

Accountability & Transparency Review Team 2 (ATRT2)
Face-to-Face Meeting 05 – 14-17 August 2013
Day 1

Brian Cute:I just dialed in. will i be able to speak?

Brian Cute:be heard?

ICANN RP:Yes

Charla Shambley:We will be starting the meeting shortly.

Charla Shambley:The meeting is starting and is being recorded.

Emily Taylor:Hi there - just dialling in now

Alice Jansen:Hi Emily - thank you!

Michele Neylon:I won't be dialling in, but I'll try to monitor this

Michele Neylon:got an EWG sub-team call up against this :(

Alice Jansen:Marika Konings has also joined the call.

Paul Diaz (Public Interest Registry):hello, all!

Alice Jansen:Hi Paul!

Michele Neylon:For the record I'd probably support whatever Mikey says :)

Michele Neylon:I'm not dialled in

Michele Neylon:hangan

Michele Neylon:skip me

Michele Neylon:I'll dial in

Jeff Neuman:Question: Are we only focusing on PDPs or on "policy development" in general

Michele Neylon:not sure

Katim S. Touray:Hi everyone, sorry I'm joining you a bit late.

Michele Neylon:dropping off the call - sorry

Paul Diaz (Public Interest Registry):related to Michele's point, ICANN Policy staff is very important in helping the WGs (and especially the Chairs) work through the policy development process. Those staffers deserve recognition.. That said, summarizing/synthesizing Public Comments still needs improvement as there is a degree of subjectivity in that process - sometimes with very significant results

Michele Neylon:will try to listen

Jeff Neuman:The PDP process as it exists today is really too new to do an extensive review

Jeff Neuman:I believe it was not finalized until 2011?

Avri Doria:On Paul's point - I would say that no PDP would succeed without the efforts of the policy staff - they are excellent at synthesizing and showing us where the actual disagreements are.

Alice Jansen:On behalf of Marika Konings: Registration Abuse (RAP) wasn't a PDP but a pre-PDP WG.

Alice Jansen:(Marika is on the bridge but cannot join the adobe connect room)

Avri Doria:As many of you remember, I used to find the pre-Olive policy squad as impossible, but have found the current efforts to be indispensable to success.

Jeff Neuman:True...but the PDPs that resulted from that (ex. Fast Flux) suffered the same issues i talked about....only the CSG wanted to initiate the PDP on that

Jeff Neuman:BUt this is ALL prior to the existing PDP as we know it

Jeff Neuman:The current PDP is just too new to gain any meaningful conclusions (in my view)

Avri Doria:Jeff, I agree.

Jeff Neuman:Have we had more than 2 or 3 full PDPs under the existing PDP that have started and come to completion?

Avri Doria:you can't be a stakeholder unless you have a stake.

Jeff Neuman:I would have like to see an expert brought up to look at "policy development" as opposed to the PDP. It could have examined all of the new gTLD processes and made recommendation on what other processes we could have in non formal PDPs to do policy development

Mike O'Connor:Jeff: no PDPs complete under new PDP yet

Olivier Crepin-Leblond:@Jeff: due to time constraints, I do not know whether any expert would have been able to look at the wider "policy development" rather than just PDPs, although I agree it would have been very interesting indeed

Avri Doria:On Davids point of right and wrong outcome: the AOC might be an appropriate reason for the Board to make its decsion, but the only real notion of a PDP reaching a wrong conclusion is the Board having the timerity to vote against the recommendations as defined in the by-laws.

Mike O'Connor:oops -- dropped off the bridge

Mike O'Connor:back soon

Steve Crocker:Well, since I introduced the notion of "right" versus "wrong" outcomes, perhaps I should expand a bit.

Steve Crocker:One definition of "right" is that the bylaws are definitive and that if the process is followed, the outcome is necessarily "right."

Avri Doria:I have never seen a PDPD captured. maybe for a time stuck, but never captured.

Jeff Neuman:I have never seen capture either in the 15 years I have been participating in working groups

Avri Doria:Gnerally when it looks like a cpature might be possible, the others work together to make sure it does not happen.

Avri Doria:But the GAC has to willing to get into the mud with the rest of us. they cannot continue to insist that they speak only with the Board.

David Conrad:@steve: if the process is followed but the outcome violates the "public interest" (whatever that means), I'm not sure it would be considered right in the context of what ICANN has agreed to with Commerce

Steve Crocker:A different perspective is that the bylaws are a good faith effort to build a process that leads toward good outcomes, but each of us has our own judgment as to whether the results are appropriate. (Some people define "right" as the outcome they want, but many of us define "right" as an outcome that is appropriate for the community even if it's not the specific outcome we'd choose.)

Avri Doria:And when I say I want the GAC to particpate, I mean I want the governments

to be willing to invest some of their expert's time to work with us in the WGs.

Jeff Neuman:@Steve - I do not believe that in all cases if the "process" is followed, the outcome is always right

Jeff Neuman:The bylaws allows groups that have not participated in the formal PDP to have influence on the Board's decision

Jeff Neuman:If the Board takes that input, without going back through the PDP channels, then even though the Bylaws states that may be the process, the outcome may be flawed

Avri Doria:but the Board can send issues and questions back to eh GNSO anytime. they just don't do so very often, and when they do it is often accompanied by an ultimatum.

Jeff Neuman:If however, the Board takes the input it gets from those that have not participated in the PDP, and sends it back to those participating in the PDP, and the PDP Working Group then analyzes that and makes a recommendation to the Board, then that would be ok

Jeff Neuman:But that has not always happened

Avri Doria:I think I participated in this call more as a GNSO participating chair than as an ATRT2 member.

Avri Doria:...participating GNSO WG ex chair i should say

Jeff Neuman:I would be happy to talk to Emily. Thanks!

Mike O'Connor:Brian: could Steve's questions be posted to the email thread? bunch of us (eg Roberto) missed the call.

Emily Taylor:Thank you Brian for extending that invitation on behalf of InterConnect Communications. We look forward to interacting with WG chairs, and would be grateful for your suggestions of others we should be speaking to as Brian described.

Avri Doria:Is it not a fact that we have never seen what is being spoken of. is not having seen capture acceptable as a fact? Sometime I think there is variability in what is accepted as a fact.

Jeff Neuman:@Brian - VI was in 2009/2010 before the new PDP was put into place. I would argue that is an outlier and should not really be used

Jeff Neuman:as an example

Jeff Neuman:(although I know Brian you were deeply involved in that)

Alan Greenberg:Jeff, can you identify changes in the new PDPD that you think would have substantively changed how it worked?

Brian Cote:Understood that it is an outlier but there is a continuing perception that could color views even with respect to "new" PDPs so it might still be useful to surface.

Brian Cote:surface.

Brian Cote:and "outlier"... :)

Avri Doria:WG structure and guidelines. Response for all comments. draft issues reports. Being sure all WGs are open and outreach is done. are a few I would point to.

Jeff Neuman:The thing that would have helped VI would have been no Board Ultimatum

Jeff Neuman:one way or the other

Avri Doria:i think it is one of the fact that history teaches - ultimatum never work in a positive sense.

Jeff Neuman:But agree with Avri on what she cites as improvements made in the PDP

Jeff Neuman:Thanks everyone!

Katim S. Touray:Thanks everyone!

Paul Diaz (Public Interest Registry):Thank you

Emily Taylor:Thank you on behalf of InterConnect Communications. We look forward to further communication.

Alice Jansen:Thank you very much for participating in this discussion.

Alice Jansen:The recording, transcript and chat transcript will be posted on the ATRT2's wii.

Alice Jansen:wiki*

Alice Jansen:The ATRT2 is now breaking for 15 minutes.

Alice Jansen:We will return at 11:35 PST.

Alice Jansen:11:25 PST

Olivier Crepin-Leblond:Mapping of templates with WS:

<https://community.icann.org/display/ATRT2/Templates+for+Assessment+of+Implementation+and+for+New+Recommendations>

Alice Jansen:We are now breaking for lunch and will be back at 1:30 PM.

Alice Jansen:1:45 PM

Alice Jansen:We are about to reconvene.

Alice Jansen:we are now breaking for 15 minutes and will be back at 4:25

Alice Jansen:We are now reconvening.