YVETTE GUIGNEAUX: Greetings, everyone. Welcome to the ATRT3 Recommendations Request for Clarification Call on Wednesday, January 11 2023 at 17:15 UTC. Joining us at ATRT3 Shepherds are Cheryl Langdon-Orr and Pat Kane. Joining us from icann.org are Giovanni Seppia, Pamela Smith, Alice Jansen, Larisa Gurnick, and myself, Yvette Guigneaux. I'd like to remind everybody the call is being recorded so please state your name for the record before speaking. Okay, I think that about does it for me. I'll go ahead and get the agenda and things on the screen and I will go ahead and turn it over to either Giovanni or Alice, whichever one of you would like to start.

GIOVANNI SEPPIA: Thank you, Yvette.   We have prepared this slide, which is just summarizing the question that we have sent you. So as you may recall, there is some language in the ATRT3 Final Report that is about the prioritization process and also the retirement of recommendations. There is this language that is highlighted here on this slide in bold that says that recommendation might be required as it becomes apparent that the Community will never get to them.

We have started at the implementation operations and RSA team level a process to set up a procedure for retiring recommendations, and we are exploring and investigating the various options that may lead a recommendation to its retirement. This is one of the options because it's right into the ATRT3 Final Report. We would like to hear a bit more about the reasoning behind this sentence. So, when and how is the process for

the Community that never gets to a recommendation or more recommendations?

This is the question we would like to hear from you. The process we suggest is that we will summarize the outcome of this call afterward and we will start on the ATRT3 Implementation Shepherds List. We'll ask for your final confirmation that this is a correct summary of what we discussed today, and also that this is the correct clarification about the sentence that is highlighted in bold. So, the ball is in your court, Cheryl and Pat, and thank you so much for joining this call and also for being available to provide this clarification. Thank you.

CHERYL LANGDON-ORR: Pat, do you want to kick off? Because this in particular is very much your baby.

PATRICK KANE: Yes, that's very true, Cheryl. Giovanni, thank you very much. I think that one of the early things that we did as the review team that really started us to think along this track, or at least for me, was taking a look at the results of the ATRT2 Recommendation Assessment. And as we went through that, we had a lot of questions. The answers about being completed seemed to be more towards checking the box as opposed to the Community having gone in a different direction or things having changed. And it didn't make sense to declare victory on it because nothing was done, but also, there wasn't a way to take that recommendation, say, overcome by events.

So largely, that's where I started to think a lot about, well, we're going to have a bunch of things that we never get to. And it's and it should be okay because if you get a collection of 69 or 70 recommendations that come out of a review team, we don't have the budget to get all those done. We don't have the staff to get all that done. We don't have the Community members to participate in helping get those things implemented.

So ultimately, how do you dovetail that part of the prioritization process to say we're never going to get there or the value is not what we thought it was going to be? Or you had one member of a review team who was adamant about this specific thing getting done and weakening down the other members of the review team to where it became a recommendation that nobody opposed but nobody really supported.

It may look like consensus but it's one person's mission to make something happen. Through the course of the review process, we had a lot of things that kept pointing back to -- we're talking about a fewer number of reviews, targeted focused reviews which presumably will create fewer recommendations so that we can focus on the things that are most impactful to the Org and the Community and making a decision that says not enough resources and not enough value.

And I think that the ODP, in its inception and how it's been used, fits right in here. Because there may be recommendations that come out that we just can't afford to do, and that the symptom might be okay because the cure is way too painful. And so, that's a lot of where this thinking came from. And I went back and tried to find the artifact that we saw that had the list of outstanding recommendations and I couldn't find it. It looks

like the whole Wiki page for ATRT3 has been restructured anyway because all my links don't work. So I couldn't find the artifact.

But when we took a look at that artifact, there were items that were on there that were aged at least four years that our group said, "Well, why would we ever do that now?" I don't have specific examples there like you asked, Giovanni, in your initial note, but that weighed into what this is. And we did have a large discussion about, "Well, Community said they should be done, so they should be done."

So we had some members of the review team that said, "If it was said to be done, it should be done." But there's a practical and a pragmatic perspective that when we talk about a budget that is now going to be relatively flat over time unless ICANN is in a situation where they raise the fees paid by contracting parties, that we're going to end up with only a certain number of things that can be done. So let me stop there. What questions do you guys have? Or Cheryl, what do you want to add on top of that?

CHERYL LANGDON-ORR: Well, Pat, obviously you followed the history of our discussions really well. I think what's really important for everyone to understand is that we actually had extensive conversations on this. And it is particularly important to recognize that there are people in the Community and in the review teams, in the past, present, and I suspect future, who will always have the attitude of, "If Community said it will be done, it has to be done."

But guidelines and everything else, as we all know, they are going a long way to help. They even have it so that some of these recommendations, the rationale, and the purpose for them can be at least understood effectively and efficiently. We went back to ATRT1 as well as ATRT2 and there are recommendations on both lists which, in our view, when we did the analysis, could not actually be checked off in all fairness and honesty to say had been completed -- for very good reasons, but they were not technically completed.

And so, that was where the friction point was. And this wording we put together was to try and offer a solution to that friction point, where you have a pedantic attitude on one side, often in Community, has to be done because we all said it had to be done. A waste of time, resources, and in some cases, a blatant inability to do it. Like putting in a legacy system that is no longer state of the art.

If you go way back, particularly on some of the specific reviews that are more focused on a particular security aspect, as an example, you get something that is no longer even in the ecosystem of what is good practice, let alone would it be good practice. Opportunities for retirement, the question we didn't answer for you in our writing of the recommendation, and what we can, I believe, do now is get down to the specificity of how the audit trail can happen on such a retirement process.

Now, two things need to be recognized. Pat, correct me if I'm wrong, but part of the fear and loathing on some of the Community's thoughts on this was that unless you've got some sort of audit ability or audit trail in replacement for a black and white "thou shalt do it because it was said to do" that things would become a slippery slope, that things would be

shifted, that things would not happen or happen without Community knowledge and engagement.

And so what we needed to do and didn't do in our recommendation was come up beyond the prioritization framework modeling and propose [inaudible - 00:11:22], and that's a slightly different subject; was to actually specify now what criteria should be established for agreement that retirement is appropriate. Two schools of thought come out of that with the people we worked with.

One is that even more frequently to the activities of an ATRT Team process, a Community-based audit of such a thing should exist. That's probably not the smartest way forward but it's the way that, for example, Daniel still believes would be the case. That an ad hoc community group should be formed from time to time to literally do the desktop audit and show themselves and the rest of the Community, through their work, that things that are being retired should be retired with proper justification.

Not sure that's the most resource-smart way of doing it. Vanda has, and she's got a quote here from some of her interactions over our break time that might be more worthy. I'll read it out for everyone else. Her proposal was that in each constituency where old recommendations either have been implemented or are implemented in another way than originally outlined for better results or that it became clear to the Community that the recommendation, due to subsequent events will result in irrelevant -- I think she's meaning inefficient -- processes as opposed to that more time needs to be spent to implement it, that that would be cause for retirement.

Sorry, it's Vanda's writing and I was trying to turn it into something that wasn't even as understandable as when I scanned it. But she proposed that it was a constituency-based process. That was what was on the table from our thinking. Pat?

PATRICK KANE: I've got nothing to add to that, Cheryl. Thank you.

YVETTE GUIGNEAUX: All right, back to you guys, then. It's where our thinking is, we can work with it.

GIOVANNI SEPPIA: Okay. Thank you, Pat, and thank you, Cheryl. I think we understand what you're saying. We also understand that indeed, there are many factors that may impact the implementation of a recommendation from the time it is conceived to the time it goes through Board approval and then gets to the implementation design phase. So we'll try to summarize what we just said. Because as I said at the beginning, we are working on a process for retiring recommendations.

Therefore, we would appreciate it when we share a summary of this call, Cheryl, if you can integrate what we are going to share with the input that you have just interpreted from Vanda. If she has any extra input or elements she wants to bring up, that would be most welcome. Alice or Larisa, do you have any other questions on this specific subject of the retirement of recommendations?

ALICE JANSEN: No questions, thank you, Giovanni. And thank you, everyone.

CHERYL LANGDON-ORR: Can I ask a question then, please? With this process that you're contemplating, can you give us a slight insight into what you're proposing? Is it going to be a publication of a list of things for retirement? Is it going to be a specific back to [inaudible - 00:15:53] the group that made the recommendation in the first place? If it's a constituency, if it's not so much a [inaudible - 00:16:03] for other review recommendations? Organizational reviews, for example, does it go back to the constituencies? Is it going to be the ACSO leads? What, big-picture style, is she thinking?

GIOVANNI SEPPIA: I'm happy to start and then Larisa, you may follow up. Currently, we are working on some operational procedures to improve the way reviews are conducted. And they are part of this project that Larisa's team is leading, which is called The Lifecycle of Reviews. And as you know, part of this ATRT3 Final Report was this recommendation about the prioritization of recommendations. And also, part of that was the retirement process. So we are now working to put everything together in a single place to make sure that when it comes to reviews there are some operational procedures that are comprehensive.

And, of course, they have to be updated and they will have to be regularly reviewed. At the same time, this is what we're currently doing within

icann.org. And of course, we are just at the start of this process. When the process will become more consolidated, we will go through the necessary layers of internal and external reviews and approvals. I don't know, Larisa, you'd like to complement what I just said?

LARISA GURNICK: Thanks, Giovanni. Hi, everybody. The other component that we're also looking at -- and this discussion is actually very useful -- is, to Pat's point, for example, that loosely speaking, when some of the recommendations are issued, sometimes it's not feasible or plausible to implement all of those recommendations and there has to be some sort of a rationalizing process.

So part of what we're trying to do is think about how to set up a process and a set of guidelines, checklists, criteria or something to help the next review manage recommendations, problem setting, whatever their work, in such a way that we end up with fewer and more focused recommendations so that as we all get better at doing this, we have fewer recommendations to consider for retirement and work through the inventory of the very many recommendations that need to be processed and ultimately have fewer more exception cases that need to be considered for retirement.

But the bulk of the recommendations can actually be implemented on a timely basis. So we're looking at it also from a process improvement perspective to impact future reviews and come up with a way to get to quicker more implementable outcomes if that helps.

CHERYL LANGDON-ORR: It helps me, but it also rings an alarm bell. Pat, what's your reaction to that?

PATRICK KANE: I'm thinking through all of the road bumps that you guys could come across in this process and making certain, you know, do we have a third bite at the apple for some parts of the Community? How are you guys getting lobbied or not lobbied for prioritization, setting, et cetera? In the ODP process, in terms of setting a ballpark for expenses on big projects, do people trust that there wasn't a thumb on a scale because it's something that maybe the perception is that the Org doesn't want to do it? So there are all kinds of hurdles in this whole process to where people are going to poke at it. I think it's the right thing to do but nobody's going to come out at the end thinking that this was a fun exercise.

CHERYL LANGDON-ORR: It ain't going to be fun. I like where it's heading in terms of future work, and that is essential work.   That would be more than welcome for most of us, I'm sure, Pat. Even with the, as I keep referring to it, mistrust, fear, and loathing that we often have to wander through in all of this. But it doesn't help us with the legacy part, and we need to deal with the legacy part as well.

So my alarm bell was, "Great, fantastic, look forward to helping with all of that, Team, but there's a [inaudible - 00:21:25] list here that still isn't going to be dealt with. And this is from an outside-of-ICANN view as well. If we think back over some of the external reviews that have happened, and some of this is ancient history, I know, and we're a different

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organization than we were then yada, yada, yada -- right now, storytime from Cheryl, indulge me for a moment -- literally, in the next few hours, a project we're managing will be going through the first all this year's audits.

These are ISO 9000 audits that we do with clients but there are other ISOs as well. In preparation for an end-of-month audit, there are snap internal audits that have to happen. And we have a new manager in that role so it's a lot more, "Whoa, what's going to be happening today?" than it normally would be in an internal audit.

The issue is every time you change personnel, even though the guidelines and rules are the same -- you know, we have international standards -- there's a lot of opportunity for coloring within the lines in very different shades. There's a lot of unknown. There's a lot of interpretation. And it's trying to minimize misunderstandings or lack of predictability involved in that, that's going to cause, certainly my husband and partner a great deal of angst today, trying to manage all of that.

And that's what I'm concerned about with this process as well, Giovanni, in particular, because when we've had these external managed or "reviews and audits" of ICANN done in the past, all you can really do is look for the mismatches, unless you've been part of the process. And if you're part of the process, then you're [inaudible - 00:23:40] at arm's length, an external audit. The way it's all captured and the way what we've got now is dealt with is also important.

You're doing work to fix the future. We've got a little bit of stuff happening to kind of manage the mess in the middle. But there are still

going to be things that aren't going to come in, for example, under our existing prioritization framework because of the criteria we are using, quite reasonably, as much as there is a gauging based on Board action. And not everything on the list even involves overt Board action or action anymore. We need to deal with those ones as well.

GIOVANNI SEPPIA: Yes, absolutely. I think we are all on the same page in understanding the importance of having good processes for good reviews. Currently, for this call, we are focusing on making sure that there is a good process for retiring recommendations, which was part of a recommendation of ATRT3.

So we are currently very much focused on making sure that we design something that not only addresses the recommendation that comes from the ATRT3 Final Report but also addresses possible future needs for retirement recommendations. So that is where we are currently focusing and that is something that of course, as I said, at the right moment will be shared with the Community at different levels and for all the necessary steps before it becomes an official procedure about retiring recommendation.

With that said, in the spirit of thinking also about the legacy, as you know, we have a big legacy of a number of recommendations that are still pending in the pipeline and in progress to be completed, we'd like to provide you with an update on the status of ATRT3 recommendations. I'm leaving the floor to Alison. She's been in charge of overseeing the implementation of ATRT3 recommendations as well as the other specific

reviews and analysis part of the Implementation Operations Team. So this is the current overview. Alice, the floor is yours.

ALICE JANSEN: Thank you very much, Giovanni. So as you can see here on the graphic, we currently have four recommendations, which are complete. You have Recommendation 3.1, which calls for future RDS previews to be suspended until the next day. ATRT can consider the future of these reviews. You may have seen there was a board resolution in September 2022 to defer the third RDS review. Similarly, we also had a deferral for the SSR3 review with regulation 3.3, which happened in March 2022. As a result, the 3.3 was not included in the prioritization, which is why you see it here in the not eligible for prioritization box.

In the Complete bucket, we also have recommendations 1.1 and 1.2, which as you know, entailed a number of improvements for collecting Community feedback. So for each of these complete recommendations, we have some implementation documentation. For all of the complete recommendations across specific reviews, Implementation Operations worked with the SMEs to record and provide an explanation and rationale for how the recommendations were implemented, showing the milestones, as well as providing the context for how things were done the way they were done. Hopefully, in the spirit of helping the subsequent review of teams with their assessment work of prior implementation efforts.

In the In Progress buckets, we have Recommendation 5. We've just spoken about the retirement of recommendations, that's one of the

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components but it's also the prioritization component. There were two frameworks issued by our colleagues from the planning team and they are currently working on a third framework which we anticipate to be released here in the first quarter of 2023. And we are also hoping to conclude the retirement of the recognition process in Q1. So hopefully, they will be able to move this Recommendation 5 to Complete by the end of March.

In terms of recommendations 3.2 and 3.4, these two recommendations provided a set of improvements to the recommendation language for the CCT Review as well as the ATRT review. So these two are in progress, the team has started working on the actual bylaws amendments, recognizing here that there are some dependencies of the holistic review and organizational reviews and so on. We started some work here but we won't be able to move them to Complete right now. We need to wait for the dependencies to resolve first.

And then we also have Recommendation 3.5 listed here. There's the public comment period on the pilot Holistic Review proposal that took place here in the fourth quarter, and the staff report was published. So this is still ongoing work.

And then we have Recommendation 2, which is the assessment of the ATRT2 implementations. There was a gap analysis that was conducted and we've now completed it, and the SMEs are being engaged in the various next steps as needed.

In terms of the not-started, we have the 3.6 here, which is regarding the organization reviews and the continuous improvement program. So this has not been moved to In Progress yet.

We also have the set of recommendations 4.1, 4.2, 4.3, 4.4, and 4.5, which are also just some enhancements to the accounts via transparency around the ICANN strategic and operating plans. We're actually in the process of putting together the very first implementation reports on specific reviews. There's a set of SMEs working with Implementation Operations on these very first quarterly reports, which will be very similar to Work Stream with which you're familiar, Cheryl. And this report will cover all four specific reviews.

It will also offer an update on the pending recommendations as well. We're hoping to publish that in the next couple of weeks and we'll make sure to send you a link as soon as it's available. And you can see here as well, the link to the Community Wiki page where we're posting all of our updates, including the implementation documentation pieces. So, I hope this helps. I'm happy to address any questions. Thank you.

CHERYL LANGDON-ORR: Thanks for that. As you know, I'm very heartened by the continued progress that we see [inaudible - 00:32:10]. That was a long laundry list of stuff. A very long laundry list of stuff. And it's great to get those monthly updates. A point on the Rec 5 one, that's going to be interesting to watch. I believe we have less fear about the process and progress and tracking of our ATRT3 recommendations than we do about the legacy recommendations from the other reviews.

So, I appreciate this, thank you for this, but actually, we're not quite so concerned about this. At least, that's my perspective. Because enormous amounts of change have happened. And of course, we operated under beta guidelines which meant you weren't getting massively long lists of poorly written, immeasurable, and in no way time-bound recommendations out of us. So this is a vision of the way forward, which is fantastic.

I want to hear from Pat and I just want to make sure Vanda recognizes what we have discussed up until now. This is a little bit of a review of just the ATRT3 recommendations. We did have a bit of a chat and an update from Giovanni and [inaudible - 00:34:03] in the team regarding where they're heading in terms of a process to improve the mechanism for the retirement aspect, which is the question that Giovanni's email originally raised.

But Vanda, if we can roll back a little bit if anyone doesn't mind, I really don't think I did justice to your view of what you were proposing in our chat over the break about how things for retirement should be clarified as recognized as apparently ready for retirement. So, if everyone else could indulge Vanda for a moment, I think if she could answer Giovanni's direct question that would be a good thing. Vanda?

VANDA SCARTEZINI: I believe that many issues that we have in some organizations, in the ccNSO for instance, where some recommendations are overruled for ones. We need to just send those to the garbage, those old ones. Because there is no issue of wasted time revealed in implementing those

previous recommendations that have orders that are more appropriate [inaudible - 00:36:05] those old ones.

So in my view, we have those orders that change in the way the new groups -- because as we know, our groups in general constituencies change a lot. Their views about the issues are also changing. And we need to consider that we need to put them to [inaudible - 00:36:47] and ignore those old ones that are not important anymore. They have been important in that time for the first groups, even from ATRT3 with the time passing. Maybe we're going to find some recommendations that need to be ignored during the time passing and order recommendations for the feature groups more relevant for that time. Those are my views.

But anyway, I believe most of the Community understands that. So I don't know if we need to clarify more, but we could look for other examples. We just implemented a very important recommendation about the cc's. So I don't know if we need more clarification but I'm open to listening to others. Let's see what Pat can think about that. Because in my view, it was clear and the only thing that we could do is give some examples, nothing else. Thank you.

CHERYL LANGDON-ORR: If you don't mind, you've always taken the economic rationalist approach on all of this and Vanda is giving us the opposite. Well, not unrelated, complimentary Community aspect. Any reaction to what Vanda was saying?

PATRICK KANE: I think that it's spot on and I think she categorized it appropriately in how we view the same processes but we've got different aspects of what the benefits are in getting those things implemented that way. So, thanks, Vanda, I appreciate that.

CHERYL LANGDON-ORR: Yes, thanks a lot, Vanda. I know it's always stressful when you're caught up with other calls. Giovanni, that brings me back to a point that I still think we need to annotate from today's call, and that is noting all of the excellent work that is being done and the importance of that work in modeling better for the future. We still need to come up, in short order with a transparent, and if necessary, fully accountable way of dealing with the legacy stuff.

And to some extent, some approaches from the Shepherds have included the convene and do the work approach. That is, I'm declaring, not my personal favorite way of going forward on any of that, nor would reconvening new things to do that same stuff. Because the ATRT teams have done a job of that already.

But I am very aware that unless you are a Shepherd, and unless you are keeping your finger on the pulse of updates on even things like the great work being done in the implementation and recording the processes of implementation now, on the Work Stream 2 recommendations, [inaudible - 00:40:57] members just don't know about it. They probably care about it when we remind them, but they really don't. They don't keep a close eye on it. And new people coming into the Community would not even have the background.

So can we also look, Giovanni, at a way of capturing the retirement ethos, capturing a little bit more depth and color, some of what we've heard today, and then using that as a platform to publicly record how things perhaps even from organizational reviews, get put into retirement and how things in bigger form, which has been done, for example, with the Work Stream 2 were defining things like their prioritization framework? What happens with those? Will that help get us out of an issue, thinking from the future people looking back?

GIOVANNI SEPPIA: Thank you, Cheryl, you brought up a really interesting point. This is exactly what currently Implementation Operations, my team, is looking at -- SSR1 and ATRT2 recommendations against the assessment that has been made by the SSR2 and ATRT3 review teams. And therefore, indeed, that's why we believe it's very important to define this process for a time because there could be some recommendation belonging to those reviews, that for one reason or another, they may be eligible for retirement.

And so, that's the exercise we started before the break on ATRT2 recommendations. We just started to address SSR2 Recommendation 1, which is about reviewing SSR1 recommendations. So indeed, this is a work in progress, and we'll keep everybody apprised of what we are currently doing on those two recommendations.

CHERYL LANGDON-ORR: For that, there may be some useful resources that some parts of the Community have already done on their own recognizance. For example,

Vanda works in a small team with me that staff that is more involved in the budget and planning side of it all would be more familiar with. And in preparation for the work that's now led up to the prioritization framework. Great to hear that version three will be out in the not-too-distant future. Thanks for that answer, I personally appreciate that.

But in preparation for that, this team, which is a small team of an ALAC subcommittee, actually went back to where they still had access to them, the authors. Failing the authors of the recommendations, then the leads of the review teams to see whether or not there was still relevance and utility. And in some cases, what in fact, the recommendation even meant.

Over the last two years-ish, around that time frame, there's a body of work that's been done by the Community [inaudible - 00:45:09] to some of that. And I can assure you that there are a few recommendations under our listing held within that small team. And if you're interested, Heidi can get access for you to that. From the words of the authors in the review team, all the leads in the review team are no longer relevant and will be suitable for retirement.

And so to that end, the small team on behalf of At-Large took them off the table for even being considered to be prioritized. So they will be "effectively" put in [inaudible - 00:45:54] to be withdrawn or retired categories. So, they do exist. There's some material that shows they exist, and maybe working together could be useful on that as well. Anyway, I'll leave that up to you. But just letting you know about that because Vanda and I are deeply engaged in that. Aren't we, Vanda?

VANDA SCARTEZINI: It did, and it took a lot of time.

CHERYL LANGDON-ORR: Oh, yes.

GIOVANNI SEPPIA: Thank you so much for pointing us to that existing work. That is quite important. We'll make sure that we reach out in the coming weeks and months to have an understanding of what you have classified as eligible for retirement so we may take some advantage of existing analysis. So, with that said, is there anything specific you'd like to add on the main topic for this call, which is this specific element of the ATRT3 Final Report that is relating to when the Community will ever get to start the recommendation that is one option for having them retired? Is there anything else you'd like to add to this point?

CHERYL LANGDON-ORR: Not from me. I'm assuming you'll give a follow-up email saying, you know, "This is what we've discussed, here's the little PowerPoint we used..."

GIOVANNI SEPPIA: Exactly. So, we'll summarize the discussion that we just had, and thank you so much for your availability. Really, thank you. This is work that we are doing and we really appreciate your support and your knowledge

because you've been in the process of drafting those final reports and producing everything that is around the final report. So thank you so much for the insight.

We'll circulate a summary of what we just discussed, and we'll look forward to continuing working together on all the ATRT3 recommendations, to address them and also to further clarify whatever has to be clarified. With that said, have a nice remainder of the day or part of the day, wherever you are. Thank you so much. Bye-bye.

[END OF TRANSCRIPTION]