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CHERYL LANGDON-ORR: Good morning, good afternoon, and good evening, depending on where you are in the world. We're here in Brussels ICANN office for day three of our thrill-packed and exciting adventure of taking our next phase of the Accountability and Transparency Review Team Number 3 to review its received public comments from its interim report and to look to our forward planning for our final reporting which will be completed by the end of March.

We have a couple of people on the remote participation. We want to welcome Liu. Have we done an audio check with Liu yet, staff?

UNIDENTIFIED FEMALE: He just joined.

CHERYL LANGDON-ORR: He's only just joined? Okay, Liu, did you want to do an audio check so we can know we can hear you.

LIU YUE: Yeah, hello, everyone.

CHERYL LANGDON-ORR: Perfect. We can hear you loud and clear. Delighted to have you with us again, and we really do appreciate the extra heroics you're going through with the time difference to join us as one of our remote

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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participants. I'm just checking. I don't see Tola yet, but he's another one of our team who is unable to join us in Brussels face-to-face.

With that, again from an administration point of view, if those of you both in the room and out of the room would be so kind as to put your hands up in the Zoom room, the Zoom room will make it easier for us to note and queue our speakers and also help people who are not in the room see how many people wish to make an intervention on any particular point of our discussions today.

Regarding our interventions and discussions today, remind you all for the record if you would please state your name when you are starting your intervention and please speak in such a way that we can allow what seems to be the occasional audio gremlin to be managed. We will ask those of you in the remote participation only space if you can let us know via chat if and when audio quality drops and we will of course do our very best with the fabulous tech staff here to try and remediate that whenever we possibly can.

From that then, I have a hand up already. Wolfgang, go ahead.

**WOLFGANG KLEINWÄCHTER:** Thank you very much and good morning to everybody. I have a procedural proposal. I think we have seen yesterday if we come to the moment where we have to negotiate language, this takes away a lot of time and we have only one day left. This community will all understand the principle of rough consensus.

So my proposal would be to combine the rough consensus procedure and the traditional UN procedure which works with square brackets that if we come to negotiate language for the recommendations, that we are driven by the principle of rough consensus. So we agree in principle on certain issues and if it comes to the concrete wording, we can identify the word or the comma or the sentence which is controversial and we put this in square brackets so that we can continue.

And if somebody disagrees, I think he should deliver alternative language and not just say I disagree without any alternative language. I think the hour or more we spent yesterday with differentiation between what is the special nature or the exclusive nature or the different nature, this is really a waste of our limited time.

And if we have a general understanding, then it would be in the hand of the team which produces the final version which needs then an additional adoption so that we can clarify let's say the remaining issues in the process. But to make the optimal use of the limited time we have today, I would invite everybody to get guided by this approach. Thank you very much.

CHERYL LANGDON-ORR:

Thank you, Wolfgang. And, of course, that's specifically relevant to us also looking at our discussion in our agenda which we're just about to review for today which in our after-lunch session we'll be determining the structure of the final report as well. And that will also allow us as we look at our work approach to ensure that what we're trying to do is establish the overarching text and in principle support for what we're

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saying in terms of recommendations and that the specifics of our wordsmithing can be, as you say, bracketed.

And we will, of course, expect all of us to pay particular attention to the collaboration space and the documents and put comments in it between leaving Brussels and our next review. But we'll want to hear also particularly from Bernie on the timing of when we do what with which particular version of text at that stage.

But from our agenda review which we'd like to look at, at the moment, we're going to start off noting that we're going to lose one of our co-chairs at the midmorning break. He has to get on an airplane unexpectedly, so he's leaving a day earlier. And we're going to miss you, Pat. We regret you're not being able to complete our day with us, but we know you probably prefer to be here than sitting in an aircraft heading to Melbourne.

But that said, we're going to get on to the homework assignment which of course you've done some specific sub-work on. So we'll be looking to you to guide us through out revisited homework assignment. We'll then take our midmorning break and, unfortunately, lose you.

We'll dive back into our prioritization text, noting of course without anybody objecting I gather to Wolfgang's proposal about us gaining a good and/or rough consensus on the way forward with the text and leaving the particulars to the drafting that we will do in collaboration between now and our next face-to-face meeting. I think that's what you were trying to say, was it not, Wolfgang? And then discuss at the after

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midday break how we're going to approach our work between now and Cancun.

In a perfect world, ladies and gentlemen, if we got our act going as effectively and as efficiently as we possibly can, we could even get to a point in today's agenda where we might be able to leave ourselves some time at the end of the day and finish early. So things like the Cancun meeting planning and the messaging coming out of the face-to-face meeting and the updated workplan could in fact be done without us sitting around this table, and we might take that offsite so to speak but still do it in the next 24 to 36 hours.

Right, that's our agenda. Got a proposal of a way forward. Let's at almost ten past, so I'm just a couple of minutes out of my planned schedule, hand over to Pat to guide us through the homework assignment. And if we can have that displayed. That's the scratchpad document? No, it's the—no, it is the scratchpad document? Talk to me, Pat.

PAT KANE: It's a different scratchpad document. It's the one that's entitled What Are the Problems We Are Trying to Address With Regards to Reviews?

CHERYL LANGDON-ORR: Go ahead, Bernie.

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BERNARD TURCOTTE: I would suggest we take a few minutes to answer one question on prioritization and then we can move on to that, if that's okay.

CHERYL LANGDON-ORR: Okay. Does that mean that we won't need to go back to prioritization again?

BERNARD TURCOTTE: Maybe.

CHERYL LANGDON-ORR: Right. Heavens, we could be out by lunchtime. That would be exciting. All right, it really needs to be a very brief dive in then because we're going to lose Pat, and he's critical to this part.

BERNARD TURCOTTE: Yes, right. I understand that.

CHERYL LANGDON-ORR: Okay, take [inaudible].

BERNARD TURCOTTE: But I want Pat on this. Well, as far as I'm concerned just to finish drafting this text, there's only one question. Do we put in the words "and cannot be retired" or not? That's the only question left.

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CHERYL LANGDON-ORR: All right, that is important. Pat, you were quite passionate about that yesterday.

PAT KANE: So if I may invoke Wolfgang's proposal, that is certainly the intent. I think everyone agreed with that as the intent. Whether that wording is used or not, I put it in and bracket it and we can wordsmith it or argue over it until the cows come home on email or through the other tools that we have available to us.

CHERYL LANGDON-ORR: Right. The email is how long is it going to be? Because we've got to get—the rubber has to hit the road on final text development. That's all I would suggest. What sort of timing do you think we need to give for the deliberative process of that?

PAT KANE: On that item, one of the things we got to yesterday and I thought we had agreement on it was that the steward would carry that message—or the shepherd or the flight attendant, I can't remember now—sorry, the shepherd would carry that message so that it was clear on our intention with the implementation team as they take that particular item. So we would be clear that was the intention. That we were not going to retire without very specific cause, and we didn't want to get into all those words. So actually, leave it out. We've already decided that, I thought.

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CHERYL LANGDON-ORR:            Sebastien?

SEBASTIEN BACHOLLET:            I tried to do some homework and this morning I put a proposal on the document. It's in blue. I put my initial before and at the end to let everybody know that it was me, but somebody took it off. But the blue part is a reorganization of the document to be more concise, and I added the following sentence: "are subject to prioritization but must not be retired." And I add: "exceptional circumstances could be defined." We consider that it could be, but it's not our task to define what are those exceptional circumstances but we give that to another group. That's my proposal. Thank you.

CHERYL LANGDON-ORR:            Thank you for that, Sebastien. And I know that from yesterday one of the cases that was made regarding tying ourselves up with that no retirement rule was raised by Leon. So, Leon, if I can ask you to react to Sebastien's proposal, please.

LEON SANCHEZ:                    I was actually reading, so could you repeat the question, please?

CHERYL LANGDON-ORR:            Certainly, Leon. Sebastien in the blue has put in parentheses under sub bullet point two with regards to the Work Stream 2 recommendations which are required to be complete, the IANA transition, and are subject to prioritization but must not be retired (exceptional circumstances



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could be defined). With that parentheses language, what comfort does it give you or not?

LEON SANCHEZ:

I think I can live with that. I was actually with my hand raised because I also wanted to add something that I think actually falls into place timely. You might well remember that the Board is also doing some prioritization exercise, and that prioritization exercise has actually raised some concerns within the team. And I agree. I can see why these concerns have been raised.

But thinking about this SO/AC group that will be doing this prioritization after we finish this job, maybe that exercise that is being performed by the Board could be just another input to this group. So the intention of this group is, of course, to have a coordinated view on prioritization between community, [Board, and Org]. So this work that the Board is actually doing on prioritization could be the input to this group.

So I think that could ease the concerns that have been raised in the team without having the Board stop what it's doing. Because we had agreed that we wouldn't stop our job on that. But we also want to make sure that what we are doing is definitely not something that will be considered or is actually or ultimately a top-down exercise but instead it is just another input to the job that is going to be performed by this group. Would that work, Cheryl?

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CHERYL LANGDON-ORR: Well, let's ask the table. To me, I think what you're suggesting is that we note amongst our points here that supporting material would be the white paper from the Board. So it would be a reference and support material for that group. Is that what it means? The Board can continue to refine that, but it's seen as a resource, not a top-down.

LEON SANCHEZ: Exactly. And that is actually the intention of this exercise.

CHERYL LANGDON-ORR: Sure.

LEON SANCHEZ: So it would be just another input as we have been saying for the group to consider.

CHERYL LANGDON-ORR: Yep.

LEON SANCHEZ: And whatever happens after the group receives that input, it will be up to the group.

CHERYL LANGDON-ORR: Okay, so we've looked for complementarity. We see complementarity. But the proposal is we use it as a reference document at the pleasure of

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this one delegate per AC/SO group. Bernie, have we totally confused the thinking now? Go ahead.

BERNARD TURCOTTE: All right, just to be clear, because I'm unclear from what Leon is saying, are you saying that this group, ATRT3, wait for that paper before finalizing the recommendation?

LEON SANCHEZ: No, no, no. I'm just saying that maybe you want to build into the language of this recommendation that the team is aware that the Board is doing something already.

BERNARD TURCOTTE: In the overarching stuff.

LEON SANCHEZ: And that that document will be just another input to the work that that group is going to perform after we finish our job.

BERNARD TURCOTTE: Can you send us the official name of that document?

LEON SANCHEZ: When I say after we finish the job, I don't mean the Board finishing the prioritization but this team doing its report.

BERNARD TURCOTTE: Do you have an official name for reference to the document?

LEON SANCHEZ: I don't have it handy, and I don't even think....

CHERYL LANGDON-ORR: Negar is going to grab the white paper and the title in the link.

BERNARD TURCOTTE: All good.

CHERYL LANGDON-ORR: Pat?

PAT KANE: So we have referenced the Board's exercise as part of this from early on in the process. Leon, the way that you introduced your intervention and phrased your intervention, it raised a question with me. That question is, does the Board have a problem or have they expressed a concern to you about us having the three organizations—the SOs and ACs, the Org representation, the Board representation—being part of that prioritization process?

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LEON SANCHEZ: I haven't heard any concerns about it. Actually, we have been trying to do this as a collaborative effort. Of course, you are aware of this exercise because it was out there and we were actually asking for feedback. So I think that the intent is actually the opposite to the concern. We want this to be an inclusive exercise. We want this to be community driven. But someone had to throw the first stone, right? And we did that, and we're happy to continue doing it. But we are also aware that we don't want it to be a top-down exercise as opposed to a community driven effort.

CHERYL LANGDON-ORR: Okay, are you happy with that then, Pat?

PAT KANE: Absolutely.

CHERYL LANGDON-ORR: Right, which brings us back then to the rewrite but then friendly amendment to where we were yesterday. Looking at the blue text, I'm assuming that there is no objection with that parentheses language now, Pat?

PAT KANE: None.

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CHERYL LANGDON-ORR: Because we've had people say we'll take the words out. We're now leaving the words in but qualifying them. All good?

PAT KANE: Yes. I think it's all good because it helps as an instruction and gives options. It not prescriptive.

CHERYL LANGDON-ORR: Okay. So that being said, the only other thing with this now blue language that the group has settled on in I think more than rough consensus actually, Wolfgang. We've got one up on that. Yay, us. Is that we will take a reference point to the prioritization paper so it's clear that that's an instructive tool for the use by these delegates.

PAT KANE: Yes.

CHERYL LANGDON-ORR: Are we good to go, and is that prioritization with a bow on it can be put into the [inaudible].

PAT KANE: [inaudible] that if we have a general direction, I'm happy to take the note, modify this, and send it back to the group for discussion. Okay? All right, so the very first one we had and this was the one we talked about the most was "improve effectiveness of the implementation of review team recommendations." That's what we're solving for.

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The trend that we identified was that review teams are identifying a disparity between completion and effectiveness assessment of previous review team recommendations as measured by ICANN Org versus the review team itself.

So from a requirement standpoint provide mechanisms that accurately track, assess, and are available to the community on a regular basis. And I'll admit that my punctuation is terrible. It should be comma the status of recommendations. Develop recommendations that are detailed and smart with clear articulation of intent and clear expected outcome. Assess with precision that the intended result was achieved.

Any questions or concerns about what we're driving toward, the trend that we're addressing, and the requirements that we would give to—put in the recommendation?

CHERYL LANGDON-ORR: We have Jacques.

JACQUES BLANC: Yeah, going to be very brief, but is that a [forbidden] question mark, or is it really a question mark after [inaudible]?

PAT KANE: Somebody added that to my writing when they went and took a look at it, and I appreciate that. I think it was a question mark to me, should we add it? And the answer is, yes, we should add that, I believe.

UNIDENTIFIED MALE:            Yeah, I added that.

CHERYL LANGDON-ORR:        All right, good to go then. Next?

PAT KANE:                        All right, let's go down to the next one. The next major bullet is optimize the amount of time required for volunteers in each review team. The symptom: volunteer overload is forcing long-term participants to retreat while not attracting new volunteer participants.

I wanted to specifically stay away—now I see a cringe from Cheryl on the wording—but I wanted to stay away from the word “burnout” because it's not something that's measurable. I think that two things that we were focused on was the amount of time that current volunteers are putting in and we're seeing them leave the process in some cases, and we're not attracting new volunteer participants because of what appears to be a tremendous amount of work to get engaged and get caught up to whatever the topic is.

The requirements put in place create a process that will provide a predictable time period to deliver a work product, create a process that produces consistent and understandable work products, create a process that allows for objectivity, and ensure that a minimum number of concurrent reviews are not happening.

All right, any questions?



CHERYL LANGDON-ORR: You have Sebastien and then Tola.

SEBASTIEN BACHOLLET: Thank you. I would like to suggest that on the title of team [inaudible] you put away team because the time required for the review. And the last sentence you change you may wordsmith a little bit, but I get we understand what you are saying. We can't have too much parallel review at the same time, but it's not what it's written here to my understanding. Thank you.

PAT KANE: Yeah, the wording is not optimal and we'll fix that. But I just want to make sure that we're in the right direction here. You said Tola was in queue. Okay, Tola?

CHERYL LANGDON-ORR: You're muted.

ADETOLA SOGBESAN: Okay, good morning. My mic was muted. Okay, thank you, Pat. I wanted to on the optimization [inaudible] volunteer overload [inaudible]. I just wanted to be clear [inaudible] requirement of being specific or are we [inaudible] about the parameters [inaudible]? Or conversely, could it be that the experienced volunteers are [inaudible] thereby eliminating newbies to come [inaudible] the process? So I'm just trying to be careful

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so that when we have this recommendation coming out, we are not going to have a backlash saying that we are favoring some [inaudible] over the other. So that's the clarification I would like to [make]. Thank you.

PAT KANE: All right, I think I might have caught the punchline of that, Tola, because you were in and out on that. You're cautioning us to be careful so as not to word it in a manner that we do not want to attract new participants at the preference of existing and experienced.

ADETOLA SOGBESAN: Exactly. [inaudible]

PAT KANE: Very good. That's well noted. Thank you very much.

CHERYL LANGDON-ORR: You've got no one else in the queue, but I think we need to reassure just for the record that, Tola, there was never any intention for that to be the case in any of our discussion of the writing. It's quite the opposite. And if it isn't clear, we certainly need to ensure that it is made clear. But it does say not attracting new volunteer participants, so that's the symptom. That's the problem, so we're actually trying to fix that.

Pat, you saw me cringe. You know you saw me cringe. I'm just wondering why we've got the symptom. I mean, the process, the

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predictability, the flow, the objectivity—all those things do so much more than just deal with that symptom. So I'm just wondering whether we're doing a disservice to only identify that one symptom. Do you see where I'm going? Because that good stuff does things for so much more.

PAT KANE: Thank you, Cheryl. I'm not trying to have a one-for-one item that we're solving for tied to a symptom. I would encourage if there are other symptoms that stem out of volunteer time, that we should include that in here as well.

ADETOLA SOGBESAN: Can I say something, please?

PAT KANE: Please, Tola.

ADETOLA SOGBESAN: All right, yes, I understand what the chair mentioned about the word new introduced into that statement or the symptom. But when I look at the proposed solutions—create a process that will provide a predictable time period; create a process that produces consistent, blah, blah, blah; create a process that allows for objectivity; and show that a minimum number of reviews—all these do not indicate why the new volunteers are not attracted.

For example, some of the things we hear in the community among the young people is that it's the same old people that recycle themselves. Whether it is correct or not, I don't know, okay? But that is the feedback. Now in the process, for example, I could suggest create a leadership program that will encourage a mix of new members and the old.

Something like that to ensure that if we identify that we are not attracting new volunteer participants, nothing in these solutions as suggested is what we're going to do to ensure there is a balance of new and old. That is the point I was trying to [inaudible]. We have identified it as a problem, a symptom, but [inaudible] solution we should create something that will indicate that we have taken steps to increase [inaudible].

PAT KANE:

Yeah, Tola, this document itself is not about the recommendation or about the solution. This is about what we're solving for. When our recommendations or our solutions that we do recommend or strongly suggest or observe, what we're trying to do is to say it should cover these types of items. So I agree when we talk about our program to do certain things, that will help us put together the process that [inaudible].

ADETOLA SOGBESAN:

Exactly. [inaudible]

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PAT KANE: Now I disagree with you when we talk about these types of things are keeping people away. The amount of ongoing work, the minimum number of—we have the same people that volunteer for everything. You take a look at our room specifically, I think we have one person in the room who may be under 35.

CHERYL LANGDON-ORR: Because all the others left.

PAT KANE: We only had one other one that was under 35 maybe.

ADETOLA SOGBESAN: Maybe.

PAT KANE: Well, I'm certainly not under 35, okay? Speaking of the only age that I absolutely know with certainty, I am not. But that's the point here. We're trying to make it so that it's not daunting. That's what I think we hear because there are so many people today talking about volunteer burnout because it's overwhelming, there's so much going on at the same time, there's too much to do.

For people to sign up and have to do the catchup process because the people in this room, most of them have 20 years of experience in this space, so it's daunting for someone to come into this space unless they have strong commitment to say I'm going to take that on and I'm going

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to be productive and participate because it's not just about the effort to review. It's the catchup so that you can be equal at the table. So in this particular one, that's how I'm thinking through that, okay?

ADETOLA SOGBESAN: I [inaudible]. Thank you.

PAT KANE: The wording is not there. I encourage everyone to help me with the wording on that. All right, any more questions on that one?

CHERYL LANGDON-ORR: Moving along.

PAT KANE: All right, so the next one is ensure that specific reviews remain relevant. I didn't have a symptom here because this one comes out of the bylaws in terms of we need to make certain that we take a look at whether we should keep the reviews, add reviews, etc. From a requirement standpoint, retire those specific reviews that are not....

JACQUES BLANC: [I admit it's] me.

PAT KANE: I know it's you. I'm trying to....

JACQUES BLANC: I put a suggest to other word.

PAT KANE: Okay.

JACQUES BLANC: We don't need to read it for the moment [inaudible].

PAT KANE: Okay, that are not needed any more and create those that are needed. Consider the value of current reviews—RDDS, SSR, CCT—and right size accordingly to include possibly retirement. Develop a recommendation for the potential retirement of a specific review. We don't have a process to retire a review, so we could put a recommendation in place to retire it.

CHERYL LANGDON-ORR: It's not a process, but we have a vehicle. The only vehicle that can do it is an ATRT. I know that's specifically a process, but it is a mechanism.

PAT KANE: Yep. And the last bullet point is consider the need for reviews for fundamental functions that do not neatly fit into an existing review team.

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We talked about DNS abuse. Basically, I'm responding to what Jacques just said where Jacques says I don't get this one. We talked about DNS abuse. We talked about, "Does DNS abuse fit neatly? Does it need its own one?" was a conversation we had yesterday. Does it neatly fit into SSR? I don't know. So that was what my thinking was in putting this bullet in there for topics that don't necessarily need a new review team because they might fit into something else that exists already. That was the reason for that wording to be in there.

CHERYL LANGDON-ORR: No one is in the queue, but please do have a read over in the next couple of minutes because we will take this for a little bit longer. Sebastien now has his hand up. Over to you, Sebastien.

SEBASTIEN BACHOLLET: Thank you very much. Once again, Pat, I think we need to talk about review and not review team. I just want to give you [as I have] 30 seconds my thoughts. We are named very wrongly. We are the team in charge of the third accountability and transparency review. We may not be named ATRT3, but ATR3 Team. Because that's the third review; that's not the third team we are. We are talking about reviews. That's one of the reasons I would like very much that we stick with review. And, yes, a team that's in charge of the review. Thank you.

PAT KANE: Thank you, Sebastien.



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CHERYL LANGDON-ORR: Okay, just encouraging you to take a brief read over, have a look at this text. Yes, it is scratchpad, but what it is trying to do is create a framework from which we can make and articulate the problem statement. Please go ahead, Sebastien.

SEBASTIEN BACHOLLET: Yeah, now more in that [inaudible], but my question. I am afraid in writing develop a recommendation for the potential retirement of a specific review that it must be read as, okay, but you can't do it now because you don't have a recommendation. We are in charge. The ATRT is in charge of proposing retirement.

Therefore, what we can suggest in the future is that the next ATRT start to consider some reason why. But if we retire RDDS or whatever, we will explain. Then we will have a process to put [inaudible] review. Therefore, I have trouble in saying that because it seems that we don't know how to do it now. But we will do it. I hope that we will do for two of them right now. Thank you.

PAT KANE: Thank you, Sebastien. We actually have this in our current recommendations because we are recommending that we only do one more CCT. After that, we've recommended to consider retiring it because we may not have anything else after the next round. It may become a continuous process. We may not have any more new gTLDs. But this can address that particular issue.

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CHERYL LANGDON-ORR: Jacques?

JACQUES BLANC: We're looking at a process which is complex by nature because we are at the right intersection of [human, IET,] international law, local laws, community development, and so on. One thing we do not talk about here is funding. I would like to see if the table thinks it's worth putting it on the table.

Because imagine you had—and that's not what I'm saying, let's keep it all and fund more—but if you have more dedicated resources per review, then the review will move faster and possibly more efficiently because the people at the table can push and make the right decisions. We'll have prepared material when they come in.

So maybe at some point we could say that in the process the right level of funding should be looked at for the review that we will keep.

PAT KANE: Jacques, that's great. Thank you very much for that. I think that's right, but it should be the right sized amount of funding. Because it's not about having more funding because I would take the other side in that we should say if we only have so much money, we should focus on scope. Because you can change three things on a project: money, people, time. Thank you. Daniel?

CHERYL LANGDON-ORR: Rinse and repeat. Daniel?

DANIEL NANGHAKA: Can we refer this to the budgeting process? Since it requires funding, such that the funding aspect can be included in that process.

PAT KANE: Thanks, Daniel. Let me ask a question. We've talked about funding in terms of the budgeting process around completing recommendations. I think that there is at least a mindset now as to how much a review team should cost. And I think that if we do it as part of a budgeting process, it should be based upon the timing of the review. And that should be accounted for, but it shouldn't be variable, in my opinion.

It should be, you've got a review team. You can have a year. You can have 18 people. I can make pretty good estimates on traveling three places. I know where my ICANN meetings are in advance so that I could go through and say Review Team X should cost this. Because that's what we got. We got a quarter of a million?

CHERYL LANGDON-ORR: Sounds about right.

PAT KANE: To run this review team. I might throw in there as an editorial comment we are sticking to our budget. We are way under budget. But do you mean taking a look at it from that standpoint, or taking a look at it from the standpoint of we should think about scope and then put into the budget process how much we would need?

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DANIEL NANGHAKA: I think scope and budget process we need, if that makes sense.

CHERYL LANGDON-ORR: I put myself in the queue. I'm choking on just using the word "budget." I think we need to be talking about "resourcing" because they're slightly different. One does involve the other, but we do have a good idea and estimates exist and budgets are made with the knowledge of those estimates of what it costs to run an organization or a specific review. So I prefer to use language which was more open and inclusive. That would be "resourcing" over "budget."

I would want to take you up in your text to where you talk about retiring specific reviews. I think we may benefit by just talking about retiring reviews, not only specific reviews. We are going to be dealing with a couple of specifics, but I think this type of high-level language maybe should just be talking about reviews as such.

I'm still not sure I see the value proposition of including the symptoms in any final text. I like what the process points are and I think we can say after articulating this superior process and the objectives that we're trying to meet in the design elements of the process, this will address the following rather than having any sort of cause and effect linkage. Because if I can read into that, I think others will too.

PAT KANE: Thank you, Cheryl, and I appreciate that. Again, one of the reasons I put this symptom in here was when we get to our smart goal, what is the

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obvious metric? What is the metric that the community is focusing on? Because they're giving us back what they see, and the metric is amount of time. So I tried to think of it in terms of that.

You may have the right answer in terms of how we go about doing that, but I'm just saying the reason why I put the symptom in there is because when we say we're going to do this by this point in time so that we can do what and here's how we'll measure it. That's how I thought through that. But thank you for that.

CHERYL LANGDON-ORR:

Where to from here then, Pat? Do you want to do another take on this to turn it into what next?

PAT KANE:

What I would suggest I'll do is I'll take the feedback that I'm hearing here, refining this and then kicking it back to the group so that when we're writing our final recommendations based upon the rest of the review conversation that you'll have today that we can actually write something out of it and point back to the things that we're solving for which should be the recommendation and how we define it. That's what I would suggest.

CHERYL LANGDON-ORR:

All right, is everyone around the table happy with that approach? Because it means you're going to hand this back off to Pat now, and he's going to occupy his time in airports all over the world.

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PAT KANE: I should be required to do something since I won't be here.

CHERYL LANGDON-ORR: You took the words right out of my mouth. Okay, so is there anyone discomfoted now with what's going to happen with this text? This is going to move. It's a scratchpad text. Those points, you will probably see those sub points again, but not necessarily the symptoms, but the sub points in a final set of smart identified issues underneath a problem statement. Do you want to work now, Pat, on articulating the problem statement or not?

PAT KANE: Where there are still a couple more major bullets that I wanted to get through in this.

CHERYL LANGDON-ORR: Sure.

PAT KANE: So if we could move down to the next one, which is ensure that the evolution of innovative approaches to community engagement do not escape an assessment of accountability and transparency.

Now this is one that we did not talk about specifically yesterday, but it has been something that I've thought about. And the trend that I've identified here is for various and probably appropriate reasons, new

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mechanisms are being developed by the Board, Org, and community to engage and align. Examples of these are the use of blogs, caucuses, OCTO numbered reports, and TSG. Consider the need for recommendations to review, comment on, and modify the work product of these tools. Consider the ability to apply those recommendations to future tools that are adopted by the Board, Org, and community.

That second bullet is more future proofing than it is anything, but since we are having new tools that are being used to engage with the community, we really don't have an appropriate feedback loop for some of those in terms of where we're documenting those types of items.

CHERYL LANGDON-ORR: Open a queue on that. Jacques?

JACQUES BLANC: Sorry for my not knowing, but could you tell me what OCTO is, because I guess it's not octopus, and TSG is?

PAT KANE: Okay, so OCTO is the Office of the Chief Technology Officer. This is David Conrad's group. They're up to their fourth report at this point in time. And TSG is a new mechanism that the CEO has pulled together. It's a Technical Services Group that put together a strawman, if you will, for what an RDAP (Recognition Data Access Protocol) pilot implementation might look like. I apologize for all the acronyms.

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CHERYL LANGDON-ORR: And let me assure everyone around the table that what will be in final text—you're paying attention, aren't you, Pat—will be under the standard of full words first, parentheses on the short-form, and then you can use the short-form later. That will happen. It's just not in here yet.

PAT KANE: My scratchpad.

UNIDENTIFIED MALE: My rules.

CHERYL LANGDON-ORR: Wolfgang?

WOLFGANG KLEINWÄCHTER: [inaudible]

PAT KANE: Be happy to stop me on that because I'm terrible about that. All right, do we have any more questions on that particular item?

All right, the next major bullet is ensure that reviews not only address disparate parts of the community but look at the community as a whole. This is what I call the Sebastien trend. We've had no holistic review of the community since 2002.



CHERYL LANGDON-ORR: Just before you jump into that, I just want to draw your attention, Pat, to Tola in chat who says, “Can we add on the optimization solution encourage SOs and ACs to put in place or optimize, where in existence, mentoring and put forward new volunteers when called?” That’s a solution looking for a problem and not relevant to reviews in my personal opinion, but we need to deal with that as a comment. Over to you, Pat.

PAT KANE: I’m going to capture that one real quick, if I may.

CHERYL LANGDON-ORR: Let me try and make my concern about that, Tola, clear. What we’re trying to articulate is the problem with reviews, not identify mechanisms for encouraging new people into whatever in ICANN. The issue of time and volunteer time and commitment has been identified as a problem, but it won’t be cured by throwing new people at it. You don’t get a good review if no one has any history. So there has got to be a whole balance. What you’re defining is something that is important across the board for ICANN, but it’s not really specific to the problems we’re seeing on reviews, at least in my very biased view. Tola, go to you.

ADETOLA SOGBESAN: Thank you, Cheryl. I appreciate the education. [inaudible] earlier that we had stated in [inaudible]. Of course, I understand you [inaudible] which I support. [inaudible] do away with the word symptom and just

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[inaudible] provide [inaudible]. But [inaudible] we have somewhere in there that we are not attracting [inaudible] volunteers.

So my question is, if they identified it as a symptom, then it means there must be in one way or another we address that [inaudible] identified. Because the explanation we give now contradicts what we are [inaudible] which states that we are not attracting new volunteers. So it might not be about experience or age, but the bottom line is time constraints, yes. Why? Because we have identified the second leg of that point is we are not attracting [new] volunteers.

So that's what I'm thinking. I'm not saying [inaudible] that we incorporate it. I'm just thinking if we state that as a symptom, then we can have one statement to say [new] volunteers are going to be encouraged [inaudible] this process or whatever. There must be something to [inaudible] volunteers to come on board and support where we have volunteers [inaudible]. That's the [inaudible]. Thank you.

PAT KANE: ...reviews. Questions? Yes, Leon?

LEON SANCHEZ: I completely agree with this recommendation. I think part of the problem that we're facing is that we have mandated cadence for reviews to happen, and sometimes we're faced with a situation in which the time that it took to implement recommendations from the past review hasn't allowed them to mature enough to be actually evaluated.

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So I think this goes at the core of many problems that the mandated reviews actually have had in practice. So this could be something we should be looking at as a possible bylaw amendment. And I just want to say I fully support having this and thinking of the mechanism that can allow to have this space for reviews to actually mature and be properly reviewed after the fact.

PAT KANE: Thank you, Leon. Something popped in my head as you were saying that. One might say that the people that put the timing of these before didn't have a good understanding of what it really took to deliver and then implement the recommendations themselves.

LEON SANCHEZ: Yeah, I think it just wasn't possible for them to foresee these, right? We have now experience on this. We have the ability to fix it, so let's by all means fix it.

CHERYL LANGDON-ORR: Vanda?

VANDA SCARTEZINI: Just remember that the revision was demanded for the United States. So it was important at that time because it's a new thing, so nobody knew what is going to happen. So it's fine to change.

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CHERYL LANGDON-ORR: If I may, what we're seeing is part of an evolutionary process. It isn't the way things were, nor does it need to be. And we need to now make something that's going to be a little bit more future proofed, to pick up one of your terms from earlier on, Pat. Back to you.

PAT KANE: Okay, and the last majority bullet that I have here, and I know it's written more as a requirement and not so much on something to assess or something to indicate that we're solving for and I can rewrite that later. But this came up in a subsequent conversation, not during yesterday morning's review of the homework assignment.

Recommend alternative tools that assess the temperature of the community to inform or trigger review teams. This is the symptom. The only formal tool that we have that documents how the community is feeling is really the process we go through on the review teams themselves. If we're going to have spaces in between our review teams, which I hope we end up recommend [and] which we've gone down that road, is that we have tools that allow us to recognize that we have a problem or have tools that are formal that a community can indicate that we as a community have a problem.

The open mic process we have is one of the great things about ICANN, but it's also dangerous from the standpoint of you can have one voice indicate that there's a problem when there may not be a problem across the broader community. So we don't have those formal tools, and I would suggest that we think about our review recommendations, what are these interim tools that we could use to say and recognize and

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measure that we truly have a problem, thus triggering a review team ahead of schedule?

VANDA SCARTEZINI:

Yeah, just remember that there are thousands of kinds of tools to measure the temperature of any company. How they share is doing, how the group is performing. There are thousands, so just to suggest that we have some of them.

PAT KANE:

Thank you, Vanda, for that. There are certainly things that we could do as assessments. In a previous life in the manufacturing environment, we used something called Ollie White. You can use ISO 9000. You can use Malcolm Baldrige in terms of ways to assess the community and identify where real things are problems. Or we can use surveys or all kinds of tools to get information back. And you're absolutely right. There are so many out there, we just have to formalize the use of them such that we are assessing in between reviews.

Because some of the comments that we received were don't space these things out, don't move these things out because these are the only tools that we have to hold the community, hold ICANN Board, hold ICANN Org—or as Sebastien said last night ICANN Com—hold us accountable. We need those formal tools, I believe, so that we can say it's okay to space things out so that we can mature the processes that we've recommended, but we have to have something else in place so that we can say we have a problem.

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CHERYL LANGDON-ORR: So the set of triggering mechanisms is what you're looking for?

PAT KANE: Correct.

CHERYL LANGDON-ORR: Okay, so we can articulate the need for triggering mechanisms and look for predictable and public processes that allow those triggers to occur or something along those lines. Okay. You have Sebastien in the queue.

SEBASTIEN BACHOLLET: Thank you. I need to find out what trigger means in my language. What I wanted to say is that it's an important point because we need to get out of this when there are public comments we saw that when the discussion or the comments about .org price cap were discussed we had a lot of comments negative and the Board said, yeah, but it was made by almost the same group.

We need to have those tools who represent accurately the community point of view. And then it's not just useful for reviews. It's also useful in the bigger general way for ICANN in the exchange with the point of view of the community. Some of the leaders of the community will not like that because it will tell them they may be wrong when they express themselves saying I talk on behalf of the community. Therefore, it's something we need to be careful, to know about, but I totally support it. I think it's important. And if I take my hat off At-Large member in this

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group, it's something we are looking for. We think that it will be also a good tool for us to assess what end user needs and wish and how we can help them to express themselves within ICANN. Thank you.

PAT KANE: Thank you very much, Sebastien. And if that process becomes institutionalized and we do it on a frequent enough basis, they serve as great inputs into each of the review teams. So agreed.

CHERYL LANGDON-ORR: We have no one else in the queue if you want to move on.

PAT KANE: All right, so the only open items we've got in terms of how I need to take a look at this is this specific bullet we asked for the owner yesterday and nobody identified that they were the owner. So if someone comes back to me and says, "Oh, Pat, this is what I really meant," and we didn't capture it, please do.

And the second one is, Tola, I took out of the chatroom what you had asked and I will try to find a way to insert this appropriately or take the suggestion to remove the differentiation between new and previous volunteers.

And then everything else that was down below that I replaced is still down below in case I have to go back and somebody says put it back the way that we had it before, we didn't lose the text.

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And Sebastien's chart is still at the bottom of the page.

Any other questions?

CHERYL LANGDON-ORR: No one else in the queue. We've got another 10 minutes, or a little more, 13 minutes before our break. How can we best exploit you, Pat, in that 13 minutes?

PAT KANE: That's a really interesting question, Cheryl.

SEBASTIEN BACHOLLET: We can ask you some questions, if you want.

PAT KANE: You can ask me some questions if you want, yes, absolutely. But as far as this goes, I think....

CHERYL LANGDON-ORR: Well, related to this.

PAT KANE: I understand. But as far as this goes, I think I've got what I need to go and take another run at this to kick it back to the group. Hopefully, I can have that done before you guys leave because I will get Wi-Fi on the



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plane and shoot something back if I'm able to. But I think I'm good unless you guys have specific questions of me. You do? Sebastien?

SEBASTIEN BACHOLLET:

Yeah, we talked about the—the word escapes me—yesterday what is on the website we are not happy with the publication of the metrics. Sorry? Thank you very much, accountability indicators. That and we discussed about reviews. Do you have some specific points or issues you would like us to take into account as you are leaving, even if it was not the topic from now, that we may take into account? Because I think you have a specific role here as you are a co-chair and then I think we will miss you, but it's important to take into account what you would like, if anything you would like to tell us to take into account. Thank you.

PAT KANE:

Thank you, Sebastien. On the accountability indicators themselves to me it's important that they measure something that relates to the overall objectives of the five-year plan. If they are just to represent things that we do and measure things that we do, then there's no value if you can't use those to make a decision about something.

Let me give you an example. One of the ones that we measure is the number of outreach items that ICANN does. Correct me if I'm wrong, Bernie, but I think that is in the area around expanding our participation globally more or less. The real metric there ought to be how many people....

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BERNARD TURCOTTE: Globalizing ICANN.

PAT KANE: Globalizing ICANN. But the real metric there ought to be not how many places do we go. It ought to be when we go to certain places how many people do we drag back? We're trying to get them to engage in our community so that we make our community richer by becoming more diverse as opposed to going out to communities to evangelize what ICANN does. Because that's good that people know who we are and know what we do and what we're accountable for, but if we don't get those voices to come back into the community, then we've missed the mark. We've sinned.

VANDA SCARTEZINI: [inaudible]

PAT KANE: That's right. We [inaudible].

CHERYL LANGDON-ORR: Okay, all right, I know it's Sunday, but....

PAT KANE: Well, "sin" is a Greek word which means to miss the mark.

CHERYL LANGDON-ORR: Well, okay.

PAT KANE: So, anyway, I'm using it in that particular context at this point in time, Cheryl. But it's important that we take a look and ask, "What are we trying to do with these accountability indicators?" The recommendations around accountability indicators ought to be that we don't have the data to do the appropriate things that we're trying to measure. How do we get that data? What does it take to get that data?

Data for the sake of having data creates no value. What decisions will you make with that data? I think with the accountability indicators we should always think about, what will we use the data to decide upon? How will we make our community richer? How will we make our community richer? And how do we make our community more effective? So that would be my advice on the accountability indicators, Sebastien.

CHERYL LANGDON-ORR: We have Bernie. Bernie?

BERNARD TURCOTTE: Thank you. I've crafted some early text on reviews recommendation and I wanted to see if it was okay to read it and maybe get Pat's comments before we leave.

CHERYL LANGDON-ORR: Excellent. Pat, are you up for that?

PAT KANE: Yes.

CHERYL LANGDON-ORR: Good, let's go.

BERNARD TURCOTTE: In the other document, the scratch document.

CHERYL LANGDON-ORR: We're looking at the other scratchpad, and we're looking at the end of the document on the other scratchpad. On Page 6 I think, if memory serves. And there you go.

BERNARD TURCOTTE: There we go. All right, in a bout of insomnia last night, I also played with trying to distill and condense a problem statement. And I ended up with: "Given ICANN resources—money, staff, volunteers, the meeting time—are now limited, there is a need to optimize specific and organizational reviews to minimize the competition for resources with activities which directly support the mission of the organization."

I was trying to come up with, like we've been taught, if you can't say it in one sentence, you don't have a good grip on it. So I tried to bring in everything in there.

And then under specific items for a recommendations, what I got from our discussions was: ATRT reviews should continue with the following modifications. Something around the Housley suggestions to make them more efficient. RDS reviews should be cancelled. GDPR and EPDP removes the need for these reviews. CCT reviews should be held two years after the next allocation of new gTLDs and should be limited to a duration of one year.

SSR reviews should be maintained but significantly overhauled to reduce its scope and focus on established standards for security which should be audited by paid professionals which would be overseen by a small group of qualified community members. The reasons for that are SSR reviews were established prior to the creation of the Office of the Chief Technology Officer and the restructuring of SSAC which now address many of the security issues which were originally the remit of the SSR review.

And the security and stability of many ICANN functions as in any high technology environment is directly dependent on strictly limiting who has access to the details of the security measures and the associated data which cannot be revealed to SSR review members that are nominated by the community without compromising the security and stability of ICANN's operations, such as the L-root.

Does that make sense?

CHERYL LANGDON-ORR: For the record, Pat is nodding his head in the affirmative.

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PAT KANE: Yes, that makes a lot of sense. The only thing that I would add in here in terms of when you're reading through it, and I'll think through it some more, is on the CCT reviews I think the caveat here in my mind when you read through this, Bernie, was if we don't have access to the data that in the first CCT review, there are portions of the CCT review that you probably don't need to replicate.

So where they've identified data needs to make certain determinations or make certain recommendations, if the community doesn't find a way to provide that data, then we shouldn't do those pieces as part of the second CCT-RT.

BERNARD TURCOTTE: Okay.

PAT KANE: But other than that, I like what we've got here.

BERNARD TURCOTTE: All right, thank you. On the second part on organizational reviews, I haven't finished fleshing it out because I started yawning at that point. But the idea was to have a look at what we proposed for condensed organizational reviews based on the Housley model so that they are highly more effective and more compact and led by the community. That we have an overarching review every X period. And that we have annual SO/AC surveys or other tools—and I think Pat just finished

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talking about part of the problem is we cannot only have organizational reviews as the only tool to inform us on how an SO/AC is doing in the community at large versus ICANN.

That's what I have right now.

CHERYL LANGDON-ORR: We have Sebastien in the queue.

SEBASTIEN BACHOLLET: First of all on the positive side, I think we need to add somewhere in the SSR the restoration of SSAC also because it's one important place where security it taking care and there is a group—I don't know what is the name today, TSG, TLG—who is also a group who gather people about security within ICANN.

The second I will not choose a nice word, but if you emasculate too much option two, I will be disagree completely. And I don't think what you are suggesting here with the Housley suggestion is the right way to go. Therefore, either we spend time to discuss that and we try to find a consensus, or I will not be agree at all.

One of the reasons—there are many—but one of the reasons is that the community can't say at the same time we want short meetings and [we add meetings] at the beginning of the meeting. I just want to remind you one thing. When we have made the strategic review of the meetings, one thing we have done is to add the two days prior to the opening included in the meeting. And now we are having two days before that.

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Therefore, we are completely outside of the goal was to have clear time and if a review team need to meet, it was supposed to be the first two days of the meeting before the [inauguration]. It's not what we are doing, and there is good reason for that, but I don't want us to suggest something that we will be able to do something during an ICANN meeting. It could be once, but if it's a trend that any review teams need to meet before the ICANN meeting, then we can open a three-weeks meeting like ITU and do this meeting, this meeting, and this meeting.

That's my first point is that if they decide that it's the right time, it's okay. But if we say it's the only way to do it, I disagree. And there are a lot of other reasons, but I will stop here. I hope that we will have time to discuss that, but really once again if it's going that way, I will be really upset. Thank you.

CHERYL LANGDON-ORR:

Thank you, Sebastien. I'm hoping that we'll be able to come back to this after our break. That certainly is my intention. We have a queue and we have a break time in 60 seconds. How do you want to proceed? We have Pat. We can take a couple more minutes of his time but not much more than that. Are you in agreement at the table that we—for once, it rankles me to do so—delay the advertised break for another ten minutes to try and get further into this issue? Yes? You all agree with that? Okay, let's make that so.

We now have—Bernie, is your hand still up? No? Okay, then Leon and then back to you, Pat.



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LEON SANCHEZ:

Thank you very much. I'm not sure this is the right time to touch on this, but in the SSR review, well, we know how it went, right? I think one of the reasons for that to happen was that we had a bylaws change that required the review team to be endorsed by SOs and ACs, right? So the volunteers needed to go through a process with different SOs and ACs, get endorsement from any of those, and then be of course put forward to step into the team.

I know at least one case in which I think we lost an asset because this person couldn't be endorsed by any SO/AC for different reasons which are not relevant at this point. But the thing is I think we actually lost an asset there because of this requirement of having volunteers endorsed. Also, I think that forcing volunteers to be endorsed by SOs and ACs may affect the independence of these volunteers. So maybe this is the right time to say let's go back to what we had in the past which didn't require SOs and ACs to forcefully endorse candidates. But we can have a mix in which we can have some candidates that are actually endorsed by SOs and ACs but we also have some independent candidates whose knowledge could be taken advantage of.

CHERYL LANGDON-ORR:

Pat, you're next in queue.

PAT KANE:

Yeah, thanks, Leon. And thanks, Cheryl. I think that's an interesting thing to look at, Leon. Sebastien, I wanted to address your comment. I wouldn't look at the Housley recommendation as a binary all-or-nothing with that. I think that the thing that we weren't clear about in our

recommendation on the three- to five-day workshops actually I think gets called [inaudible].

And I agree, making the ICANN meeting become a plenipotentiary or a spending three weeks in one location is a bad thing to do. But what we didn't call out was get out ahead of it, [inform] your team, ask for certain resources so that when you show up at the beginning of the three- to five-day workshop you have everything in front of you that you need to do your job for three to five days.

That's the thing that when I read Russ' recommendation, that's what I took away as we need to call those things out specifically. And maybe it's a year calendar time, but the heavy lifting is three to five days based upon the ability to identify materials, identify requests from the ICANN support organization so that when you show up your fully equipped to do the job.

That's what I took away. Not necessarily the timing and the location of what was specified in Russ' response to the draft report, but it's some kind of wrapper around what I think we initially did. Because I think we still need to think about how do you do this in a short period of time so that you can contain scope so that you can get in and get out and then execute. Thank you.

CHERYL LANGDON-ORR:

Back to you, Sebastien. Thank you very much. Pat, don't forget that it's continuous improvement. Therefore, it's not so much—we are talking about [organizational] review here. The three to five days, it's I guess

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now only for that because SSR review we had to push back on that. If they want to use this tool, yes, you're right [inaudible].

But when you are talking about our own organization, if we don't have the data, we have some staff who are supposed to help for that. And we can decide that we will hold this three-day—sorry, I hope it will be five—this five-day retreat. When we get the data we are not obliged to say that it must be 6 July. It could be when we get the data we will schedule this retreat.

But what I think is important is how much money we have. I just talk about money, but we can talk about staff and [place] meeting and so on. But how much money we have each year and how many retreats of five-day we can do. That must be, I hope that at least one for three SOs and ACs could be done each year. If not, we are in trouble. But maybe it could be more. Maybe we will have a—GNSO will decide that they need one each two years.

If we have the budget, I have no problem with that. But I don't want us to put some—maybe it will be difficult because staff will not do the job. We are enough and each group are enough strong to request for the data and to get that. We were not enough, okay, but I hope that ALAC, GNSO, and so on and so forth will be able to do that because they have staff, their own staff. Thank you.

PAT KANE:

Understood. And I'm going to jump in just because this was directed back toward me. I hear what you're saying from a budget standpoint, and we're never going to have a pile of money sitting on the sideline

waiting for someone to ask for it, I don't think. I don't think that's the environment we're going to be living in, in the future.

So we may have to get creative in how our three- to five-day retreats/workshops work if we have a triggering event that has to be done now. It certainly would go through the budget process, I would believe, if we expect ICANN to pay for those types of retreats. But from a timing standpoint, if you already know and are very familiar with the documentation that you're going to go use, you don't have to wait a year. Wait a day. Wait a week. It doesn't matter. I think that you're right. It's your AC, so you should make the call as to say we need these documents, we don't know this data, we need one week to get that, we're going to start next week. I think it's up to you.

And the budget question really is a special request maybe to ICANN to ask, "Is there something you didn't spend money on?" Or the prioritization ask is, "Hey, guys. We have a real problem here. Can we prioritize this amongst the money that you're going to use over here?"

SEBASTIEN BACHOLLET:

We have a budget [today spend] for the organizational review. I am not talking about new money. I am talking about this current money. I guess that with this current money we may even do three times a year a five-day retreat. Now it's a joke, but I am sure it must be something. I will be happy to get the information, the data, but I am sure that the money currently [inaudible].

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PAT KANE: [inaudible] stuck with the ICANN meetings approach from Housley. It was more along the lines of one point I think is very important which he notes is getting a person in there that is a writer upfront that can help get things done on top of getting the data prepped. And then you can look at—those are the key points I think that were important for me when we were looking at those things. And then you can decide how you want to approach it. Do you want to approach it as a small workshop? Do you want to spread it over a couple of months? That's fine. You just need to figure out how things get done.

CHERYL LANGDON-ORR: Okay. All right, so what we've got hear is early drafting. Let's recognize it as early drafting where the references are to "Housley suggestions." It is merely aspects of. The specifics of those aspects is yet to be determined that we may need to look at that. And we will do that when, Bernie?

BERNARD TURCOTTE: Hopefully, within [inaudible].

CHERYL LANGDON-ORR: Mic. Okay, we're going to come back after our break and start to dig into that. Pat, can I wish you safe travels on behalf of us all and thank you for the time, the effort, and the energy you've put in with us. We appreciate it.

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PAT KANE: Thank you so much, Cheryl. Thank you, everybody.

CHERYL LANGDON-ORR: And bye for now, Pat. Right, we are taking a 15-minute coffee break. We will in fact make it a 20-minute coffee break because I'm feeling generous. We'll come back at quarter to the hour. That is quarter to the hour. Thank you, one and all.

Excellent. Welcome back after our slightly extended but, I'm sure, appreciated by the people around the table but also those of you on the remote participation break. Hopefully, you've all come back after the break and are ready to dive back into where we left off looking at our [inaudible].

Just before the break, we were establishing in our own mind that it is merely aspects of some of the things that have come to us out of the public comments which we reviewed in detail on our first day that we may now discuss and consider to incorporate into some of the proposed modifications.

At this stage, let's try and time bind this. Can we do a time check after 40 minutes from now? So that will be at 20 past the hour, and see where we are up to. But let's try and intend to spend no more than an hour on finalizing the details on this problem statement. Is that a reasonable and achievable aim from everybody's perspective? Bernie, you're the man who has to collect all of this into some semblance of the English language.

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BERNARD TURCOTTE: Well, not just the problem statement but the elements of a recommendation.

CHERYL LANGDON-ORR: Yeah, the elements. All right, in which case, let us begin. Over to you, Bernie.

BERNARD TURCOTTE: Thank you, ma'am. All right, did not get a lot of reaction on the first pass for the problem statement. Let's give it another shot: "Given ICANN resources—money, staff, volunteers, the meeting time—are now limited, there is a need to optimize specific and organizational reviews to minimize the competition for resources with activities which directly support the mission of the organization."

CHERYL LANGDON-ORR: Okay, there's nobody in the queue, but I just wondered on the reading there if it might be benefited by to minimize the competition for "these resources" with activities which directly support the mission of the organization. Just a fine-tune, but it could be useful. Open the queue for any comments. If not, we [inaudible].

SEBASTIEN BACHOLLET: [inaudible] before spend the money because if we can write something that we need to use it wisely and purposely will be better that we don't have money anymore.

CHERYL LANGDON-ORR: Thank you, Sebastien. I see where you're coming to from there. Something like ICANN resources, all of those things in brackets, it's not so much are "now limited" but are "finite" or "limited," whichever you want.

BERNARD TURCOTTE: "Limited."

CHERYL LANGDON-ORR: And not have the "now." Is that starting to meet? And then go into the purposefulness.

SEBASTIEN BACHOLLET: My suggestion was to put something positive. We will use it wisely. It's not just the question we are not doing all that because it's limited. I think even if we will have a pile of money to spend, we will try to do it wisely and on purpose.

CHERYL LANGDON-ORR: Yeah.

SEBASTIEN BACHOLLET: That's why I would like to find something positive and negative.



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CHERYL LANGDON-ORR: Understood, and that was the second part of my question was if we remove the “now” that is the first part of your issue, then we need to insert the purposefulness, etc., somewhere.

BERNARD TURCOTTE: That’s what I was trying to do with optimize. For me, if you’re optimizing, you’re trying to meet those requirements of being effective and using, such [inaudible] the words as Sebastien but, I mean, [inaudible] to take direction here.

CHERYL LANGDON-ORR: With the possibility of articulating what Sebastien is saying clearly, however, I think that might benefit this statement. So, Sebastien, did you want to lead with those words or did you want to ensure that those words were inserted in the second part of this problem statement? Because remember, it has to be a problem statement because that’s what’s requested of us. But there’s no reason why we can’t put that positivity in it. Bernie, have you got some suggestions of where you would insert those positive terms in?

VANDA SCARTEZINI: Anyway, they are limited.

BERNARD TURCOTTE: Yeah.

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CHERYL LANGDON-ORR: The limitation is the problem, but Sebastien's point of having the purposefulness, etc.

VANDA SCARTEZINI: [inaudible]

SEBASTIEN BACHOLLET: I don't think we need to be stuck here. I still feel uncomfortable with limited. I don't want too much us to say that it's limited. It's not our task to say that. But we take into account that we need to use possible allocation of money in a positive sense. It's why I don't like the limited as a word here by us. But we need to....

BERNARD TURCOTTE: Well, Cheryl's other suggestion was finite. Part of my thinking process when I was going through this, and maybe you can jump off of that, Sebastien, is reviews haven't been reviewed, the whole concept of reviews. And they were implemented as just like—if we go to the Affirmation of Commitments—it came down from on high. It was just like get it done. It doesn't matter what it costs. We're just getting it done, and there was no consideration of efficiency. So when I tried to boil all of this done, the idea was we need to optimize.

VANDA SCARTEZINI: Yeah, complete [inaudible].

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CHERYL LANGDON-ORR: Back to you, Seb.

SEBASTIEN BACHOLLET: After thinking, I would like to suggest [scare].

CHERYL LANGDON-ORR: Scarce.

SEBASTIEN BACHOLLET: Whatever the right English word, but to say that it's—I don't like limited, but I think they are important and they are [scared] resources for me it's more positive than limited. But maybe I am wrong in English, my English comprehension.

CHERYL LANGDON-ORR: No problem. We've already removed limited, and scarce is another term that means a great rarity. I didn't realize that rarity was terribly different to limited, but I wasn't [inaudible].

BERNARD TURCOTTE: Scarce in English is significantly more limited than limited. It means very, very, very tiny.

CHERYL LANGDON-ORR: This has got to end up being able to be understood in multiple languages, and we don't want to have things that are difficult to interpret. But in English, scarce means rare.

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VANDA SCARTEZINI: Maybe the translation for scarce is more stronger, very stronger and may be like people are dying because there is no food. So food is scarce for them, something like that.

BERNARD TURCOTTE: [inaudible] square brackets as Wolfgang suggested. And, Sebastien, you'll think about it and come back to me?

SEBASTIEN BACHOLLET: Yes.

BERNARD TURCOTTE: Okay, great. Specific reviews. ATRT reviews should continue with the following modifications. Don't get upset with the Housley thing, but what we were looking at is limitation of the time to come to Terms of Reference of having a basis for Terms of Reference so committees don't spend a lot of time doing that.

A clear definition of what data is going to be needed and ensuring that it is delivered and the things that are required upfront should be there for the first meeting. Articulating those details so that there is some efficiency brought in. We've done this often enough. We don't need to start from scratch each time.

And a commitment by the organization that when data is supposed to be there and reports, they're going to be there. Because if we look at

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some of the things in recent experiences, it hasn't been quite the case. So that would get articulated in there. Does that make sense for people?

CHERYL LANGDON-ORR: Sebastien, you were most concerned about this. Is it a dilution of Option 2? So we need your feedback on this. You need to think about it.

BERNARD TURCOTTE: I'll detail it more. Then you'll have something to comment on, okay?

CHERYL LANGDON-ORR: The next pass will be with some more specificity of the aspects from that model that may be merited.

BERNARD TURCOTTE: Yes, right. Okay.

CHERYL LANGDON-ORR: Okay, great. Moving on.

BERNARD TURCOTTE: RDS reviews should be cancelled. GDPR and EPDP, etc., removes the need for this review. Seb?

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SEBASTIEN BACHOLLET: I agree with the intent. I'm not sure about the word cancelled, but I will not argue about that. I am not sure that we need to put GDPR. Why, it's because it's under somewhere in this organization by the GNSO, by whoever else taking care of. It's not the fact that we have a European law or a specific group or a specific way of working. It's because it's under everywhere in this organization and we consider that there is no need now for another review on that question.

And I just want to remind you that the beginning was a discussion about WHOIS. And, yes, in fact with the GDPR we almost have no data to take care about. The discussion in RDS will not be very useful. It's why, but the main issue that GNSO is taking care of that and in the right way hopefully the EPDP will give something. Thank you.

CHERYL LANGDON-ORR: I'm not sure that we need to just maintain it's in the GNSO. I think we just should say are now handled or managed or whatever in other parts of ICANN rather than label a particular part of ICANN they're in. Okay, great. Okay, continue on. Thanks, Bernie.

BERNARD TURCOTTE: [inaudible] as is now.

SEBASTIEN BACHOLLET: [inaudible]

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BERNARD TURCOTTE: Pardon me?

SEBASTIEN BACHOLLET: May I put into brackets cancelled and I will try to come back with? Because it's not we terminate. We don't cancel. It's not something, but maybe once again it's my understanding of English.

BERNARD TURCOTTE: [inaudible]

SEBASTIEN BACHOLLET: Retired.

CHERYL LANGDON-ORR: Retired is a term we've used elsewhere in the document, so it might work. Yeah, there is a consistency there.

BERNARD TURCOTTE: Okay, there we go. CCT reviews should be held two years after the next allocation of new gTLDs and should be limited to a duration of one year. I just included in brackets part of Pat's comments: and it should only cover areas for which data is available at the beginning of the review.

VANDA SCARTEZINI: Well, I agree with that. We need to have those limited focus on each review. I believe that added that Pat have done is good because most of the reviews we go much over what we are—because suggestions during

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he discussion take sometimes people for another direction and there is still adding the points.

CHERYL LANGDON-ORR: So that's scope. Scope is the important point there. We've got Wolfgang and then Jacques.

WOLFGANG KLEINWÄCHTER: You know, it's not clear now what the process for new gTLD will be. Will this be a new round, or will this be a process where you can have an ongoing basis? And then with the two years, we see the consequences for the market from the recent round only now and this is seven or eight years. So I would be not so specific here by saying after the next round and after two years.

Probably I understand that we should reduce the number of reviews on this not to have it every three years, but we should have enough flexibility in the language which would allow to adjust the next review on this field according to the circumstances. How new gTLDs are introduced and how the DNS market is developing. So in principle I'm in favor for this, but I have these two concerns. Thank you.

CHERYL LANGDON-ORR: Jacques, Sebastien, and then I'm in the queue.



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JACQUES BLANC: Basically, I was going to say [inaudible] that nobody around the table has any doubt that there will be another gTLD allocation. And I'm glad to know that, but I'm not 100% there. And then I'm with Wolfgang I guess with being too specific here because one of the possibilities the SubPro is looking at is having a permanent possible allocation at least for the dot brands. So maybe we could modify in saying that CCT reviews should be held in order to evaluate any new gTLD allocation round but be less specific. I'm with Wolfgang on that.

CHERYL LANGDON-ORR: Sebastien?

SEBASTIEN BACHOLLET: Thank you, Cheryl. First of all, if I remind well in the previous it was one year after the first allocation of new gTLDs, that was in the Affirmation of Commitments I think it was one year. Therefore, we depart from that. If we do it, we need to be sure that we want to say that.

And the second is that I will play the Devil's advocate here once again and sorry, Cheryl, to take your role here but I think we gather the CCT review and we ask staff whether the data is available, we don't have any. Therefore, there is no need for a review. We can't just say when available. It must be more—staff must do its best to have data. Because if not, we may end up we don't have data, we don't care, and there is nothing to review. That's my fear in how it's written here. Thank you.

CHERYL LANGDON-ORR: Vanda?

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VANDA SCARTEZINI: I see this point just as a good one for trigger situation. When there is some trigger that could be defined, then the review should be done. But before that, we don't need it. We need to see what we got. So that's, for me, perfect trigger situation on reviews.

CHERYL LANGDON-ORR: Okay, Vanda, I assume you're putting your hand down. A couple of things. If a new gTLD round happens, it is highly likely that it will, if and when it does it is the current thinking and will be a recommendation of the Subsequent Procedures working group which I kind of know a little bit about that the first one will be a round. So this language does cover that.

Then, you are correct. There are options which might actually vary between the different types of gTLDs as to how it will proceed after that. But what is agreed in SubPro is the next bit will be a round. So we can use similar language to this to deal with the CCT reviews without looking too stupid, although we can always try.

Just to remember that the purpose perfect the CCT review really was about consumer confidence, choice, and trust, and it is not an exercise in subsequent procedures which is a precursor to any further new gTLD activity. It was a requirement on high from NTIA. So again, we don't need to have it somehow related to ongoing activities with new gTLDs.

So if we cleared that up with a couple of facts, what if anything do we need to do with this sentence? Perhaps say any or an additional or one

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more CCT review should be held two years after any next allocation of. I mean there's a little bit of tweaking, but I don't think the sentence is far off. So is there stuff there that you object to? Let us know now.

If not, the question is are we being too specific in terms of the duration requirement and covering the areas for which data can be confirmed will be available? Remember please that the availability of some of the data that the consumer trust and choice review team wanted and is still wanting and it is going to be at considerable cost to collect is challengeable from industry because of the presumed [proprietary] nature of some of what they're looking at.

So this is not a simple data exercise. It's far from it. Regardless, it's a bit presumptuous in my view to be specifying some aspects of the scope of a future CCT. It will be a final, in our view, I believe. That's what Sebastien has said, and I certainly agree. We don't need to have this in perpetuity as a review. But there's a worthiness in one more after the next round and maybe not be too specific.

So with that, is there anything else in that sentence that you want to see square bracketed or discussed? Please let us know now. So now it's going to read: There should be one additional CCT review which should be held two years after any next allocation of new gTLDs and should be limited to a duration of one year. That's it. That's as much guidance as we're suggesting. Go on, Vanda. Use the mic.

VANDA SCARTEZINI:

And with a clear scope.

CHERYL LANGDON-ORR: So to get the clear scope in we could say there should be one clearly scoped additional CCT review. Okay? Great. Bernie, back to you for the next point.

BERNARD TURCOTTE: Thank you. SSR reviews should be maintained but significantly overhauled to reduce its scope. It should focus on established standards for security which should be audited by paid professionals which would be overseen by a small group of qualified community members.

CHERYL LANGDON-ORR: What's our level of comfort there? Sebastien?

SEBASTIEN BACHOLLET: I want to be sure that I understand.

BERNARD TURCOTTE: That's good. That's why we're here.

SEBASTIEN BACHOLLET: Who will be in charge of the review? That's my first point. To be audited. Okay, but why if I am a not-for-profit with a good knowledge and I don't want to be paid for that, I can audit those security issues, and why waste a paid professional? I am always trouble and sorry, Bernie, but in saying that you are better than us because you are paid. I

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really want to avoid that because at the end of the day, we have the capacity and then we must be paid also. But my first question is, who will do the review? The second is, who is supposed to be auditor and to audit what? And why we have also an [oversee] of that? That's three elements I don't get, I'm not sure to get here. Thank you.

BERNARD TURCOTTE: All right, what I was trying to do with this is that as we note later on in the descriptive of this one is some of the issues with the SSR reviews are that there is limited information that ICANN will make available, and it wants to limit the number of people that it will make that information available to.

VANDA SCARTEZINI: [inaudible] security issues.

BERNARD TURCOTTE: Yeah, these are security issues which is why we're talking about a contractor doing this because it would be one person which would be under certain nondisclosure agreements could be bound to do that. I see Demi.

DEMI GETSCHKO: Just for an amendment maybe you can change "paid" by "contracted" or something like that.

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BERNARD TURCOTTE: But my point is that then that's not an SSR review. If we ask a consultant to do an audit, it's an audit. [inaudible] review should be maintained, but significantly overhaul to reduce its scope, focus on established standards, and composed by a small group of qualified community members. This review will be prepared by audit made by contracted party. And like that, we split the two. Because for the moment at the beginning, at the end of the sentence, I have the impression we are talking about the same people. Then put them all together at the beginning. That's my suggestion. And it's on the fly and maybe not so good.

CHERYL LANGDON-ORR: So despite it being on the fly, with this suggestional sentence in and then the reference to audited by paid professionals removed earlier on in that same sentence, we can have a near-final text for general agreement or otherwise.

BERNARD TURCOTTE: [inaudible] to me actually [inaudible].

CHERYL LANGDON-ORR: Being able to remove the sentence is tricky. I'm not sure why it's fighting you.

BERNARD TURCOTTE: Because I think Sebastien made some good points here. So: SSR reviews should be maintained but significantly overhauled to reduce scope—

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let's remove "its" here—focus on established standards for security, and would be overseen by a small group of qualified community members.

VANDA SCARTEZINI: [inaudible]

BERNARD TURCOTTE: Pardon me?

SEBASTIEN BACHOLLET: Yeah, it's not oversee. They will be the member. That will be the review team, composed by.

VANDA SCARTEZINI: Composed of [inaudible].

BERNARD TURCOTTE: Be undertaken...small group of qualified community members. This review will be supported by an analysis performed by contractors. Is that where we were going? Okay?

CHERYL LANGDON-ORR: Back to you, Sebastien.

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SEBASTIEN BACHOLLET: Yeah, thank you. First of all, I think will be supported by analysis performed by contractors prior to, because the risk it is done at the same time. Then prior to the review start.

BERNARD TURCOTTE: Okay, that's good.

SEBASTIEN BACHOLLET: And the second is that I want to be sure that the question raised about who is able to get those information, that it seems that it was not enough to have a nondisclosure agreement. You need to have people we trust that they will have the qualification within the team. I am talking about within the review team. To have the qualification and they are trusted that they will not use it for bad purposes. Therefore, is it enough to say "qualified" or do we want something more? Or do we consider that ICANN Org and ICANN Board will wish to have something more on that? That's the question.

BERNARD TURCOTTE: And that was going to be my question. Because as Leon noted earlier, right now with the changes we brought in under Work Stream 1 we have this bizarre system which on first try failed miserably is the only word I can use to get decent people to do this. We ended up with some very nice people but definitely not optimal to do this kind of work and the expectation that they would actually do some significant security work.



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We actually had a couple of very good people that came on from some of the registries that had a lot of experience. And our discussions in between meetings were why are you not measuring against standards and then just looking at the results of that and understanding what's going on?

So it was really a mixed bag. And I think the specific recommendation here on who will be the community members means that there actually has to be a change in the process for nominating these, and that's one of the big things. But I think that is something as a group you have to tackle and understand if you want to do that or if you're okay with the current process.

But having been part of that, I can tell you that's broken. And it was very painful for the community to find a lot of these people. The confirmation process was very painful. The results were suboptimal in many cases. And it created a lot of problems which were associated with that. So how as a group do we react to that and handle that? Sebastien?

CHERYL LANGDON-ORR: No, not Sebastien.

BERNARD TURCOTTE: Oh, sorry.

CHERYL LANGDON-ORR: There's a queue. Jacques?

JACQUES BLANC: There's a concept in the military which is called "need to know." If we try to introduce the need to know basis here, then maybe we can make a difference between the overall reviews which is looking at the effect which is the why and how. Which is the need to know basis which only a part of the experts should be subject to.

CHERYL LANGDON-ORR: Thank you, Jacques. Now Sebastien.

SEBASTIEN BACHOLLET: Thank you. Taking into account our discussion, I know that there was pushback on that. But my feeling is that the review as it is or as we try to tell them now is not good. I really think that we need to scratch this review too and spend the next two or three years before the next ATRT that they can recreate something to think about how we want to handle that.

Because once again, my feeling was we have enough structure within ICANN to take care of security. Why we still need that is a question, but the people in charge of security are saying, "We need, we need, we need." But we have so much difficulty to build the team, how we will build that maybe it's time to retire this one too and to suggest that in-depth work must be done in the next few years. Thank you.

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CHERYL LANGDON-ORR:           Anyone else wanting to get into the queue on this one? Vanda, go ahead.

VANDA SCARTEZINI:           Yeah, I believe we don't need a review. I believe we need an expert contractor to audit what is done, go back to the CTO, and discuss what needs to be adjusted normally. First, there is a lot of security reason not to open up too much this information. Second, there is an ongoing process. It's like [audit]. People like we do in our foundation, for instance, there is some problems, we need to know. So please, contractor, come over and these experts take a look what our security is good or there is some problem here or there. So suggestion to fix, the response fix, and go on.

So it's more ongoing process under the responsibility of the CTO. Yeah, the CTO. It's something that they need to keep running correctly with the huge security possible. And there is no for people overseeing or giving some ideas what happened to me or something like that because it's a very specific issue with a lot of problems in linkage or something like that. So I believe we don't need that.

CHERYL LANGDON-ORR:           All right, thank you, Vanda. I see Sebastien is back in the queue, but Wolfgang hasn't—oh, sorry, you're not in the queue now. Okay, Wolfgang?

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WOLFGANG KLEINWÄCHTER: Yeah, probably this is not extremely helpful what I have to say now but one that triggers a point which I have on my agenda for a couple of months now.

What I see in a more general way is that the debate on security and stability of the DNS is dis-linked from the general international debate on cybersecurity. There are meanwhile two intergovernmental groups which are negotiating cybersecurity issues including the DNS under the United Nations. And there was a so-called intersessional meeting in December in New York in the UN which discussed extensively new threats for cybersecurity and DNS abuse, the sea turtle case and some other things which are very relevant to the DNS.

And the work of the SSAC was discussed there, but nobody from ICANN was there. So I understand that Göran's policy is in contrast to Fadi let's not too much be involved in these global diplomacy things. We have limited mandating. But the issue of security and stability of the Internet, you cannot escape from this. And if you are too limited and look only on the very specific narrow mandate of ICANN, then you miss the point.

The environment is moving forward, and the risk is that somebody else, in particular government, will take decisions which like the GDPR will rock the ICANN boat in a way which is probably not too welcome by the ICANN community.

I don't know how to settle this in the context of review because we are talking here about the specific review. But I was thinking that this is the moment where I raise this issue. So I have no answer how we can report this back in a chapeau or in a footnote or something else, but I think this

is an important issue and we as ATRT3 have to flag this as an issue. It's not directly related to the question of how we organize the next review. Though I would not go so far like Vanda in saying let's do this by the process and we remove the review because I think it's important. But probably we have to redesign the review and to put this into this broader context. Thank you.

CHERYL LANGDON-ORR:

Back to you, Bernie.

BERNARD TURCOTTE:

I'm more in line with Vanda here. What you're talking about, Wolfgang, in my understanding are how ICANN fits in the global security picture. Let's not forget when we're talking about reviews is reviewing what ICANN is doing. So I think we're completely out of context. And listening to Sebastien and Vanda and gathering the various inputs that I did from members of the SSR2 team from OCTO, personal point of view here, people would be very happy if we canceled this. They really do not see it brings a lot.

There is a lot going on, on security as has been mentioned and really, just ensuring that the standards are met. And to me to a certain extent, this review is different because we don't have a review of ICANN's IT. And why? It's an operational issue. The security is an operational issue, and it's a very touchy operational issue. A long time ago when we didn't have all the other groups and all the other things going on and not necessarily all the standards that there are today, yes, it made sense.

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But to me, it makes perfect sense that this group wants to go with retiring this review. Thank you.

CHERYL LANGDON-ORR:

Okay, Cheryl in the queue and for the record. Let's see what I've heard. There seems to me that there could be a benefit in turning these points on their head and starting with the irrefutable observations of SSR reviews were established prior to the creation of the Office of the Chief Technology Officer and that the SSAC, RSSAC, and TSG now address many of the security issues which were originally the remit of the SSR review. Observation, fact, let's put it at the top.

Followed by the next let's put it up at the top, security and stability of many ICANN functions as in any high technology environment is directly dependent on strictly limiting who has the access to the details of the security measures and the associated data which cannot be revealed to SSR review members that are nominated by the community without compromising the security and stability of ICANN's operations such as the L-root. Observation, fact, let's put it at the top.

Then maybe say something that is either recommended to retire or continue in a vastly rescoped and limited function and reviewed for retirement by the next ATRT.

Just turn it on its head and move toward those desirables recognizing that there will be kicking and screaming but I think perhaps just starve the damn thing of oxygen and then we'll kill it off approach. [inaudible] I know you just want to [inaudible].

BERNARD TURCOTTE: My only issue is understanding your last part and turning it into something that I can actually write and will be understood. Because it sounded pretty fluffy to me, and that's where we're going to get into trouble.

CHERYL LANGDON-ORR: Okay, so we've got Sebastien and he might have some words of wisdom on how to make it less fluffy. But it would be the heading paragraph that we have now but talking about only maintained after significant overhaul to reduce scope and focus on established standards for security, blah, blah, blah. Then we can also say and then be subject for fitness and purpose by the following ATRT. Because the periodicity would work that way. Back to you, Sebastien.

SEBASTIEN BACHOLLET: Thank you, Cheryl. I love the way you turned the [inaudible] part of the document. It's great. The conclusion it's one more tricky. Either in contradiction of what I say about ATRT3, we can also say that there are two possibilities and leave the two possibilities. My only trouble is that if we say that it's only ATRT4 who can do something, it could be too late.

CHERYL LANGDON-ORR: Sure.

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SEBASTIEN BACHOLLET: Therefore, may I suggest that we put either it is retired either it is reorganized or either it is something in between. Sorry for in between. But we give the task to the Board to trigger something on that. Like that we are the body in charge, and it's not waiting for ATRT4. When I say we give the [power] to the Board between the two ATRT meetings. Because it must be back to ATRT4, the responsibility, to decide anything they want.

CHERYL LANGDON-ORR: Understood. And you know I'm very much in keeping with under the current bylaws whose job it is, what review team it is, whose job it is to make changes or to do the retirement. But, of course, what we can do, Sebastien, to solve the problem of having to wait for an ATRT4 to instigate the more radical change, the termination event—and by the way, terminate is a better word than retire if you look up the definitions of those two words just for trivia's sake—we could in fact as this ATRT recommend that it be reviewed. Its fitness to continue even with its reduced scope.

Give it a go with reduced scope and focus on established standards for security, etc., to be undertaken by a small group of members with this analysis provided by a contractor. Having done that once, it can be reviewed for continued purpose and considered. We can say that now and that would be enough, I think, to empower the Board to take that action or not.

Yes, Bernie, and I really want to hear Leon react on that as well.



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**BERNARD TURCOTTE:** As I mentioned earlier, if we're going to address the issue of who does this versus the current rules, we're going to have to go into the bylaws and that will be messy. That will be a real pain in the butt and there's going to be screaming. I'm almost feeling like if we're going to do something, the simpler solution would be just to cancel it out and day the next ATRT should be provided with information as to if there is anything needed to replace it. Just thinking of the mechanics of how this is actually going to get done.

**CHERYL LANGDON-ORR:** Sebastien, and then Leon, I'll have you ready to go.

**SEBASTIEN BACHOLLET:** I agree, Bernie. I just want to be sure that we don't are once again in a hole with no possibility to move something. If we take into account what Wolfgang told us about cybersecurity, it may happen that in two years' time we need to have a group taking care of this issue and it could be good that it's some type of review. Therefore, I would like us to say we stop this review, but we'll leave the Board the possibility to do something to take care of this issue in a review way, I will say. Sorry for this.

**CHERYL LANGDON-ORR:** Okay, so I heard an affirmation from Wolfgang on that, and I see Vanda's hand up. But to be clear what you just said and that triggered a bunch of people going that's a good idea. What I believe I heard you say was that we could recommend as opposed to termination which is a

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cessation a retirement which one can come back out of. And that on such reinstatement, it would be after significant overhaul for specific scope. Not reduced in this case, specific scope and including a focus on established standards for security, etc. We could say something like that.

Wordsmithing is always a joy. We have to be careful we don't fall into traps or go down rabbit holes, but I think we're heading in a couple of reasonable directions. Are you feel comforted or discomforted, Leon?

LEON SANCHEZ:

The way you framed it and what Sebastien is proposing, I think it makes sense. It provides some flexibility, but it also takes care of what I think could be a concern to say, oh, this is disappearing and it's not coming back. So I think it finds some balance in the formula.

But I will also say that if this seems to be difficult because it would imply some bylaws changes, I would definitely encourage us not to shy away from a solution that could be sensible because it might be cumbersome. If it's the right thing to do, let's do it. If we need to go through a process which might be, yes, painful and long, etc., but we know that it is the right thing to do, then let's definitely do it.

CHERYL LANGDON-ORR:

Vanda, back to you. I'm okay with that solution because I intend to raise the retirement [significance]. So you did, so it's done. For me, it's okay.

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CHERYL LANGDON-ORR: Bernie, back to you.

BERNARD TURCOTTE: All right, so SSR to be retired. The trigger to bring it out is the Board if it needs to come out before the next ATRT. And the next ATRT will decide if it remains retired or to be terminated. Does that sort of make sense to everyone?

CHERYL LANGDON-ORR: Yes, and it can remain retired. And it may remain retired for a very long time, and that's okay.

BERNARD TURCOTTE: Yes.

CHERYL LANGDON-ORR: Okay, so that gives you enough work to get some text down for us for our future review?

BERNARD TURCOTTE: Yes, that gives me enough.

CHERYL LANGDON-ORR: Excellent. Good heavens.

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SEBASTIEN BACHOLLET: Jaap, do you have any comment on this proposal on behalf of SSAC?

CHERYL LANGDON-ORR: Jaap?

JAAP AKKERHUIS: Well, I cannot talk for SSAC. I'm not [allowed to do that], but I have looked at the very first draft, the draft that just came out last week of SSR2 and I just had only time to look at very [inaudible] stuff. And I was amazed about some of the technical problems which [inaudible] severe lack of [inaudible] insight in how these things work. I'm not sure it was this or it was also the case [inaudible]. I think especially the KSK or [inaudible] subject about that, and people don't understand how these things work. And then if having a review of it, it doesn't help either.

So I only kind of [inaudible] and there will be a reaction. SSAC is actually forming a small group trying to get in some substantial comment on the current SSR2 stuff. And I'll actually just make a note of if [inaudible] join that I probably should refer to this discussion as well whether or not the whole SSR review needs to be reviewed.

CHERYL LANGDON-ORR: Right, so we expect some pushback, Jaap, obviously for a proposal of retirement, even leaving the option open for resuscitation as required. But it may be a positive thing from the SSAC's point of view to have any such future security and stability reviewing entity be specifically scoped and populated by people who have clearly the necessary skillsets and experience to do the appropriate assessment.

JAAP AKKERHUIS: Yeah, again, I have not really looked [inaudible] at the whole process itself, but I heard that in the beginning was a big fight about MDAs and looking at because people were not really prepared to do that and really wanted to audit the internal ITs. Which is not really [inaudible] to do to a group of outsiders being formed for representative of some body.

What you can do probably—this is very fresh review, is that very fresh sort—is that what you probably want to do in that case is having somebody doing [inaudible] analysis of it who actually knows about IT security and having [inaudible] analysis and produce that [inaudible].

And there are some more. Also, the notion of putting in the whole problem of the cybersecurity Wolfgang was referring to, that's opening a can of worms and more stuff as well because people could go everywhere then. And so the scope, the leadership trying to have a defined scope about what to do and what not to do.

CHERYL LANGDON-ORR: Very specific requirements for scooping. We've got Vanda. Are you still in the queue, or are you off the queue now? Okay, I see Leon in the queue, and then we've got to go back to Sebastien, and then to you, Bernie. [inaudible]

BERNARD TURCOTTE: [inaudible] to weeks or months rather than years. One of the factors to be considered in further developing such a proposal to combine reviews is the likelihood of finding the appropriate skills within the community

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volunteers, even if only for an oversight role. For example, if AT, CCT, and RDS were to be combined, it may be feasible that an SO/AC representative has the requisite skills for AT and CCT but not RDS. Well, we just killed RDS. This factor may also be a consideration for consultants undertaking the review.

Section 2.4 of the ICANN Operating Standards for Specific Reviews which details the skillset relevant for each of the four reviews illustrates how different these required skills are. With respect to SSR review an external appropriately skilled consultant would be a preferable approach to a three- to five-day workshop. The SSAC does, however, support the extension of the timeline between external reviews to approximately seven years and recommends that scheduling flexibility be incorporated into the bylaws to enable an approach that avoids budget stress and volunteer burnout.

CHERYL LANGDON-ORR:

So from that, Bernie, what I'm hearing is that what they've said based on what we have in our interim report—and obviously what we're going to be putting in our final report is likely very different to what we had in our interim report—is there's nothing that's sitting up as a flag to me that says they're going to be particularly upset with the proposed way forward we currently have on the table. And an Office of Chief Technology [Officer] and the existing infrastructure that ICANN now has if it is doing its job professionally would be going down the track specifically articulated by the SSAC comment. So that's winning on both counts from their perspective.

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I think we're in a safety zone there in my opinion. I see nodding heads around the table, so it's a risk I'm more than willing to take and put forward as a recommendation. Yay, us.

We have 10 minutes, or 12 actually, before the top of the hour and our middle-of-day break. What would we like to achieve with the next part which, of course, is the organizational reviews? Can we put that to a bit of substantive work on that in that time, Bernie?

BERNARD TURCOTTE: I think we could start talking about it at least.

CHERYL LANGDON-ORR: Okay, let's dive on in.

BERNARD TURCOTTE: Let's initiative some subjects and maybe people can talk about it while they're eating.

CHERYL LANGDON-ORR: Sure. Okay, let's go. [inaudible]

BERNARD TURCOTTE: It was meant to grab the better parts of it and to integrate that with our thinking. We were thinking about a three- to five-day workshop. Sebastien has noted his preference for five days. The idea of continuous

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improvements. I don't think that should go though in the comments we have been chided about what that means. Cheryl?

CHERYL LANGDON-ORR: We have been chided about what that means, but we've also been supplied with specific examples with the Board comment. So I think we can use the advantage of the specificity of what's in their comment to counter the "what do you mean" from the others. And that emphasis was mine and was meant to be scathing.

BERNARD TURCOTTE: Well done.

CHERYL LANGDON-ORR: I'm here to serve, Bernie.

BERNARD TURCOTTE: Thank you. So the notion is how we're going to restructure our organizational reviews Section 2. The two key points where I think we're good are an overarching review every seven years. I think we had some traction for that. We had some confusion as to what it was, but we had some traction and I think we still do. There is a need, and we can explain it.

We also, I've got it here as annual SO/AC surveys, but under the heading of we need other tools than just the organizational reviews as a more



regular thing which can then go into the organizational reviews. I think we're all okay with that concept. If not, please tell me now.

Okay, so I think those two points are fine. So the only thing we have left—I'm not saying it's a small thing, but I can write up those two other things—the thing we have to talk about and get ourselves to agree on is, what will the organizational reviews look like? That's the one we have to discuss.

We were talking about originally in Option 2, which is now the option or our recommendation, we were talking about a three- to five-day workshop every three years which would allow to have this seven-year holistic overarching review to bring all of this together. And we need to do a better job explaining how that's all going to fit in because people were confused about that.

So what we were talking about I guess or what my intent was when I mentioned Housley was for that three- to five-day workshop. Well, there were two things. The three- to five-day workshop using the notion that there needs to be better preparation and the data available so there is not a lot of time wasted when the SOs and ACs do this.

The second thing that I liked about the Housley thing is getting a writer because that's the thing. I think we're seeing it here. I put something down on the table, you guys are shooting at it, you like some parts, you don't like some parts. That's fine.

It's a lot quicker than people hemming and hawing around who is going to write what and someone is going to write one part. It focuses the attention and makes it easier. And also some people don't like writing

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and it takes a lot of time. So I think that is one of the things that can really help. As opposed to a consultant that's going to do a review, just having someone who can write and support those teams.

Cheryl?

CHERYL LANGDON-ORR:

This is one of those times when I want to go back to something I disagreed with and suddenly agree with it in a different context. That's what Tola was raising this morning. I listen and I respect that view. Don't get me wrong. I'm actually a card-carrying member of the bring new people in and help them get on with the job club. I kind of do a lot of it.

But this is where if you can expose new inexperienced people to a table that is using professional services, that helps them fast track their skills and they get service personally developed in their ability to write and their ability to articulate as well. So there's a real value proposition when you're bringing in a mix of fresh blood and new thinking and still having the independent professional writer who, frankly, has to put up with all the shit we throw. We're paying you to do that.

I know that's a gross way of saying it, but it is what it is. You don't have the skin in the game that some of us around the table do. Your job is to listen to all of what is said and try and pick the best bits out to help us then take it to the next level. But it's not you writing it. This is not a staff writer. It's a skillset which could benefit other people as well. Anyway, I digress and I shouldn't. And we have five more minutes.

BERNARD TURCOTTE: Oh, I see Sebastien, please.

SEBASTIEN BACHOLLET: Thank you, Bernie. And thank you, Cheryl. I have no problem with this proposal, but I just want us to be careful about a writer. That means that we consider that the product must be a writing document, but it could be something totally different. It could be we need to reorganize—[surely] you know better than me—but the think ALAC At-Large is trying to do with the bullshit review we received. It's to take something good, and it's not just to write another report. Therefore, I have trouble. I understand why we say a writer, but it may be a facilitator. It may be a—okay, it's my question because at the end of the day it could be to reorganize a website and not at all to write a report of 20 pages after the five days. That's my point.

CHERYL LANGDON-ORR: I hear what you're saying, Sebastien, but remember in this case we're also making a substantive change in this design. We're not looking at external evaluators. So some form of primal document which articulates issues, recognizes problems, and proposes solutions needs to exist and that's where the writing comes in.

That white paper, green paper, purple paper—whatever it is—would still need to be distilled using the tools that, for example, MSI currently assists us with into recommendations and implementation planning. And that's a different skill that certainly is within the grouping of the AC

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and the SO to do that. But that's almost what they would be doing during their continuous improvement work as well.

Alternatively, you could bring in external evaluators and have the exercise over a three- to five-day of looking at and destroying or otherwise what they have produced. But the variability in those evaluators as we've seen in the past is a little bit of a crapshoot. And the GNSO, for example, in their comment, they were concerned or one part of the GNSO was concerned if we were to make the change in Option 2, which is now the option, that they wouldn't have the opportunity to get done some of the things that they thought in the first round should have been done.

That's the type of thing that can be picked up and dealt with in continuous improvement. But it's also the type of thing that can be specified in a discussion document. I guess Housley's proposal of a writer is very much on the production of that discussion document, be that a report or be that some other form of paper. Anyway, that's my perspective on it.

We have one minute. Where do we want to take this up to the break? And obviously, we're going to come back to it at the end of the break. Sebastien, your hand is still up.

SEBASTIEN BACHOLLET:

If you want to finish the meeting and I can wait for after the lunch. It's up to you. I just want to say I would like to suggest that we don't use the word "writer" but we use a word like "helper" and we put into brackets it could be a writer, it could be a whatever, a support. But I don't want

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to be linked with writing. Because if tomorrow it's done by a video, it will be great also. That's my point.

CHERYL LANGDON-ORR: Okay, so what we need to turn there is professional services. Right, great. Moving on. Bernie, back to you. Sorry, what are you pointing at? Who?

BERNARD TURCOTTE: Oh, Negar.

CHERYL LANGDON-ORR: Right, thank you.

NEGAR FARZINNIA: Thank you. Just a suggestion. It could be called an independent expert the way it's listed in the operating standards today for professional services.

CHERYL LANGDON-ORR: Yeah, I understand that, but that's almost expert on reviewing. Subject matter experts, etc. When it comes to organizational reviews, yeah, a little bit fuzzier. So professional services might get it better. Thank you though, Negar, I appreciate that. I'm sorry you were in my blind spot. I can blame somebody between me and you, I'm sure. Bernie, back to you in the ultimate moment before the luncheon.

**BERNARD TURCOTTE:** Ah, listen, I'm happy. I think I've got some stuff. What I propose is I'll grab some food. I'm going to go get myself a coffee. And then I'll try to write something so that when we finish the hour, we'll have new text to look at and beat up. How does that sound?

**CHERYL LANGDON-ORR:** It sounds brilliant. And we are now going to stop not the clock but the recording, break for an hour. Well, a little less than an hour now. We'll be back in 59 minutes' time, ladies and gentlemen, at the top of the hour. That is 13:00 CET. Thank you, one and all. And we are going to have almost a working lunch by the sound of it. Bye for now.

**[END OF TRANSCRIPTION]**