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CHERYL LANGDON-ORR: Thank you. Welcome back from our middle-of-day break to the Accountability and Transparency Review Team #3 at ICANN. The majority of us are still in the Brussels office, with a few of us attending remotely. We do appreciate, for the record, how much time and energy is put in by those people in often very unfriendly time zones to where we are now in UTC+1 world to still be with us during today's proceedings.

To continue today's proceedings, what we are going to be doing –if you're in the Zoom room, you'll be able to see the displayed Google Docs – is we're going to take the accountability indicator exercise of seeing whether we can bludgeon out a must-be-implemented piece of information to the ICANN Board and see whether or not we can get it to meet the necessary suggested priorities and guidelines out of the guidelines for reviews.

With that, we went through a lot of the data analysis, etc., in the before-lunch period. There are a few additional things that we now need to briefly look at. I want to recognize and thank particularly Bernie, who has obviously done a little bit of extra homework on this document while we've had our middle-of-day break.

In the Zoom room chat, you will find a link to the Google Doc, and you're more than welcome to join us in that document directly.

With that, I guess, Bernie, over to you.

BERNIE TURCOTTE:	Thank you, ma'am. Jennifer very kindly copied in the second set of guidance factors which are extended from the previous one we completed before lunch. It starts off with, "To help assess whether proposed recommendations are consistent with this guidance, we will be, wherever possible in practical testing recommendations, against these questions. What is the intent of the recommendation?" I've refilled in and adjusted where relevant. Please don't hesitate to make comments. "Significantly [inaudible] the effectiveness and awareness of the accountability indicators." That is our intent. "What observed fact-based issue is the recommendation intending to solve? What is the problem statement? Accountability indicators are not effective, and a significant portion of the community in unaware of these." That's what we're saying.
	Now, I didn't remove these after I copied them … oh, come on … Fine, don't do that. "What are the findings that support the recommendation?" Now, I was a little unclear, so I took that [as] "what supports the problem statement?" So I copied that from our previous work. "According to the ATRT3 survey, only 50% of individuals and structures are aware of the accountability indicators. Of those structures that are aware of the accountability indicators, 67% of these found them ineffective. ATRT3 evaluation of the current set of accountability indicators found a majority did not have objectives against which to measure the data."
	"Is each recommendation accompanied by a supporting rationale." We'll give that. "How is the recommendation aligned with ICANN's current and future strategic planning, the ICANN bylaws and ICANN's

mission?" Now, I did not have an answer to that one, but I guess we can craft something.

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: Microphones, please. Osvaldo?

OSVALDO NOVOA: In the strategic planning, one of the objectives is [accountability]. You can just put the thing …

BERNIE TURCOTTE: Yeah, but I won't [uphold] the specific ones and just refer to them. I haven't have time.

OSVALDO NOVOA: I've looked them up.

BERNIE TURCOTTE: Okay, great. Thank you. "Does the recommendation require new policies be adopted? If yes, describe issues to be addressed by the new policies." No. "What outcome is the review team seeking? How will the effectiveness of implemented improvements be measured? What is the target for successful implementation?" All accountability indicators

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meet our four points within six months. We're going to redo those four subpoints.

"The community is generally aware of these and is satisfied they are effective as per a survey one year after the ..." Okay. Let's rewrite this right now because this really bothers me. "The community is generally aware of these and is satisfied they are effective as per a survey one year after the accountability indicators meet the above criteria." "

How significant would the impact be if not addressed?" Moderately significant for transparency and legitimacy. This would not prevent ICANN from carrying on with its core work but bring into question ICANN's commitment to transparency and accountability.

"Does the review team envision the implementation to be short-term, mid-term, or long-term?" I put in six months, although we're saying a survey should be conducted twelve months after everything is fixed. But fixing the things should really only take six months. Doing some promotion of these new ones should be in that timeframe.

Cheryl?

CHERYL LANGDON-ORR: I'm wondering here whether or not we also need to be able to say when things need to be ongoing because there's an aspect to this which should be ongoing. This may not be the only one. I'm open. It's just a fleeting thought. Then we've got Sebastien and then Daniel.

BERNIE TURCOTTE: Part of the recommendation will be that accountability indicators meet these requirements, and that will be set. So I think we're okay.

VANDA SCARTEZINI: I agree with you. We have two sides. One is to fix what has been done using the metrics that they already have, but in a better way. The other side is looking for other metrics that should be done in [the debut]. This is a process that is going on. Each recommendation [and] any other issue that demand some kind of metrics need to [be viewed].

CHERYL LANGDON-ORR: Thanks. I think we need to recognize that accountability indicators as they are writ at the moment is not a closed set at all. It gets to be added to.

Sebastien and then Daniel.

SEBASTIEN BACHOLLET: That was my question in the comments. We have received a suggestion that ICANN org make a suggestion on what could be the accountability indicators and that the community could comment on them. Here we are staking as a basis that what was produced was what we needed and what we want. From my point of view, it's not. It wasn't [inaudible] something a few years ago that's aligned with the strategic planning, and it was organized by the ICANN organization with the department and so on. Therefore, I think it's more just to put it on an updated … It's also to reorganize it to be useful for the reader, not for the one producing the document, because today it's organized by responsibility

by people, by department. That's not the way the way we are … it's easy for us to understand.

Therefore, my question is, do we just need to fix that or do we suggest that org produce a list of possible indicators and ask the community which one they would like to have? Because maybe we don't need all of them and we don't want all of them. Thank you.

CHERYL LANGDON-ORR: Just before Daniel, do you want to reply to that, Bernie?

BERNIE TURCOTTE: Yeah. I agree in part with Sebastien. Let's remember that the thing we just finished looking at for judging how effective … We say, "The community is generally aware of these and is satisfied they are effective as per survey." So we're already building in that ICANN should go and measure the satisfaction of the community versus these.

Let's not forget that the one thing that is very well done is that everywhere in the accountability indicators there are links that say, "Please tell us if you think this is okay." I think there has been one comment in the last six months on those. So I think people are trying. So that is in part correct.

The second part I want to say is, with the evaluation criteria we're giving, it's fairly obvious to me that they're going to have to rethink the whole thing.

But, this being said, I agree with Sebastien that there are things the community would probably like which are probably not linked to the operational plan which could be measured. Thank you.

CHERYL LANGDON-ORR: Okay. We've got Daniel. Then we've got Leon, then we've got Jacques, and then we're going back to Sebastien.

DANIEL NANGHAKA: Thanks very much. When I look at the six-month period, I think I suggested that we could also look to the assumptions or the conditions to be able to affect the six months because we could make this recommendation and then it will take then another one year or one-and-half-years or even two years or three more to be able to [effect] it. So I think, if we could [null] the preconditions, it will also help us to address the timelines in relation to this. Thank you.

CHERYL LANGDON-ORR: Okay. Leon?

LEON SANCHEZ: Thank you, Cheryl. Just to add to what Sebastien was saying, what I don't see here – I don't know if it's something that we would like to have – is … In terms of transparency, the easiest way to not be transparent is to throw in a ton of data for people to lose within that ton of data, right?

So maybe one of the points that we would like to have the accountability indicators meet is to say … When we say "Provide data is useful as an accountability indicator," I think that is part of what we're trying to achieve. But having actionable data sets that could be used by people and by users to dig into data sets, to play with those data sets, and generate their own information, their own statistics, from raw data I think would be very useful for the community. It would be very useful for org, for the Board, and for pretty much everyone who would have these raw data sets available for them to literally play with and see what comes out of those data sets.

So maybe go step further and say, "Let's implement best practices in terms of open data." Right? So let's try to pull ICANN into the open data initiative and say, "Guys, it's not just throwing tons of data at us, but we need those data to be actually, as it says, useful, actionable, and actually meaningful for people to play with them and generate their own statistics."

Yes, Bernie?

BERNIE TURCOTTE: You will note that, throughout the accountability indicators as they are writ, as Cheryl would say, in a lot of places there is the notice that you can click and dig down into the data. There are a few places where that actually works. So what you're saying is very nice, but we're starting from so far away that actually going to data is a pretty big ask.

CHERYL LANGDON-ORR: Thanks, Bernie. That's almost a separate issue to an open data initiative, though, because open data in itself is a very raw form of data that people can access and utilize.

Jaap?

JAAP AKKERHUIS: [So many] points I was going to make actually were already made by Leon [inaudible]. Some of the data [inaudible] data, which might in itself actually go to the open data stuff. But they're hard to find. Not only the data, but the [work] is hard to find. That's the same problem. I agree with Sebastien. The way it's now organized – by department – doesn't really work if you want to see [inaudible]. But earlier we had already said that one of the things we should point out is that the user interface needs quite some improvement. Reorganizing is not by department. It's probably one of the parts of doing that.

CHERYL LANGDON-ORR: Bernie, go.

BERNIE TURCOTTE: Well, with the way it's organized now, it's a one-for-one match with the operational plan. The operational plan objective here is the measure. For those of us who've been around long enough, it really looks like, "Oh, we came up with these objectives? Put that on someone's desk. Come up with an accountability indicator." That's what it looks like.

I think staff, who have a lot to do, in certain cases did very in standard areas, like the Global Domains Division, which actually did really well. Finance did really well. But they're used to being measured against objectives. Finance has the budget and the targets and can measure. They do that anyways. With Global Domains, it's the same thing.

But, in the other areas, it's really not obvious, which is why we're also thinking of including a comment. I appreciate what is being said, and maybe that'll join a bit to what we're talking about here: when ICANN comes up with objectives and strategic plans and operational plans at the same time similarly to review recommendations, they should define what the criteria for success is that will be used to measure because, right now, I think they're trying to retrofit all these things after coming up with these ideas. That's really what it looks like. I have no idea if that's the case. If it's good enough for the review teams, I think ICANN should lead the way and say, "If we're going to come up with these objectives, here is how we will measure success when they come out," not, "Oh, yeah. We adopted this."

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: Thank you. One of the problems for me about what Bernie says about that you can add comments is that we, in other places of our work, say that we must have one single place for comments. It's why I consider that the comments we received about having a comment period on what we need could be an announcement of what we say.

I'm happy that the Board members selected by At-Large are still struggling for the same thing – open data. It was my struggle a few years ago on the Board and I think it's still something we need.

I added on the Google Sheet at the end a link to the Open Data Initiative of ICANN. It's something we may wish to look at or not. But it's something existing where the community will need to have input.

That's it. Thank you.

CHERYL LANGDON-ORR: Thank you very much. Jaap, I'm assuming that's an old hand.

Okay. All right, Bernie, back to you.

BERNIE TURCOTTE: Thank you. "Is related work underway? If so, who and what (that we're aware of)? Who is the responsible party?" ICANN org, obviously.

"Are the recommendations given in order of priority?" This is what I have as a problem with this: they're looking at all the recommendations we're making. So, if you're looking at this in the context of recommendations, there are almost two sets of requirements here. There's the set of requirements on recommendations overall, and then there's the set of requirements for specific recommendations. So are we going to prioritize? Yes. "If only a limited number of recommendations can be implemented due to community bandwidth and other resource constraints, would the recommendations be included in the top listing?"

Well, that's part of prioritization, as far as I'm concerned. That's how we're going to look at prioritization, right?

CHERYL LANGDON-ORR: Yeah. Bernie, thanks. In our response to this dot/point, from an ATRT point of view, of course we're in a slightly unique situation in that there is a bylaw requirement to enact if we make it a capital "R" recommendation. So this would be a non sequitur, as far as I'm concerned.

Go ahead, Vanda.

VANDA SCARTEZINI: In that question – is related work already underway? – we respond now, but, while there is no one trying to reconfigure the work, there is work on the way because all those indicators become an update, or some of them.

BERNIE TURCOTTE: Some.

VANDA SCARTEZINI: Some, yeah. Some of them. But there is some work on the way. So maybe it should be explained a little bit more because—

BERNIE TURCOTTE: Okay but there's no work on fixing the problem.

VANDA SCARTEZINI: Yeah. On fixing the problem, no, but there is [inaudible]. It's too open. The question is, it's too open to just say no.

BERNIE TURCOTTE: Okay. Will do.

CHERYL LANGDON-ORR: Having gone through all of this, do we believe that this will make the cut to be of the highest order of classification and therefore become a capital "R" recommendation?

I'm looking around the table.

Okay, Bernie?

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: Yeah?

UNIDENTIFIED FEMALE: For me? Yeah.

UNIDENTIFIED MALE: Yeah.

BERNIE TURCOTTE: As they are, it's a small yes for me, and that is part of the problem: the information that should be in there, if it was the right information, would make it an obvious total yes. So it should become … And the fact that it's not is what's pushing us to say it's a recommendation because it's going to be one of those things where you have this projects and sometimes there's the little recommendations that carry on for a long time. I think this has the potential to be one of those. It's not one of these huge things we're doing, but it's going to be there for a long time. And we're giving direction on what we would like to see and how we would like to see it. I think it has the potential to become something that is very useful if the recommendation is taken seriously.

So, yes from me.

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: I'm questioning why we want it to capitalized or not capitalized. I think this we will have to run with or put in a basket or whatever we do. This one to me is nice to have. But if for any reason it takes three years, is it so … for transparency and accountability, yes, it's useful. But I prefer to fix the review process if I have a choice. Therefore, if we have to make prioritization, it will not be for me in the first basket. But it is a recommendation. Thank you.

CHERYL LANGDON-ORR: We haven't jumped into the prioritization because we only have one potential recommendation at the moment that we've agreed to in terms of consensus.

SEBASTIEN BACHOLLET: Yes, I know, but you talk about recommendations with a big "R" or not and the importance. That's why it's difficult: we have just one. That's why I gave you my feeling about that. Thank you.

CHERYL LANGDON-ORR: When we put a capital on the recommendation in our text, it will be that that is going to go through to the Board under that classification/recommendation. Is that not the case? Is that not clear?

Go ahead, Bernie?

BERNIE TURCOTTE: I have to agree with Sebastien on this one. We have yet to go through the exercise of three baskets. I agree with the three baskets. I'm iffy if it's in the first or the second. It's not an expensive one to fix if you look at the resources required. It's going to annoy the hell out of a whole bunch of staff people and cause people to think. But I don't think it's a massively resource-intensive thing. So, for me, it's an easy-win evaluation of the thing.

But we're obviously going to have to go through this thing—

VANDA SCARTEZINI:	Our priorities.

BERNIE TURCOTTE: Yeah, our prioritization, which I think is what we're trying to do tomorrow morning. Today we have to finish … I think our next topic is going to be prioritization in the general sense and what we want to do. It will either fall in the first or the second basket, depending on what we're doing.

CHERYL LANGDON-ORR: Okay. With the maximum of three minutes we have left on this particular bundle of work, have we established or not that this particular thing on accountability indicators is going to make the cut to be put forward under whatever nomenclature you like, in whatever basket you want, in terms of priority? Or …

Or, without anyone objecting to that, we should be able to put a little bow on that one and move on to our next exercise, which is going to be … You were suggesting diving into prioritization. We've done our little thought piece, done our little exercise, on this. We're going to now deal with a bigger-picture item in the time we have between now and our mid-afternoon break, which will be 15:30 local time. So that gives us two good hours to work into prioritization.

Are we all happy with that way forward on the agenda?

Excellent. Do you want to take this on then, Pat?

VANDA SCARTEZINI:	Do we have some feedback from our colleagues that are attending remotely?
CHERYL LANGDON-ORR:	Not that I've noted. I'm reading it all. I'll go back over it again and … There is literally nothing. There's only links that have come in.
UNIDENTIFIED MALE:	[inaudible]
CHERYL LANGDON-ORR:	Okay.
UNIDENTIFIED MALE:	[inaudible]
CHERYL LANGDON-ORR:	Okay. I haven't dropped and I've seen nothing since we started. Prioritization. What do you want us to display? What are we looking at? Is there someone trying to speak from the remote participants?
UNIDENTIFIED FEMALE:	No.

CHERYL LANGDON-ORR: No? Sorry. I thought I heard something—

UNIDENTIFIED FEMALE: [inaudible]

UNIDENTIFIED FEMALE: [inaudible]

CHERYL LANGDON-ORR: Okay. All right, then. I just didn't want to miss anything.

Okay, Bernie. What do we need to display now?

BERNIE TURCOTTE: Where we left off were our comments versus recommendations. Let's go back to our recommendations and read those and make sure we're all in the same place, if you will.

So this would be Section 12, not 11. 12, right? "ATRT3 suggests the following." You'll remember we're split into two. It's just like how the prioritization system and group should be developed and then how that group should work. The first part is, "ATRT3 suggests the following guidance for the creation of a community-led entity tasked with developing a prioritization process. Overall, the ATRT3 believes that the operating standards for specific reviews could serve as a good base for framing the creation and operation of a community-led entity tasked with developing an annual prioritization process."

Now, if you read the comments, people are getting confused between an annual process and this process taking one year. We have to clarify that, yes. "All community members participating in this process must have significant experience in ICANN. Members must include representatives from the Board and ICANN org. The community-led entity developing the prioritization process should be given a fixed one-year term to complete its task," not to solve the prioritization of the 300 things – just to define what the prioritization system will be. We have to clarify that. "The community-led entity could request the services of a professional facilitator to expedite the work."

Now, on the second part, there was some guidance on what the prioritization system should meet as some guidance. "Overall, the operating ATRT3 believes the operating standards for the specific reviews could serve as a good base for framing the operation of the annual prioritization process," maybe. I think that was sort of iffy. It's actually going to depend on what they decide is going to be the group mandated with doing this because, if it's an existing group, then there's no need for that. So we should clarify that.

"Must be conducted annually by members of the community with participation of the Board and ICANN org. The group actually performing the prioritization should be a standing group which will perform annual prioritization process but which can also be called upon to deal with exception circumstances, such as emergency reallocation of funds if a prioritized implementation needs to be cancelled, or an emergency approval of a new critical recommendation which is extremely time-sensitive. Must be conducted in an open, transparent fashion. Each decision should be justified and documented. The

prioritization process should apply to all recommendations of CWGs, CCWGs, organizational reviews, and specific reviews, as well as any other type of community-driven recommendations. The process would also apply to any such recommendations which have been approved but not yet implemented. The prioritization process should only consider the information it is provided with with respect to the recommendations and should not be required to generate or have generated any additional information for the evaluation of the recommendations for prioritization."

There was a very good point made in the comments in that, given that the operating standards were not in effect, there are many recommendations in those basket of 300 that don't have a lot of information. That may not be a good point, depending on how we go.

"The prioritization process can fund multi-year implementations but will review these annually to ensure they're still meeting their implementation objectives and the needs of the community. Elements to be considered when prioritizing recommendations should include budget availability, cost of implementation, complexity and time to implement, prerequisites and dependencies with other recommendations, value and impact of implementation, and relevance to ICANN's mission, commitments, and core values and strategic objectives."

So there we have it. As part of our discussion yesterday, we will remember that there were comments a little bit all over the place. I think the first half survived many comments quite well, except for SSAC that thought we should just hand it over to the SO/AC leaders as part of

the standard budgeting process. There was a little bit of support for that.

Then, in our discussion, we agreed that simply doing that might be problematic because, if you have not run through the work of developing a process with the community for how you're going to prioritize things, which the end result will be that many things will be killed off, there is just not choice about it. It will cause a huge screaming match.

So, at the end of our day yesterday, we ended up talking about that, no, we have to run through the process of defining two things: identifying who will be doing the prioritization and what will be the rules of engagement for doing that prioritization.

Just at the end, Vanda had a very interesting point yesterday. The interesting point was the following. We really have two situations. We've got this truckload of 300 recommendations that don't have, in many cases, any of this information that we need to evaluate them. Then all the new recommendations going forward will have a lot.

So really we have two very distinct thing. Maybe the process that they should be looking at and that we should be encouraging should be to develop a group that's going to be mandated to do the heavy lifting to get us through the 300. That's going to be their main job.

VANDA SCARETZINI: Cleanup.

BERNIE TURCOTTE:	And then the cleanup, yes: the cleanup so we can get to the right system.
UNIDENTIFIED FEMALE:	[inaudible]
BERNIE TURCOTTE:	Yeah. Then, once we're in the new system, hopefully the recommendations being made should be manageable by some standard committee, which could be the SO/AC leaders as part of the budget process. So let's not reinvent the wheel.
	So it's a bit of both. Yes, once things are cleaned up, we probably can go to fairly standard processes. And it will make sense if we say that organizational review recommendations have to meet similar smart requirements because, if you'll remember, I don't think that's in the requirements right now. So that's something else which touches both. So, if organizational review recommendations, similarly to specific review, have to be specific so they can be triaged effectively by a standard group without going through much of a specific process, then what we really need is a group to sit down and do the heavy lifting the clear up the 300.
CHERYL LANGDON-ORR:	Okay. I want to put a pin in the organizational reviews and come back to that because I have some information I can share on that point. But let's go to Pat first.

PAT KANE: Thank you, Cheryl. I think you're spot-on from the standpoint of, when we look at this, that there's the prioritization process, there is the requirements for prioritization, and then there's: how do you get the flywheel started? I think of it from a flywheel perspective because it really ought to roll through the same process and not be thought of as a separate process before we begin.

So, if we think of it as getting the flywheel started, that becomes three separate sections. So the confusion that we had in the comments was that we've run Section 12.4.1, covering a lot of things. So it might be helpful if we have a 4.1, and 4.2, and then a 4.3 to describe that. Then we get to the specific recommendations that we have towards the end because I can see exactly where we have flowed from this to this and go, "We're going to take a year to prioritize all of this stuff?" So I think that we've got the right commentary. The format needs to modify just a little bit to accentuate that. Then have the third one not be, again, a separate way to handle the 300, but use the 300 to begin the flywheel, if you will.

Yes?

BERNIE TURCOTTE: Yes and no, I think, because, depending on how we want the steady state to be – this is what I was saying – it may be a separate group. There is going to be a monster amount of work to get through the 300. I think it behooves us to understand that it may not be the same group that's going to want to do that heavy lifting to get us through the 300.

That's my only concern. It will be the same rules that are defined that will be applied, hopefully, but it's going to be such a larger context in which to apply them. There's going to be some many of them that it's going to be a very, very challenging thing. The community may want just to dedicate a few people to walk through it. That's my only concern.

CHERYL LANGDON-ORR: Thanks, Bernie. I think that might even be yes and yes as opposed to yes and no, though. It's just different people doing the same thing.

We have Wolfgang and then we've got Sebastien.

WOLFGANG KLEINWAECHTER: Thank you. Just for clarification, you mentioned again a group. What is this group? My reading from the comments is that there is no big appetite in the community to form a new entity. I think we should be very clear here. Do we propose a new entity, or do we just say that an existing group, like the SO/AC leaders, should take the responsibility and then it's up to the to form a subgroup or something like that? If it's too much work for them, they can delegate to somebody. But, if we institute a new entity, this is a fundamental thing. My reading from the comments is that only a limited number of community members are in favor of a new entity.

CHERYL LANGDON-ORR: Briefly to you, Bernie.

BERNIE TURCOTTE:	I think we have to look at those comments in the context of people confusing a standing group that's going to take a year to do something and … Yes, there are certain ones that object to a new group, including the Board, saying we should use things that exist. I think, in the current discussion or presentation I had, the only thing for a really new group is if it's needed to get us over the backlog. It's not a standing group. It's a one-time group to get us … Now, whether that is subdelegated from another group or not, I'm saying, if we're going through a process with the community to identify who should do this and how it should be done, then the community will sort it out. If they want to hand this off to the SO/AC leaders and the SO/AC leaders want to create a subgroup to do that, great. Here that answers the question of how. Then, after that, it's, "Here are the set of rules that you will apply to do this."
CHERYL LANGDON-ORR:	Okay. So we have Sebastien and Leon and Jaap. Sebastien?
SEBASTIEN BACHOLLET:	Thank you. My understanding is that we need to have two parallel processes because, if we wait for the findings on how the prioritization will be done, at that very moment we will start to prioritization 300 recommendations. We are too late.
	I would like to suggest that, really, we suggest one group – I don't care which one – to take care of the backlog and we ask another group to take care of the definition of the process for the future when we will have a recommendation with the standards we are using today or an evolution of the standard because will suggest some modification. But

we can't, from my point of view, put everything in the same basket and with the same people. It's not fair for them and it's not fair for the recommendation we have on the table.

If we want to find a group, there are different groups possible. I already told you about the Board. You laughed at me, but I still consider that it could be one. The other one could be the one in charge of Work Stream 2. There is a group with different stakeholders participating and following that. It's one-third of the total. It could be one way to suggest that those people who have already worked a lot can continue taking into account all the recommendations and come with a prioritization. In parallel, someone else – maybe the SO/AC leaders – will work on a new process for prioritization. Thank you.

CHERYL LANGDON-ORR: Leon?

LEON SANCHEZ: Thank you, Cheryl. It makes sense – what Bernie was saying – and I just wanted to, in line with what you were saying just a couple of minutes ago, make you aware that we had a meeting in L.A. with SO/AC leaders. We were actually discussing with them about the possibility of having that group be an interface between the community and try to break the silos amongst the community through this group of SO/AC leaders and also establish this as an interface with the Board and org in order to better coordinate everyone's work around different issues.

So I guess initially that could be an existing mechanism that could be taken advantage of in order to try to carry out this task. So I just wanted you to be aware of that conversation we had with SO/AC leaders.

CHERYL LANGDON-ORR: Thank you, Leon. Jaap?

JAAP AKKERHUIS: A suggestion for an [abstract use] of SO/ACs for this [inaudible] by the fact that they didn't want to have a new group started up. That's in line with all the other stuff. I think the suggestion was made before Leon actually met with the SO/ACs [inaudible] going on about, "Well, maybe we should change that." But that was too late. [inaudible]. It was already out. But that's the real motivation. We don't want to have yet another group if we're just reviewing part of the review. You can continue forever like that. So that's a clarification.

CHERYL LANGDON-ORR: Thank you. Pardon my giggle, but I do like the fact that you went, "Oops. Maybe we should change our mind."

So what I've heard so far in this conversation – remember, I've got a little pin in something to come back to around the organizational reviews – from the table is that we recognize that the community does not have a particular appetite for a new group, and it does seem to have an appetite for utilizing existing structures, be that in itself a slightly movable feast at the moment.

I do note the language in SSAC's comment, which is, "SO/AC leaders or their delegates." So there's a bit of wiggle room there, and that might be enough to save the sanity of some of the SO/AC chairs. So there is the "or their delegates."

But we've changed our thinking, to some extent, because we've had the time for the deeper analysis and, to some extent, because of what we've read in the commentary, which was comments which were not born out of potential misinterpretation of what we intended but comments that have analyzed what we've intended. And there's that recognition of old work – the truckload, as I think Bernie put it – of 300 and the new work, which should be different work because the new work will be what's coming out under the new guidelines, we assume, in the future.

That being said – so we've got a decision we need to make there – do we support this split way forward, where we've got some suggestions/proposals/whatever about how we deal with the existing business and how we suggest the community and the org look to dealing with the continuing business? Is that something that we can agree on: we'd like to split that in some way, shape, or form?

Vanda?

VANDA SCARTEZINI: I agree. I believe we need to split it.

CHERYL LANGDON-ORR: Who have I got here? Bernie, your hand is up.

BERNIE TURCOTTE: I think really for me the question is – it's going to have to be split one way or another – whether we say, "You're the group. By the way, you should split your work because it's going to be different in the future," and "You should come up with a process to handle the truckload." So it's whether we make a recommendation for a split up front or whether we identify a group and we make a suggestion that you might want to split.

CHERYL LANGDON-ORR: Fair point. Of course, it is a lot easier to have clear guidance for implementation than it is to say we need this fuzzy thing implemented and we kind of recognize you'll have entirely different lots of work with two entirely different demands. One is probably going to get more attention than the other. I'm not even going to guess which would be the first choice. So that worries me just a little bit.

But, if we can define that there is a split and there's an advantage to the split in what we suggest, that might also help us frame the next step.

Jacques?

JACQUES BLANC: Pardon my question because that's my first review as such in an ATRT. But to what extent can we go against the community advice?

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CHERYL LANGDON-ORR: 100%, should we take the risk and wish to put up with the flack. It is incumbent upon us to have a public comment and to show how we deal with accept, reject, modify, or otherwise those comments. That is all that is incumbent upon on us, not to follow the advice.

JACQUES BLANC: Jacques again for a follow-up. So this is what we can do. Now, you see where I'm going. It's, to what extent should we go against the community advice?

CHERYL LANGDON-ORR: Well, that's why I framed how brave one wishes to be in response to the "must."

Bernie, you've got your hand up. That's a continuing hand? Please go ahead.

BERNIE TURCOTTE: Leon, you mentioned there was a chat with the SO/AC leaders, but you didn't tell us how it went.

LEON SANCHEZ: Sorry. I think it went good. My feeling is that they were respective and positive about the idea. It was actually something that they floated into the conversation. So my impression is that it would be feasible to actually have this group of SO/AC leaders be the interface and do this kind of work. But that's just my take. Of course, it could vary.

CHERYL LANGDON-ORR: Was that back to me, or you wanted the mic back?

Back to you, Bernie.

BERNIE TURCOTTE: I'll tell you my concern about us going with two groups, and it's the following. It's the accountability, if you will, or the responsibility we will be giving this group. The concern is split in two ways. Defining two groups, mandating two groups, is mandating two sets of accountability to a certain extent. For me, that's like also creating almost a second group. So that's part of the concern.

On the flipside, politically, if you look at this, the group that'll be cleaning up the 300 – the truckload – will get shot at. It will be evil to some groups all the way through. So do we want to give that awful burden to the group that will be looking at it when it's easier going further? So that's why I'm torn between those things.

CHERYL LANGDON-ORR: Thanks, Bernie. I'm not sure I'm as torn, but we shall see.

Pat?

PAT KANE: Thank you, Cheryl. Bernie, I'm in alignment with where you are on the two groups but from a little bit of a different perspective, and that is that I think it's important to take a look at the truckload because the

truckload will be more than 300 at that point in time because we'll have our recommendation and we'll have the SSR2 recommendations. The idea would be – well, we only have recommendation so far … I think it's important to have a consistent thought process and measurement process against all that we've been asked to do because, even if we have guidelines and we have things that we're looking at, two different teams are going to bring two different perspectives as to what the outcome should look like. If we have a single entity that looks – even if it is SO/ACs or whatever it is; I'm not suggesting a new entity when I say that but a specific entity – at all of those in aggregate, there's things that they can do. They can combine. They can reject. And they have a consistent thought process in how they look at it.

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: I will try to make an image. When you have a big hole, you need to fill it with whatever tools you use. But, in building the house, you need tools to make walls. It's where we are. Frankly, I don't care what tools a small group will use to take care of the 300 recommendations. I say 300. I don't say the ones who will get out of our group. This one is in a gray area because, at the same time, another group must decide what are the tools to build the house. What are the tools they need? Therefore, if we give that to the same group, they will create a second group or they will assign two types of group to do the work. Then why don't we take our responsibilities? Thank you.

CHERYL LANGDON-ORR: Vanda?

VANDA SCARTEZINI: Considering the meeting that Leon said they had [inaudible] the recognition from the AC/SOs that that could be an idea to do so, I do believe that, when we give to them the 300, they will certainly send back to their own groups and ask each one to prioritize through the garbage what is not needed before. Then, in the end, they come out with a whole group to discuss the only things that are really needed. Then will be time to really create a … [inaudible] define common process for the [inaudible] or what we're going to do for those ones [inaudible] prioritize those ones vis-à-vis the cost or these kind of things.

CHERYL LANGDON-ORR: Vanda, you had me up until you talked about separating and sending the bits that were coming from an entity back to that entity to prioritize. I really don't think that's going to be a terribly productive methodology based on the grounds of that everybody thinks that what they said in the first place is the most important thing for themselves. Therefore, there is going to be tension. There is going to be difficulty. You've got a take a cross-silo approach to this, not a re-siloed approach to this.

It sounds to me like what I'm hearing is that tis table is echoing what the appetite is in the public comments, and that is to use existing mechanisms that, favored at the moment, appear to be the SO/AC leadership structure. We may wish to state the assumption that that will

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be an interactive and iterative process with their communities. I would suggest, where possible, the entities that established those recommendations in the first place. Therefore, in the case of the Work Stream 2 100-odd, there should be an interaction, as Sebastien very sensibly pointed out in my very biased view – a linkage; if not an ownership, a linkage – with the implementation team for that group. That's the same as having a shepherd influence or anything else. Now, that may not be something … You will probably get that from the CCR as well. You'll undoubtedly get it from the SSR2 when that has happened. But really it's ATRT3 that has picked up the slack from the other RTs. So I think that's still doable.

Remember, I've still got a pin in things to come back to organizational reviews, and I'll be damned if I'm not going to do it at some point.

We've got Bernie, Jacques, and then Pat.

BERNIE TURCOTTE: I just want to bring back a point that I brought up yesterday, which was that it took well over a year to get the initial assessment of implementing the Work Stream 2 recommendations and what it would imply. As I said earlier, a lot of recommendations in this bucket of 300 or whatever don't have anything. It will have to be done before it's sent to the SOs and ACs. You can't send the recommendations just as they are and say, "Have a beauty contest on the face of the recommendation without any evaluation as to what it's going to take – interdependencies," because the other thing we said is that, within this

300, there are obviously interdependencies that are going to evolve that the groups that … So there's a lot of homework.

So I think that, if you keep that practical aspect of it in mind, there is room before the bucketload gets structured and prepared so that the community can have at it in some sort of reasonable sense time to define the prioritization rules while that goes on.

As I said, if this is the approach that's going forward, maybe part of the recommendation is: "ICANN, except for ATRT3, why don't you wait on implementing review recommendations until this work is done?"

CHERYL LANGDON-ORR: Hmm. Responses from the table about the last words of Bernie before we move to Jacque and then Pat's point? Would you be happy at hanging up on implementation from Work Stream 2 recommendations until this work is done?

BERNIE TURCOTTE: I'm not happy about. I'm just saying, if you want to be—

CHERYL LANGDON-ORR: At least it's not my happy face, Bernie.

BERNIE TURCOTTE: I know it's not.

CHERYL LANGDON-ORR: Just so you're clear.

BERNIE TURCOTTE: I know it's your concerned face, but think it through logically. If you start on the implementation of Work Stream 2 recommendations, you're not all of a sudden going to stop them. So they get a pass, basically. You're not going to cancel work because they get reevaluated down the line and you scrap all the work. And there are so many of them – let's be clear – that they will significantly limit the amount of the remaining 200 that can go through. So that's my only concern.

CHERYL LANGDON-ORR: You simply articulated in my view the "fixing the plane after you land it or while you're flying it" issue. And we're constantly faced with that. Let's not forget about it, but it's not new.

Pat and then Jacques.

PAT KANE: Bernie, I think that I hear what you're saying, but risks still need to get mitigated and opportunities still need to get addressed. So I wouldn't want us to stop work and get in a practice of not having something in the pipeline to be done.

But, Cheryl, I wanted to come back to something you said in terms of SO/ACs. It really, in my mind, become a SO/AC+. If you take the stewards or you take the representative of the review teams and not have them be decisional but have them be consultative toward where

you're required them to be a part of the team and in the room as consultative, then you have more of the community in helping to make a community decision. So that's stuck in my head when you said that.

CHERYL LANGDON-ORR: Clearly, I'm comfortable with that, but I'm not the only one at this table.

Jacques?

JACQUES BLANC: From what I'm hearing, I love the word "truckload." So it seems that what we're saying is we've got enough drivers as it is. Let's not invent one more. But maybe we can tell them how to drive the truck, meaning common process that is to be followed all over the SOs and ACs and how long they will be allowed to drive it.

But that would mean that I would agree with Bernie that the initial evaluation that we had been doing before of the ATRT2 recommendations should be done in order not to try and go into an empty swimming pool, so to speak, because some of those recommendations are just not implementable anymore or should not be implemented, seeing where we're going. But I think, if we go this way, the minimum we could do is say, "Common process and a constrained timeline."

CHERYL LANGDON-ORR: Okay. I think it's back to me. Before I go into my pin that I'm still not going to let go of – the organizational review aspect on prioritization – I

keep thinking about the benefit of triage because triage as a methodology means you use standardized procedures but that are modifiable based on your resources. So how you would triage when you are fully resourced in an emergency situation versus how you are triaging when you're out the back of beyond with two band-aids and an aspirin is entirely different but it's still triage.

So I think we want to do is help the established entity and mechanisms, which need to do this job in parallel, work with consultation to sort out of the truckload but also, in parallel with that process, make sure they're operating under clearly established, simple, but highly transparent and accountable rules of engagement.

Is that kind of getting to where we need to be?

Okay. Let's see what we can do about working with that then later on.

Taking me pin out – my pen has been in that wall for 40 minutes now, or a bit more – let me talk to you for a moment about organization reviews and the methodologies – stop smiling at me, Jennifer; you know what I'm going to say – used in those in recent times regarding prioritization.

Here it's twofold. The interaction between the Board with the Structural Improvements Committee but the Board resolutions relating to organizational reviews are very specific on the instructions, the guidelines, and how things are done, including in the development of a fully costed and detailed implementation plan, which includes, because of – this is the second part – of the tools that MSSI work with very closely with those organizational structures that have been reviewed. Once whatever/however many/none of/all of/some of the

recommendations get through that triaging of [inaudible] and [filtering], once they're accepted, once they're accepted by the Board, they've had that process applied to them, which has included a prioritization talking about the effectiveness of it, any interdependencies, and whether or not it is a least costly and fastest fix because, in the case of the organizational reviews, there is a preference to do quick and cheapest, as well as effective and essential, and then have costly and longer-term things budgeted for in the normal ICANN budget process. So there's a built-in mechanism in that organizational space that does not exist in the specific ones.

So I'm not concerned. In fact, I think there was considerable inspiration from what is current practice in the organizational reviews that may be somehow reflected in MSSI's development of the documentation they're working with. [Just kidding].

Okay. Now I can take the pin out. I feel a lot better. Who have we got here?

Leon, your hand is still up.

LEON SANCHEZ: Thank you, Cheryl. I'm trying to shake off jetlag and being quite slow sometimes. Going back a little bit to "fixing the plane while in flight," I wonder if gathering both review recommendations and Work Stream 2 recommendations is something that we want to do.

CHERYL LANGDON-ORR: [Definitely not].

LEON SANCHEZ: Exactly. We have worked very hard to avoid that. So maybe we could have lines in the report to say, "Not to be mixed together," right? Not to be put in the same baskets: Work Stream 2 recommendations and the rest of the recommendations from other reviews, organizational or specific. I would just like to caution us against just putting them all in the same basket because Work Stream 2 recommendations are actually a different animal.

CHERYL LANGDON-ORR: So we now have two truckloads to deal with, ladies and gentlemen. They're slightly smaller trucks, but they're still two truckloads.

Bernie?

BERNIE TURCOTTE: For those of you who know, my heart is Work Stream 2. My soul, having bled into it … But I will play devil's advocate here. The recommendations were approved by the Board – yay – and we're all—

UNIDENTIFIED SPEAKER: [inaudible]

BERNIE TURCOTTE: "They were busy." As we said, it took over a year to prepare the evaluation tool. But a lot of those other recommendations that are sitting there have also been approved by the Board. Remember, I'm

playing devil's advocate here. I understand what Leon is saying. Yes, it was a different animal. There was a commitment by the Board to implement. But, by approving the other recommendations, there was an implicit commitment by the Board to implement those, and as we saw with ATRT2.

So I'm just trying to present how the community will look at it in the context of those things.

CHERYL LANGDON-ORR: Thank you, Bernie. Not playing devil's advocate but just perhaps being the devil, regardless of all of that – sorry, Pat – they're still going to be competing for the same resources across the board.

VANDA SCARTEZINI: [inaudible]

CHERYL LANGDON-ORR: Yeah. They're going to get muddled at some point in this final allocation of resourcing for things. We just need to recognize that.

I think there's benefit in dealing with the two truckloads separately. That actually possibly makes it a little bit easier because you've got the very defined requirement under the Board's statements regarding Work Stream 2. The whole contingency of the IANA transition was kind of hung off that. So we really think that was a fairly important thing to not muck up, I hope. So I have no problem with the two truckloads, but we

still need to remember that, at some point, they're both going to be competing for the same resources.

It may very well be that what we have in the shakeup of all of this is just one of those rare situations where what built Work Stream 2 is never going to occur again, one hopes. This is not ongoing. It's a very unusual circumstance.

The other thing is that, with the other implicit undertaking made by the Board in the acceptance of recommendations from specific reviews – I think I've got that sentence straight – that has not taken into account any changes from things that have been put into place that overrun and can be argued to replace certain recommendations. That's not something you're going to see in Work Stream 2.

Sebastien?

SEBASTIEN BACHOLLET: As we have just one driver and three trucks, maybe we put all of them on a train to cross the country.

CHERYL LANGDON-ORR: [inaudible]. I love it.

UNIDENTIFIED MALE: [inaudible]

SEBASTIEN BACHOLLET: I hope that they will be agreed to, but it could be a good idea to ask the implementation team of Work Stream 2 to do the work. But if you just want to have one single [one], we may say the SO/AC leaders are in charge but we suggest to them to give to the Work Stream 2 implementation team the work to drive the two trucks and to find another place for the future of the work. Thank you.

CHERYL LANGDON-ORR: Thanks very much for that. Vanda?

VANDA SCARTEZINI: Some questions. What is the timeframe for the implementation for Work Stream 2?

UNIDENTIFIED SPEAKERS: *laughter*

VANDA SCARTEZINI: Just a small question.

CHERYL LANGDON-ORR: Just so the record shows it, hysterical laughter was from the three people in the room who were part of the Work Stream 2 implementation plan, Vanda. I think that covers for you.

VANDA SCARTEZINI:	No, because we are putting them all in the same train. So it's something that we cannot get out of that discussion if we [don't] see the light at the end of the tunnel.
CHERYL LANGDON-ORR:	We know it's an oncoming train, Vanda. It's fine.

Before we get into metaphors that are going to take us into suicide missions – I think that is almost where we're heading – there is also additional pressure on Work Stream 2 implementation going through certain processes. It's pivotal, it's foundational, to a whole lot of things. So there is perhaps a derived benefit in treating the two truckloads separately, but still in parallel, just noting the fact that this thing – Work Stream 1 and 2 – was huge and did muck everything up royally in many ways. That includes the availability of resources to implement recommendations that were made before those two things happened. So that may be a way around it as well.

But we still can't ignore the preexisting [inaudible] on the books. If we were keeping up a standards book on – I'm going to stick with travel metaphors – on flight (if I had a pilot's book), I'd never take the old rules and regulations out, but there's part of the folder which is the retired one[s]. You'd have to take the old bit out and put it in the retired section and file the new bit. That's kind of what's missing in this prioritization exercise. We need to create the ICANN equivalent to that folder that every pilot must have, I believe, still in hard copy somewhere.

Ladies and gentlemen, where are we now – other than partway through the time allocated for today – with the exercise on this topic?

Vanda?

VANDA SCARTEZINI: Just a little point. At least this conversation, in my opinion, has given, to me, room to decide that, with this workload that it's going to face with the priorities, we need to postpone anyway any kind of review because there will be no personnel to really work on that because that workload will demand almost the same persons that are really with the reviews in many ACs and SOs. So this may help us to better define the second suggestion that we have on how we're going to do that. Thank you.

CHERYL LANGDON-ORR: Thanks, Vanda. It does fit in many ways with the different project planning and timeline that was presented in Option 2, or a modification of Option 2, which we may still end up with. Some of us would hope we do.

Regarding prioritization, I think what I've heard is, "Hell, it's a damn good idea. We definitely do need to do it." We're going to be suggesting – sorry. I'll stop using those hot words. We are going to be proposing that existing mechanisms are used -- that is being reflected in the public comments and around this table – but that we separate the historical recommendations. We've got to decide, is that into one or two tracks? But those tracks still run in parallel with a transparent and accountable,

well-understood process being developed – a form of triage – that will be applied – and more easily applied – as things go forward.

Is that a reasonable overview of where we are?

Pat, you're grumpy at me or grumpy at the screen?

PAT KANE: I had to think for a second. So, yes, I'm grumpy. No, I'm good up until the separation, just from where I sit, because, again … No, I understand. Certainly we have to get the consensus and whatever level of consensus we get to. But I think that, again, to apply the same thought process to the bundle is something that I think is important. But everyone has to recognize that, the first time you dig a ditch, it's really, really hard. It's a lot easier than keeping the ditch open. So, yeah, no matter what we do up front, it's a heavy lift anyway.

CHERYL LANGDON-ORR: I think the other point is that we also recognize that this is not going to be a popularity exercise. People will be disappointed, will be unhappy, will not understand, and we will just have to go, "Tough. Change sometimes hurts."

UNIDENTIFIED MALE: No matter what we do.

CHERYL LANGDON-ORR: Regardless of what we do. Sometimes change just has to hurt. So this is a pain-point exercise. Corporations, organizations, and entities go through pain-point exercises all the time. ICANN tends to boohoo, run and hide, and go and get a band-aid put over their booboo about their pain-point exercises. I'm not in the school of thought that thinks we should let them continue it over this particular topic. It's how you got to a 300-tall set of orders, anyway.

So, with what Pat has said, the point we will need to decide about is the historical stuff in one bundle or two.

I'm getting a victory sign. Two? Leon is saying two, as he's leaving. It's like dropping the microphone, etc. And I have other people going, "One." All right. Put your finger in the air with one or two. No, you can't have two different fingers.

Wolfgang, are you a one or a two in the bundle?

Okay.

VANDA SCARTEZINI: I want to justify.

CHERYL LANGDON-ORR: Okay. Go ahead and justify. Vanda, for the record, is going to justify why three of the people around the table – that's Vanda, Jaap, and Leon – all think two. Go on, Vanda.

VANDA SCARTEZINI: I'm voting two just because of my first question. Work Stream 2 will not open up to embrace all the other stuff until they finish the implementation work that they fight for so much and get the approval of the Board. So we need to allow them to continue and push them a little bit, suggesting them to push a little bit to finish. But I don't see Work Stream 2 embracing all the other stuff before they complete. So that's my reasons to have two – one for the backlog in general, and the other for what they have to as approved by the Board.

CHERYL LANGDON-ORR: Okay. I'm going to go to Sebastien next, but just to be clear, Vanda, the two was two in backlog.

VANDA SCARTEZINI: Yes.

CHERYL LANGDON-ORR: All right. Sebastien?

SEBASTIEN BACHOLLET: Just to sure, Vanda, Work Stream 2 has finished its work and it was agreed to by the Board. There's a team in charge of following the implementation. We are here. When there's need, we are called upon for calls for working on the Work Stream 2 implementation. Therefore, it is an existing team. You will not have to ask the members of this team to join because it's an existing mechanism. It's why I was thinking that it

was the easiest one: we have already one-third of the basket from this part of the recommendation. Thank you.

CHERYL LANGDON-ORR: Bernie?

BERNIE TURCOTTE: Interesting question. What's included in the 300? I don't know. We saw this number, but I've never seen an explanation of what's included in the 300. Are the Work Stream 2 recommendations in the 300? We assume that.

CHERYL LANGDON-ORR: I've always assumed that, yeah.

BERNIE TURCOTTE: Okay, but I don't know because, as we say, they're a different status. So I …

CHERYL LANGDON-ORR: Okay. I'm going to look to staff. Can we clarify that, please, Negar?

NEGAR FARZINNIA: Yeah. I will confirm for sure but I'm pretty certain it includes Work Stream 2 recommendations and essentially all the recommendations that have been approved to date.

BERNIE TURCOTTE: Okay. [inaudible]

CHERYL LANGDON-ORR: Yeah. That is our working assumption. So thank you. If you can just double check on it to make sure our working assumption is not in error. I'm sure we'll make enough of those without having them forced upon us.

Go ahead, Bernie.

BERNIE TURCOTTE: Okay. As a follow-on, assuming that the Work Stream 2 are part of the 300 or whatever – the truckload – do we want to second-guess those? I guess that's what I'm saying. We're saying there are 300. We will define …

[PAT KANE]:   It isn't overthinking, and breaking apart it apart sets expectations that there's a certain number of things going into the five-pound bag unless we make a determination that Work Stream 2 is the first thing that you put into the five-pound bag. I think that's really going to be the responsibility of the prioritization team. They need to make that decision and have that flexibility because we're saying that this is what you should do – how it goes and gets implemented. We're just making recommendations or making suggestions or making observations – whatever it is we're making along that path. We're saying that this team has to go take that responsibility. At that point in time, we're shepherding that it gets done. We're shepherding that it gets our

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intentions considered. But still, a different group is going to go make that happen.

CHERYL LANGDON-ORR: Okay. I'm going to assume, Vanda and Bernie, your hands are old. Is that correct?

VANDA SCARTEZINI: Yeah.

CHERYL LANGDON-ORR: Okay, thank you. Pat, you have just done your hand in. Great.

VANDA SCARETIZINI: Just my point is that always we need to recognize – this is another point for my two – that Work Stream 2 and its implementation has a [status] that the other recommendations do not have. So putting myself in the hat of SOs and ACs leaders, I would like not to compete my priority recommendation with those general recommendations from Work Stream 2.

CHERYL LANGDON-ORR: Human nature.

VANDA SCARTEZINI: Yeah. Just that. Just to recognize that we live in the human environment in [ICANN].

CHERYL LANGDON-ORR: I'm not actually joking when I say this. Yes, we are living in a human environment within ICANN, but we expect more than human out of our leadership. I'm afraid that, if that is the existing mechanism that gets this job, they're going to just have to suck it up. And they are going to have to, in the transparency exercise and with their accountability, ensure that those natural tendencies towards selfishness is avoided and that rational decisions are arguable and provable as in the best interests of all. So that's the type of thing that we would expect.

We are we now, ladies and gentlemen? Let me see if we can recap. Existing mechanism.

UNIDENTIFIED MALE: Probably [SO/ACs].

CHERYL LANGDON-ORR: Probably SO/AC leaders or their delegates as articulated by SSAC. That would satisfy a lot of the public comments. We are going to make very clear what we meant by much of what we said where there was confusion with twelve months of this and renewal of that, etc., etc. We're going to propose that, in parallel, recognizing that things will be coming out of existing running teams now, they will be running under, going forward, the new guidelines. So there should be an easier way of dealing with those.

But the currently-named truckload of historical stuff still needs to be dealt with. We're leaving that up to whatever the entity is to detail, but

it should be a parity exercise between how the historical stuff is dealt with and how the future stuff needs to get dealt with.

We're also going to looking towards having the historical stuff with noted exceptional circumstance regarding the unique situation of Work Stream 2 recommendations because that really is a big one-off but it is a one-off. So we may be able to argue that the retirement, for example, to be applied to recommendations that are not Work Stream 2 is a different approach that one would not endorse going into a Work Stream 2 prioritization exercise.

Or there is the status that I believe Vanda just raised. It could be that we note that, in this exercise of dealing with the historical stuff – the truckload – the Work Stream 2 recommendation and the implementation plan associated with that gives those implementables a special status which has to be considered in the prioritization.

We're getting close to something now. Phew! Now, I feel the urge to throw another cat on the table at this point in time.

UNIDENTIFIED MALE: [inaudible] dog?

CHERYL LANGDON-ORR: Oh, no, no. I'd never throw a dog on a table. Cat, [table to section], not a problem. I'm not a cat person.

Going forward, not applicable to the historical truckload, we also need to, dare I suggest, consider what is in the white paper, which is what I

believe Avri in the group has called it, on prioritization from the Board. We have seen Becky and Avri working on this. We've talked to them. We've presented in public, saying that there should be some complementarity. It seems to me like this is the spot where the complementary needs to recognized. That's a going-forward exercise.

We have Avri, I believe—

UNIDENTIFIED MALE: [inaudible].

CHERYL LANGDON-ORR: Sorry? I know we've got her. I've been chatting with her throughout the whole day. We have Avri in our listening audience, but I'm not sure whether she's got a working microphone because, if there's anybody who should be able to give us a brief synopsis into the record of that paper and where it's up to on the, I believe, four pillars of considerations – I think that's the term – it's her. Avri, are you in a position to speak to us from up on high?

I hope I haven't found her in that one moment that she's not engaged because she has been engaged throughout.

Okay. If she's not available right now, then I think we need to come back to that. [inaudible] I don't know if you've got your own private channel to poke at Board members.

LEON SANCHEZ: [inaudible]

CHERYL LANGDON-ORR: Good. Okay, she is engaged, she says. Of course she is. "Not quite now. I can come back to it." Okay. So we'll come back to that, but I don't think we can lose the opportunity of picking that very important work up that the Board is already then doing.

Bernie, the cat is off the table.

BERNIE TURCOTTE: The cat is off the table. All right. I think at this point we should really consider just naming it the SO and AC leaders group. It's just following onto the discussions. It makes more sense to me.

The other thing I'm uncertain of in your summary, Cheryl, is—

CHERYL LANGDON-ORR: [inaudible] my summary [inaudible]

BERNIE TURCOTTE: We'll have a drink. Are we still recommending a separate group to come up with some rules for prioritization, or are we just going to sit down and hack out some high-level guidance and say, "You take care of it. Here's our high-level guidance. We're done"?

CHERYL LANGDON-ORR:	In my personal interventions earlier, and not in my summary, I was careful to try and stick to the high-level stuff and say whoever gets this job gets to do this. That is, from my perspective, what I would think is the smart way of going forward. But I do think the ballpark needs to be built so that the group that's tasked with it understand what the high-level expectations are.
	But let's put that to the table.
	Go ahead, Bernie.
BERNIE TURCOTTE:	The reason why I think it should be as you say is that A) we can wrap this up and B) it would it fall under the category of creating another group. That's what worries me. We don't want to do that. So, if we're going to hand if over … Anyways, to go back to Pat's point, the group that's going to be chartered with actually taking the hits for that and doing the work can finish refining it with whatever—
VANDA SCARTEZINI:	With the guidance.
BERNIE TURCOTTE:	Yeah, with the guidance. But they finish refining it.
CHERYL LANGDON-ORR:	I think the only thing I think … It's not the only thing I think. Let me start that again. The only thing I think I would also like to note in that

EN

summation where I think we are getting close to now is that we didn't have a preference for the group to only be the SO/AC leaders. But as Pat suggested – it picked up on Sebastien's points – it's a SO leaders-plus – In other words – the shepherds, the implementation teams, etc., that are in existence that can aid in that job. So it's not—

BERNIE TURCOTTE: Where required.

CHERYL LANGDON-ORR: Where required. But it's a fairly insurmountable task to expect just to SO/AC leaders or their delegates to somehow this knowledge from on high about what the intentions were this all of these recommendations or not. So that I think we need to make sure we've captured as well.

Anybody else want to speak on this, other than …

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: Okay. Well, if we get it in there, can we look at what we have consensus on? Can we know write some highlights that will be filled in later in terms of text so that we can look at some consensus language? We've—

BERNIE TURCOTTE: [inaudible] Google Doc [inaudible].

CHERYL LANGDON-ORR: We can indeed use the same Google Doc. We have 40-odd minutes to the break. If we can get that done in that time – because prioritization is a big hit – that will be a huge help.

BERNIE TURCOTTE: All right. Let's go have a look at that.

CHERYL LANGDON-ORR: Okay. Now, whilst that's getting set up, ladies and gentlemen, I know we have a break at 3:30 which will be for hydration and other basic biological needs. We might just now recognize a five-minute break just to stand up and stretch your legs. Those in our viewing public might rush off to find their paperwork so they can talk to it when they get back, Avri, and see how we go. So let's just take a five-minute mini-break. Time for a mini-break. Do not leave then building.

BERNIE TURCOTTE: Don't run away.

CHERYL LANGDON-ORR: Do not run away. Don't lose the Zoom room. We will reconvene with a lovely document at – what are we? – almost quarter to … Let's say ten to the hour. Thank you.

Thank you. Okay, we've just had a little mini-break, which has allowed two things to happen. First of all, there's the document we're about to

start working on regarding prioritization. It is going to be available for us. It'll be the second part of the document we have on screen under the title at the moment of accountability indicators.

But firstly, we're going to go to Avri. Avri, obviously it's very much the interest of the small group out of the Board who's looking at prioritization to make sure that we have a clear understanding of what your work paper is proposing. So over to you.

AVRI DORIA: Thanks. Hello to all. I've been listening. Sorry, as I was mentioning, I was in the midst of packing and hadn't tried talking yet today, although it's not that early anymore.

Anyhow, I've been listening and I think what you're doing is quite consistent with that paper. You're certainly working on that the community makes trade-offs within the context of all of the work, so you're certainly taking that principle and coming up with a means of doing it. The paper covered less of what to do with the immediate 300. Yes, it has been confirmed that it does include the WS2 stuff, though I must say, within the Board, I have certainly been a protagonist for that, as I'm sure Bernie expects, for the immediacy of WS2 and it being a final part of the transition and, in some way, being antecedent to changes we make because somehow people are already assuming that a lot of the WS2 has happened, although of course the gigglers in the room indicated it hadn't, although some has.

So I think you are being consistent. I think, whether it's the SO/AC leaders or some special committee, it's not something that the paper

needs to be at all determinative with. It's just so that there are those clear sets of principles, which you have started talking about: how do people make the trade-offs and how does it work, both with the budget process and in between the budget process, knowing that a lot of the things don't need extra budget to happen but some do. So it's keeping that in mind also. It's not always that there's a budget allocation necessary to get a proposal, an implementation, going. It requires bandwidth within the organizational staff, but it doesn't necessarily require extra expenditures.

I don't know if there's specific questions. I'm sorry I'm not the four-pillars person. That is Becky. But, in terms of the process and intentionality within that paper, I think you're consistent. Bringing the two together will not be a gargantuan task.

CHERYL LANGDON-ORR: Thanks very much for that, Avri. I'm quite sure you have a deep understanding of the four pillars, but we do appreciate that that's Becky's baby in particular. But I certainly hearten that we're looking at complementary and not anything else at this stage.

Sebastien, over to you.

SEBASTIEN BACHOLLET: Thank you very much. Thank you, Avri, for coming to us. Maybe I may find the [inaudible], but do you know where we can find the 300+ recommendations.

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AVRI DORIA:	Not at the moment, but I'll look for it. I don't remember seeing a list, though I wouldn't be surprised if someone within [Theresa's] staff had a list such as that built somewhere. But I don't immediately [inaudible].
CHERYL LANGDON-ORR:	Thanks, Avri. I think what we might do, rather than ask you to go digging, we'll take that as an action item for staff, who are nodding their head in agreement at the other end of the table that we'll find where that exits within Theresa's staff and make sure we've all got it, including a copy to you and Becky, because it sounds like something that would be useful for you to have as well.
	Any other questions for Avri while we've monopolized her?
	Vanda, you're okay?
VANDA SCARTEIZNI:	Yeah.
CHERYL LANGDON-ORR:	All good?
	Okay. Thank you very much, Avri. We honestly deeply appreciate the fact that people like you have been such strong, almost fully fledged, members of this review team. There's very few meeting you've missed, and that it includes these face-to-face jaunts, which can't be friendly with your time zones. So thanks very much. More importantly, you've helped us in this prioritization exercise to not think that we're going to

be criticized as trying to derail what's going in the white paper with the Board work. Thanks for that. Wherever you're traveling, travel safe.

AVRI DORIA: Thank you. [inaudible]

CHERYL LANGDON-ORR: Thanks a lot. All right then. Where are we now? We have a document—

BERNIE TURCOTTE: Brussels.

CHERYL LANGDON-ORR: We're in Brussels. Thank heavens. Although I do remember having some meetings where there was great confusion of where we're going to next. Any city or country starting with M seemed to be …

                                All right. Enough of this frivolity. Let's get back to the sad, sad, hard work. No, it's not sad. It's very productive and we are doing well. We have 30 minutes, ladies and gentlemen.

BERNIE TURCOTTE: And we have a document.

CHERYL LANGDON-ORR: And we have a document to play with, so let's now scroll to that section in the document. Those of you amongst our viewing public who are in

the Zoom room, you will find the link about to be reproduced yet again in the chat because I know the girls will do that as I speak. You will be able to join us in the Google Doc if it has not been already joined by you.

I'm going to say: over to you, Bernie.

BERNIE TURCOTTE: Thank you, ma'am. All right. I've tried to cram things in. You'll appreciate that I did this in about ten minutes, so no great ownership here. Please shoot at it. But what I did get out of our conversation is the following. We'll just read through it.

"ATRT3 supports having the SO/AC leaders or their delegates, along with the ICANN Board and org, be responsible for the prioritization, taking into account the high-level guidance provided by the ATRT3, which includes: ATRT3 notes that any prioritization exercise should take into consideration the special nature of Work Stream 2 recommendations in any prioritization exercise. Must be conducted in an open and transparent fashion, and each decision should be justified and documented. Ideally, the prioritization process should include input from all the community members probably via a public comment process. The prioritization process can fund multi-year implementation but will review these annually to make sure they are still meeting the implementation objectives and the needs of the community."

"Elements to be considered when prioritizing recommendations should include budget availability, cost of implementation, complexity and time to implement, perquisites and dependencies with other recommendations, value and impact of implementation, and relevance

to ICANN's mission, commitments, core values, and strategic objectives. Once the backlog has been cleared, the regular prioritization process should be integrated into the standard budgeting process with SO/AC leaders. As a subset of that, in considering prioritization of the backlog, the prioritization of these recommendations should be done on a level playing field."

CHERYL LANGDON-ORR: [inaudible]?

No? Okay. All right. A moment to digest. A moment to read. And over to you, Sebastien?

SEBASTIEN BACHOLLET: Thank you. Something that was on my mind since being in the discussion is that I would like that we try to find … I'm not sure that the budgeting process … From my point of view, it must be the operating process or the strategic process, but I don't want too much to be just tied with only the money side of the discussion. It's why I would like – I don't know if it's the right word, but don't use the [budgeting] process but one of the other two words we have available for us because there is an operating process and there is a strategic process also. Thank you.

CHERYL LANGDON-ORR: Okay. So, Sebastien, where in this text do you want to modify to make it … Is it that last-round bullet point, where it says, "Into the standard budgeting process, along with …"?

SEBASTIEN BACHOLLET: Yes.

CHERYL LANGDON-ORR: I guess that's almost a steal from what happens with Board resolutions regarding implementation of most recommendations, whether it's organizational or otherwise. Or am I not reading all of those resolutions properly?

SEBASTIEN BACHOLLET: I don't know, but it's not just a budget process. It's greater than just a budget process. Even if it was used like that in this organization up to now, I suggest a change. Thank you.

CHERYL LANGDON-ORR: Okay. I see what you mean, Sebastien, and I think we might be able to play with the text, which is why I was asking for suggestions on playing with the text so that it reflects the almost pro forma text that we get out of resolutions but also reflects the unique situation regarding these recommendations, in particular Work Stream 2 ones.

                         Bernie, you were waving at me. Go ahead.

BERNIE TURCOTTE: The reality is that we call it the budget process but it's a wide thing that considers many things. Once you say "the budget process," you're talking about the operational plan and everything else. So I think it's a

bit of a misnomer when you say "the budget process." Maybe we need to find new words. But the reality is that the enlarged budget process is the place where it will happen. So how do we rephrase that? I'm open.

CHERYL LANGDON-ORR: Pat?

PAT KANE: I think it would be the operating plan. When we take a look at the term that's actually used when we talk about the financial plan, it's always tied to the operating plan. So maybe it is the operating plan that we tie to and not necessarily the budget.

CHERYL LANGDON-ORR: Okay. So, again, with running through all of these Board resolutions I've read over the years, should we be changing this text to then say, once the backlog has been cleared, the regular prioritization process should be integrated into the standard operating plan and budget process with the AC/SO leaders and community? Will that cover it more appropriately?

                        Sebastien, you raised the point in the first place.

SEBASTIEN BACHOLLET: If we take [inaudible] wording in the comment period open, it's draft - 21-25 operating plan and the fiscal year operating plan and budget. "Should submit," blah, blah, blah. It's [inaudible]. Even if we want to do

something for just one year for a longer term … If it's one year, we can keep what is written today: operating plan and budget. If it's longer than one year, it's operating and financial plan. That's what is used today. Thank you.

CHERYL LANGDON-ORR: Okay. So we just need to modify that to be operating and financial, yes?

Okay. Let's switch it to that because I think there is a benefit in having the opportunity for the multi-year.

Does anyone disagree with that?

BERNIE TURCOTTE: No. I think it's good.

CHERYL LANGDON-ORR: Okay. Can I get a feel – oh, sorry. Jacques. I'm not sorry, Jacques. I'm just sorry I didn't see your hand.

JACQUES BLANC: Well, you might be after my question.

CHERYL LANGDON-ORR: I'll try not to be.

JACQUES BLANC: Could somebody, preferably one of the respected leaders, explain to me what is a level playing field? Is that precise enough: a level playing field?

CHERYL LANGDON-ORR: All right. Good question and one that, as we go through, we really should rescript because "level playing field" is one of those that's not going to translate well into other cultures and language. What it means is a fair and equitable without necessary [inaudible] fear or bias. So the idea of a ballgame or sporting game not having any impediment to the progress and fairness of the game is what is meant to be reflected by that colloquialism. But we should avoid colloquialisms.

JACQUES BLANC: Thanks. Just to follow up, what do we mean when we apply to that to considering prioritization of the backlog? How could it not be fair? If we refer to all that we've been saying before,]what is the use of "precisely once more," that] it has to be fair? Just a question.

CHERYL LANGDON-ORR: A very good question. I want to Pat to follow me here because simply I like Pat to follow me. No, I actually want him to buy into this response to you. I'm actually wondering whether fair and equitable is what we should be saying. Or we should we be saying accountable and transparent? Because, to be honest, the fairness and the equitability? This is not going to be equitable, and it's probably not going to be fair, depending on your perspective. So maybe we should be making sure it's

very transparent and unbiased and accountable. Perhaps we need to look at that language.

I've got a queue. I've got Demi, then I have Sebastien, and then I have Bernie. Over to you, Demi.

DEMI GETSCHKO: Very quickly, I understand that all the elements have more or less the same importance, but I would feel more comfortable to put the relevance to the ICANN mission in the first place and combine budget and cost in the same element. Budget availability/cost of implementation. I don't know why we have two lines on this. Thank you.

CHERYL LANGDON-ORR: I think that's a friendly amendment. Thank you, Demi. Let's go to you, Sebastien.

SEBASTIEN BACHOLLET: Thank you. In starting to read the document here, I have a question. It's a word in the first line: [along]. I think we may say that it's the SO/AC leaders that delegate who is in charge, with the support of … Because "along" seems to me that it's the Chair's responsibility. We need to be sure to have one part of this organization responsible. Therefore, the Board must support and org must support but, at the end of the day, it's a suggestion or decision of the SO/AC leaders.

CHERYL LANGDON-ORR: So, Sebastien, to change "along with ICANN Board and org" – and it should be a capital "O" for org; that's just me being pedantry … You would prefer it to say, "with the support of the ICANN Board and org." Is that correct?

SEBASTIEN BACHOLLET: Yeah. Thank you very much. I support having the SO/AC leaders or their delegates be responsible for the prioritization with the support of the ICANN Board and ICANN org. Something like that.

CHERYL LANGDON-ORR: Okay.

SEBASTIEN BACHOLLET: But I want to wordsmith here. It's not my task and I am not good at that.

CHERYL LANGDON-ORR: Right. Bernie, I think you've got enough to work with the sentence, have you? If not – you haven't. All right then. But your hand is up anyway, so we'll go to you and then we'll go to Pat after that.

BERNIE TURCOTTE: Well, Pat has always interesting words of wisdom, so let's hear from him.

CHERYL LANGDON-ORR: Okay. Uncle Pat?

PAT KANE: Thank you, Bernie. Sebastien, did I hear you phrase it a little bit differently here in that it's the responsibility of the SO and AC leaders or their delegates, supported to by the ICANN Board and org? Because before I thought one of the things we had talked about was the SO and AC leaders or their delegates with the ICANN Board and org. So, when you say "support," are you saying that that really is just the responsibility of the SO/AC leaders, or it is in conjunction with ICANN Board and org representation?

SEBASTIEN BACHOLLET: Thank you, Pat. If I can answer, I'll try to say what my point of view is. If we create a group where we want to have the three parts together in the working group, it's one thing. Here we are giving the responsibility to one group to make this work. We have talked about that and we think it's SO/ACs. Therefore, it was split the responsibility, then we have done nothing new because of the current situation. The Board is saying we are responsible for that, the org is responsible for that, and the SO/ACs are responsible for nothing or something. Here we want to give the responsible to someone. It's why I suggest that. Thank you.

PAT KANE: Thank you for that clarification, Sebastien. I don't see it as a division of responsibility. I see it as a joint responsibility for the process. So it's not three separate groups taking their pieces and going off. It's three groups

coming together and hammering that out because, if we're going to use as one of the first elements the relevance to ICANN's mission, commitments, core values, and strategic objectives, the org and the Board have just as much responsibility in making sure that happens as the community does. So that's why I see as the combination of the three to form one group as opposed to one responsibility divided amongst three people.

CHERYL LANGDON-ORR: Back you, Seb.

SEBASTIEN BACHOLLET: Thank you. Yeah, but either you say "along with the delegates of the Board and the delegates of org," … But if you put the body, that means that the SO/AC delegates plus the Board plus org. I don't know what is org, except for the CEO. Or it's 400 people [who] will work together. Therefore, it's a matter of that we need to simplify. Therefore, if you want to have inputs from the Board, that's okay. But, if you say other delegates plus one representative from the Board and one representative from org, it's not the same thing as "along with." At least that's my understanding of the English. Sorry.

CHERYL LANGDON-ORR: Okay. Just before we go back to you, Bernie, and before we go to you, Vanda, Jacques has his hand up. Go ahead, please, Jacques.

JACQUES BLANC:	I'm not sure because I'm going to introduce another line. So maybe we should clear what we're discussing now.
CHERYL LANGDON-ORR:	Hold your place. Thank you. Bernie, is Vanda's point to complement in this discussion? Go ahead, Vanda.
VANDA SCARTEZINI:	Just like Sebastien was talking about, translating that, we should [inaudible] little things like the comma after org because, when you translate it, it can be that the Board and org will be responsible. If you don't put the comma … So we need to make sure that "responsible" is together. So we need to make it, into the translation, clear.
CHERYL LANGDON-ORR:	Thank you. Bernie, before I hand it to you, it seems to me that we also have a couple of different thoughts that need to be crystallized here. We have the thoughts which certainly was where I was coming from – I believe Pat articulated as well – that there was an in-conjunction-with assumption. And we might need to establish whether the consensus is with the in-conjunction-with assumption – however that gets written a little bit more robustly. Or, as Sebastien was proposing, it is "owned" by the SO/AC leaders or their delegates and that the Board and org are in support only, not in conjunction.
	So, to you, Bernie, and then we need to come to Jacques, and then I'm going to put myself in the queue.

BERNIE TURCOTTE: Thank you. I'm more in line with Cheryl and Pat on this one for the very simple reason that we will be making decisions which we want to carry through, and the Board cannot give up its fiduciary responsibility. That's the answer you're going to get back. So, in my mind, in-conjunction-with—

CHERYL LANGDON-ORR: [inaudible]

BERNIE TURCOTTE: Yeah. In conjunction with.

CHERYL LANGDON-ORR: Okay—

[SEBASTIEN BACHOLLET:]   [inaudible]

CHERYL LANGDON-ORR: Sebastien, let's see if you're able to get sufficient support to change that.

SEBASTIEN BACHOLLET: I am sorry. I am not here to play rugby. I am not trying to pull people with me or without me. I am just trying to say that, if we want to have

something … That's my point of view. After, you will decide what you want. I don't care. In fact, if it's not workable, it's not workable.

But, if you take as an argument that the ICANN Board has a fiduciary responsibility, that's why you need to put here in a document [from us] "along with." That means that, anyhow, the ICANN Board will have its fiduciary responsibility. If the SO/AC leaders came with a prioritization process and a prioritization of the backlog, the Board …

PAT KANE: … for the community and the constituencies that we are responsible for because, at the end of the day, whether we're IPC, BC, GNSO, or ALAC, it's all about people using domains for the Internet. So how do we make certain that we think the same way? I just think we get buy-in as opposed to separation and someone saying, "Well, you should have done that and you should have done this," etc.

CHERYL LANGDON-ORR: All right. It seems to me, though, that "along with" maybe be open to interpretation in other languages. If we mean "in conjunction," we should say "in conjunction." And we need to look at the placements or comments or grammar to ensure that, in translation, it's not lost in translation.

Are those points agreed upon by the majority of the table?

Great. New business, Jacques?

JACQUES BLANC: [inaudible]

CHERYL LANGDON-ORR: Back you, Sebastien.

SEBASTIEN BACHOLLET: May I suggest that we add, after "ICANN Board and org," "other delegates," or something like that? Just to be sure that it's not all the Board will need to be with the delegates of the SOs and ACs and all organizations will be with them.

CHERYL LANGDON-ORR: Yeah. Fair enough. Go ahead, [Jacques].

VANDA SCARTEZINI: I can jump a little bit. Why are we using the word "support"? [Is] something saying to us, "You should do that"? In my opinion, it's ATRT suggesting having [AC/OC] or recommending having [AC/OC]—

CHERYL LANGDON-ORR: Understood. That word "support" at the beginning. Fair point, Vanda. "So ATRT3 proposes" it will be, or a similar term.

                                  Your turn now, at last.

JACQUES BLANC:	Well, tentatively Jacques for the record. No. Considering the time that has been passing since ATRT2 and now our exercise, I'm feeling as it might be a good idea to put a deadline on the exercise, meaning that this exercise must be ended at such a time that we would have to discuss now.
CHERYL LANGDON-ORR:	Within 12 months?
VANDA SCARTEZINI:	Yeah. We should think about [inaudible]—
CHERYL LANGDON-ORR:	Microphone, Vanda.
VANDA SCARTEZINI:	I believe, from now on, we should consider that the work done for any kind of group should finish in one year.
CHERYL LANGDON-ORR:	Okay. I'm getting head-shaking in various directions. Not all of them are good. Osvaldo?
OSVALDO NOVOA:	Just to understand because this is going to be a recommendation. So it's not a proposal. So we should recommend what it should …

CHERYL LANGDON-ORR: Osvaldo, yes. I couldn't agree with you more, but, up until now, we haven't committed the use of the term (capital R) "recommendation." But I'm happy to have it typed in if that's the case.

All right. Where are we now? Jacques, are you finished? You're okay?

Okay. My own hand is up for a moment. What I would like to suggest in this first bullet point that we might need to consider is that we spoke up the plus aspect – the shepherds, the implementation, the as-need interaction – and that's not written into this. I think, if it is written into it anywhere, it should be somewhere in that top section because we were not just blessing only the AC/SO leaders. Of course, the definition: Do we mean just the Chair? Do we mean the Chair and the Co-Chairs. Do we mean the Chair, the Co-Chairs, the Vice-Chairs, and the regional leaders? I mean, hang on. We might need to look at how we define that. The SO/AC leadership is not a clear and unambiguous term in itself, and that also needs to be looked at, I would proffer. But we definitely mentioned that this group of people need to be able to draw on, as required, the shepherd and the expertise that exist out of things like the Work Stream 2 implementation.

Back to you, Bernie.

BERNIE TURCOTTE: Maybe this is a question for Leon: For this group of SO/AC leaders, do you spoke to you just call SO/AC leaders—

LEON SANCHEZ: [inaudible]

BERNIE TURCOTTE: Yeah. Do you have a name internally for that group?

LEON SANCHEZ: No. No name.

UNIDENTIFIED MALE: The Chair and the Vice-Chair, no?

LEON SANCHEZ: Huh?

UNIDENTIFIED MALE: The Chair and the Vice-Chair?

LEON SANCHEZ: Yes. We met with the Chairs of each SO/AC, and some of the Vice-Chairs attended. So I guess the chair is to have Chairs and Vice-Chairs of SO/ACs together.

CHERYL LANGDON-ORR: All right. Now, we're divvying up resources.

[BERNIE TURCOTTE]:   [inaudible]

CHERYL LANGDON-ORR: Ladies and gentlemen, caution here: we're divvying up resources. We're acting in prioritization. If we're going to get an advisory committee that then decides it's going to have five vice-chairs and a support organization whose structure only has two vice-chairs, what do you think is going to happen? There's going to be concerns about the balance and, and, and.

BERNIE TURCOTTE: Should it just be the chairs?

CHERYL LANGDON-ORR: Maybe the chair or their delegates.

BERNIE TURCOTTE: Okay. Well, if we put in SO/AC leaders – in brackets, chairs – and then, right after that, it says, "or their delegates" … Well, actually, it could in the parenthesis. I would write it like this.

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: [inaudible] Okay. Go ahead, Sebastien, as we're looking at what's being written.

SEBASTIEN BACHOLLET: But you know the chair of the GNSO is not the chair of all of us. I don't think he can represent me as a blah, blah, blah.

UNIDENTIFIED MALE: [inaudible]

SEBASTIEN BACHOLLET: No, it's just I am mimicking some of my colleagues from the GNSO. That's something we will hear, definitely.

BERNIE TURCOTTE: [inaudible]

CHERYL LANGDON-ORR: Pounds to peanuts, there will be screaming from the sidelines from certain support organization perspective that every single SG, C, [XQ] cleaner, and the girl down the road need to be represented. We got to take a hard line or not on this one.

Leon, [save me].

LEON SANCHEZ: Yeah, but we need to go back to the concept that this body is not making any decisions. It's just an interface. So whomever raised the question about not feeling represented would have no point in raising that concern because, in the end, this is not a decisional body. This is

just an interface so that they can go back to their communities, discuss issues, and then come back to the table with whatever outcome they actually have within their communities.

CHERYL LANGDON-ORR: If that's the case, then that is not captured in these words.

BERNIE TURCOTTE: No [inaudible]

CHERYL LANGDON-ORR: Okay. Hang on. Blah, blah, blah.

LEON SANCHEZ: Each of the SO/ACs [as per] their own procedures and …

CHERYL LANGDON-ORR: Pat and then Bernie.

PAT KANE: But at some point in time, somebody has got to say, "#1, #2," right? So I get the SO/AC leaders or their delegate in conjunction with the Board and org get together and make a recommend on prioritization, go back to their communities – yes/no/[horse trade]/blah, blah, blah – and come back together. At some point in time, somebody has got to say, "What's #1?" Who is that decisional body?

LEON SANCHEZ:
I'm of course thinking out loud here. My guess is that this would be an iterative process. You would put the 300 recommendations pool on the table. You would say to each SO/AC leader, "Go back to your community. Try to prioritize what you want to take care of before …" to prioritize the different recommendations. "Come back to us. Let's see how that matches." And say, "Okay, we have a winner," or, "We don't." Then we go back. Or that body could say, "Let's try to find a middle ground here. Let's try to build a list that is still not a decisional list but something that, after reviewing each of the bodies' priorities, we are going to review. We are going to try to have a second pass on those priorities. With that second pass, go back to your community again. See if they agree to that second pass. If that second pass actually passes the test with each of the communities, then that becomes officially a prioritized list."

PAT KANE:
I know we're running with scissors with this, but now we have a year-long priority process.

CHERYL LANGDON-ORR:
Okay. Now—

LEON SANCHEZ:
[inaudible]

CHERYL LANGDON-ORR: Not only are we running with scissors but I'm about to take the scissors and slash by wrist with said scissors. So let's take a pause, ladies and gentlemen. It is time – okay, Sebastien. I'm never sure if your card is up or down. This is why the room is useful. I will see you in a second. Before we take our break, we will go to Sebastien. But, in our break, can I suggest that we do consider this and discuss this further? Because there are various ways around this. It's where we need to have our conversations start up when we come back. We're not trying to build a monstrosity here. It is possible sometimes with a slimmer design to deal with the problems.

Sebastien?

SEBASTIEN BACHOLLET: Thank you, Cheryl. Thank you, Jennifer, for sending this information about recommendations because I really feel that, for half of them, it's for a specific review, and, for half of them, it's for an organizational review. Frankly speaking, I don't see how we will and we won't. It's good to have a prioritization between reorganizing the work of At-Large and the work SSAC or [and SO against GNSO].

Therefore, I feel that those organizational reviews are something that are done at the level of SOs and ACs. Therefore, if we [inaudible] here in the prioritization, I don't know how we will end up [inaudible]. But the rest is 160. That's Work Stream 2 for 100, the CCT and the [inaudible] review. Therefore I see that the 300 for me is a little bit misleading as a big pile. It's just half of the pile, already a big one but not so big as I was getting the impression of. Thank you.

CHERYL LANGDON-ORR: So this is a good thing.

SEBASTIEN BACHOLLET: Yeah.

CHERYL LANGDON-ORR: Good. Just wanted to make sure that we all know that this was a good thing, but we still have to deal with the terms and the words. We'll do that when we return, ladies and gentlemen, at quarter to the hour.

Thank you. We can stop the recording.

Apparently not. How are we going?

UNIDENTIFIED FEMALE: We're recording now.

CHERYL LANGDON-ORR: Excellent. Fantastic.

UNIDENTIFIED SPEAKERS: [inaudible]

CHERYL LANGDON-ORR: Okay. I haven't heard the little girl say that this meeting is being recorded. We're assured this meeting is now being recorded.

Welcome back from our mid-afternoon break on Day 2 of our three-day thrill-packed and exciting adventure here in Brussels at the ICANN office for the Accountability and Transparency Review Team #3. We bring back to you for your viewing pleasure and our discussion and discourse the wonderful world of prioritization. We left this episode off before the ad break just thinking about whether or not the decisional aspect of the design here needed be more carefully worded.

Bernie?

BERNIE TURCOTTE: Thank you. I'm in line with Pat here. If we don't want an endless process … We want to make sure this public consultation, we want to make sure the SOs and ACs … And the SO and AC leaders can decide how best they want to do that. I don't have a problem. But, at some point, it will fall on the SO and AC leaders to make the final cut. That is just a fact of life. So I understand trying to mitigate it, but also there is the reality that it has to fit into the operational plan, strategic plan, and budget cycle. To do that, there is limited time windows when such work can be done so it can be effectively integrated into the final results. Thank you.

CHERYL LANGDON-ORR: Okay. Pat?

PAT KANE: I'm going to use the words of one of the wise gentlemen at the table that I met in 2005 at the ICANN meeting in San Juan, Puerto Rico. Wolfgang sat down with me and drew a diagram of number of people

versus amount of work that gets done. He impressed upon me that, in a consensus-building model, the more voices you have, the less that gets done.

So I'm almost of the mindset – I throw it out there for discussion – that we actually recommend that these leaders or delegates actually have the ability to make a decision for their communities in that we don't have a first pass and a second pass. We send them with a job to do – to rank order of the items that we're trying to get done within the community. That's just for consideration right now.

CHERYL LANGDON-ORR: Thank you, Pat. Let's see what that shakes out.

That shakes out plenty. Okay. I think the order was Daniel, then Sebastien, and then Leon.

DANIEL NANGHAKA: I think that suggestion works, but also it depends on which AC or SO we are looking at because, speaking as a member of At-Large, the process is to go to the council, whereby they have to vote on the process of the voting. Then they give it back. So probably a clause should be put: "based on which respective SO/AC process." Thank you.

CHERYL LANGDON-ORR: Okay. Then we have Sebastien.

SEBASTIEN BACHOLLET: Thank you. But then do we need a comment period?

CHERYL LANGDON-ORR: It's not a public comment activity, is it? [inaudible] the question.

SEBASTIEN BACHOLLET: I guess it's written somewhere that we need to have a …

CHERYL LANGDON-ORR: Where?

SEBASTIEN BACHOLLET: At least I read that the first time.

CHERYL LANGDON-ORR: Probably via a public comment process. Okay. That's a good point then. Let's square-bracket that because that may need to go, depending on the model chosen.

Before we go to Leon, you're tapping Morse code at me, Bernie.

BERNIE TURCOTTE: That was a clear requirement in the SSAC version of this proposal.

CHERYL LANGDON-ORR: I don't believe we agreed to take everything SSAC has ever said as gospel and—

BERNIE TURCOTTE: I understand that. I'm just noting it.

CHERYL LANGDON-ORR: Fine. Leon?

LEON SANCHEZ: Thank you. I see the practicality of doing it the way you propose. I think it would be just wonderful to be able to do it that way. But …

CHERYL LANGDON-ORR: I just knew there was going to be a "but."

LEON SANXHEZ: But I think, if we actually do that recommendation, my feeling is that it's going to be dead on arrival because of the issues that we were just commenting on. Communities might not feel represented by just the chair of the SO or the AC. We're going to face some challenges there in the decisional stage. So, if we are able to, again, establish this group as it is now as an interface between community and this group of leadership, the organization, and the Board, we can have a better chance of actually pulling it off. But, as Cheryl was saying, we need to be very careful in how we craft the wording as to not imply that some part of the community might be sidelined or left aside.

CHERYL LANGDON-ORR: Pat, your hand is back up.

PAT KANE: Thank you Cheryl. Thanks for that, Leon. I'm going to answer Sebastien's question because I had to think about it for a second. Yes, there will be a public comment period because the budget has to get reviewed. There's a public comment period on the budget. So, if we're saying that – I'm going to presume that this is part of the process; it may not be [inaudible] – the group gets $10 million a year and they have to figure out what to shove into that $10 millions and they make the priority, that list has to be part of the operating plan and the budget, which already goes through a comment period.

CHERYL LANGDON-ORR: [inaudible]. Okay. So, in fact then, I wonder if it is better to not articulate that as a bullet point in our recommendation because then we don't open that as a interpretative opportunity for someone to say, "The words "public comment process" exist, and that means it needs to be a new thing," because – trust me – there's enough of them out there interpreting things that are unambiguous, let alone putting something ambiguous in there.

Leon, help me – "Help me, Leon!" – understand. Sorry, it's just that time of day, and Avri won't let me slit my wrists. The SO/AC leaders, in their role as a conduit, shall we say, is a new construct, correct?

LEON SANCHEZ: Yeah.

CHERYL LANGDON-ORR: Okay. He's saying yes for the record. It is purely coincidental that, whilst it is not essential, it is highly probably that those same people will be the representatives of the Empowered Community? Let me caution you before you answer. We had very particular input in our public comments on some of the things to do with what the Empowered Community should or should not be doing in all sorts of things. I don't think it necessarily is a problem, but I think we need to articulate very clearly that we're not giving this as a job to the Empowered Community.

LEON SANCHEZ: I actually would go a step further and say we should expressly say that this is not a role of the Empowered Community, regardless of the possibility of having overlapping roles in the persons that will be sat at the table doing this conduit role and also having the formal decision vote in the Empowered Community.

So I see your point and I would agree with you that we need to be careful in being very clear that this doesn't mean or imply in any way that this would be something that would be just bypassing to the Empowered Community.

CHERYL LANGDON-ORR: Well, because a nightmare occurred to me – this little flash of nightmare moment, or perhaps a Salvador Dali moment – where we would be opening up almost a dual problem because of the specific requirements of what the Empowered Community can do regarding the ICANN budget

and inputting these things through an ICANN budget process. So that just—

UNIDENTIFIED MALE: This would be a separate process.

CHERYL LANGDON-ORR: Yeah. It has to be very clearly church and state. Sebastien?

SEBASTIEN BACHOLLET: Thank you. Furthermore, we want to have [the share of] all the SOs and ACs. That's not the case in the Empowered Community. Thank you.

CHERYL LANGDON-ORR: Excellent point. Thank you. So I'm wondering then, because I am struggling – well, I am not struggling – and I am in fact keen to see if we can move towards some firm language and consensus points here.

Therefore, is it that we want to have the decisional entity populated by SO/AC leaders – i.e., the chairs or their delegates – or do we want a decisional body on prioritization that has representation from each AC and SO? Just wondering if that will help us stay away from any bear traps.

Do you see where I'm heading? Bernie has no idea where I'm heading. Pat seemed to follow me. That probably says something about Pat's psychology. Pat, can you help Bernie understand what we're thinking?

Use the mic, Mr. Kane.

UNIDENTIFIED SPEAKERS: *laughter*

CHERYL LANGDON-ORR: Bernie, your hand is up …

UNIDENTIFIED SPEAKERS: *laughter*

CHERYL LANGDON-ORR: Okay. Now you're hanging around a very environmentally friendly knife. Okay. Let me see if I can hopefully try that again. Yes, there is an awful lot of laughter in the room. That's because we're having such a wonderful time.

We need to have someone take the responsibility, as Sebastien said in the beginning of all of this – therefore, it's a decisional aspect – on this prioritization. We want to have each AC and SO represented – singular – in this. Can we write language which doesn't say the AC/SO chairs or their delegates but meets that criteria of a group of probably AC/SO leaders? They may be the chairs, but they don't have to be the chairs. And it has to be every AC and SO. Are we able to say that?

Can they opt out? We haven't covered the opt-out option here.

Jacques?

JACQUES BLANC: Just one note here. As far as I do know it, SO and AC chairs are elected, which is not a bad thing to take a decision, whatever way you look at it.

CHERYL LANGDON-ORR: They are indeed elected. That's one of the useful things that we can rely on. But, of course, we do have the situation where they are elected by their council or committee. They're not elected by the rank-and-file of their membership, their constituencies, or whatever. So we just need to be cautious about that. Or maybe we don't. Doesn't matter.

I've got Bernie and I've got Pat's hand up. Bernie, you first.

BERNIE TURCOTTE: Thank you. Well, the way we could say it is, "SO/AC leaders" and, in brackets, "one per SO/AC." They can decide who they want to have there.

CHERYL LANGDON-ORR: Sure. I'm fine with that. That disassociates with any confusion with the Empowered Community.

Pat?

PAT KANE: Thank you, Cheryl. I think that Bernie's recommendation was good there, but the word I'm struggling with that you used was "decisional"

because it's still going to go through a review. So once it even gets put into the recommended budget or the recommended operating plan, it still goes through a review process. So maybe "decisional" isn't the right word there. I'm not certain I know what the right replacement word is, but they're recommending a slate of projects to go into that.

CHERYL LANGDON-ORR: We don't have the word "decisional" in this text. We've got the word "responsible for prioritization, taking into account …" So we haven't mentioned "decisional" as of yet.

PAT KANE: You mentioned "decisional." I thought you were saying, "This is the language. What do we think about this?" I'm not making a comment on the text right now. I'm making a comment on that.

CHERYL LANGDON-ORR: I'm just trying to find a way of keeping it away from being confused with Empowered Community and, of course, making sure that everyone of the ACs and SOs have someone who has some skin in this game.

Where are we now? Let's look at the text.

Bernie, your hand is up.

BERNIE TURCOTTE: [inaudible]

CHERYL LANGDON-ORR: Okay. All right then. So right now, the text we have is reading as follows. "[If] the ATRT3 recommends having the SO/AC leaders – one per SO and AC, in conjunction with the ICANN Board or org or their delegate (singular, not plural) – be responsible for the prioritization, taking into account the high-level guidance provided by the ATRT3, which includes …" Then we start articulating points.

Do we see any problems with that?

Okay. Is this agreement by exhaustion or are we still digesting that?

BERNIE TURCOTTE: We're getting close.

CHERYL LANGDON-ORR: To exhaustion, yes. But are we getting close to—

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: I don't sound terribly exhausted, do I? No, you're right. Okay, so read it again. Reading time. Everybody has individual reading time.

Does anybody see anything they're not comfortable with in that text?

Pat?

PAT KANE: Thank you, Cheryl. What I put out there for consideration is where we say "be responsible for the prioritization, taking into account …" What I think that I'd like to see is "be responsible for recommending a slate of projects to be prioritized as part of the operational plan," or the annual operational plan, "taking into account dah, dah, dah, dah, dah."

CHERYL LANGDON-ORR: It's been thrown down on the table, people. What's our reaction?

                               Vanda?

VANDA SCARTEZINI: [No], Pat, because the operational plan is just one part of this discussion. So it looks like the most important thing is just budget. So I do that, as part of our recommendation, the implementation plan is there. But just to put it in the top of the decision, make things be driven by the operational plan and not just for the importance but for the demand for the community and other issues that should be taken into account when they decide that. So it's there but not as a [title] of the responsibility. The responsibility is, yes, to come out with a slate blah, blah, blah. But don't mention the operational plan because it's just one part of the task.

CHERYL LANGDON-ORR: Okay. And we do note that the operational plan and budget is mentioned elsewhere, in course.

In order, I saw Bernie and then I've seen Sebastien. But do you want to let Sebastien speak first, Bernie?

BERNIE TURCOTTE: I always do.

CHERYL LANGDON-ORR: Thank you. Over to you, Sebastien.

SEBASTIEN BACHOLLET: Thank you very much. I have two questions. Sorry. The first one is that here we are talking about the backlog – the two trucks – and not about … The question of who is responsible … It's little bit different to solve the question of the 300 and to build the future process. We have, I guess, to take into account the fact that, as somebody said, the multi-stakeholder model takes more time. But, when ICANN was created, the idea was to say, "Hey, we are multi-stakeholder and we will go better than the government." If we had a process to process to process, we would compete with the government to be very slow. Thank you.

CHERYL LANGDON-ORR: Okay, but we're not trying to defend the multi-stakeholder model in this particular aspect, are we?

SEBASTIEN BACHOLLET: In fact, yes, because we need to say we need to have people in charge but they need to report to [inaudible] the decision must be taken by the

[inaudible] group and so and so forth, then we are in fact taking a model that is quite complicated. Thank you.

CHERYL LANGDON-ORR: So what are you proposing with this text and Pat's proposal of change to the text, Sebastien?

SEBASTIEN BACHOLLET: What I tried to say is that this group must be responsible, full stop.

CHERYL LANGDON-ORR: Okay. Just coming back to you, Pat, does leaving the "be responsible" … The difference between "be responsible for the creation of a slate" and "be responsible" seems to be the point here. Is that correct? Is that the difference there, Sebastien? Pat proposed being responsible for the slate.

SEBASTIEN BACHOLLET: That's exactly my first question. Are we talking about the backlog, or are we talking about the prioritization? If we are talking about the backlog, I don't care if we add a slate. But, if we are talking about everything, that would be different.

CHERYL LANGDON-ORR: Okay. I thought, rolling back in time to earlier this afternoon, we had established that it would be the same entity and the same operating

principles that we would want to have dealing with the backlog and going forward. Is that not the case?

Bernie is telling me that he's understanding of what we thought. So the answer to the question is: yes, Sebastien, it is everything: backlog and going forward.

PAT KANE: The focus that I had in looking at that statement was not where the recommendations came from but where they go. So, again, this is the five-pound sack – I'm sorry; 5-kilogram sack …

UNIDENTIFIED SPEAKERS: *laugher*

CHERYL LANGDON-ORR: [inaudible]

PAT KANE: Just trying to show my breadth. That's all. But the five-kilogram sack and what we put into it and who's responsible for that. I was trying to take into consideration what Leon has said as to where they're not taking responsibility for the prioritization so much but they're taking responsibility for the recommendations to where the work is going to get done. So there is a recognized review process. I think I was trying to thread a needle a little bit, and maybe I tried to get too cute with it, but I don't know.

CHERYL LANGDON-ORR: All right. We have it on the record: Pat [thought]: "too cute." Bernie?

BERNIE TURCOTTE: I'm more with Sebastien than I am with Pat on this one. I understand what you're trying to do, but my first reaction – and I think the way most people are going to say it – is you're adding a big step in the approval. What we're trying to do here – in my understanding as the distilled version of this – is to get the community to agree on what they want to spend their money on. So they're not recommending to another group to have a look at it. They're saying, "Okay. We've beaten our processes and everything that we can in the best we can. This is what we're recommending. Yes, it has to go out for public consultation and get a feedback loop, but it …" I don't know. The way it was presented bothered me.

CHERYL LANGDON-ORR: Back you, Pat, but—

PAT KANE: The gentleman from Texas withdraws his proposal and returns the remainder of his time to the Chair.

CHERYL LANGDON-ORR: Okay. Well, Co-Chair, let me then see how we stand with this text at the moment. Sorry, Sebastien. That's a new card?

Fine. Go ahead.

SEBASTIEN BACHOLLET: I am not sure that we need to repeat the ATRT3 at the end of the three lines because "ATRT3 recommends," and we are us talking about us.

CHERYL LANGDON-ORR: Thank you. That has been amended. Excellent. So, now, do we want to look at this text and see, is it getting the right information in a robust a way as possible? Just to make sure we do recognize, this is not a preapproval step. This is a post-approval modification opportunity because this does not happen before the Board accepts recommendations. The Board receives reports and accepts, or otherwise, recommendations. Those recommendations, however, may exceed resources. When that occurs, this how that is managed.

Are we all clear on that? If we're not clear on that, we need to make sure it's clear in what we've written.

Right now, we have: "ATRT3 recommends having the SO/AC delegate – one per SO/AC, in conjunction with the ICANN Board and org or their delegate – be responsible for the prioritization, taking into account the high-level guidance which includes …" And then those things are annotated.

Take a moment to read it. See how we're going.

Sebastien?

SEBASTIEN BACHOLLET: Once again, for the same reason, "ATRT3 notes … which include any prioritization exercise." We don't "ATRT notes" that.

CHERYL LANGDON-ORR: Thank you, but we hadn't moved on to there. We were at the sentence before that. But, yes, we will pick that up and make that change as well.

Are we happy with that top dot yet? Do we have consensus that that is a recommendation that we will then—

UNIDENTIFIED MALE: [inaudible] a recommendation.

CHERYL LANGDON-ORR: A recommendation. A single recommendation that we will ensure fits, as the best we can, to the guidelines that we have applied to the accountability indicators. And, no, we're not going to go through that exercise right now, unless some of you really, really, really want to. But that will be fitted into that model.

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: Right. Now let's go through – okay, Sebastien. Is it to do with the first sentence?

SEBASTIEN BACHOLLET: Yeah. I agree with the first sentence, but I still have my question. I know it's answered at the end of the document. Therefore, I would like to know if we will have something explanatory for what we tried to solve before we write that.

CHERYL LANGDON-ORR: You want us to work the problem statement now? Or do you want to ask, are we going to have a problem statement?

SEBASTIEN BACHOLLET: We don't need to do it right now, but I think it's important that we explain that we will be talking about the backlog and the future process of prioritization somewhere.

CHERYL LANGDON-ORR: For anything to make a recommendation, it has to have a problem statement and all of that. Absolutely.

Osvaldo?

OSVALDO NOVOA: [inaudible] Sebastien was [inaudible] right now, but I think the first sentence should explain what we are asking to be priority …

CHERYL LANGDON-ORR: All right. Apparently our audio is back. If our viewing audience can confirm that they can in fact here us, that would be excellent.

KC, your hand is still up. I do note Pat has responded to your question in chat, but please – oh, you've got the microphone if you want it.

KC CLAFFY: Oh, no. I was just confused on the grammar in the first bullet, but I don't think we're on the first bullet yet. We're still on the … I mean, the first sub-bullet. We're still on the first top-level bullet?

CHERYL LANGDON-ORR: That is correct.

KC CLAFFY: Okay. Sorry. [inaudible]

CHERYL LANGDON-ORR: Okay. Bernie, you've got your hand up.

BERNIE TURCOTTE: [inaudible]

CHERYL LANGDON-ORR: That is not true. You have got your hand up. So we are now settled on the first sentence? Another read, please, recognizing that this will be subject to all of those requirements of articulated problem statement,

measurables, making it into a smart system, etc. But what we will be recommending after all of that is done begins with the following: "ATRT3 recommends having the SO/AC delegate – one per SO or AC, in conjunction with ICANN Board and org or their delegates (that was in brackets) – be responsible for the prioritization of recommendations made by review teams, taking into account the high-level guidance, which includes …"

BERNIE TURCOTTE: "the following high-level guidance."

CHERYL LANGDON-ORR: That's better. "the following high-level guidance, which includes …"

Are people better at the English language than me happy with that or not?

Jacques?

JACQUES BLANC: Just so I understand, is there a reason why we put "one per SO/AC" in brackets and not "ATRT3 recommends having one delegate per SO/AC"? Is there any reason?

CHERYL LANGDON-ORR: I'm happy either way. What did our drafter … He likes brackets, but …

BERNIE TURCOTTE: [inaudible]

CHERYL LANGDON-ORR: Okay.

JACQUES BLANC: Keep on bracketing.

CHERYL LANGDON-ORR: We don't want to overuse brackets, thought. But what you said is clear and unambiguous, Jacques, so we could say it that way. It looks like it's being taken as a friendly amendment. Thank you.

All right. "ATRT3 recommends having the one delegate having (not "the") – "one delegate per SO/AC in conjunction with ICANN Board and org or their delegates – be responsible for the prioritization of recommendations made by review teams taking into account the following high-level guidance."

Do we have it yet, ladies and gentlemen?

Going once … going twice … sold! Thank you.

Wolfgang? Wolfgang says it sells.

Now we can move onto the subpoints. These need to be read critically. Again, we must be unambiguous. We must make sure that it is not open to misinterpretation or an interpretation which is not our intent.

Bernie, do you want to take us through and then open up for conversation just on the first four points? Or do all five in order?

BERNIE TURCOTTE: Up to you, ma'am.

CHERYL LANGDON-ORR: Pat, what's your preference?

PAT KANE: Let's do them all.

CHERYL LANGDON-ORR: Let's do them all, from the top.

BERNIE TURCOTTE: Let's do them all. All right. "Any prioritization exercise should take consideration the special nature of the Work Stream 2 recommendations in any prioritization exercise," which is repetitive. So let's just …

CHERYL LANGDON-ORR: Just while that's happening, KC has raised a point in chat. I'll read it to the record. "What's special about that? All recommendations previous to the transition were approved by the Board, and many still are not implemented. [See the flow] with that logic?"

I understand what you're getting at, KC, but we've had many hours of discussion to make sure that we understood that what we are applying this recommendation to is inclusive of the grab bag of as-yet-un-implemented recommendations and applicable to the new style of recommendations going forward. So that's what we're trying to craft language to meet.

Your hand is up, KC. Over to you, and then we have Osvaldo.

KC CLAFFY: So I still don't understand. I would like it in the bullet: what is the special nature of the Work Stream 2 recommendations?

BERNIE TURCOTTE: If I may, ma'am. I'll give it a try.

CHERYL LANGDON-ORR: Go ahead, Bernie.

BERNIE TURCOTTE: We discussed this at length earlier, KC. Part of the considerations would the following in response to your question. A) The implementation plan for these has been set and has begun. 2) Work Stream 2 was a special one of, which had very specific requirements, unlike a lot of those reviews, that the Board could not reject. It was part of the transition. Therefore, that is why, in the end, when we finished going around this

point several times, we thought it was important to note that. [What we came up with] was this. Thank you.

KC CLAFFY: Nobody reading this document is going to have heard the hours of previous conversation about this. So other people are going to have my confusion of what is the special nature. I still don't really get based on what you said because it seems to me that a lot of what you said applies to earlier recommendations. So I just think it needs to be really clear in this bullet in the text what we consider special about the WS2. If you want to summarize everything you said [inaudible] and see if I understand it then.

CHERYL LANGDON-ORR: Well, I don't think we need to go through that exercise, KC, but I think what we can do is footnote and link to the very particular specificity and the nature of the Work Stream 2 recommendations. So we can footnote that in this if that would work.

Leon, who probably knows a little about this, is going to talk now.

LEON SANCHEZ: Thank you, Cheryl. Well, I think, in my mind at least, what makes it different and special is that this is the continuation of a process that was community-wide and actually historic within ICANN history. So we need to understand that this is special and that this needs to be taken care of in a different way because it's not just part of a regular review, so to speak. It is actually derived exactly be an exception, which was the

transition of the IANA stewardship. Therefore, that is what makes Work Stream 2 recommendations special, and they shouldn't be treated within the same bucket as our day-to-day exercise of reviews.

CHERYL LANGDON-ORR: Perhaps we may even consider switching out the term "special" with "exceptional."

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: No. Maybe "exceptional" because it is an exception from the rule. Bernie?

LEON SANCHEZ: And as [inaudible] pointing out in the chat, it is a pending part of the transition. So, until we implement those Work Stream 2 recommendations, the transition is not concluded.

CHERYL LANGDON-ORR: Absolutely. That makes it pretty darn exceptional in my view. Bernie, go ahead.

BERNIE TURCOTTE: This will be more practical, I think, KC. If you go through the bylaws, the way things were crafted when we created Work Stream 2 was that, if

the Board didn't accept the recommendations for implementation, they would have to reconvene the whole of Work Stream 2 so that we would go through this. If they were to change through whatever process, including this one, their mind on implementing these recommendations, the community could well think that the approval for implementing these was not carried out. Therefore, we would have to reconvene all of Work Stream 2 to reconsider all of these exceptions.

Now, that is something that no one wants to do because that was a very, very large process with well over 100 participants from all parts of the community. So some of the subtext on that is around that. Thank you.

CHERYL LANGDON-ORR: All right. KC, just before I go to Osvaldo, it is of use. Does switching out the term "special" to "exceptional" and having that detailed in a footnote help clarify the question you raised in chat? Briefly, yes or no.

KC CLAFFY: No.

CHERYL LANGDON-ORR: No. Okay. Osvaldo?

OSVALDO NOVOA: I have an observation with this phrase with this because I translated it to Spanish. To have a special consideration or take into consideration

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just means to treat them differently. It doesn't mean to give them higher or lower priority. So perhaps we should specifically say that we want them to have high priority or not.

PAT KANE: I think the only thing that we said about that we would treat them differently is that we would not subject them to the retirement process when we went to the triage. So, if we go to the triage and say, "This one doesn't matter, doesn't matter, doesn't matter anymore, or, "[We're] not going to get to it," then we were not going to say Work Stream 2 were ever going to be retired. They were going to be part of that process. They may not be first. They may not be second. They may be somewhere on the line of what matters, but we were specifically not going to retire them as part of this triage process.

CHERYL LANGDON-ORR: Back to you, Osvaldo.

OSVALDO NOVOA: Shouldn't we say that explicitly?

CHERYL LANGDON-ORR: I think there's a great deal to be said for being more explicit, yes. So, if we can craft some text in the footnote, if need be. But let's see from Sebastien.

SEBASTIEN BACHOLLET: As I am not an advocate, I will be the devil.

CHERYL LANGDON-ORR: [inaudible]

SEBASTIEN BACHOLLET: Yeah. Sorry, but another one. A smaller one. I just want to take one example to ask the question to Pat. Let's imagine that tomorrow ICANN decides to get rid of the Ombud's office. We have a recommendation in Work Stream 2 about the Ombud's office. It will have to be retired. Therefore, I understand where you come from in saying that, but there may be circumstances where we will have to do it because, in the 106 recommendations, it may happen that there are things that are not relevant anymore, even if it was for the transition, even if it was … That's why I'm a little bit puzzled if we need to say that. That's my question. My devil.

CHERYL LANGDON-ORR: Did you want to respond to that, Pat?

PAT KANE: Sebastien, I think that this has to be looked at as how to solve the majority of what's here because, if we solve wording for every single corner case, we are going to be wordsmithing this forever and then end up with something that looks like a U.N. recommendation where nobody full understands what the word "enhanced cooperation" means. So I think that we've got to try to get something here that's

meaningful to direct an entity that is going to implement our recommendations. They may have to deal with that. Then we would have to, as a shepherd – whoever shepherds this – say, "Here's what our intention was." I hear what you're saying, but, if it's irrelevant, then it's naturally going to fall off. Or it will never get prioritized and it'll be at #312 for a long time.

CHERYL LANGDON-ORR: Okay. Sebastien, are you finished with that?

SEBASTIEN BACHOLLET: Fair enough. Thank you.

CHERYL LANGDON-ORR: Okay. Back to you, Osvaldo …

There's new text for you to review, Osvaldo.

Okay, for the record, the modified text seems to have passed the Osvaldo test. I'm just trying to catch up with the missive from KC. I need to actually expand my chat here so I can read it all. Okay: "Informational, informational, informational, informational. Why aren't we saying that these are just the highest priority recommendations based on what we've said this far?" We did talk about giving special significance or special classifications to it. That was something we did discuss in great detail earlier. This is the biggest accountability issue she's heard thus far. Yes. That's why we're spending so much time on trying to get this text as unambiguous as humanly possible.

Noting now with additional text the use of footnotes and changing of some words, where are we on this?

KC CLAFFY: Cheryl?

CHERYL LANGDON-ORR: Yes, KC, I see your hand is up again.

KC CLAFFY: I might have written too much text because you missed the point that is the biggest point of what I think needs to be in the bullet, which is what Avri said and what somebody said before her. I was not aware that the transition was not officially completed unless these recommendations were implemented. I'm not sure who adjudicates how they're implemented. Is there a subsequent review team like there is with these specific reviews? But I think that, if they are indeed pending part of the transition, that needs to be in a bullet because the word "special" could mean special as you can ignore them completely. We cannot just say [inaudible] especially because they are [inaudible] part of the transition. We should not only say that but say that's a huge accountability issue and they should be prioritized first or the transition isn't even completed.

CHERYL LANGDON-ORR: Okay. I thought we had also thought about removing the term "special nature" and have instead the "exceptional" …

KC CLAFFY: Doesn't fix it.

CHERYL LANGDON-ORR: I understood that. The exceptional nature will be one way of looking at it. Bernie is now putting fresh text in, which will articulate the particulars about the transition being inextricably linked with the completion of the switch. It doesn't change the intent or meaning but does add depth and color to our paragraph.

With that, how are we on this first bullet point?

KC CLAFFY: We already have the recommendations. What is it about the recommendations that is required in order to [inaudible]?

CHERYL LANGDON-ORR: I'm having audio issues, and I certainly didn't hear all of that, KC. Would you like to type that out while we see what is going on with the audio, please? Jennifer, can you summon the technical gods and see what we can do?

All right. We're not going to stop, though. So, Sebastien, your hand is still up?

No? Okay. I'm not seeing typing happening either. All right. So where are we now on this? We've added the process but kept "cannot be retired." That in itself, Pat, was challenged at the table now. So the

point Sebastien was making about that there be necessity to retire – is that better left unsaid?

Pat?

Microphone.

PAT KANE: I think – let me put my glasses on – that that's the primary thing, but I think you can put a qualifier on the end – "unless they are overcome by events" – because that—

[BERNIE TURCOTTE]: [inaudible]

PAT KANE: Then it's perfect the way it is.

CHERYL LANGDON-ORR: With it saying "cannot be retired."

PAT KANE: Yeah.

CHERYL LANGDON-ORR: Okay. Fine. Sebastien?

SEBASTIEN BACHOLLET: May I suggest that reverse the sentence and not have two times "should"? That will read, "As the Work Stream 2 recommendations are required to complete the transition, any prioritization exercise should be subject to," blah, blah, blah. Thank you.

CHERYL LANGDON-ORR: Seems to be a friendly amendment, Sebastien. I think that's happening. Excellent. So now we've got this first bullet point, which … Did you want to read it to the record, Bernie, or do you want to continue typing while I read to the record?

BERNIE TURCOTTE: [inaudible] I'm typing it [inaudible]

CHERYL LANGDON-ORR: Okay. Still a work in progress. Sorry. Meanwhile in chat, we have a little bit of discussion going on. I think, KC, we really need to recognize that there is a vast difference between Work Stream 2 recommendations and its implementations, and recommendations and implementations from any other review process. So if we can take that as a baseline, then your question was, "Who is on it? What was the last thing they said? Have they met? Have they talked to them?" I'm sorry. You're going to have to give me context on that.

Leon is responding to that. Okay. So that's fine. And he's given you a link.

	Okay. We have seemed to have solved that problem. KC, your hand is still up. I believe we have your audio. Go ahead.

KC CLAFFY: Is it better now? Anyway, I – ugh. God. I hear my feedback here. I completely accept that there's a vast difference. I do not think that it's unambiguous in this bullet: what the difference is. Right now, it says recommendations are required. We already have recommendations. I presume that means implementation – somebody assesses that implementation has been executed or something – and that's the part that I want to make sure is unambiguous in this bullet.

CHERYL LANGDON-ORR: There is no construct for a future review team or review process to ascertain the validity or otherwise for Work Stream 2 recommendations.

Leon, correct me if I'm wrong.

See, you're not supposed to be distracted when I speak. Leon. Very disappointing. As far as I am aware, there is no construct or review team that will be looking at the degree of or effectiveness of the implementation of Work Stream 2 recommendations. It is supposed to be a fait accompli that they will be efficiently and effectively implemented as per the implementation plan that has taken twelve months to create and is currently underway. Am I correct?

LEON SANCHEZ: You are correct. As I was stating in the chat, the Empowered Community would have the powers to actually execute them and review the level of—

CHERYL LANGDON-ORR: To challenge [inaudible] a challenge required.

LEON SANCHEZ: Exactly. That was the point of the transition: to have this Empowered Community with these powers.

CHERYL LANGDON-ORR: Okay. All right. KC, your hand is still up.

KC CLAFFY: Leon pointed me to a web page – the last URL he put up – which hasn't been updated in four years. So I just don't understand how these are special. How is anybody supposed to track the implementation of these recommendations? How is then Empowered Community supposed to know whether they're been implemented or not? I'm just utterly confused. They don't look that special to me, based on what is on this webpage.

CHERYL LANGDON-ORR: Thanks for that, KC. Back to you, Leon.

LEON SANCHEZ:

Thank you. I can tell you, KC, that you will not find this information at this moment because the Board recently or relatively recently approved the Work Stream 2 implementation. Therefore, implementation hasn't started. Therefore, it is not possible to have information on that at this point. But I'm pretty sure that both the implementation team and the organization will work on tracking those recommendations and having all that information available.

CHERYL LANGDON-ORR:

Thank you. As Avri has pointed out, the Board is working very closely with the implementation team. Just so everyone understands, the implementation team is populated by at least one, if not more, of the leaders of each of the work stream topics so that they are acting in actual circumstance as the shepherd for their recommendations from their group, which was endorsed by the community.

However, that website will be useful, KC, to bookmark because, when the implementation plan is published and when then implementation plan gets underway, I assume that will be the page where it's all found. If not, then I guess there will be a mechanism to inform the community otherwise.

If we can then look, I believe, at this first bullet point for what I would like to think is almost the last time, let's have a look – we've had a few changes – how it is now. This is just one of the high-level guidance points. As the Work Stream 2 recommendations are required to complete the transition, the prioritization process will apply to the implementation of these without being able to retire them. That is, Pat

wants that [way] statement about retirement. It has been questioned, but I'm not sure that another view as prevailed.

Sebastien?

SEBASTIEN BACHOLLET: Thank you, Cheryl. Just to be sure that, when somebody coming from [March Mass] will read that: "To complete the IANA stewardship transition," blah, blah, blah. [inaudible] prioritization. Thank you.

CHERYL LANGDON-ORR: Thank you. The grammar is important. From my personal perspective, if I can put that in, from my reading, it's not the Work Stream 2 recommendation. It's the implementation of the Work Stream 2 recommendations that's required. But, again, we can add that or not, as long as it's not lost in translation.

With that, KC, I see your hand is still up. Is there a point you still wish to make, or can we move to the next bullet?

KC CLAFFY: I just pointed some proposed text in the chat of what I think we should say based on what I [inaudible].

CHERYL LANGDON-ORR: Okay. I'm noting a little audio gain and loss, so I might read it to the record. KC suggests the following change to the first bullet. "The prioritization process should take into account that implementation of

the Work Stream 2 recommendations (footnote to them) as judged by the Empowered Community (footnote to the process) is required in order to complete the IANA transition."

LEON SANCHEZ:　　　　　We don't have a process.

CHERYL LANGDON-ORR:　　Yeah. Leon has just indicated we don't have a process. Leon, take the microphone, please.

LEON SANCHEZ:　　　　　Thank you, Cheryl. Again, the powers are built into the Empowered Community, but I don't think there is a process in place to actually say let's go and review how these recommendations were implemented. So this is a live animal. It's a work in progress. Until it gets tested, we won't be able to actually see if it's successful. We are in unchartered territory still, and that is why it is actually important that we conclude the transition.

CHERYL LANGDON-ORR:　　Lots of motivation to do so. Thank you, Leon. Let's remember, as I'm sure most of around the table do, that our intention here is to make sure that the high-level guidance we put into this recommendation is applicable to sorting out the backlog group, inclusive of Work Stream 2 recommendations but not limited to Work Stream 2 recommendations,

and that all these guidance points will be also applicable going forward to the new set of recommendations we expect.

Is everyone clear on that?

[BERNIE TURCOTTE]: Yes.

CHERYL LANGDON-ORR: Great. If we are clear on that, then all we are trying to do in this first bullet point is ensure that we've articulated why Work Stream 2 recommendations, because of their exceptional nature, will need to be …

… footnote to them is required in order to complete the IANA transition.

Leon has indicated that that's fine. Does anyone feel that this is other than a friendly amendment to that bullet point? Can we use that, Pat, as the text?

PAT KANE: Sure. I think it'd be good.

CHERYL LANGDON-ORR: Excellent. So, when we get audio back – hopefully we may have now – oh. We have got audio back. Excellent. We're taking that modified text from KC as a friendly amendment, and that will be put in.

Are we be able to move beyond Sub-Bullet Point 1 to Sub-Bullet Point 2?

Yes. Fantastic. Sub-Bullet Point 2. High-level guidance again: "Must be conducted in an open" – not sure why "accountable" is in brackets, but it is – "and transparent fashion, and each decision should be justified and documented." This is smacking of language we got out of a number of the public comments. So that's language that behooves us to take it very seriously.

Can I just ask, first of all, why not just put "accountable" in there? Why have it in a bracket?

Sebastien?

SEBASTIEN BACHOLLET: It's not me who wrote that, but I was suggesting that, "open, accountable, and transparent," would be great. We have some comments about the fact that each decision should be justified and documented. I know that it's transparency and accountability, but we have 300 recommendations. If we want to have it justified and documented for each of the 300, it's a lot of work. I'm raising that in that, when the process will be a [similar] process, it's okay, but here, for once, it's a lot of work, I think. Therefore, I suggest that we may be a little bit more adamant at least for the first part of the work. [Those] are some comments on that issue that we received. Thank you.

CHERYL LANGDON-ORR: Thanks, Sebastien, but 106 are the Work Stream 2 ones, which are probably not going to be subject to this sort of … That is already going to be justified and dealt with in a particular way.

SEBASTIEN BACHOLLET: Sorry. If it's justify, we put one Work Stream 2 item before the CCT review after one and so one, then Work Stream 2 will be [inaudible] to the other. It [can] be retired, but, if we need to justify that … ICANN standards … We justify the – I would say; I don't know – the [first 200] and why it's so important. We justify, but when we are coming to the 250, it may be less needed. Thank you.

CHERYL LANGDON-ORR: Okay. Yes, it's a lot of work. Wolfgang.

WOLFGANG KLEINWAECHTER: If I read the public comments correctly, then the [inaudible] of the community is not to have more bureaucracy but less bureaucracy. So let's go back to our general guideline to simplify the processes and not make it more complicated. Thank you.

CHERYL LANGDON-ORR: Okay, but, Wolfgang, how does one simplify these backlog issues? Which is an exceptional and unusual circumstance. Because there's no trust in this backlog being other than ignored. We need to be able to prove to the community that it is being properly prioritized, retired, or actioned in an accountable and transparent way.

WOLFGANG KLEINWAECHTER: As Leon said, it's different. And we should not put this into one basket. That's why I would not say "exceptional." It's different. It's a different nature of recommendations.

CHERYL LANGDON-ORR: Okay. We've got a queue. I'd just encourage people, if you're speaking, to please speak to the microphones because otherwise everyone can't hear you.

Wolfgang, you're finished with your hand then?

Okay. Thanks very much. KC, is that a new hand?

No. Okay. Thanks very much. Okay, great.

With this point, remember it's just talking about how this group of delegates should be conducting their business. Subpoint 2 is high-level guidance as to how the delegates should be conducting their prioritization business. Sebastien makes the point that, whilst open, accountable, and transparent fashion is important, he questions the value of the work required to put in the documentation, along with the justification.

With that, over to you, Sebastien.

SEBASTIEN BACHOLLET: Thank you very much. First of all, I need to repeat that, between "must" and "should," I don't know. But here we have "must" and the beginning

and "should" on the second line. I would like to suggest that we say "and to replace each by the main decision." Is it "must" or "should"? I don't know. "Be justified and documented." That gives more flexibility to the group who will work on that. Thank you.

CHERYL LANGDON-ORR: Okay, Sebastien. Thank you for that. From that, if I've heard you correctly, it's the fact that we have indicated each decision. And you think that might be too much into minutiae, where you'd like to the flexibility. So is it possible to, in a transparent fashion: "and decisions justified and documented"? That removes the "should."

Demi is saying yes. Vanda is saying yes. Pat has got a thumbs up. Sebastien, how – and Jaap is the same. Yeah?

SEBASTIEN BACHOLLET: I think it's a good way to write what was in my mind. That's great. Thank you very much.

CHERYL LANGDON-ORR: Excellent. We just need to make sure that's captured when Bernie gets back to the table.

SEBASTIEN BACHOLLET: [inaudible]

CHERYL LANGDON-ORR: Certainly. "Must be conducted in an open, accountable, and transparent fashion, and decisions justified and documented."

SEBASTIEN BACHOLLET: Is that okay like that, Cheryl?

CHERYL LANGDON-ORR: Works for me.

SEBASTIEN BACHOLLET: Okay, great.

CHERYL LANGDON-ORR: Okie-dokie. Next one: prioritization – Osvaldo, I'm sorry. Seriously, we ask for the use in the Zoom room for a very good reason. Sebastien is in my eyeline sight, and therefore he's making exceptional and special circumstances. There is a special nature to the way Sebastien gets my attention. My apologies, Osvaldo.

OSVALDO NOVOA: Sorry I didn't raise my hand. Just that the paragraph should start with the prioritization process like the others. That's what must be conducted as an open, accountable, and a transparent fashion.

[BERNIE TURCOTTE]:   Done.

CHERYL LANGDON-ORR: Okay.

OSVALDO NOVOA: By the way, I don't know, but I thought that, if it's open, accountable and transparent, it has to be documented somewhere. It's redundant, but …

CHERYL LANGDON-ORR: That's not necessarily the case. You can have a public meeting. Unless the record is transcribed and posted, then it certainly is not documented. If it's documented, it may not be searchable and found. So I see it can be seen as belts and braces, but I don't think it's a bad thing to specify the "justified and documented."

Let's move now on to Subpoint 3, which can be [writ]: "The prioritization process can fund multi-year implementation but will review these annually to ensure they are still meeting their implementation objectives and the needs of the community.

Open for discussion.

VANDA SCARTEZINI: That's good.

CHERYL LANGDON-ORR: Vanda loves it. Sebastien wishes to speak to it. Go ahead, Sebastien.

SEBASTIEN BACHOLLET: I would like to suggest that the prioritization process … what was my … It's not the prioritization process who will fund.

CHERYL LANGDON-ORR: Exactly.

SEBASTIEN BACHOLLET: It's, "Can suggest the [inaudible] fund the implementation, but it will be reviewed annually." Something like that because it must be into the budget process to be funded.

CHERYL LANGDON-ORR: Thank you, Sebastien. That [jarred] me as well. The process isn't funding it at all, but it can certainly prioritize multi-year projects for funding. But "that must be reviewed annually" is more what I thought was the intent.

Let's have a look at the new language then and see where we are with that. Subpoint 3: "Multi-year implementations can be prioritized but will be reviewed annually to ensure they are still meeting implementation objectives and the needs of the community." For the savvy amongst you, I dropped a few words out of that. Hopefully they will drop off the point as well to make it slightly better English.

So it now reads, once more with feeling: "Multi-year implementations can be prioritized but will be subject to annual review to ensure they still meet implementation objectives and the needs of the community."

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: Okay.

SEBASTIEN BACHOLLET: I don't know if it's good that [inaudible]

CHERYL LANGDON-ORR: Pat?

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: We have competing typing going on over the same word. All right. So I don't think the "are" needs to be there. "Ensure they meet implementation objectives and the needs of the community." So less words is more, as far as I'm concerned, in all of this. But we can talk about that again later.

Just a time point. We are looking at 60 more minutes in our working day, ladies and gentlemen. *alarm * Jaap is very excited about that. He actually had an alarm set for that. I'm impressed.

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: I know, I know, I know. Next subpoint: "Elements to be considered when prioritizing recommendations should include (sub-subpoints) relevance to ICANN's commitments, core values, and strategic objectives, costs to implementation and budget availability, complexity and time to implement, prerequisites and dependencies with other recommendations, value and impact of implementation, and relevant information from implementation shepherds or equivalent."

KC has asked, "What URL are we working on?" We will put the Google Doc link into the chat again. It's a working document we've been running with today. We're in the, I think, second or third page of it when you open it up, KC.

Thank you very much, Jennifer.

So, open for discussion: the elements subpoint with six sub-subpoints. Any concerns, questions, criticisms, or confusion?

Pat, which of those do you have?

PAT KANE: Do we want to do prioritize or at least imply a prioritization in our elements that are here?

LEON SANCHEZ: Heh. The prioritization of the prioritization.

CHERYL LANGDON-ORR: A prioritization of the prioritization element.

PAT KANE: A prioritization of those elements, yes, because, earlier on today, we moved the relevance to ICANN's mission as the first bucket. The second one that I would put out for consideration is value and impact of implementation because I think that we shouldn't use money first. We should use positive impact to the community. So I would move that one up to be second.

UNIDENTIFIED MALE: Second.

CHERYL LANGDON-ORR: Oh, we're up to making little jokes. Oh, dear. This is either very good or very bad. I'm not quite sure which. It's that time of day, ladies and gentlemen.

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR:	Okay. People, I'm going to drag you back to the document. Sorry. Next subpoint: "Once the backlog has been cleared, the regular prioritization process should be integrated into the standard operating and financial (should be capitalized) plan process with the SO/AC leaders." Hmm. Maybe the second part of that sentence now needs to be reviewed.
	Let's try it once more with feeling: "Once the backlog has been cleared, the regular prioritization process should be integrated into the standard operational and financial plan process." Can we stop the sentence there? I guess that's my question because all of this has to do with the delegates. Do we need to say more than that? Have a read and then react, please.
	Sebastien?
SEBASTIEN BACHOLLET:	Thank you. I am not sure that we … I will put is as a question. What is a regular prioritization process? Do we define it somewhere? Do we consider that it was used at the beginning and therefore it's becoming regular? But, at the same time, what it means for me is that we do some work with the backlog and we define a [steady] process for the follow-up. That's where I was taking that as a good idea, but I think we need to put it at the beginning: that we will work on those two (the process to prioritize and the prioritization of the backlog).

CHERYL LANGDON-ORR: Sebastien, I think that's part of our previous section here with our problem statement and all of those things. That would be outlined. But what does strike me here is what we may be able to do with this text: say, once the backlog has been cleared, prioritization processes should integrate into the standard operating and financial plan processes.

Does that help? Back to you, Sebastien, and then Demi. Demi?

DEMI GETSCHKO: We can maybe drop the, "Once the backlog has been cleared." We can begin with the prioritization process. It should be integrated to the standard operational and financial plan.

CHERYL LANGDON-ORR: But how do we deal with the backlog then, Demi?

DEMI GETSCHKO: The backlog [is an issue of, first, the items over].

CHERYL LANGDON-ORR: Is it? Because there's only articulated Work Stream 2. I just – Pat, help me here.

PAT KANE: Well, I thought we had earlier had a conversation between one process or two processes. I think we settled on, for the most part, one process. So that assumes that we're not necessarily going through a backlog but

we're prioritizing all those recommendations as a whole. While we talked about triage being important for the existing ones, I think the processes is not about one versus the other. It's about: "We've got all these recommendations. Let's look at them holistically." So I think that Demi is right from the standpoint of "Let's get away from thinking backlog," because it's one set of recommendations that we have to assess which goes first.

[DEMI GETSCHKO]:   Yes.

CHERYL LANGDON-ORR: New text then – what is it going to say?

PAT KANE: I'm just the idea guy. I'm not the writer. No. I think that what this says here is to just get rid of "Once the backlog has been cleared" and just say, "The prioritization process should integrate into standard operating and financial plan processes." Period.

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: My fear is that we will need to wait for a process designed and defined before starting to take care of the backlog.

CHERYL LANGDON-ORR: And that's not a good thing.

SEBASTIEN BACHOLLET: And that we wanted to avoid. It's why it's two process. It's two [inaudible]. But it must be two trucks of the work, I would say.

CHERYL LANGDON-ORR: It's [inaudible]. Pat?

PAT KANE: Sebastien, I hear exactly what you're saying from that standpoint: the work needs to continue. But work is continuing today without this process in place. I think to say "Go do this work and prioritize the 300 plus," without us knowing what that process looks like, even holistically or even addressing the triage process … I thought we said earlier we would weight them all against the same set of criteria. I think that let's escape out how you look at the triage versus how you look at the new ones that are coming in. Just a thought.

VANDA SCARTEZINI: Yeah, but who is reading this all? It's just forgotten: the backlog as a whole. So we talk a lot, but we did not translate our talking into some part of the recommendation. So we'll need to do that.

CHERYL LANGDON-ORR: Vanda, as I understand what you said, you want to make sure we do articulate the backlog somewhere in this set of subpoints.

Pat, do you want to react to that?

PAT KANE: Work gets prioritized today because work gets done. Resources are applied to certain things that we've said you got to do. Now, is it efficient? No. Is it the right things to work on in terms of the things we have out there to work on? Probably not. In some cases, yes. In all cases, no.

So I'm trying to figure out, do we want to jump ahead of the line of what's going on today, or do we want to go solve the problem that we see holistically that we've been talking about?

I'm … I can't even get the words out.

CHERYL LANGDON-ORR: Because you're so excited.

PAT KANE: I am so excited. No. So that's what I'm trying to get through in my head: do we really want to jump to a new process and just let the process as it is today continue, solve this one for the whole bundle, and move forward? That's where I am.

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: I understand your point, but, if defining the process was an easy one, it would have been already done.

PAT KANE: Absolutely. Amen.

SEBASTIEN BACHOLLET: What you proposed is – sorry to say – wishful thinking. It will not happen. If it takes nine months or one year to define the process, then we can leave the backlog going actually as it, or we can decide that this team will take into account and propose an organization, even if it will not be 100% pure because it will not follow a process already totally defined. But it's why I was pushing more for two processes: one we finish to cover the street, and the other one we will add the architecture to before we build the house. That's the reason. I understand where we are, but I don't think you need to disappear completely that they need to be separated because, if not, we will be late.

CHERYL LANGDON-ORR: Demi?

DEMI GETSCHKO: I think we treated well the exception. That is Work Stream 2. I don't think we have to give priority to the backlog in front of the other

recommends. Then maybe if you treat the whole set together we can establish a better way to have priorities. Maybe we can put some recommendations to retire and, for others, not. But I don't see why we have to prioritize the backlog instead of the whole set.

CHERYL LANGDON-ORR: Pat?

PAT KANE: But, with what we have today, everything is backlogged. We don't have any new ones. It has all been approved by the Board at this point in time. So, still, it's just one set in my mind. But however we want to go through it, we're going to get to the endpoint. So I'm not falling on a sword, no.

CHERYL LANGDON-ORR: You're not dying in a ditch [inaudible]. [I'm going to say] Mike because it's easier. Mike?

BERNIE TURCOTTE: Thank you. This is Mike Bernard. Listening to this, maybe part of it is we're trying to say two things: that we understand the current set – it's going to be a more arduous job to undertake the backlog – and that a special effort should be put into that. Given the current state of how recommendations are supposed to be made, once the backlog is cleared, it's expected that it should fit easily into the standard process? Is that what we're saying?

DEMI GETSCHKO: But we are not using the standard process for the backlog.

BERNIE TURCOTTE: No, I'm saying it should fit more easily. I'm saying the standard process will be used, but it will be onerous to do it because it's so big.

DEMI GETSCHKO: Okay.

BERNIE TURCOTTE: But we expect that, with the way recommendations, from this point on, are being made, that it will be easier to deal with once the backlog is [inaudible].

DEMI GETSCHKO: Well, we have an [exception] of Work Stream 2. That is already approved. The others are in the same process: the standard process.

BERNIE TURCOTTE: Okay. Fine.

VANDA SCARTEZINI: Just to comment on that, Demi, the issue is that we have in this backlog things for more than ten years that has not risen to do that. So cleanup of this is the first thing to do with this backlog. Then put them into the

process to prioritize. It's two things. One thing is the cleanup of the backlog because, to put everything in the same basket, you waste a lot of time reading things that are not intended to be done because we all know some old-fashioned recommendations from the GNSO, from the ALAC, and so on, that are never implemented.

DEMI GETSCHKO: Yeah. I think, in this case, they will fail the relevance and the value (the two first items of the prioritization standards). They will fail on that. [Value can drop].

VANDA SCARTIZNI: We are doing, with five or six people … To just deal with the process and ignore Work Stream 2 because they are [being treated on] the other side. Putting this to the same group of people – I don't how many, but not 300, but 200 or whatever – and expect they do both things at the same time (cleanup and making the process)? So I do believe that one delegate for each SO and AC will not complete this task easily. It's too much. Cleanup is a working group process for—

DEMI GETSCHKO: But to have a base for the cleanup, we can use these items in the standard process. We can clean up all that don't pass the standard process. But, anyway, I don't know how we will clean up with all their arguments.

VANDA SCARTEZINI: Yeah. It's [inaudible]. That's why …

PAT KANE: All right. Tola has got his hand raised, so let's go to Tola. Welcome, Tola.

TOLA SOGBESAN: Thanks a lot. Good day, everyone. Initially I was going to [inaudible] dropping the cleanup. What I was thinking again is that some of the issues we want to prioritize, some solutions, will probably be hanging somewhere within the backlog that we were supposed to [inaudible]. So how do we capture these and prioritize our process [inaudible] issues there. But we have [inaudible] to 200 or 300. I don't know where Vanda got the numbers from, but if the number is correct – we have up to 300 on backlog – then I would suggest that we capture something – a phrase or a section in the beginning of this statement – to say the same team should first and foremost clear the backlog before beginning the prioritization process because some of the solution we're looking for could probably be hanging somewhere in the backlog. So I don't know how we can capture it [inaudible] the same thing that treats the issue or prioritization. But, before beginning the prioritization project, they should look at the backlog and set parameters – the metrics – that will either fix the backlog or delete the backlog to retire or whatever it is to ensure that the backlog is cleared so that we would begin with a clean state with the prioritization process. Thank you.

PAT KANE: The audio is getting back up, and I can see that we're getting close. What KC has said is, "I will admit being flummoxed by this continued conversation on how to prioritize 300+ items with no reference to where I can see all those items in one place, much less their status or some analysis of their overlap or contradictions among them. I've already asked for this collation three times, but it's obviously not a priority. It seems like another central accountability issue. ICANN is either not taking the view seriously or is reluctant to be transparent about the abject failure they represent."

I do know that, to what KC is focusing on, there is a spreadsheet that tracks all of the AC advice. That's actually available on the website. I've not seem something similar for the review team items. My guess is it doesn't exist.

CHERYL LANGDON-ORR: We did in fact – a point of clarification – have an action item on our staff from earlier today to get this specific piece of data which they assure us does exist somewhere in Theresa's team. So it is going to be grabbed and put forward. Was it not that link that gave the breakdown of 106 things to do with Work Stream 2 and I think it was 60 – was it Sebastien; you quoted the numbers – outstanding from other review teams.

Please, Sebastien. You referenced it earlier, so over to you.

SEBASTIEN BACHOLLET: Thank you. It's 161 for the specific reviews and 164 for the organizational review. But what it is it's linked with the Board resolution, but there's no link with the recommendation itself. I heard that the website was supposed to be created or already existing somewhere, but I was not able to find the link. Yeah, it's a question we asked, but now we are stuck with that. I guess it will be the team we are talking about now who will have to take that into account and work on that – unfortunately or fortunately, I don't know.

CHERYL LANGDON-ORR: Negar?

NEGAR FARZINNIA: Thank you, Cheryl. This is an element that's in development. There are pages being created on the ICANN org webpage for implementation that will have the list of all of the recommendations that are approved by the Board. It will show a high-level status of the implementation progress for each of the recommendations with a lot more details captured on the various wiki pages that we have that the review team also uses actively. There's also an ongoing effort to add recommendations and be able to show them publicly on the same advice list that is being used to track all the Board advice received. So there's a collection but it's work in progress because there's a lot of development that needs to happen. So it's not that ICANN org is not willing to share information or doesn't care about it. It's just there's a little development that goes into preparing the material in a way that it

can be all collated together and presented in one long list. Like I said, [it]s work in development.

As far as the ICANN org pages are concerned, if you look at the various pages that we have on reviews for ICANN org, you will start seeing the tables be put – the ATRT2 table – in there in preparation for the work and results of ATRT3. CCT is going to go through the same process, as will RDS and all the other reviews, that will capture it on the specific page. The advice page will have the collation as soon as development is completed.

CHERYL LANGDON-ORR: Thank you, Negar. That's excellent news. I gather that that won't be much further developed before we complete our work. Is that the case? Or do we expect to have some significant improvements before in terms of transparency? In other words, how do we address that work in progress in our documentation?

NEGAR FARZINNIA: I'm sorry, Cheryl. I was just looking for notes and I didn't quite catch that.

CHERYL LANGDON-ORR: Not a problem. I was wondering how far the progress on that work in progress may be by the time we have to put in our final report so that we can know how we can address and recognize that in our documentation?

NEGAR FARZINNIA: The ICANN org pages that capture the final recommendations the Board accepts are almost readily available. So for each of the reviews that get to that stage, the table will be created and will list the recommendations.

As far as the advice part of the function that will capture everything, I don't have an ETA on that. I'm not aware of what the exact dates are, but we are happy to look into it and see what data we can provide back to the review team. If I were to guess, I would say that it's probably no going to be done by the team the ATRT3 review team wraps up their final report to submit it. But I would like for us to take it back and confirm it.

CHERYL LANGDON-ORR: Thank you. We'd appreciate that as an action item. Sebastien?

SEBASTIEN BACHOLLET: I understand the answer, but, frankly, before building a system, you may have a list either on the paper, either on the Word document, either on the Google Doc, either on the Excel sheet, or whatever. Therefore, why don't you send 100 pages if it's 100 pages to tell us about the 300. It exists somewhere. There's somebody who has it. If it's not, there is somebody doing this job before putting in the tool. Why do we need us to wait for the tool to have the information? That's not fair. That's not fair for our team at all. It's not the first time we asked for that. It's not the first time that KC and Daniel, as leaders of the review team, were

asking for that. That's something we can't be happy with. I will even say I am upset with that because it's something wrong. Thank you.

CHERYL LANGDON-ORR: Pat, back to you.

PAT KANE: I think we've well noted that we've asked for this information and we've not received this information. I put this into the same bucket as the discrepancy between how we've assessed ATRT2 recommendations and how ICANN staff has assessed the ATRT2 recommendations.

So, while I'm disappointed we didn't get the information – I know it's been asked for for some time – are we going to make a different recommendation or an additional recommendation with or without that data? I think that it's noted enough that we can make a recommendation around the absence of it or the inability to make decisions based upon it. But, at this point in time, again, are we going to recommend something else?

CHERYL LANGDON-ORR: Tola and then Sebastien.

TOLA SOGEBESAN: Thank you, Cheryl and Pat. My thinking is that our assignment is on accountability and transparency review. Where we found any infraction of accountability and transparency, we recommended as such. If we

don't find transparency in any activities or process, we should state as such. If we requested a document, which is supposed to be transparent to the community [inaudible] provided with, then we treat it that it's a non-transparent process and we recommend as such.

Now, what I'm thinking we should now consider is, what is our recommendation where we find any non-transparency? I see that non-transparency. If it is seen as such by consensus, then we approach it as such in our report –that this is non-transparency – and we are not being accorded accountability. If we aske for a document and we are not being provided it, there is no accountability. There is transparency.

So what is the recommendation if this happens? I think we should consider that and take the next step. Thank you.

CHERYL LANGDON-ORR: Just before we got to you, Sebastien, I think, Tola, it's important to note that the question Pat raised was how the absence or presence of this albeit issue from a transparency point of view document would affect this recommendation. So there are two things there. We probably, based on what you've been proposing, need to put in fresh text in the final report – a little bit more information on some of our concerns regarding transparency.

But we also need to recognize that transparency is often linked to material that exists. What we're talking about here is material that has not quite been brought into existence. That needs to be addressed as well.

But the question now for this piece of work reprioritization, based on what Pat was saying – we still need to come back to that – is whether or not the absence or presence of it will change our recommendation.

I note that Kimberly disagrees with me. I'm not sure what's she's disagreeing about. But, Tola—

TOLA SOGBESAN: Can I say something, please?

CHERYL LANGDON-ORR: Yes. Back to you, Tola.

TOLA SOGBESAN: Thank you, Cheryl. My understanding of the request of us is that we're asked to review accountability and transparency. If the document doesn't exit, I think the team deserves a written communication to state that this is the status of the document you are requesting. "It existed some time ago, but we couldn't find it," or, "The document is somewhere, but we don't have access." That should be a communication to justify that. What you are requesting is absolutely correct, but we don't have access to it. If we don't have that document, it means there's something wrong somewhere about transparency. That's my understanding. I'm glad to [inaudible] if I'm wrong, but the [inaudible] understanding is what I see. If we request a document, whether the documents are going to useful or not is going to be defined by us. It's not going to be defined by whoever we requested the document from. That's my understanding. So whether we are going to

pen another recommendation to that effect, how we're going to [inaudible] is our responsibility. Thank you. Over to you, Pat.

CHERYL LANGDON-ORR: Thanks, Tola. But I don't think there's a disagreement. We're just trying to focus on this particular recommendation regarding prioritization. That does not null and void all the necessary and important points that you and indeed KC are making regarding access to material and how that affects transparency.

TOLA SOGBESAN: Yes.

CHERYL LANGDON-ORR: So, if we can look at the work we're doing, not other work that needs to be done, and make a point of picking up in new text in our final report aspects of this transparency issue that has been raised in this decision, then perhaps we can move on to finish at least this piece of work. Is that okay?

TOLA SOGBESAN: That's correct. Yeah, it's okay.

CHERYL LANGDON-ORR: Thank you. Fantastic. Sebastien, Negar, and then KC.

SEBASTIEN BACHOLLET: Thank you, Cheryl. Pat, thank you for your question. My answer is I don't know. Or I will try to be more positive: I hope not. But, without the data, I can't tell you for sure that it will not change something.

I just want to take on example. If, on the 300 or the 164 from the organizational review, we see that, for At-Large, there is just three missing, it's a different story. If it's the case for all the ACs and SOs, it's a different story. We are not talking about 300. We are talking about a lot more or a smaller number. It may change what we are because now we are talking about the backlog with 300. If it's just two-thirds of that, it's another story. But I will consider that we do our best with what we have. Thank you.

CHERYL LANGDON-ORR: Thank you, Sebastien. Next is Negar and then KC.

NEGAR FARZINNIA: Thank you, Cheryl. I wanted to circle back to the conversation about the availability of the list of all of the recommendations referenced in our ongoing discussions. While the systems are in development and one central location is not in place just yet to contain everything, we are more than happy to collate a list manually and provide the review team with a static list of all the recommendations that you're referencing so that you have a table of everything in discussion, if the review team will find that helpful.

CHERYL LANGDON-ORR: Thank you, Negar. It sounds like a reaction in response to what the Reviews Sub-team wanted. That will be useful and perhaps needs to be even considered as a potential appendix to our document. I'm unsure yet, but we look forward to, I gather, receiving that because it sounds to me like the table does indeed want to have a look at it in whatever form it exists in.

We have KC and then we have Pat.

KC CLAFFY: Negar, that would be great. I just wanted to clarify to Cheryl that I wasn't talking about information that doesn't exist yet. What I've been asking for for months is the list that Negar has said that she can now provide in a table for us. That would be great.

CHERYL LANGDON-ORR: Thank you. But, in the point being made earlier, KC, we need to craft text about transparency and availability of material. This has been a reoccurring issue in every accountability and transparency review team since the inception of these things. There has been improvement, but it's probably wise for us to include in our text something about how it can be improved more. That goes to the availability in the format. Sometimes people seem to want to hold things up until it's a format we think we want it in. In fact, many people in a review process just want access, a little bit like an open data. If it's neat and tidy, all the better. But "Just give us access in the first place" is often the cry we hear.

Is your hand still up, KC, before we go to Pat?

KC CLAFFY: Yeah. I just want to distinguish two separate things here. There's the collation of the recommendations and their status, which I understand is a heavier lift. Some of that information does not exist yet. Then there's what I thought what was more relevant to what is in the Google Doc that we're looking at right now, which is that I feel like we're having a conversation for hours about prioritization of a list of items that we don't have in front of us. So it could very well be that, if we spent two hours staring at those recommendations or if somebody went up and did that, you would find some obvious thing emerging from the data that would help you with how to prioritize, like, "Oh, look, there's a bunch of redundancy in here," or, "These things are contradicting each other." That knowledge about that – the content of the recommendations – might be important to the methodology that we put in this Google Doc. That's why I'm mentioning it now again: every time we talk about prioritization, I find myself being the data-driven personality of "What are we prioritizing? Let's look at the data first." That all exists. That is just cut and paste into a table. It should take three hours and then we're done. Thanks.

CHERYL LANGDON-ORR: I'm going to go to Pat, but just to ask him to refresh our thinking and make sure we all understand that we have decided that, of course, it's not out job to that but this entity's that is being put together. To you, Pat.

PAT KANE: What Cheryl said around what we're trying to do here is to establish a recommendation so that someone goes off and does that in terms of how to prioritize and then someone actually does the prioritization following that.

But a little bit of what Sebastien said and then a little bit of what KC said was starting to resonate in my mind from the standpoint of the 300 that are there. We know the quantity. We don't know the quality. We don't know the age. So, when Sebastien was talking about, "Well, maybe there's just three that are problematic," I think that's really important to understand the severity of the problem in terms of what is the age. I think that would help us understand what we're asking the process to look like and what we're asking the people who implement that process a year from now in terms of what is it that we're creating issues around because, if we have an age problem to where the average age of a recommendation is n number of day or n plus 180 days, that tells us that we've really got a problem on the front end. So I think that there really is some value in that data (I hadn't thought about it this way before): if our scope is so large in our reviews that we are creating so many recommendations, albeit good recommendations that we're trying to push [into] this pipeline, maybe we have a scoping problem on the front end in terms of what the reviews are actually focused on.

So I think it would be good to get a look at that before we finish if we can get some kind of litmus on what that looks like. That would be helpful. Thank you.

CHERYL LANGDON-ORR: Thanks, Pat. KC, is that – ah. Thank you. Leon – oh, sorry. You put your hand down, Pat. My apologies. Now KC has well. It's a moving feast. Leon?

LEON SANCHEZ: Thank you, Cheryl. I completely agree with you, Pat and KC and everyone who has raised the concern about not having that information available. I think it will be useful to have it once we have this collated list of recommendations and all the information that we can have at hand.

Nevertheless, I think that is not essential to what we're trying to do here, as you rightly said. It's not up to us to prioritize the issues but only to recommend that someone else goes as does this prioritization.

So, again, while I understand that it is useful and it will give us a bird's eye view on what this group is going to deal with, it is not essential for what we're trying to do here. So, again let's not lose focus and not deviate our attention talking about two different topics, at least in my mind.

PAT KANE: Thanks, Leon, for that. But what I would want to do is, when we get back to the reviews and we take a look at what the review process would look like – what that predictable and consistent process looks like – we do call out that, when we ask for certain documents to get to out, if we're talking about three- to five-day workshops and we take a look at the Russ Housley model again on reviews, that we put out in front

that the only way we can make those things happen is to get the information that is requested in a timely fashion. And it doesn't have to be perfect. It has to be good enough to help inform us about what's going on. So that's something we should actually call out in the review recommendations when we get to that. Thank you.

CHERYL LANGDON-ORR: Okay. Speaking of getting to things, how close are we getting to being able to have consensus on this recommendation? Shall we take it from the top, ladies and gentlemen? We have some 20 minutes left in our day. We have at least five or ten minutes of that that we need to look at "where to next?" So let's see what we can do with what we've got in front of us now. Is that okay with everybody?

Excellent. Shall we take it from the top then? This is a recommendation which will be frontloaded with the smart process, the problem statement, and all of those things which we went through the exercise of doing for accountability indicators earlier today.

The recommendation, however, reads currently as follows. "ATRT3 recommends having a delegate, one delegate per SO or AC, who wishes" … what?

[BERNIE TURCOTTE]: I added that. Remember we were trying to deal with the fact that—

CHERYL LANGDON-ORR: Very scary when I'm running off my memory and you go changing the text. You read the damnable thing.

BERNIE TURCOTTE: … [Peter]. "ATRT3 recommends having one delegate per SO/AC who wishes to participate in conjunction with the ICANN Board and org or their delegates be responsible for prioritization of the implementation of recommendations made by review teams, taking into account the following high-level guidance." The reason the "who wishes to participate" in there is that the address group usually doesn't participate in those, and we can't say that we absolutely need one from each.

So, "The prioritization process should take into account that implementation of the Work Stream recommendations (footnote) is required in order to complete the IANA transition. Also, the implementation of these Work Stream 2 recommendations should be subject to the prioritization process without being able to retire them. The prioritization process must be conducted in an open, accountable, and transparent fashion, and decisions justified and documented. The prioritization process should integrate into the standard operating and financial plan process. Multi-year implementations can be prioritized but will be subject to annual reviews to ensure they still meet their implementations objectives and the needs of the community. Elements to be considered when prioritizing recommendations should include relevance to ICANN's mission, commitments, core values, and strategic objectives, value and impact of implementation, cost of implementation and budget availability, complexity and time to implement, perquisites

and dependencies with other recommendations, and relevant implementation from implementation   shepherds or equivalents." That's it.

CHERYL LANGDON-ORR: Thank you very much, Bernie. Sebastien?

SEBASTIEN BACHOLLET: A friendly amendment. Can we add ICANN before org? We talk about the ICANN Board and ICANN org. Thank you.

CHERYL LANGDON-ORR: Seems simple enough is happening as we speak. Ladies and gentlemen, we have in front of you what some of us would like to think is as " a near to completion as we should be able to get" document.

Just a second. I was making a call for comments on as it is written now.

Pat?

PAT KANE: Thank you, Cheryl. As Bernie was reading through the first sub-bullet – "The prioritization process should take into account" – and we talk about that Work Stream 2 recommendations should be subject to the prioritization process without being able to retire them, we don't talk about the retirement prior to that.

So I think that, in my mind, what I was running through was to say that the prioritization process should retain a retirement function such that we remove the desire to declare something complete when it is not. I think I'd like to state it in that particular fashion because I think that the challenge with people saying things are complete when they're not is driven by that we don't have a way to kill something that shouldn't get done in the first place. If we tie that back to our finding that a certain percentage was done as opposed to … So, Daniel, you're laughing at me.

DANIEL NANGHAKA: [inaudible]

PAT KANE: Oh, okay. All right. I thought, "Okay. I'm being goofy or something." Maybe I am. But I think it would be really helpful to have something that ties it back to why we want a retirement process. That is so that we can eliminate and have an accurate accounting of where we are on each of these recommendations.

CHERYL LANGDON-ORR: Daniel?

DANIEL NANGHAKA: Thank you very much. Something just came into my mind. Yeah, it may not be complete, but they could have finished the work. So how do you judge that? It's about going through the process.

PAT KANE:

Well, if the work is complete, it's done. Right? I'm not sure I'm following you, Daniel.

DANIEL NANGHAKA:

Say we are [voiding] a [inaudible] they claim to have completed the specific recommendations. Probably if the recommendation hasn't been fully implemented, then they could [inaudible] that they've just finished the process but haven't completed it. It's just about logical grammar about finishing and completing. Thank you.

PAT KANE:

Now I'm following you. Thank you very much, Daniel, for the clarification. I think that, at that point in time, what we have is we have our shepherd. Our shepherd now is the one that's responsible for following that process through to make certain that the intent was done and to make certain that it was completed in a manner that the review team actually thought it was going to be driven toward. Maybe we go so far in the recommendation that the shepherd is the one who signs off on complete in terms of what that is. I think that might help what you're referring to.

CHERYL LANGDON-ORR:

Daniel, is your hand down now?

Okay. Vanda?

VANDA SCARTEZINI: I believe that [inaudible] bullet, perhaps, because there's another bullet on that. That's where you take care of the backlog cleanup because then we're going to have the retired point that should be done into the process. On this, in my opinion, if I sit over there, I will start with this, taking a look at what can be retired for that list. But it needs to be into this suggestion, as I said. So I completely agree. Thank you.

CHERYL LANGDON-ORR: So then, Pat, where in particular are we inserting this section of retirement? Does it belong in here or does it belong in the preamble-y stuff? …

BERNIE TURCOTTE: I think we're in violet agreement, so—

CHERYL LANGDON-ORR: Okay. But we still—

BERNIE TURCOTTE: Let me write it and we can argue about it.

CHERYL LANGDON-ORR: Well, wait a second. What we're going to do and when we're going to do it is yet to be determined. I'm glad we got the audio back. How about

– Bernie, slow down – either where you've got it now or as a modification of what was the first bullet?

What struck me as Sebastien was speaking is that we could say the prioritization process should take into account that implementation of some recommendations may need to be retired, not implemented. Then we have the following statement, which then goes, "Work Stream 2 recommendations, however (footnote), are required to complete the IANA transition, and implementation of these Work Stream 2 recommendations should be subject to the prioritization process without being able to retire them.

Does that work? Or it can be split off. I just wanted to throw that like the cat earlier on the table.

BERNIE TURCOTTE: I think that's the right concept. I think there's a shorter way to say that. But I think that's the right concept: we talk about retirement and then we say, "Work Stream 2 items are not subject the retirement but subject to prioritization against all other recommendations." Something like that.

CHERYL LANGDON-ORR: Okay. So regardless of whether it gets split into one or two bullet points, it doesn't really matter. But let's have a look at what's being written now. It might be better to split it just for the effectiveness of having shorter bullet points rather than longer bullet points.

So, as we have it now, without rereading the primary header of this section, sub-bullet points under high-level guidance are: "The prioritization process should take into account that implementation of certain recommendations should not be undertaken and that these should be able to be retired," not just "should" be retired. "Able to be retired."

PAT KANE: Deliberately. I think it's very important to say—

BERNIE TURCOTTE: With prejudice?

PAT KANE: I think it's important to call out it's deliberate so that we're making a decision as part of the prioritization process to retire a recommendation.

VANDA SCARTEZINI: Yeah. We need then [inaudible] retire …

CHERYL LANGDON-ORR: Okay. Once more with feeling: "The prioritization process should take into account that implementation of certain recommendations should not be undertaken and that these should be deliberately retired."

I'm getting nods. Excellent.

SEBASTIEN BACHOLLET: [inaudible] "should". It's okay.

UNIDENTIFIED SPEAKER: [inaudible].

SEBASTIEN BACHOLLET: I don't know. [inaudible]

CHERYL LANGDON-ORR: Okay. Let's read it without some "shoulds" because I'm having fun. "The prioritization process …"

UNIDENTIFIED FEMALE: Shall.

CHERYL LANGDON-ORR: … "shall take into account that implementation of certain recommendations may not need to be undertaken and that these should" – the only one in the sentence now – "be deliberately retired."

SEBASTIEN BACHOLLET: Thank you.

CHERYL LANGDON-ORR: Excellent.

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: [We need "need"] in the sentence.

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: "May not need to be undertaken." All right. Pop into the document, Jacques, and write the "need" where it's necessary.

There we go. Thank you, Bernie. Great. Are we happy with that?

UNIDENTIFIED FEMALE: Yeah.

UNIDENTIFIED MALE: Yeah.

CHERYL LANGDON-ORR: Small victory for us. Well done. "The Work Stream 2 recommendations (footnote to them) are required in order to complete the IANA transition. Also, the implementation of these Work Stream 2

recommendations should be subject to the prioritization process without being able to retire them."

Sebastien, go ahead.

SEBASTIEN BACHOLLET: Can't we simplify and just take at the end of the dot: "[inaudible] everything without being able" – and we leave "without being able to be retired"? In order to complete the IANA transition without being able to retire them.

CHERYL LANGDON-ORR: Okay. Let me see if I can have a go at dissecting that, reflecting what I think you were saying Sebastien.

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: No, please.

UNIDENTIFIED MALE: [inaudible]

CHERYL LANGDON-ORR: Okay.

BERNIE TURCOTTE: I thought it was important that we were saying they would be subject to the prioritization process.

VANDA SCARTEZINI: [inaudible]. That is the most important part.

CHERYL LANGDON-ORR: What my dissection proposal would be: "Work stream recommendations (footnote to them) should be subject to the prioritization process and are required in order to complete the IANA transition." Full stop. "These should not be able to do retired." Full stop. Or something along those lines.

Is that helpful, Sebastien, or not?

SEBASTIEN BACHOLLET: May I suggest that the prioritization of Work Stream 2 recommendations are required in order to complete the IANA transition without being able to retire them?

CHERYL LANGDON-ORR: Yeah. That's what's written, isn't it?

SEBASTIEN BACHOLLET: No. I suggest that we keep … I will try to repeat: "The prioritization of Work Stream 2 recommendations are required to complete"—

BERNIE TURCOTTE: No.

VANDA SCARTEZINI: No. Because [inaudible] prioritization [inaudible] to complete.

BERNIE TURCOTTE: No.

CHERYL LANGDON-ORR: So the subject was that the Work Stream 2 recommendations should be subjected to the prioritization process. That's one point, right?

VANDA SCARTEZINI: Right.

CHERYL LANGDON-ORR: And that could go at the beginning of the sentence. Then we also need to note the next subject: "They are required to complete the IANA transition" A subsidiary to that subject: "and should not be subject to retirement." However you put that sentence together, they're the three things we need to try and pull out.

Leon?

LEON SANCHEZ: Thank you, Cheryl. I need to say that I'm with KC on this. I would encourage us to go back to what we had previously. It seemed very clear to me. I'm also worried about putting this lock into the Work Stream 2 recommendations [about] not being able to retire them, should the case be, because we're partly in this mess because we have been so strict and we have we put so many locks that we tie the Board and the organizations' hands and they have no room for maneuvering and no room for flexibility. So I encourage us to think twice before we set such a strict lock in not being able to retire Work Stream 2 recommendations. I'm not saying that I'm willing to. Of course not. You know me. It would be the last thing that I would be thinking of. But this is now. We don't know what will be coming in the next months, years, or whatever. So let's provide some flexibility.

CHERYL LANGDON-ORR: If memory serves me, I think we actually discussed and indicated we would put some flexibility in because I'm quite sure I heard Pat articulate, when we refused to not agree with just removing the last four words and left it at "should be subject of the prioritization process," he fought for having the "not able to retire," and it was "retire them without extenuating circumstance," or … You articulated a little bit of a flexibility. If we put that back in, that may help comfort Leon. I'd like to comfort Leon.

PAT KANE: Cheryl, what I had said was that, unless, let's say, they've been overcome by events … Sebastien rightly commented, "How do you

define that?" So the idea would be, for those things that are no relevant or don't fit into where we are in the community … I'm struggling with the right words because I think that Sebastien was right. The idea was to be that some of these are just no longer going to be relevant.

CHERYL LANGDON-ORR: [inaudible]

PAT KANE: Work Stream 2 at some point in time may have a recommendation that, by the time we get to it, is not relevant. So how do we deal with that? What I had said was … We thought of the corner cases. So let's push that off to the people that have to actually design the process as a corner case that they have to address. I think that's where we got to on that one. We said we would just leave it as is and let that be something that that process developed.

CHERYL LANGDON-ORR: Right. My faith in people being able to note in their own time without other guidance and instructions that corner cases may be able to be compensated for here I think goes to Leon's concern about things being locked in without any wriggle room. Maybe we need to come back and work on that a little bit longer.

Bernie, before you put out what little hair you have left, what do you want to get my attention about?

BERNIE TURCOTTE:	Friendly amendment listening to this conversation … there. "Work Stream 2 recommendations (footnote to them) are required to complete the IANA transition and should be subject to the prioritization process." [inaudible]

LEON SANCHEZ:	That's how it was.

CHERYL LANGDON-ORR:	Pat, that's a reversion to something you argued against. You wanted retirement specifically annotated here. Back to you.

BERNIE TURCOTTE:	We're leaving it to the people that are building the process. We're signifying the importance of the Work Stream 2 recommendations. So we're elevating them clearly, separating and calling them out. Yet we're saying their subject to the prioritization process. If I'm listening to what we're saying, that's what we're saying.

VANDA SCARTEZINI:	Yeah.

CHERYL LANGDON-ORR:	Vanda?

VANDA SCARTEZINI:	Also, if we start with the retired issue that should be into the process, they should analyze if they can or can't retire the recommendation under Work Stream 2. So I believe that's inside the process. They can analyze their capacity or possibility or interest on retirement or not. So it's there: the retirement [process. The other is saying [that, subjected to that process, retirement] can be considered.
CHERYL LANGDON-ORR:	Okay. So, Vanda, what your point is, if I heard you correctly, because we have now mentioned retired, a retirement higher up there may be comfort for Pat in not having it attached to this particular subpoint because, when it was attached to this subpoint originally, there was no other reference to retirement.
	Leon, is your hand actually still up?
LEON SANCHEZ:	No.
CHERYL LANGDON-ORR:	Okay. Jacques?
JACQUES BLANC:	A couple of points here. We are submitting this process to delegate SO/AC, ICANN Board, and ICANN org delegates. We could safely assume these are responsible people. Could.

CHERYL LANGDON-ORR: We could.

JACQUES BLANC: Would/should/whatever. So my point is, if we turn the second point around, saying, "The WS2 recommendations (footnote to them) should be subject to the prioritization process, noting (or duly noting) that they are required to complete the IANA transition," we tell the people, "You know what? You are going to prioritize those, but please note that, in the initial fundamental process we are living through, these are mandatory." So you reverse the responsibility.

PAT KANE: I'm going to jump in. I think that's right, Jacques. The wording that I put into the group chat – KC has weighed on it – is that "Work Stream 2 recommendations are to be prioritized and not retired, as they are required to complete the IANA transition." Full stop. Which is what you said.

CHERYL LANGDON-ORR: Okay. That doesn't take into account the concerns Leon has about locking things up, but so be it, Leon. Tough for you.

PAT KANE: We have the shepherd. We still have the shepherd to rely upon.

CHERYL LANGDON-ORR: Yeah. I understand.

PAT KANE: And I nominate Osvaldo.

CHERYL LANGDON-ORR: Well, I'm actually going to Osvaldo because his hand is up and I'd like to get to him. Go ahead, Osvaldo.

OSVALDO NOVOA: As I understand it, we introduced the retirement concept just to give another instrument to the people because we know that there are some recommendations that were declared as completed and there weren't. Some recommendations are still [being worked on], and some indefinitely. They're a never-ending process. So it's just an instrument, I think.

CHERYL LANGDON-ORR: Osvaldo, it is an instrument, but it's not one that's only being proposed by us. It's also a construct that is reflected in the Board work – the white paper on prioritization and the four pillars. The continuing relevance and the need to retire is addressed in that paper as well. So it's not just coming from us. But, yes, it is definitely a tool.

Ladies and gentlemen, just in case you think I'm not watching the clock – I am – is not six minutes past our first advertised competition for today's work. However, we also said that we weren't going to let you leave the building until a certain amount of work was done. So this is the point we're up to now. You've got to start working towards what

you live with as we try and get consensus on this recommendation. So, until this recommendation is completed, we will not be moving from here.

When we complete this recommendation, we will then be starting tomorrow's agenda on what? I'm just pausing now because we've [inaudible] and what are we doing tomorrow. Where do we want to go tomorrow, having put this prioritization recommendation hopefully to bed before we all need to go to bed?

Pat, where do you want to head? You want to head to Australia, I know.

PAT KANE: Well, I'm going to need to. But what I recommend we do is we go back and finish this morning's homework assignment. Do we walk through last night's homework assignment and put together … I've gone in and worded what I think I heard in terms of what our objectives were in terms of getting to the reviews and what we're trying to solve for and walk through that so that we can say, "Is this how we're going to say this is what we're trying to achieve with the review recommendation?"

CHERYL LANGDON-ORR: Okay. So first cab off the rank for tomorrow morning's agenda because we're going to actually have to change our agenda now is a revisit of this morning's starting discussion on our homework assignment and recommendations. Correct?

PAT KANE: That is correct.

CHERYL LANGDON-ORR: Reviews.

CHERYL LANGDON-ORR: Correct.

CHERYL LANGDON-ORR: Not recommendations. Sebastien?

SEBASTIEN BACHOLLET: As you'll remember, when we had our last conference call, I asked, if we are not done, how we can work now. I understand that we are all tired and it will be difficult, but may I suggest, I would say, a small group?

CHERYL LANGDON-ORR: Okay. A small group working when to do what is your proposal, please? [Let's go].

                       Sebastien, we are all tired. Are you wanting us to then start with a review of a small group activity tomorrow morning?

SEBASTIEN BACHOLLET: I just want to state clearly, if we are not finished tomorrow, it will not be my fault. Thank you.

CHERYL LANGDON-ORR: Okay. Well, I'm pleased to hear that.

SEBASTIEN BACHOLLET: [I am pleased].

CHERYL LANGDON-ORR: We can either continue now or not. Those of you who cannot continue now, we appreciate that. Whoever is left, we will do our best to finish this. If too many of us leave and cannot continue now, then we will have to revisit it anyway to get our consensus. So—

VANDA SCARTEZINI: I can stay.

CHERYL LANGDON-ORR: Thank you, Vanda. Good to hear you can stay.

WOLFGANG KLEINWAECHER: [inaudible] with the text now.

CHERYL LANGDON-ORR: I'm sorry.

WOLFGANG KLEINWATCHER: Who has problems with the text as it [inaudible] now?

CHERYL LANGDON-ORR: Using the microphone, Wolfgang, please?

WOLFGANG KLEINWAECTHER: My question is, who disagrees with the text as it stands now?

CHERYL LANGDON-ORR: I thought we were trying to establish. Right now—

WOLFGANG KLEINWAECHTER: [We have] the so-called brackets. Normally, when you work with the language which is not agreed upon, you put it in brackets. So that means, if it can reduce the conflict – a very concrete word or a comma or what else … I remember Jon Postel – he died already more than 20 years ago – sometimes said, "Group discussion is great. Great drafting is a pain." So we are now in the pain phase.

CHERYL LANGDON-ORR: Yeah. And pain points have to met occasionally. We can in fact, if you all so desire, at least finish this piece of work in a timely fashion by using the square brackets process. Absolutely.

What we also need to do is make sure that it's not then to be opened up for re-litigation and take a big block of time tomorrow. Otherwise, what we're doing is impinging on people tonight as well as tomorrow. So let's decide which way we're going to go.

Can I go to Osvaldo before Negar, please? Osvaldo, please go ahead.

OSVALDO NOVOA: It's just a question. I agree with the task as it is, but my question is, should we go through the same process as the previous one to see if it fulfills all the requirements of a recommendation?

CHERYL LANGDON-ORR: The intention has always been to do that, but that wasn't part of this evening's plan to work. I hope that was clear.

OSVALDO NOVOA: Yeah.

CHERYL LANGDON-ORR: Okay, good. Does that change your approach to what we need to do now or not.

OSVALDO NOVOA: No.

CHERYL LANGDON-ORR: Okay, fine. Negar?

NEGAR FARZINNIA: Thank you, Cheryl. This is actually just an administrative note. Because we're meeting over the weekend, security guards have been hired until a certain time. They're locking down the office at 6:30. That's the time they'll be contracted to—

CHERYL LANGDON-ORR: I was rather hoping we would have finished this by 6:30, but we spent so much time in deciding how we should decide to the work we could do in the 30 minutes we had that half the time is gone.

VANDA SCARETZINI: So back to work.

CHERYL LANGDON-ORR: Go ahead, Vanda.

VANDA SCARTEZINI: Well, the—

UNIDENTIFIED MALE: [inaudible]

VANDA SCARTEZINI: Okay. Well, in the last conversation, we heard from Leon that it could be interesting not to have the retired expressed in this second bullet here. Bernie just reduced this sentence for a more simple and clear statement, but it's still has "retired."

So my suggestion is just, "Work Stream 2 recommendations are to be prioritized as required to comply with the IANA transition," and not use the retired issue since the first bullet is just talking about that how retired will be part of the prioritization process. So that's my suggestion for the second bullet that we are discussing now. Thank you.

CHERYL LANGDON-ORR: Okay. Is the reflected in the current square bracketing now?

No, it's not. Bernie, can you capture what Vanda was referring to?

Okay. Pat, coming back to you, is that starting to meet the needs still or not?

PAT KANE: I think it's close enough. We're still going to think about this. We still have a little bit of time. And to the point that Osvaldo made in terms of that we're going to wrap around this the smartness to it to get to [the] recommendation, there's going to be further iteration. But I think, for right now, in terms of the gist and the really close wording to what we're trying to do, this is good.

CHERYL LANGDON-ORR: Okay. Thank you. So, with the concerns about packing up and getting organized for leaving the building, we now have … what sort of timing have we got? We've got 15 minutes. We need at least 5+ minutes to clear the room and to get out. I think we have now managed to get the point beyond diminishing returns. So, despite all best efforts, will have

declared this a failed exercise and that we will not have completed this single piece of work in this afternoon and that we will however come back to this and tomorrow morning's agenda and that we will, with your permission, take a little break psychologically from this torture. We will have our first point of agenda tomorrow [to be] what we mean by the reviews, the options, the homework that we did last night and look at what Pat has re-texted in that document. That's the same document as we have on screen for everybody's edification, just further up on Page 1, that will take us, I suspect, to the mid-morning break. At least by the mid-morning break, if not immediately after the mid-morning break, we will come back to this prioritization text and we will seek text that we can get consensus on.

Are we all clear on that? Yes/no? Indifferent?

Go ahead, Wolfgang.

WOLFGANG KLEINWAECHTER: This is not a failed exercise. So we did not achieve everything we wanted? So I think it's not a big success, but we made progress.

CHERYL LANGDON-ORR: Indeed. Towards the gallows we go. Thank you, ladies and gentlemen. If we can stop the recording and thank all the staff and all of you for your time, your energy, and mostly your patience in the work we have managed to do today. Bye for now.

EN

[END OF TRANSCRIPTION]