

20131001_ATRT2_ID821002

Brian Cate:

This is Accountability and Transparency Review Team Two, meeting on Tuesday, October 1, 2013. The purpose of this meeting, the agenda, which is posted is very straightforward. We are continuing our review of draft templates, which will form the body of our draft report that goes out mid-October. We need to complete that task so that the final edits and polish can be put on the report, circulated to the team, and then put out to the community for public comment. So just starting with the agenda, actually first before we go there, as we always do, does any ATRT2 to member on the call have an update on their statement of interest that relates to our conflict of interest policy? If you do please make that known now.

I'm not seeing -- not hearing anybody and not seeing any hands. So the next step is to adopt the agenda. The agenda is to review the assessment, the draft assessments, and draft recommendations, and to discuss the proposed report outline. Are there any additions or edits to the proposed agenda? Okay, I'm seeing no, there's no hands. Then the agenda is deemed adopted and we will get to the first order of business, which is reviewing assessments and draft recommendations.

Before we dive in, just a little recap and any discussion as necessary so we're all on the same page of what's going to happen today and what happens next. What we need to do is go through the draft templates, and as we did in Washington D.C., I'm going to ask ATRT2 to members if they have any serious concerns for really important changes to offer to a draft template. We're past the point of long discussions and exchanges of opinions.

We really need to, A, trust the review team members who have drafted these templates to have done their homework and done the research, and done a thorough job. And then B, we're at the point where if there's a serious edit, if there's a fundamental flaw you believe in a conclusion, in an assessment, if there is a critical missing fact that changes the recommendation, that's the type of editorial input we're asking for on this call.

So again, as in D.C., I'm going to try to manage the clock with some discipline. We're not going to have half-hour conversations about every template. Five to ten minutes when there's a serious issue raised and then discussion around that issue, and see if we get to consensus on a substantive edit to the template. That's the purpose. After doing that for all the templates, we will have a discussion on the shape of the report again. We had a discussion in Washington, D.C. at the face-to-face and came to a consensus on the structure of the report. I think it's worth us one more time going through the report outline to make sure we're all in agreement or consensus about what the shape of the report should be. So that will be the second order of business after we finish the templates.

And then after today, and Charla, or Alice, or Larissa could you put up on the screen the calendar that we agreed to for the next steps. I just want to walk us through that. But starting off, there will be a small team of drafters, and it's really editors at this point. So I volunteered myself. I volunteered Paul Diaz to assist me from Public Interest Registry. May want to tap one or two at the most, because at this point in time we want to have some consistency in the final editing. But the final editing team will take edits from today's discussion, agreement or consensus on the shape of the report, and between now and Friday, do a final edit, polishing, making sure footnotes are correct, making sure citations from public comments are correct and do a final edit so that we have a full draft report to circulate to the team, I believe on Friday was the -- yes, Friday.

So on Friday this full draft report will come back to the team along with the ICC independent experts report, which you already have as a package, and the request will be regrettably having to ask you, but over the weekend please go through the report and again, substantive important edits, corrections, offer those back by COB, COB, pardon me, end of the day on Sunday. And then the editors will make any final corrections that the team members offer and the handoff to the translation team will occur on Monday, October 7.

We will continue to review the draft up until Friday, October 11 just to catch any corrections, errors, and at that point in time communicate any final edits or corrections to the translation team. And if we do all of those things, then the report can be published on Friday, October 18, which is in keeping with our original schedule, and which allows the public comment period to take a place, and which allows us to have an opportunity to factor that into our final report in December.

So sorry for the long-winded overview, but that's the plan. That's the approach to today and I'd love to hear from anybody on the review team if I missed something, if you think we should be doing something differently today, or something I didn't catch, please let's have that discussion now and then we'll get to work. So looking for hands. Alan?

Alan Greenberg: Yes, just for clarity, the schedule teams, as unreasonable as it was when we proposed it. So yes, we can go ahead with that. Are there any sections which are still missing at this point? I know I couldn't find one last night. And just so a heads up, so are we missing major sections that may cause perturbations in the schedule?

Brian Cute: So Charla, is this the list that Charla put together of the templates that we need to finish reviewing?

Charla: Yes, that's (inaudible).

Brian Cute: And are there any on this list for which there are not full drafts or new drafts since Washington that we're aware of? I think there was a question around, Fiona Asonga, and it was numbered in the 30s, I believe. I saw an email. There was an old draft, not an updated draft.

Alan Greenberg: There's one for August there, not even September. So that's my concern. I mean I had a tiny part of that to do. So I did focus on that.

Brian Cute: Can we zero in on which numbers those were?

Alan Greenberg: It's on the screen right now.

Brian Cute: Which number, is it 34, 32? I'm sorry, is it all of Fiona's?

Alan Greenberg: Yes, it's all one recommendation I think. It's 30 through 33 it looks like.

Brian Cute: Thirty-four, perhaps. Can we scroll more?

Alan Greenberg: Thirty-four has someone else's name on it.

Brian Cute: Oh, no. That's new. So can we scroll back up? I'm sorry, to 33. All right, so 30, 31, 32, and 33, we have templates that have not yet been updated and that's the status of those. Are there any others that are not there or we know are incomplete in some way?

David Conrad: This is David. The SSR related templates I am still working on. It's taking a bit longer than I would have liked to, to (inaudible) requirements on. I am working on them as fast as I can. I'm hoping to have something out by, by Friday, I guess.

Brian Cute: Which numbers are those, David, just so we do a clear stock taking right now?

David Conrad: It's all of the SSR1 (ph). So 1 through 28 of SSR.

Brian Cute: I'm sorry, say that again?

Unidentified Participant: That's not a recommendation. That's the review, work stream review.

David Conrad: Right, they just wanted to (inaudible) templates. These aren't recommendations. These are the templates that I'm doing for the SSR staff.

Brian Cute: And the template numbers?

Unidentified Participant: I don't believe there is a number, Brian. It's the bottom of the work stream queue.

Brian Cute: Okay. So SSR and Who Is are standalones and not reflected here on this chart, right?

Unidentified Participant: They're at the bottom.

Brian Cute: They're at the bottom. Can we go to the bottom, please? Just so we're all on the same lockstep page here. Okay. There we go. Okay. All right, so calling them templates, keeping with the vernacular, number -- line 39 is to be posted. David, do you have a good faith estimate of when that will be posted?

David Conrad: So as I said, I'm anticipating having completed the templates by Friday. I'm actually just met with Patrick. I'm still waiting on a little information from him, but my anticipation is Friday.

Brian Cute: Okay, so Friday, October 4 for that to be posted. Now, since we're here, about number 41, the Who Is, do we have a full (inaudible) there?

Alan Greenberg: We're missing some parts. We're missing the introduction, which talks about the board review, the board action in response to the ATRT. I sent out a very long document. I'm waiting for any comment on that before I put condensed version into there. That's number one.

Number two, on both the work stream three template and the PDP recommendation, I don't know what number it is, the one that Avri and I submitted, it is still missing some references to public comments. I will have those ready hopefully by the end of the day or tomorrow at the latest. Those are simply things that have to be tagged into that one section, essentially footnotes. Those are missing. And the actual section on the body of the report for work stream three is not written, but I'm not -- I intentionally didn't do that until we finish the review today, to make sure that people are moderately happy with the detail summary.

Brian Cute: When do you think that would be -- that full draft would be ready for posting to the wiki?

Alan Greenberg: Assuming that there are no major perturbations on the detail (inaudible) later then the end tomorrow, probably earlier.

Brian Cute: Okay.

Alan Greenberg: I'm looking at a page or two, not a lot more.

Brian Cute: Okay. Okay, that's good to know. Okay.

Alan Greenberg: If anyone, and particularly Steve, have any comments on the detailed analysis of why we, why I believe and I think we believe the Who Is review team were unhappy, and has expressed in a number of public comments as well, that would be useful feedback.

Steve Crocker: This is Steve. I have asked and I've gotten some information, but I haven't put the pieces together about trying to reconcile the picture of what the recommendations were, what changes we made at the board level or staff level, and where there is likely to be, or where we understand unhappiness. I apologize that I haven't been able to get my arms around all of that, but I've taken that question quite seriously and I will, you're causing me to bring it back to the front burner.

Alan Greenberg: I don't plan to put that in its full version in the report.

Steve Crocker: No, I'm curious anyway. I take this process quite seriously and I'm conscious of the sort of ongoing heartburn, which in my view, as I've said before, I think we've been fully supportive. But that's the end of the story. I also want to understand your perspectives.

Alan Greenberg: Yes, I did have one confirmation that I wasn't too warped in my analysis. I haven't had others yet, though. I would like to have at least more than one before I go forward with it. Because all of that is pure surmising on my part.

Steve Crocker: No, I take the point of view, I mean I take the signal seriously.

Brian Cute: Okay, let's continue with the stock taking. So 41, Who Is, Alan, you just gave us the update there. We would expect a full draft by COB tomorrow. David, a full draft of SSR by Friday, October 4. We've identified 30, 31, 32, and 33 as being not full drafts yet. Any others that we know to not be full drafts? We need to do a stock taking now before we start the review of templates and we need to produce a list of what remains to be done when we finish. So any others we know of at this moment?

Alan Greenberg: Brian, as I said, 28, which is the number for PDP is the one that I still need to add references to. But that's purely a mechanical job of putting together the footnotes.

Brian Cute: That's just adding footnotes and some citations, which is a lesser edit in my mind than sections that need to be drafted. Okay, then let's, Charla, were you, can you go back to the --

Avri Doria: I have my hand up.

Brian Cute: Oh, I'm sorry. Aubrey, please.

Avri Doria: Okay. And Jorgen also has his hand up behind mine.

Brian Cute: Thanks. I see that now. Thank you.

Avri Doria: Okay. Two, at one point, while it was being flashed, this isn't under our sync, so I can't go to it, it looked like nine was still listed as pending, but maybe it's in somewhere else. It looks like 37 is still pending. I sent a note on that and that possibly is included in somewhere else, but I doubt completely. And on, and Carlos can speak to this too, on the

one that Carlos had been working on, which was the 12 through 16, 35 and 36, and maybe it should have been 37, I don't know, but it isn't --

- Brian Cute: Avri, hold on. I'm trying to take notes on the numbers and you're going fast.
- Avri Doria: Okay. I'm so sorry.
- Brian Cute: No worries. Can you just walk me through?
- Avri Doria: Right, okay.
- Brian Cute: Yes, walk me through.
- Avri Doria: First I said it looks like nine, which is one that had your and my name on, hasn't been accounted for. I'm not sure who was supposed to actually do it after last divide. I know it wasn't one of the ones I said was on mine.
- Brian Cute: Okay. Hold on. On number nine, Avri, Avri, on number nine, that was redaction. I did that and I folded it into 7.1 So that one is covered. What's next?
- Avri Doria: Okay. So we probably need a note there. Thirty-seven.
- Brian Cute: Okay
- Avri Doria: I don't know if that one got picked up, but at the moment it's not -- there's no mark on it saying what happened to it.
- Brian Cute: Okay. Okay.
- Avri Doria: And I can see how that fits into several of the others. Then I wanted to make a similar point to one Alan made about the group document that represents the combining of 12 through 16, 35, 36, which is now a single document. That document probably needs some more, as Alan said, it's already 28 pages long, but it may need some more citations and footnote fixes. So while people are reading that, they may notice that. And that was one thing I would have added to your thing at the beginning, that I agree we shouldn't get into this meeting. You forgot to cite, but I do believe that that would be useful comment for people on reading to send to the editors. By the way, I'm not volunteering to be one, to your editors, to say in section such and such, it would be good if this paragraph was included.
- So you may want to accept that kind of edit. I don't know. But anyway. So those are the points I wanted to make. Thank you.
- Brian Cute: Okay. Thanks. And I've taken down those notes. I've got a little list here, running list. And I agree with your points and I want to underscore this here, this is a draft. Okay, this is not our final report. That being said, facts and accuracy are important. So to your point, Avri, about not chasing down every footnote and citation, I agree. I don't -- I hope that the review team members are looking for the substantive corrections, or substantive additions, not the small points. That's where we need to keep our eyes fixed in terms of getting this thing out the door. And we will be clear in the report to the community that this is a draft. This thing can change based on our further researcher, our further review, public comment, input from the staff, input from the board.
- So let's again keep our eyes fixed on what we're producing here and not go all the way down into the weeds where we don't need to go at this moment in time. Any other templates that we're aware of at this moment in time that are not complete or sufficiently complete? Jorgen, I'm sorry. Please.

Jorgen Andersen: Thank you, Brian. And just to say that I agree in the last point you made that this is a draft and we are open for suggestions during the consultation period. I think you (inaudible) for this. I have a question regarding the ICC (ph) report on PDP of (inaudible). And maybe I missed something, but could somebody clarify to me what will be the further process on this? I only just received it today and, I, to be frank, I only read this last night. So it's brand new to me. But what is the further process on this? Is it Alan who can say something on this, or?

Brian Cute: Well, allow me to offer some thoughts and Alan, please follow-up. The independent experts report is the independent experts report, and that will be an appendix to the final report from the ATRT2. In terms of the substance of the independent experts report, that substance feeds into one of the templates that's being developed on the GNSO PDP process, and Alan is a primary or one of the primary authors there, I believe. So every review team member should read the ICC report, reflect on it, and offer any reaction that he or she has to the review team, that this report will color our final report and it's already coloring one of the draft templates.

And of course, Alan and I think Avri have had some direct interaction with ICC so that substance to the extent that we have time now can be reflected in ATRT2 portion of the report. And obviously, going forward, we'll have another two months or so to more fully reflect ICC's independent expert review. Alan?

Alan Greenberg: Avri and I went over the report. We only got it on Sunday. Mark sent it in on Friday, but no one bothered forwarding it to us. So we got it on Sunday. We put together, enhanced the recommendation on the PDP to what we believe addresses the issue. I was still working on the theory we were looking for a short report, that we didn't try to reproduce the whole report in the recommendation, and the template. But I believe we addressed the more important issues in the description and analysis, and we put together recommendations, which we believe address the issue.

Most of their recommendations are not ones we can simply tell the board or ICANN to implement. They're going to require significant discussion in the community and some of them require further analysis. For instance, the issue of we're not drawing on parts of the world in the PDP, well it's not clear from their report if that's because the population we have to draw on is not, simply not at ICANN. Or we're disproportionately not represented in the PDP. When I say not at ICANN, not in the GNSO in ICANN.

So there's work to be done but we have recommendations that address those. SO yes, we think we've done our work.

Brian Cute: Thank you, Alan. And I trust --

Jorgen Andersen: I also want to thank and I repeat what you said, Brian, that if need be, there is an opportunity over the next couple of months to maybe improve or enhance the recommendations as they are now submitted for consultation.

Brian Cute: Certainly. Thank you, Jorgen. And let me add two points, one for clarity and one for process. The ATRT2 makes recommendations to the board that the board has six months to act on, again, accept, reject, think about, take different action, and just be clear about what they're doing and why. The recommendations in the ICC report are not recommendations. They are not recommendations that the board is bound to act on under the AOC. They could become recommendations if we adopt them as ATRT2 recommendations, but just for clarity, when we use the word recommendations it's the ones that are issued by the review team that the board is obligated to act on.

That being said, I also think as a matter process, the ICC report, which will be appended to our draft report, we should listen very carefully in Buenos Aires. We should be asking for reaction to that report from the community. I think we will learn quite a bit,

hopefully, based on the community's reaction to that report that can, to your point, Jorgen, as we move toward our final, factor in more deeply the ICC analysis and their recommendations to our final report.

So that being said, just one more round here, any other templates that we know to be less than complete for purposes of today's review? Not seeing any hands. Charla or Alice, can you -- I think you had a list, you created a list of the templates that we needed to walk through today for review purposes. Can you put that back up on the board? Or are they highlighted in yellow, or is there some indication? Jorgen, please.

Jorgen Andersen: Well, yes, to your question, I don't know whether what I'm saying now is reflecting exactly on your question. You know all of you that I sent some remarks to number 21 on the GAC (ph) related recommendations after having reread the text (inaudible). Fiona commented on that in maybe a couple of days ago. So if you were asking about whether this recommendation or this template is not complete, I consider it to be not complete in the sense that I want to discuss with you my remarks and my proposals for my editorial changes.

Larry Strickling: Yes, this is Larry and that's fine. Frankly, we just didn't have time to incorporate most of Jorgen's comments. I've looked at them and think there's really only one I think we even need to talk about. Otherwise, I'm willing to accept all the rest of his suggestions. And I think we can just take that up when we get to our template on the GAC recommendations.

Jorgen Andersen: Thank you very much, Larry.

Brian Cute: And thank you, Larry, for being here today.

Larry Strickling: Just to show that no good deed goes unpunished, I have to work. I'm not allowed to --

Unidentified Participant: I was wondering about that. I wondered if this is the only thing you had to do today.

Larry Strickling: We are going through shutdown, but there are other people who are taking the laboring oar on that. So yes, I should be able to keep my undivided attention on this call all morning, unless something happens. But Fiona Alexander, however, is furloughed. So she's not available and won't be available until the shutdown ends.

Brian Cute: Well, we're sorry about that but glad that you're here. Thank you.

Jorgen Andersen: I thought Larry was enjoying his day as a volunteer.

Brian Cute: Okay. What I'd like to do now is just do what we did in Washington, D.C., which is walk through the templates that we have on hand that are in full enough form and have the brief opening, if there are substantive concerns, to raise them, to discuss them, to come to some form of agreement on substantive edits, capture those edits as we would, Jorgen, with your comments that you just talked about with Larry, capture them in this conversation today. Hand that all over to the editors starting this afternoon and allow them to develop the report to a more final polish.

It's clear that there's going to be some additional drafting that has to take place given the stock taking we've just gone through. It's clear to me that there are some documents that are posted here that are a much greater length, and maybe this type of forum is not the best to capture substantive edits or changes. Clearly, we're going to walk off of this call with some assignments to finish templates, with some assignments for everybody to read what hasn't been read, and we're going to have to revert to an e-mail form of input, which is messy. But if we're going to stay on this calendar, that's just the way it is.

So with that, why don't we dive into the work that we can do today? And Charla, just to confirm, you've got on the screen ATRT1, recommendation one. That assessment, this was one of the ones that we've -- that we are picking up. Who was the -- who drafted this? Do we have the drafter? Thank you. Was that me? Brian. Good Lord. Okay. Recognize my own work. Put that back up on the screen.

Avri Doria: Sorry, it's Avri. I was in the wrong phone system pressing the mute button to unmute myself. I'm the one that had the token on this one, although graciously, most of the work was in the first part of this, pages one through four, essentially, were done by Larry and staff. And of a far higher caliber than I could have possibly pulled off myself. So -- and that was what was missing last time. So that's all there. It goes through the comments, the assessment, et cetera and basically comes down to the summary of the community and comes down to the assessment at the end, which I guess is on page five, the last.

And I believe that those were the issues. Now, there was one notion in the write-up that talked about possible further work that could be done and further this, but nothing seemed to me, at least, congeal into something that we wanted to specifically make a recommendation on. What still needs to happen are the metrics, the documentation of benchmarks used and then the whole issue of making materials public, and training methods public. I think there's an implication more work needs to be done on training. That is ongoing. So I don't know if we needed to make further recommendations on it. I didn't suggest any. Thanks.

Brian Cute: Okay. Thank you, Avri. I want to make one observation on structure. I'm noting here that this particular template did not use the last heading, which was a ATRT2 analysis of the, I think, effectiveness of implementation. I think it's important that the review team speak to that element, every place that it has the evidence or facts to do so. But I also note here that the first bullet point in effect address the effectiveness issue in noting that it's unclear at this point whether or not the quality has improved. So I just want to call that out in terms of structure. And I'm not married to any particular structure, if this is, as long as we're covering the effectiveness point.

Avri Doria: I'm sure it was my oversight not putting it in, but yes, I believe you called it correctly that the work is incomplete and it is difficult to determine at this time, and needs to be continued looking at.

Brian Cute: Okay. Open floor for any substantive edits, corrections. Looking for hands.

Heather Dryden: Brian, this is Heather. Are we discussing the documents that's up on Adobe Connect? So we're discussing the ATRT2 recommendations to the GAC. Is that correct?

Brian Cute: We are discussing the template that is up on the screen. It is actually -- it's an assessment of implementation of ATRT1 recommendations one through four, or actually recommendation one to the specific.

Avri Doria: One and two.

Brian Cute: One and two. And it's not it's not GAC specific, Heather.

Heather Dryden: Okay. I think I was looking at the formatting, but because we've taken on the formatting for -- a similar formatting for the GAC recommendations, I was a bit confused. Okay. Thank you.

Avri Doria: If I can explain that, is the help that I got in TIA from Larry and his folks use their same template and I was fine with their same template. So that's why it looks similar.

Heather Dryden: Thank you.

- Avri Doria: But different words.
- Heather Dryden: That's okay.
- Brian Cute: So at this point, is Steve still with us, Steve Crocker? Not to put him on the spot, but I know this is an issue.
- Steve Crocker: Yes, I'm here.
- Brian Cute: Yes, and I know this is an issue you've spoken to in our meetings and not taking this as your final word in the process. But are there any issues you have here, Steve? I know the skillsets has been something you've you paid attention to and shared with the team?
- Steve Crocker: Yes, I apologize. I had to restart my machine right now. So I don't have on the screen the stuff that you have up there. But I don't think I have any troubles. That said, let me take the opportunity to say I've been listening to the general flow here and paying attention when you laid out the schedule. We're going to have, speaking at the Board level and the staff level, we're going to have a lot of work to do to absorb this massive report and to go through the pieces of it. And so I've started scribbling notes to queue up the staff to get organized to do that, so that we don't have -- we don't lose any time when we see this report.
- And I will probably try to get that work started as fast as the draft report is out for public presentation. So that by the time the final report is submitted, we've got a running start on it.
- Brian Cute: Thanks, Steve. So we're -- I'm not seeing any other hands. Larry?
- Larry Strickling: Larry, I'm sorry. I didn't click on the Adobe. So I think it looks pretty good. Here's my only question to the group, which is on the analysis section we do indicate the areas of additional work, specifically the report on benchmarks and the need for metrics. We haven't indicated a timeframe and I'm not proposing we do. I just want to ask whether people are comfortable not actually putting in some suggestion of the appropriate time for do it. We do kind of suggest that the benchmark report may need some more years of experience before you can really judge it, but I just didn't know if people wanted to try to put timeframes around when this work ought to be completed or not.
- Brian Cute: It's a great question. For those who weren't on the first review team, and you probably heard this already, we did put some deadlines, if you will, on some of the recommendations. In hindsight, that probably wasn't the best thing to do. There were implementation issues and other issues that affected the implementation timetable. And Larry, your question. We're going to have an implementability conversation with staff and board between now and the final report being issued. So I think there's still a window of opportunity for us if we think it's appropriate and we've consulted with the board and staff. That's my only baseline feeling at this point in time. Avri?
- Avri Doria: Yes, Olivier had his hand before me, but I wanted to comment just on the deadline. I think that's probably a good conversation for us to have once we've seen the whole report and looked at it and read. I don't think we need it in this draft. I think that's something that we need to resolve before final. And when we've seen everything in front of us, I think we can better do that. Thanks.
- Brian Cute: Thank you, Avri. Olivier?
- Olivier Crepin-Leblond: Thank you, Brian. It's Olivier speaking. Just looking at the document, (inaudible) a little bit (inaudible) still a bit hungry for a bit more. At the end of that document saying it doesn't, as Larry mentioned, it does show benchmarks incomplete, metrics incomplete, more training materials incomplete. I'm a little concerned that the people who don't read

that report will only look at the recommendations that the ATRT2 are making, but what might be missing is the comments that we are making here. Are these going to be put in a separate section as comments or are these going to be effectively just left here? Or will these give rise to another recommendation? I'd just like to be clear on this.

Brian Cute: I'll offer this and turn to Alan. Based on the conversation we had in Washington, D.C. on the shape of the report, the consensus in that room was that the report itself would consist of these templates effectively stitched together. So this would be in the body of the report. This would not appear in an appendix. That was the consensus coming out of D.C. I'm not going to offer any reactions to your other questions at this point. Alan?

Alan Greenberg: Thank you. My reaction to Olivier's question is it's going to be there as text, but we are not formally listing it as a recommendation, it will disappear from the next review team's assessment of our work, of the implementation of our work. The point I was -- raised my hand for is I had a sudden inspiration when Steve was talking. And it's a comment of what we perhaps may want to add to Fiona's recommendation on treatment of review teams.

And I would suggest that as part of the board feedback on recommendations, they either assign an expected timeline for completion or for implementation if there is not one listed. And if there is one listed then they comment on it, and state in their board action, in their analysis, is the timeline reasonable and we expect to meet it. It is not reasonable and this is what we think it would be, or if there's nothing there, this is what our timeline is. That will make it just a lot better for the community to understand what's going to come out of this and for a future review team to assess how well they did, instead of simply commenting the review team made an unreasonable comment. That should be the board to say that, and then we work with what the board is committing to. I don't know if other people like that, but I think that would add a lot of clarity to the future process. Thank you.

Steve Crocker: May I comment?

Brian Cute: Thanks, Alan. Steve and then Larry.

Steve Crocker: So Alan, I'm in basically complete agreement. I've already said, and I plan to be quite formal about it in in this case, that the very first thing that we do when we receive recommendations is to do a feasibility analysis, and that includes what the timeline would be for implementation, if we choose to implement it. And then in the response, we'll say what it is we're planning to do, account for any differences between what we're seeing and what was recommended, including, I think, just as a matter of course, any differences in expected timelines. So we'll make that an ordinary thing as part of it. But I'll make a point of making sure that when we put the response together, it is explicit with respect to timelines.

Alan Greenberg: Does that mean you want a recommendation for us or you think for you and all future boards it's not necessary?

Steve Crocker: I don't have any problem if you suggest timelines. I expect to be pretty firm about adjusting those timelines based upon the input we get from staff. That is I don't -- in my mind, I think there's a qualitative difference between accepting a recommendation in its principles and intention versus a date specific because a group like this has only a limited amount of information about the total context in terms of resources and competition for things, and other competing factors. And so I don't have any problem with this group or any other group asking for whatever they want or suggesting whatever they think. But from my point of view, I think we'll be quite firm about considering and choosing what the proper timeframe is.

- Alan Greenberg: To be clear, I wasn't making any comment about judging how well the board did based on it. I'm simply saying there should be a requirement that the board say going forward what they expect the timeline to be.
- Steve Crocker: I would take any recommendation about timelines in a positive spirit and try to be responsive to what that means. I mean at the very least, when you give different dates for different things that gives some sense of the board, of review team's either sense of urgency or sense of difficulty.
- Brian Cute: Folks, I'm going to call on the time here. Just let's get ready to wrap up, Larry.
- Alan Greenberg: I serve notice, I will add something when we get to Fiona's.
- Larry Strickling: So very quickly, on this I've got a couple of suggestions. When we get to this analysis section, I think first off, responding to a comment that I think Olivier may have made, which is since we are indicating there is additional work to be done but we're not putting it in the form of a new recommendation, we don't want to lose that. So I think it's important that the wording be very clear in the first line. Instead of saying two things remain unclear, I think we ought to be very direct and say that there are, and I actually count three, three issues that remain open to which the board needs to devote its attention. I think at that point, I think it's very clear we are providing a request for action.
- Then on the timing, just in general I think that the benchmark report, all I would suggest is I have no problem if they want to take time to get a little more experience. But I do think it might be appropriate for this group to say that that report ought to be done in time for ATRT3 to have it in its analysis. So in effect you're giving them two years or so to get that report done. And I think that's probably adequate, and I don't think we have to do anything more than that other than just say, it would be nice for the ATRT3 to have that report as an input in its review.
- On the metrics issue, this is the first time metrics has popped up in recommendation. There is a discussion and I can't remember where it is, about the metrics project that the Board is undertaking. So one question would be do you want to bring that discussion about what the board is doing on metrics and put it into the discussion section here. And then you can refer to it when you get to this as being an open matter, and then tie this recommendation to that larger metrics project, with the idea that this one ought to be wrapped up as part of the work effort that the Board has already got underway. I think at that point, we've taken care of the timing. We haven't put deadlines in terms of calendar dates and linked it to other events in the future or to an ongoing work stream to make clear that these things are related and ought to be handled in recognition of these other activities.
- Brian Cute: Thanks, Larry. This is Brian. My thoughts working with your last one and then back to your first. I think that we will likely offer an overarching recommendation with respect to the use of metrics that will be informed by our interaction with their outside consultant, One World. We haven't had that interaction yet, but that's my strong sense from the team. And in that case, we're covering up the we think you should use metrics at a high level. I also think that as was done here, where the drafters on a specific implementation question see the benefit of metrics and call it out, that's perfectly appropriate too. And I think having both the high-level overarching and in instances where we think it's important to call it out, perfectly appropriate to have the report structured that way, unless there's concern about that.
- Larry Strickling: I just say cross reference then our comment here to the section that deals with the larger issue. That's all. Just so it's clear we're talking about the same thing.
- Brian Cute: Cross-referencing. Okay. Noted. And then I think we really actually need to be very clear. You mentioned you saw three issues here that remain open that the board needs to

devote its attention to. And I think we just have to really clear, are we going to call these items new recommendations, or, and I think personally there's room for this in the report, there are observations that we make about ongoing implementation work, some of it not yet done, some of it not yet initiated, some of it incomplete that we're observing is important and the board should tend to. But it's not raised to the level of a formal recommendation. And I think we need to be clear amongst ourselves because if we're not, it's not going to be clear on the report and it could lead to some confusion.

- Avri Doria: This is Avri. Can I comment?
- Brian Cute: Avri?
- Avri Doria: Yes, I think that we could have a recommendation zero, almost, that says for all items that are incomplete from ATRT1, please continue to work on them. And based on that recommendation that status should be reviewed by ATRT3. And basically do a blanket that if something's incomplete, we don't need to make a new recommendation unless we want to change the direction its heading in or give extra advice. But if it's incomplete then you've got to still be working on it.
- Steve Crocker: This is Crocker. I don't have any problem with that, but let me recommend that this report be readable on its own without having to dig back and fill in references from before. So -
-
- Avri Doria: For sure. They're in there, though.
- Steve Crocker: Yes, okay.
- Brian Cute: Okay. Olivier?
- Olivier Crepin-Leblond: Thank you, Brian. It's Olivier speaking. I think we've already touched on this in prior discussions, but I'm a little wary about just saying incomplete recommendations from ATRT1 will then be as an observation. There's two types of incomplete. There's incomplete as in the work is ongoing, but there's incomplete as well as in the work has now stopped and its incomplete, in which case I do think a recommendation would be required. I agree with the cross-referencing and maybe we are spending a bit too much time on this, but we can have cross-referencing from where we know the incompleteness of ATRT1 recommendations, and then point them to either the observation part or the recommendation part, and then we're okay.
- Brian Cute: Okay. Thank you. With that, I think we've covered a lot of important aspects here. Before we close this off, who is the primary author here? Was it Avri? Avri and NTIA.
- Avri Doria: I turned my mute off, yes.
- Brian Cute: Okay. Is it your suggestion to the team, you and I'd ask Larry too, that these three items be cast as new recommendations, or are they of the nature of implementation work from ATRT1 that should be continued to completion?
- Avri Doria: Personally, I'd put it in the latter category.
- Brian Cute: Okay. Larry?
- Larry Strickling: Well, we were just supporting this. I think Avri has the call on this, but in this case I totally agree with her.
- Brian Cute: Okay. Okay. Great. All right. So let's close off on this and we've captured the discussions and characterization of those three items, and the editors will shape this document accordingly.

Okay, let's move on. Next template. Okay, so these are the ATRT1 recommendations, 18, 19, and 22, which have been combined as the multilingual recommendations. And who was the author of this?

Unidentified Participant: Fiona and Lisa, I think.

Brian Cute: Lisa is not here. Okay. Right. Then I would suggest that we, since she can't provide the overview, let's scroll to the assessment section. We have a fair amount of community input here. Okay. All right, so I think if we go down to page 5, they've broken out the implementation recommendations separately. 18 and 19 are combined and determined to be unsuccessful for the reasons stated in one, two, three, and four. And I think these are some of the points that Michael was calling out in terms of the quality of the translation. And then recommendation 22 with respect to ICANN senior staffing arrangements is regarded successfully implemented with the staffing more than 75% multilingual.

And then if you scroll down to page six, it looks like we have proposed new draft, a new recommendation calling for review of the capacity of the service department. And this goes to some of the observations Olivier made about anticipating the increased demand and having a careful of assessment of how to ramp up. And just before I go to the -- I see hands up. Give me one more moment just to walk us through. And then a new recommendation regarding recommendation 22. There is no further recommendation. Okay, with that summary, and I hope I captured the important points, Alan, your hand is up.

Alan Greenberg: I thought Olivier's was first. Just a comment that the expert report has a language component, but in view of mine and Avri's view, it is not something that is directly implementable. And we're covering it as part of another recommendation and not try to group it into immediate to do's within this one. That was a conscious decision.

Brian Cute: Alan, I'm sorry, was there something in this template that needs to be changed substantively?

Alan Greenberg: No, there is not, but I'm saying it was a conscious decision not to try to change this template to include that.

Brian Cute: Okay. Thank you. Olivier, I don't see your hand, but it was up at some point.

Olivier Crepin-Leblond: It was an old hand.

Brian Cute: An old hand. Okay. Are there any important substantive corrections, changes, additions that anybody would offer for this template? Okay. I'm not seeing any hands here. And Olivier, I assume that this new recommendation is capturing your discussion points in Los Angeles about forward-looking assessment of demand and preparing --

Olivier Crepin-Leblond: Brian, it's Olivier speaking. Absolutely. Thank you.

Brian Cute: Okay. Thank you very much. Okay, let's move on. Just keeping count here. Recommendation number four. Let's see, this is mine. This is board improvement. And I'm going to admit right now, this is not full enough. This -- I'm not -- this is mine. I wouldn't change the conclusions here, but this is going to have to be more fully drafted. And this must not have been on my list coming out of D.C. Are there any -- let's see. Let's get to the assessment. So the key points coming out of this in terms of the assessment were, A, there is evidence that the board has undertaken a number of efforts and tasks to improve board training. There's been two training sessions that one of the outstanding questions is whether metrics would be effective here, noting that this is a difficult area to measure. And also an outstanding question that in the view of transparency, improving transparency, that the training materials be made public.

Those are the three basic takeaways in the assessment. There wouldn't be a new recommendation here. This would be in the category of ongoing work that should continue.

Steve Crocker: This is Crocker. Let me just offer a quick comment.

Brian Cute: Yes, Steve.

Steve Crocker: I've spent a lot of time thinking about training. Things are not as clean and as complete as I would like, but I do have some context here. Quite a lot of the training material we can make public. There are two classes of material that we can't make public. Some of it is course material from providers where they own the material. And we can point to what it is, and say what it is, and that's fine. But providing the actual material becomes an intellectual property control issue. The other is that board members necessarily sign agreements of confidentiality and are then exposed to internal information. Some of that will be provided in the course of training, and as well as during the course of deliberations.

So that material simply isn't appropriate to share, but is a necessary part of the induction and training process for board members. And I don't have any problem acknowledging that such exists, but going into further detail of it would be inappropriate.

Brian Cute: Thank you. Okay, that can be reflected and I will take this draft to the -- further and flesh it out. The fundamentals won't change in terms of the assessment and I think on this point, with respect to metrics, as reflected here, in my view this is where metrics would be potentially useful because the objective is to improve the skill sets of directors over time, at the same time a recognition that metrics on this particular type of undertaking may be difficult or complicated by issues, such as needing to keep certain things confidential. And so this may be an area where we could say metrics, if appropriate, after consultation with the independent expert, and that might be one form of a suggestion to the board.

Olivier?

Olivier Crepin-Leblond: Thank you, Brian. It's Olivier speaking. Are we repeating ourselves here with recommendation 1A-B where we also spoke about the course training material and codified it as being complete? It reads very similarly and I do understand that they're different questions, but it's, again, the board training material.

Brian Cute: Good question. You're saying recommendations one and two there's overlap?

Olivier Crepin-Leblond: Recommendation 1 A-B was looking at the Board BTC skill set (inaudible) and consulting on skills, and Board skill sets. And it was in there a mention of the training materials, the Board training (inaudible). So yes, (inaudible). And then you're beginning here with a recommendation (inaudible) and continuing to enhance board performance and board practices. And again, we're dealing with a training material.

Brian Cute: Okay. Good catch. Larissa, could you throw up recommendation one and two so we can fly spec that, and Avri, I think you drafted that. Can you call for suggestions?

Avri Doria: Okay. This is Avri. I put my hand up to speak to something else, but first to this. I certainly do believe that if we wanted to, and that they could be stitched together. One and two were stitched together sort of sequentially, that there were one and two and they were very similar. So they were stitched together. Again, I didn't do that. I was graciously helped with that. Um, and someone could certainly stitch in parts of four of this if they wished. Or since the whole thing is being stitched as a concatenation, certainly for this draft you might want to switch around three and four and put this in.

But sure, I see no problem with stitching it together if that's what people want to do. I see no problem with them standing next to each other and the editing, smoothing things out, and putting in forward and backward references so that the stitching is more detailed.

And on my other point, can I go to that or do you want to stick with this?

Brian Cute: Keep going.

Avri Doria: Okay. My other point addresses one thing that Steve said. I very much appreciated what he said about the what could be revealed and what couldn't, and that there was some stuff that couldn't be revealed. And he said he was comfortable with saying that there was other stuff that couldn't be revealed, but going beyond that would be inappropriate. And I was wondering if there might be one appropriate step further, which is to just indicate the category. In other words, there is information on personnel. There is information on, I don't know what other thing count as accounting practices. No, that wouldn't be. But whatever, whatever the topics are. Not the details of the topics, or any of the confidential information itself, but that the category is one. And so that people could look at and say, yes, I understand why that category is not listed here.

And this also fits into the one that never got done, perhaps, on redaction methods. And I understand why this category is in here, and certainly not go to (inaudible). So I was just wondering if Steve was willing to accept sort of that one extra step.

Steve Crocker: So thank you. I was thinking about it as I was speaking and wondering if I should offer precisely what you were saying. I stopped short of that, partially because I realized that I don't have clarity in my mind as to what those topics would be. And so one of the obligations before I would give that response formally would be to go through and understand what I would have in mind to cover. So I gave you a kind of pro forma response, which I will examine for content and then think about whether it's sensible to say anything more.

Avri Doria: Okay. Thanks.

Brian Cute: All right. While we were talking there, first of all, looking at the two drafts there is absolutely overlap, and Larry, I see overlap in your conclusions with the draft for rec four. I just wanted to look back to the ATRT1 recommendations themselves and recommendation two said the Board should reinforce and review on a regular basis, but no less than every three years, the training and skills building programs established pursuant to recommendation one. And recommendation one is the recommendation that focuses on the nom-com process and the identification of skill sets through the nom-com process.

And recommendation four, just to make sure we combine these, I don't want to lose anything either that was distinct, recommendation four was building on the work of the Board governance committee, the Board should continue to enhance Board performance and work practices. So I think the distinguishing piece there is the work of the Board governance committee in rec four and the nom-com focus of rec one. I just want to give that some thought before we combine these two as one, or join them as one of them. Does that make sense?

Larry Strickling: This is Larry. I don't feel strongly one way or the other on it. And I think it's, again, the kind of thing that it may be after you put it out one way you can always change your mind for the final report. So I don't know that it's a critical decision at that point.

Brian Cute: Okay. If everyone is comfortable in picking the draft for four up at this point, I'll either identify the meaningful distinction between the Board governance committee work that's taken place and keep it as a standalone, and circulate it back to the team, or make a

determination that they could be combined with the draft one and two, and make an edit to that and circulate that for final review of the team, if that's agreeable.

Larry Strickling:

Brian, this is Larry. I mean one thing you might want to consider, although I hesitate to suggest it, because it may involve an awful lot of work, which is the original report kind of grouped these recommendations I think into four, maybe five groups. And so I think all the recommendations one through seven or eight were handled as a grouping in the original report. I mean you might want to take a look at going back to that structure and collapsing everything into -- that way you've got some very specific sections. It may be easier for people to find their way this report. Plus it's kind of tied to the original organization. But I realize in saying this that that may be more work than people can bear at this point. So I don't feel strongly about it.

Brian Cute:

I'll take a look at it. I'll take a look at that and I'll take a look at standalone or combined, distinction between BGC and nom-com. It's one of those things, and we'll move on after this, it's one of those things where the combined efforts of the Board and the BGC itself as a committee, and the nom-com were all outgrowths of implementation of these recommendations, then putting them together certainly is logical. But I'll look at it through that lens and I'll look at it through the structure of the original report lens, and circulate something back out to the team.

Okay, let's move to the next. Okay, this is compensation. Board comp, I drafted this. It was a fairly straightforward assessment in that the recommendation was made, in that the Board went about the business of implementing and did in fact implement compensation for directors. The question -- open questions and can we get scroll control back on? The only questions were really the length of time that it took. Now, on the one hand, there was -- the Board very consciously -- and so the assessment of this is that it is complete, the implementation is complete.

The effectiveness, open question. The Board consciously took its time to get independent expert, an assessor to provide feedback of independent of ATRT1 about whether, A, it was appropriate to offer compensation to its directors and, B, what levels. So that took more time than the target deadline that ATRT1 put forward with good reason. It did seem as though, and this is an open question, Steve, I don't know if you can speak to it, that the Board decided to approve compensation in the December timeframe of 2011 and compensation wasn't actually afforded to the other directors until August 2012, which does seem to be a bit of a long time for that to happen.

Steve Crocker:

I don't think that's accurate. But it's a detail that we can certainly run down. I think we started paying the directors almost instantaneously upon the approval of that. So I'm surprised and puzzled by that statement. I'll try to make a note to run that down. Let me just comment on the other aspect. This is a very, very good substantive example of the mundane issues, in a sense, I mean not big, philosophical issues, but just the very practical issues that come into play.

We did pursue and I was personally involved in trying to push this through rapidly, we did pursue the process of getting directors paid as promptly as possible. We had very vigorous sort of irrefutable advice from Counsel that we had to follow very careful procedure in not having the directors make the decision themselves and not having them set the level of compensation themselves. And there was an attempt to explore whether enough directors would say that they would not accept payment in order to get enough to make quorum that we could do it ourselves. And that was a very -- that didn't happen.

So we had a lengthy process that we went through. We moved through that lengthy process forthwith. We, I was quite conscious that we didn't want to let it drag. So the fact that it took longer than you would have guessed is exactly part of the level of detail that wouldn't be visible. And I don't think there's any reason to insist it be visible, or expect a review team to think through that level of detail when it makes its

recommendations. But it is exactly the kind of thing where an estimate of the time versus the reality just will have a serious difference.

Brian Cute: Thanks, Steve. And two things. I will I will go back and check the facts on that again. If the facts are incorrect then I will just adjust them. I don't want the wrong facts out there in terms of the Board approval in the December timeframe.

Steve Crocker: I do remember one thing. There was some variation in when each director got paid because another one of these very peculiar sort of real world issues was sorting out the tax complications for each of the directors in their home country and trying to figure out how to handle that. There may have been some delays for particular directors versus others, which from my point of view is regrettable, but I think we paid them as of the beginning.

Brian Cute: Yes, that rings a bell too. I'll go back and check the facts there and let's compare notes, and want this template to accurately reflect what happens. And to your point, again, I think my view is that this review team having implementability discussions with staff and board before really offering any, if there are to be timelines or deadlines offered, it's critical. So point well taken.

Any other issues with this as drafted? Seeing no hands. All right, then Steve, you and I have a fact point to check on and before this is complete. That's noted and let's move onto the next draft.

Steve Crocker: Yeah, if you would check it. I've made it out to check it too and then you and I can think up.

Brian Cute: Absolutely. Okay. This is rec, oh sorry, there's no title on this, but this is mine and this is recommendation six. So this is the board clarifying as soon as possible the distinction between policy versus executive functions or policy versus implementation. And as we've discussed at some great length, there's clearly ongoing work here. The assessment as I've drafted it is that the implementation is incomplete and work on the issue is ongoing.

The tone of the assessment that I've drafted is one that this continues to be a very important issue that a continuing lack of clarity around it causes uncertainty, and in the worst-case, distrust about the proper roles and functions of staff, board, and the community. And that that that's important enough that maintaining some distinction or endeavoring to understand better the distinction between policy and implementation would be a real benefit to the community and ICANN from a perspective of accountability and transparency.

That's effectively the assessment and the suggestion that additional efforts need to be applied. I will observe too, that's not reflected here. There were two public sessions on this topic, one in Toronto, which was, I don't know whether it was heavily attended, but it was lightly, in terms of participation, not a lot of participants. Mostly the panelists speaking.

There was another public session in Beijing, where there was very fulsome participation and discussion to my eye only, speaking for myself. It reflected that kind of substantive discussion by a broad swath of community players. While no conclusions were drawn, while difficulty in a drawing the distinctions was recognized and some were suggesting that it's too hard, it was the type of conversation that you would want to see engendered by a recommendation. My assessment is that that needs to continue with full vigor and maybe a drive toward a distinction. Larry, you made the comments in D.C. about if you can't get perfect definitions, speak to it mechanistically that certain things should come from the bottom-up community process only and others not. And that may be one way to go.

But that's the assessment here. Comments, substantive comments. Alan?

- Alan Greenberg: Thank you. I think this is one where there are substantive discussion and work going on in the community, and I think we need to let that play out. I think we should, we should consciously say that in this report, and not -- although certainly, the board shouldn't do anything in the next six months to antagonize people on this issue, there's substantive work going on and we need to let it play out. And I think we should say something to that effect.
- Brian Cute: Thank you. Captured. Other points here. Carlos?
- Carlos Raul Gutierrez: Yes, I would like to add that by choosing the special expert on the PDP process, this ATRT2 team has recognized that fact and is adding a lot of substance to that discussion. Thank you.
- Brian Cute: Thank you for that. Any other comments in addition to Alan's and Carlos's? Okay. Not seeing any hands.
- Larry Strickling: Hey, Brian. This is Larry. I'm sorry, I'm not very good at the Adobe raising my hand.
- Brian Cute: Yes, yes. Go ahead, Larry.
- Larry Strickling: So I was reading your last paragraph of text on page three before you get to the assessment. I would be happy to write a paragraph that at least addresses the question of whether this is -- whether we're on a wild goose chase here or not, if people -- and get that to you in the next day or so. And I'll circulate it to everybody, if people are willing to even continue to take a look at that whole issue. So whether or not this whole -- I agree with everything you write in that paragraph, but it still doesn't really address the question as to whether there's a way to in effect make this problem go away by redefining it. And I'm happy to try to put a paragraph together on that if people would like to see it.
- Brian Cute: Fine by me. Avri's got a green check, please proceed. Yes. I mean, if you can capture this document and edit it from the wiki, fine. If not, send the standalone and we'll get reaction and incorporate it accordingly. Any other substantive comments here? Olivier?
- Olivier Crepin-Leblond: Thank you, Brian. It's Olivier speaking. So looking at your last paragraph on these documents, this pretty much looks like an observation, um, and it's not tagged as such. Is that the result of this committee to make this an observation or are we just going to be (inaudible)?
- Brian Cute: It is offered more as an observation. Yes. It's an observation that there may be additional efforts needed here. What I'm not getting at in that wording is are there other approaches or other mechanisms. And I think that's what Larry's getting at. So I think his add could be a very good substantive add. But yes, it's not meant as a new recommendation per se, if that's what you're asking.
- Olivier Crepin-Leblond: It's Olivier speaking. I was meaning that at the moment it doesn't read not even as an observation yet. So maybe we need to have the word observation in there, just to make sure we don't leave it.
- Brian Cute: Okay. Thank you. Anything else on this one? Alan, is your hand up now?
- Alan Greenberg: Sorry, that's an old one.
- Brian Cute: No worries. All right, let's move on to the next one. Okay. One second. Just taking some notes. Hold on folks, I'm just taking a couple notes. I'll be right there. Okay, 7.1. 7.1, actually, I, we believe, and if we can get scroll control again, I believe we reviewed

this in D.C. What was missing in D.C., if I'm right here, and I'll need to scroll down to see if I'm right was we -- I had to add a piece about redaction. This is issue number nine and I'm hoping this is where I put it. Maybe not. Yes, no this is it. Just give me one second to get oriented here. Yes, okay. So really I think that -- okay, the new part here is the redaction focused part, which on page one is the second paragraph.

So in terms of posting all of the board materials, including rationales, resolutions, that was covered in the original draft. It was clearly work undertaken, implementation work undertaken. There was clear improvement in the Board's practices in publishing its board materials. That had been recognized by the community. The outstanding question we had was on redaction. In the second paragraph of page one is where I included the adoption of the policy, the redaction policy formally. That being communicated and some other resources.

Adding the -- under the summary of other relevant information, where the guidelines for posting board briefing materials and its redaction guidelines, along with the link, and then simply on the analysis part, the -- excuse me, yes, the analysis and recommendation implementation. Again, just noting on redaction that a question has been raised about the scope of redactions, whether that practice is respecting the minimal approach of recommendation 7.1. And observing that the question is difficult to explore by its nature, that ATRT2 has put this question to ICANN staff for feedback as to how proper scope of redaction could be reasonably confirmed. And we don't yet have an answer on that.

So again, those are the redaction elements of 7.1. Is there any discussion or substantive edits, or corrections to that? Looking for hands. Okay, not seeing any. Let's move on. Okay, 7.2. Can we get scroll, scroll control, please? I'm not sure that we had changes to 7.2 coming out of D.C., other than perhaps to add a link to the NTIA very fulsome assessment of the board decisions. Larry?

- Larry Strickling: I think we had requested that we no longer refer to it as an NTIA analysis.
- Brian Cute: Right.
- Larry Strickling: It ought to be an analysis hired on behalf, you know, by the team. But I, we raised that I think in D.C. But that change didn't get made, I thought.
- Brian Cute: No, I've got that now. That's captured and other than adding the link to the analysis, I believe the template stands as is, which again, a successful implementation that the analysis, no longer NTIA, showed clear improvement and improving trend over the three-year period. So this is one where a clear successful implementation has taken place. Any issues on this? Edit, captured, Larry. Link to the document and I'll check the document, which I assume you agree should not be titled NTIA analysis or should be ATRT2 work product effectively.
- Larry Strickling: Yes.
- Brian Cute: Okay, I'll check that as well. Any other points on this one? Seeing no hands. Okay, let's move to the next one. Okay, we've already done multilingual 18, 19, and 22. I think that was the first one we did. What's remaining on the list? Larissa?
- Unidentified Participant: I think the next one in order were the 20, 23, 25, 26, and 24. At least that's the next ones I have in the package.
- Brian Cute: Okay. Okay. So which, what is this? This is, which numbers and which author, please?
- Charla: Brian, it's Charla. I just joined. Alice stepped away for a second. At the top you can see it's for templates 12, 13, 14, 15, 16, 35, and 36.

Brian Cute: This is 12,13, 14, 15 -- 12 through 16, 35 and 36?

Avri Doria: Yeah, that's the way I've been saying it.

Brian Cute: Thank you, Avri. And this is Avri and Carlos. You've got this as drafters, correct?

Avri Doria: Correct.

Brian Cute: Okay. Would you walk us through the high-level points in your assessment and the effectiveness of implementation?

Avri Doria: Sure. I was actually hoping that Carlos could take voice on it since he first came up with the idea for this grouping, and then get (inaudible). But I noticed also he's having some problems with audio. So Carlos, can you -- ?

Carlos Raul Gutierrez: No, no. I can --

Avri Doria: Okay. You're fine. I'll be quiet. I'll go mute.

Carlos Raul Gutierrez: Avri and I have been working on this. Sadly, I lost 24 hours between Sunday and Monday because of bad flight connections. Maybe the following. I consider this issue 20, 23, 25, 26, 24 issues that people see at the very end of the PDP process once the Board takes a decision. So I just assumed the outside of the process. I particularly research the reconsideration issue because that was one of these issues where there is a big progress. There was a report. There was a procedure. There were reconsiderations. I don't know, nine, ten reconsiderations out. So there is clear progress, but I propose to do some stitching, as Avri said before, because all these measures together show a big step in creating trust, particularly in the transparency of the results of the process. Having said that, it doesn't mean that the (inaudible).

While we have meetings, we heard every reconsideration is negative and that's true. But if you go through the reconsiderations, there are a few reconsiderations that are out of place and there are a few reconsiderations that are negative, but send positive messages like saying, okay, the decision was like this. Then we're going into implementations and a few things can be considered in the future. So but if we take them one by one just in a checklist, I think we lose the whole message. And that's why we propose to bring them all together. We have not decided on a catchier title, but I think it's like the oversight of the point we had before on policy and implementation processes, and it will be worthwhile trying to stitch them together.

I did the basic research of the reconsideration and Avri has been reviewing the general line and working on the recommendation side. But sadly, as I said, I got stuck twice, once in Newark and once in Houston the last 24 hours. And I haven't been able to read the last version of the recommendation section in the end. So this is just as an introduction and if you have questions, let's hear them. Thank you.

Avri Doria: This is Avri again, if I can add. So with the stitching and also with stitching in the transparency report that relates to this, and also the employee hotline came into that because those are issues that are related in the background to the issues in the first five points. So getting to the recommendations, so like in the rest of these have gone to and have followed, I think pretty much the original template format and -- but it's one of those combined ones that has both an A and a B with new recommendations. There's a couple outstanding points. For example, I wasn't able to locate a Beijing report that was the response to the Board's bylaws revisions.

So there were some things, data that I just wasn't able to find, facts that I wasn't able to find. And then so basically capturing all the content, capturing other relevant information. There's a fair amount that's related to this. A lot of this is the transparency

on both then (inaudible) in that effort to not have things included by reference, but included by actuality, basically copying sections from the (inaudible) transparency and (inaudible) recommendations from the One World Trust and Brookman (ph) reports in, as have been done in the templates for 35 and 36. So then there's -- then we go into B, which is the proposed new recommendations with the hypothesis. We just covered part of that.

And then the rationales and the recommendations. So when we got to 12, 12 is the one that we spoke about and actually worked on wording last time, dealing with the ICANN Board ombudsman in a timely manner. God, I've got too small a font on this and I can't, and I don't have my own copy up. Some formal advice, small advisory committees, explaining actions it took and the rationale for doing them. So that was as had been agreed, at least I think it was, at the last recommendation.

So recommendation 13, it was as a new recommendation was ICANN Board should convene a special community committee to discuss options for improving Board accountability with regards to restructuring independent review panel and the reconsideration process. The group will use the report of the exports group (inaudible) on restructuring as one basis for its discussion. And this recommendation comes out taking into account the many comments, taking into account the various issues, and taking into the account the experts group. There was a recommendation based on that.

For 14 and -- which was a recommendation on the process of clarifying the reconsideration process, that one didn't get a specific other recommendation. For 15, there's basically the -- a similar language that we had in Washington on the ombudsman with a basically the addition of the standards that are being applied to, and just sort of a cleanup in language. And basically listing the areas which for the function of the ombudsman should be reviewed. So no indication of things must become, but basically a review including those aspects, rolling continued, process review, and reporting the Board and Staff transparency, roll in helping employees deal with issues related to the public policy functions of ICANN. So this is basically recognizing that there's -- it's not the -- it's the issues related to the policies that are specific interest to the ombudsman within the understanding of an ombudsman role. But that's something to be discussed, but with our discussions with the ombudsman and going through carefully. Those were recommendations that were being made and those are supported in many places by community comments.

And then a role on proper treatment of whistleblowers and the protection eventually to (inaudible) raise issues that might be problematic for the continued employment. And there is some discussion, but very obtuse discussion in there of some of the issues that were heard in the confidential discussions. The one implicit recommendation here is that there will -- not recommendation, but indication here is that there will be an appendix that, and this is similar to the discussion I had with Steve that mentions that there was a confidential list, that there were some members that recused themselves from it, some members that were on it, and the nature of the issues was A, B, C. And certainly not getting into breaching any confidentiality, or even getting into the specifics, but trying to find a category description that does not breach any confidentiality.

So that's where that one boiled down to. As I said, that one was in the previous one and so it's basically just language cleaning. Recommendation 16, no further recommendation on reconsideration timing and that, and there's a recognition earlier in the text that in terms of how to do a reconsideration and the timing of the process, the work has really been done quite well and completely, and I think that's indicated earlier. And then 35 was a discussion of the transparency report. It takes out, I believe, the language that referred to the ombudsman doing it and looks at it more as an audit. Though at the end, I was unclear whether we had said in our discussions that it must be an auditor, or whether it could indeed be an additional higher contract, higher on the same basis as an

ombudsman, though not necessarily the ombudsman to do this. So I put that in brackets because I wasn't really sure where we had terminated that discussion.

And then 36 as the whistleblowing review, and the only change in that was adding some references from the last discussion we had on it. So and it's long. Thanks.

Brian Cute: Thanks, Avri. It is long, and speaking for myself, haven't had a chance to go through its entirety. So can't offer fulsome observations. Alan, I'll let you go. Your hand is up. And then I'm going to actually make the suggestion that we take a brief break. We've been going for a little while, take a 15 minute break and then come back to this one because it is a large one and we want to give substantive input, and have a sense of where it is in the drafting process as well.

So Alan and then we'll take a break.

Alan Greenberg: All right. I can defer until after the break, but I can also quickly identify my issues. Number one, it is long. We're -- when we look at this one in conjunction with several others that are 20 odd pages long, we're talking about a report that's going to be hundreds of pages. I just think about whether that's really what we want to do or how to get around it. In terms of the substance, number one, on recommendation 13, I think there's either a wording change, a grammar problem, or I don't understand it. But it says to discuss options for improving Board accountability with regard to restructuring the independent review panel, IRP, the reconsideration process. Is that an and instead of a comma?

Avri Doria: That's an and.

Alan Greenberg: Okay. Fine.

Avri Doria: Oh, it's actually a comma and an and. It was a cut and paste of three things edited down to two things and incomplete.

Alan Greenberg: That's fine. Otherwise, I couldn't quite understand what it was saying. I thought we were going to have a recommendation saying review the current whistleblower policy that is not current and make sure it meets standards.

Avri Doria: Yeah, that is it. That is the 36.

Alan Greenberg: Thirty-six? Sorry, I see numbers 12, 13, 14, 15. Oh, I'm sorry. I didn't scroll down far enough. Okay. Lastly, I know we didn't discuss this a lot, but I would really like 13 to include a phrase saying the review -- the issue to be discussed should include the concept of a review on substance and not just process. I know there are some board members who are violently against it, some who are violently for it. I don't -- I think we need to explicitly put it on the table.

Steve Crocker: This is Crocker --

Alan Greenberg: Goes along with Steve's comment that group think happens, mistakes happen. There should be a way to fix them.

Steve Crocker: This is Steve. I don't have any strong objection, but let me do pose the sort of core question. What would be your basis for doing such an evaluation? You don't have to answer it. That's just a question that lingers there because one way to understand the idea of doing a substantive evaluation is that you've got some criteria that you can hold the board accountable to that is different from the Board's own judgment about what it's doing.

- Alan Greenberg: Maybe the final result is the board doesn't decide, but the board remands to someone else. I think that's what needs to be discussed. I understand this is an opportunity to open the door on any decision.
- Steve Crocker: Yes, it's the same question though, even if you remand it to someone else. What is it that gives them a stronger, more higher fidelity measure of appropriateness.
- Alan Greenberg: I think that's a reasonable question to ask this special community committee. I'm not pretending I have the answer, but given the conceivability of mistakes being made, we should have a way of fixing them, I think we need to at least discuss it.
- Steve Crocker: One man's mistake is another man's deliberate policy.
- Alan Greenberg: And one review committee's direct intent is the Board's belief that it's wrong. That applies to any discussion when there's a difference of opinion. But right now, we're not allowed to have the discussion and that's the problem.
- Steve Crocker: And we're reconvening when?
- Brian Cute: Let's reconvene at 10 past the hour.
- Steve Crocker: Thank you.
- Brian Cute: Okay. ATRT2 reconvening on our review of draft templates for the draft report. Where we left off was the template that had been prepared by Carlos and Avri that combined an assessment of implementation of ATRT1 recommendations 20, 23, 25, 26, and 24, but not necessarily in that order. Okay. Thank you, Avri and Carlos for the overview. We need to open the floor up to, again, substantive questions about the draft as it is. And for myself, as I said, I have not had a chance to go through it in full. I guess one question I would have centers around the issue that seemed to generate significant concern from the community and also substantive feedback from the staff at ICANN that were at odds. And that was the review of the standard for the reconsideration request, if I'm not mistaken.
- And there was input from the community on the one hand that the process for that was poorly implemented at best and narrowed the standard. And the feedback from Amy's staff, that was on ICANN staff was actually to the effect that the process was well-managed and the standard was expanded, two views that are diametrically opposed. How well is that issue covered in this template? What are the assessments and what's the assessment of effective implementation?
- Oh, Carlos. Sorry, you missed all that. All right. So with apologies (inaudible). No worries. The one issue that I recall being diametrically opposed from an ICANN view and parts of the community view was the ATRT1 recommendation that there be an assessment of the standard for reconsideration requests. Community members on the one hand saying, poorly handled, poorly implemented, narrowed the standard, and staff saying, well managed process and actually expanded the standard of review. How was that issue treated in this draft? What was the assessment or draft assessment and effective implementation conclusions?
- Carlos Raul Gutierrez: Well, may I?
- Brian Cute: Yes, please.
- Carlos Raul Gutierrez: Thank you. This is Carlos. The review has gone rather great by outside experts, but the new system has been in place for more than a year. So there is a good track record of reconsiderations, as I said before. The (inaudible) amounts are a little bit short, I would say, just by reading them. The (inaudible) amounts are produced by the board

governance committee, by a group of the board, not by the whole board. And in two or three issues that are really I think of great relevance for policy development, although the reconsideration has been negative, they have recognized that the board decision is kind of the midpoint between the (inaudible) of the policy and the implementation, I would say, with my words.

So yes, it was late and yes it has been negative. Yes, it's in place. It seems to work. It could be a little bit clearer, but it should be included in the whole let's say focus exercise of (inaudible) to related to the whole policy development cycle. And by cycle, I say the development and the implementation. It's a very rich theme. I (inaudible) the new (inaudible) experts are going to work on that. I read only the introduction and I noticed that they haven't finished some of the chapters. That's why it took quite some time and I think the facts that I have included are sufficient, and rich, and that's why it became so long.

Brian Cute: No apologies necessary. Did you address the issue of whether the standard of review had in fact been narrowed or had been expanded? Because there was, as I said, diametrically opposed views on that between the community and the staff?

Carlos Raul Gutierrez: I would say that there is a form to cite with when you want a reconsideration. And one of the first and most important questions is what are you complaining about. Are you complaining about the board or are you complaining about the staff. And I think we should focus on cases where the reconsideration is about the Board decisions. I think this is the main -- that's what I consider that is important. If the staff has done wrong, I don't think it's the right place to discuss it. It's far too high to start discussing that. There were some comments about how to make a clear separation between these two different layers. Is it really a board issue or is it a staff issue and I think this is very important and should be included in our recommendations that the form or the procedure for (inaudible) a reconsideration should try to reach higher standards in terms that we get the right issues and we write it much more clear when it's a Board decision and when is somebody complaining, trying to (inaudible) on the staff.

Brian Cute: Thank you, Carlos. Avri?

Avri Doria: Yes, thank you. I'm unmuted, correct?

Brian Cute: Yes.

Avri Doria: Okay, good. And I think that that's part of what got captured in the single recommendation 13 with the more work needs to be done because of the many different views on it, the different perspectives. And that's why taking the experts group as part of the basis for this special committee, but then having it look further into these two review processes, the reconsideration, which has certain properties which seem not to be favored by a lot of the community. Let me put it that way. I think it's a tactful way of saying it. And the independent review panel, which gets, you know, which has an expense beyond what could be afforded by most cases. So that's why -- but not placing the judgment on that because the view is split. It's just that further work needs to be done and it needs to be done at the community level. And that's the reason for the one recommendation.

Brian Cute: Thank you. Thanks, Avri. Anybody else? Alan?

Alan Greenberg: Yes, I still think, Brian, that the issue that you raised of the diametrically opposed views on a specific issue should be called out as one of the things they should consider. I have no problem saying we're not the ones to make this judgment, although in the views of the two people who commented, it's obvious if we only looked at it, it would be clear who's right. But I think at the very least, we need to call it out explicitly.

Brian Cute: Thanks, Alan.

- Alan Greenberg: One other issue that it dawns on me has been mentioned occasionally, but I don't think we've ever discussed at all is we're in an interesting situation that reconsideration is done by the board governance committee. And then for most of the recent ones, passed onto the GTLD committee because the Board and implicitly several members of the Board governance committee are conflicted. And should a body with conflicted members really be passing judgment on reconsideration?
- Avri Doria: Aren't those issues that we would explore in the -- in that special committee (inaudible) them all?
- Alan Greenberg: Yes. Well, I worry that if we don't list them all then they may not be covered. But maybe that's a matter of style.
- Avri Doria: Because certainly if there are sentences we should add to the recommendation, we should add sentences. But I think it's all part of the same thing of being explicit about it, perhaps more than we were.
- Steve Crocker: This is Crocker. I don't want to push back, but I'm not sure I understand the force of the discussion at the moment. What is it that you're suggesting might not be appropriate?
- Alan Greenberg: If you're directing it at me, it's been suggested by a number of people, I don't know if it's in our formal comments or not, that reconsideration, the recommendation is done by the board governance committee and then in many cases for the current ones, if you look at them, are then passed to the new GTLD committee instead of the board, because there are specific members of the board who are conflicted. Because the reconsiderations are about the new GTLD process. And yet the Board governance committee is made up of people, which include some of those conflicted members. That was that with the issue I was explaining.
- Steve Crocker: All right, so let me play back so I just nail down the point that you're making. If, I'll kind of put it in reverse form, if the final decision on a reconsideration is going to be made by the new GTLD program committee then I think you're suggesting that the preparatory work that is done by the board governance committee should be done only by people who are also not conflicted.
- Alan Greenberg: I'm suggesting that's been raised (inaudible).
- Steve Crocker: I just wanted to get clarity on the point that you're making.
- Alan Greenberg: Well, all the more so because the bylaws allow the board governance committee to make a final judgment without remanding it to the board, or in this case, a new GTLD committee. In normal standards, they actually do not take a final judgment and do pass it on for final approval. But in theory, they don't have to.
- Steve Crocker: Yes, as I said, I'm not taking any position on the point. Just wanted clarify on what it is we're saying.
- Alan Greenberg: That issue has certainly been raised with me.
- Steve Crocker: Yes, that's a very crisp, clean point.
- Brian Cute: Okay. This is Brian. Following up on a prior point, Alan, when we were talking about the standard of review, and you noted that we should observe the diametrically opposed views, I agree with that. I think it's important for us where that occurs to reflect it in our report. And I think that it also begs a number of questions that we may or may not be in a position to explore and assess diametrically opposed views from the community and ICANN board or staff could be the product of a number of different things. It could be a

product of differing expectations. It could be a product of poor communications with respect to implementation. It could be differences of opinion and it's important that we at least reflect where there -- if you have ICANN on the one hand saying, not only did we implement, but we implemented well and we implemented within the spirit of the recommendation. And parts of the community very vehemently saying exactly the opposite needs to be reflected. We also need to make assessments.

So I think it's important if we are able to, if we have sufficient facts, that we assess whether or not the standard was expanded or narrowed. So that -- in looking at this draft, when I get offline here, and looking at the record, I think that's something that we shouldn't shy away from, if the facts and evidence are there. Carlos and then Avri.

Carlos Raul Gutierrez: Yes, thank you. Two comments there. I think that -- well, I think the board is the last step. No questions asked there. The buck stops there. But I think that there are three methods of revision and if we take the three, each one on its own separate from the other two, I personally would (inaudible) get a feeling that it's too narrow, just because we are separating reconsideration from the ombudsman, from the international panel. We should have a holistic approach to that. Because if we (inaudible) then we might be accused of or revision can be done that there are interpreted too narrowly. This is one thing.

And the second one, again, without any facts, Brian, out of my gut feeling, I think the difference of opinion between one side and the other, and this is Carlos Gutierrez speaking without any facts in hand, is a big difference between the people who have been engaged over time in the process, and the people who, at the very end, look at this and say, oh, I don't like it. And we are starting to see some evidence there in the comments of the external consultants about the GAC. People who come (inaudible) to review some decisions tend to take a very extreme, extreme position. This is my feeling and this is why I plead to take the whole system of the Board decision of the final step very -- in a holistic way and look at it from many different sides and not just ask a question, yes, a reconsideration was too narrow period. You know, because we lose the forest for the trees. Thank you very much.

Brian Cute: Avri, if you would just bear with me, I have a directly related follow-up.

No problem.

Brian Cute: Carlos, let me be clear, I think -- I hear what you're saying. Let me be clear. ATRT1 made a recommendation that the consideration process be reviewed and that included the standard of review. So to my mind, there's two things here at play. One, the standard itself, we know what the old standard was. We know, we should be able to identify what the new standard is, and there is a very linear inquiry as to was the standard changed and in changing it, has it become a more narrow a basis for reconsideration or more broad. And I think because that was part of an ATRT1 recommendation, it's incumbent on us to assess that.

To your point about broader or holistic treatment of this topic by ATRT2, I cast that in the forward-looking new recommendations frame in my own mind. Whether the standard or review should be extended to include the ombudsman, whether an application it should be of broader interpretation or a more narrow interpretation in application for review processes, plural, I view that as a forward-looking potentially new recommendation treatment by us. Is that -- and Avri, again, just with your forgiveness, Carlos, is that a view you agree with or a categorization you agree with or not and why?

Carlos Raul Gutierrez: Yes, I wrote in chat I think it has changed. I think it has improved. It's more clear and it's more practical than before. I would say yes. Is it effective to the degree everybody is happy? (Inaudible) the reconsiderations, I think it can be improved and then when I read the bylaws, when I read, I'm not a lawyer, of course, like you, or like Larry, but when I

read the bylaws and I see the sections where the reconsideration is and the panel, and the ombudsman, I think they are all likely together in the same area. And the messages I get from reading them, listen, we have a very effective mechanism, (inaudible) mechanism to address any wrong. You choose whatever you want and I think that it's a clear message. I like it and it can become only better. Thank you.

Thank you, and Avri, thank you.

Avri Doria: Okay. Thanks. So on your is it broader or has it been tightened, I think that's part of one of the things that's almost impossible to determine at this point. It is clearer, as everyone has said. One can look at it and one understands the steps. Has it changed in any way into whether the considerations that will be looked in are broader or not? Half the people and I don't think so, but some seem to think so. So I don't know that we can actually come to a consensus on is it broader. I would say it's about the same. I would say that that part is what is incomplete and what requires further community work.

I also -- I agree with doing an assessment. I also think we've gotten to a point on this one that says this whole reconsideration plus review, plus other mechanisms folded into holistic as Carlos is saying, is something that we can recommend more work be done on, but I don't see us being able to recommend at this point a solution to that. And so that's why I think it came down to this is really one of the bigger problems that the community needs to spend some time working on as a community. In terms of Alan's part, I think including that the group will use the report of the expert working group and the comments sent to this committee as bases, among the bases for its discussion is a way to include what Alan says. And we've gotten an incredible mix of opinion. I think that incredible mix of opinion needs -- a lot more work needs to be done here by the community. Thanks.

Brian Cute: Thanks, Avri. Alan and I'm going to look to wrap this up.

Alan Greenberg: I think on the specific issue that was raised on is the scope widened or narrowed, we may not be able to find -- address that this week. But certainly, we should go back to the two people and say, show us the clauses that you think narrowed it and/or widened it. I'm looking quickly at the bylaws references and it's many changes made, and some of them may implicitly, may have a change on scope. There is one more scope added and rather, the cause for action or inaction that is added or undertaken away, but there's a lot of other changes, which may implicitly change the condition. So I think we need to go back to the parties and ask them.

Brian Cute: Thank you, Alan, and the bad news is everything does have to be finished up this week. So that's the bottom line.

Alan Greenberg: Then give them a two day deadline.

Brian Cute: That's the bottom line. Okay. Any other substantive comments on this draft in this moment? Looking for hands.

Alan Greenberg: It's Alan. I believe that we need a bullet list. I agree that the scope issue we should address separately, but on the future work I would suggest a bullet list of things that might be considered.

Brian Cute: Thank you. Okay, let's move onto the next template. Does anybody know how many we have left to go through in terms of templates?

Alan Greenberg: Many.

Brian Cute: I know we have Fiona Asonga's.

- Avri Doria: We're into the GAC ones now, aren't we? Was there anything to review? Because that took us through 16. Seventeen would be the next one. That was we're 17 through, oh whatever number it is, updated, 17 through 21 updated.
- Brian Cute: Yes, we should only be going -- there was some templates we went through in Washington face-to-face that we shouldn't be revisiting.
- Avri Doria: Understood.
- Brian Cute: So I'm hoping we're not going through this entire list one after the other. And then secondly, on the GAC ones, I don't know that there was a lot open there, although Jorgen did send an email and had some edits and observations he wanted to share. So I think at least on that point there is some room for discussion before we close these off.
- Larry Strickling: So this is Larry. I can I think try to do the GAC ones pretty quickly here.
- Brian Cute: Thanks.
- Larry Strickling: So there were on a couple of open issues that we left D.C. with and as you just pointed out, and as Jorgen pointed out at the beginning of this call, he has since submitted a paper. Let me just give you an update on what we did with the suggestions from Washington. We did go back and modify the recommendations with primarily, let's see, it was recommendation, I think it was nine that we -- where was it? Yes, I think based on the input we got back, we modified it, recommendation nine, to reflect the comments received. We also had had a general comment about who the recommendation should be directed to. And we haven't changed that. I think Heather was going to take that and think about it, and I don't know if she's had a chance to actually do that. And I don't know if she's still on the call not. But we hadn't received any input from her yet. So we still have that as an open question.
- And then third, we have the note from Jorgen from, when was this, over the weekend, on Sunday. I've looked at it. Frankly, there's only one matter on the list that I would say we need to talk about, but I -- but if Jorgen wants to go through this, I'm fine with him doing that. I will say that I'm prepared from our end to accept all of his comments and suggested edits except for the one that I'd like to talk about, which is the issue of the code of conduct. Which we can take up right now, if you want, or if we want to go back and go over those first two points, we can do that.
- Brian Cute: Jorgen, the floor is yours, if you wish.
- Jorgen Andersen: Yes, thank you Brian. Jorgen speaking. Thank you, Larry, for this introduction and also being constructive and positive about my remarks. I'm very open to discuss these code of conduct issue and in the interest of time, if nobody objects and (inaudible) Larry and I are in agreement on the remaining points in my paper, I would propose that we don't use time on there going through the (inaudible) issue point by point. So my proposal would be that we limit our discussion only to the code of conduct issue.
- Larry Strickling: So in that regard, Jorgen had raised the question as to whether or not we should keep in the recommendations, the specific recommendation of a code of conduct. In going back, and part of it was the questions that to what extent had this issue actually been developed in the record that we had put together. And in going back and looking at our write up, in fact we have left out the discussion we had had with the GAC where several members of the GAC, well, several is probably overstating it, but at least two, maybe three members of the GAC had indicated acceptance of the idea of a code conduct. It was definitely proposed in the comments and we did capture that at the beginning of page six. I think (inaudible) may have been the primary party that had proposed it.

Here's what I would -- I mean I would like to stick with that recommendation, but I will of course go to the will of the group. I will say this, that Jorgen in his email from Sunday suggested some additional language for recommendation six. I would accept all of what he's proposed for recommendation six, but I would like to keep the language for code of conduct as well, given the fact that it was acknowledged by multiple members of the GAC that they would be open to this. And then we'll go back and modify the write up to make it clearer that there was a record of a discussion of this with the GAC and the fact that more than one member had indicated support for it. And to my recollection, no one had indicated an objection to it during the discussion in Durban. I think it was Durban we talked about it. Maybe it was. Yeah.

Brian Cute: Yeah, that was my recollection was the same, Larry. There was no objection.

Unidentified Participant: We have a code of conduct.

Larry Strickling: This was the issue of having the GAC create one for itself.

Unidentified Participant: Oh, sorry. Missed it. Yeah, that sounds like a great idea to me.

Larry Strickling: But I think what we would do is make it the last sentence in what would be new recommendation six that would begin with the language that Jorgen has suggested in his e-mail.

Brian Cute: Okay, we've got Heather, oh, Alan, Heather, then Jorgen, please.

Alan Greenberg: That's an old hand. Sometimes someone takes down my hand. Sometimes they leave it for me. And they left it for me.

Brian Cute: Okay. Heather?

Heather Dryden: Thank you. So to this point about the code of conduct, we did discuss this with the GAC in Durban and there was quite a supportive response coming to the GAC and inviting the ATRT2 to make recommendations along these lines. And so I think it's useful to keep it in and there are a number of issues that have come up associated with the GTLD program where there has been a lot of attention and discussion internally within the GAC about the issues that the program has raised for the GAC, and in particular, the role that the GAC has had in delivering advice on controversial or sensitive GTLDs. So I think, again, it is important to include that because I think the GAC and others in the community are expecting it to be there.

Just one footnote to that. There is some progress to be reported in association with the code of conduct and the ability of the GAC to be clear about how it arrives at decisions and to make that better understood than it is currently, and of course, to have a sufficient amount of transparency around that. And that is that the GAC came to agreement on a definition of consensus for inclusion in the operating principles. And I realize, looking at the report, that we have overlooked reporting on this. So I would ask that we recognize that and include it in our review or assessment of things that have occurred since the last review team.

I have a revision to suggest, slight revision to suggest to Jorgen's language on the findings section, item number two. And I also have a correction to propose regarding another part of the report where we've used a staff reference to something that I think just needs a bit of correction to it. But these are I think separate points. So I won't raise them now, Brian, unless you would like me to continue.

Brian Cute: Heather, at this point, it's really for if you have substantive edits. It's for Larry as the author of this one to hear and capture, assuming there's consensus on them, so he can put the final flourishes. So if it's in that category, fire away.

- Larry Strickling: Well, to save time, she can just shoot them to me offline, and assuming they're non-controversial, we'll just make them. If they're not, we'll flag it back to the group.
- Brian Cute: As you wish.
- Larry Strickling: And I will certainly go back and add the reference to the agreement on a definition of consensus. I'm sorry we omitted that. We certainly should not have. It needs to be in there.
- Brian Cute: And if we can have those communications on ATRT2 lists, unless there's a good reason for keeping them off, that would be a preference as well. That's our default. Thanks. Jorgen?
- Jorgen Andersen: Yes, thank you Brian, and thank you very much, Larry, for offering to include my text in the merger in recommendation six. I really appreciate that and my answer to this would be that I would not be strongly against proposing that the board request GAC to develop a code of conduct. I can support this. What's worrying, from my perspective, was the level of (inaudible) in the mentioning of the issues, which should be contained in such code of conduct. And my proposal for consideration would be that we make the examples to be included in the code of conduct a little broader and leave it to GAC to decide the exact content of the code of conduct. I think that it would be slightly awkward that the Board should, in a very prescriptive manner, propose to GAC what should be included in the code of conduct.
- I understand I was not present in Durban, so I haven't listened to the discussion in GAC about code of conduct. So I don't know what was discussed, but I think that we could be quite confident in leaving it to Heather and to GAC to develop such a code of conduct and not be prescriptive. So if you could agree to this, Larry, I think that would be very (inaudible) from my perspective.
- Larry Strickling: So I'm sure that we can work out language that we agree to here. I just want to clarify it. Are you saying take them out or to only include them as things that could be included in a code if the GAC so chooses? So we're not ordering it?
- Jorgen Andersen: My first option would be to leave them out, but I could also accept if you mention a couple of them as example of things, which could be considered by GAC. But what I'm against that we use the language, which becomes too prescriptive, and that the Board should more or less urge GAC to make rules about adequate domestic resource commitments. Because I know that the governments which have really (inaudible) of resources and that might prevent them from participating in GAC, and that would be completely against what we want. So I would be a little bit hesitant about that.
- The same goes for the last one that decisions taken when the GAC reflects the fully coordinated domestic government position and are consistent to the existing relevant national or international laws. I think I completely understand why this was written, but if you put yourself in the chair of the recipient of such a message, it would very easily be considered as an insult to you. Because from the outset, of course, everybody has coordinated the government (inaudible). So I would urge that we find the language which is not provoking anybody. I think I could fully accept that we propose or we have a recommendation for the development of a code of conduct. But a softening of the language.
- Larry Strickling: Okay. That works for me. Do you have any view as the chair of the GAC?
- Heather Dryden: Thank you for letting me comment again. I think that it's a fair enough point that Jorgen is making that we ought to avoid being too prescriptive. However, I do think that it's useful to the GAC to get some guidance about what are the issues that others see and that

the review team sees that need to be addressed, or that they would expect to see in a code of conduct, just without being prescriptive about it. So I think guidance is good and I would agree with Jorgen that it's perhaps a matter of softening the language or finding a way to communicate it in a way that is going to invite colleagues in the GAC to be responsive and not have the opposite effect. So that's fine with me.

Larry Strickling: Okay. I think I've got enough guidance to go on that. I think the one remaining issue, then, is still to whom do we address these recommendations. Again, three years ago, we addressed everything to the board. I think the (inaudible) views this in terms of a report to the board, but as people pointed out in D.C., some of these recommendations are kind of hard for the board to really take responsibility for other than to simply acting as a relay purpose between the ATRT and the GAC to ask them to do these things. So I don't feel strongly one way or the other. But we ought to try to come to some consensus. And again, Heather, I don't know if you had a chance to form additional thoughts on this or not.

Heather Dryden: Thank you. Sorry, I had trouble coming off mute again. So my reading of the version dated September 29 is that changes have been made regarding the high-level meeting and as I read the recommendations, generally, which are inviting the GAC, sorry, the board to request that the GAC take certain action or look at a particular issue, that reads to me as fine. So unless others see a further problem with this, I think it's addressed.

Larry Strickling: Okay. Anyone else?

Brian Cute: Yes, Larry, we've got Olivier and then Alan and I'd like to draw a line under this after that. Olivier?

Olivier Crepin-Leblond: Thanks, very much, Brian. It's Olivier speaking. I think Heather answered a lot of the questions and suggestions that I was going to make, actually. But on number six, with the board should request that the GAC develop a code of conduct for its members that addresses issues such, and then it is (inaudible), but maybe having for example, such as, for example, and then the whole thing in there might soften the language without actually taking out all of this. I realize these really should be suggestions of what should be included. And I guess that these suggestions would really help Heather and GAC members in being able to draw a code of conduct. I guess this is really the aim of being helpful. Thank you.

Brian Cute: Thank you, Olivier. Alan?

Alan Greenberg: Thank you. I think it may be improper for the Board to be very prescriptive, telling the GAC what to put in a code of conduct. On the other hand, I don't think it's at all out of the scope of the ATRT to be prescriptive in that kind of area. So that just reinforces that maybe we should be making this recommendation directly to the GAC and not having to have the Board put the words in their mouths.

Steve Crocker: It's immaterial. If this is passed to the Board, the Board will pass it along to the GAC with something on the order of the board has received the following from the ATRT and passes it onto the GAC for the GAC's consideration and the Board makes no statement about it itself.

Alan Greenberg: Steve, I agree on that. What I said is it may be improper for the Board to cold make recommendations to the GAC.

Steve Crocker: Yeah, we won't. We won't.

Alan Greenberg: But I think it's quite proper for us to be very (inaudible).

Steve Crocker: Yeah, it's fine. It doesn't matter whether you cast it directly to them or you send it to us, it will come across as your recommendation to the GAC.

Alan Greenberg: I do support being somewhat prescriptive because it's a lot harder in that case for the GAC to say, no, we won't add that then to decide to add it themselves, which may look like one member is accusing another of some infraction, which hasn't necessarily happened. Thank you.

Brian Cute: Larry, anything else from you on this?

Larry Strickling: I think I've got my marching orders. We'll turn this around or I will turn this around as quickly as I can.

Brian Cute: Thanks very much for that. Okay, folks, we're just about at the top of the hour. We have one hour left. I'm told we have eight documents to go through. We need to have a discussion on the shape of the report and a limited discussion on the ICC report before we can break away. So we are going to get into very, very short time modules here of discussion. It better be absolutely some substantive and critical to the draft to be offered.

Can we go to the next document, please?

Steve Crocker: Brian, I'll take this opportunity to break off. I'm sorry. Thank you.

Brian Cute: No problem. Thanks, Steve.

Alan Greenberg: Brian. It's Alan. Does the eight include the work stream two and three?

Brian Cute: I don't know. I'll have to get clarification on that.

Alan Greenberg: I note that they need to be looked at regardless of whether it becomes (inaudible).

Brian Cute: I'll get clarification on that. Thank you. Okay. This is recommendation number 16 on comment and reply comment. Okay. This, I believe was mine, and the assessment on this was this is the institution of a reply -- a comment and reply comment process, which was implemented. The work of implementation was complete. The common reply comment cycle have been available to the community for quite some time. The mixed results have been noted, also based on staff input, noting that staff is considering actively lengthening the time periods for comments because we've heard consistent complaints about the time periods being too short, so that's under consideration. And as we know, we've had a lot of interactions where clearly new communication tools are being developed and there was a sentiment on ATRT2 that that's a good thing and we shouldn't insist that the reply comment cycle, which isn't working, be the only avenue for comment.

So the assessment is that it's complete, but with qualified success. The mechanisms aren't working as intended and that the issues that remain issues are under consideration by the staff, and that the effectiveness again qualified because the community wasn't using the reply comment cycle as intended. So that our assessment is that a fulsome, broader, and more frequent public comment can be facilitated through adjustments to the time allotted forward planning regarding the number of consultations, which was also a pain point and new tools that facilitate easier participation. Substantive comments. Olivier and then Larry.

Olivier Crepin-Leblond: Thank you., Brian. It's Olivier speaking. I was under the impression that because this recommendation was complete but unsuccessful, there was a recommendation coming out of this to instruct, well, if you get the green light to staff to experiment further, certainly would (inaudible) shortening reply, comment, et cetera, et cetera. I don't see a recommendation here.

Brian Cute: So question, do we need a recommendation? The statement at the end, ATRT2's assessment is that fulsome, broader, and more frequent public comment can be facilitated through adjustments to time allotted, forward planning regarding the number of consultations, and new tools that facilitate easier participation in the comment process.

So the question is, it can be framed that way or do we believe we want to put a new recommendation saying you shall go forth and do these things? And I add, when we know that the new tools are under active development, experimentation will take place on that front for sure. Larry?

Larry Strickling: Well, I had two comments on the assessment. One was, I think it's important that we bring into the assessment the reaffirmation of the importance of having a dialogue. We heard that in Durban and I'd like to see that thought captured in our assessment. And then I think what we're really saying is that a rigid comment, reply comment process doesn't seem to have led to the level of dialogue that people were hoping for. And then I would go further to actually say encourage the Board to experiment with new tools with this goal in mind. But it still ought to be directed around this goal of getting an active dialogue on these issues as opposed to just abandon from reply comment round. There needs to be alternative put in place and I'm not sure that's captured clearly in the language that we have in the current draft.

Brian Cute: Okay. I'm taking those editorial notes. Let me ask you the question, Larry. Do you agree with Olivier that that last bit, encouraging the Board to experiment with new tools, should be in the form of a recommendation or observation is appropriate. What's your view on that?

Larry Strickling: I guess I could go either way, but I think whatever we do, we've got to be more explicit that we are asking for something to happen here. I think it is very analogous to what we were dealing with, with the discussion we had at the front end of today where we were looking at some recommendations that hadn't been fully implemented. And I think that there, the consensus was if we can be clearer in the discussion that the Board has got more work to do, fine, and I would be happy, fine leaving it that way as long we're very explicit that we want the Board to find an alternative to whatever is not working. As opposed to just saying, this one didn't work. We're just giving up.

Brian Cute: So to use the vernacular, Avri suggested a recommendation zero about continue the specific implementation work that you have underway. In this case, explicitly development of new tools that offer a variety of ways for input and dialogue versus a new recommendation as such.

Larry Strickling: That works for me, but again if the group would rather do it as a new recommendation, I don't oppose that. I will abide by the will of the group.

Brian Cute: And I don't either, to be clear. I'm just asking for clarity, the choices we're making here. Other points? Alan?

Alan Greenberg: Thank you. I don't have a strong feeling which way that should go. I may be dreaming, but I thought we decided that one of the things we would explicitly mention is the possibility of different timing for individual commenters, as opposed to groups. I think we had that discussion and decided that was a good thing, in which case it should be referenced.

Brian Cute: Could you spell that out a little bit, please?

Alan Greenberg: Well, that we said comments considered by comments submitted by ACs and SOs or other umbrella groups should be both considered differently, and perhaps given different

timing. That is they should not necessarily be subject to the -- because it takes time to create such views to the original comment rule.

Brian Cute: I don't recall a consensus on that point. I'm having a hard time recalling the discussion. I recall personally the point that for organizations or associations, not ACs or SOs, it takes time to get approval of comments and that the existing 20 days was simply too short for many commenters. That's the line I remember, Alan. I just don't remember the other.

Alan Greenberg: But that indeed was the analysis, but I thought the conclusion was if you have a comment and if we still have a comment and reply period, the timing should be different, allowing groups more time.

Brian Cute: I'd like to tie this off. No, but let me just point out, in the draft template, the thought I was trying to capture is that staff is considering extending the time periods full stop to address this problem. And my sense would be that we don't want to get into offering time period X to one group and time period Y to another. Either extend it, make it longer for everybody to address the pain point, or decide that you're keeping it as it is. Is that fair?

Alan Greenberg: That's not my call, but it's not a big enough issue to make a fuss about.

Brian Cute: Okay. All right, got the editorial suggestions. I'll make a change to the draft here. Not hearing strong opinion one way or the other, I'll try to make it explicit as to this is a recommendation zero. You're doing implementation work explicitly continue to do these things and develop them for communication tools to trigger dialogue and circulate that back to the team.

Can we go onto the next?

Olivier Crepin-Leblond: Brian, Olivier here. Just one last additional (inaudible). Thank you. Certainly, I do remember that there was consensus on giving it to staff to determine or test a lot of thing, not only with the new tools, but also with the length of the reply period and the initial comment period. It's somehow buried in this text. So if you can highlight the fact that staff can experiment, I think that will basically cover everything. That will therefore not just restrict them to dealing with one issue, but lengthening the initial comment period, but actually also experiment if they wish to try different lengths of common period or a jagged comment and reply cycle. In other words, the initial comment period closes after the opening of the reply cycle, et cetera, et cetera. Anyways, I'll leave it to you but I think that we gave it more of a green light to staff to do it.

Brian Cute: Captured. I'll put that in the next draft. Thank you. Okay, next one. I think we did this one earlier, multilingual recommendations 18, 19, and 22? Correct? I think that's right. So can we go to the next template that needs a fresh look? And Ashley instead of, would you do me a favor? Okay. Hold on, 28 and 29. Could you do me a favor and come back to these. Could we put up Fiona Asonga's templates or template? I know that Fiona has time constraints today. I want to make sure we get to her. And Fiona, I'd asked you, I know that you just -- these are the ones you've just sent refreshed or updated templates here, correct?

Fiona Asonga: Yes, that is correct.

Brian Cute: Okay, we're trying to walk the line here between time discipline and longer discussion, but since this just hit the group, take a few minutes to walk us through the high points and the assessment and the assessment of the effective implementation. Oh, I'm sorry, this is forward-looking, I apologize. Walk us through the high points. Identify what we believe the issue or problem was and the recommendation we're making to address it. Thank you.

Fiona Asonga:

Okay. I will do that very fast. I did factor in also the input. There was some discussion where the language needed to be worked on and I have redone quite a bit on the language that it, which is correct (inaudible). Our biggest challenge and as far as the review process is concerned is the fact that there are several -- the cycle for ATRT is three years. Then there are several other review processes that go on in between that cycle. And the next ATRT team is still expected to look at the implementation of the work basically of the previous view processes, between that three year cycle. And unless that changes in the (inaudible) of commitment, the input from staff on that (inaudible) is that the review process, it's not really open. It's guided by a clear timeframe as for the (inaudible) of commitment and that makes it a challenge in terms of being able to get the review process done in time and especially for the ATRT team, in view of the fact that they have to look at the other teams.

Brian Cate:

Here's what I've got as a summary, and I'm going to speak to specific templates. Authors have edits that were suggested, and I hope you captured them, and you'll be incorporating them into your templates and turning your templates back around. For those who have templates that were more or less complete and you've gotten some edits today, please make those edits and send those templates back in by close of business tomorrow. So by end of day Wednesday have those revised templates back in, and Larissa, Alice, Charla, if you would take those and post them to the wiki on the one hand, and we're going to have to create a stitched together single document. And that's going to be another exercise we'll talk about. But my takeaway from this call, other than that category of templates that were nearly done. Some edits were suggested. They can be turned around very quickly.

The following, my sense, require potentially additional edits from the review team that haven't yet been captured. And the template that reflected recommendations 12 through 16, 35 and 36, the template that reflected recommendations 20, 23, 25, 26, and 24, the template that captured recommendations 28 and 29, which ties or is informed by the independent experts report. My sense is that those, I would ask the review team members to read those in full and to provide any substantive edits that you have back to the review team list and for the authors to capture by end of the day Thursday. So you have two days effectively to do that task. I'm not entirely comfortable that there's all the input needed there that's required to bring those templates to a real solid steady state. So that's a very important ask. If you don't get your edits in now, they don't get in and frankly, the report is going out on the timetable we've set and the quality of the report is on us, full stop.

So that being said, at this point I think we should use the time that we have remaining to have another discussion about the shape of the report. I'd like the review team members to signal anything that's missing. If you can bring up that outline that I sent last night or this morning, whenever it was. I'd like to walk through that document and what I'm looking for is, I believe the structure is consistent with our discussions in Washington, D.C. and I'll walk through that very quickly. If the structure is not consistent, raise the red flag and then the other ask would be, is there anything important missing here that can be identified that I can put into the next edit.

So this document, there's an introduction that goes to the background of who we are, what we're doing, and why we're doing it. And then there is a section of observations and I kept this draft brief, and do not intend to evolve this draft much more. I think brevity is going to be important here, but observations from the ATRT2's view, what's the objective of this review, what's the current environment that ICANN is operating in, where do we believe that ICANN needs to go from here, with respect to accountability and transparency. And then the recommendations, just a numeric listing of the recommendations that we are making. And then section four being the assessment of ICANN's implementation of prior review teams. And it's in this section under each of the headings where we would have the templates polished and stitched together in the body of the report, appearing in section four.

And then section five is our assessment of the AOC review processes. Now, that captures partly Fiona Asonga's pieces in some ways. And there's also a placeholder for what Alan referenced, which will be our final observations and suggestions to the ICANN Board in terms of best practices or other ways they can run the review processes more effectively and more efficiently. And then only a single appendix, appendix A, which would be the report of the independent expert. We're not, the templates are now again becoming part of the body of the report.

So this is a proposed outline. I'd like to hear from folks structurally, appropriate or problems to be fixed, and then substantively anything missing, either question. Alan?

Alan Greenberg: Thank you. I'll note that what we have here is a report that's going to be many hundreds of pages long, and that bothers me. That's an editorial comment. Specifically, I thought we agreed that at least on Who Is and security and stability, what we are now calling the templates would be in an appendix and what was in the body of the report was a much shorter and less recommendation by recommendation analysis of how well are they doing and calling out specific issues. I think that's what David and I agreed to. He's not on the call to go along with that, but I'm pretty sure that's what we thought we were signing up for at this point. So in other words, there's a section that I have not yet written, which is a couple of pages at most, which will be the Who Is section in the body of the report. And what were the templates would be in the appendix. I think that's what we decided.

Brian Cute: I'm not sure. The templates and the appendix conversation, as I heard it in Washington, D.C., there was strong resistance to that, that the templates would be part of the body of the report. Because as I originally proposed this, I had an Appendix B that had the templates and got fairly strong pushback on that point. So actually, no. My recollection was the templates would be part of the body of the report and that's why I have this structured as you see it now.

Alan Greenberg: My understanding, and it's equally strong, is that we decided that for ATRT, for the ATRT1 templates, but not for the Who Is and SSR ones, where we were not assessing effectiveness. We're just assessing how well they were implemented and decided that in the body of our report, we would do a much shorter one. We can check with David and let him arbitrate who was right. I don't much care. If you're telling me that the templates go in and I don't have to write the other two or three page document, dandy, but I don't think that's what we had decided. Because I remember phrasing it and I remember David agreeing.

Brian Cute: What you just said resonated with me, that you were assessing not measuring effectiveness and not issuing new recommendations. So that we're square on. Where they would reside in the report was what I was disagreeing with.

Alan Greenberg: I understand, but part of that was that there would be an other section that would be in the report that would summarize in a much shorter document, our overall impression of the two other reports. As said, it's less work for me to do it your way, but I don't think that's what came out of the discussion, at least my recollection in Washington. But I'm happy to do it either way.

Brian Cute: No, to be clear, Alan, it's where in the report do they reside that I'm pointing out.

Alan Greenberg: I understand, but if they reside in an appendix, there is a section in the body of the report that must refer to those two reports, to those two reviews. And again, which would have to be written.

Brian Cute: Okay. Let's park that thought. Feng?

Feng Guo: This is Feng speaking. (Inaudible) now after call, I would bring your attention to his email sent before the call. He puts forward some thoughts regarding the reports (inaudible). I won't repeat all of it, but the basic idea is to actually begin of the draft of the report or somewhere else to summarize an implementation condition of the ATRT1 recommendations and also prioritize the recommendations. And he thinks the most important recommendations are the recommendations relating to metrics and GAC. So that's it.

Brian Cute: Thank you, Feng, and I did capture those and also the need for the reviews to be completed in a three-year cycle and that the recommendations with direct relevance to ICANN's legitimacy be prioritized. So those were captured. The prioritization suggestion, ATRT1 did note a prioritization of certain recommendations in terms of their importance from the ATRT1's perspective. So it's something that we did last time, something that we can certainly consider in this draft and see how the team reacts to that.

So thank you for that. Jorgen?

Jorgen Andersen: Yes. Thank you, Brian. I think that the outline you have drafted is a very good one and I think the idea behind it, I can endorse it. But there's something which I think I'm missing a little bit, and that's on the point two observations when you're talking about what is the objective of the review, what is the current environment, where does ICANN need to go from here. I think that the points that you're making are completely right, but I missed something. Your points you're making are to some extent aiming at discussing issues of procedure where you (inaudible) what is the objective of the review, you're talking about that we should create a culture of accountability and transparency throughout the organization where ICANN employees and directors have a clear understanding and so on. I think that is right.

But I would appreciate if there might be a possibility of maybe be a little closer to the text in the AOC where you, for example, on the item 9.1, are talking about ICANN commits to maintain and improve robust mechanism for public input, accountability, and transparency so as to ensure that the outcomes of each decision making will reflect the public interest and be accountable to all stakeholders. So that you do not only limit yourself to talking about how ICANN is working in the interior, but also what should be the impact of the way ICANN is working. So the objective of our review is to improve the impact of the work of ICANN.

That is also the reason that I want you to consider on the what is the current environment to not only mention the process of significant growth, both in terms of resources and geographic presence. I think that you should be fair and reflect some of the points we have discussed in ATRT meetings that there is an unbalance in the activities regarding ICANN with an overweight to North America and Europe, and Latin America and Africa not being present in the processes. And I think that we should be honest and mention this when we talk about the current environment. And that leads to my comment on the next item, which is where does ICANN need to go from here. And I think that it is very good that ICANN staff is itself as a benchmark of accountability and transparency. But I would like to see that you add some words about leaving to a situation where, and then you could words again from the AOC, that ICANN's decisions are embraced (inaudible).

So that you get a little bit closer to the framework under which ICANN is working. Do you understand my points, I hope?

Brian Cute: Yes, I've been capturing them in notes along the way. Very well understood. Thank you. And this is welcome too. I know with the little time that we have, if there are other suggested edits for this text that I have in the document so far, please send that my way so that we have texts that everyone is comfortable with.

Any other significant points on the structure or on the substance? Okay. At this point, clearly we have to get this work finished up. So again, for those with small edits on full templates, get that turned around by tomorrow close of business. For those others that I mentioned explicitly, review team members, please get substantive edits into the drafters within 48 hours. I realize that emails to the drafters is qualitatively different from a conversation where we can find consensus and that the drafters will have to use their judgment about the edits that they incorporate into the documents or not. Just be prepared for the courtesy of the review team members that if edits are not taken into the document, that you're communicating back at the next opportunity why it is that that didn't take place.

This is not perfect in terms of the system, but that being said, have those edits into the drafters by close of business on Thursday and I'm going to ask those authors to incorporate those edits and have them to us by close of business Friday. And if that turns out to be impossible to signal at the earliest moment that additional time is required to incorporate edits. The, let's call them primary editors of the document, which will be myself and Paul Diaz, and I'm going to tape one or two people, will be here to assist along the way. But we are going to stay on our schedule. This document, the opening to it will also note explicitly that this is a draft, that this is an evolving document, that more input will be coming in and factored in before the final. So all of the requisite caveats and qualifications to the status of this work will be included for the public's consumption. But the quality is also something that we should all be concerned about.

So with that, I'm going to call that we close, thank everyone for their work, give everyone a final opportunity. Is there any other business for us before we break?

Larissa: Brian, this is Larissa. I have a clarifying question. Would you like the ICC draft report to be translated and would you like that process to begin now?

Brian Cate: Yes, I think for translation. As with -- I think it would be good for the primary editors to have a chance 24 to 48 hours to go through the templates as they stand, and the ICC draft report. So if you can just park that and give us 48 hours to go through it. There may be questions we have for ICC before we start the translation process. But starting it in advance of Monday makes sense.

Larissa: Very good. We'll wait for 48 hours then.

Brian Cate: Thank you. Anything else, folks? Okay. Thank you all. Looking forward to the final templates and we'll be in touch with you by the end of the week. Thank you.