15 MARCH 2013

BRIAN PECK:

Thank you Bryan. Good afternoon everyone. My name is Brian Peck. I'm Policy Director and work with David Alls in the Policy Shop. On behalf of David, he sends his apologies, he is somewhere over the Atlantic at this time, he wasn't able to be here. So we'll try to cover for him in this particular issue.

I'll be briefly going over the implementation of the recommendations related to public input and multilingual access, multi-language access. In the interest of time, and I think also judging for lack of agreeing form the discussions I've been able to fit in this morning.

First of all, it's pretty straightforward, the implementation of the recommendations related to public input, public comment input, have indeed all been implemented. They were implemented as of January 1st, 2012.

The specific recommendations, as you can see up on the slide there, deal with incorporating privatization, stratification of public comments forms, creating a distinct comment and reply cycle period, establishing fixed duration timelines to provide adequate opportunity for timely comments and replies, and to introduce forecasts of upcoming public comment topics to facilitate community planning and participation.

The implementation of these recommendations took place over two phases. Mainly the first phase in June through August of 2011, the two key milestones during that period were the redesign of the public comment pages, what site to improve consistency, navigation, ease of use.

The other was the implementation of recommendation 21, which is the upcoming topics complementation process, which is available on the website. The second phase incorporating, basically collecting and incorporating, reviewing public comment forms.

Staff analysis of the comments in terms of how to best implement these recommendations, and then of course getting the approval of both the public participation committee and the Board, which reviewed all recommendations that took place in December 2012. And again, the implementation of the recommendations were in effect as of January 1st, 2012.

Okay. Go ahead. So in terms of public input recommendations, as I said… It seems to me, I think obviously the goal was to improve participation, effective, ease of use if you will, and efficiency of the public comment process, both in terms of the web page access and actual participation.

I think, as you say, the question is now, how do we measure the success of that? To what extent has it actually generated greater participation? I think overall the response has been positive in terms of improvements both to the website itself and to the process.

There has been some concern expressed over the minimum 21 day period for the public comment as well as the reply period. Some people feel that may be too short, others feel that there hasn't been enough participation yet in the reply period aspect of it.

As a short term answer to that, both staff and the people involved in public comments have been reemphasized that 21 is the minimum required period. It may certainly go beyond, for example, 30 days and have been even encouraged, if indeed you're dealing with a complex issue, that it should be extended beyond the basic 21 minimum required days.

UNIDENTIFIED MALE: Thank you. I'd like to ask a couple of questions.

BRIAN PECK: Sure.

UNIDENTIFIED MALE: On the reply comment cycle in particular, I've been hearing, we've been hearing that the community perhaps is not availing itself robustly of the reply comments opportunity. They're very specific reasons why the recommendation was made, and it is very specific benefits that this type of comment process provides to ICANN and to the Board ultimately in making these decisions and articulating decisions.

What is your view as to why the community is not availing itself of the reply comment opportunity as robustly as it should?

BRIAN PECK: It's a good question. I mean, I think if we had the answer, we'd be finding ways to try to encourage that. I think part of it is maybe awareness. I think part of it is, I don't want to say fatigue, but I think you should get the public comment process, people are still in kind of that mode of oh they'll respond, they'll see what some of the initial comments are within the regular reply period, and respond within that – and it's not reply period – will reply within the original public comment period as part of their comments.

So I think it's partly just not, maybe lack of awareness or lack of practice if you will, of utilizing that reply period, the distinct period to the original comments that are submitted.

UNIDENTIFIED MALE: Can you walk me through how this restructure of the comment, reply comment process was communicated to the community? Particularly the explanations of, what is the nature of the reply? Because I think you just suggested that some people are waiting to file their comments, the reply comments I call, is something you're observing.

What was the outreach? What was the education? Is there anything more that could be done in that communication front in your opinion?

BRIAN PECK: My understanding, I have to plead a little bit of ignorance here because I wasn't involved in the direct implementation of this, but my understanding was on the website, when they were redesigning the website and the implementation of these procedures in two separate periods, there was some basic explanation on the website itself.

There was some encouragement, there was… At the ICANN meetings that followed the implementation, and even before actual implementation, there were sessions on the public participation process. I believe they were briefing to the various SOs, including some of the advisor committees at the ICANN public meetings.

Again, publicizing what this process would involve. So I think that was the outreach.

UNIDENTIFIED SPEAKER: Thank you. Alan.

ALAN GREENBERG: As one of the people, perhaps one of the few people who have actually used it, it works absolutely marvelously if you're an individual talking on your own behalf, or a small organization where you can get the other in the room and decide what you want to say.

It's almost impossible for an organization within ICANN, one of the constituency stakeholder groups to respond within 21 days, to then respond to a response is a level of both… You know, we don't have time machines and exhaustion.

So for individuals, who – I object, I don't agree, it works fine. Working in the structure, almost impossible to meet.

UNIDENTIFIED MALE: So to summarize what you're saying, 21 day reply comment cycle is not providing sufficient time to construct replies to other comments that have been previously received.

ALAN GREENBERG: It's very difficult, as Brian said, people respond in the…. Have the initial comment during the response period, because that first 21 days is not enough. The second one also is not likely enough, if you have a problem with it, and that of course presumes that you're actually reading them day by day.

UNIDENTIFIED MALE: Thank you. Larry than Avri. I've got Avri.

AVRI DORIA: Thanks. I have a comment, a question. First of all, I've actually… We're finding new ways to work with it. I actually, and this is a strange thing for me to do, saying something supportive. [Laughter]

But I've actually found that we're discovering new ways to use this double comment period. For example, as Alan mentioned, the first

period is really enough for an individual to write something and comment. And then the second reply period is enough time for your constituency or stakeholder group to say, "Yup. We endorse that comment." So if you get into different methods and working, the question...

And I think it's going to take a while before we learn how to use these. But the real question that I've got is, often we see that on the last day, or the last day before the last day, I guess that's called the next to last day, all of the sudden the period is lengthened. And I'm wondering what the criteria are for people saying, "We need another two weeks?"

Is it that there has been requests that we haven't seen? Is it that the working group, or whatever it is, is sort of saying, "Please lengthen?" Or is there a staff criteria saying, "Oops, only one comment in three weeks?"

And so I've never quite understood when all of the sudden the announcement comes in. And then the other part of that is I've heard people say, "Please let us know several days in advance." Now one of the things I've always responded is that, "Yeah but then people like me are waiting until the last minute, we'll have another week and a half before my last minute." So maybe that isn't a good idea.

So I'm just wondering what's the thinking that goes into, now it's time to extend?

BRIAN PECK: Thank you Avri. I think... To be honest with you, I think it's kind of a combination of the factors you've mentioned. Sometimes it is in response from a request of the community, that indeed there needs to be more time on a particular issue.

I think other times, it's very important that staff feels it's a very important issue, and they see very little response, they would like to try to encourage or at least provide more opportunity to generate more responses.

So, I mean, you bring up a good point, perhaps there should be published, established criteria of what is used for extension. You bring up one other point though too, and that is one of the criticisms we've received, is that some people, I don't want to say game the system, but if you know indeed that the timing – in order to maybe prevent any sort of replies, they'll wait until the end of the reply period, to that last day or so, and use that as way to get their submission in hoping that it would be closed and then there would be no further response to that.

So that's something else... Even I raise that is because that has been another criticism as well.

AVRI DORIA: I definitely… I guess I'm wondering whether it's possible when you do an extension, especially of the original comment period, not necessarily the reply, to actually mention the reason for it.

I think the, other than gamers, you have to look at a class of people called procrastinators.

UNIDENTIFIED MAN: Any other questions on this? Yes, Olivier. I'm sorry, Lise first than Olivier.

LISE FUHR: Yeah. I'd like to know, because we've been talking about how the analysis of the comments were made. And I see on the website it says, "Report of public comments." But I never see a link to that, that's my one question.

I can see you put in a report but there is no link for the report. The other one is, is there a limit, a time limit for the ICANN staff to finalize these reports? Do you have like 21 days to do it or is that optional?

[AUDIO BLANK SPOT 2:36:06 – 2:37:08]

UNIDENTIFIED MALE: Thank you. Olivier.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Brian. It's Olivier here. As the chair of a community that has filed 51 comments last year, most of which were in response to public comment period, I would say that public comments are pretty much running part of my life.

I'm not going to be as nice as most of the other people here, since I have been cursing my computer and cursing the public comments system a number of times, due already to the short amount of time that was given to provide responses.

But also, because there were a number of things that still don't work in the public comment system, and I think that this committee should be aware of it. The public comment system with having an initial period and a reply period, was started in January 2012. We're now in March 2013.

In January 2012, we're told that this going to be a test and this was going to be reviewed and there was no length of time by which the review would come, but it was expected that it was going to be one year, and finding out one year on how well it was performing or how bad it was performing.

The PPC has been following this closely and has held several sessions throughout the year regarding this. Some of the comments which were made here, are actually very much in line with the comments that were made during the PPC. And yet, I haven't seen any follow up on all of the input which was brought in, both with Kurt Fritz running some of the

show, but also with some Board members chairing the PPC that run the show.

Some of the things that I had come out, I think in Costa Rica and other ICANN meetings since January 2012, where along the line that, for individual comments this was indeed something that could work. But as far as comments made by SOs, in particular by a [team 0:39:04], those needed more time and therefore could comment outside the public comments system or perhaps submit it in a different time scale than the public comment system.

So they… I'm not going to repeat all of what the reports and the discussions led to, but there certainly is a lot of material for you to work on and for your department to work on. In addition, and I'm going to close because I realize, we've got problems with time.

There is a section which is supposed to be the upcoming public comment period. That's something which is extremely important and that was actually on numerous occasions advertised to the community as a way to make public comments a lot more proactive. And so the communities could be prepared and not suddenly have an avalanche of 20 different public comments happening just before an ICANN meeting which is customary.

Unfortunately, the upcoming hasn't been updated since January, in fact, since December 2012. No, sorry, November 2012 is the last one. I don't know what happened to that, but that must have been a mishap or something. But at the moment, there haven't been any upcoming for quite a while. That's all. Thank you.

UNIDENTIFIED MALE: I would just like to add one note for myself too before we move on. This particular recommendation, for me, is a very important one as well and it relates back to the conversation we had before the lunch break. Two of the issues that the ATRT 1 focused on was this perception or reality that Board decisions are something of a black box.

That data goes in and we don't know what happens and out comes a decision. And I don't know whether my voice has been heard. It was the black box and my voice had been heard. So whether it's a reality or a perception of a problem, we made this recommendation with that in mind.

And the real function of a reply comment period is that it provides the community to provide a larger basis of argumentation, a more thorough basis of argumentation, in an adversarial type of context. That then provides the Board with a much broader basis of analytical data, upon which it can rest its decision, and articulate its decision by incorporating, specifically argumentation that they accept and reach a conclusion, or reject.

So for me personally, this is a very critical recommendation that benefits the community, and the Board, and the overall process. So a question I would leave you with to think about is, is there more that can be done to educate the communicate very clearly, so that at a minimum they understand the importance of this tool?

And I would leave you with that thought to come back sometime later. Thank you. Any other questions? Yeah David.

DAVID CONRAD: I'm just curious, what sort of metrics do you collect with regards to the use of the comment, the public comment mechanisms but the initial and also the reply stuff? Do you like keep track of how many people are taking advantage of it? The length of comments? That sort of stuff?

BRIAN PECK: That's some things I would have to check and see. I'm not directly involved with that. And it goes to what I said earlier, where I could read from the discussions with this group earlier with [Fadhi] especially is that, if there is not we need to create kind of a scorecard as you saying, create metrics to show at least to what extent have these changes effectively increase participation.

UNIDENTIFIED MALE: Thank you. Any other questions? Okay. Yeah Carlos.

CARLOS RAÚL GUTIERREZ: I wanted to know, the multilingual access is just limited to this process? Or is… Does it include basic documents of ICANN, or other transcripts, etcetera.

BRIAN PECK: Okay. Well that's… If there is no more questions in the public info, we'll segue way into… Sure. Okay. Thank you very much. So, in terms of recommendation 18 which is dealing with multilingual access, there are basically of basic, of course, obvious again kind of along the lines of public input process and that is to encourage greater – not only effectiveness of the organization itself, but greater access globally as well, to reach out to more of the communities around the world that are part of ICANN, and do that through the translation process.

There has been a couple of implementations. The main one, to answer your question is… Is that there was an ICANN languages services policy and procedures document that includes rules and processes for translation, interpretation, scribing, transcription related services.

That basically provides the operating procedures, or the guidelines, what is to be translated. Which would include some of the document that you have mentioned or have asked about. This document, or these procedures have been approved by the Board, it is currently being implemented within staff, and as I say, the scope does include not just, for example, Board decisions, which I think Amy mentioned earlier are now translated within 21 days, but other types of documents and transcripts as well.

DAVID OLIVE: Thank you very much. I appreciate the opportunity to be here from Istanbul, the other headquarters of ICANN, and glad to be here at this headquarter as well. So I expect to spend only a third of my time here, and the rest of my time elsewhere. But thank you very much.

The issue here, of course, is the ATRT public comment recommendation and your review of that. We have provided some initial answers to the topics that were raised in the earlier messages about the implementation and other aspects of that. We also documented as we had throughout the process where they could be found on the ATRT update. The implementation update was constantly revised and presented and published to talk about our implementation plans.

Overall goal is to facilitate the community's qualitative public comment input into ICANN's processes and activities. The implementation of the ATRT improvements has occurred, and it's part of the standard operating procedure of both staff and community. Nevertheless, we don't rest on those laurels.

Continual refinements remain part of this process, and in some areas they need more attention as we build upon our experiences based on the implementation, first that occurred in July of 20eleven, and then more importantly across the board in January 1, the implementation of 2012.

We of course are looking at this, as I said. We are looking at the studies, how this is implemented. The staff has conducted, of course, an inventory of the web pages on ICANN.org, and we noticed they needed some updated, and I'll explain that a little later. They have been updated, and of course we are in constant communication with our staff with templates and other instructions on how they prepare and document the public comments.

We will be putting out a new set of communications because one element of the public comment process that we saw needed improvement was the forecasting side. And even though, in 20eleven in July, we had a forecast that we were going to update, the updating of it on annual basis was problematic for a lot of people – to get the information, to keep it accurate.

We were realizing that, in this particular year, that it wasn't providing the guideline or roadmap that we had hoped it would. So we have decided to refine that, move it to a trimester focus which is more of what the community will look at and can focus on, and staff can kind of project as this would improve the kind of annual forecasting process and focus the attention on the trimester that we're at.

So this will be the new improvement that you'll see, and hopefully this will go forward to helping refine a forecasting tool for the community as we go forward.

The other issue that we are looking at is, of course, the impact of the changes. Does that help or hinder the public participation in our public comments forums? At the moment, we're looking at this over the last three years. The question was, have some sort of stability and predictability in the public comments. One of the past issues was, what is the day, how many days? So we did regularize that, but generally over the three-year survey that we took, the average was about 40 days of public comment period. And with the new reply comments added to that, that added about 52 days of public comment timeframe.

We're not sure at this stage – and we'll have to do more research, focus groups, and the like to find out refinements – but we think that, through the use of other new tools that we're introducing – the information on myICANN, for example, that highlights public comments currently being activated and other tools through Chris Gift – that this will help us augment the process changes we've made and help to focus the attention of the community and make it easier for the community to make their public comments.

We, of course, heard the remarks that the comment periods are too short maybe. The compromise was a minimum 21-day comment period, 21-day reply period, though we had focused into our operating procedure a flexibility for the staff person or group involved with the public comments to extend it if needed because the whole purpose of which was to get comments , not to have strict deadlines. And we'd done that in the past.

There are some challenge that we have going forward on PDP processes that have specific timelines and the like that would elongate or delay, if you will, even further some of the processes in the GNSO, for example, or in a ccNSO policy development process. There were concerns for that, and nevertheless the minimum – that's why we said the minimum – would be 21 days in the comment/reply period.

What we're finding in the reply period is that many are not really replying in an interactive way, but using that extra time to input in its first comments, if you will. And that's something we were trying to address with next steps either in terms of a wiki type of format or with new tools that might provide more interactivity, so we are still kind of refining the comment/reply comment process. But again, there's tension in the balance of the time because if you add more to it, it delays some of the processes of the policy-making process. With that, I think I will stop as an overview.

And just a final comment. My experience in implementing this in the time that I was responsible and continue to be responsible, I've found that the staff errs on the side of trying to get comments. They rely on that; they encourage that. They're flexible for that, and I've heard nothing more than support for the idea of trying to be flexible to make sure that comments are gotten, obtained, and put into the process because that's an important element at what we do here at ICANN.

The other thing is that, while we regularize and standardize templates which were not there before, this provided an easy tool for the staff to have a checklist, if you will, because of the template to fill out the format needed. We have a little special tool that calculates the 21-day/21-day period so they can set the deadlines right off the bad.

So in essence, we have put that into the standard regular process and, to that extent, that was a great improvement of the ATRT recommendation, and I think is bearing fruit for a standard across the ICANN offices a way to deal with and handle and process, if you will, the public comments.

So with that, I'll stop and open up the discussion. Thank you very much.

ALAN GREENBERG: Thank you, David. A couple of comments and then follow-on questions. Before the change, there were always a number of groups, specifically At Large and a number of the GNSO constituencies or stakeholder groups that said 30 days, which was the previous norm, was not sufficient. And of course, the reaction was to reduce it to 21 with the possible extension.

But I note that sitting on a lot of work groups that initiate public comments, the default is 21 unless the work group can show cause, which to some extent ignores the people who are actually trying to answer them. I don't think it's surprising that, because of the reduction, you're seeing answers coming out in the reply period.

You implied that the reply period is not generally used of replies. Can you give us any – I won't say statistic – but any measure of to what extent replies have been there. And I know there have always been, to some extent, people giving replies even though we never had a reply period, but to what extent has it been even a bit successful in achieving the original purpose?

DAVID OLIVE: Alan, thank you very much. I think it has been successful to the extent that the comments are now known in that sense. With the 21-day period, you have to put in your comments so that in the past when you only had a comment period only, people waited because of timing or inputs or whatnot to the last minute. Other people weren't able to see those comments until afterwards, if you will. Whereas, at least with the reply/comment period, you're able to see those inputs to date and, to

	that extent, that has helped provide a view of other opinions or other views. And to that extent, that's, I think, very helpful.
ALAN GREENBERG:	But has it in fact generated reply comments? It generates the opportunity for replies, but have their actually been a lot of substantive replies?
DAVID OLIVE:	I would have to say no. In other words, if indeed what you're saying, that the reply/comment would be, "Oh, the NCSG noted that the CSG said this, and we would like to…" No, that we haven't seen much of. And that, we had hoped, would be…
	What we had planned was kind of a wiki forum for this. We haven't implemented that because we waited for some of the new tools that were coming in to see if they were either better or could be tailored to us. But that was how we were trying to address that.
ALAN GREENBERG:	The second question I have is – I'll go to Carlos in a second – I understand comment periods range from no answers at all to hundreds sometimes. Do you have any feel, however, given that wide range, has the number and substance of comments changed given the new timing sets?
DAVID OLIVE:	We do have what I would call, in our kind of review, a survey of the most popular ones and topical issues that you would, of course, imagine – the Registry Agreements, the (dot job), new gTLD Program, Applicant Guidebook. Those issues were quite popular.
	The least popular ones were probably in the form of procedural changes that might have occurred – GNSO; changes in their PDP process or more internal processes. There was less of a kind of an uptake on participation.
ALAN GREENBERG:	I guess the question I'm asking is, is there any reason to believe that the change that was made in response to the ATRT-1 recommendation really yielded a qualitatively different group of responses than we would have gotten if the rules had simply stayed the same? In my mind, that comes down to the core of the question. Was all the work worthwhile?
DAVID OLIVE:	I would have to say yes, though. If we look at, for example, the increase of public comment by At Large, for example, over the period. We've had huge increases of their outputs into that process. So that's a positive element.
	And I think the groups were organizing themselves, though it's tough on the communities, as volunteers, to get all their comments, if you will, organized and sorted. But I think there has been an improvement in that because they're able to pick and choose and see what they wish to input into. So I would say yes.

ALAN GREENBERG: Carlos?

CARLOS RAÚL GUTIERREZ: Yes. In terms of your comment that there is no interaction between the different comments, don't you think that we should consider staff doing more analysis of these comments, more value adding? Would it be possible, or does it require revamping of your organization?

DAVID OLIVE: Carlos, thank you. I'm sorry. I'm not sure I understand the question. What do you want the staff to do?

CARLOS RAÚL GUTIERREZ: You mentioned that there is little interaction between the different comments. People just make a comment and nobody is comparing the comments. Nobody making comments, is checking what the other ones are commenting. So my question is do you think staff should do this value adding of analyzing the different comments and noting where there are similar comments or where there are contradictions? What about staff's role in the analysis and adding value to the inputs?

DAVID OLIVE: Thank you. I understand that question. There are two parts to that. The first part is, during the comment process, are other groups reading the inputs there and also incorporating them into their comments? The answer there is it doesn't seem that there's much of that.

                         The second half of that, (inaudible) in its summary of the publicly comments, quite clearly takes all of them and points out the commonalities, the differences, what comments they've made, and the highlights of their comments. So to that extent, the staff does that in its summary and takes care of that after that. Of course, that is made public, too, so that the groups in that way find the summary that way. But it's after the public comment period has closed.

BRIAN CUTE: Hi, David. It's Brian. Sorry for being out of the room.

DAVID OLIVE: Hello, Brian. Good to see you.

BRIAN CUTE: Welcome. Likewise. If somebody's asked this question or parts of it, I apologize, too. Just catching up. This issue is one that I personally feel very strongly about, coming out of ATRT-1 – not because it was created by ATRT-1, but this particular issue, the benefits of this process, if the community uses the tool properly, are extraordinary – for the community in terms of the sense of being heard; for the board in terms of understanding the argumentation on both sides of the given issues and being able to know that process was full and complete as it renders its decision at the end of the process. And I understand clearly that the replies are not being used as intended by the community for maybe a number of reasons.

                         Two points. Have you give consideration to just flat out extending the comment periods longer than 21 days full-stop? Have you considered another round of education with the community to help them

understand exactly how these tools are intended to be used and how it benefits them when they're used appropriately? Or any other idea as to how to make this actually useful.

DAVID OLIVE: Thank you. Good points. In terms of extending the comment period, we have, because periodically and then throughout the process working with the board PDP committee, we've heard comments of this. "Can you extend it? Would you extend it?" I think the first reaction was we wanted to have at least a year period to find how we should do that and if we should change that.

And we were just reluctant to change after our first year, quickly, because the word we had – and it's a caution we had – that it would discourage public input. (inaudible) another change in the process, what does it mean, and things like that.

So we opted for the flexibility of each particular staff or group and the process to extend. And we wanted to wait to have more research done, focus groups or whatever, to find out if we needed to change it more officially. So at this stage, we were holding onto that to see the track record, allowing flexibility. But we were worried to make another quick change might be discouraging.

In terms of education with the community, yes, that's a very good point, and we had thought that we'd use a variety of ways to alert them. The policy update that's a monthly report, as you know, starts out with public comments currently under issue. I created an SO/AC Alert List which goes to the leaders both of the SOs and ACs and the constituencies, which we send them periodically to remind them of what's coming up.

And of course, we constantly send notes to the constituencies in the groups to remind them that a period is about to close or something like this. And then myICANN came into play, linking to public comments, so we hope that those information and gentle reminders would also be a way of encouraging that – but maybe a more formalized education webinar might be useful to kind of explain the value of the reply/comment.

ALAN GREENBERG: Follow-up, Brian?

BRIAN CUTE: Thanks for that, and just thinking this through in the bigger picture. Thank you for all the things that you've undertaken and considered. I've heard, over time, complaints from the community that just the sheer volume that are out there and requests for comments that are out there is an issue.

Not passing judgment on that, but having heard it, have you done any quantitative analysis or statistical analysis on how many comments and reply comments you're receiving from the community from before the

new mechanisms were introduced and after the new mechanisms were introduced? Any research or analysis there that might shed light on the community's use of these tools?

DAVID OLIVE: The one statistic that we have, Brian – thank you – is that, by and large, we've been relatively consistent over time when looking at this three-year time range, 2010-2012. We're seeing roughly 18 public comments per quarter or about six per month on average, and that's been under a busy period. We expect that to continue and maybe increase a little bit.

In terms of your specific question on the comment/reply/comment, we don't have that data. I would have to look into that. We have what is done for the extension of the days for commenting. On average, as I say, before the comment/reply/comment was instituted, there was an average of 40 days – the length of comment period – whereas with the new changes of January 1, 2012, the average has been 55 days for public comment/reply/comment.

BRIAN CUTE: Combined. Thanks, David.

ALAN GREENBERG: We have Olivier next. I'll give one little insight as the person who's often designated as the person to decide whether to make a comment or recommend whether to make a comment and to draft it, there's probably a fair number of things that we don't say because the timeframe is just too short. Olivier?

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Alan. It's Olivier Crépin-Leblond for the transcript record. Whilst Alan decides or often has to give his point of view as to whether the ALAC would file a public comment or not on specific subjects, I'm the one who has to give the final green light for it and to read the final comment that goes out there, and sometimes edit it.

So with 51 public comments that we had last year, which is actually perhaps primarily because of the new system of public comments, but because of the maturity of the advisory committee itself, public comments is one of my real things that takes part of my life, effectively.

I have several things to ask, but first a couple of things. The SO and AC list that you have put together I think is extremely helpful, and so I think that all SO and AC chairs and leaders have really benefited from this.

I had a question last time we spoke with regards to the forecasting of the upcoming public comments, and I'm very glad to see that this has reappeared now after having been dropped somehow by lack of luck or something, or maybe staff movement and so on. So I'm really glad and I just had a look at it and it's good to be able to forecast what is coming up. I'm glad to see that it looks even beyond Durban, which is a really good thing.

I hope that you will publicize this, because I haven't seen these upcoming public comments publicized yet, and that all SOs and ACs will be able to actually make use of this to forecast a little bit of when they're going to ask for comments.

One of the concerns is not perhaps the volume of public comments, but the bursty-ness of public comments. Before an ICANN meeting, you suddenly have a huge surge of different SOs and ACs that wish to get some kind of feedback before they meet face-to-face, and so they actually often don't get any feedback because of the fact that there's 10-15 public comments that suddenly arrive before and ICANN meeting and it's extremely hard to deal with at the time.

A couple of things. First, there were several sessions which you organized with the PDP in Prague and prior to that and you connected, I think, a lot of feedback already at the time on the public comment process, but I haven't seen any final reports or any processing from your department to come back to us and say what you have heard and (audio cuts out) show us what next steps there are going to be, based on that feedback.

The questions and the comments I've heard here just now are very much the same comments that were admitted in Prague. There were even some potential solutions that were provided. It's understood that if you are an individual wanting to comment, 21 days is probably enough time for you to make up your mind. If, on the other hand, you are an SO or an Advisory Committee, 21 days is a very short amount of time to be able to tap into your membership and your colleagues, especially if you're going to have a consolidated statement and you have to find consensus in your Advisory Committee or in your SO.

So the suggestion that I had heard at the time was that there would be two parallel time scales where the SOs and ACs would be able to send their comment in on a different time scale than individual comments coming in. Has there been any thought about this? Has there been any analysis about this – what this would entice, whether this would break the initial comment/reply period or cycle, whether this would break the discussion which you're trying to generate by having a reply cycle?

DAVID OLIVE: Thank you, Olivier. To answer the question about the comments acquired, if you will, in Prague and in other public comment forums, as well as discussions we've had with SO/AC leaders, we of course heard and we do hear the issue of the time – too short for some cases; not enough time for others; hard for groups to organize within a 21-day, though in essence they're using the 42-day period to do that.

The question was wait and see until we decide. It's kind of hard to change the system again. If we didn't have flexibility, I could see that, but we still have flexibility within the system to see if that was sufficient

before we did a major change of deciding should it be 30/30 days or 30/15 days. And again, that goes back to some of the concerns of delaying the PDP processes in other groups.

The second point I'd like to comment on. There are two levels of comments. There are those that are linked to the PDP process, and that's a particular timeframe that's set by the bylaws and by the processes. That is different from others – the strategic plan, the security and reliability studies, general public comment which we as a staff want to get out, and committee groups want to get out, their recent reports or whatnot to hear some comments, or at least so notify them. And that's a different timeframe. Usually they have flexibility to extend that even further, and some do, in fact. So there is already that parallel point. We just have not been able to do the balancing of lengthy or public comment periods and the PDP process.

OLIVIER CRÉPIN-LEBLOND: Thank you, David. Olivier, again, for the transcript. So when the new system was introduced, I recall very clearly that it was going to be a test and, as in any test, there needs to be statistical data that is collected, etc. I've heard Brian asking you about this already, but perhaps some other test, I was going to ask for where the number of public comments report per quarter, the frequency at which they arrived.

Do you have any instantaneous statistic over many public comments get published three weeks before an ICANN meeting and how many public comments get published just after an ICANN meeting? This sort of thing – real-time information about the number of public comments that you have so you can have a graph and seeing where you get your surge and burst of public comment. The bursty-ness is a real problem, I think. So there definitely needs to be more statistical information on this because I haven't seen any of this yet, unfortunately.

Then, have you considered a public comment on public comments – because there was a public comment on public comments when the new public comments system was launched, but there isn't one now – later on? It might be interesting to find out because it's often the same people speaking, but it would be interesting to hear what the real people out there – not us who are versed with this public comment thing – really think about it.

There are the performance indicators regarding the public comment – how many replies to you get; how many initial comments do you get per public comment; which subjects gain more comments than others? I think this is all interesting and important information to find out. What are the key topics today that public comments get? And then I had another question, but I'll let you respond to these.

ALAN GREENBERG: Then we'll move on to another speaker and come back to you.

DAVID OLIVE:	As I say, we have an analysis that links to some of that, Olivier, and roughly it's six per month that we find is the Public Comments. We do not and we did not cut the data as you had indicated on the bursty-ness. Again, that is a question of – it's not necessarily in the PDP process because that's somewhat set, but a lot of people want to make sure that they get that out, so the continuation of the discussion happens at the ICANN meeting.
	So in many ways I understand, and we've been sensitive to not having due dates during the ICANN meeting, but at the same time, the question is it's hard to control the process or the timing of a lot of the public comments as groups finish their work. The ICANN meeting is, in a sense, a pressure point to get things done, to move things forward, to move them to the next step and so there is that inevitable, if not natural, pressure to do that so that there can be consensus or agreement at the working groups at the ICANN meetings to get things done to the next step.
	So to that extent, we've looked at blackout periods and things like this, but the point is, who is to determine what is more important or less important? I don't think it's a staff role to say, "I'm going to pick and choose the following two or three topics," when each working group or each SO or AC views that as a top 1 priority for them, or for a few of them. To that extent, that's an issue of how one looks at that or controls that.
	So the one control that we have is we say to staff, "Don't make it during the ICANN meeting; everyone's busy doing other things," but it's hard to say, "Don't put something out for Public Comment that may extend to after the meeting," because the whole point is to use the ICANN meeting as well as an input to that process.
	Did I answer all the other questions? I'm sorry, the bursty-ness. No, we haven't done that. We could try to look at that as to the timing. There is a bursty-ness; I understand that. And some of the other comments, we'll look into.
ALAN GREENBERG:	Fiona?
FIONA ALEXANDER:	Hi, David. I'm just curious. When you look at recommendation 15 and 16 together as the terminology used, I know from your previous life and career you're very familiar with the FCC's rule-making processes, and you can see that that terminology is reflective of that. So do you think that's actually (inaudible) an appropriate model, now that we've sort of suggested to implement that approach for good reason – whether that's actually an effective approach in this sort of Internet space and the ICANN time because the reply/comment process and that approach is very well-versed and people can use them as a corporate interest.

And you've described an individual versus a group in that process, and you mentioned using a wiki instead. I mean, if you were starting over and trying to figure out how to address the problem, is this the way that you would do it? Or having tried to do this, what have you learned and what would you think is better?

And the other question I have is, back to the volume. The group had suggested some sort of prioritization or categorization of types of comments. In describing it, you've identified at least two or three in your own mind. Is that listed somewhere that there are comments that are more procedural, there are comments that are about strategic plans? Are they already listed as types, and people that don't know how to use ICANN can say, "It's this type of comment"?

But I'd be really curious as to whether you think trying to do this overlay (of more) traditional approaches have actually worked here.

DAVID OLIVE: Thank you, Fiona. I think that's right. The comment/reply/comment methodology, whereas – for those in the U.S., for example – is understood, was maybe less understood elsewhere. And so, as the community is looking at this, I think they're still grappling with that issue. I can't say that it's not the right approach because I think that if the timing is worked out correctly, they may like the idea of noticing what others have said and commenting further. At least that was the notion of trying to get an interaction.

And so I'm not at this stage saying that's not the best approach. We just have to figure out and refine it a little more to what the community can kind of react to in a better way.

In terms of prioritization, we early on put in the tagging system so that people would know that it was new gTLD or PDP or whatever and it's a help to – and we worked with the community on developing those prioritization tags, if you will, for them to be able to discern what was the nature of that public comment. Now maybe we should do a little bit more labeling.

And what I would like to do and we just haven't had the time to do it as we're shifting and looking for the platforms, but you may have seen in the latest edition of the Policy Development Process, we've developed graphics and we use this for the GAC and Early Warning and whatnot – graphics that tell you where we are in step with the process.

I would like that also inputted into the Public Comment notice so that people know we're at stage 1, stage 2, stage 6, whatever it is, and they could click in and see that stage. It's just a matter of technically getting it in to the website as whatnot, but that's my intention going forward. It's always been to try to incorporate that as we make the improvements because I think that helps people to determine what that is.

Now we don't have graphics for what I would call non-PDP approaches, but we can easily do that that would help people visually see the importance there without having to put a note that says "Budget" as opposed to GNSO (inaudible) WHOIS (inaudible) make it easier.

ALAN GREENBERG: Avri, you're next.

AVRI DORIA: Thanks. I'm actually going to say a few self-contradictory things. First of all, I'm almost always one of those that wants you to extend the comment period. I think it's a terrible idea because what it does is it trains me to always expect you to extend the comment period. So just sort of say I always need that time. I'm one of the commenters. I always need it (and yet so that).

I think it's going to take a while to educate us to get the comments in, get the reply period. I think it's a good idea. I think it's going to take while before we escape the mentality that we've got of, "I'm going to put my comment in at the last minute so nobody can trump me," which many of us have taken in the past. So I think that it forces us to learn a new way of working is a good thing. I think the long comment periods are problematic FOR the working groups because what happens is that many of the working groups go into sort of a stasis and they're waiting on the comment periods. And so finding that right balance.

And I think that's one of the things that your stats that you are collecting will eventually tell you. One, you'll start to see whether we have been learning to reply, whether we have been learning. I think that finding a medium path to sort of, yes extending, but having a notion of one singular, extraordinary extension that's either given a week before or not given so that we also get trained – I mean, we're all Pavlovian – so that we all get trained to the fact of, "Don't wait for the last minute expecting an extension." If there was a decision to have one, it was made, and if today's 24-hours to go, it's 24 hours to go.

So I think it's actually going well. I think we need to be trained, and I think we are training. But your stats will actually show you the extent to which we as a population are learning new ways of behavior.

DAVID OLIVE: Thank you. I think the issue is that these changes – yes, some of that was staff templates and more regularizing the process within the staff, but generally it's a behavioral change, and that takes time and that's what we're struggling with and that's why I was cautious to say, "Oh, after six months people want more time. Let's change it." That's kind of hard to do in the communities that we deal with. It could be more confusing. So it is a behavioral change that we still think it needs more time.

In terms of actual data of the analysis we have to date, the jury is out. It's not clear from the responses that there is a 90/10 direction, and part of that still is, I think, the learning process that we're going

through. And that, to me, indicates a use of more tools that could help. Clearer designations, like the graphics, as well as maybe some more educational webinars before we really say that we have to make another major change.

To that extent, in terms of comments on the Public Comments, to Olivier's point as well, we always do that and we will continue to do that. We're just not ready to present another package at this stage for that kind of comment on the comments.

ALAN GREENBERG: Thank you. We're building a queue and we're going to have to move a little bit quicker, but first, Steve.

STEVE CROCKER: Thank you. This is Steve Crocker. I have to applaud the enormous amount of work that's gone into this, and at the same time I find myself kind of still hungry even after sitting down to a large banquet of endless statistics and process issues. The key question that I've always had about the Public Comment process is, does it actually matter? Is it having any effect?

And there are a couple of key points within that overarching question. One of them, of course, is, is anybody listening? But an also closely-related question is, is anybody saying anything that's worth listening to? Your comment early in your description in response to "are people replying to anything" suggests to me that there's something in the dynamics of what's going on that there is not a dialog imbedded in this process.

And in comparison with other forums – we're all familiar with many, many different forums – sometimes there are quite vigorous dialogs, debates that go one. And I don't know from everything that's been said here and from what I've watched over time, whether or not our public comment process has any real contact with the processes that they're commenting on.

Are things being said that change the outcome of what would have happened without them or what was going forward? We put a document up and ask people to comment on it, and then we go forward.

Yesterday I mentioned that I'm, from the position that I sit in as board chair, tightening up on the rationales that are included in resolutions so that they in fact deal with not only what the reason is for the resolution, but all of the other things that were said and have to (inaudible) for I think we've not been as strong in that area as we can.

And having said that, yesterday – and I had begun to say it within ICANN and various places. I decided I better not be slow, and so I sent out an internal memo saying – and now that I've made that in a large enough forum, this is plenty large enough and I better make good on it. So pass

the word." I had Amy Stathos sitting on one side and Sam Eisner sitting on the other and I felt flanked by legal staff (inaudible) make it happen.

So just drilling into this, has anybody looked at the substance of comments and whether or not they're raising points that are either genuinely new or have not been thought through well enough before? And a kind of statistical analysis of, "We've got this many comments," or, "they're this bursty," or how long they are doesn't quite do it for me. I want to go inside the machine, if you will.

And perhaps your department is (inaudible) purely procedural in a way, and I know there's a lot of pressure not to get involved in the substance because that would look like the staff is tilting the process. So I know there's a delicate balance there, but nonetheless, from our perspective, it's fine to have this public comment process as a matter of form, but if it doesn't actually accomplish anything, then I don't know what the value is of shortening or lengthening or whatever except that it kind of fiddles with things around the edges.

ALAN GREENBERG: I think we have one or two rebuttals or comments on the comment. Do you want to go first? I have a short one. Avri has a short one, I believe. From my perspective as sitting on a lot of GNSO working groups, thanks to some very able staff developing a number of tools and instruments, that process does look at comments, and decisions are made based on the comments.

Looking at summaries and results of other comment periods other than policy development, I feel far less comfort that someone's actually sincerely taking the comments to heart and evaluating them. So I think it may depend on where they're targeted.

ALAN GREENBERG: Avri?

AVRI DORIA: What he said with the edition of "in the PDP process, I have noticed us changing what we were doing, taking things further, digging deeper into parts that we hadn't thought of before. So I agree with him. When they're not coming to PDPs and working groups, it looks like we're going into a black hole, but when they're coming to us in PDPs and working groups, I know that we're working.

And yeah, the tools that Marika and others have built for managing us working through these things have been incredibly good and incredibly helpful.

ALAN GREENBERG: Brian?

BRIAN CUTE: I just want to pick up on Fiona's question to David which was, "Is this the right tool? Are these the right tools? Are these effective tools in our environment?" It may turn out, certainly open to the fact that given the way this community works, these might not, at the end of the day, be

useful tools. But the question isn't appropriately just to staff. It's to board.

And so Steve weighing in as he did, I strongly support is thinking because the design of this reply/comment period in particular which is intended to be an adversarial opportunity to take on the arguments of your opponents and deconstruct them logically and put forward a broader basis of argumentation as to why ICANN's board should take position X is really the value here.

So the measure of whether they're effective tools, at the end of the day, should be an informed view of the board as well, having received the input from this process. So I would encourage you to keep digging at it and see if you can help coax the community along to use the tool as it's intended to be. And then a qualitative decision on its usefulness could be made.

ALAN GREENBERG: David?

DAVID OLIVE: Yes, thank you. I'd like to point out no, we don't. Of the 2twelve Public Comment Forums from 2010 to 2012, we don't look into the substance of it, but the key elements are surely emerging. The better rationale for the board action, that's one. The other examples in the PDP process are two.

The third one, for those not in the PDP process, for my experience working with the ICANN staff, as I mentioned earlier, they await and thrive and need that public comment. And some of it is either incorporated in that or maybe not always well articulated as to how, but that they really wait for.

And in the case of areas where it's not accepted, that's further stated. If we look at the recent rationale or summary of public comment on the Trademark Clearing House Strawman Poll, that was a 21-page memo of detailed explanation of where it did and where it doesn't and how it fits in and the like.

So that extent, I think there is a greater use and (are listening), and how best to kind of convey that to the person or persons or groups submitting the public comment is a challenge we have. We hope to have that with some new tools that might help us.

The other thing I think we also are seeing is that another, I think, indirect impact is how we organize some of our session at ICANN meetings. So for example, the Tuesday Constituency days, there are active discussions within those groups on what position they should take and how they should present that.

What we're finding is that there is little time for them to interact between groups. So we see that and we're recognizing that the

intersessional meeting that we held January of this year for the Non-Contracted Party house of the GNSO, we actually constructed a session where they sat face to face – all of the constituencies of that Non-Contracted Party house – and talked about issues.

And it was I think the first time, someone said, that they were able to say, "Why are you asking that? Why are you saying that?" It was that interaction that was very helpful. We see a little bit of this emerging when the board meets with the constituencies, and we've heard both Steve Crocker and others say, "We'd like to hear more of their views, as opposed to a discussion or a debate of the views," and we're to look at ways to encourage that more fully.

This was part of – can you do it online in a wiki or in some other method? Maybe, but this is also another kind of structural change that we're looking at, which I think has an impact because of the nature of the need to comment on and listen to what other people are saying. That's what we're trying to do.

ALAN GREENBERG: Okay. The speaker list we have is Heather, me for a short amount, back to Olivier, and to Brian for a wrap-up if he chooses.

HEATHER DRYDEN: Okay. I had a mini disaster at this end of the table. Okay. So I want to thank Steve for bringing this around to what I think is the qualitative side of this rather than the quantitative. It's important to be counting things – number of comments, number of comment periods – but you do need to find a way to come at a more qualitative aspect of what's being submitted. And so I think that's really clarified what you've raised in this discussion.

As far as perhaps complicating things a bit further in the interest of having this come back around to a clear path on where we might go next, one of the considerations I think as well when looking at hoe the public comment periods are used, is looking at what public comments are out at the same time.

If it's the case that there's a certain amount of capacity or that some issues are of greater priority, then attention will be directed there, even though there may be other public comment periods that would also be of interest – so our parts of the community making choices in fact about that kind of thing.

Certainly, the feeling is that there are a lot of public comment periods open and, speaking of the perspective of the GAC, it's challenging to actually assess where we need to focus in terms of an issue. And it's the case as well that the GAC doesn't always want to come up with written consensus advice on something. GAC members may actually have an interest in commenting directly by the Public Comment processes and would want to be within the deadline and do all these things.

And so in those cases, are choices being made there? And the ALAC may as well have a similar perspective because they also have a (broader) niche. As far as the kinds of issues they look at, it can be virtually anything that's under discussion at ICANN.

So anyway, I just wanted to point to this kind of added dimension of the overall picture regarding the public comment periods that are underway perhaps at the same time or at different phases, but still active at the same time. Thank you.

ALAN GREENBERG: David, any comments?

DAVID OLIVE: The only comment I would have is one size doesn't fit all. So the question is, at any given issue that's out for public comment, is that of interest to every SO and AC and everybody else? Maybe, maybe not. Some are and some aren't. So that's where the prioritization happens at the executive community levels or other levels.

It's hard for us as staff to say what is or isn't in that sense as we move forward on that. But that's right. Some of them are of interest to everyone, and others have to review it and say, "That's a lower priority."

ALAN GREENBERG: Thank you. A couple of quick comments, and I don't require answers – just tossing some ideas out. One of the things, especially for comment periods which do generate a fair number of comments, it would be really useful and perhaps impossible to have staff very nimbly come out with a quick summary of the comments at the end of the comment period.

The process of reading comments – just the sheer number of clicks you have to click on to get to the substance of the document which is often three clicks away from the list – makes it an onerous process. And if, within three or four days of the comment period – and obviously staff can start working at it as the comments come in – there were a quick summary, not necessarily of the same details as the final one, you may encourage some level of replies on it.

Another quick issue is – and related to the next items we're coming to – the fact that almost all comment periods are exclusively in English does reduce the market essentially for comments from parts of the community that we deal with.

And lastly, we've seen a number over the last year or so of staff papers– usually process papers – where they come up with a draft, ask for comments, and that's the last you ever hear of it. Presumably, someone writes a final paper, it never gets published. Nothing ever gets seen of it. So I think we have to make sure ICANN does its homework on its internal processes, too.

	Last comment other than Brian for Olivier, if he still wants to speak.
OLIVIER CRÉPIN-LEBLOND:	Thank you very much, Alan. It's Olivier for the transcript. I'm taking two things out of this discussion here. One, the need for a public comment on Public Comment. The other one being the survey that you mention on your response sheet, and the survey being that of GNSO – well, of pretty much any group that has sent out a public comment recently because I'm really surprised that we haven't got that data, so we don't know if it works for those people .
	We've spoken a lot about the people commenting, but we don't know if the system works for the groups that are asking for those comments. I certainly am not seeing any information on that, and we have noticed that it has been helpful for some, but it might not be the case for everyone.
	And that includes, of course, the apples and the oranges. So you'd have the staff public comments, the board public comments, the GNSO working group public comments, etc. Each one has a different flavor of public comments and different needs, and it would be really interesting to find out if the new system has helped them.
ALAN GREENBERG:	Thank you. David, any comment before we go to Brian?
DAVID OLIVE:	Yes. I think going forward we would surely, as I mentioned, would have a comment on the Public Comments and when we collect more of this information we will obviously present it.
	The other issue of the groups – have they found it useful? That's kind of hard for staff to assess that, and I think what we need to do, and as we hope to do, is we use the focus group as an innovative way of getting this more details rather than just throwing it out for public comment type of thing.
	In addition to that, the focus group which we conducted in preparation for implementation of all these agreements – of all these ATRT recommendations. So we found that to be an effective way to kind of have a personal interaction, and we'd have to go in and do that to find out the effectiveness as well. We will hope to do that.
OLIVIER CRÉPIN-LEBLOND:	If I could just add. Go and ask the chairs of the GNSO working groups if the Public Comment has helped them. They're probably the best people to be able to answer this because they're the ones who are receiving the overall summary of comments from staff and who have to work with it and get the working group to maybe change its recommendations.
BRIAN CUTE:	Thank you. I'm just wondering. What if nobody comments on the public comment on public comments? Never mind. Let's hope we don't land there.

I'm speaking personally now because I just want to pick up a suggestion Alan made in my personal capacity. I actually see some danger in staff putting together a summary of comments before the reply/comment period starts because we have heard in other contexts concern from the community that, "The staff's summary of my comments wasn't accurate, didn't capture my points," and if somebody's going to reply on a summary made by staff, I think there's some risk there. So I would take the contrary view to that suggestion.

And I also personally think it's our job. AC/SO individuals, if they have an interest that they're looking to advance in the ICANN process, it's our responsibility to take advantage of these tools, assuming these tools are provided in a manner where they can be used and that volume or other factors are not making them impossible to use.

This is my personal view. It's really our job, and it's really our job to read through opponent's comments in full and analyze them in full and then use the reply/comment period to put forward our view.

What I would like to say, with the ATRT-2 hat on, is again encourage you to keep at this and try to see if we can find out whether the reply/comment in particular provides any benefit to the staff and the board and the community.

And also, really commend you on the exercise you did to provoke debate in that forum. I don't think there's enough of that in ICANN, and this is what this is about. We all know that there are interested parties who have different views, but when you can bring the debate out into the open, whether it's through written comments or through a forum, I think that creates a great benefit to the entire community. So I commend that type of activity and encourage more of that.

(DAVID OLIVE):   (inaudible) I thank you. I appreciate those comments. And I also share the concern about the summary of the comments before the reply/comments. What we try to do when we can is to point to that.

I must say that the platform we have needs some refinement, and that's why we'll be working with Sally Costerton and Chris Gift on this point to make it a little more user-friendly. It is not easy – I agree with you – to click back and forth, and we're looking at a format that might make that just clearer so you can see that and not have to have four or five clicks, or maybe a one-click stop type of thing. But that is a platform and an improvement we're looking at to make that more visible to the groups and the commenters as well. So that's correct.

In terms of qualitative versus quantitative, we're not looking for a public opinion survey on the issues. We're looking for the qualitative inputs, and we've been hearing various views on that – "Well, the numbers matter." In my view, no. The numbers don't matter because it's not a 60%/40% kind of way of doing it. It's the quality of comments.

I don't read every input that comes in, but I try to focus on the PDP ones and I'm amazed at the thoughtful inputs and constructive comments that are put into that. And that's why the staff thrives on receiving those and works on that.

And in internal discussions and in – I can't speak for the board, but other kind of workshop discussions – they cite the public comments by X group or Y group or issues raised. That's another example of how it has an impact. So thank you.

ALAN GREENBERG: Thank you very much. I'm going to now turn the chair back over to the chair.

BRIAN CUTE: Thank, Alan. Where are we in the agenda? Do you have an agenda?

ALAN GREENBERG: We have done, I believe, two of the six recommendations in this section.

BRIAN CUTE: Thank you. Okay. So we have four more to go in this section. And how are we on time? We have 45 minutes left. Okay. Four more to go with 45 minutes. We can do that. So, David. This is still your show? Oh, where are we now? That's kind of what I'm asking. We have four more recommendations for you to provide input on in terms of implementation efforts. Is that correct? That was 16? So we have 17 through…okay So we're on 18. So we have 18 through… We have six more to go in 45 minutes. So, David. Soldier on, if you would.

DAVID OLIVE: Are we moving to…?

BRIAN CUTE: 18.

UNIDENTIFIED FEMALE: Christiana Rodriguez personally had a family emergency and isn't able to be on the line. We may have some comments in that area, but we'll get Christina back together with the team at another time.

BRIAN CUTE: Okay, that's fine.

UNIDENTIFIED FEMALE: The last comment in this section is the forecast. Do you feel like you've addressed that or…?

UNIDENTIFIED MALE: Yes.

UNIDENTIFIED FEMALE: Yeah.

BRIAN CUTE: So, Christina would cover the balance of these recommendations?

UNIDENTIFIED FEMALE: (inaudible) The one I was specifically referring to was the multilingual access. Christina Rodriguez is responsible for translation and can speak in detail to the processes.

BRIAN CUTE: That's number 22.

UNIDENTIFIED FEMALE:	That is 18.
BRIAN CUTE:	18…
UNIDENTIFIED FEMALE:	Ensure (inaudible)
UNIDENTIFIED MALE:	(inaudible) rationales.
BRIAN CUTE:	Are there any of the remaining six that David can report on?
UNIDENTIFIED FEMALE:	I believe we're done with that section, right?
DAVID OLIVE:	(Yes).
BRIAN CUTE:	Okay.
UNIDENTIFIED FEMALE:	David is done with that section.
BRIAN CUTE:	Okay. So Christina would cover off the remaining six?
UNIDENTIFIED FEMALE:	And Steve Antonov. Christina can address the multilingual access and translation.
BRIAN CUTE:	Okay.
UNIDENTIFIED FEMALE:	And that relates specifically to the PDP and the public comments, and also board material – anything for translation. And number 22 is "Ensure senior staffing arrangements are appropriately multilingual." That one actually can be address by Steve Antonov, the head of HR, and he's on the line.
BRIAN CUTE:	Okay, great.
UNIDENTIFIED FEMALE:	Does David have any other issues you'd like to address relating to public comments or that? I think David's done.
BRIAN CUTE:	Okay. David, thank you very much. We very much appreciate it. So which number recommendation, and just go to Steve, just so I'm clear.
UNIDENTIFIED FEMALE:	22.
BRIAN CUTE:	22. Thank you. Alright. Steve, are you there?
STEVE ANTONOV:	I am here.
BRIAN CUTE:	Hi, Steve. Brian Cute here. We're going to give you the floor to give us your view on the implementation efforts with respect to recommendation number 22. The guidance we provided yesterday to the staff was try to focus centrally your comments on the effect of the implementation, if you will. What was the effect of implementing this recommendation, whether it had positive effects, neutral effects, or negative effects. And then we'll let the conversation and Q&A go from there. The floor is yours.

STEVE ANTONOV:	Very good. Thank you. So we implemented a number of steps to try and follow through on this recommendation. It has been difficult to measure the impact itself, other than to say that we see an increase in the multilingual skills of senior staff, but we're unable to measure as to whether that has had a positive impact on the organization or no impact whatsoever.
BRIAN CUTE:	Are you pausing for a question? Are you there, Steve?
STEVE ANTONOV:	I'm actually waiting because there's not much else to say other than we know that we've increased the number of single staff that has multilingual skills. We continue to pursue candidates that have multilingual skills, but it's unclear as to what the impact of having additional multilingual senior staff members has had.
BRIAN CUTE:	Has any thought been given to the role of the senior staffers involved? Because, clearly, certain staffers are going to be interacting with the community more than others and I think that it looks like the goal here is to improve accountability and transparency across all language communities. An aspect of that certainly has to be interaction with the community. Has mapping been done, or thought been given to the role of the respective staffers and need for multilingual skills?
STEVE ANTONOV:	So we have not mapped the specific role to interaction with the community, therefore requiring additional multilingual skills. What we see is that most of the interaction between the staff and the community in a broad sense is typically in English, to the extent that it's regionalized where we have staff that work in regions where having multilingual skills becomes more impactful.
	Those tend not to be the most senior level staff members. For example, the global stakeholder engagement staff which are at the most senior level, although they are members of the management team – tend to, by default, being multilingual because they typically are recruited in their regions and already have language skills that are appropriate for that region.
BRIAN CUTE:	Thank you. Avri?
AVRI DORIA:	Thank you. Avri with a question. When first we started having documents translated into other languages, one of the things we watched for was to notice how often they were picked up off the web to see whether there's any…
	So I'm wondering if there's at least an anecdotal start point to surveying these surveying these senior staff members who are multilingual to find out just has anyone been speaking to them in languages other than English? When they're at these meetings, do they find themselves…? How many conversations have they had with people?

	And if perhaps there was a periodic survey, or even now just a survey – you are multilingual. "Has anybody spoken to you in anything other than English?" would be a useful thing to know.
STEVE ANTONOV:	Understood.
BRIAN CUTE:	So is there any benchmarking to shorthand what I was asking – data – available to you today or any efforts to create some benchmarks against what you can measure forward progress?
STEVE ANTONOV:	There is no current data available. We would have to go solicit that data.
BRIAN CUTE:	Thank you. Olivier and then Steve. Okay. Steve?
STEVE CROCKER:	I have to say that all this feels a little surreal. These recommendations were written like three years ago. Our CEO speaks Arabic, French, Italian, and Spanish, I think. Tarek Kamel is now part of our senior staff in German, in addition to French, English, and Arabic. I think I could go a little bit further down, but I know from direct personal observation that there are conversations that take place in a wised variety of languages.
	We went to Dubai to meet with leaders from Arab countries, and it became clear that I should not participate in one particular session so that everybody else would feel comfortable talking in Arabic, which was perfectly fine with me.
	So this collection of statistics or trying to do surveys or asking feels a little standoffish from actually observing the facts on the ground, which is that we have much, much better linguistic coverage than we used to. Quantifying that, matching up against what the actual needs are and so forth still remains. I think that's a perfectly reasonable thing to do, but it's night and day compared to where we were.
BRIAN CUTE:	Olivier? Thank you, Steve.
OLIVIER CRÉPIN-LEBLOND:	Thank you very much, Brian. It's Olivier for the transcript. I think we have anecdotal evidence at the moment that ICANN staff is multilingual, but I haven't seen any actual real statistics with regards to the multilingualism at various levels, various strata of ICANN staff.
	And perhaps with Fadi mentioning this cross-wire, sort of a horizontal and vertical matrix, maybe building such a matrix to find out the multilingualism across ICANN is something that needs to be pursued if we want to actually get proper hard data on the success of this recommendation.
STEVE CROCKER:	So in line with my previous comments, I think it's important to not just measure what's easy to measure, but… I'm sorry. So we could certainly do a survey of language skills across the staff. But the more relevant thing – and I don't mean to say that's irrelevant. That's useful and

	important to do. But that's not sufficient in my mind. Also, a question is, are we engaging with the communities? Does it actually make a difference? For that, we need a somewhat deeper, richer model than simply doing a matrix of who speaks what language.
BRIAN CUTE:	Thanks you. Alan?
ALAN GREENBERG:	Just a quick comment, to reinforce. It's difficult to know what the right measures are. How many languages do people speak is important. How often are they called upon is important. Steve, it's interesting – the comment you made – but the observations as someone who's acting as the chair of the board and is involved in a lot of activities is not the same as the community having belief that the world has changed significantly. And somehow, we have to get that level of information (inaudible)
STEVE CROCKER:	My comment was definitive. In listening to what was being said by Steve Antonov that we haven't measured these things, there clearly is a lot of data around or it's not so hard to get more. We need more, obviously.
ALAN GREENBERG:	I appreciate that, but I think what we need is to have the level of comfort that you feel, having seen what you've seen, be available to other people through perhaps more formal surveys, analysis, whatever.
BRIAN CUTE:	Carlos?
CARLOS RAÚL GUTIERREZ:	Yes. This is Carlos. I think we shouldn't look at it, as Steve said, just numbers and staff speaking. I have to praise the efforts by ICANN to do some regional work – the nomination of regional vice presidents and the work that they have developed in the particular case of Latin America of trying to do some substantial community work, development of strategy, meetings, etc.

It's more important than who speaks Spanish and how fast the comment can be translated. I don't know how it will develop. I don't know how the strategy will phase the regional government presence in GAC and whatever, but I really look forward that this regional effort – the Latin American strategy, the engagement of the vice president for Latin America with different countries and different communities and different work in groups continues because I think this is even more important than the strict numbers or the time it will take to translate public input from Spanish into English.

So it should be combined with geographic coverage and the outreach of ICANN. It's a very important element, but it should be seen in context. Thank you. |
| BRIAN CUTE: | Other questions from the Review Team? Online? I'm not seeing any. Just an observation. I think it's clear from Steve Crocker's comments that work's been done here, and in the context of a Review Team |

exercise, that the report and information into the Review Team should be, "This has been a success and here's why."

At the same time, there is that element of delivering optimal levels of transparency and accountability, which I think requires a little bit more context and qualitative analysis about whether that aspect is being promoted and improved. And maybe that's an area where more information coming into this process would be helpful.

STEVE CROCKER: Yeah. To be clear, I was not at all trying to suggest that this Review Team shouldn't do a full check off and say, "Yes, that's been accomplished." I was more responding to the information that Steve Antonov was supplying us, and saying, "Boy, that feels pretty disconnected from what we know are a set of transformations that have taken place." And so I was feeling like we want to tie all this together.

I think the comment from Carlos matches my feeling as well that language skills per se are a small portion of what's actually required, and that the regional strategies, the distribution of hubs, the building of engagement offices, and the hiring of people in the regions are all part of the same general strategy, and just having language skills alone would be pretty weak compared to a much broader scale strategy.

BRIAN CUTE: Thank you for those comments. Well appreciated. I also think listening to Steve Antonov and looking back at the recommendation, it just says "senior staffing arrangements." So when you look at the recommendation and staff is trying to implement and then report back in a measurable way, there's some grey there as well – which is why I asked that clarifying question about senior staffers who interact with the community. That's meaningful.

So there's probably a little bit of grey here that we can all work through going forward. Olivier?

OLIVIER CRÉPIN-LEBLOND: Thank you, Brian. It's Olivier. Just to clarify, my insistence on metrics is on qualitative and quantitative metrics. It's so as for this to be trackable in the future as well. As ICANN is going to open more offices, as it is currently opening more offices, it's obvious that its landscape is changing and its environment is changing as well. If we don't have qualitative and quantitative metrics of what we have today or what we had maybe a year ago, what we have today and what we will have tomorrow, it will be very difficult to track if ICANN is becoming more internationalized or not. We'll have anecdotal evidence. We'll say, "Yes, our CEO is from this place and speaks that number of languages." But that doesn't make an organization international.

STEVE CROCKER: Completely agreed. But taking your comments a bit earlier about it's important to have a model of what it is that you're trying to measure and that that model is a non-trivial part of the process, we ought to be careful not just to measure things and then say, "Well, that's what we

measured; therefore we continue to measure it," if it's not actually related to the larger goal of what we're trying to accomplish. So building that model is going to be the challenging part. I think the measurement may have been much easier.

BRIAN CUTE: Thank you. Denise?

DENISE MICHEL: In the same vein, your goal – your objective – is to have metrics and to measure, so you can see that ICANN is an international organization. What is appropriately internationalized? What is an international? So we can – and I think this point holds for really pretty much all the recommendations. There's a whole endless number of things that we can measure in deep detail, but I think, as Steve points out, it's important for this team to determine what the end goal is, what success is. Why are you measuring? And when you reach X point, you will deem it to be a success.

                             So we can continue to measure and we can track a whole slew of metrics, but I think what would be more useful is to get guidance from this team about what your vision is, I guess, of, for example, "An appropriately internationalized organization is…" to Steve's point about sort of the model of where we're going with this, and I think many other recommendations.

                             And that would not only help staff think more about what additionally we want to do as an organization, but also help us refine and provide you with much more meaningful measurements, I think.

BRIAN CUTE: Thanks, Denise, and I think those are welcome comments. Just for myself – and I'm sorry, Olivier, I'll get to you in a moment – but I did think in the discussion with David Olive of the risk of paralysis by analysis and that the quantitative does have to link to qualitative at the end of the exercise.

                             And I also think that this is where this Review Team, whereas the first Review Team did not consciously delve into suggesting specific metrics, I think this is where this Review Team with staff in a shared way can do some good work. And I don't personally view the vision thing as unique to the Review Team. This is more of a shared exercise. And at the end of the day, it's not the Review Team signing of and saying, "Great Job. Successful by our standards." It's improving the organization organically, and that's the measure at the end of the exercise. So just my views, but a very welcome opportunity to exchange and think through what metrics make sense – quantitative, qualitative – and how do we get to something that has impact and effect? So we'll take that on together. Olivier?

OLIVIER CRÉPIN-LEBLOND: Thank you, Brian. It's Olivier here. Just to add, I don't think we should just look at targets. In fact, it's very difficult to set targets. As you very rightly said, if you say, "Oh, 80% of staff has to be multi-lingual," and

then when we reach 80%, great. That's not a target which I would set, and in fact, not something that I would find helpful.

I think we have to look at trends. Trends is really important. You alluded to that as well. If we see that ICANN has a trend of having less multi-lingual – or less number of languages – used in ICANN and used with the community, then there might be something. Well, we'd never know. Over the years, basically. There might be more or less, but if we see a definite trend of less internationalization, then we can see it through the languages that staff speaks.

DENISE MICHEL: I think this area – kind of this process point, perhaps – yeah, deserves more conversation. I completely understand your point. And it may be in some areas that tracking some trends and continuing to consider it will be helpful to perhaps ultimately lead us to a collective agreement on whether it's been successful or whether we need to do something different. It may be that instead of saying, "If X happens then we've reached the pinnacle."