

CHERYL LANGDON-ORR: Excellent. Well, good morning, good afternoon, good evening. Morning here from Brussels and we note we have Lou and I think he's the only other remote participant from our team joining us at this stage. But we do expect others to join through our day. This is Day 2 of the Accountability and Transparency Review Team #3. Running our face-to-face meeting, looking at the responses to public comments that was recently finished in the January 2020 period, and we will be running through a relatively simple agenda today which we will review in one moment.

My name is Cheryl-Langdon-Orr. I would like to encourage you all to use your names when you start an intervention. Please use the microphones when you are making an intervention. And ladies and gentlemen, those of you in the room, I know we can see each other and we have our tent cards in front of us, but we are not all in the room so if you would please be so kind as to use the queuing by joining the Zoom room and putting your hand up in the Zoom room, that will make Pat and my life a lot easier. I'm sure that's the main reason that you'll be doing it, but actually it just making queuing and ensuring that everyone knows how many people are wishing to speak on any particular topic.

In terms of administrivia, the only other thing I think we might want to do today, and I would suggest probably in our mid-morning break and so this will be something that you might need to organize yourselves for is we should take at least one, if not more, group photos so we can pop it in the blog so it seems that the mid-morning break, we may not be as disheveled as we will be at the end of our day. So hopefully, we can all

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gather, perhaps in that little foyer area out there and someone will be hijacked, probably one of the tech team, I think, into snapping a camera, somebody's mobile phone.

The only other thing is I asked Jennifer and [Negar] if they might take a couple of shots of us hard at work today just to also have as a resource if we want to put it in our blog. Any other administration matters? I note we didn't all get our little card to get in and out of doorways today so we might need to make sure there's a duty card to get to and from the facilities.

UNIDENTIFIED FEMALE: Yeah, they're on lock.

CHERYL LANGDON-ORR: They're on lock today? Okay.

UNIDENTIFIED FEMALE: [off mic] building.

CHERYL LANGDON-ORR: Right. Okay. So we're locked into the building but we do have the ability to relieve ourselves. Excellent. That's important. I think we all said we're going to just stay here today until we get some work done. So –

PAT KANE: I think it's a fire hazard if we can't get out of the building.

CHERYL LANGDON-ORR: All right. Well Pat's raised that so the liability insurance will note that we are aware of the issue and that we will take action should the worst happen.

No. As a non-joke, is there anything in today's agenda which is on your screen that any of you would like to pull out and discuss? As you can see, it's a highly complicated one, listed as "finish ATRT3 response to comments" and then the last section, discussion on agenda items and structure for the next phase of our work on the following day.

There was a homework assignment, and we might start, perhaps, this morning, Pat, with a review of our homework assignment. So as a heads up for staff, if we prepare to display that homework assignment, that would be great. And with that, I'll stop filibustering having taken the five minutes almost that's usual on this sort of thing and Pat, you want to wrangle us through the homework?

PAT KANE: Absolutely. Thank you very much, Cheryl. So on the homework assignment, the two things that we were talking about doing was listing out the items that we believe that we are trying to address when it comes to reviews, specifically, since we were going through Section 10 yesterday, and also taking a look at what we believe are the symptoms that are attributed to those particular things that we're trying to address.

And so I see that there are several things that were put in here and what I'd like to do is go through each of these items that are in here and let's see if we can pin something to it that we could actually have some kind of metric or some kind of measurement on.

So the very first bullet we've got in here is effectiveness of ATRT2 recommendations implementation, a quite detailed approach. And so if anybody would like to say that this is theirs and interject why we've added a quite detailed approach, what does that mean or what were we intending when we wrote that?

DEMI GETSCHKO:

I just want to note that I think the summary of all the actions of ATRT2 and the analysis of implementation step by step of many of these items is very important because we are ATRT3 and we have to evaluate the efficiency and effectiveness of implementation of the past ATRT. Then I think it was really important to do that.

PAT KANE:

Thank you, Demi. So when I read this, my first thought was from an implementation standpoint, I think one of the biggest items that we identified was the disparity between staff's view of completion and our group's view of implementation. And if you take a look at SSR2, they have the same issue that they've identified in terms of the delta in-between those two. So if we think about this, are we trying to ensure that 100% of the recommendations are implemented or are we trying to make certain that an accurate accounting of the recommendations is

done prior to the next Review Team or in some period of time that we may define? So I'll open that up for folks. Leon, your card is raised.

LEON SANCHEZ:

Thank you, Pat. If I may add one thing that could be considered is reviews could also take into account the outcome of its recommendations, right? So it's not just saying we implemented a recommendation. It's implementing this recommendation produced the expected result or outcome that it was designed for. Right? I think that's actually the most meaningful part of evaluating whether a recommendation or a review was properly implemented.

So I think that, I mean, it's been already two ATRTs now. This is the third one. But I believe that the ICANN community and the organization and the Board are still in a learning curve in which we seem to be lost in translation between the language of recommendations, the interpretation made by Org in the efforts to implement them and the actual outcome that this implementation produces.

So I would like to encourage us and pull us into a track in which we have criteria or language that allows us to have very clear and focused recommendations because if we do have clear, focused recommendations, then there will be little room for interpretation and little room for error in implementation as I see it.

To give you an example, and it's not because I want to praise the ALAC, although I do – exactly – but if you see, if you look at the evolution of the advice that has been provided by the ALAC through the years, this advice has been refined lately, in the past two years to have a very

concise and clear list of expected outcomes or petitions, so to speak, that the ALAC is expecting the Board to take action on.

So in this same fashion, I think that recommendations from Review Teams, whatever the review refers to, need to be very concise, very focused, very clear, and with an expected outcome so that it could not only be evaluated whether they were properly addressed and implemented but we can also measure the impact and the level of wellness that implementing this recommendation has. So if we could take that into account also, Pat, that would be very helpful, I guess.

PAT KANE:

So thank you, Leon. I think what I heard, really, was two things with that. After we go through accurate accounting, we have that the intentions were implemented and well understood, and the third one was, was the result achieved. So there's really, I think, three components to that first effectiveness in terms of what we're talking about. Cheryl, your hand is up next.

CHERYL LANGDON-ORR:

Thank you, Pat. From an audit perspective and from a quality systems perspective—and in some ways, these review teams are doing a little bit of an audit function, right?—but it's not only an audit function. So one of those streams that you've just identified, Pat, is very much a checks and balances, has what was suggested been achieved or overtaken by other events. But in a good system that is looking at a non-static or what I think we would all like to have, and that is a more agile and evolving environment, we have to have the ability in a review, regardless of

whether it's an ATRT or other form of specific review, or [if you get] an organizational review, in a review, to give guidance and suggestions on must-dos, could-dos, and should-dos. And those must-dos would obviously be more allied to those smart requirements and recommendations in the future, and therefore, measures and performance criteria will be wrapped up in those. It gets muddier with the could-dos and the maybes. And what's happened in the past is all of those have come through as recommendations. So we have a transition point and that's going to bring us back to why we had reviews in the first place.

We are not the organization we were when these designs were put in place and these requirements were put together. And what we expect out of reviews needs to be updated and our job in ATRT3, in my personal and very biased view is, to have a damn good go at that updating. Thanks.

PAT KANE:

Thank you, Cheryl. Just as an observation, when we talk about must, should and could, it sounded a lot like recommendations, suggestions, and observations. Well, I mean, one of the questions that came out, of course, from the Board commentary on that was, is this an implied priority in terms of what we've done? So it just strikes me as, as you describe it, it was something that we talked about and struggled a little bit with yesterday. All right, thank you. Bernie, you are up next.

BERNARD TURCOTTE:

Thank you. Just a few notes. There is time to implement versus continued validity of a recommendation because if you take five years to implement something, the context may have changed and we just have to think about the transition as Cheryl has brought up.

The other thing, as we wrote in our report, let's remember that under the previous system for reviews, that recommendations were made. There was no shepherd—okay?—and there was no mechanism for the Org once the Board had approved them to either modify the recommendation or delete the recommendation if it's no longer valid. So we sort of drove ourselves into a wall here with a couple of really non-option to implement and then being delayed on implementation and then it started piling up which brought us to Vanda's point of yesterday that maybe we need in prioritization, two systems. We need a prioritization system to deal with the mess, the 300, and then just have a reasonable system for going forward, which the new rules for reviews already request to a certain extent, and we're trialing. Thank you.

PAT KANE:

Thank you, Bernie, and I think those are all good things to talk throughout the rest of the day in terms of how we address the comments that we've received. But right now I want to make sure that we're sticking to what we're solving for and not really focus on the solution. And even when you talked about five years, is that a problem, taking five years to get [something], is that a prioritization problem or do you see that also as part of the review problem?

BERNARD TURCOTTE: It's both. The fact that it takes five years becomes a review problem.

PAT KANE: So let me play that back to you. If I hear that it takes five years to get something done that comes out of a review, either the review was not clear enough or the review's scope was too big because you couldn't get to something in five years.

BERNARD TURCOTTE: Not necessarily. Maybe it was not a priority for the Org and didn't get done.

PAT KANE: But that's a prioritization problem. That's not a review problem.

BERNARD TURCOTTE: No, but it ends up being a review problem in the next version of it.

PAT KANE: Well, if the organization changes its views about a certain thing, then the prioritization should be to retire the item, not make it a review problem.

BERNARD TURCOTTE: Agreed, but that's why I'm saying they're linked.

PAT KANE: Oh, I know. They're inextricably intertwined. Love that phrase. But [inaudible]. The Internet connection is unstable, so there we go. First one today. Great. All right. Yes. All right.

All right, well, thank you, Bernie. Sebastien?

SEBASTIEN BACHOLLET: Thank you. The first thing is that you take one little thing and we are going up to the end of our discussion. We need to put everything in one single basket. We have trouble to try to just discuss one issue and not to mix with others because, yeah, what Leon said, it's a good question. What Bernie say, it's a good answer to Leon. But it's, in addition to the question you had, so the point you have here.

In the same time, I am very concerned with the fact that somebody else deciding after an ATRT give recommendation about what we do, how we do, when we do, and if we do. How we do, it's quite obvious, they need to do it. But when we do, if it's ATRT, it must be a priority. Now we have, we will work on putting some priority on the different issues we will put out. But ATRT in itself is a masterpiece of the accountability and transparency of this organization.

Therefore, it is the question of how it's done. It's a good question, but it must not be questioned by anybody. It must be the decision of this group. And it was a decision of ATRT1 and ATRT2 and it must have been implemented. The problem is that we face that so much things were not done. Therefore, what we try to solve here, it's not to have this again in the future, in our work and in the future ATRT. Thank you.

PAT KANE: Thank you, Sebastien, but I'm going to respectfully disagree from the standpoint of everything that we produce as ATRT3 is mandatory and must get done because it still has to be weighed against the needs of the organization and the needs of the community and the value to the community. So that's where I would deviate. But I do believe that that's a different topic than what we're talking about right now because what we talked about at the end of the day and the reason for this exercise was at the end of the day, we couldn't take what we put together in recommendations and in strong suggestions, and wrap around a smart metric as to what we were trying to solve for.

And that's why I had this exercise last night, was to put in place what we thought we were trying to solve for, so that we could come back and say, "Do this so that we can achieve these things by this point in time with this expected result." And so I think we need to have an understanding of what we're solving for before we ever get to that and I think that once we do that, we will be able to take the comments to our draft report and actually start to build something that solves from that direction. That's why I'm trying to drive it this way. So thank you. Osvaldo?

OSVALDO NOVOA: I'm going to go back to ATRT2. I don't see a prioritization problem there as much as an interpretation problem because according to ICANN, the recommendations were all completed except the one that was given to another group. But when we read the recommendations, our

interpretation was different and we concluded that they were not implanted as intended. So that's one problem.

The other, I think, is we should report that and then the recommendations that were not implemented, we should decide if we are going to continue with them and take them as our recommendation or we are going to say, "No, they are not valid anymore. We should change it." Thank you.

PAT KANE:

Thank you, Osvaldo. I think that's very insightful. But one of the things that I would throw out about 2012, when ATRT2 was delivered—it was 2012, correct?—that there wasn't a budget problem. Yeah, the new gTLD program where ICANN had all this great expectation of having 20 million, 30 million new names almost overnight and they believed that that was going to be the revenue source and so there wasn't a lot of pressure on how do we spend our money wisely because the future looked like it was just going to continue to grow and grow and grow at 43 cents per domain. So I think that was a 2012 factor as to probably why they didn't prioritize as well as, I think, that we have to. But thank you much. Vanda?

VANDA SCARTEZINI:

What are we missing this first question, in my opinion, is the complaint of the community about the overload on review because we're trying to address assessments, some points, but address some solution and that solution must solve one problem. Also, those points are clear but it lacks the information that we got from the community that is overloaded and

as a consequence, they don't pay much attention on the reviews because they are one over the others, people were almost the same, people have no more time. And those complaints should be one of the problems to be addressed.

PAT KANE:

Thank you, Vanda. So I lost the... Actually, we didn't lose it. Jennifer took it away. The—[audio cuts out]

[Inaudible] reviews and organizational reviews in general, specifically regarding accountability and transparency. I'm not certain what that says in terms of what we're solving for, so whoever wrote that, could you interject?

VANDA SCARTEZINI:

Yeah, you can address that. In my point, what is the problem with [inaudible]. The problem we try to really address is to first make that review in a more organized way to solve as a problem that we are seeing that the way they are, they are one over the other. So we are trying to address in a more systematic way to guarantee that the last point that optimize—Internet is stable—they optimize amount of time will be addressed.

So it's a kind of sub-product of the optimized amount of time because you need to restructure the way they are doing all the reviews are in time to guarantee that it's optimized. So the problem that we are trying to solve is optimize, but to do that, we need to structure all the

organization, the reviews, the specific reviews, the [inaudible] reviews, etc. So in my opinion, it's sub-point of the optimized amount of time.

PAT KANE: So thank you, Vanda. So I'm hearing two things from what you're saying. One is around the optimization which would be if we're talking about optimizing the volunteers that we would optimize, or I'm trying to find the right word, not have too many tasks going on at one time that required volunteers when it came to review teams. So this is the notion of staggering. The solution would be staggering the reviews.

VANDA SCARTEZINI: [off mic]

PAT KANE: Well, it is.

VANDA SCARTEZINI: But it's also...

PAT KANE: But it's also a way because if you get the same volunteers all the time, you want to not have conflicts. So I'm not trying to say it's not that but I'm trying to find the right word and I can't do that. So the word's not coming to my head. Any help with...?

VANDA SCARTEZINI: No.

PAT KANE: Thanks, Vanda. Vanda said, "No help for you, Pat." All right.

VANDA SCARTEZINI: Don't go to your head [inaudible].

PAT KANE: No soup for you. All right. But that's the idea. And the second thing that I hear you saying is what is the predictable determinant process that we go through? Is there a lifecycle that is a documented lifecycle as to how each team would go through? Because one of the comments I think we got yesterday was, "Stop producing a different report every time you come out with a review team". So if we're able to do that and that is also an efficiency item, but we're trying to make certain that what is being consumed by the reviewers, by the people that are making comments, is consistent from a documentation standpoint so that they are providing comments to the content not necessarily comments to the format. So I'm not sure how I would say that either. Is that something that we're trying to solve for? Is ease of, consistency for our audiences, consistency for the consumers of our work product?

BERNARD TURCOTTE: It's more than that.

PAT KANE: How would you say it, Bernie? Mic?

BERNARD TURCOTTE: I think it goes along the line, the best illustration of that and it was mentioned in a few areas, was Russ Housley's comment which was the first that came in, is each review team sort of decides what information it's going to need, it decides its own terms of reference. I mean, we've been through this enough. Why doesn't this get done upfront? It doesn't mean they can't ask for more material, but if there is a base set, you're already increasing the efficiency of a review by an order of magnitude, I guess. And so the Russ Housley proposal, in a way, meets the three to five day thing we were looking at by saying, "Well, there are efficiencies to be gained by understanding upfront what the terms of reference are, what are the basic documents, and the organization having to deliver those before there's a first meeting so people can actually get working on things.

So to me, it's not only about consistency of what comes out. It's about consistency of how you get started and how you work across the review teams is where you're going to start addressing some of the key issues.

PAT KANE: Thank you, Bernie. And so what jumps to mind when I hear that is that we've got to have a systems lifecycle, a definitive process, and whether that be an agile process or whether that be something that we grab a hold of in terms of how to capture the information, how to consume the information, how to produce a document so that it can be consumed by

somebody else. So great, thank you very much. Any other questions? I don't have a queue up.

CHERYL LANGDON-ORR: Me.

PAT KANE: Are you in the queue, Cheryl?

CHERYL LANGDON-ORR: I'm in the queue.

PAT KANE: Cheryl, please.

CHERYL LANGDON-ORR: Okay, thank you. And then Vanda is in the queue as well, I note, and Bernie has his hand up.

All right. I'm going to ask us to pause for just a moment in our thinking and I just want to ask this table and the meeting, so I'd like to hear from you as well, just with an X or a tick, is there anyone here who feels there is not a problem with reviews? I'm not seeing anybody saying that there is not a problem and we're now trying to work on the problem statement to articulate what the problem is. So we all believe there is a problem. We are trying to articulate the problem.

I want to ask another question. Why are we having reviews? Because if we identified the purpose of reviews in an ICANN context, that may help us then articulate the problem statement that we're trying to get to. If we were any other corporation, we'd be looking at things like some of the strategies, some of the trust and consumer loyalty issues. There's a bunch of reasons, safety, all sorts of things. There's a bunch of reasons that other entities do reviews. Why is ICANN doing reviews? Regardless of whether they're specific or organizational, it's doing a review for a purpose. So if we can specify in our minds, in our thinking, what that purpose is, it may help us narrow down some of the points for the problems.

Go ahead, Bernie.

VANDA SCARTEZINI:

Well, so based on that, I believe one point is we do reviews to align ourselves with this evolution of the organization. So of course, they have a strategy plan and we need also to adjust us, but in my view, it's all about evolution of the organization.

And what we see as a problem, too, is a lack of a process. The review itself, the concept of a review in ICANN, has no process, has a timeline but no real process to achieve each one review. So that's what Bernie was talking about, that we need to put more information available and then sit down everybody. Everybody has read those issues, they have all of the data, blah, blah, blah. And then you can [short] and solve the problem of optimized time. So lack of a process is a big, big problem that I'm seeing as a main problem that we need to solve. So those, in

my view, are the problems, lack of process to the need, well, a lot of things, the need of [goal] to follow the evolution of the system, the organization. It's one problem that we are trying to solve. Build the process so the lack of process is not a problem.

And the amount of time required for each team is optimized that if something that is another problem. So those, in my opinion, are the big picture of the problem.

CHERYL LANGDON-ORR: Okay, thank you, Vanda. And I note Daniel has also put in chat that he's certainly agreeing with you, Vanda, that the process may be available but not documented. Furthermore, the process may also vary.

What I'm hearing is we need to solve the problem of an ad hoc approach and fresh start of each review, and move to a, perhaps not formulaic but a predictable and a system that has a set of expectations that I think Pat was alluding to earlier. Pat, have you got your unit up yet? Because you've got Bernie and then you've got Jacques.

PAT KANE: Yes, my unit is up. Bernie, please.

BERNARD TURCOTTE: Thank you. Can you bring up that slide please, Jennifer?

JENNIFER BRYCE: Which one did you want?

BERNARD TURCOTTE: 28. So you'll remember this slide from the webinar and I think if we want facts, that's a useful one. It's derived from, a little bit from what was shown by the Board. But I calculated months, not man months or person months, just months of review in a year. Okay? With the current review schedule untouched. So 2020, we're not too bad, nine months. 2021, six. 2022, 16 months of reviews going on. And then we get into 2023, 40 months of review in a year. Then 69 months of review in a year.

CHERYL LANGDON-ORR: Well, the [shotgun's] around.

BERNARD TURCOTTE: Yeah, and so I think if we want facts, that's that. All of a sudden, if you want person months, you go and multiply this by at least ten, right? And I'd be curious to try and map that out versus policy development months, right? Because I don't think we've got more than three policy developments going on simultaneously at any time, maybe four, right? So if we're in the 69 months, even if I give you five policy development process in a month, we're doing more review months than we are doing policy development.

CHERYL LANGDON-ORR: And ICANN is not actually a review organization.

BERNARD TURCOTTE: Right. Okay. So that's my first point and I think those numbers can be useful. Pat, you're itching to get in there.

PAT KANE: I don't think anybody's arguing that we've got a problem here. I mean, this is absolutely a trend. Cheryl, you talked about business as one of the particular strategies. Strategies are built upon trends. Trends are either risks or they're opportunities. This is a risk, right? And this is data that proves that point. But when we talk about what it is we're trying to solve for here, that's what I'm trying to get is the wording around that to say we're trying to minimize the amount of required time for volunteers. Or sorry, optimize was the word. We're trying to optimize. We're trying to minimize the conflict between different review teams. But our Option 2 didn't necessarily say that, right? Our Option 2 said structures can do a review whenever they want but they had a minimum requirement of doing one every three years. That's what we put in the paper, I think. Yes, right.

So from that standpoint, we're not necessarily saying solve that problem in our options. So if we're saying that we want to minimize the overlap or the conflict of our reviews, let's say it that way and then we may have to go back and modify our Option 2 in terms of how we took a look at it. Right?

BERNARD TURCOTTE: All right, I would just like to finish my point though. Okay. The other thing is it goes back to the model of ICANN, I think is part of the

problem. Going back to Cheryl's thing rang a bell when she said, "Why are we doing reviews?"

And why are we doing reviews is because the organization is technically a bottom-up organization which is an odd model to fit in. So we've got organizational reviews to make sure the sub-components are behaving properly because they're technically responsible for the bottom-up management of the company. All right? And we're running things like ATRT for the bottom rung of the company to ensure that the top rung is doing what they're doing. So we're creating these double-checks, these official double-checks on ourselves because we've got this tension between the community and the Org/Board in who's responsible for what. And let's not forget that initially, both sides of the fence were in development. I mean, for those that have been around long enough, there's ICANN 1.0, there's ICANN 2.0. We'll remember all those things, the evolution. And I think part of what we were trying to do with the reviews is sort of manage those growths and ensure that we're meeting the expectations.

Vanda was saying there is no process. I don't agree. I think there is a process, but it's a very high-level process that leaves way too much room for everyone. Okay? So we're starting from scratch every time within that very high-level process. Probably what we're talking about is there are efficiencies to be gained if we drill down a bit further and there is a more detailed process. Okay? We don't need to ask the review teams to reinvent certain parts of the process each time and the rules that came out for the specific reviews, in effect, if you look at that, are starting to do that. They're starting to do that with respect to how the recommendations are going to look. They're doing that with how

you're going to manage the selection and the composition of the group. And I think that's a pointer to what is really going on. And we're talking about within a more detailed process, optimizing the common requirements, okay? When we were talking about the Housley succession of "Well, you really need to do a terms of reference from scratch. You probably can start from a core one and just review it and say, yes, we want to add this. That's it. It's done." But not have 15 people sitting around a table saying, "Oh, we're going to come up with terms of reference from scratch," and the base document should be agreed way before time. The organization should be given way notice. I mean, they were given way notice for ATRT and we still didn't get the documents, right? And that's part of the problem.

So when you add all those things from the schedule, the consumption of things, I think that's why we're doing reviews and that's why some of the problems are occurring. Thank you.

PAT KANE:

So in the queue, I have Jaap, Jacques, Vanda, and then Daniel. But one thing I just want to add in response to what you said, Bernie, because I now have the mic, is that we really have no process because a process is supposed to produce predictability and consistency in output. And there is no review team that has looked alike. And so a process has phases, activities, and tasks. And those are all put in place so that we can produce a predictable and consistent work product in terms of what we do.

UNIDENTIFIED FEMALE: [off mic]

PAT KANE: Exactly. So while we have a general approach and we have milestones and deliverables, I would agree with Vanda that we don't have a process. All right. Okay, Jaap, please.

JAAP AKKERHUIS: Maybe we should take a small step back and it's kind of, but I feel [inaudible] what Bernie's saying here. But [inaudible] reviews is, well, there are two reasons. The fundamental reason is to reflect on how parts of the organizations are doing and [preside] [inaudible] and hope that the organization will learn from it. That's basically the fundamental of why you have these things.

But it turns out to become a review factory. People, there are a lot of reviews which are only there because they're mentioned in the bylaws and whether or not the organization wants to have a review, they don't care. They just do what they want anyway. So this might be a slightly negative view on it, but I think that's part of the problem that there's too many reviews out there because, well, it's been decided that the [inaudible] one.

And this, so that, we also [inaudible] problem is that volunteers, you get lukewarm for things when you don't see the use of it.

PAT KANE:

So thank you, Jaap. It's interesting that you talk about the bylaws and so before I got to Jacques, I'm just going to go to Section 4.4, The Bylaws, which is the periodic review of ICANN structure and operations. It's not the specific reviews. But it says the goal of the review to be undertaken pursuant to such criteria and standards as the Board shall direct shall be to determine 1) whether that organization, counsel or committee has a continuing purpose in the ICANN structure, 2) if so, whether any change in structure or operations is desirable to improve its effectiveness, and 3) whether that organization, counsel or committee is accountable to its constituencies, stakeholder groups, organizations and other stakeholders.

So the two big things that I see in there are effective because nobody has suggested that the structures shouldn't exist. We have not heard anybody say that and that's really up to the structure reviews themselves. But it's about effectiveness and accountability. And so I just think that that's what the bylaws have said those reviews are for.

All right, Jacques, go ahead please.

JACQUES BLANC:

So from all what I'm hearing in what you just said, Pat, is the feeling is, the problem is we are a bottom-up, slowly moving, multi-stakeholder organization in a top-down, very fast-moving IT world. And part of the issue here is we have, we, as a group, have got to reconcile at some point how ICANN is going to exist. So in this way, why do we do reviews? The answer is I don't know at the moment because obviously, from what Vanda said, there is no... Well, the process is not adapted.

So what I get out of that is a couple of things. Whatever way we look at that, we would probably have to think about a couple of levels of reviews of [inaudible]. One, which are able to keep ICANN into seeing what's coming its way because it's coming fast and the other would be a process giving the long planned strategy because when you have made the difference between managing by the quarter or managing by a three year cycle like you do in [ISO], for example, you know that both are necessary but they must be really managed together.

My second thought is, and I don't like it because I try to come with a solution and not with a problem, but I'm not very sure we're going to solve that here today, just the whole of us. So maybe it's a direction we have to give with the tools we have in front of us, meaning that's what we can do with what we have. Okay, but if ICANN is waiting for ATRT3 to give the solution, sorry guys, I don't think that's doable now with the time we have, the timeframe we have, and end results as we do.

PAT KANE:

Thank you, Jacques. I lost my queue. Is Vanda next? Vanda, please.

VANDA SCARTEZINI:

So back with [inaudible] is one problem to solve that comes to my mind is so redirected the reviews to each level of importance regarding policy work. So because we could see, as Bernie showed us, that the importance of reviews just overpassing a lot the importance in number of times they are look like the most important thing in ICANN's time for the volunteers is review, what is not. So we need to redirect the reviews to the level of importance. So it's more important to have time for the

volunteers, for policy work done for review. So we need to make some solution on that. So that's part of the problem because we start to running in a timeline that was taught in the past that will be okay. But we don't think about, as the bylaws said, that needs to be, each review needs to be done when those points into the bylaws are showing that the review is needed. So to have a completely formal, each three years, why is it three years? Why not when something has happened? And this started the process of some reviews.

So it's something that we are not thinking about, the demands of the bylaws. The bylaws states clearly when it's supposed to have reviews. But the solution that was done is just the final timeline and that's it. And you should review wherever you need or not. So it's, for me, if it is in a profiting organization, we would not spend time doing a review if it's not [inaudible] into the point that we're supposed to, something. So in my opinion, it's rearrange the time for the people that must be dedicated to policy work that is the main issues of ICANN and reviews should be the second level, the third level, whatever. But not the first one that use all the time available for the people that is part of the volunteer team. So thank you.

CHERYL LANGDON-ORR: You got your [list] up because Lou's information into the chat and it might be good to put him in the queue so he can read it to the record.

PAT KANE: Will do. We'll go to Lou. I'll slot him after Wolfgang. So Daniel, please.

DANIEL NANGHAKA: Thank you very much. I see quite a number of issues here. One is that these reviews of other period of times ICANN came in have been mandatory and have been conducted but the challenge is that if we are to compare the analysis of the time that it takes to conduct this review, we all agree that the time spent is way too much compared to the actual devotement of the policies. If we can have at least a twist and make a recommendation that less time is invested in conducting the reviews that the community concentrates so much on policy adoption, I think that would be much better.

And then also come up with a benchmark process that-[audio cuts out].

SEBASTIEN BACHOLLET: [Inaudible] that are ready to put all of them in the bylaws to be sure that they will be done, that the Board will not decide to withdraw one. But we, as ATRT, we can do that, and therefore, it's something we need to elaborate and it's really what we have suggested with Option 2. It's to put on [bed] two of those specific reviews and to reorganize in depth, the organizational reviews. And if we... I can go on and on and argue with, but to answer all the questions that are on the table and the one we have now heard, it's the way we suggest to go. If we did it, we would not just discuss that it will be a good way. But my summary is that we have an important, historical responsibility here. You have to understand that. Each of us have to understand that. Thank you.

PAT KANE:

Thank you, Sebastien. And I think we're in violent disagreement. Or, I'm sorry, violent agreement on that because... Sorry. [Vista cuffs] pretty soon here. All right. No, but I think we're in agreement in terms of that. That's what we were trying to do this morning is to help articulate the why we've done this because part of the commentary that we received to the draft report was that why did you choose to go do this? What are you solving for? And I am happy that we collapsed things or eliminated things. You and I argued about that yesterday whether it was a collapsing or whether it was elimination. And whether it's either one, you're right. That is our job with this review. But what are we solving for in terms of why we did what we did. And that's what I'm trying to get this morning to get to the point to be able to say we chose Option 2, or we modified Option 2, based upon our desire to minimize volunteer time spent to not have overlapping reports. And we're putting a process in place so that we can be more predictable in our outcomes, those types of things, because I think that Option 2 with some tweaks, especially the Russ Housley model, which I'm coming to like more and more, helps us produce a better Option 2 and here's why. That's what I'm trying to drive towards.

SEBASTIEN BACHOLLET:

Thank you. Just we need not to forget that we have done a lot of work and we are a different sub-group working on a different issue and one was in charge of reviews and they produce a document and they produce a reason why we were to look after the reviews. And maybe it's time to go back to our work because we are, I will not say we invent the wheel because it's not the suggestion. But we are losing something here because it was not on the document written, but it was in our work by

the sub-group and I will say the same for GAC and for the Board. It's just because we are talking about review now. Thank you.

PAT KANE: Sebastien, I think that would be an excellent exercise just to go back and pull up what your work part did from the beginning on reviews. Actually, that was not. That was Daniel's and KC's. That's correct. Right.

CHERYL LANGDON-ORR: Daniel's and KC. KC's driving [because] these problems got articulated that we are herniating over now. So we need to do that.

PAT KANE: herniating sounds like a bad thing, but okay. Thank you, Cheryl. Okay, so next in the queue is Demi.

DEMI GETSCHKO: Thank you. Very shortly, I agree with everybody that this is a historical thing, a bottom-up process, and in some ways, the reviews was divided to protect ICANN inside the community. And we ended in some kind of workshop, do this because of [standing] bylaws. Then the main reason we are meeting is because the bylaws expected us to have ATRT3 in place. I think that it's time to go to a more stable situation, maybe try to divide some kind of trigger, to drive a trigger for our review, not just the review because it's time to do something.

And of course, if you have a lot of reviews every time, all the reviews try to begin from the very beginning and try to rewrite the things from the origin. And I think it's a waste of time and a waste of effort. I'm not really much worried about the optimization of time of the volunteers. I am most worried about the optimization of the flying of the organization. I think we have put a lot of obstacles in the middle of the road and most of these obstacles are artificial.

PAT KANE: Thank you, Demi. Wolfgang?

WOLFGANG KLEINWAECHTER: A lot of what I have said this morning was behind my argument. I think I put it as a need for streamlining and consolidation of the review process because as Demi just said, we have very good intentions introduced some blockades into our process. So as somebody has said also yesterday already, this is not a review organization. This is a policymaking and the review is an instrument to make policy development more efficient.

But taking into account the discussion we had in Singapore that a radical departure from the existing system does not get the support from the broader community so we have to look for something like in the middle of the road and insofar, to make, to keep the existing structure which is in the bylaws, more or less as it is, but to work with the elements we have.

And [inaudible] the proposal is already on the table. One thing is to go from a three-year cycle to a seven-year or eight-year cycle to introduce elements like do a review in a five-day workshop, good prepared by stuff so that if the people come to the workshop, they have already all the documents on the table. There is no need for additional research. We have seen in some of the comments which say a number of reviews can be done without research, the security, stability issue needs research but that means we could have a differentiated approach to treat the individual reviews individually and to say this could be done in a workshop in three or five days, so here, it's no need to have it every three years. We can have it seven years. So this would keep the system as we have it, but let's really optimize or minimize or streamline or consolidate the process.

And by the way, Sebastien is absolutely right. ICANN has no traditional oversight mechanism and the review process is an element of the oversight of ICANN. That means if we fail to have an efficient oversight mechanism which convinces outsiders that this is enough. So this is an invitation for external groups to step in and say, "This body needs an oversight, and this would be then governmental oversight." This is absolutely clear and this is what we want to avoid.

PAT KANE:

Thank you, Wolfgang. So I want to recognize that we have ten minutes left until our break and in queue, I've got Lou and then Bernie and then Daniel. And Daniel will be the last one before the break. So Lou? Lou, can you hear us?

[LOU]: Hello? Yeah, yeah, yeah.

PAT KANE: We can hear you now.

[LOU]: I think it's very [important] for us to discuss the review, the purpose because we know that for the ATRT1 and the ATRT2 is guided by the U.S. government by the NTRA. But for this ATRT3, it's the first time and for the total [inaudible] by the communities. So maybe we can have some idea as to set up a review mechanism to review all the specific review and the organizational review.

So I think our review is to stress the decision making mode of ICANN from [inaudible] and the consensus-driven and multistakeholder. So maybe it's better for us to have some [inaudible] to set up and indicator like KPI that we discussed about the Board and the GAC's [inaudible] to so that we can [inaudible] the review's effort of any organizational review or specific review yearly by yearly.

So maybe it's better to set up a culture and also maybe a framework so that we can avoid in a certain year that we gather a lot of volunteers to do the review, like maybe every three or every four years like this so we can save some people, save some time.

So I think that is our proposal to improve the model, improve ICANN's mechanism and reserve all the communities so that we can view that

ICANN of the community, by the community and for the community.
Thank you.

PAT KANE: Thank you, [Lou]. Bernie?

BERNARD TURCOTTE: Thank you. I won't be long. I know I'm between you and a coffee break. Just a thought. As I was listening to everyone and adding on to what I said before, we're playing with this tension of accountability to each other and that's why those things are there fundamentally. But we seem to have gotten into a mold where there's only one tool. It's the review and maybe there is a basis for something else in addition to reviews. And I heard [talking] Vanda – I took a note – saying, "Well, maybe there should be a trigger." And maybe what it is as there are in a lot of other places, there are regular surveys of the memberships and organizations and they have to publish the results. And those could feed into a regular review or it could be a trigger depending on the results of things. But it seems like we've only got this one tool which is the review for organizations and other things, and therefore, that's what we use and we've got it scheduled. But to me, it feels a little bit like we're trying to use a hammer to drive a screw in a piece of wood sometimes. Thank you.

PAT KANE: Thank you, Bernie. Just for the record, I've made that work. Daniel?

DANIEL NANGHAKA:

Thank you very much. I just want to hint back to the origin of the first meeting that we held, and the review's work buddy, we had a couple of tasks or objectives. I'll just simply walk through them. One was the qualitative assessment which is best [inaudible] effectiveness and efficiency of the previous reviews, which I believe we have conducted. Secondly was the quantitative assessment of the previous review reports, and the action point that we came up with during that time was that this has to be at least outsourced to an external party.

And following that, there was a need to come up with recommendations for each subsequent periodic review to be considered or implemented in the current round which is the RDS, the ASR and the ATRT3, and then also assess how many organizations each organizational review we have considered implemented by subsequent review.

So just to jump onto the third task or [inaudible]—I will not mention about that—and [life] issues with the ongoing [inaudible] and objectivity, [varying] to efficiency and effectiveness and its impact. So currently, what I'm seeing is that the issue is when it comes to the quantitative assessment of the previous review reports. And we all have to look for ways how we can be able to get consensus that the timelines that we have right now, we cannot be able to come up with this quantitative assessment, but it's very clear that there is something that has got to be done or a recommendation that has got to be done and what respective timelines I was suggesting to have this actually completed. It can either be taken up or be rejected by the Board.

But to clarify more on the review process, the challenge right now is how effective are these processes going to be implemented. And I think that's where the main bottleneck is. So that first thing, I think we should not forget the origin because that will help us so much in the final. Thank you.

PAT KANE:

Thank you very much, Daniel. And it's good to go back and take a look at that. Now in other words, getting ready for break, but the one thing that you said that we've not talked about is objectivity, when you went through that. And so I think that we're in the ballpark on the other items in terms of what we're working through. But I don't think we've addressed the objectivity agenda or the requirement or the assessment that you guys looked at from the very, very beginning.

So let's talk about that after the break. So let's take ten minutes from here or 15 minutes from here and come back at 10:16. No, 15. I'm sorry. I can't add. 10:26, whatever.

CHERYL LANGDON-ORR:

Let's come back at 10:30.

PAT KANE:

Whatever time anybody wants to come back. 10:30 is fine.

CHERYL LANGDON-ORR: But we do want to do a group photo, so if we can all gather before you pour your coffee and smile sweetly at a camera just briefly. Maybe Jennifer, if we can find someone to hold the camera so you ladies can be part of it, that would be great. And we'll be back at 10:30.

PAT KANE: Thank you all for being prompt in returning to the room. Thank you, staff, for getting the recording started. Appreciate it. Well done. And it's always nice to return to a queue with hands up, but their hands have been taken down so Cheryl, please.

CHERYL LANGDON-ORR: Thanks very much, Pat. I know we need to draw this to a close and get back to our previously advertised schedule. But I do think and I trust most of you will agree with me that we need to devote a little bit more time to take this conversation a little bit further. So with your agreement, Pat and I would like to suggest, what, another 30+ minutes, no more. Yep, on this. So if you all don't mind, let's see if we can take all of this towards closure. It may be that we didn't have one or two people who are actually going to specifically write up a proposed problem statement and that can act as a template for all the problem statements that we need to make relating to other recommendations, etc.

But with that, that's all I wanted to do, just frame what our plan is in terms of modifying the agenda. Thank you, Pat.

PAT KANE: Thank you much, Cheryl. So just one item on housekeeping. We've got someone in the room that I'm not certain we're able to identify and that's OPOA37FW. Do we know who that is? Just from a transparency standpoint as to who's participating?

CHERYL LANGDON-ORR: [off mic]

PAT KANE: See you later. So if we go back to our doc, let's go to the third bullet. We've got managing the vast growth of the new ICANN which has evolved over the years with new innovative approaches to enhance accountability and transparency of ICANN.Org or ICANN, the Org. Whoever put that in, if they could give some clarification as to what the intent was there please.

I see no owners. Third bullet?

UNIDENTIFIED MALE: [off mic] typical.

CHERYL LANGDON-ORR: Third child or wedding ring.

PAT KANE: So what I read here, and maybe we just skip to the next one, when they talked about innovative approaches, I think that it's talking about some

of the tools that get used that are not specifically described in the bylaws, things like causes, things like the TSG that was put in place to take a look at a solution around RDAP for the EPDP taking a look at blogs and how those are sources to be identified.

So I think that that's what I took, but we'll hold off on that since we don't know specifically what is meant. But one that has had innovative approaches to enhance accountability and transparency, that's what I thought of as those items.

So the fourth one is big picture review of the entire organization that has not been conducted since 2002. Now let me guess. Let me guess. Let me guess. Sebastien, that's yours.

SEBASTIEN BACHOLLET: No. Since you already listened to me about that. I will not take your time on that. Thank you very much.

UNIDENTIFIED FEMALE: We agree.

PAT KANE: No, I think we agree very much and one of the things that we have to continue to do is not look at ICANN pieces in a disparate approach. We have to take a look at individual components of the structure but we have to look at the entire structure as a whole and that is clearly one of the objectives when you look at Option 2 that we put in place. It's a build-up. Right now, the build-up is let's get the holistic one done first

because we've been building up since what year, Sebastien? 2002? And basically, how do we keep that moving forward on a cycle of the seven years like we suggested? Okay.

If we go down to the systemic holistic comprehensive, we have holistic review organizations. I think that we just covered that. A single [inaudible] will review the entire ICANN with a focus on the interactions between structures. That's what that is and this should be mandated and conducted every seven years, which is the solution that we've actually recommended so that's very good.

All right, specific reviews. So Sebastien, I'm assuming that these are yours as well.

SEBASTIEN BACHOLLET:

Yeah, that's something I show you in the slides a long time ago. But I must admit that I discuss with myself this slide and I want to discuss with you the following. I really think that for organizational review, for me it's very clear that we need time between holistic reviews and seven years, it's a good timeframe.

I was always dreaming that we will put everything in that but I feel now that we need to split what is happening in the organization and what is happening on topics like the specific reviews. And for those reviews, I feel that ATRT, it's seven years. It's not enough. It's where I come from with taking into account some of the input. If we put in that two of the reviews, we may wish not to align the seven years of those two big, I would say, big reviews, the holistic one for the organization and what ATRT can become as not only taking care of AT, but also as [AT] that

were mandates what came out of the other reviews for specific reviews and also about the missing piece, if any missing piece there is. That means that the ATRT will have more work and less work. They will not need to go through, in detail, what's happened in the Org's review, the organizational reviews, only take into account when it's necessary, what is out of the holistic reviews, reviews, yes, because I think if we have holistic reviews, they will take care of each and every piece of the puzzle for the organization. I would stop here. I hope it's clear. If not, I will try to answer questions. Thank you.

PAT KANE: Thank you very much, Sebastien. Do we have any commentary or anybody that would like to add to what Sebastien has shared?

UNIDENTIFIED FEMALE: [off mic]

PAT KANE: Mic, please.

VANDA SCARTEZINI: Sorry. I believe it's a good approach. Maybe it could be designed for more clarity for the others that are not following the discussion. But in general, I believe it's a good approach for the solution. But we need to have all those. We need to respond to the main questions to make it a recommendation. So some of them, that's the solution that we'll recommend that we need to go more deeply on that. But we need to

guarantee that we have with that solution, respond to all questions to transform it in the recommendation. So I don't know if all the points that we need to respond in the system to become a recommendation, it's clear enough. So we need to think about that. The way of, the general way for me, it's okay. It's clear.

PAT KANE: Thank you, Vanda. Bernie, your hand is raised.

BERNARD TURCOTTE: Thank you. Looking at those three bullets under specific reviews, RDS should be done away with. I think we have like justification to go there, okay, with what happened with EPDP and the rest. We can come up with a clear rationale why we would recommend something like that. CCTRT, well, gets done one or two years after a new round of gTLDs if there is such a thing, makes sense, and at that point whenever that is and then that CCT review gets done, after that we can decide if there's any need for anymore after that. So I think that's great.

VANDA SCARTEZINI: Yeah. That's the trigger.

BERNARD TURCOTTE: SSR should be reduced in scope. I can't wrap my hands around why. What are the mechanics? What are the facts that would base that? And please, Sebastien, I'm just trying to understand that one. I agree with you, but I'm trying to understand it.

SEBASTIEN BACHOLLET: You know, for me part of the answer was a photo taken at our hotel the day before we met here. There is a CT office, the CT office, yes, whatever is the name. It didn't exist before. It's something new. We have somebody taking care of security when, during the time of [inaudible] and some but now we have an office with people taking care of that. That's why we need also to trust that the people who are doing the job are doing it well. Now it's one of the reasons.

The second, SSAC is completely reorganized and that's the second element we need to take into account. And SSAC is still doing a very good job. And we have already three processes taking care of security and stability of the organization. Therefore, I don't think we need too much. It's why I suggest we reduce the scope. They may decide to take into account the fact that there are these three and they need to be sure that they are doing the work aligned and in the right direction and some input from the rest of the community. But that's my rationale for that. Thank you.

PAT KANE: Thank you, Sebastien. So if I may add to that, the way that I look at this is that we've had an SSR2 review that has stumbled along the way and I think the part of it is the scope is not contained. As a company that focuses on the security and stability as part of what we do as part of the Internet, I think there are things that should be left alone in terms of what ICANN is working on. Very specifically, L-Root should be off-limits. I mean, L-Root shouldn't be something. Now, the Root Zone and the

publishing of that absolutely ought to be within the context of what an SSR Review does.

Things that they do around their mail systems, is that really what we want to be looking at from a community? We don't rely upon their mail systems. So those are the kinds of things that get a little contentious because when you open up the kimono and show all the things that you do around, and you show all the things that you do to address security and stability, your tools are gone. They're out in the wild now. And so now you don't have something that is contained within your company. Everyone knows how you manage your systems.

Now in terms of technology and security and stability around items that support policy, the Trademark Clearinghouse, those kinds of things absolutely have to be reviewed by SSR. But I fail to see why the CIO's office needs to be looked at in the same vein as the technology that supports policy or supports the core function of what ICANN does. And so to me, that, Bernie, is where I believe that the SSR should be contained. Sorry about the imagery, Cheryl.

Yes, Bernie?

BERNARD TURCOTTE:

So having briefly participated in SSR2, going back to what you were saying, Pat, there's the whole issue around OCTO. One of the real heartbreaks was the nondisclosure and even with nondisclosure, what they would actually show versus what the group was looking to find and see. And I think that's very understandable to a large extent, and almost to me, begs the question of there are standards out there for security

and you can hire someone that you can get one person that has the security clearance and whatever else to audit you against those standards and produce a report and the organization. That's in one of the comments I seem to remember and really, the review only looks at what the consultant is coming back with for some of the things.

PAT KANE:

Thank you, Bernie. Anyone else?

All right, so if we can move down to just the section then that are "What are the symptoms?" We covered the bottom one which is the volunteer burnout. I think we've covered that one pretty well. But when we talk about the symptoms could be best evaluated by the feeling of the community via questionnaires. In the conversation that we had just at the break, it really came down to are there alternative ways to get feedback from the community about performance that either inform review teams or trigger review teams. And I think the survey was one that was helpful. So I think that, really, if we're measuring against what we're trying to solve for, I think one of the things that we could put here, and again, what I'll do after this is I'll put together what we've talked about and we can talk about prioritization, leave them out or put them back in.

But here, it's how do we diversify gaining input from the community so that we can take a measurement without having to do a review team to have that survey conducted? I'll find some right words around that, but I think that's the gist of what we're saying here. Anybody have a question

about that or a concern or an alternative view of what that means?
Cheryl, your hand is raised.

CHERYL LANGDON-ORR: Thanks, Pat. Certainly not a question or a concern, but I see that as dovetailing in very nicely with continuous improvement as a principle, and so from my point of view, that's the sort of thing that would be a standard tool to be used in a continuous improvement process.

PAT KANE: Thank you, Cheryl. That's very helpful because I think that a lot of the comments that we received were "What do you mean by continuous improvement?" and this will certainly illustrate what it is that we're talking about and what our recommendations and suggestions would be about, so thank you for that.

All right, so that's the end of the Google Doc from the homework assignment last night. Sebastien, yes?

Jennifer, can we scroll down? I think there's the chart is below this. Yes. Sebastien, what did you want to add here?

SEBASTIEN BACHOLLET: Yes, thank you. I am sorry. I just wanted to highlight two things about this chart and sorry to put it back. But I still think that the orange one is with the organization, I still feel it's a good one. I am not sure about that. I told you already, but I want to confirm that I don't think we need to have one single. I think we need two [inaudible].

But the other thing I wanted to take advantage is that I add here I retired some but I add one. Here I put as an example but it was some months ago, [inaudible] the models who could be something review like the review we want to create. But in the comments, we had one suggestion, I guess, about domain name abuse. Just to think we need to think not only to retire some review but do we need some and if yes, which one? It's not to say that I am sure that we need those two items, but just to give you some example of where we may end up if we decide to go in that direction. Thank you.

PAT KANE:

Thank you, Sebastien. I think that's interesting from the standpoint of that being a major topic within the community right now and is that something that we would want to add to the SSR responsibilities as a security and stability requirement? Or is that something that we believe should have its own separate review team?

The only thing that I would be concerned about, well, is part of what we talked about, is retirement or creation of review teams. So is it something that should be by itself? My fear of it being by itself is that we would drift into the content issues that are part of the conversation today and if it was in the security and stability, I think that you could adequately contain it to botnet's malware distribution command and control, those types of things. Or are we saying that we want ICANN as an organization and a community to address online pharmacies, opioid distributions, [see Sam] copyright, trademark, those kinds of things, counterfeit. Are those the kinds of things that we want in there? Because I would say no that we don't and I think that what internally to

Verisign we refer to as DNS or infrastructure abuse, those kinds of items, I think, would be an SSR item. Any other suggestions, comments? Cheryl, your hand is raised.

CHERYL LANGDON-ORR:

Yes, it is. To make the cut to become a review, any topic needs to have longevity and it needs to be part of the core entity. It needs to be an infrastructure, structure, or function issue for the entity. The other things, and I would venture DNS abuse is one of them, are hot topics or even focuses that may run multi-year but they're not really reviews from an entity perspective. Important, prioritized issues.

So to get the grade to become a new review, it needs to become something that's become part of the DNA of ICANN Org, be that a structural or a functional aspect. And I think if we articulate that sort of gating, then it will stop silly stuff getting added. Not to say DNS abuse is silly because it's not. It's far from it. But stuff getting added and ending up under the nomenclature of a review that really doesn't make, shouldn't be making the cut. Should be being dealt with, should be being dealt with properly, but not as a review process. And I argue very strongly for that.

Now that doesn't mean that things can't make that in the future. I'm not sure that we need to build it into the timeline but we probably do need to articulate it in the model that there should always be the opportunity to add something in as a new review, and perhaps not use a specific example under these circumstances. And a retirement aspect is essential, also the ability to on the general categories of specificity,

those specific reviews, to add particular topics into their scope, not to limit, not to over-expand, but to ensure that that area of expertise looks at that particular issue. I think that's an important thing to have as part of the model as well. Thanks.

PAT KANE: Thank you, Cheryl. Bernie?

BERNARD TURCOTTE: I strongly agree with Cheryl. I think if we remember what we were talking about in the reviews, is the organizational, is how you make it accountable to the organization and then the specific reviews is how the organization is held accountable to the other part and DNS abuse, although it's a problem, is not something that is controlled or affects directly the corporation. So I don't see it fitting in and I don't see it as a technical topic for SSR either so for me, it's got two misses on that one.

PAT KANE: Thank you, Bernie. Sebastien?

SEBASTIEN BACHOLLET: Yeah. Sorry to have put one example. Maybe [my staff] keep that for me, but thank you for your input. I would like to, I will not argue that we need to add. But my suggestion is to follow what Cheryl suggests, that we explain that we can add new reviews and how it could be done. And the rationale not to add today, we don't have time to find one. But forget about that. But my rationale is that we already suggest a lot of

evolution of the overall system. Then we need first to see if the retirement is doing well, if the new organization of the organizational review is doing well. Therefore, we don't want to add now something but we want to leave this door open for the future. Thank you.

PAT KANE: Thank you, Sebastien. Bernie, is that an old hand, new hand?

BERNARD TURCOTTE: Old hand because I got booted out of Zoom so I can't take it down.

PAT KANE: Oh, very good. Thank you.

All right, so anymore comments or questions along these lines? Yes, Cheryl.

CHERYL LANGDON-ORR: Just noting that we've got about another five minutes to that half-hour that we dedicated to this. I'm wondering, Pat, if we could ask the group, is there anything in this homework document that does not fit now with a modification of Option 2? Whether or not that's coming back to more center, as Wolfgang has suggested, something in the middling. But with this homework, we should be able to articulate a problem statement, and Pat – [audio cuts out]

LEON SANCHEZ:

What I want to put on the table is would it be right or convenient that we think of a recommendation saying let the community define this criteria for establishing new review teams, retiring review teams, taking in and out recommendations from an existing pool of recommendations, etc. Is that something that could be useful to say “we recommend that”?

Because I’m going to give you an example about what we’re doing within the Board. Within the Board, we do have, we are undergoing this exercise of setting the criteria and the conditions to establish working groups, Board caucuses, how to sunset them, what is the duration, the criteria under which they should be established, what is the difference between a caucus and a working group.

So we are reflecting about this criteria. So maybe establishing some sort of criteria similarly applicable to Review Team’s recommendation center could be also a useful exercise.

PAT KANE:

I think that’s very interesting, Leon, for us to consider. The things that pop through my head are that whatever we would do would be, by default, a requirement to change the bylaws because since we’ve encoded the review teams in the bylaws, or say that we’re not going to encode review teams in the bylaws which would be a change, but either/or. So yes, I think it’s something we should consider because I’m really happy to hear that you’re looking at caucuses and those kinds of things because those are mechanisms that the Board uses that don’t carry the same level of accountability and transparency requirements as

other structures that the Board uses. So that's good. So I think it's something we could look at. Yes, sense of the room? I knew you wanted to add something else, Leon. Please go ahead.

LEON SANCHEZ:

Yeah, just a follow-up. You mentioned either modifying the bylaws to decodify review teams or to codify them in a certain way. Maybe we could just do a third option, which is we can add something that actually provides, again, flexibility to establish review teams as the community deems appropriate in order to address a certain topic that might erase at a certain point in time. So maybe we don't have to do a recrafting of the bylaws, but just add just a couple of sentences that provide us with that flexibility to better respond in certain cases.

PAT KANE:

Thank you, Leon. That sounds a lot like my job description where the last piece always says "other duties as assigned". Right? All right. Sebastien, please.

SEBASTIEN BACHOLLET:

Yeah, I know it's in the bylaws and also that it's our duty and I wish that we don't postpone the retirement of some review team now because if we just wait for another group to define how you do it and what you do, it's a little bit like the 300 recommendations we have under the table. And we need to take our responsibility, make a suggestion.

And the other, it's maybe not to add one working group because we have also to be conscious that we are trying to evolve the way our

whole organization is working. Maybe in our, at the end of our report, it's to say, "We suggest that the next ATRT take that into account, define that and we give them those elements at the beginning and like that, they know that they will have one year or one and a half year to discuss. That will be one of the issues.

I don't think we are, if we do our work now, I don't think we need to be with that. We need to do it, but we are not [inaudible] I think and we can give that to ATRT4. Thank you.

PAT KANE:

Thank you, Sebastien. I would agree with that. And I would also suggest that in our own report, we add that we deliberately did not retire or deliberately did not add any review teams, kind of like this page left intentionally blank so it's not something that we overlooked. It's something that we determined not to do or to do, right? Okay, Cheryl.

CHERYL LANGDON-ORR:

Thanks, Pat. Look, I'm very keen to leave it the right and responsibility of something like an accountability and transparency review team that we already have in the bylaws to have the power to retire or add. Happy with that. Not sure we need to fiddle with that bylaw in any way, shape or form.

I do like the kind of proposal that I'm hearing here at the moment which talks about us, in my view, hopefully, making some retirement proposals in our final report and some significant, very serious, new look modifications to review processes in our report. That then needs to

run. You really can't fiddle with too many levers at the same time and expect to be able to measure what effective those levers were. So I wouldn't do much more than that. But certainly, in preparation for an ATRT4, to do its bylaw bound duty, and perhaps, look at the addition or subtraction of "other". They could have because they're talking in their new model to have greater preparation, greater material available at the onset of review teams, and that includes an ATRT4, that the interaction with community that Leon articulated could be preparation for that piece of work. So remember, it was with the community and the Board that built this god-awful model, got us into this horrendous situation. So let's not repeat the same mistakes by using the same well-meaning people adding bad on good and good on bad. All right, but let's get some interaction in advance of sitting in ATRT4 that is going to properly prepare that aspect of their work for them. Thanks.

PAT KANE:

Thank you, Cheryl. Anyone else?

All right, so let's declare this section closed. What I will do is I will take the notes and write some very specific items that look like objectives within that same document and we can discuss those first thing after lunch to say, do they make sense for us to measure against? Is that what we're trying to solve for? Prioritize them and then continue on our way after that. So thanks, everyone.

CHERYL LANGDON-ORR:

All right, so we've got an hour now, between now and the middle of the day break. I'm seeing some kind of tired faces around as well. So we

need to sort of, well, some of you aren't looking as bright-eyed and bushy-tailed as I've seen you before. Not you, Bernie. You are looking very bright-eyed and bushy-tailed.

All right. But I think it's time for us to dive back in to the thrill-packed and exciting world of the comments we received in. We don't have another section as horrendous as Section 10. But what else do we have to do that we can do timebound within the next 60 minutes? Bernie, any proposal? Mike?

BERNARD TURCOTTE:

The next big ticket item is prioritization. I mean, the rest were... I mean, we had to deal with reviews. The rest, I think, we're sort of doing okay on and we have prioritization as our finish wrapping our heads around where we want to go with that is what I think we need to do.

CHERYL LANGDON-ORR:

Sebastien?

SEBASTIEN BACHOLLET:

I have a question and it's not to say that we need to do it now but one of the discussions yesterday was to say that we may wish to push together, to put together suggestions to build a recommendation. I have no idea. I understand [inaudible] but I have no idea which one we are talking about.

If someone around this table, and Bernie particularly, but also Cheryl in part of it, idea maybe it could be a good way to help me and maybe us

to understand where we can go. And once again, it's not to say we need to do that now. It's just a question mark. Thank you.

CHERYL LANGDON-ORR: Thanks for that, and yes, we don't want to miss capturing that. Bernie?

BERNARD TURCOTTE: Listening to Sebastien, yes, that's another topic we didn't quite finish is suggestions versus recommendations. We touched upon it a bit today which I thought was interesting and that might be a nice carryover. That'll take us to lunch.

CHERYL LANGDON-ORR: Put my microphone in and then [inaudible] for the record. We've got two things, then, that we also need to do. Obviously, the whole prioritization story, I think is a bigger block of time. It's another one of those deep issues, deep dive issues, and I'm not sure that doing justice to that before the middle of the break is going to be a good plan. So I'm proposing to you all now that we don't do that now, but that we could go back in this block of time and look at that second cut and that finishing off of other comments because we could go back and start doing that second run-through on some of them as well if we wanted to. So open the floor on your opinions and views, but we've now got basically 55 minutes, well, 50 minutes to deal with a topic between and the middle-day break. Can we carve out the possibilities of blendings easily or does that need more preparation? My suspicion is the latter.

BERNARD TURCOTTE: I think to do that, we need to finish our conversation on recommendations and suggestions. Once we have that, then we've got our basis to actually get that done, or at least, that's my thinking.

CHERYL LANGDON-ORR: Okay. So then under those circumstances, it looks to me, Bernie, that we're going to go and do another run-through now or am I missing [inaudible]? What are you ...

BERNARD TURCOTTE: No, I'm saying we have to finish our discussion on how we're going to classify things as recommendations or suggestions.

CHERYL LANGDON-ORR: Yeah, another run-through on that.

BERNARD TURCOTTE: Okay, not run through all of the recommendations.

CHERYL LANGDON-ORR: Yeah, but another run on that classification discussion. Yes, okay. Right. Okay. Well, hopefully, I've unconfused myself. That is impressive. Where do you want... What do you need to display then?

BERNARD TURCOTTE: I don't think we have anything. However, listening to the comment this morning from Pat, I thought was very interesting and brought up an

idea for me as maybe a suggestion from this group as the first group through this specific review requirements for recommendations.

If I remember correctly, Pat, this morning you were talking about the fact there could be recommendations, suggestions, and comments, right? Is that...

PAT KANE:

Observations.

BERNARD TURCOTTE:

Observations, right. So recommendations, suggestions and comments which also align with the prioritization we would do for our recommendations. Right?

And so to me, that almost fits into the model of we've always said that if we have recommendations, they're top tier and they would need to meet all the requirements that are in the rules for making recommendations.

The suggestions are suggestions, and maybe we don't include all the requirements. We try to make them as smart as we can, and they're the middle tier. But we don't invest the time of really doing a full set. And then the third part are really observations, as you say which we would like the community and the Board to be aware of. They're conclusions we have come to but don't necessarily believe the wait is there to do something with.

And within that, once we have that conversation, another sub-conversation to avoid us doing a lot of work could be that all our ATRT2 related recommendations, we just put in one recommendation that says, "ICANN, you should finish the ATRT2 recommendations properly." That's the recommendation and we can make that a smart recommendation. We can meet most of the requirements. The justification for doing that is good without going into details about what there is in there and then our report would detail what some of the suggestions are to get that done and maybe we can talk about how to work with the community to ensure that that gets done properly. Anyways, those are my thoughts.

CHERYL LANGDON-ORR: Thank you, Bernie. We've got Jacques and then Demi.

JACQUES BLANC: That's going to be quick. I would like to have the recommendation requirements on the screen again. And just for the sake of speaking the same language, it might be great if we stopped calling recommendations the thing that will obviously not be able to reach a documentation per the requirements.

For example, it's going to be hard recommending, as per what you say, Bernie, and even if I agree with you, that you go on with recommendations of ATRT2. I feel that this might not be a recommendation because it will not be able to fulfill all the requirements.

So just for the sake of the language, if we go into the [inaudible] sides, maybe we should be careful about what terms we employ while we're doing this.

CHERYL LANGDON-ORR: Okay. So the nomenclature is still important and we recognize there was concern in the public comments we got. Demi?

DEMI GETSCHKO: Thank you. Just a small clarification. We talk a lot about prioritization. I think there are more than one way to prioritize something. We can't have priority in time and we have priority in importance. Something can be very important to be done but it's not emergent. You have to have different scales of priority. Thank you.

CHERYL LANGDON-ORR: Okay. So to me and looking at the 45 minutes we've got left now, if it's possible for us to display, first of all, the slide out of the slide deck which articulates the guidelines which I believe is what you were asking for, that would be extremely handy. And Jennifer [Nagar], we may also want to just start up a Google Doc and encourage people to join it to do some live collaborative sharing with that.

I'd love to think that Zoom could do a split-screen, but I'm not sure that it can. We might break it if we ask it to do that. But if we can put the link in the chat, then most of us can dive into the document and watch it develop as well. So with that, now let's spend the next 35-40 minutes having a conversation about what is going to be a "must-do", "could-

do”, “should-do”. I think if we can stick to that or we can call it X, Y or Zed or A, B, or C. It doesn’t matter, but let’s follow your recommendation, Jacques, of not using the nomenclature that is causing confusion anyway. So it can be apples, pears, and oranges. That doesn’t matter. Whatever it is doesn’t matter, but let’s all agree that several thing are going to be in that must-do from our opinion. And those “must-dos” need to match the criteria for the recommendations under the new guidelines. Okay? Pat, did you want to articulate anymore on the following two bits?

PAT KANE: No, I’m good.

CHERYL LANGDON-ORR: No? Okay. All right then.

UNIDENTIFIED MALE: [off mic]

CHERYL LANGDON-ORR: So thank you, staff, for putting that together. That’s great. Sebastien, go ahead.

SEBASTIEN BACHOLLET: Two points. The first one, I wanted to suggest to open in Google Docs and that’s great. We do that. And the second is that I know that the discussion about [inaudible] and whatever, it’s a discussion in this

diplomatic circle about what it means. And I have trouble to understand the differentiation between [inaudible] and so on. I didn't follow well my English course at the beginning at school. Therefore, if we can be maybe use something else. Under 12 would be great, whatever, but something I will be more able to understand. Thank you. Sorry.

CHERYL LANGDON-ORR: Well, my Australian English will suffer with [inaudible]. Like I said, it could be apples, oranges, elephants, giraffes, don't care. But the nomenclature and neutrality is what's important. We all need to know that the elephant, the giraffe, or the [inaudible], however is the must-do. All right? Let's start with the must-dos. Bernie?

BERNARD TURCOTTE: Question for [Nagar]. I don't know how familiar you are with this, but I never figured out what is meant by data retained by ICANN.

VANDA SCARTEZINI: Yeah. [Inaudible] that question.

UNIDENTIFIED FEMALE: Sorry, which part of it is that? [off mic]

CHERYL LANGDON-ORR: Third bullet point from the bottom of the screen. It shows "data retained by ICANN" as something we need to articulate to make a recommendation.

BERNARD TURCOTTE: Okay, fair enough. Just as part of trying to fulfill the requirements, I'm just unclear on that one.

VANDA SCARTEZINI: If you don't know what to...

CHERYL LANGDON-ORR: Just to remind, please put your mics on if you're talking. We do have people who are avidly listening to us. Sebastien, is that a new hand? No? Okay. Bernie, is that a maintained hand?

BERNARD TURCOTTE: Gone.

CHERYL LANGDON-ORR: Gone? Okay. All right. Can we just shrink that down slightly so we have more on the screen? Thank you.

So what you've got on screen at the moment is really talking about the impact analysis that they would like to see associated with the development of these smart-based recommendations. So the simplicity of it is important. This really is talking, then, in terms of simplicity, about the... All of this is data. They're looking at data for the purpose in this section. In many cases, our data is the community's input via either our face-to-face interactions or the survey or other activities going on in ICANN.

Now that's not terribly empirical data. A lot of it's anecdotal and I guess I'd like to ask where does one fit that type of qualitative as opposed to quantitative material into this framework which I've got to say is really great if I'm building widgets, but I'm not. Right? So that's my challenge for the table right now. This is all very nice and dandy but it's much easier to apply on a production process than it is for the fluffiness of what ICANN does.

Open a queue on reactions to that. Vanda?

VANDA SCARTEZINI:

Yeah. It looks like we are an industry. It's quite easy to fulfill this process and make any recommendation, completely [sell] and introduce requirements. But there is a lot of things that we should think that explain instead of data will be better for our kind of work.

So I do believe some of those points, we need to put in test. Just explain why it's filling completely the requirements, but there is no data for that.

CHERYL LANGDON-ORR:

Thank you, Vanda. I think that's an important point that we could come back to. [Nagar]?

[JENNIFER NAGAR]:

Thank you, Cheryl. I just looked through the operating standards to the section that was in question and I wanted to at least offer up my thoughts, and we can always go back and dig up more information.

My initial thoughts on that are one of the examples that comes to mind is the CCT final report requested for a lot of data collection and it wasn't always quite clear what purpose the data would serve. We would collect all this data, but what is it that the review team was hoping that would be achieved as a result of gathering all that data, so making it clear what issue they were trying to address, what information the gathered data will help clarify or provide further guidance into would have been more beneficial and I think this part of the operating standards is trying to request that if you're asking for any data that you want ICANN to retain, explain the problem that you're trying to address because there are sometimes contractual issues with gathering certain data. There might be other ways of getting it as opposed to being very prescriptive about "gather this data". If maybe we understood what it is that the review team was hoping to use the data for, or what problems to address, it would make it more effective and beneficial. So that's what, in my view, this is referring to.

CHERYL LANGDON-ORR:

Thank you, [Nagar]. I agree that that is what it's referring to. I have got to ask, and I think I made the point when I put my comments into the public comment about this, what earthly use is that other than to quite literally nobble something like an ATRT. It may be a really good thing for data requirements within any review team, but to have it as a requirement in the full impact analysis of all Recommendations, I certainly feel like somebody's put a couple of ankle chains around me. But there you are. I can work with ankle chains.

Let's now go to Sebastien and then Vanda. Bernie, is that a new hand?

BERNARD TURCOTTE: That's after.

CHERYL LANGDON-ORR: After, okay.

SEBASTIEN BACHOLLET: The question of data is quite interesting because in 2002, ICANN launched additional round of TLDs just to allow ICANN to gather data. It's never happened. Never happened. Therefore, I love when somebody asks the community to explain why they need data. But when we had requests of data, it was clearly articulated and published. We never get it. Therefore, it's why we get trouble with the CCT review.

And I may be today, in this organization, the only one who knows the limits of this story of luck because I was there and see I've already left the organization one way or another. Therefore, I don't think we need, as ATRT, to spend too much time to explain why. If we consider that their data needed, we need to put that and if nobody can figure out how and why that will be a pity, but it's our responsibility to ask for and maybe we don't need to explain too much on that and spend time for that. That's the main question. Thank you.

CHERYL LANGDON-ORR: Vanda.

VANDA SCARTEZINI: Yeah. In my understanding of those now, those data retained by ICANN, I believe that should be the data that is needed for comparing metrics. If we have some data, we can have some goals and so we need to have those retained to compare in the future. If we reach that goal, we don't reach that goal, so far we are from that. So metrics is about the issues that we are [having] here. So that's my understanding of the need to retain data for ICANN, mostly from the way that we have done the recommendation because it should be metrics and we need the starter point for that data to really [inaudible] from the future. Thank you.

CHERYL LANGDON-ORR: Bernie.

BERNARD TURCOTTE: Thank you. One of my questions, I guess, is a preliminary impact [inaudible] we were talking about some of the things are soft and squishy and may be a little bit hard even if they do require a recommendation to fit into this. But I guess my question, when I'm reading this is are these scored or are they absolute requirements, and if you fail one, then you can't have a recommendation? It's unclear. Sometimes you may just say, "We can't fill in this block for this reason." It may give an explanation but it's unclear how this is going to be looked at when considering have we filled out the impact and – [audio cuts out]

[DANA]: [Inaudible] be helpful because everyone knows data is great. No one is opposed to gathering it. It's just having the right level of information to help the organization gather the right data at the right level. Thank you.

CHERYL LANGDON-ORR: Thanks, [Dana]. Bernie.

BERNARD TURCOTTE: Just to follow up, you said for all reviews, for all specific reviews.

[DANA]: Right, yes.

BERNARD TURCOTTE: All right, thank you.

[DANA]: That is correct. For all specific reviews.

BERNARD TURCOTTE: Right.

CHERYL LANGDON-ORR: Okay. Looking at the around 25 minutes-ish that we have before our mid-day break. Can we now pick? Although you should all recognize my [inaudible] tones at this point. Can we pick something that we all agree?

In other words, we will have consensus upon that will be a recommendation to bludgeoning to some form of table or agreement that we've got most of the marks, most of the tic boxes of what makes a Recommendation or a [inaudible] or an elephant in our nomenclature, the "must-do", the thing that we really want ICANN to take and then implement. Which one do you want to work on as our sample? Suggestions? Go ahead, Bernie.

BERNARD TURCOTTE: Maybe—I have to finish thinking about it—but the accountability indicators might be an easy one.

CHERYL LANGDON-ORR: Okay. So let's go to our document of what we have currently indicated we would be recommending regarding accountability indicators which is "do better and communicate" not in quite those words.

BERNARD TURCOTTE: [off mic]

CHERYL LANGDON-ORR: Mic.

BERNARD TURCOTTE: I'm speaking into the mic, but it's off so for some reason that's not good enough. So 11.4, if I can get to the right reference section. All right, so we have two suggestions right now but I think they could be

recommendations, which could be melded. ATRT3 suggests that ICANN undertake a communications effort to make the community aware of the accountability indicators. Part of this effort can include a formal presentation of these at an ICANN meeting.

The second one is ATRT3 strongly suggests that ICANN rapidly undertake a serious review of its accountability indicators to ensure these meet the stated objective in each section, provide data that is useful as accountability indicator, provide data that can inform decision-making process, and provide data that is up to date. And those points we've restructured at our last face-to-face, not face-to-face, but our last teleconference and we can include these to say the objectives that we did agree on, on our last call, which was that they must have an objective to measure against and they must be kept up to date. If it's a yearly statistic, they should be updated yearly. If it's a quarterly statistic, they should be updated quarterly. And so things like that. So we could replace those three things. We could make that a recommendation because if these are going to be the accountability indicators, this is our view, the community's view into what ICANN is doing, then they should meet the core objectives. So I think we've probably got a candidate there where we can try and start filling in the things and see if we actually make it.

CHERYL LANGDON-ORR:

Okay. Thanks for that, Bernie. So do we want to put up a blank slate document now and literally have a go at that?

BERNARD TURCOTTE: I think so.

CHERYL LANGDON-ORR: Let's hang the expense, shall we? Let's dive on in, ladies and gentlemen.

Okay, so don't mind whether or not it's displayed or whether it's something we all work on in our own computer. What's going to work for you all?

BERNARD TURCOTTE: The operating procedures requirements, copy and paste that into a new Google document and start trying [off mic].

CHERYL LANGDON-ORR: So just to let the rest of the world know, we are copying and pasting from the guidelines into a fresh Google Doc. We're going to bring that G-Doc up and we are going to run accountability indicators, the section on accountability indicators, looking also to what Sebastien was saying earlier. This will give us an opportunity to do an exercise on what some of us believe could be a joining together, a gathering together of what is currently suggestions and strong suggestions into something that we hope will be a level three, a trois, so that we are indicating to ICANN and the community, this need to be implemented. Okay. Are we all clear on that? And have I filibusted long enough to get the document done?

UNIDENTIFIED FEMALE: Almost.

CHERYL LANGDON-ORR: Almost. I can sing, I can dance, I can filibust even longer. There we go. All right, ladies and gentlemen, we're off and running. Excellent.

So again, we need to make this smart, simple, measurable, achievable. And don't forget the timely. So you're timebound. And the timeliness here has got to do with the aspect of reporting, that it has to be relevant and current and it has to be done in... We need to pick a time, 12 or 18 months. So let's dive on in. Thank you for putting the link in, Jennifer. And who wants to start this off? Bernie.

BERNARD TURCOTTE: All right, identification of issue. So under that point, I think what we've got is from our survey first is that only 50% of individuals and only 50% of structures were aware of the accountability indicators. And the second point is of the 50% of the structures that were aware of the accountability indicators, two-thirds of them thought they were not effective.

CHERYL LANGDON-ORR: All right, so I've just put a little dash there that says "survey and anecdotal, input from the ICANN community data". Is that how we want to go forward with this, just sort of annotating this list now, or what do you want to do?

BERNARD TURCOTTE: Well, I like [inaudible] personally as a mathematician. But I don't know if we get anecdotal. The survey was very clear and the second point was our own analysis of the individual accountability indicators according to the criteria were defined, were, did not meet most of the accountability indicators, did not meet the requirements that we defined in our analysis of the individual accountability indicators as they are currently presented.

CHERYL LANGDON-ORR: Okay. When we looked at every one of the groups we interacted with in ICANN66, and we mentioned the accountability indicators and we said, "Do you know what they are and how effective they were?" and we often drew blanks, I'm thinking that's pretty anecdotal information that we didn't actually measure it as a survey, but we've been told by the community it's not working.

BERNARD TURCOTTE: I'm being anal but that should be a separate bullet. Sorry.

CHERYL LANGDON-ORR: Well, write it.

BERNARD TURCOTTE: Okay, so.

CHERYL LANGDON-ORR: Vanda, go ahead.

VANDA SCARTEZINI: Yeah. I believe that we should pick some examples about what is done as indicators and explain those why they mean, some of them mean nothing or cannot be read as a metric for something or can show some progress or something like that because it's a clear identification of what we have besides the survey. The survey was the general understanding of the community and our appreciation of the reality, what we can see are the indicators is another thing. So it's two points that we can identify the issue.

BERNARD TURCOTTE: I think we've got that and we can add that as a sub-point to saying our analysis and I have that so I can stick that in a little later. So I think the issue is that the accountability indicators are ineffective and the reasons are the things we're putting in here. Where's the link to that document? I'll actually type into it.

CHERYL LANGDON-ORR: Okay, so Vanda, what I've heard you also suggest then, that in addition to us addressing most of, if not all of these bullet points that are on the document, we also put in an example of what is, in our view, an effective accountability indicator. Have I got that correct?

VANDA SCARTEZINI: Yes.

CHERYL LANGDON-ORR: Okay, so we'll now add that in as well.

BERNARD TURCOTTE: Those are the rules [inaudible].

CHERYL LANGDON-ORR: Okay. Use the mic.

VANDA SCARTEZINI: From my point of view, it's to make clear for someone that is reading. There is an issue that is clear and we need to solve that. And the recommendation, we tried to do that.

CHERYL LANGDON-ORR: Okay.

BERNARD TURCOTTE: [off mic]

CHERYL LANGDON-ORR: All right, so we've got off mic administration going on, people. Don't worry about that. And we're looking at our viewing audience also being in the Google Doc so they can see where edits are going on as well.

Do we want to go down point by point now?

BERNARD TURCOTTE: I think we have to.

CHERYL LANGDON-ORR: Okay, let's take it from the top then, Bernie.

BERNARD TURCOTTE: Okay, so I'll help [off mic].

CHERYL LANGDON-ORR: Sure.

BERNARD TURCOTTE: After I talk so we can look at it after lunch. Definition of desired outcome including metrics used to measure whether the recommendation's goals were achieved. I think where we could go with that is, "and that's why I actually worked with you to define those four points of how we can evaluate the accountability indicators because they're clear and precise measurements that have very little questions. There's only one that's a little fuzzy and so we can say if the accountability indicators A) meet those requirements, then we will think that there is a desired outcome including that the community knows of these and thinks they are effective. So there are two things that we can point to.

VANDA SCARTEZINI: Yeah, two steps.

BERNARD TURCOTTE: Yeah, so here, if we would write that in, would be—and these, of course, are short answers here—would be expanded upon as ...

VANDA SCARTEZINI: The four points?

BERNARD TURCOTTE: Accountability, four points

CHERYL LANGDON-ORR: While this is going on, preliminary impact analysis is really not a term for me that does justice to this exercise. This is not, we're not doing a preliminary impact analysis, are we?

BERNARD TURCOTTE: No.

CHERYL LANGDON-ORR: Right, so I would suggest that we may be extracting what is the linkage to data text here that as [Nagar] ensured we were clear on, was written to be very, very generic and be all things to all review teams. But is, in fact, I'm trying to be polite, less than relevant to our current work, and in particular this particular potential level three issue.

Okay. Back to you, Bernie.

BERNARD TURCOTTE: Yep. Here is my proposed text for definition of desired outcome. The accountability indicators meet our four points. I'll include those after. The community is generally aware of these and is satisfied they are effective as per a survey one year after the community, once a survey of the community, no, as per survey one year after once the accountability indicators meet the above criteria. So let's fix the accountability indicators. Let's give the community some time to breathe. Let's have a survey and see if it is fit for purpose. Something like that. So I think there, we would meet the requirement of that one.

CHERYL LANGDON-ORR: All right. The community awareness, let's start into that. Shall we?

That would, in my view, be giving us both measurability and time binding.

BERNARD TURCOTTE: Yes. And we might want to put time binding in the first one also and say that they should fix these within, I don't know, six months.

CHERYL LANGDON-ORR: Could you just write that annotation where relevant because I'm struggling to work out which main point you mean. Ah, okay, thank you. Great. Perfect. Okay.

And Lisa, to the initial identification of potential problems in obtaining the data and developing the metrics, there are none.

BERNARD TURCOTTE: None? I don't think –

CHERYL LANGDON-ORR: Not applicable, right? And you're all happy for us to do a big N/A on some of these things. It's about as polite as I can get. Great.

Moving them to the suggested timeframe in which the measures should be performed –

BERNARD TURCOTTE: Well, we've indicated that in the previous.

CHERYL LANGDON-ORR: We've given that already.

BERNARD TURCOTTE: See previous point, data retained by ICANN, not applicable.

BERNARD TURCOTTE: Industry metric sources. I can think of other letters let's put in not applicable.

BERNARD TURCOTTE: Not applicable.

CHERYL LANGDON-ORR: Community input.

BERNARD TURCOTTE: Well actually –

VANDA SCARTEZINI: No, there is some [inaudible] maybe we should.

BERNARD TURCOTTE: No, I don't think it's directly community metrics per se so that is nonapplicable, I think is the right thing. But there should be a comment under there as to what are standard definitions of accountability indicators?

CHERYL LANGDON-ORR: Maybe that needs to be right at the top.

BERNARD TURCOTTE: Right.

CHERYL LANGDON-ORR: Rather than there.

BERNARD TURCOTTE: Yeah. Well, in my mind, we would include it upfront in the definition of the problem.

CHERYL LANGDON-ORR: Okay.

BERNARD TURCOTTE: So let's just put N/A here.

CHERYL LANGDON-ORR: But let's capture it as well. Vanda?

VANDA SCARTEZINI: I see not only that because some of the metrics is about security, stability, and there are standards to follow. And some of them are under standards that...

BERNARD TURCOTTE: This is true also, financial and technical.

VANDA SCARTEZINI: Yeah. This goal has those kind of things. So in the industry metrics first, we can put those things.

CHERYL LANGDON-ORR: Okay, so rather than not applicable then, under industry, they're not actually industry metric sources. They're standards of accountability indication. Aren't they? Or are they both?

VANDA SCARTEZINI: [off mic] something like that. Our industry metrics, not first. No, this first

CHERYL LANGDON-ORR: [inaudible]

VANDA SCARTEZINI: Yeah. They are. The IETF and accountability, accountability [inaudible] issues.

CHERYL LANGDON-ORR: If we define general best practice accepted types of accountability indicators and we note what modifications are required to work for ICANN which is in addition to the basic principles of annual reporting and financial etc., those things, the annual reporting and the transparency aspects, and the financial reporting, there are industry standards and expectations, but they are not sources of metrics ICANN needs to use.

BERNARD TURCOTTE: That is correct. So in our framework here of responding to this, I think the correct answer is "not applicable". The point is that in defining

objectives at the definition stage of the problem, we note that there are industry standards and a few of the accountability indicators actually have that. The staff turnover one clearly goes against an industry standard and that's very useful and that one got noted very well.

CHERYL LANGDON-ORR: But that's actually to do with how smart the actual indicator ICANN is choosing to report on is, not to do with our suggestion about what needs to be done about accountability indicators.

BERNARD TURCOTTE: Right. Exactly.

VANDA SCARTEZINI: Yeah, but this is clear just for us. I believe that's mostly clear of the responses [for] because not applicable is mostly something that people get "why not?" so explain the point.

BERNARD TURCOTTE: Okay, so we need to expand.

VANDA SCARTEZINI: Yeah, I believe it's important.

CHERYL LANGDON-ORR: Okay. So what Vanda is saying is right now in this sketched out document, NA is just a shorthand for us having to give more details of

the relevance or irrelevance of that point. Okay? We got that? All right then.

Happy to take a queue on anyone who wants to speak to any of these things. If not, we'll move to the next one. We need to scroll down a little bit in the document I think. Thank you very much.

The community input, I think we cannot...

BERNARD TURCOTTE: [Oh, curve baselines]. I forgot.

CHERYL LANGDON-ORR: All right, so adding baselines. We can articulate the community input and the surveys of studies. We've got that already, although it should be "see above".

BERNARD TURCOTTE: Define the current baselines.

CHERYL LANGDON-ORR: Well, the question is do we need to define a current baseline when we're not calling for metrics to be soft about this?

VANDA SCARTEZINI: Not all metrics are bad, so some of them...

CHERYL LANGDON-ORR: Not all metrics are good either.

BERNARD TURCOTTE: Metrics are good. I like metrics. [audio cuts out]

CHERYL LANGDON-ORR: All right, nobody's on the microphone and so the recording will be deathly silent. So just to let the world now, we're just adding some text into the collaboration document at the moment. We've got about another five to six minutes before we want to just review this point, this piece of work as an example, and we will obviously come to have a second discussion on how effective or otherwise this way forward is on the creation of our SMART requirements for things that we indicate ICANN does need to implement.

With that, I guess one of the things I'm wondering about as we've gone down this checklist and before we jump into the very last part, the preliminary nonbinding level of consensus, etc.

BERNARD TURCOTTE: We haven't finished baselines.

CHERYL LANGDON-ORR: No? Okay. But we also haven't established the attainability and the realism, how realistic this is and I would suggest that those SMART points should probably be captured at the top along with the problem

statement. That's a proposal I would like to make. Okay, back to you, Bernie. Mic.

BERNARD TURCOTTE: Sorry. I thought it was on. Bernie, not Mike. While we're finishing this, Jennifer. Can you look? I think there's a second set of requirements which is more, which is bigger, right? Which I think is the one we have, we're going to have to fill in based on this but it's going to be. Now current baselines of the issue and initial benchmarks. I guess what we can put in here is our data analysis of all the recommendations versus our four criteria.

VANDA SCARTEZINI: Yeah, because we can define if it's a success or [inaudible].

CHERYL LANGDON-ORR: That's a good idea.

BERNARD TURCOTTE: Right.

VANDA SCARTEZINI: We agree or not [inaudible].

BERNARD TURCOTTE: ATRT3 analysis of current.

CHERYL LANGDON-ORR: And Sebastien, if while we're editing here, if you'd like to take the floor.

SEBASTIEN BACHOLLET: Yeah, thank you. Yeah, I think we need a [inaudible] moment to compare [inaudible] with the comment we received, if there is something we need to take into account in our answer here or do we consider that what we have done is answering all the proposals made about this specific topic on the comments we received.

CHERYL LANGDON-ORR: So that's adding the public comments on initial suggestions, so that's a good add to that and to community input. Anyone else want to bring anything else forward? No. Okay. So is that our baseline work?

BERNARD TURCOTTE: That's the baseline for the preliminary but then we have to redo this in the full. Right?

CHERYL LANGDON-ORR: Well, that's not a five-minute job.

BERNARD TURCOTTE: No. But what we can do as we break is we'll reinclude the full set of criteria and we can look at them when we come back from lunch.

CHERYL LANGDON-ORR: Okay. So is that a comfortable plan for you all to agree with? I'm looking at either blank faces or nodding heads at the moment. Just for the record, Pat is nodding his head very definitely. Sebastien, go ahead.

SEBASTIEN BACHOLLET: [Inaudible], maybe we split the work not to be ten around the table for just doing this important work. It's not just because of importance, but maybe we can [inaudible] two tasks or three tasks as we are a group here because I have the sentiment that this specific topic could be [inaudible] by a small group and then we come back all in the full group. But just a suggestion. Thank you.

CHERYL LANGDON-ORR: So Sebastien, are you... We haven't gone through... This is an easy piece, right? And we've gone through it as an exercise, so hopefully we all understand how we will treat this type of activity. We have not as yet gone through and decided which bits will get this treatment. So we would have to do that before breaking into any form of small group. So I appreciate what you're saying, but are we really ready for that?

SEBASTIEN BACHOLLET: Agree, Cheryl, but that means my suggestion, it's maybe we go to your points after the lunch and not to fulfill the rest of this part of the work because we have done. I think we have enough understanding of how it will work to be able to do some homework, I would say. But then yes, I agree with your point that it may be the best thing that we can do after

lunch, it's to see which one will be taken into account as the ABC, 123, elephant, giraffe, and so on.

CHERYL LANGDON-ORR: All right. Thanks, Sebastien. I guess my only concern is, and I'm going to hear you in a moment, Bernie, experience has shown that working in small groups does not reduce the time taken. We all have to get through the whole lot anyway and doing this in a non-face-to-face situation, I can see the benefit of – [audio cuts out].

Leave with just seconds to spare. We can stop the recording and be back at the top of the following hour, which will be 13:00 CET. Thank you very much. Bye for now.

[END OF TRANSCRIPTION]