BRENDA BREWER:	Good day, everyone. Welcome to the ATRT3 plenary number 55 on the 27th of March 2020 at 21:00 UTC.
	Members attending the call today are Cheryl, Jaap, Osvaldo, Sébastien, and Vanda. Observers, Everton and Chantelle. Attending from ICANN Org are Jennifer, Negar and Brenda, along with technical writer Bernie.
	Apologies from Daniel and Wolfgang. Pat will be delayed.
	Today's call is being recorded. I'd like to remind you to please state your name before speaking. And Cheryl, I'll turn the call over to you. Thank you.
CHERYL LANGDON-ORR:	Thanks very much, Brenda. I suspect that one or two others may join as this call begins, and of course, Brenda will capture them as they join us. So with that, and noting that we do have a reasonable amount that we need to achieve today but that in fact the agenda may not necessarily take the full allocation of time—we shall see, I'm trying not to jinx things—let's see how we go.
	Is there anyone who has any statements of interest updates they need to inform us of? Remembering that we work under continuous disclosure and that anything that has changed in your circumstances that is worthy of recording in your statements of interest does need to be declared at a meeting, and of course, updated on the file copy, which is published.

Not seeing anybody make any notes on that, let's then move on. Just noting we will come to Any Other Business again at the end of the meeting, and I will call for it towards the close. But is there Any Other Business anybody wishes to flag now? Noticing a few more people are joining as well.

Okay, not seeing any. That's great. So we will now look to our agenda for today. We'll be doing our usual administrivia of running through our action items, new and closed, which Jennifer will take us through. We'll do a review of any prep that was proposed between now and our last meeting. [inaudible] Susanna Bennett who will be joining us on the beginning of our 1st of April call, and then we will look at our review changes to the reviews recommendation since the 25th of March plenary, and the Google doc link is on the agenda and will also be included in the chat when we get to that section, followed by AOB and a confirmation of action items and decisions reached.

So, with that, assuming there are no objections to that fairly simple agenda, let's get on to the job. Jennifer, can you give us a rundown on any action items, new or closed?

JENNIFER BRYCE: Thanks, Cheryl. Since between now and the last meeting on the 25th of March, I have no new action items or closed action items to report. So, very short and simple. Thank you.

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CHERYL LANGDON-ORR: Thank you very much. And yes, with the frequency of our calls, that's not an unusual circumstance, although I do think there was an action item on all of us that if any of us had any questions and issues they wish to raise for us to discuss regarding Susanna and her interaction with us on Wednesday's meeting next week, that they should have been putting it forward to the list. But that is our next agenda item, so let's go now to that next agenda item.

And Jennifer, I may have missed it, but I'm unaware of any matters, questions or suggestions that have been put forward to the list. Is that the case?

JENNIFER BRYCE: That's the case, Cheryl. There's been nothing posted to the list.

CHERYL LANGDON-ORR: Okay. That is going to make this next discussion quite simple. It means that we don't have any to review that we've received, but obviously, we'll take a moment or two and open a queue if there is anyone who wishes to raise any matters that they feel is important for us to pre-prepare Susanna for, noting that she will be currently planning on talking to us about accountability indicators and the new open data project that ICANN is running.

So that's the topics she's planning. Is there anything we need to proactively interact with her about? Vanda, go ahead.

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VANDA SCARTEZNI: Yeah, I just want to ask if KC sent what we agreed she will do, to write some examples as proposed accountability indicators to make it clear when we discuss with Susanna. I haven't received nothing in the e-mails, but maybe it's done in some place with Bernard or discussed with Bernie, or just sent to Jennifer. I'd like to know.

CHERYL LANGDON-ORR: Okay, Vanda. Thank you for the question. Obviously, it's not specific to anything we need to pre-prepare Susanna for. I am also unaware of that, and I have a big red cross next to Bernie's name, which I'm pretty confident means he has not received anything. And I've got a big red cross next to Jennifer's name, which is indicating that she has not received anything, so I'm confident in replying to you it appears not to be the case, Vanda.

VANDA SCARTEZNI: Okay. Thank you. Just to know.

CHERYL LANGDON-ORR: Thank you. Jaap, your hand is up.

JAAP AKKERHUIS: I was wondering, not sure where this idea comes from, but anyway, is Susanna aware about our remarks on the accountability indicators? Did we give that to her [informally] or something like that?

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CHERYL LANGDON-ORR: Well, of course, it's all a matter of the public record. I don't know whether staff has deliberately primed her with the link to our work, but if they haven't done, I'm sure they will do. Jennifer has her hand up, so she'll be responding. Over to you, Jennifer.

JENNIFER BRYCE: Thanks, Cheryl. Yeah, just to repeat what you said, we have of course shared the information with Susanna. She's aware of the ATRT3's work and the latest developments and progress that you're making in the documents. So we will also connect with Susanna between now and the 1st of April, so hopefully she's going to be prepared to give a presentation and some updates on their work, but any questions that come out of this call, of course, we'll share with her between now and the 1st of April. Thanks.

CHERYL LANGDON-ORR: Thanks for that, Jennifer. And yes, I would be very surprised if staff were deliberately keeping each other in the dark. So yeah, I hope that answers your question. Vanda.

VANDA SCARTEZNI: Just my suggestion is we could pass through what we have here and maybe we can discuss a little bit and get out with some examples what we expected for the accountability indicators for Susanna to understand our points in some way rejecting a lot of accountability indicators her group is presenting to the community.

I don't believe that we should [list them and get completely] open without explaining with some examples why we do not agree that one or two or any examples and accountability indicators that are presented to the community do not really reach the goals that we believe they should.

So my suggestion is to have a passthrough and decide one or two examples, and maybe from now to next leadership call on Monday, we will have a very clear proposal to explain to her. Thank you.

CHERYL LANGDON-ORR: Okay, Vanda. Thanks for this. I see a couple hands come up, both Bernie and Sébastien. Bernie, would you like me to take Sébastien first? Because I think your responses may be able to react to both speakers. Sébastien, over to you.

SÉBASTIEN BACHOLLET: Thank you very much. In asking for Susanna to come to us, I think it's not too much for her to answer our report on accountability indicators. We may wish to have a discussion on the specifics that she's in charge of if we want, but not the overall.

I think what I would like very much to get is when you take the presentation during the ICANN meeting or the presentation about open data and what is trouble we get going through the data for accountability indicators. It's to know if she considered within the open data initiative there are things that could be useful for the accountability indicators. Not just the ones who are already put into the

website and we analyze them quite clearly, but if there are others who can come from that.

In general, I think she can say open data initiative is a global initiative for a lot of data and it will be used as everyone wants to use it. But my question is that as she's COO and she has a broad view of the organization, if there are some data that will be open that could be useful as accountability and transparency indicators. Thank you.

CHERYL LANGDON-ORR: Thank you, Sébastien. I hope you are keeping safe and well and that your cough is nothing too concerning. Just before I go to Bernie, I must say in response to Vanda, from my perspective—this is my personal point of view—I would think that what we should be getting out of Susanna's interaction with us, in addition to what Sébastien has outlined, is an insight into the current thinking or the thinking that may be in planning or in progress but we are unaware of that may in fact be already going towards some sort of recognition or remediation of the issues we've raised. I'm less concerned about pitching our particular point of view to a single executive. Bernie. Sorry, Bernie, you've got a big red X up. But are you speaking?

BERNARD TURCOTTE: No, all good now. Thank you.

CHERYL LANGDON-ORR: Okay. I guess that means you agree with me, or you disagree with me?

BERNARD TURCOTTE: That means I agree with you.

CHERYL LANGDON-ORR: Okay. I was getting mixed messages there. Sorry about my confusion. I see these red Xes and I usually feel that means you're disagreeing with me. But that's okay, I'll take any color and we'll work with it.

All right then. Therefore, we will make sure that staff have got any of the information Susanna needs from our report. It's all there. I think that our examples and explanations are quite clear and unambiguous. If there are further concerns at the time, we will be able to tease them out. It might be of use, however, Jennifer, if we capture the words that Sébastien articulated in his intervention where he was looking at the nexus and the opportunity between the open data and our concerns regarding t eh existing accountability indicators so that she has that to hand.

Now, whether that's sending her the timecode for the recording for this point in time or a bit out of the transcript, I really don't mind, but I think that's pretty much all we can do. And at that, I think we need to move on to the substantive piece of work for today, which is getting back into the reviewing of the reviews recommendation, which means, Bernie, I hope you've had a sip of water and you're ready to go, and we've got the document queued and staff will be putting our Google doc link into the chat right now. Thanks very much, Jennifer, recognizing that you're going to give the input to Susanna. Okay. Bernie, the floor is yours.

BERNARD TURCOTTE: Thank you very much. All right. So from our last call when we had an almost complete membership of the ATRT, we agreed that the overall intent of the reviews recommendation is okay, and there were a few edits to be done, which I have tried to do. So the only thing we're going to look at today are those edits. So let's have a look at that.

The first one, we originally had a discussion, we were talking about the next ATRT starting five years after the board approving the first recommendation from the previous ATRT. And Sébastien explained to us that sometimes the board approves some recommendations from an ATRT and then waits on approving some other ones. So I was looking at a bit of a deciding element being that first approval.

As I was going through the rest of our recommendation here, I became a little concerned about when the ATRTs would end up occurring versus the systemics. So you'll remember that we programmed a systemic every seven years, and we've got an ATRT every five years, and the ATRT is running now, and depending when the first recommendation gets approved, it'll start five years after that.

I ended up being a little concerned about that, and my concern is that they will be too close to each other. I don't think it's a good thing to have a systemic review and an ATRT too close to each other. and if we have one on a seven-year cycle and one on a five-year cycle, it's guaranteed that sooner or later, we're going to have this kind of a collision.

So instead of five years after the first recommendation being approved by the board—I'll get to you in a second, Sébastien—I'm proposing three years after the completion of the latest systemic review. That way, we would always have sort of a cadence, which is what we're looking for. So that's my proposal and I've just thrown that on there, talked about it with Pat, he thought that it was a sensible thing. He's not available right now, but I'll go to Sébastien.

SÉBASTIEN BACHOLLET: Thank you very much, Bernie. I read that just a few hours ago, but my concern is that if we say that like that, it means that before, if we take into account that we will finish our work sooner or later, that means that six months after the board will take the first recommendation as agree, let's say it's beginning of 2021, let's say January, that means that the next ATRT, ATRT4, will be January 2026.

If we take your proposal, that means that the starting of the ATRT will be one year earlier. And I understand why you are trying to organize all that, but the question is that in fact, it will shrink the time between ATRT. It will not be anymore five years, it'll be less. And I can understand why you are suggesting that, but for this time, it'll be shrinking. And if we take that, the next one will be in seven years, or it will be very close. It will be less than three years, it'll be two years or one year, even.

Therefore, it's always difficult to try to coordinate two things who go at two different speed. And from my special point of view—and I know that I may be the only one—I consider that if we end up to have just one

single overarching review with ATRT plus systemic review, it's not a bad thing for ICANN. It needs a little bit more time, but it's not a bad thing.

I know that I am not follow by a lot of member of this group, but just to explain why this is question of [inaudible] I am not directly concerned by that. But that's my input about the date if we choose to follow what Bernie has suggested. Thank you.

BERNARD TURCOTTE: Okay. Thanks for that, Sébastien. Yeah, those initial comments on, will it start then or later, it really depends on when the board approves what, which is why, yes, we're going to every seven years for an ATRT3, but then we're doing every seven years a systemic. If we look at some of the concerns right now, it's this whole issue of cadence and volunteer fatigue and everything else.

Anyway, we have a bit of a split here. we've got Vanda that agrees with Osvaldo that agrees with Sébastien. So it's unclear. Let's think about it. I'm not going to die in the ditch on this, I'm just trying to make sure we come up with the best solution. And I think that the possibility of combining those, we will probably see something like that at the next ATRT can consider that. Cheryl, I see your hand.

CHERYL LANGDON-ORR: Thank you. Yes, and I did want to remind that the next ATRT can in fact do some of the mopping up if this becomes problematic. But I also wanted to remind us that while we have the language that talks about the "no later thans" and "no greater thans," there is also a little bit of

inbuilt flexibility as well. Just f or the record, I suppose I am coming down more on the side of Bernie's approach from a clean recommendation that will be less concerning from our review team. but again, I'm also not going to die in a ditch over that, because I do think any issues would also be readily mopped up by the ensuing review team. Back to you, Bernie.

BERNARD TURCOTTE: Sébastien?

SÉBASTIEN BACHOLLET: Yes. Thank you. I will not die in a ditch either, but you know the question is that if we say that, that means that the next review will be in less than five years from the first decision. And we know we were postponed, therefore if we are putting less time, it's also a concern. Not for me and for ATRT3 I guess, but for the next one. And then I think we need to figure out and take some ideas on where it's best fitting.

I understand the proposal of Bernard. I think we need also to look at the proposal of five years and to see if we can have some flexible text that says that we suggest that it's between this time and this time. Because the two ideas are useful, and now you have not enough time to think about that, and maybe it could be discussed at the next call taking all that into account. Thank you.

BERNARD TURCOTTE: Thank you, Sébastien. As I'm listening to you—when I wrote this, I was arguing between three and four years. If we put in four years, then

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according to your counting, the next ATRT would start at the right time. So if we just replace three years with four years, we might meet your objective in the short term, and then the next ATRT can look at that and see if it makes sense. I don't know if that helps any.

CHERYL LANGDON-ORR: Sébastien, I think that was a return question to you.

SÉBASTIEN BACHOLLET: Yes. Thank you, Cheryl. Yes, but once again, I need to [put some design with me.] But yes, why not?

BERNARD TURCOTTE: No, [inaudible].

SÉBASTIEN BACHOLLET: An idea is to change the three to four. Is it better? I have the impression, yes, for the next one, I don't know. Yes, I know that ATRT4 can change things, but I would like us to show something who is sustainable in the long run, even if it changes at the next ATRT. But thank you for the proposal, and let's have some time to think about that and have a short discussion at the next meeting if we can. Thank you.

BERNARD TURCOTTE: All right. I think that that makes perfect sense. So I'll change that to four years. I think four years is sustainable. As I was telling you, I was arguing with myself between three and four years. And as we say, that'll give a

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chance for there to be both a systemic review and an ATRT review before the following ATRT comes, and that whole timing can be looked at. But I more than agree. Let's sit and think about it. I will change it to four years. All right, so that one is done, and we will get back to it at our next meeting.

The next one, Osvaldo had some wording issues with the text in brackets. I've rejigged that, so including restarting reviews terminated by previous ATRTs. Does that help at all, Osvaldo?

OSVALDO NOVOA: Yes, that's much more [agreeable] for me. Thank you.

BERNARD TURCOTTE: All right. Are we all good with that? Sébastien.

SÉBASTIEN BACHOLLET: Yeah, I was considering this word. Sorry, but I'm not sure that it's just restarting, because it can enhance or re ... What we want to say is that it's not because we have decided, ATRT3, to shut down some of the review that they can't be taken into account to start something new. Not just restarting. They need to be able to reinterrogate the result and see if we need to do something, including restarting, but it could be something different. What I can say—it's completely crazy what I would say, but for example, we stop—it's not the case, but security and stability review team, and they say, "Okay, we will start but just security and not stability."

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I know that is crazy, but just to show, and it's not just restarting, it's reevaluating.

BERNARD TURCOTTE: Yeah, but Sébastien, let's take this in the context of the whole phrase. The stuff in the parenthesis is just for added emphasis. So we're saying the ATRT shall retain the responsibility to recommend to the board the termination or amendment of other periodic reviews and the creation of additional periodic reviews. That covers the entire gamut. And just to make sure we're talking about some of the things we've said we're recommending to not carry on with, we are adding in the brackets, "including restarting reviews terminated by previous ATRTs."

So I don't know, but to me, I'm feeling we're covering this very adequately with this text, and just providing added emphasis with the stuff in the brackets.

SÉBASTIEN BACHOLLET: Okay. After discussing my suggestion, it's reevaluating review terminated. That makes more sense for me.

BERNARD TURCOTTE: Reevaluating reviews which were terminated. Okay.

SÉBASTIEN BACHOLLET: Maybe it's not the right English, but ...

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BERNARD TURCOTTE: No, I understand your point.

CHERYL LANGDON-ORR: Osvaldo is on the call. I'd very much like to hear what his comfort is, seeing as he raised the question in the first place.

OSVALDO NOVOA: Hello. My problem was I didn't understand the original phrase. I just didn't understand what it was intended to mean. With this, I now understand what it means, what they intended to mean. So it's either restarted or reevaluation. I see it like reviewing recommendations of previous ATRT. For me, it's okay, either of them. Thank you.

CHERYL LANGDON-ORR: Great. Okay. Thanks for that. Sorry, Bernie, I just wanted to make sure that we'd closed the loop on that. Thank you. Back to you.

BERNARD TURCOTTE: All right, and we're now at reevaluating, and everyone seems comfortable with that. So, all right, let's go down to our next yellow area. All SO/AC/NC shall have implemented a continuous improvement program within 18 months of this recommendation being approved by the board.

We wanted to be sure that along with the systemic review, we're not dragging the implementation of these continuous improvement programs out to ad infinitum. So that was part of our discussions on our

last call. Everyone okay with that? Going once, going twice. Okay, tick from Sébastien, thumbs up from Cheryl, and KC.

CHERYL LANGDON-ORR: You have the floor, KC.

KC CLAFFY: Sorry, I thought I was behind you two. I guess I'm still not totally clear on what the continuous improvement program is. It's operated by the SO/AC/NC themselves internally?

BERNARD TURCOTTE: Well, the idea, as the beginning of the paragraph says, is ICANN Org shall work with each SO/AC/NC to establish a continuous improvement program. Such continuous improvement program shall have a common base between all the SO/ACs and the NC but will also allow for customization so as to best meet the needs of each individual AC. So this is a continuous improvement program for each SO and AC, and we're putting a timeline on it being implemented after the recommendation being approved.

CHERYL LANGDON-ORR: So it's facilitated with ICANN Org but it's conducted by and within each of the SOs and ACs and NomCom. Is that okay? Is that clear?

KC CLAFFY: No. I think we need to make it clear how this is different in terms of who is doing what. My understanding is that the whole current bylaws of having these external volunteer folks running reviews is that that's what added a measure of accountability. There wasn't somebody reviewing themselves, whether it was ICANN Org or the SO/AC.

So I just don't see how—it looks like it's shifting to an internal review of each of the guys reviewing themselves. So I'm just wondering how that fits with the original spirit of the reviews as they're in the current bylaws with respect to accountability.

CHERYL LANGDON-ORR: I think you're reading perfectly well what is there then, if that's what you're reading.

BERNARD TURCOTTE: Sébastien.

SÉBASTIEN BACHOLLET: Yeah, KC, I understand your question, but we have really a lot of examples that external reviewer doesn't work at all and get more work to the SO and AC to do things, and sometimes, some really crazy idea. Therefore, we have to see the review as a whole, the work done by each SO and AC, and I really feel that it's a very good way to go to improve things because within each SO and AC, we have a diversity of people, diversity of views. Therefore, it's not just because we are inside that we are [accountable] than outsiders. I will say the revers. And at the same time, it's to take into account that we put a systemic review, and this

one will be a moment where a lot of discussion about what is happening between the SO and AC are important.

And I want to add one point. In a lot of our SO and AC, we have people from the other who are the link between one and other, and they can have inputs, they can participate, therefore it's not just internal at each SO and AC but it's also with connection with other SO and ACs. For example, with At-Large, we have somebody from the GAC, somebody from the ccNSO, and other, I'm sure. And that's also one way to be sure that it's not just done by a nonrealistic view. Thank you.

CHERYL LANGDON-ORR: Thank you, Sébastien. And KC, it seems to me that the way you're interpreting it is exactly how the rest of the working group intended it to be read. And this of course is in keeping with our decision made in Brussels by at least a majority that were involved in that meeting. So I think it's good that you're reading it that way, because that's what it's meant to say.

KC CLAFFY: I just wonder if it could be explained how it's solving the problem that the original reviews were trying to solve by having it be not internal reflection only. It's sort of not addressed in the text.

CHERYL LANGDON-ORR: Can you explain what that sentence you just gave me means? Because I'm trying to parse it, and maybe it's the [inaudible] in the background, but you'll need to restate that so I can understand it.

KC CLAFFY: So it feels like it's ignoring the conversations that happened to get to the current bylaws that are having these reviews be done by external people that aren't inside the SOs and ACs.

CHERYL LANGDON-ORR: Okay.

KC CLAFFY: [Or SO and AC is not the example here.] So I'm just saying it seemed like there's two problems that we're trying to solve with these reviews that I've seen written down, which is the overflow of the volunteer and effectiveness with respect to accountability. Are they achieving the goals they're intended to achieve?

So we are, I think, really focused on not having volunteers involved here, either because—in this case, it feels like because the ATRT doesn't think they're qualified. I just heard Sébastien say they're not very effective. I'm not sure what he means by that, because coming from SSAC, we certainly found our external review to be quite effective. But maybe we're an outlying data point.

But regardless, there's the issue of whether the current way of doing it is effective, and the issue of the goal that was set out in the current set of bylaws was to have these external reviews because it would be a measure of accountability. And I'm not quite getting what the review team intends to replace that goal with when they have it all be internal.

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CHERYL LANGDON-ORR: When the original system was set up—and it was a very long time ago in an entirely different place in ICANN's evolution—there was a simple solution to seeing whether the continuing progress of the component parts of the—then relatively new—ICANN structure was continuing to be [fit for purpose.] And a simple and best—or good—practice way of doing that was to look to external evaluators, and that was what was undertaken.

The rationale behind it was no more deep or complex than that. We are a different ICANN, we have seen in a number of the reviews that a great deal of time, energy, money, and volunteer time, has been devoted to have very little successfully implemented changes suggested, and that the belief was—and I'm paraphrasing here—that in fact, we are at a significantly more mature and different type of ICANN than we were and that the individual accountability that is now incumbent on the ACs and the SOs is more clearly clarified, as well as the accountability between them. And all of that is a post-Work Stream—Cross Community Working Group byproduct.

So it was felt that, considering the extremely large cost, the fact that the cadence is running, that the implementation is rarely even able to be tested—sometimes not even implemented—before the following review goes on, and that, yes, there is enormous variability in the success or otherwise depending on the nature or otherwise of the external consultant, that shifting to a process of continuous improvement and occasional external consultation in a more systemic review process was a better way forward.

And I think with that, I've hopefully not missed any of the main points. Bernie, can you let me know if I've missed any of the main points [we were capturing?]

BERNARD TURCOTTE: No, I don't think so. But I will add one thing as KC keeps coming back to the bylaws on reviews. This group is tasked with changing that segment of the bylaws if we feel we need to. So I don't think that what we're doing here is incompatible given we have the mandate to actually propose changes. But this being said—

KC CLAFFY: Hold on. This is—

BERNARD TURCOTTE: If I can just add one thing, and then I'll give you the floor, KC. This is the recommendation. I think the other portion of this, similarly to the accountability indicators, is going to be our analysis in the report. And I think that's where we can make the case that Cheryl made so well a few minutes ago and explain that. I don't think it's in a recommendation where we're going to explain what you're talking about. Thank you. Over to you.

KC CLAFFY: Right. So it is in the purview to change the bylaws, but then that's exactly why I'm looking for the justification for changing the bylaws, because what's in the bylaws right now under accountability is focusing

on the independent review process. And what we seem to be doing here is taking away the independence but not mentioning that we're taking away the independence and why we think it's a good idea in the context of accountability to take away the independence of the review process.

So, can that text be put in?

BERNARD TURCOTTE: As I said, I think that text belongs in the report as a support for the recommendation. And yes, there it makes perfect sense. It will be there. I haven't finished writing that section. You'll remember we had that as still under development, waiting for us to finish the recommendation. So we'll be going through that detailed explanation in there, and hopefully that'll be okay.

CHERYL LANGDON-ORR: Okay. Thanks for that, Bernie. And KC, I think we'll draw a line under that now and move on. Back to you, Bernie.

BERNARD TURCOTTE: Thank you, ma'am. All right. Our next text is—I'm taking the 18 months is sold since we haven't gotten back to that. Our next point was members, constituents. We've had a lot of discussion about that, a lot of comments. We've had Sébastien saying persons, people and structures involved and participants.

What I did before the call is I actually went to each website of every SO/AC and substructure, and except for the ASO, they all have members. The ASO has representatives. So all the SOs, ACs and NC, except for the ASO, have members. The ASO has, as I said, representatives.

So in my mind, it would make more sense to stick with members/representatives. We can even throw in participants if we really feel like it. But technically, every single component of ICANN— except for the ASO—has members. So let's throw that open. Sébastien.

SÉBASTIEN BACHOLLET: Thank you, Bernie. I will not struggle much more about that, but I want us to consider that if you take for example people from the program we have, NextGen and so on, they are not yet so-called member of anything, but they are participating. And I want them to be included if they decide to participate to At-Large or any substructure of the GNSO. They are not yet members but they're still participating.

And we have people who just acme to a call and they're a participant and not member. It's why I was trying to find another word of member. The other reason is that ICANN is not a membership organization and it's why it's difficult to only use this term. But whatever we decide, it would be okay with me. Thank you.

BERNARD TURCOTTE: Thank you, Sébastien. I understand what you're saying, but my problem is we're looking at the satisfaction of people in SOs and ACs and NC. On

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the flipside of your argument, I can imagine some SOs and ACs saying, "Hey, wait a minute, those people are not our members. Why are we considering them?"

So in my mind, I think good. And Cheryl says we can add participants. So, can we agree on members/participant and call it a day on that one? Sébastien's okay, Vanda's okay. KC, over to you.

KC CLAFFY: What do we mean by the participants of SSAC? Is that everybody?

BERNARD TURCOTTE: No. They're not participants. In SOs and ACs, if you have members, we're talking about the members. But in other cases, as in the ASO, they have representatives. So if it's going to cause concern, then we can stick with members and point out very specifically for the ASO its representatives. If we use that, then there is absolutely no doubt what we're talking about. Cheryl.

CHERYL LANGDON-ORR: But KC, the point Sébastien was making is that there are, for example, in the At-Large community, participants in our activities who we believe should be utterly and absolutely included in things such as [inaudible] satisfaction surveys and that they as a participant should be included. So that was the suggestion, to add participants.

That doesn't mean that every AC and SO has to have a member or a participant or a representative. It's trying to be inclusive of all three. So for SSAC, it doesn't mean a damn thing.

BERNARD TURCOTTE: All right. So we've got members/participants. Are we good? Going once, going twice. Done. All right, let's go down to our next yellow text, please, Brenda. So let's go back up just a bit to see what this section is about. Regular assessment of continuous improvement programs.

Here, we talk about each SO and AC undertaking some formal process to evaluate the continuous improvement program at least once every three years. There's a footnote. I'll go to that first. I didn't put that in yellow, I only put the footnote itself in yellow, going to Sébastien's suggestion.

"If the SO/AC/NC is not undertaking any formal evaluation process versus its continuous improvement efforts, it shall hold a five-day face-to-face workshop for the executive to develop a report on such activities and plan future activities." Is that the type of thing you had in mind, Sébastien?

SÉBASTIEN BACHOLLET: Yeah. Definitely. That's great. Thank you very much.

BERNARD TURCOTTE: All right. Thank you very much, Sébastien. Okay, our next yellow text is the board should publish at least every three years a summary of its

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continuous improvements over that period. These reports would be used as input for the systemic reviews.

So you'll remember while we were discussing the systemic review, we ended up saying, well, we're going to look at everything and we'll have reports from all the SOs and the ACs and the NC, but we won't have anything from the board. So we said we would add in a requirement that the board should bring together every three years the results of its continuous improvement so that the systemic review can just have that as input when it's going to consider things. So let's throw that one open. Is that what was being considered, and did I capture it correctly? Going once, going twice, done. Okay, thank you very much for that one.

Let's go down to the one under funding, please, Brenda. Funding of the continuous improvement for the SO/AC/NC. This continuous improvement program is not meant to be a cost reduction activity versus current overall cost of organizational reviews over a five-year period. ICANN shall ensure that as a minimum, the same—oh, yes, okay. So we actually didn't change this. This was the text that was there.

There were a few people that wanted to take a bit more time and think it through. They thought it could be okay. I remember Pat commenting that it should be possibly the same percentage of the budget as is currently just to make it adaptable. So I'll throw that open. Do we have any further comments? Do we like the text as it is, or are there any further concerns? Green tick from Vanda. Done.

Next, systemic review, ICANN, every seven years. Should operate based on operating standards for specific reviews and should be time limited to a maximum of 18 months.

We didn't discuss this specifically, but we keep talking about it, and I thought it was lacking in our text. So I added it in as a confirmation of what we have been discussing. Are there any issues with that? KC.

KC CLAFFY: I think it's going to be problematic to require this be time limited when we ourselves have been unable to follow the operating standards because of our own time limit in terms of costing out recommendations. So I think that those two don't necessarily go together.

BERNARD TURCOTTE: All right. Thank you. However, this has been consistent since Brussels for us, that this be time limited and that the ATRT going forward maintain also its time limit of one year. Anybody else? Not seeing anything, so we'll leave that open and maybe you can throw in a comment on that in there, KC.

Let's go down to the next part of yellow text. Review SO/AC/NC as a whole to determine if they continue. Oh, yes, that's the standard text. And then we added in as per your request, "But taking into consideration any impacts on the board or the empowered community," meaning—just to be very clear here—if there are changes that are brought to the structure of SOs and ACs, this could impact the seats on the board and this could also impact representation on the

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empowered community, is what we were trying to say here. I'm hoping that captures what we were trying to get to. Any questions, thoughts, comments? No, seems to be okay. All right.

The launching of any new review activities should be suspended while the systemic review is active. So you'll remember we were talking, and everyone basically agreed that while we are operating a systemic review, that there should not be any other review ongoing. So just making that very clear. Sébastien.

SÉBASTIEN BACHOLLET: Thank you, Bernard. It's not the reverse, it's not new activities regarding [new review,] because I get the impression that we talk about new review and it's also the old reviews. It's any new activity. We can't start to work on any type of things for any type of reviews. And I have the impression that it's of any new activity concerning or regarding reviews should be suspended. But that's my English [inaudible].

BERNARD TURCOTTE: I think it's trying to say what you're saying. Let me look at it and we'll chat offline. I think that's just a wording issue. All right, anybody else? Okay. The last one, the first version of the systemic review shall be launched no later than 12 months after the approval of this recommendation. Future systemic reviews should be launched no later than seven years following the approval by the board of the first recommendation made by the previous systematic review.

So that's pretty much exactly what we asked for in our discussions on Wednesday. KC, I see your hand.

CHERYL LANGDON-ORR: Just before KC, if I may, I just wanted you to call out the first word, "proposed" is deleted by Osvaldo. He's left. I just wanted to make sure that we picked up—because he has left—that he obviously felt, for whatever reason, that that word didn't need to be there. I personally think it does, but I just want to call that out. Now you can go to KC.

BERNARD TURCOTTE: All right. Thank you. Yes, we had that discussion and the group agreed with it on Wednesday. KC, over to you.

KC CLAFFY: Yeah, I'm looking for some justification that may be in another part of the document that I don't know about yet, but the seven years looks to me a little inconsistent with the 18 months. So you're thinking there's a review after 18 months and then nothing for six and a half years in terms of the systemic review? It just sounds to me like—I heard a lot of complaints about that a lot of the ATRT2 recommendations weren't done after six some years. So just why that number? Do we have some justification for that somewhere?

BERNARD TURCOTTE: Thanks for that. I think we were trying to come up with a number that wasn't five because we were finding it a little bit quick and we were

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trying to do something else than the ATRT. But I think if we look at the graph at the bottom, I think that Sébastien had calculated that this would provide sort of a semi-optimal timeline. Sébastien, you want to take a shot at this?

SÉBASTIEN BACHOLLET: Yeah. Thank you. If you look at the bottom of the page, in the design I tried to put the different SO and ACs, and as we are looking for feedback each three years, I tried to put three of each organization each year, and we do that twice, that means six years. Then we can say six years, but I think that it's better to say no later than seven years. It gives one year of flexibility. And we see that there could be a good reason to postpone things currently. It gives this one year of flexibility. It's why I came with these seven years.

What we are talking about, the 18 months, on this design, nothing can go—and maybe the question raised by KC is useful, it's to say that we are not talking about implementing reviews when we say nothing must go on. There is no other review than the systematic one during these 18 months. Nothing else is done, and that's the reason of these 18 months and the sentence we have just go through. But of course, each SO and AC can still implement their findings and the other implementation can continue on. But we don't start some new activity from reviews, both organizational or specific.

KC CLAFFY: Maybe Bernie could just add a line there to say in order to allow two cycles of the SO/AC reviews to take place, and see figure ... whatever

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that is. Because seven looks kind of random here, but you obviously have a logical reason for doing it. It'd be good to connect it in this sentence.

BERNARD TURCOTTE: We can do that. We'll be glad to do that. All right, I think that completes this segment of our call. Sébastien has a green tick. So we're good. Madam chair—KC has a hand up again. KC?

KC CLAFFY: Just on the CCT, because there were no comments on it, because I guess you guys did it in the middle of my night a couple days ago. But I just want to get clarity. Since the CCT review is in this weird holding pattern now a year later that a lot of the recommendations haven't been processed—and the main issue with the CCT review is that a bunch of the safeguards for gTLDs, in their perception, were not implemented as ICANN had said they would. It feels like there's an accountability gap if we just say, "Okay, we can wait until the next round of new gTLDs before we check that the CCT review has been implemented as the shepherds would approve it," or whatever the process is. So I'm just wondering if there's some acknowledgement of that and why we think that's okay to skip.

BERNARD TURCOTTE: Let's go back up to that, make sure we're all talking about the same thing.

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KC CLAFFY: Thanks.

BERNARD TURCOTTE: It's the top of the reviews recommendation, Brenda.

KC CLAFFY: Especially because I read some transcripts for the last week that quite contradicted this.

BERNARD TURCOTTE: So there should be one additional clearly scoped CCT review, it should start within two years after the first introduction. So we're not talking about in the review of reviews, we're saying we need another one. Before I carry on, I see Sébastien's hand. Maybe he'll have some good words. Sébastien.

KC CLAFFY: Thank you, Bernie. Here, we are not taking the question of implementing the CCT review number one, but as you know, the first CCT was set up to be launched one year after the introduction of the first new gTLD of that round. And it's almost exactly what we want to do. We give a little bit more time when we say within the two years, but the idea is to mimic what was done after the last round of new gTLD to do it after the next one.

What you are raising as an issue is an important one. It's how we assure that recommendation made by the CCT but other reviews are taken into

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account. And I am not sure that it's in this part of the document that we have this discussion.

KC CLAFFY: Well, it could be, Sébastien, if we say that for example in this case, because the CCT review found that the original safeguards were not put in place, we could say ATRT thinks that there should be another CCT review—the next one—before there is a next round of gTLDs to make sure that all of the gaps that CCT pointed out are filled before we move ahead. Which seems to be what ALAC is asking for in last week's transcript. So I wonder if [that one's loaded.]

CHERYL LANGDON-ORR: Can I jump in there? If I may. I'm not wearing my chair hat here. But that has to do with ALAC—and indeed the GAC's—view on the necessity in their mind to have implementation of the CCT RT review recommendations implemented and completed before a next round. That is their advice to the board, and that is—or is not—being considered to whatever extent it does or does not get carried by a majority in the subsequent procedures for new gTLDs working group. But that's all looking backwards. A new CCT RT isn't going to—that's not needed to be the trigger or to be the check mechanism for that implementation. As you well know, KC, because of all the briefings we've had in various of our meetings in this review team process that we're doing here, the board has already put in a whole slew of additional safeguards and communication mechanisms to try and avoid the issues of material recommendations being misinterpreted as to

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whether or not they have been completely implemented or not. And there should be a great deal more transparency associated with all of that process.

So all of that applies to the existing CCT RT, but what we're talking about is the future of CCT RTs. And I thought Sébastien made a very good case for that.

KC CLAFFY: Right. I'm talking about the future too, and I'm suggesting that given all of the consternation about the implementation of the previous ones, why wouldn't we recommend that a future one happen sooner rather than after the next round?

CHERYL LANGDON-ORR: I don't want to go down a rabbit hole here, KC, and I have an awful lot of background noise now, but what would the scope of that CCT RT be specifically?

KC CLAFFY: Well, the same thing of any RT. Number one, you could check on the previous recommendations and see if they've been implemented, and two, recommend any new ones since that time has passed [that might be needed.] Same as the CCT review did.

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CHERYL LANGDON-ORR: That's certainly new business and not what we have discussed or agreed upon, and I'm very concerned as to how much time getting a CCT up and running would take, and to what end it would be different to the proper transparency and accountability practices that the board has said they will be putting into place with these implementables.

However, let's put a pin in that, and when León is attending a future meeting, and if staff can take an action item that we seek a specific piece of input on this proposal from one of our review team members. I find I would be somewhat conflicted because of the work I've been doing with the subsequent procedures working group. So in the absence of Pat, I don't want to take that debate much further. I think he should be here and take over for whatever administration is required for that, lest my biases be perhaps inadvertently be brought into play. But I see Sébastien. Go ahead.

SÉBASTIEN BACHOLLET: Yes. Thank you. KC, if we decided that we want to have a CCT review earlier than after one or two years of the next round, first of all, we need to leave some time for implementation of what [has been said and done.] We know that it's not yet done, but it's still a discussion. It's not so much that it's not yet implemented, it's that the board have decided to send back to the GNSO some of the recommendation of the CCT review and not take them as a recommendation to be handled by the board. And that's where a part of the discussion lies. And I am not sure that a new CCT will solve that. That must be solved by the [inaudible] or the shepherd of this review.

And if we decide to have one, it will be, when, three years afte3rh the first one? Five years? If it's five years, it'll be almost at the same time that the new launch of gTLD, and therefore, it will be useful for what? To consider what was not done but the program will be launched anyhow, or it will be to postpone the launch of the new gTLD?

We will enter into a very complicated discussion and be between the hammer and I don't know what the other part. And I don't think it's feasible. Not that it's not a good idea. We need to be sure that they implement as much as possible of the recommendation of the CCT. But it will be difficult to put them in our program regarding either the review already done and the launch of the next round if it happens. Thank you.

BERNARD TURCOTTE: All right. Thank you.

CHERYL LANGDON-ORR: Thank you, Sébastien.

KC CLAFFY: Again, can I just say one last thing? If we're not going to recommend that, there needs to be a justification for why, given that it is an accountability issue and it's been two times now. On [T0,] there were those commitments to do safeguards, and they didn't, and then CCT said, "We need you to do these safeguards again," and now the accountability review team is saying, "That's okay, we'll just wait for the next time."

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BERNARD TURCOTTE: KC, we haven't said that. If you'll let me recap a bit here, what I got from the discussion is that this was something we should talk about, but we would like to talk about it when both León and Pat are here, because they are involved in this in a significant manner.

So what Cheryl has suggested is that we not drop it but that we simply put a pin in it, meaning we will defer it to our next meeting and have a discussion about that when hopefully Pat and León can join us. Would that be okay?

CHERYL LANGDON-ORR: In addition to that, Demi, who does have a great deal of knowledge here—unfortunately, his mic isn't functional today—has undertaken to check the actual status with Katrina and report. So again, we'll be able to have a discussion from a point of view of strength, but do remember also that what the board has put forward to the GNSO, and in fact the CCT RT recommendations themselves, they were distributed to different parts of the organization and different activities. So the subsequent procedures working group has been focusing on the aspects of the CCT review recommendations that are specifically germane to their work going forward.

And there are examples, for example, such as DNS abuse where the only thing that the subsequent procedures working group can do is look to what material it may put in place for a next round to look at remediation of any issues. But that will have no effect on the general

and legacy names that are in existence at the moment running with issues of DNS abuse.

So there's a whole lot of complications. It's a bit like a gordian knot. It's not as simple as pop in and checklist a couple of things. So let's have a full, frank and fearless conversation on it for a timebound period at a future meeting when we're all fully prepared. But at this stage, this is what we've all agreed to of registrar future CCT RT, that one does need to exist after the next round. Thank you. Back to you.

BERNARD TURCOTTE: All right. Thank you, Cheryl. I see KC's mic has dropped off, so I'm going to suppose that she understands that we will bring that up at our next meeting on Wednesday.

All right. That concludes the reviews section. We usually take a break after our first hour, but we've really got not much else to do except two points on the draft report where KC doesn't agree. So I would propose, Madam chair, if you are okay with this, that we go talk about those two points and then we will be done with this stuff.

CHERYL LANGDON-ORR: Power through? I'm happy if you're happy, Bernie. Go ahead.

BERNARD TURCOTTE: Thank you very much. I have to confess that my wife was very kind and brought me a glass of wine while we were having the discussion, so I'll be able to do that.

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Okay, let's go to the bottom of page two. The bullet point, the leveling off of ICANN revenues, the budget projections for fiscal year 20, blah-blah. We've got a comment from KC. "I don't see why this should be in an executive summary. It' a significant change versus all of past history. I disagree, let's discuss on the call."

So here we are. KC doesn't think this should be as one of the highlights in an executive summary, and I feel that it is quite relevant, certainly when you're discussing with a lot of people in the community the fact that revenues have leveled off is quite a bit of concern. But this is for you to discuss, and I see KC's hand. KC, over to you.

KC CLAFFY: Is this a different document?

SÉBASTIEN BACHOLLET: Yes, it is.

KC CLAFFY: Can someone paste it in the chat?

CHERYL LANGDON-ORR: You should be able to see it on screen anyway.

KC CLAFFY: Yes.

CHERYL LANGDON-ORR: Highlighted, and your notes are there.

KC CLAFFY: I don't see it highlighted. Anyway, the leveling of ICANN revenue seems to me to be a totally orthogonal issue. The budgets have always been a challenge for ICANN for doing—at least on the security side. So it very much sounds like in here that we're making an excuse for, well, we'll do accountability stuff if we can afford it. But that's not really our job. Our job is to really talk about accountability straight.

                        So I just think this should be maybe later in the report, maybe towards the end about challenges moving forward, but it looked really inappropriate in this executive summary to me.

CHERYL LANGDON-ORR: Okay, well, KC, you've articulated your discomfort. Can I have anyone else who would like to speak on this matter? If anyone wishes to join KC in her concern, please bring your voices forward now. Okay, back to you, Bernie.

BERNARD TURCOTTE: There doesn't seem to be a lot of support for the objection, so we'll leave it in there as noted as your objection, and of course, this is [far from our] final pass on this report, and we'll get back to it.

                        All right, and we've got one more, which is in section seven if I remember correctly.

SÉBASTIEN BACHOLLET: If I may.

BERNARD TURCOTTE: Please, Sébastien.

SÉBASTIEN BACHOLLET: I just want to say that we are not yet to have a final executive summary. I guess we need to finalize the rest before we really handle this, and I understand that, Bernie, you build it brick by brick and you try to add things, but it will be really at the end that we'll be able to [decide about that.]

BERNARD TURCOTTE: Absolutely. This is far from final text.

SÉBASTIEN BACHOLLET: I wanted to support you with that. Thank you.

BERNARD TURCOTTE: All right. Thank you very much, Sébastien. Okay, under section seven, page 31, bottom of the page, some text in yellow there is what we're talking about.

If we go back up just a bit to see what section we're in, we're in the analysis of the information, and we're saying not all ATRT2 recommendations have been implemented. The ATRT3 results are

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consistent with the findings of SSR2 and RDS. We get the references. This obviously represents a significant accountability issue for ICANN.

Now, we put in as a note, although this analysis clearly identifies some significant issues with ICANN Org's implementation of ATRT2 recommendations, the new operating standards for specific reviews adopted by the ICANN board in June 2019 combined with a new website for tracking implementation of review recommendations should address most, if not all, these issues going forward. And KC says, "I disagree that we have reason to believe the new operating standards will address most of these issues."

All right, so let's throw that open. I see KC, your hand is up. Go for it.

KC CLAFFY: Well, we don't have to talk about this one. I think I already mentioned my concern here. There seems to be a bit of a logical disconnect since ICANN had said that they had implemented them. So it's not about understanding or tracking. And the operating standards, as we see, some of the review teams aren't even taking them on, and we're not really following them ourselves by some interpretation.

But I've already settled this stuff, so we can just skip over this and leave a pin in it that I'll make a comment later, unless somebody else wants to talk about it.

BERNARD TURCOTTE: All right. But we'll use this occasion in case someone else does want to talk about it. Thank you for that, KC. Does anybody else want to take that on? I see Sébastien. Please.

SÉBASTIEN BACHOLLET: Yeah. May I suggest also that this one is—we come back at the end, because I would like very much to have in front of us the new operating standard and see how we deal with and if we have some comments to enhance them, to modify them, will be a good way to say. Because I would like very much to have one moment in one of our calls to review that again. I have no problem to say that today, but I have some doubt that it's all very well done now with our experience. That's it. Thank you.

BERNARD TURCOTTE: Thank you for that, Sébastien, and I think I agree with KC, we're going to leave that in there as a pin in it. All right. Madam chair, that's it for me. Back to you.

CHERYL LANGDON-ORR: Sounds like we can wander back to the agenda then. And I believe that unless anyone has Any Other Business—and I'm not seeing anybody raise any at this stage—that just by way of reminder, at the beginning of our next call, we will be having Susanna Bennett who'll be talking to us from her perspective and role as ICANN's COO about the accountability indicators and the ICANN open data initiative. We have a couple of things that Jennifer will capture regarding that, but if you would all

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please join promptly to listen to Susanna and interact with her with any of your questions or queries.

With that, let's move on to confirming any action items and decisions reached.

JENNIFER BRYCE: Thanks, Cheryl. I captured a couple of items, one of which you just covered regarding sharing with Susanna the items for the team's discussion next week. I also captured for next week's discussion for the team to seek input from León and others on the call particularly regarding KC's proposal on the timing element of future CCT reviews. Those are the two action items I captured. As usual, let me know if there's something. Thank you.

CHERYL LANGDON-ORR: Thank you, Jennifer. I suppose we should note that during today's call, Pat did reach out to at least me. I'm not sure whether it went to everybody, but certainly reached out to me via e-mail to say that his work meeting has taken on a longer and greater agenda than he'd anticipated, so he will need to be listed as an apology as opposed to an arrived late. So I know he regrets not being with us for today. But our next call, which is Wednesday, the 1st of April, is going to be—is it 10:00? What's the UTC time?

JENNIFER BRYCE: It's 21:00 UTC, so the same time slot. Thank you.

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CHERYL LANGDON-ORR: it's 21:00. Okay. Terrific. All right then. So 21:00 UTC on the 1st of April, and with that, we have, I think, done a reasonable amount of useful work today. Do read over everything. Remember that there is a lot more documentation to come, but please continue to make your comments and suggestions in the Google docs as we go forward.

With that, I'm going to wrap today's call a little bit earlier than planned, but still, 90 minutes' worth of work well done. Thank you, one and all, and with that, Brenda, you can stop the recording, and bye for now. Do stay safe and make smart choices.

VANDA SCARTEZNI: Bye. Stay safe.

JENNIFER BRYCE: Bye, everyone.

[END OF TRANSCRIPTION]