undertake a communications effort to make the community aware of the accountability indicators. Part of this effort could include a formal presentation of these at an ICANN meeting."

And 11.4.2: "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, provide data that can inform decision making processes, and present data that is up to date."

Now, you will remember that we presented the four points that were key in doing that. What I've started to do is reevaluate each of the accountability indicators against these four points. You'll remember that out of the – I don't know how many there are – but I think it's 35 accountability indicators, there's 20 that don't have an objective, so they're not very useful as an accountability indicator right off the bat. Also what we're thinking of suggesting is that if the new Operating Guidelines for Specific Reviews require, for all intents and purposes, SMART recommendations, that if the ICANN is making objectives in the strategic plans and other operating documents that they should provide that at the same time what are the criteria for measuring success. Because obviously, from the accountability indicators, people came up with these great ideas and then farmed this off for people to come up

with measures of success, and they were sort of – yeah, it just didn't work. So I think there will be a third recommendation there.

So let's go look at the comments. 11.4.1 RySG. "The RySG supports the suggestion."

ISOC Cameroon: "With regard to the liability indicators currently published on the ICANN website, we suggest that future indicators be useful, up to date, and for this reason they should be defined on the basis of ICANN org's proposal. Community." Anyway, we'll figure it out in French and correct the translation.

Michael Tchonang. It looks very similar.

The Board: "Finally, the Board notes that ICANN org has undertaken and/or plans to undertake improvements to both public comment procedures and accountability indicators. The Board encourages the ATRT3 to engage with ICANN org to ensure that any recommendations issued in the final report are complementary to the recently completed and ongoing improvements. The Board also notes that ICANN org is completing its analysis of the ATRT3 draft report and intends to submit a separate comment on operational matters."

Okay. Well, I've gone through the accountability indicators recently and they haven't changed that much. We should ask ICANN but you're hiding them well, Leon. You have them in your vest?

LEON SANCHEZ:

You need to look harder.

BERNIE TURCOTTE: You'll have to step out in the hallway. We'll search you for them. Or Cheryl will. Okay, enough fun.

ALAC: "We support the suggested changes to the ICANN public comment, public input as well as the accountability indicators. We believe those changes would make the public comments more effective and show better transparency. We strongly believe that a wide, open, and inclusive process should be maintained in policy development." It's the same comment we had before. Thank you.

RySG: "The RySG generally supports this suggestion but is concerned that it lacks specificity. We suspect ICANN would mark at least items 2-4 as complete. We suggest a SMART." I think the review that I was talking about that we're doing relative to that will actually address that. So we're going to be good with that.

And then ISOC Cameroon: "The proposal that the prioritization..." Oh no, we're in 12 there. So I think we're good with the changes that we're proposing.

SEBASTIEN BACHOLLET: Just the one you tried to read in English was something – the suggestion was that indicators, the future one must be useful, up to date, and must be defined by the community but with the proposal by ICANN org. Not defined by the community but ICANN org suggesting then community must be able to comment on that or agree or whatever. That was the more accurate translation.

BERNIE TURCOTTE: Well, if we look at the indicators now, they say, “Well, if you have comments, please provide them.” It doesn’t show they’re going to show them to us, but okay. We’re done with 11. So, onto Section 10 reviews. Or do we want to do Section 12 first as it might be a little easier?

CHERYL LANGDON-ORR: Yeah, let’s go to 12. And even if we take a slightly longer break, I’m just very aware that one of our remote participants specifically said that she’ll be coming in at 4 Central European Time. If we can steal a little bit of time out of our agenda space around the 20-25 minute mark, that’d be great. So if we can get some more done, that would be really good.

BERNIE TURCOTTE: We’ll see what we can do, ma’am. But we’re doing great. I think we’re really doing very well. So let’s hit Section 12, of course, about prioritization. Yay, prioritization. I will need some water and I will be back with you in a moment.

CHERYL LANGDON-ORR: One or two people are having a bio break, so maybe we just take five minutes. It’s usually five minutes now. You can rest your voice. But, Pat, you bring it back in on that time exactly, okay?

PAT KANE: Thirty-five past the hour is when we will begin, to get started.

BERNIE TURCOTTE:

12.4.1. Developing a prioritization process. “ATRT3 suggests the following guidance for the creation of a community-led entity tasked with developing a prioritization process. Overall the ATRT3 believes that the Operating Standards for Specific Reviews could serve as a good base for framing the creation and operation of a community-led entity. All community members participating in this process must have significant experience in ICANN and have actively participated in a major process in ICANN. Members must include representatives from the Board and ICANN org. The community-led entity developing the prioritization process should be given a fixed one-year term to complete its task. The community-led entity could request the services of a professional facilitator to expedite its work.”

Then there’s requirements for a prioritization process. I’m actually not going to read all of those I think. You understand those. There were two other suggestions at the end of it, 12.4.2 and 12.4.3.

“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 comment proceedings in Section 5 of this report.”

12.4.3: “ATRT3 suggests that 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 a similar fashion to what was done for salaries.”

PAT KANE: Sebastien, your tent's up.

SEBASTIEN BACHOLLET: Yes, thank you. I went back a few times on what we write and taking into account the comments. One of the questions with that, I got the impression that it was understood as it must be one year, like we have one year to make the work. I am not sure that it was our intention. The intention it was to take care of one year of prioritization but in a small group in a short period. They don't need one year to prioritize everything. But I went back and I was, “Oh, did I misunderstand?” That's something we need to fix.

There's two questions for me. There's one, do we need a specific group to do that? And what is the timeframe to do this job? I think if we can clarify these two points, we'll be in good shape. Then the third one is we don't do nothing, but if we want to do something, I think the two points must be clarified. Thank you.

BERNIE TURCOTTE: I just want to make sure I understand Sebastien's question. The one year is just to develop the prioritization process. It's not to –

SEBASTIEN BACHOLLET: Yeah, but it was understood like when you have to prioritize, it will take you one year to do that.

BERNIE TURCOTTE: We're violently agreeing is what we're doing. We just need to clarify so everyone understands the same thing. Yes, okay.

Let us go to our comments unless there are questions or comments. Alright, so 12.4.1. ISOC Cameroon: "The proposal that prioritization must be carried out in an open and transparent manner and every decision must be justified and documented seems useful, but with currently more than 200 recommendations to prioritize is not too much asked and will it not lengthen the time frame too much? It would also be useful to add to the criteria to use that of the needs/priorities of the various ICANN players."

Again, rough machine translation. Jennifer, maybe on those that have the rough machine translator, we can put in brackets "rough machine translation from French" so that people know because we don't know who's going to read this document later on.

Michael Tchongang: "Proposals for prioritization should be recommendations, not just suggestions. The use of the new operational standards for Specific Reviews that are proposed to serve as the basis for the operation of the annual priority-setting process must be tested to ensure that they meet all prioritization of all recommendations. The proposal that prioritization should be carried out in an open and

transparent manner and that every decision must be justified and documented seems useful, but with currently more...” That’s the same as the previous one. Alright.

NCSG: “The ATRT3 also seeks for inputs regarding the topic of prioritization towards activities, policies, and recommendations. About this matter, while this stakeholder group understands the need of having a process for prioritization of recommendations in order to reduce the amount of unnecessary work, we also believe that the creation of a community-led entity would have the opposite desired effect, worsening the burden that already exists. The draft report says that members with significant ICANN experience and participation in significant processes, such as CWG or WS2, would be the appropriate ones to compose the community-led entity idealized by the ATRT3. It also includes members from ICANN’s Board and operation. The dilemma in this suggestion lies in the fact that these members are already involved in the Specific Reviews processes, which generally takes a lot of their time and effort without any compensation for it. Also, it is expected that this prioritization is completed in one year, concomitantly with other tasks that these members are expected to deliver on their community, which is unreasonable. This type of prioritization process puts additional work on its members and also entails an extra responsibility that shouldn’t be of the community, since conducting the reviews should be its significant role, with ICANN playing an oversight position on the scheme of things. Nonetheless, the future members of the group that will be representing a structure and not themselves as individuals can also be called upon to deal with exceptional circumstances far beyond the original scope, such as emergency re-

allocation of funds, if a prioritized implementation needs to be canceled, or any other emergency approval that is extremely time-sensitive. This amount of work, combined with the urgency of delivering results and lack of counterparts, can lead to another problem: the lack of volunteers due to the already overwhelmed community.”

VANDA SCARTEZINI:

So they agree but see any problem.

BERNIE TURCOTTE:

“Aside from that, we believe that two other points must be addressed: (1) over the years, this community and the ICANN org have also faced cases of initiated reforms not being adequately finished due to reasons such as resource allocation and (2) there are ongoing processes, such as ICANN Multistakeholder Model Review, that could be harmful and possibly result in a duplication of efforts if the recommendations developed for Work Stream 2 accountability, for example, are not fully implemented or adopted. The raised points above must be taken into consideration if the community decides for creating this.”

Okay. I think we need to read through all of them before we start our discussion.

Alright, Board. “The ATRT3’s thoughts on prioritization work are very detailed, and the Board supports the proposal of a holistic suggestion with respect to prioritization. This is the right strategy. The Board believes strongly that prioritization of review recommendations cannot take place in isolation and that the prioritization process must fit into

ICANN's existing budget and planning mechanisms. Furthermore, all parts of ICANN need to take part in the prioritization – ICANN community, ICANN Board and ICANN org. Prioritization of community-issued recommendations needs to take place within the broader context of all ICANN work and must consider implications on community and ICANN org resources and bandwidth, as well as the availability of resources including funds, whether required up-front only, or on an ongoing basis. The Board notes a concern that the ATRT3's guidance for the creation of a community-led entity tasked with developing a prioritization process, and the development of a standing group to perform prioritization work does not recognize existing mechanisms that could be leveraged, and is not the right approach to solving the imminent problem of prioritization and resourcing over 300 community-issued recommendations. The Board does not agree that the Empowered Community is the appropriate group to perform this prioritization work. Vesting this work in the EC would change the nature of the EC and how it performs its work. The EC relies on the actions of individual Decisional Participants to enact and enforce its powers as opposed to the collective coordination that is envisioned here. Using the EC in this manner would also require fundamental Bylaws changes that would further delay implementation. Of course, the Board's response to the outcomes of the prioritization work could be subject to EC processes, so the EC's important accountability role remains intact. The Board also notes that the implementation timeframe recommended by ATRT2 recommendation 11.7, and supported by the ATRT3, seems implicitly linked to the prioritization work detailed in the ATRT3 Draft Report. The Board would like to encourage the ATRT3 to provide clarification on how the community role in prioritization links to

the ATRT3's expected recommendation that the ICANN Board and ICANN org should provide an expected timeframe for implementation of each recommendation made through a community effort. The broader, collective prioritization effort appears to be in conflict with maintaining ATRT2's Recommendation 11.7. Instead of creating new community structures, the Board encourages the ATRT3 to refine its recommendation to build on existing community groupings, mechanisms and processes, so as to leverage expertise, build on what has been tested and ease any additional burdens in the challenges around the prioritization and resourcing work. Given the shared sense of urgency to address the over 300 community-issued recommendations, the Board would welcome a dialogue with the ATRT3 in the very near future, to explore its ideas on potential immediate 4 remedies to accomplish the task of prioritizing these recommendations. This approach would allow the ATRT3 to focus its efforts on finalizing its other work. While there are many parts to this issue, the Board suggests that the ATRT3 consider recommending that the implementation shepherds (see Operating Standards Section 4.5) and the SO/AC chairs (or a designee of their choice)..."

I actually don't have – if I try to go down, I lose any further text.

CHERYL LANGDON-ORR:

I'll take it from there. "Engage and assist the Board and ICANN org with the prioritization process, leverage existing processes, such as the annual process of planning and budgeting. This work could be based on analysis of effort versus cost that includes a comprehensive consideration of available resources, including funding and people. The

ATRT3 may also want to consider how overarching criteria for the streamlining process (as discussed in this document under Section 10.1) could inform and dovetail with the prioritization effort.”

If you could scroll up please. Can you see where it is now, Bernie? My apologies for that. Keep scrolling up. It makes it very difficult. Alright, there’s not a lot more but some significantly more important language there from the Board. Did you want to speak to it, Leon, while we’re trying to actually get the [downloadable] thing on the screen?

LEON SANCHEZ:

Thank you very much, Cheryl. Of course, the Board is supportive of prioritizing. What we’re trying to say is that we do agree that there needs to be a holistic prioritization, and we think that is the right approach. But the mechanism that is being proposed that this standing body that’s actually being charged of prioritizing might not be the best way to go, considering that we have 300 plus recommendations already in our plate to implement. As I’ve said before, this is a moving train and try to do this prioritization on these 300 plus recommendations at this point and passing implementation on what is already being implemented seems to the Board that it would be just like crash course. So we are aware that there are current mechanisms that are taking place, the current efforts that are being carried out to try to make this prioritization work. We have thought of, of course, the budget and process, and how to feed these recommendations into the budget to say, “Okay, let’s include these recommendations with this priority on this budgeting exercise, blah, blah, blah.”

Maybe one way out could be to reshape this recommendation so that we can take advantage of the current mechanisms that are in place, but also we establish a process that allows this prioritization to actually take place while the review is being carried out. What I'm trying to say here is we leave these 300 plus recommendations on the current train that they are on and we say, "Okay, with the next recommendations, we will not only be implementing the outcome of this ATRT3 but we will also ask the review teams to bring those recommendations in a prioritized way that could serve the purpose of prioritizing future recommendations." I'm not sure I'm being clear here.

CHERYL LANGDON-ORR:

Okay, I think we still need to scroll up on the screen a little bit because we were a little bit lower than that, weren't we? To follow on from what Leon was outlining the rest of the Board was saying – I think here it's under Section 10.3, to the bottom of the screen here. Thank you. "The Board believes the issue of implementation reporting, also discussed in the draft report, is timely." Goes on to note the other work that Leon has just done and is asking us to clarify particular objectives, etc.

We have another comment, don't we, Bernie, before we open up discussion?

BERNIE TURCOTTE:

I believe so.

CHERYL LANGDON-ORR:

Okay.

BERNIE TURCOTTE:

We have the ALAC. “Prioritization is a complex process that requires a lot of information and support from ICANN org, and any teams must include individuals with insight into the ICANN structures and processes. At the same time, this process requires a level of transparency wherever possible so that the community can follow and understand the choices made, and must also involve individuals with an outsider perspective to ensure a balanced and holistic assessment. Process and outcomes need to be extremely well thought through, resourced, and transparent.”

We have a note from the BC: “The group would spend a year to develop a process for annual prioritization of reviews, considering budget, cost of implementation, complexity and time to implement, prerequisites and dependencies with other recommendations, value and impact of implementation, and relevance to ICANN’s mission, commitments, core values and strategic objectives. The BC does not believe this prioritization mechanism is necessary or helpful.”

RySG: “The RySG deeply appreciates the work the ATRT3 has done to try to tackle this complex topic. We agree that prioritization is critical to control costs, complete work in a timely manner, avoid volunteer burnout, and ensure projects don’t bleed into one another. We think to the extent work is prioritized today it’s prioritized by the budget and the various Councils and, to some extent, the Board. We unfortunately see the formation of yet another standing-type committee of ICANN insiders as another layer of separation from the bottom-up multistakeholder process and are particularly concerned that the committee might be co-opted by long-time industry insiders without the

benefit of fresh new perspectives. Additionally, the committee will further slow down work by requiring a year for prioritization. Instead the RySG, in line with our suggestions to the Evolving MSM report, suggests stronger controls at the SO/AC level, better recommendations and project scoping including budgeting, and smaller and better-managed projects. We particularly think this ATRT3 has made good suggestions, including having a single community-wide website for projects. The GNSO's PDP 3.0, this ATRT3's recommendations for streamlined reviews, and the RySG's MSM comment to design ongoing work as a spiral, with small concrete projects that people can participate in as time allows but that overlap so that we aren't making decisions in a vacuum, all will feed into a more natural and streamlined prioritization process. We hope that these various, community-wide, incremental improvements mean we won't need a committee of insiders to tell the community what to work on."

IPC: "The IPC agrees that a number of the proposed listed requirements for a prioritization process seem sensible and should help the community to prioritize its workload and the implementation of the many recommendations of past reviews, in addition to likely future recommendations. In particular, the IPC supports the use of the Operating Standards for Specific Reviews as a base; work to be conducted in an open and transparent fashion, with each decision being justified and documented; and that where there are multi-year implementations these should be reviewed annually to ensure that they still meet their implementation objectives and the needs of the community. The IPC also largely supports the following requirements, with the noted comments and additions. The identified elements to be

considered when conducting the prioritization exercise. To these we would add the following additional elements to be taken into consideration, whether the recommendation is indeed implementable. Since the Operating Standards for Specific Reviews now expect that recommendations will be SMART, it is to be hoped that over time the incidence of unimplementable recommendations, or of ICANN Board inaction on recommendations, will decline; and that where a recommendation would require the development of new policy or a change to existing policy, consideration should be given to whether a new policy development process is appropriate at this time, or at all, bearing in mind previous work in this area; that the prioritization exercise should not be required to generate additional information in order to evaluate recommendations for prioritization. Whilst we generally support what we presume to be the intent behind this requirement, i.e., that significant further research and data gathering should not be necessary in order to prioritize, nevertheless it will clearly be necessary for the prioritization process to take into account additional information relating to the identified elements to be considered, such as budget, cost, complexity, dependencies, and so on. The IPC strongly objects to the proposal that a new entity/standing group be put in place to conduct the so-called annual prioritization process. An annual prioritization process which should be given a fixed one-year term to complete its task... This is not a true community-led process. Further, while coordination across the community is important, prioritization efforts at the individual SO/AC level (such as those of the GNSO Council's Strategic Planning Session held in January) and within GNSO SG/Cs should be encouraged and supported, rather than simply absorbed or superseded by community-wide efforts. These

SO/AC/SG/C-level initiatives should be undertaken with the ICANN Org Strategic Plan and Budget in mind, but they should not be otherwise intruded upon or discouraged by broader community initiatives.”

SSAC: “SSAC does support a community-led process for prioritizing the recommendations of Specific Reviews on an annual basis but not exactly as proposed by the ATRT3. Rather, it would be preferable for the SO/AC leadership to develop the ongoing prioritization framework and process, aligned to the Strategic Plan, which would then be subject to community consultation before finalization. Once developed, that prioritization framework and process should be reviewed regularly but should not need to substantially change from year to year. Furthermore, the SO/AC leadership, facilitated by ICANN org, should lead the annual process to prioritize the FY Operating Plan and Budget, encompassing the recommendations of Specific Reviews. The FY Operating Plan and Budget would then, as currently occurs, be subject to community consultation and adjustment based on feedback. The SO/AC leadership are well-placed to undertake this task, since they are not only fully knowledgeable about the priorities of their respective SO/ACs but are also well-informed about ICANN’s priorities. While this does pose an additional burden on the community leadership, the SSAC considers this to be a more efficient community-led process than that proposed.”

RySG: “The RySG supports the use of plain language in ICANN...”Oh no. We’re at 12.4.2. So, that’s it for the prioritization process.

Pardon me? Oh, 102, sorry. Yeah. “The RrSG is supportive of the ATRT3’s suggested prioritization process, as greater coordination and oversight should certainly have a positive impact on volunteer

workload, timelines and efficiency. The RrSG believes a professional and neutral facilitator should be used by default, to ensure excessive time and, therefore, resources are not being wasted on handling the differences that inevitably come out of multistakeholder discussions. There should also be a liaison or representative member from GNSO Council in the prioritization process, to ensure coordination with the organization and prioritization of PDP work.” Yay.

CHERYL LANGDON-ORR: Okay. So I think the order of the queue –

UNIDENTIFIED MALE: This is the logic. I’m also against a neutral facilitator because I do not see any additional value in a neutral facilitator in the community which has so much experience in its own. So that means I would not take this on board, but I’m very in favor to move away from the idea of a new entity and to link it to the budget and strategic plan discussion. Thank you.

CHERYL LANGDON-ORR: Pat?

PAT KANE: Thank you, Cheryl. In terms of the existing process, if we think about where – and I think we’ve all focused on what happened to the CCTRT recommendations, in that the ICANN Board chooses to accept certain ones, reject others, and for the reasons given, then the current process

then is set from a budgeting process, ICANN org determines which projects to work on and it's a community consultation or community approval process of the budget. So the reviews that are recommended by the community are being triaged and filtered by ICANN Board/ICANN org. If we're going to have a budget issue, which we do, and we're going to have a time and resource issue, which we do, the community ought to determine what the priorities are of the recommendations that come out of the process.

So I'm fine with getting away from the separate entity. I actually like the idea of putting the SO/AC leadership on that task, if that's what they want to go do. But to leave it to the existing process to where the budget as defined by the ICANN org for the next year determines what they're going to work on, and then it's a review process by the community, I struggle with that from the standpoint of, it's not the community saying, "Of all the things we've told you..." And it's 300. There's a lot that comes with the 300. I just want to be clear on is you didn't suggest that we get those 300 done and then apply the prioritization process to what comes after that, because those 300 are the problem that we're dealing with in terms of how do you figure out which one to do first and which ones are overcome because we don't want to go through the process that everybody has said, "We got it right," in terms of taking a look at this 100% complete by ICANN org and then we identified that there's a significant number. And whether individual ones were done or not, there's still at least 70% that were done and 30% that were not done by the way that we looked at it.

So let's get away from that and prioritization helps that. So the 300 that are there, they ought to be dumped in the same bucket and triage

ought to be done. That initial process is going to be ugly and painful but it ought to be thrown to that by the community in conjunction with the org and the Board. I don't think this should be done in isolation, but for us to be a review process on what ICANN org determines fits into the budget, I think that's backwards.

LEON SANCHEZ:

Just follow-up on Pat, sorry. Why don't we build this into the budget of process, Pat? Why don't we say there is this special section that deals with budgeting ... implementation of recommendations? That part is decided by the community, in conjunction with, of course, org and Board. So it doesn't come to the community as a pre-established or pre-set item in the budget but the community knows how much money there is. I'm just thinking out loud. The community knows how much money is available for implementing reviews this year. And based on that item then the community says, "Okay, this is what we think should be implemented because that's our priority and we have this limited amount of money."

PAT KANE:

If I can just do a follow-up, Leon. I think that's good to have a conversation with. Again, with all the entities that are making those discussions, and so that one year timeframe and here we have some clarification to do in terms of what the one year means, but I think that that's really how this, whether be the CCWG or whatever you put together, to say we're going to solve prioritization within a year, that's one of the things that should be looked at. Because if you're going to

carve out for the community N number of dollars and then the community ought to say, “What’s the biggest bang for the buck in terms of all these things we’ve got going on?” And the retirement aspect got missed in some of the comments, but the retirement aspect of things we’re never going to get to is critical to that 300 because there’s things that are hanging out there that we don’t need anymore. We shouldn’t even talk about it anymore.

CHERYL LANGDON-ORR: Jacques?

JACQUES BLANC: It seems to me – not seems to be but we’re dealing with the problem of fixing a flying plane. We’ve got two solutions. Either we ground the plane but we cannot do that. The plane will hopefully keep on flying for yet a few years, or we fix it engine by engine. So the issue here is what engine do we stop by, and to decide which engine we stop by and come back to the facilitator or no facilitator. The multistakeholder has been working for a while now and it has been born 300 different process which are overlapping each one. That might be part of the issue of non-prioritizing as it goes.

I think the idea behind the facilitator would not be to say what should be prioritized or first or second or whatever. Just saying, “Guys, you’ve got methods and you’ve got a timeline.” As we have a facilitator in every committee – or moderator. You could call it a moderator. The function is just here to remind people that they’ve got to reach a decision at some point and it cannot go on forever with the best

intentions in the world and at the end of the day, we have to deliver. I think that would be behind the idea of how to choose the priorities, making the SO/ACs work together, but please reach a decision because we, as a community, do need it.

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: I will start with I hope it's a joke. One who puts more money within ICANN must decide about the process of prioritization and must prioritize everything we do. Therefore, registrar will say, "It's me," and the registry will say, "It's me." And registrar will say, "No, it's me." At the end of the day, the end user will say no because it says, "Who put the money?"

Then I am not sure that putting this process within a question of dollars is the best way to take into account the prioritization. We need to have something about the efficiency what we are doing that, and it's not because it's no cost, medium cost, a lot of cost but we want to do it. We need in the second step to take that into account. But I will stop here in this discussion about money. I want just to say – my point of view is that we are mixing two discussions. One is do we need somebody – a group or people – to take the leadership to define the process for the prioritization? The second point is, if we have this group to do it, we don't need to discuss how we want to prioritize. It will be their duty to do that. If we consider that no, we can't put any suggestion about a specific group to do that then we need to discuss how we want to do it

if we decide that it's our task. But I have the impression that – in the comments also – we are going from one to another without really splitting the two. Therefore, I suggest that we take the first step. Do we need a group to take care of defining the process of prioritization? That's the first thing. Yes, I know we have already 200, 300, 500 recommendations to prioritize. Up to now nobody wanted to take that. We also can say one group need to take that, the body that [inaudible] to do that. It's my point of view, of course. You do the prioritization for the one that's already there. We define the process ... the group to define the process for the next time, and we are done. If not, we need some time to discuss how we want to make the prioritization. I hope it's clear what I say. Sorry.

CHERYL LANGDON-ORR: Vanda?

VANDA SCARTEZINI: I can see a lot of issues that needs to be put in place to have this task done. So clean up the least, that's the first task for someone to do. Define and calculate each cost. I haven't seen any cost defined yet. Whatever you put a cost, while we can spend one million dollars here for what? Nobody have the cost of each recommendation that we handle. So we have again the same money for all. So we need to come out with some recommendation on the process if you're not as Sebastien said. If we do this or we recommend that some group do that after we finish our work, but we need to make suggestions like that. We need, first of all, clean up the 300 points. How can we do that? Clean up

the organization that if it's not represented by the community, nobody is, in my opinion, allowed to cut one or two or three recommendations and how to do that. Second, calculate the cost. Calculate the cost, even the .org can do that, ICANN org can do that. But anyway, it's not easy or simple task for it. What is the suggestion we can do – one or two recommendations – if we do not know the cost?

The first round, after we have all under the new standard, it can be worked, but [until then], it's impossible to leave like it is now or without select working group, cross-community working group. Someone needs to make those points from the budget, from the capacity of do that, from the least of those recommendations if they need not anymore, it's a task. It's not a simple task. Well, it's not the EC or whatever is the name. It's the working group that needs to do that. It's impossible to stop prioritization without some work behind to support any process for the prioritization. So without that, we have nothing.

CHERYL LANGDON-ORR: Daniel?

DANIEL NANGHAKA: I'm getting a headache about this prioritization issue.

CHERYL LANGDON-ORR: I think you're not alone.

DANIEL NANGHAKA:

Because if I'm to look at the suggestions that have been given, it's not the role of the EC to come up with this. Each issue that requires prioritization has to be handled. We as the ATRT3, we're here discussing the same issue – prioritization of recommendations – and I think it's going to require more time to be able to understand the process. Because one thing about we as the ATRT3 team is that if we go into discussion of the process then it's going to lead us into another discussion of the implementation of the recommendation when it comes in. But in the interest of time, do we have the mandate to be able to cover it in this limited time? The answer is no.

So what issue do I put on the table? I'd like to brainstorm further that if we're to make a recommendation, let's revisit the issues that have come with the challenges of prioritization. Then from there, we recommend based on those challenges. Personally, I'm open for discussion because I've been trying to break it down but I don't see a clear thing because we are limited. If we're to create maybe a priority working group, we cannot do that. If we are to go ahead, it's a different thing. Thank you.

CHERYL LANGDON-ORR:

Bernie?

BERNIE TURCOTTE:

A few things as I listened to people. I think Daniel is right in a certain way. We have to decide what we want to do. We've heard that just handing this to someone has probably a recipe for disaster if there's no scheme that is agreed to by the community. It would be efficient but it

would be difficult. Simply, I don't agree that's simply handing the 300 over to the Board is going to solve the problem.

LEON SANCHEZ: I'm not saying that.

BERNIE TURCOTTE: No, you did not say that. Sebastien said that. And I'm agreeing with you that that would not solve the problem. But let's not forget, in practice, right? Work Stream 2 recommendations took well over a year for a person to just figure out what the implications are, because the implications are not just money. It's a lot of things, its implications on resources, which departments. For all those that are interested, I would encourage you to look at the Work Stream 2 implementation plan and everything that is associated with it and all the things that were taken into account. That doesn't prioritize. That just lays down what is required to do those things. That's already just by itself a big thing.

The second thing, the proposal we have in our document does not presume you won't use existing structures. Okay. I just want to be really clear on that. If the first part of this exercise is in two parts, the first part is define what the prioritization criteria and scheme is going to look like, and the second part is decide who's going to apply it? Now, the who's going to apply it, if they decide it's the SO/AC leadership as part of the budget process, great, we're done. It's simplified. The community has decided that no argument. Similarly for the process, if that's who is identified and they have a process within which work, that's great. So that can meet that requirement.

Does it require time to do that? Yeah. I think you're going to end up spending more of that time if you don't do that than anything else. And maybe what that implies is there's a moratorium for a while on implementing recommendations until we figure that out, possibly, is one of the things. But intrinsically, my sense is that if someone doesn't do the homework to bring the community along with this, it will be difficult, if not nightmarish.

CHERYL LANGDON-ORR: Sebastien, let me check. Your hand is that still up? It's an old hand? Daniel, you really want to stop this going out for afternoon tea, don't you? Go ahead.

DANIEL NANGHAKA: Just following up on what have been said in the chat that probably conduct a study on prioritization of ICANN org and then we can identify at least the current process that have been taken up. Then from there we can come up with a discussion, the implementation of the recommendations based on the study. I think that would be a shortcut to help solve this thing.

CHERYL LANGDON-ORR: Perhaps. Let's take a look at what Pat has to say. Pat?

PAT KANE: Thank you, Cheryl. I think when we take a look at what the responses from the community have said is that it's clear, we need to clarify what

we intended because there's some confusion about what we intended. Two, we need to establish what the recommendation is on who would set the process and it's not easy. We've clearly heard that. The third is probably just continue to put some of the guidelines that we recommend. But maybe the fourth item is that we also recommend that a representative from this team be also a part of that conversation so that things that we cared about and thought about would also be a part of that prioritization, whoever or wherever that prioritization process takes place. But I think the main thing that we're hearing from the comments is that we've not been clear. I think when we take a look at what the recommendation and how we should think about it is clarifying what we mean and not necessarily have the conversation here, so what the solution looks like but what do we mean from the standpoint of who should develop the solution.

CHERYL LANGDON-ORR: Leon?

LEON SANCHEZ: I think that's exactly what I wanted to ask Pat. I think that we might be as a review team losing focus on what we actually need to recommend. It's not necessarily, as you said, the way to prioritize but who should determine how to prioritize. So maybe the recommendation could go along the lines of saying, okay, let's coordinate that between ICANN org, the Board, and the committee, of course, being the committee the center of this effort, to say how we should prioritize, when we should prioritize, around what we should prioritize, etc. Maybe the

recommendation from the review team could go along those lines to do something pretty much like it was done with the operating plan, to say, “Okay, let’s build this together and let’s go into the mechanisms and to all the details out of this effort.”

CHERYL LANGDON-ORR:

Remember, we did take a five-minute break so I have no guilt of taking five minutes off your current break. Just as we wrap up, before we move to the break, this is clearly something that isn’t coming back to just be a second pass but a substantive continuing discussion. This is not any way finished as yet. But we do have almost diametrically opposed information coming in from our public commenters. We’ve got leave it to the leadership of the ACs and the SOs. The last time I checked with the same people over the AC, we have people saying, “And don’t give it to the AC, for heaven’s sake.” We’ve got, “We can’t possibly have a new group put into place because it will be an exhaustion exercise for our volunteers.” But at the same time, “Do leave it with the already exhausted volunteers.”

So we have a few tension points that still need to be discussed here. I think we may want to make sure that this is one that also looks through the – I’m not going to just use the term “existing mechanisms” because there’s also new proposals for mechanisms and it would be damn stupid of us to not look at what is being planned along with what is currently being – dare I suggest – not very well done. And we’ve got to look at the tensions between those things.

The other thing I think that I've also heard is that we weren't clear enough to community about what we meant especially on the time binding. Vanda's very important point about maybe just taking the two things and separating, recognizing that in the existing now being tested group but also the beta testing of the new guidelines. This is not designed to continue a perpetuation of too many implementable or poorly defined recommendations. It's quite the opposite. So future management is probably easier than current or historical, but we've really got to just also make some sort of suggestion/recommendation about how to deal with the historical issue because it is a significant one, not the least of which was what Bernie was outlining with the amount of effort and energy just put into the 100 out of Work Stream 2. But that is a very rare and unusual circumstance. That's sort of a storm, an imperfect storm.

So we've now got about seven or if not eight minutes past our break time. Oh, we're told 15:30, which is what I wrote down. My apologies. Okay, it doesn't matter. It's time for break, close enough to 15:40. At 15:40, I'm declaring the break start and if we get going, we can get that extra two minutes and just take that as a bonus. But at 16:00, 4PM local time, we will be coming back.

Bernie, I just want to make sure that we're all clear about what we're going to do. We're going to have ... hopefully, KC will have dialed in. We'll have a couple of minutes for KC to go over the e-mail, just the content and intent of the e-mail that I'm sure you all received from her in the last 24 hours or so. Then we will dive into Section 10. Because a lot of what KC wants to talk about anyway is in Section 10, so we'll do that as a committee as a whole. We will then, after hopefully not more

than about 45 minutes or so-ish, maybe an hour on Section 10, go back to KC to have her talk us through her other comments briefly, because they're sections we've already discussed today and we just need to take into consideration her views for those of us like me, who have not as yet read them. That's the plan. Are we all clear, okay and fine with that? No? Bernie, go ahead.

BERNIE TURCOTTE:

Just a minor variation is we have to finish our first pass on Section 10 before we get to the other stuff. You said it will take about an hour. I'm saying, I don't know how long that one's going to take.

CHERYL LANGDON-ORR:

Right. Well, hopefully, the first pass will be not much more than an hour. But when that's done, then we go back and look into the remaining material. If by chance at our advertised close of business for today's work, we have not got through Section 10, then we will have to come up with some other mechanism, time and position in our work, which may not even be in this face to face, I don't know, to the remainder of the interventions from KC to be considered. Are we all comfortable with that? Section 10, however, is the main game. Okay? That was 15:40. I filibustered perfectly to the top of a minute. See you all back here a few minutes before top of the hour.

PAT KANE:

I'm back. Hello, everyone. Welcome back to the ATRT3 meeting in Brussels. I believe that this is the last section we have for the day before

we end for the day. The one section we have left to go through, the comments that we received to the initial draft is Section 10 based upon reviews. We can walk through that. I do recognize that KC does not appear to have joined us yet.

CHERYL LANGDON-ORR: She will [as she said].

PAT KANE: Yeah. So let's go ahead and get started. Mr. Turcotte?

BERNIE TURCOTTE: No, Bernard. All folks were getting punchy already. No, no, no. Way too early.

All right, Section 5. I'm not going to go through what Option 1 and Option 2 are. I think we remember pretty much. I hope we remember. Yes, that's right. Okay. Let's start.

NCSG: "Two points supported by NCSG were the following. Adding timing criteria both to initiate a review and for the duration of the review, with the caveat that the timing criteria to initiate a review should not be based on the completion of the implementation of the review but solely based on the period of time that has elapsed since the completion of the review; and limiting the time for the duration of the review. It is important to consult with the community to set proper timelines for ICANN reforms/reviews. We believe that the agreement reached back in 2018 around the concept of staggering reviews and

limiting the number to one Specific Review running at any time, and no more than two Organizational Reviews running concurrently were valuable in terms of allowing the community to improve the focus on the reviews underway. At the time, we asserted the importance of linking the motive to start a Specific Review on the need to assess the necessary changes and improvement through the reviews. On the note of the priority of the reviews, we had also acknowledged the following. In cases without Bylaws instructions, it is difficult to ascertain the priority of some reviews over others, especially when the review relates directly to the accountability of the ICANN community. We believe that the reviews should be undertaken through ICANN's set and pre-established timelines. We also maintain that ICANN cannot limit the number of reviews to only three at one time, since the community might decide that more than three reviews need to be undertaken. We welcome the ATRT3 efforts in attempting to set criteria for the proposed reviews. However, this stakeholder group has unsure feelings towards the Options 1 and 2 scopes presented on the draft by the ATRT3. Both of the options fail in addressing the problem of community burdensome, since the Option 1 opts for keeping the set of Specific and Organizational Reviews as already is in contrast with Option 2 that tries to consolidate distinct Specific Reviews into a single one, which would not be manageable, in practice, to community accountability. Furthermore, Option 2 also presents problems when addressing the Organizational Reviews. It's unreasonable to believe that the community will be able to conduct a whole review process, which sometimes takes a whole year into a five days workshop, even if focused on SO/AC self-inspection in the context of continuous improvement. That would significantly reduce the quality and legitimacy

of the content and discussions that takes on during the drafting and evaluation period of these reviews. Also, even if it kept the quality and the scope reduced, it would be at the expense of the community tireless effort during these intense five days workshops that could cause burnouts. Moreover, Option 1 suggests an oversight mechanism that should be responsible for auditorship the implementation of the recommendations of the reviews done by the community. While this would reduce the responsibility of the community, duplication of efforts, and be an efficient way to guarantee that ICANN implemented the recommendations without having a holistic review, for example, this oversight mechanism could also present problems if it's an external reviewer. In that situation, an external reviewer could, in many cases, have an approach that would be highly dissociated from ICANN's reality and the community's perspective. It's unlikely that a consulting/compliance firm, for example, would take into consideration the aims and interests of each Stakeholder Group when conducting this process, and that is why this Independent Accountability Office if implemented, must be composed by ICANN org staff members.”

“The NCSG concludes, in summary, that regarding the recommendation concerning Specific and Organizational Reviews, the ATRT3 should avoid the Option 2 as a solution to the problem addressed, since it would sharply reduce the quality of the discussions and work produced, and should also focus on improving the Option 1 proposition by ensuring that the Independent Accountability Office if implemented, would not be composed by external reviewers of ICANN's community and ecosystem.”

Okay. I suggest we read through all of them and then have a discussion. Let me bring this up a bit because my eyes are getting strained at this point.

Board: “The Board does not consider Option 1 as described in the Draft Report to be viable. Option 1 does not address any of the community’s stated concerns that too many reviews occur simultaneously, the reviews are too long and resource-intensive, and too many recommendations are produced. In addition, Option 1 proposes a new accountability layer on top of the recently implemented new accountability measures, which in the Board’s view is not necessary considering that the community has access to a number of accountability mechanisms and processes.”

SSAC: “SSAC Comment. The SSAC has mixed views on this option.” That’s Option 1 here. “We understand that the introduction of a new entity, an Independent Accountability Office would transfer the responsibility of managing reviews (presumably from MSSl), so this is a transfer of cost (perhaps even an increase in cost) rather than a potential saving, but we acknowledge that the IAO would ideally provide better transparency and accuracy of the implementation of review recommendations. While this option goes some way towards resolving the problem identified as Issue 7, without further detail, it is not clear how it would be implemented to relieve the underlying problems of volunteer and ICANN org overload. The SSAC would welcome a more detailed proposal from ATRT3 regarding how an IAO would function.”

BC: “The BC does not support Option 1. We have little confidence that the new oversight mechanism in Option 1 would address dissatisfaction expressed with the current review processes.”

RySG: “The RySG does not support Option 1 as it does not represent a significant departure from the status quo. In fact, the two options presented here seem like somewhat extreme alternatives, and the RySG believes that there may be other options that offer a middle path, where the system of Organizational and Specific Reviews could be improved without a drastic overhaul. The SSAC comments cited on page 91 of the draft report offer a number of improvements to the current reviews system that the RySG supports. For example, the RySG is in favor of limiting – or at the very least, providing guidelines on – the duration of all reviews and believes that instituting certain work methods can help enable review teams to meet those timeframes. In previous comments on the “Long-Term Options to Adjust the Timeline of Reviews,” the RySG expressed strong support for the concept of limiting the duration of reviews to 12 months. We note, however, that the ability to meet such a deadline will likely require adjustments to the way review teams have historically undertaken their work, and we believe the ATRT3 should offer suggestions in this regard. Russ Housely offers some useful recommendations in his comment on the draft report, such as having ICANN staff provide review teams with detailed documentation about the implementation status of prior review recommendations at the outset, and using face-to-face meetings coincidental with ICANN meetings to tackle early work such as establishing Terms of Reference. While conducting Organizational Reviews in a workshop format may be suitable and offer improvements

for Organizational Reviews, we are skeptical that such a format would be appropriate for the SSR Review, which generally requires research and analysis.”

This was for Option 1. ALAC, Option 2. We’re going to finish them and then go at it.

CHERYL LANGDON-ORR: Okay, just to be clear, I think Sebastien was asking, were we going to look at discussion between Option 1 and Option 2. That’s all.

BERNIE TURCOTTE: Well, the problem is some of them have been mixed, as you’ve seen, so I thought we might as well finish them.

CHERYL LANGDON-ORR: Okay. You’re comfortable with that, Sebastien? Yes? Okay. Continue. Thanks.

BERNIE TURCOTTE: Alright. ALAC: “One of the most important issues tackled by ATRT is that of how future reviews, and by extension, ICANN’s foremost accountability function would be designed. From an ALAC perspective, the most important consideration is how appropriate oversight and representation of billions of Internet end users can be ensured going forward. Option 2 is the preferred option of the ALAC. However, It appears that Option 2 requires more fleshing out to inform the

community about what it would specifically entail. While the status quo is not working according to a variety of stakeholders, more description and consideration should go into Option 2 going forward, or indeed any other solution that is supposed to solve the current concerns. For example, what options are available to optimize and streamline review processes, and are there any elements that can be removed, or reviews combined, without causing problems in the current ICANN structure? While Option 2 addresses some of these concerns, the description in the current report is too curt to determine its impact. The proposals should be more detailed and consider the pros and cons when it comes to the specific concern of Option 2. It is obvious that the review mechanism cannot provide a complete solution for a variety of reasons, including procedural and due to the amount of required work. Yet, it would be very useful to provide more details on how this approach could look like, and what would have to be considered when putting the proposal into practice. Tackling how these changes would improve on current levels of accountability and transparency is important to maintain ICANN's standing and potentially its existence going forward. From an end user perspective, more, not less, accountability and transparency is required from the ICANN community and org. ICANN should welcome input from outside and utilize additional studies carried out by reputable researchers across the globe, and such research should not necessarily be commissioned by ICANN."

Board, Option 2. "The Board supports the direction of Option 2, which offers interesting considerations and will benefit from clarifications and further refinement to capture ongoing discussions identified above. The Board believes that there is currently a window of opportunity to

substantially improve the effectiveness of reviews and their outcomes. The Board acknowledges the complexity associated with this streamlining work, given the range of discussions and dependencies, including the ongoing Bylaws-mandated review work. Given ATRT3's limited remaining time, the Board encourages the ATRT3 to define overarching criteria that can guide the future review streamlining work. Such criteria should focus on the intent and requirements of the Bylaws, the needs of the ICANN community, as well as ICANN's Strategic Plan. The Board envisions the future streamlining work to further evolve based on ATRT3 criteria and be informed by public comments received by ATRT3 as well as input gathered over the last few years as the community has been confronting the need to re-imagine reviews. Based on the overarching criteria noted above, with regards to Organizational Reviews, the ATRT3 might want to consider how to bring consistency and standardization to those individual SO/AC reviews. It might be useful to consider modeling ICANN review processes on industry standard methodologies/frameworks for assessing organizations and achieving organizational excellence (for example, EFQM or Baldrige excellence frameworks). The Board's view is that such an approach would support the effectiveness of the holistic review, as proposed by the ATRT3, by providing consistent and comparable data points. In relation to improvements, one area benefiting from further input would be how does the ATRT3 foresee the role of independent, external consultants in Option 2, considering the ATRT3 survey results of 79% of individual responses and 90% of Structure responses agree that Organizational Reviews should continue to be undertaken by external consultants?"

Registrars: “In previous comments the RrSG noted that addressing time and budget concerns should be done primarily through changes to the Organizational Review process and that Specific Reviews would struggle with having restricted 12 month timelines, due to the pressure it would place on community volunteer participants. In other previous comments the RrSG also advocated that Organizational Reviews should lead to continuous lightweight self-review and allow the ring-fencing of foundational elements. Overall, the RrSG therefore believes Option 2 to be the best way forward for Organizational Reviews, for its emphasis on self-review and continuous improvement. However, this is dependent on the self-review workshops and overarching holistic review done after seven years being overseen by an independent professional and its recommendations being limited, but appropriately implemented by the organization. Any recommendations should be valid and implementable, so it should be known how long it will take, what it will impact, what the budget will be and when it should be finished. To ensure a reasonable use of ICANN’s budget, the self-review workshops should also be less than three days if the SO/AC deemed it necessary to hold them more than every three years and participation should be limited to those necessary to make the decisions/recommendations.

RySG: “The RySG does not support Option 1 as it does not represent a significant departure from the status quo.” It’s the same as the other one, yeah. We read that one.

SSAC: “The SSAC does not support this option (Option 2) as presented, since in some respects it is adding bureaucracy to what should be an ongoing internal process of self-improvement within each SO and AC. The way in which each SO/AC conducts its own ongoing self-

improvement should be a matter for that group. The group's self-improvement efforts may not necessarily be recorded in a report, but rather, as in SSAC's case, be incorporated as changes to operational procedures. Furthermore, it is not clear to SSAC what a seven-year holistic review is, who would undertake the review and how it would even be possible to do such a thing with a single review team. While it does seem to provide opportunity for views external to the SO/AC to be taken into consideration by virtue of the focus on the interactions between SOs and ACs, it appears to remove the opportunity for valuable external comment on a specific SO/AC offered by the current Organizational Reviews. It is critical for both external as well as internal views to inform the recommendations of such a review. Perhaps it is feasible for an ongoing self-improvement process within an SO or AC to incorporate the opportunity to augment its own internal views by valuable external views. Some members of SSAC support extending the timeline of external reviews to seven years while others believe this is exactly the wrong direction. However, all of SSAC agrees that reviews need to be much shorter in duration and more focused, which is not consistent with the notion of a holistic review, contributing to lack of clarity on what problem a holistic review would solve. Our rationale is that ICANN as an organization must become more agile, not less, if it is to survive in a rapidly evolving ecosystem. The SSAC also recommends that scheduling flexibility be incorporated into the Bylaws to enable an approach that avoids volunteer burnout and ICANN org overload."

ALAC: "Concluding SSR as well as or any other reviews in short, five to seven day workshops seems difficult to achieve, at least under current conditions. Such short time frames will complicate asking questions to

staff or constituencies. Therefore, the preparations for such workshops need to be extremely well thought-through and comprehensive. In terms of accountability, it would be necessary for ICANN to undergo continuous assessment as favored by ATRT and regular security audits with reports being made available so that the SSR review can essentially review those reports instead of conducting their own lengthy research. The review team should consider how delays, slow staff responses, could be dealt with in this case.”

Board: “In terms of Specific Reviews, consideration of overarching criteria could guide the simplification of the review processes and result in more impactful outcomes. The ATRT3 could propose and clarify several areas including, for example: guidance on how to support appropriately skilled and impartial review teams; propose strategies to help future review teams set their scope in a way that allows them to focus on issues most relevant and important to the ICANN community; and encourage review teams to improve the quality of their recommendations, including how to achieve effective and resource-conscious solutions. Additionally, the ATRT3 could also consider focusing on the overarching criteria and recommend that the Board, community, and ICANN org develop streamlined review processes based on those criteria.”

Laurin Weissinger: “The aim of Option 2 to reduce the SSR review to short workshops is concerning. While the OCTO team is doing a lot of excellent work (outreach, engagement, stakeholder support, etc.) and SSAC and RSSAC contribute important advice, there are systemic security issues within the DNS and the ICANN ecosystem that need to be addressed. For example, ICANN contracts do not properly address

systemic abuse. Issues with ICANN's approach to security and anti-abuse are also documented by multiple review teams. It is obvious that improving on security is paramount and requires proper oversight and/or audit mechanisms. Many approaches to addressing security vulnerabilities and lacking anti-abuse provisions do exist. Likewise, many options exist for overseeing the process, but the key to all of them is to have actual oversight, transparency, and consequences/actions to address SSR concerns. Continuous assessment and audits by independent third parties, reviewed by the community in intervals or partly staffed by community volunteers, could be an approach as well as shorter but more frequent reviews on SSR, e.g. twice per year. In the latter case, having overlapping terms (at least one year overlap, better 1.5 to 2) to ensure knowledge transfer would be useful. Whatever is finally recommended should be fleshed out more and explain how the future process could uphold a level of oversight and transparency appropriate for such an important concern."

Registrars: "With regards to Specific Reviews, the RrSG would also support Option 2, but notes its concerns about potentially limiting the timeline to as little as 12 months. Although limiting a timeline can be productive by enforcing efficiency, there may need to be some flexibility depending on the nature of the Specific Review. If the AT review is intended to encompass relevant portions of CCT & RDS as well, and given that after seven years it would likely involve different community members and therefore lose some historical knowledge, the burden on volunteers to quickly become educated in all relevant matters would be significant. The RrSG would also question what the process is intended to be for any new Specific Review that was required in response to a

future issue and going forward how it would be decided whether a Specific Review should be done every seven years like the AT review, or through a workshop or traditional review process, as with SSR reviews.”

Russ Housley: “In my view, a Specific Review could be conducted in less than a year using a schedule roughly like this. Staff Preparation: Prepares a report on the implementation of the recommendations from the previous review. Hire a technical writer for the yet-to-be-formed review team. Meeting 1. Select the leadership, establish Terms of Reference, assignments for assessing the implementation of previous recommendations. Deliver by e-mail to whole team and technical writer for discussion on weekly teleconferences. Prepare questions for ICANN staff. Meeting 2 (six to eight weeks after Meeting 1). Review the draft report on recommendation implementation. Review progress on the questions for ICANN staff, providing clarifications as needed. Meeting 3 (in conjunction with an ICANN meeting). Review draft report on the implementation of previous recommendations. Receive answers to the questions for ICANN staff (might include briefings). Assignments for writing findings and recommendations. Deliver by e-mail to whole team and technical writer for discussion on weekly teleconferences. Meeting 4 (six to eight weeks after Meeting 3). Review the final report.”

I’m going to fall off my window here. I don’t know if you can get me more. Okay.

“Review draft report. Send it for public comment. Meeting 5 (in conjunction with an ICANN meeting). Resolve public comments. Send final report to the ICANN Board after discussion on teleconferences.

Note 1: The amount of work needed to produce this report is greatly

reduced if a dashboard for each recommendation is produced. This suggestion has been made in different forms in different venues of the last few years. SSR2 will make this suggestion yet again in our upcoming draft report.” Okay.

UNIDENTIFIED FEMALE: [Inaudible]

BERNIE TURCOTTE: No.

VANDA SCARTEZINI: Any more comments?

BERNIE TURCOTTE: The SSAC does not support ... I think that’s pretty much the same, right?
No.

“The SSAC does not support this option exactly as presented, but considers that there is merit in seeking to combine the scope of some of the Specific Reviews and even considering very seriously whether some aspects of these reviews are required at all. Furthermore, the SSAC believes that staffing the review teams with volunteers is inherently broken. Paid consultants should be engaged to undertake Specific Reviews and the role of the volunteer review team should be limited to oversight: scope setting, reviewing the report, and considering the veracity and practicality of its recommendations. Both volunteers and

paid consultants should be subject to Conflict of Interest oversight, potentially by the independent oversight function described above, if..."

PAT KANE: KC, you're hearing us? KC's back on. She can hear us.

KC CLAFFY: Yeah. I hear you.

PAT KANE: Thank you. Alright, Bernie, let's go ahead.

BERNIE TURCOTTE: Where was I? Okay. "Which entails the skill set relevant to each of the four reviews illustrates how different these required skills are. With respect to the SSR review, an external appropriately skilled consultant would be preferable approach to a three or five day workshop. The SSAC does, however, support the extension of the timeline between external reviews to approximately seven years and recommends that scheduling flexibility be incorporated into Bylaws to enable an approach that avoids budget stress and volunteer burnout."

Heather Flanagan: "Rather than require a review team to try and do all its work in a five-day workshop, which seems unreasonable and almost designed to result in a very shallow review, I personally would recommend that ICANN treat this as a more typical audit process and hire a firm that does audits for a living to evaluate if ICANN is following

its own processes and procedures, and to make recommendations where those processes and procedures are insufficient or otherwise not being met. The final report from the audit company can be made available for public comment, thus keeping that public accountability open. It may be that an audit isn't a correct model in all cases, but it certainly will fill some (SSR, WHOIS, RDS) but the idea has the potential to cut down on the number of review teams running concurrently, and given the contractual arrangement with an audit firm, you can set a more reasonable time limit."

ISOC Cameroon. Rough machine translation. "With regard to the reviews and the two options, we support the latter, in particular because the notion of improvements absolutely relevant."

IPC: "The proposal for a newly created Independent Accountability Office would appear to create an unnecessary level of additional bureaucracy. Further, it would appear to pass responsibility for these accountability mechanisms away from the community and each of the component parts of the community, being the SO/AC/SG/Cs, and to a single person/small team which could be subject to lobbying or even capture. Such a change is unnecessary given that the structures and processes of the ICANN Board, staff and community are already in place to manage implementation of reviews. This proposal, as with the prioritization standing panel referred to above, seems to indicate a concerning desire on the part of the review team to move away from bottom-up structures in favor of a top-down approach."

ISOC Cameroon: “We suggest merging the organization holistic review projects with ATRT to allow for a completely comprehensive vision of ICANN once every seven years.”

Same. IPC: “Option 2 Organizational Reviews: The IPC would favor some streamlining, for example by adopting a maximum duration for such reviews. However, we strongly oppose the proposal that these Organizational Reviews be conducted as three to five day workshops focused on self-inspection. Self-inspection would appear highly unlikely to surface real issues on its own without other supporting mechanisms to introduce external perspectives. For example, if a structure were suffering from issues of bullying, exclusion of a particular category of member from decision-making, leadership and representative opportunities, travel funding and so on, then the likelihood is that the disenfranchised members would either not be participating in the workshop at all or that their input would be downgraded. Survey responses were almost wholly in favor of Organizational Reviews continuing to be conducted by external consultants with appropriate expertise. Some SO/ACs are more complex than others. For example, the GNSO contains stakeholder groups and constituencies with a wide range of perspectives and interests, which are frequently at odds with each other. A genuine review of the GNSO could not be conducted as a three-day workshop, but meaningful insight could be gained through such a workshop that could feed into a broader process. As the IPC and other members of the Commercial Stakeholder Group (CSG) have expressed on a number of occasions, there was a clear flaw in the last GNSO review by excluding from consideration issues of structure. See for example the IPC’s comments on the last GNSO review. We would

expect this issue to be included in the scope of the next GNSO review, due to be conducted shortly. Therefore we strongly oppose a change to the manner in which Organizational Reviews are launched, scoped or conducted which would remove that opportunity.”

IPC: “The Specific Reviews serve specific functions, should have specific remits, and likely involve community experts and their educated input. These are among the most important tools for ensuring accountability and transparency across the multistakeholder community, including the Board and Staff. Combining the AT, CCT and RDS reviews, each of which, on its own, can be very deep and intricate, into a single review would create more problems than it solves – the remit of this review would be so expansive as to make it unworkable, exacerbating concerns about workload and the length of time such reviews take. The IPC does not favor the further complication of reviews in this manner. Instead, the Specific Reviews should be maintained and improved upon. ICANN org has repeatedly contended that it has fully implemented all past community review recommendations. We know, however, from recent assessments by the review teams of WHOIS/RDS, ATRT3 and SSR2, that prior reviews were not implemented fully. We would certainly favor clarity of scope and remit at the outset of such individual reviews to ensure that they do not duplicate work already under way or recently completed. Additional efficiencies could be achieved by developing a clear structure and timeline for all such reviews, and a pro-forma template report to be completed.” IPC reviews.

UNIDENTIFIED FEMALE: What line are you on?

BERNIE TURCOTTE: 83?

UNIDENTIFIED FEMALE: I thought you just read IPC.

BERNIE TURCOTTE: IPC in the next one. 83 is also IPC. "In section 10.5, when considering recommendations to address concerns with the current review structure, the draft report specifically refers to the suggestions made by the SSAC in SSAC 2018-19 SSAC comments on Long-Term Options to Adjust the Timeline of Reviews. These suggestions appear to the IPC to offer sensible and proportionate changes that would maintain these important accountability checks while addressing concerns about workload and prioritization. These suggestions include staggering reviews so that no more than one Specific Review and two Organizational Reviews run concurrently. Ensuring that the next round of Specific Review or Organizational Review does not commence until prior recommendations have been implemented and operational for 12 months. We would caveat this with some maximum time period limitation to ensure that future reviews are not blocked by a failure to act on a prior review. Adding a maximum duration for other Specific Reviews, similar to the 12-month time period for the AT Review. In applying such a maximum duration, we would suggest that real consideration be given to building in a preparatory phase during which the precise terms of reference can be developed and approved, existing data is gathered by staff and any new data gathering can take place

before the review team commences its review. This would remove time pressures such as those we have seen in ATRT3, where by the time the review team had finished its Terms of Reference and conducted its surveys, a significant portion of the 12-month term had already passed, putting pressure on both the review team and members of the community who would wish to comment on an extremely lengthy draft report. Focusing Specific Reviews on topics of interest, of highest priority. Specific Reviews should have a pre-established budget. Allowing scheduling flexibility for Specific Reviews, with appropriate checks and balances. This would ensure that there would be some other work stream is underway, for example, in response to a legislative change, then a Specific Review on the same subject matter might be postponed if the community agrees that this is appropriate. Although the draft report refers to these SSAC suggestions, it appears not to propose to adopt them, without any explanation as to why these have been rejected, and instead proposes two completely different, and quite extreme..." And I'm going to lose the bottom of that.

PAT KANE:

"...alternatives, neither of which the IPC supports. Our comments on these two alternatives are as follows." Then I don't have anything in the box at that point.

BERNIE TURCOTTE:

We lose that one, okay. Still quite a few. Okay. I got about 10 minutes of these left.

BC. “The BC supports Option 2 for the Organizational Reviews, not for Specific Reviews, with this explanation and further suggestions. The BC supports the Option 2 workshop approach for Organizational Reviews, based on our experience that face-to-face working group sessions increase focus, interaction, and consensus building – especially relative to what we achieve via long e-mail exchanges and often unfocused conference calls. We further suggest that all SO/ACs be invited in advance to submit observations and recommendations to whichever SO/AC is scheduled to hold its self-inspection workshop. And the subject SO/AC should be encouraged to ask ICANN staff to provide data or analysis in advance of the workshop, to provide factual basis to evaluate progress since the last review in terms of participation, diversity, outreach, process improvements, etc. For example, see the Work Stream 2 recommendations for SO/AC Accountability, where we also addressed transparency, participation, group outreach, and policies and procedures. The BC also supports ATRT3’s Option 2 suggestion to hold a holistic review every seven years. We further suggest that SO/ACs be invited in advance to submit observations and recommendations. And SO/AC leaders should be encouraged to ask ICANN staff to provide data or analysis in advance of the workshop, to provide factual basis to evaluate progress since the last review in terms of participation, diversity, process improvements, etc. Also, this new holistic review could become the focal point for the ICANN community to suggest structural and procedural changes such as the Board seat recommendation offered by the BC in our response to the ATRT3 survey and in our comment on ICANN’s multistakeholder model evolution. One factor that fuels in GNSO disputes is the limited number of GNSO seats on the Board, which are only 2 of the 15 seats. Considering that gTLDs

are responsible for 98% of ICANN’s revenue and for most of ICANN’s policy work, 2 seats seem like an insufficient representation for the GNSO. One way to get around this would be to give 2 of the 8 NomCom seats to the GNSO. This would still allow the NomCom to name 6 of the 15 board members, while giving more room to accommodate the many stakeholders of the GNSO. A potential working model would be that each of these GNSO stakeholder groups would get one board seat – Registrars, Registries, Commercials, Non-Commercials.

ISOC Cameroon: “With regard to Specific Reviews, we agree with the proposals made in the report but we believe that one or more new journals could be created, for example, on the issue of DNS abuses. These will be conducted under a group workshop of three to five days.”

UNIDENTIFIED MALE: New review.

BERNIE TURCOTTE: New review, yes. Okay. Same thing from CAPDA.

BC: “The BC does not support Option 2 for the Specific Reviews, with this explanation and further suggestions. The BC fully acknowledges ATRT3’s findings on volunteer fatigue, serious problems in how ICANN Board addresses Specific Review recommendations, and how ICANN Org is not implementing Specific Review recommendations. We also agree that there are inefficiencies in how the Specific Reviews are conducted now. The BC disagrees, however, with Option 2’s consolidation of the Specific Reviews. Community-driven Specific Reviews are focused on

critical areas of ICANN's remit and necessarily involve significant effort by community experts. Combining the SSR, CCT, ATRT and WHOIS/RDS reviews – all extremely involved subject matters – would create a review so onerous and complex that it would be effectively impossible for the community to organize and deliver consensus recommendations. We do not favor making any review process overcomplicated, unnecessarily rushed, weak or ineffective. The Specific Reviews are the most important mechanism for the ICANN multistakeholder community to hold ICANN org and Board accountable. The Specific Reviews evolved from the Affirmation of Commitments between the United States and ICANN and were brought into ICANN Bylaws as part of the IANA transition. These community reviews should be maintained and improved – not compromised by consolidation. Of particular concern is the systemic problem of ICANN org failing to implement Board-approved recommendations, even while declaring that all recommendations have been fully implemented. Three review teams – WHOIS/RDS, ATRT3 and SSR2 – have recently documented that a significant portion of the previous Specific Review recommendations were not fully implemented, despite staff claims to the contrary. While some Specific Review recommendations certainly could be clearer, it's equally clear that ICANN's Board has not fulfilled its responsibility to ensure their directives are carried out, and that ICANN org has failed to execute its responsibilities to fully implement all recommendations approved by the Board. The BC supports the ATRT3 comment just submitted by SSAC to stagger Specific Reviews such that no more than one Specific Review is running at any time. Additionally, the BC believes that several improvements and streamlining of Specific Reviews should be undertaken. All Specific Review teams should have a one year

deadline for submission of final report. ICANN org should provide experienced staff and independent consultant support for each review. ICANN org should complete detailed implementation documentation and provide relevant background information before each review begins. ICANN's CEO should ensure that review team requests for information are fulfilled in a timely manner (two weeks) to support expeditious review work. ICANN Board and ICANN org should provide explicit input to each review while the review teams are developing their recommendations and before recommendations are finalized. Review recommendations should be drafted as SMART goals. Review recommendations should be assessed on whether they are likely to be effective in improving the performance and accountability of ICANN, or in addressing identified significant problems. If the answer is yes, then implementation planning, budgeting and prioritization should follow accordingly. Review teams should designate individual members of the team to provide continuity and a primary source of reference for the implementation of recommendations. It is the expectation and practice that, absent compelling justification, the Board will accept the recommendations in Specific Reviews, as was done prior to the IANA transition. All review recommendations should have a clear implementation plan developed by ICANN Org and reflective of the review team's guidance. Implementation should be completed within five years and completion should be confirmed by the team that authored the recommendation. There should be ongoing, independent, transparent, public tracking of review recommendation implementation progress. The ICANN CEO is responsible for achieving implementation and the ICANN Board is responsible for ensuring implementation is complete and fully documented."

That's it. RySG supports the suggestion ... Oh, we're in accountability indicators. We're done. Back to you, ma'am.

CHERYL LANGDON-ORR: Okay, KC has joined us and interacting in chat. She knows what we're up to. Now providing we've got the audio that we can hear you, KC, if you'd like to, we'll display your document, the PDF. That's what you wanted to do, wasn't it?

KC CLAFFY: Yeah. Fine.

CHERYL LANGDON-ORR: Okay. We'll display it here. It should show up on the Zoom room anyway. If you just look at what your contributions to Section 10 for now, that would then allow us to have our discussion on Section 10 after that. Back to you, Pat.

PAT KANE: I think you did it already, Cheryl. We're working to get KC's document posted. Then if we could scroll on that to Section 10, please. That's a PDF, you can't do that. Too far. KC, if you would walk us through this particular section, please. Let us know what your comments are. Thank you.

KC CLAFFY: I don't think there's anything on this page. I mean, I circled this yellow thing because in general, I thought we should do an overarching summary of the effectiveness metrics that we came up with, but that's a separate issue. That goes through the whole document, so let's skip that. Go down to page 86, I guess. You don't have page ... Okay.

So here I found the response on 11.1 to be kind of off the point of the recommendation. I thought we determined in the table that we didn't have strict coordination of all reviews for whatever reason. The conclusion here misses the point because it says why the thing wasn't done rather than whether it was done or not. So I don't really think this text belongs in here. That was my comment.

Then there seems to be repeated text. I don't know. Is this a typo between 11.1 and 11.2? It's just the same text. Should I be waiting? Does anyone here –

SEBASTIEN BACHOLLET: I guess here, KC, there is a discrepancy in the text because Recommendation 11.3 is missing in the repetition. I don't know, I guess we need to fix that. We need to know what is –

KC CLAFFY: Anyway, those were my ... Alright, tell me when to continue.

PAT KANE: If we can go ahead and scroll through to the next.

KC CLAFFY:

Alright, so my comments in general on this and probably throughout the document is that we don't say in our conclusion whether the recommendation was actually implemented in this section. We say it in the table, but I don't ... we're sort of forcing the reader to go back to the table every time they read this to figure out what we're talking about and I feel like we should just include that information here very briefly. Same with 11.4. I also disagree with what's been put in the table there. I know we've talked about this before, probably many times.

The recommendation says the Board should prepare a complete implementation report before review could [go out]. That definitely wasn't done and there definitely was no public consultation, or any relevant benchmarks and metrics. So I don't think we get to say "partially implemented" when the recommendation was to have it be complete and ready. There was something done but I don't want to mince words here.

Then it's not clear ... the yellow highlight on the next page 87 is do we need to have public comment or not? It's not clear from the text. So that's just an editing thing that needs to be fixed.

Okay, no more comments because the rest of this is just survey until Section ... on 89, it's the same issue. It's repeated from earlier. There's a lot of repetition in this document, like some text appears four times in the document. If that's on purpose, we should probably say so at the beginning of the document and what's our motivation for repeating things so many times.

Okay, next, page 90. How does ATRT4 know this is implemented 11.7? Given that ICANN already said it implemented it, how does anybody know that it's implemented next time if we disagree this time? That goes to all of the recommendations, really, this whole SMART thing.

Maybe you guys talked about this earlier today, I have to assume the whole holistic issue. I think we just have to be real clear. What we mean by holistic, so operationalize that adjective a bit. I didn't really, in particular, understand the three bullets next and how they relate to holistic logically. The introduction to these three bullets says, "It needs to be holistic for the following reasons," and then those three bullets didn't make sense to me as reasons for it to be holistic. That's it for that one. Next.

I was a little tired by the time I did this big X through the document on page 92. You can ignore the X but it's just I'm so frustrated because I feel like we talked about this for at least an hour in Singapore about we can't just throw options up and not explain what are the problems we're trying to address with each of these options. I thought we all got consensus that we should talk about the problems first and then very specifically tie the options to the problems that we're trying to solve. Somehow, all of that got lost in the Thanksgiving madness. I just want to reiterate that I feel that really important and I think the public comments have reiterated that too. That's it for Section 10.

PAT KANE:

Thank you, KC. I just took a couple notes here and clearly we have some formatting suggestions specifically around the Option 1 and Option 2.

Your recommendation or your suggestion here is that – although you missed the whole conversation about recommendations, strong suggestions, suggestions, observations; that was a fun one we had this morning – to take a look at what problems we’re trying to address by putting these two options onto the table, included in this section, correct?

KC CLAFFY: Yes, correct.

PAT KANE: Okay, thank you very much. So now that we’ve gone through all of the comments and we’ve covered ... back to the tool. Now that we’ve covered all the comments and the tool and KC has shared with us what our comments are focused on in her chicken scratch, I think, as you refer to it as, let’s go ahead and have a conversation now about what we think the comments mean, how we address them and have that conversation. So, since it’s broken up into two options, really here within Section 10.5, let’s talk about Option 1 first.

Hands? Tents? Sebastien, please.

SEBASTIEN BACHOLET: Thank you very much. With all the comments we’ve got – and it’s not just Option 1 and Option 2 – I have an impression that we are not in the same organization. We say we have trouble with budget, that there is no possibility to have more budget. And in the same time, we say we need to stop the volunteer to work and we need to hire people. We say

it's enough fund with people and staff, but we need experts to help us to do everything. Therefore, I feel schizophrenic here. As a way of money and we are here people, but we may also decide to dissolve ICANN and just to have staff, and we as volunteer get away. Because what is suggested in some comments is that the work must be done by somebody else. Well, pay one, that's great. But why we will meet, why we came to three meeting a year if the work is done by somebody who is paid? I am very, very upset with that because as I am – and I am not the only one, but it's better to say myself and not the other – I don't get any money outside of the pay to come here with a train and then some money to eat and that's it in [detail]. The rest, I have no salary at home. Therefore, it's quite strange then when people suggest that. Generally, that's people who have a job. I'll find a job related with a domain name. Let's take expert to work on that. But why we don't pay the volunteers to do the work? There are people with good knowledge to do this work.

Then just to say I really think we need first to decide which organization we are. If we want to change this organization and giving everything to expert, to consultant, then it's a way to think about ICANN. But I'm not sure that it's what we want. Therefore, if it's not what we want, it's how we improve the reviews and the suggestion we made collectively is really to have that and I have the feeling that some comment is just to say, "Yeah, but I..."

[Inaudible] ... there are some things to happen, who needs to be done, ATRT will be the best place to do it. Not to replace, not to put everything on, we retire some of them, and we may decide to open some others if we wish in the discussion. Thank you. Sorry for the long speech.

CHERYL LANDON-ORR: It's just that we lost the audio partway through. So can you prepare a synopsis of what you've said when we come back? Are we back in audio, Jennifer? Okay. Not sure when you came back in so just a brief recap. Thanks, Sebastien.

SEBASTIEN BACHOLET: Thank you for that. I really think that we need to concentrate on Option 2. One thing we may wish to do is to say we want to retire RDS and CCT after the CCT2. We need them to discuss also about what we do with SSR. But the view is not to merge RDS, CCT, and ATRT. It's just to allow ATRT to take into account, if needed, after retiring RDS and CCT, any subject that may arise from the discussion. Thank you.

CHERYL LANDON-ORR: Wolfgang?

WOLFGANG KLEINWACHTER: Thank you. This is Wolfgang. First, brief comment with what Sebastian has just said and then a proposal. I think we have from the very early day of ICANN the problem that ICANN is a corporation, but not a shareholder but a stakeholder cooperation, and this is a hybrid beast. So far, in a shareholder corporation and Pat should know this much better, that you have a very clear structure and you hire consultants and you do this work and you have not to deal with stakeholders. But in a stakeholder corporation, you have to do both because on the one hand,

you are a corporation, [inaudible] always were fighting to streamline ICANN like the Deutsche Telekom, but this doesn't work.

To find the right balance between these two conflicting values, this is really the innovation ICANN has brought into the international debate. This is difficult to manage and to organize, and probably how the review process is organized is a key issue for this. Because here so far, Sebastien is right when he says we have to be very careful whether we just outsource this or we leave it in the community hands, so it's a big issue.

If you remember, I have pushed for this issue in Singapore on our very first meeting. Then I got a lot of reactions and replies and I had enough long dispute with Michael, who was – we are from the same stakeholder group but we had different views. Rethinking all of this, I think the proposal by the Registry Stakeholder Group to look for a middle pass is probably the way forward. If you go more specific into the elements, we could do both. We could streamline and consolidate the process by keeping a lot of the, let's say, positive points, we had from the processes in the last couple of years.

One thing which is obvious is to stretch it, not to have it every three years but to have it at longer years, so that there are – and a lot of people support this – no more than three reviews at the same time on the work. We could find probably some additional elements, which would avoid the extremes. From one extreme to keep it as it is, to the other extreme to have just two consolidated processes. What I also see is that ... What was the other point? I would stop here and if I have the idea back, I will come back to it. Thank you.

CHERYL LANDON-ORR: We've got a queue open. I've got now Pat and then KC. I was going to read your comments into the record but you can do it yourself, KC, when we come to you. Pat?

PAT KANE: Thank you, Cheryl. So I was going to start with the same place with what KC was saying, but I wanted to take a step back. One of the things that we need to do since this session is really to talk about the comments that we've received is let's focus right now before we get to a solution. What KC has said is that we need to really go back and take a look at what we're solving for before we decide upon the solution. But what did we hear in the comments is where I'd like to be right now, because that's what this day has been kind of set up for in terms of going through the comments. The reason why I started off with Option 1, Sebastien, was to really say that we're hearing no support for Option 1 at all.

Okay. But what we're hearing is that there's not enough detail, we need more clarification. There's lots of suggestions on how to streamline, but I think what we've also heard when it comes to Option 2 is many people don't want us to collapse the reviews, like we've discussed in Option 2. Not looking at the value of what we modify but I think that's what we're hearing. So I'd like to get what other people think they heard in the comments. I think that's some of the overall items that I've heard.

KC, you're up.

KC CLAFFY:

I guess I'll try to talk about what I infer the people writing the comments thought the big problems were since we didn't write it down and they didn't write it down. Well, one of them wrote it. I think SSAC wrote something of what they thought the problems were. I think one other group wrote down a set of problems, ALAC maybe. Maybe we could put those up on the screen, specifically those who enumerated the problems that the reviews we're trying to solve ... or that we were trying to solve in reforming their reviews.

I think, whichever two groups wrote it down, one of the things they wrote down was volunteer burnout. So you might be able to search for the term "volunteer" to find it. It goes right to Sebastien's comment about let's be careful about throwing the baby out with the bathwater, because the point of having volunteers was also ... there was a problem that that was trying to solve. If we go try to solve the volunteer problem by going throwing pay consultants at it, have we created another problem that the volunteer thing was trying to solve, which is what lack of conflict of interest or something. We can talk about that separately, which goes to Wolfgang's point.

Maybe the second big problem that people think that the reviews were put in place for but what they are failing to achieve is accountability. Again, I think the idea of volunteers, you would get some objective viewpoint on whether the accountability was in play, whether the recommendations were really implemented from an outside perspective.

On the Sebastien comment about volunteers and paying volunteers, which of course makes them not volunteers anymore, but never mind the terminology, it reminded me of one of the comments I heard in SSAC about the process, which is they compared it to NSF panels. NSF is the National Science Foundation in the US. They have review panels and they come together for a couple of days. So they were using that as an analogy to what they would like to see the SSR reviews, they're just a few days. Then they might make decisions on whether government tax money should fund 6 out of 30 or 40 proposals have come in. It's paid volunteers, as Sebastien is observing, that might be the way but it's not paid very much. It basically pays for your travel and a nominal fee for being there for the panel day. It doesn't pay for the many, many hours of time that the panelists have to review all the proposals before they show up in the room. There's an expectation that before you get to that three to five day meeting, it's really two days in NSF land, you've read 10 proposals thoroughly and mark them up and made strengths and weaknesses and evaluated whether you think they should get tax money and why or why not.

I don't see that happening in this model, in the ICANN review model. I think that's why the response has been paid consultants because people probably feel that there needs to be some payment also for that hours of time. That's the more important part of preparing for the actual review engagement. So that's one comment. We can talk about how do you fix that, but I just want to put that comment out there.

Then again, back to the accountability. I think we should be really careful about using the word "corporation" for ICANN. It is the C in ICANN and it is legally the word corporations apply but it's much

different than Deutsche Telekom. It's much different from a for-profit corporation. I do think that's where the tension and tussle is coming in. Legally, it's a nonprofit public benefit corporation according to US tax law and it must be demonstrating that it's primarily acting in the course of public benefit. And if you read the Bylaws or Articles of Incorporation, it's actually pretty tenuous about qualifying as a public benefit corporation in the US because its coordination and stewardship of the Internet identifier system, and that doesn't technically fall under – there are things that can be nonprofit corporations in the US.

So we had to sort of put a square peg in a round hole in the US when we created ICANN. I'm not saying it was a mistake. I'm just saying that I agree with Wolfgang. That is a lot of where the tension is coming from the community, is that what we see them now acting as more or less a trade association because of where the money is coming from, it's entirely coming from the industry. Yet they're supposed to be behaving as a nonprofit public benefit corporation. I see that as maybe an unresolvable tension, but I think we need to put that in the document and say that is really the root of a lot of the accountability issues that we're having here. We're expecting them to act in a way that they are not structured to act. I'm done for now.

PAT KANE:

Thank you, KC. Bernard?

BERNIE TURCOTTE: Thank you. Leon, I'm wondering if you could expand a bit on the Board comment that started out supporting Option 2, and then gave a bunch of slightly cryptic encouragement for overarching guidance.

LEON SANCHEZ: I'll try to do my best, Bernie. Option 1 is, I believe, a definite "no go" for the Board for the reasons that we express in the comments. Option 2 seems feasible but we need clarification on different issues that we see that are unclear to us. What I believe the Board has in mind is to say, "Okay, we would be ..." That is expressed in our comment. We would be suggesting that based on principles, we would be able to take this into a better place. I'm not sure if I'm being helpful here.

BERNIE TURCOTTE: Well, that's a little bit my question because your comments seems to suggest that we make overarching comments or guidance and that you will have some sort of other process to finish deciding where it's going to go. I was just curious if you had something in mind there beyond just a generic statement that there would be something else, or am I misreading it?

LEON SANCHE: No. I don't think we have anything particular in mind. It's mainly the doubts that we have and that we are requesting the team to help us clarify so that we can do this in a better way. I guess recognizing that there's very little time for the team to conclude its work. If the team is unable to get conclusion about the options with the level of clarity that

is needed, then maybe proposing an option plus some principles that would be tied to that option and that would provide a little bit more clarity on what is intended. That could be also a way forward. Is that helpful, Bernie?

BERNIE TURCOTTE: Yes, that helps. Something like we currently have for prioritization a bit.

PAT KANE: Vanda, please.

VANDA SCARTEZINI: Well, my reading of all comments is that we should consider some small points from the Option 1 comments here, but we need to focus on respond to the Option 2 because mostly the support is more logical, but they have doubt about holistic views and how they can work on that – how people can participate inside, their AC/SOs, and then report back because it's a more bureaucratic things that I heard in my exposition to LACRALO. It's that suggestions that we need to work with.

The general idea of Option 2 in my reading of that is that there is support in that, but we need to reduce the questions around that focus on the answer on 2. That's for the next step of our work. That's what we need to do.

For now, what we should do, if we're going to point by point, is recognize the ideas that they gave to us and considering that we're going to add this and respond in our final report. Because there is a lot

of things to deal with that we cannot just respond to yes or no. So we need to analyze better but we need to give some feedback on that then. For each point, we need to recognize and say that we will consider your suggestions.

WOLFGANG KLEINWACHTER: I think when we started discussion about streamlining and consolidation, we ended up this idea with the independent accountability office which we present this as similar to the Ombudsman. My question is – and this goes also to Jennifer and Leon – we have 10 plus review processes, how is this organized within ICANN org? I'm not aware who is responsible for what, but probably a restructuring within ICANN org could lead, let's say, to a unit which more or less if this what we want to have so that we have a better coordination and a better consolidation processes or whatsoever and streamline if this would be in one hand and not distributed among various committees.

Jennifer, can you give us an overview? Is there a special unit? Is this under Theresa? How many people are involved in all these review processes in ICANN org?

PAT KANE: I was waiting for Wolfgang to finish. Larisa, please.

LARISA GURNICK: Hi. Thank you, everybody. Actually, I raised my hand for a different point but I'm also happy to address Wolfgang's question. Thank you,

Jennifer, for putting a link in the chat. To address KC's question on what problem these options are attempting to solve, it might be helpful to refer back to the proposal that was issued back in 2018 on long-term options to streamline reviews, which is what the SSAC comment is based on. It's based on their response to that proposal. I believe in that proposal, that was an outcome of community discussions and got some attention from the community through the public comment process. There is identification of what the problems are with reviews. So that might be a useful place to look at since it was already part of discussions within the community.

Now, to switch gears and to answer Wolfgang's question, the organization of supporting reviews, both Organizational Reviews and Specific Reviews are under Theresa Swineheart. Then under her, it's my responsibility and it's the team that I work with and manage that does work on all of the reviews, supporting all of the reviews. Then on the implementation side, once Board approves recommendations, it's our team as well that coordinates the work of cross functional teams that have the responsibility for the implementation.

As we do our work, we have several Board groups that we report to. First is the Organizational Effectiveness Committee of the Board. I see that Avri is on the call. We work with Avri and her committee in terms of reporting out progress on reviews and the process of reviews and various other things that they have the mandate to oversee. In addition to that, we also work with various caucus groups and the Board as a whole when it comes to support for the Board consideration and action on recommendations. Under Theresa's leadership, the team really looks

at the reviews as the entire lifecycle from start to finish. I hope that helps. Happy to answer any questions that you have.

WOLFGANG KLEINWÄCHTER: Thank you. Would it make sense to strengthen your unit and to make it more visible? We know that Theresa is responsible for everything but instead of creating a new unit, we could strengthen the existing mechanism so that this becomes more visible for the community to be, let's say, the streamliner or consolidator or coordinator or whatsoever. The fact that's obviously already the case but it's not too visible for the broader community.

PAT KANE: Thank you, Wolfgang. I think we still need to come back to the comments that we received and really kind of focus on ... Let's not solve it just yet. But let's come back to the comments and what we think we've heard. Vanda, please.

VANDA SCARTEZINI: I'm just agreeing with you that we need to come back to the –

PAT KANE: Your hand was up in the room. That's an old hand? Okay. My apologies. Cheryl?

CHERYL LANDON-ORR:

My hand and your hand. Thank you, Pat. We heard an awful lot in the comments about Option 2, which was pretty much as far away from Option 1 as you could possibly get in terms of two options. Let's not lose sight of the comments which also included not just a potential for some middle ground but very regularly greater detail wanting to be seen around Option 2 anyway. So perhaps regardless of where we're going to perhaps fold that into some form of agreement here, it's going to be significantly more detailed material that needs to make it into our final report. And so we probably need to work out how much of that detail do we have time practically to manage within our own timeline and how much opportunity there is instead of trying to do that to put – and this probably gels with some of the Board's suggestions – some very particular principles together that then can be picked up as recommendation for us at that high [lit from us] at that high level by whatever follows. We almost had that decision to make early on as well, and I just wanted to make sure we didn't lose sight of that. Thanks.

PAT KANE:

Thanks, Cheryl. I would agree with that except that I think that some of the comments to the draft report are almost begging for a little bit more recommendation around the process. So I would like to stay at a high level but I think that we're going to have to dig in a little bit into that process. I think that there's enough suggestions in there to wrap it around some of these very helpful suggestions like Russ's suggestion that we can wrap around that. Because I think that – we talked about this earlier – we talked about three to five day session but we didn't talk about the assumptions we made around that in getting to that three to

five day session. So we were not clear enough in those particular areas. So I think that would be helpful as well.

Jacques? Oh, I'm sorry. No, I read it wrong. Sebastien, please.

SEBASTIEN BACHOLLET: Thank you. You didn't read wrong. It's just we do a hand to listen to me before. Thank you.

I wanted to say two things. The first one is that I wanted to remind me then I want to remind you that one of the points in the Bylaw is Accountability and Transparency Review Team may recommend to the Board the termination or amendment of other periodic review required by the section and may recommend to the Board the creation of additional periodic review. From my point of view, where we are when we talk about Option 2, it's one of the points.

Second is, sorry, but when we start to discuss that – I don't know which one meeting it was, it was before Montreal, while in Singapore – I put a slide deck on that and there are things written there that could've been very useful to deliver to our report because it's exactly – some points, it's not answering all the questions, unfortunately, but it answers some of the questions that were raised, why we want to put together. It was written. I have written that we want to stop one or three reviews. We want to put them in another way. It's a pity that it was not put on the report. Now we have to answer something that could've been commented on. I really feel that we need to find out how we want to streamline the process.

Another point, we need to answer and why we came with this Option 2 is that there is too much ... You remember the slide made by Bernie with the Option 1 and Option 2 with color, two-color lines? The answer is why it's more appealing, the second one, it's because it's all green, one with yellow. It's a way where we suggest that to have three short reviews, because each year and I think we have nine groups, so in three years it's done. We do it the second time and then we can do again a holistic review. People who say that, "Okay, but it's done internally," yeah, but the holistic review is here to take all that and to put big picture. It's why it's 12-18 months. Therefore, I really think we need to figure out how to explain better.

I don't like what I'm saying because it's my government, it's always saying you don't understand. It's why you don't agree with me about the retirement plan they are trying to put together today. What I think is that we need to take into account some comments and to add them. I would like very much that we came with a proposal and not say somebody else will do it because it's ATRT responsibility. It's not Board responsibility, it's not staff responsibility. If not, we have to convene another ATRT next year to do the work, but it's an ATRT responsibility, nobody else. It's not just high level things we need to do. It's really make a proposal who can work in the future about all that. Thank you very much.

JACQUES BLANC:

Sorry, I raised my hand, but I do realize that I'm going to repeat things that have been said by other review, meaning let's find our limits versus time constraint and what our real mission is.

CHERYL LANGDON-ORR: I just want to draw your attention to what I'm going to interpret as request by KC to take the temperature of the room on what the problem statement may be that we believe we're trying to solve. She's noted in chat, we are finished with some time back. I do wish we would have time in our chat, it would make it easier, but never mind. We don't. We are 20 minutes into this thread and still have not gotten consensus on what problems with current review systems we are trying to solve. A link Larisa mentioned – and I believe it's in the chat as well – but regardless, the 2018 work which I think ran more than 12 months plus in the community and had at least two public comment periods, so I suggest it was longer than that, did identify and articulate a number of issues on the reviews. Sebastien has also outlined the conflict and what was used in the slide deck as well, but it might be a good idea, Pat, and I noticed that Bernie is trying to say something as well but you at least take the temperature of the room here so that we can settle whether or not we have a majority of us working from a similar set of assumptions or not.

PAT KANE: Thank you, Cheryl. That's exactly where I was going to go because if we're going to make this recommendation, we're going to have to have a SMART goal. That SMART goal is going to have to address the things that we're trying to solve for. So I think that that's the time because I wasn't hearing any more commentary about what we thought we got out of the comments. So before we solve it and get to that point, I think

that that's exactly right in terms of getting consensus on the three to five things that we're trying to solve with review recommendations.

I think one of the first ones, because we've talked about it already here this afternoon, is to reduce the amount of required volunteer time to address the burnout issue. I mean, we can't say that we're going to create more volunteers because we're not going to create more volunteers. So the focus has to be, are we going to focus on reducing the amount of required volunteer time? Is that one of the items that we're trying to solve for? I see a lot of head nods. Can I get thumbs up in the participant window? Okay, Bernie, speak please.

BERNIE TURCOTTE:

I just wanted to note in the list of things, Cheryl was noting on the definition of problem statement, let's not forget the Board paper on this, which was very clear and had a lot of references.

CHERYL LANGDON-ORR:

Pat, I almost would like to see us look at the thumbs up and thumbs down on four or five of them, not just one at a time. Let me explain why. Because I believe that volunteer burnout is an aspect that we need to address, but I'm unconvinced that it is the aspect we need to address. I don't want to go down those rabbit holes and I don't want to get into prioritization. So I wonder if we could perhaps articulate and show somehow in the whiteboard space that the Zoom room apparently have, what the volunteer burnout and what else.

PAT KANE: Certainly. If we can take a look at as a slate of items that we can throw up there and pick and choose, I'll just go through some other ones I think we already talked about. So if we could have a whiteboard space or something we can use online, Sebastien. Is there a scratch pad?

JENNIFER BRYCE: I can create a Google Doc.

PAT KANE: Can we do that real quickly, please? Then we'll just list the items. I guess we don't want to all go edit it at once, but in terms of what we're putting either in the chat or what we're going to talk about in turn by raising hand in the participant window, let's go ahead and identify those 4 to 5 things or maybe 7 to 10 things that we choose from and say what is it that we're actually trying to solve here for? In the meantime, while Jennifer is doing that, Wolfgang, you've got your hand raised.

WOLFGANG KLEINWÄCHTER: Thank you. What's the problem? I think if you go through the replies to our questionnaire ... the key problem is effectiveness. So we have 60%, 70%, 80% of the community into which these organizations we say the process which is now in place is not effective. It's too big. If we have 300 recommendations for the Board, is this effective? Can the Board work with 300 recommendations?

There is a need to streamline the process to make it more effective. The open question is how to do it. Procedural substantial, we have a number of proposals now on the table. We have different, partly conflicting

ideas, but I think we can find the middle of the road by keeping the positive side of the existing mechanism and adding something. I think we did not really discuss in detail the design of such a new unit or entity and I'll just repeat. I'm against creating a new entity but I'm very in favor to reorganize the existing structures within ICANN and to give them a higher profile, which would then have a greater authority to organize the coordination, collaboration or whatever, among the various reviews so that we have a decentralized structure which could unite a lot of the positive elements and tend to stretch it over the years.

So a three-year interval is probably too narrow. So far seven years is good, and also with the workshops. I think for some, the example which was reported by KC I think is a very good one. If you put a number of people from the community in the room for five days and say, "You could come up with some good ideas how to improve the work of a special issue," probably such workshop has to be a very limited scope so that the people who are in the room for five days know that they have to come out with very concrete proposals to review a very small portion of the whole process and not this broad issues which are under consideration by the various teams. Thank you.

PAT KANE: Thank you, Wolfgang. Sebastien?

SEBASTIEN BACHOLLET: Pat, I really disagree with the question with your assumption about burnout. I know that I am maybe the only one in ICANN but I think if we share the load, we are less constrained. I try to apply that to myself,

therefore, if I am overloaded just because I decided to do too much things and not the reverse. Therefore, I don't consider that it's an important point but if to find an agreement with everybody here about Option 2, we need to add that. I will not struggle against because at the end of the day, I don't consider that it's something we need to block [us here].

The second point is that we have to be careful in how we discuss because we need to remember that we have two types of reviews and we are mixing both of them and we may not end up to treat them as the same exactly, and it's not suggested to be treated exactly the same. Therefore, we are trying to solve few problems. One is the Organizational Review and the second one is Specific Reviews. We try to streamline the processes on both of them. We try to find a way to have a more efficient engagement of the volunteers in the work done, and so on and so forth, about what we try to do.

And I want to add one point because it's the art of my reasoning is that since 2002, ICANN didn't went through a holistic review. It's where this [word] come from. I really suggest or stress that we need to do one as soon as possible to have this view on how we can decrease the complexity of this organization because we have done piece by piece, now we need to put the puzzle together and see if it still fit in one big picture. Thank you.

PAT KANE:

Thank you, Sebastien. Cheryl, I lost my window. So if you can see there's another hand, please.

CHERYL LANGDON-ORR: The only other hand up at the moment is Bernie. Bernie, over to you.

BERNIE TURCOTTE: Thank you, Cheryl. A couple of points. There's something that we haven't mentioned but is a reality and we should keep in the back of our minds when we're discussing this. People don't come to ICANN to do reviews. People come to ICANN to do what they're going to do for their piece of the Internet. We're asking them on top of that – often it's not paid to do that general work – for which they want to be here then we're saying, "Oh, and there are reviews." Okay. So it's a double whammy almost, if we can call it like that. So some people are great volunteers and they step up to these things, but I think part of the problem in certain cases is this is not what they're here for. Reviews is secondary for their interest.

The second thing is I don't agree with Wolfgang on the other organization. Let's be clear here. MSSl is given the responsibility for these things and very specific and clear rules for how these things go and they are presenting to the community as much information as is possible on these darn things and encouraging people to come and find out. But I go back to my first point: that's not what people at ICANN are interested in. So I really don't see how that's going to fix our issue. Really, the rules are the rules and MSSl is trying its hardest to do the best and it can't. I mean, if it was up to MSSl, I'm sure they could come up with some very creative solutions to our problems if it was just up to

PAT KANE:

Thank you, Sebastien. We're coming up at the end of our session, so it's almost 18:00, and so I'm going to assign some homework. Since Jennifer has put together the Google Doc for this, I would like everyone to go in and put what they think we're solving for when it comes to the reviews because this and prioritization are our two primary recommendations. Try to separate between the symptoms that we're trying to solve and what's behind those symptoms.

So, Cheryl has suggested that volunteer burnout is a symptom, and what's the core problem? What is the root cause of that in terms of what we're trying to solve for here? Just do that this evening so that tomorrow morning when we come in, one of the first things we can talk about – and I know, KC, this will be tough for you since you're on the West Coast of California, but you can certainly do the Doc today – but we'll have that conversation in the morning first thing, because I think it's important in this particular recommendation. We've heard a lot of comments back on our draft paper and to take a look at those and think through what we're being told by the rest of the community as to what it is they would like to see us solve and what we think we're trying to solve for.

Keep a few things in mind. One, what is it that we're solving for? Two, how do we think about that in terms of a SMART, measurable recommendation at the end of the day? With that, Cheryl, I think that we'll close for the day. Any final words from anyone in the room? I've lost the Zoom window so –

CHERYL LANGDON-ORR: KC, over to you.

KC CLAFFY: Well, two things. I want to agree with Cheryl and what Pat just said, which is I think this whole thing of volunteer burnout is a red herring. I haven't met anybody who is what I would consider a volunteer, as in not doing this as part of their paid day job. If you're doing it as part of your paid day job then just a few hours, the better. So you just want it to be short. So obviously, any amount of the minimum that you can imagine is qualifying for burnout. But the people I've talked to especially on CCT, this really hit home in CCT because some of these guys just put ungodly amounts of time into that review. Really, what upset them was the way that it was received and acted on or not acted on by ICANN.

So I think that's the fundamental accountability issue here. I understand we can define accountability as accountability to community resources which is how you get into volunteer burnout, but I think the more core accountability issue is how the recommendations are being taken by ICANN. If they accept them, which apparently they accepted all the recommendations before the transition, then are they executing in a way that the review teams or whoever is in charge of adjudicating the implementation is acceptable. In the case of CCT, what really through SSR2 into not good state emotionally to this group for the second time, because they've been through a few traumas, was the reaction by the Board to the CCT report. There's some good reasons for all of that and some of them are getting talked about, but I think we are avoiding the elephant in the room which is the accountability issue. Maybe we should define accountability for ourselves before tomorrow or during

tomorrow. Maybe it will make it easier to identify the issues we're trying to fix, which ones do we consider accountability issues and how, and then prioritize those issues we're trying to fix. Because I think just cutting down all the reviews as if the main issue is the amount of time we're putting in is missing the point.

The second thing I want to ask is if ICANN staff can go through the public comments that you guys just read through laboriously and extract all of the places where public comment people identified an issue that they thought we needed to try to fix with the reviews, because I think they are embedded in those comments. When I read them a couple of nights ago, I saw those issues identified. I think it would help us with our Google Doc exercise right here. Okay, I'm done.

CHERYL LANGDON-ORR: Okay, KC. We missed a huge amount of what you were saying when audio is lost. But of course, that is why we bridge through as a group all of those comments today. We've gone through each and every one of them as the first part, and we will go through them again later on. Sebastien, your hand is still up. Okay, no? That's an old hand.

KC CLAFFY: Can I repeat what –

CHERYL LANGDON-ORR: Briefly, yes.

KC CLAFFY: Could ICANN try to extract from the public comments that we read through today which of the specific words in there we're identifying problems they thought the review – remediation, the exercise we're going to try to improve reviews are trying to solve. Does that make sense?

PAT KANE: We understood what you're saying. I think that there's still a lot of work and a lot of analysis we'd have to do to pull that out. I think that we can try to figure out over the next week or so how to correlate that between where we think we are, but I don't think that some of the things we'd be solving for at least from our conversations that we've had in the past would be vastly different from what we've read today in the comments of the draft report. But I think it would be good to go correlate that and see where they came from, but I think that would be tough to do between now and tomorrow morning.

KC CLAFFY: Okay.

CHERYL LANGDON-ORR: What did you want to do now then, Pat? Because we've got only five minutes anyway. We were going to wrap up a little while ago. Is there anyone else who wants to do a last hoo-ha for today on where we're going to be? We've got our homework assignment. We're going to start off with this in the morning. Does anyone else want to make any comments before we wrap? I'm not seeing anybody in the room putting

up their hand. I'm certainly not seeing any input on the chat. So with that, I opened, you may close.

PAT KANE:

Thank you, Cheryl. Just to remind everybody 9:00 tomorrow morning in this room. The Bernie parade will leave the hotel at 8:30 sharp. So nice, quick walk. I think it's supposed to rain tomorrow, so it will be enjoyable. Dinner tonight. Okay, great. So unless there's nothing else, thank you all for participation today. It's been a good day. Got through all the comments which I thought was very good. We even exceeded Bernie's timeline in terms of getting to 10 by 3. Train to Yuma, right? We'll see you all tomorrow. Thank you very much.

[END OF TRANSCRIPTION]