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RECORDED VOICE: This meeting is now being recorded.

LARS HOFFMANN: Thank you so much. Welcome, everybody. My name is Lars Hoffmann; I'm a member of the Multistakeholder Strategy and Strategic Initiatives Department. I'll get it right one day. MSSSI, for short. I'm going to be walking you through this webinar on the ICANN Operating Standards. My presentation is probably about 15-20 minutes, so it shouldn't be too long, and then we have questions and answers at the very end. I will point that out throughout the webinar. It's really one of the key goals of this is [inaudible] to get feedback, especially on the process [inaudible] here for community input [inaudible] operating standards [inaudible] in the coming weeks and months. And so, any feedback you might have during the call or afterwards, and we'll be talking you through the various outreach initiatives that we are thinking of at the moment. That would be highly welcome.

There's an agenda up here on the right in the Adobe Room. I'll also put up a slide right now – a quick overview of what we're going to cover today. The first one is the expectation settings for this webinar, and I'm going to dive right into that.

First, I'm going to start off with what [inaudible]. We're not going to present you with some final text that we want to have signed off by the community. Au contraire, this is really a next step after Hyderabad, to continue with outreach, to present you with some progress we've made based on the feedback received during ICANN 57, and to kind of explain

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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to you also what we see in terms of moving forward, as in the next steps. That involves especially community [inaudible], as well as any drafting language that we may present, based on the feedback we receive at the time, from you, the community.

So, that gets me to the operating standards. Just a little recap, if you want. With the new bylaws, with the successful IANA transition that happened last year, the bylaws now mandate not only organizational reviews – those are reviews of the SO/ACs – it now also mandates the review of – the so-called specific reviews, so that is Competition, Consumer Trust, Consumer Choice; the CCT, Security, Stability, and Resilience, [inaudible] review; Registration [inaudible], formerly known as WHOIS; and of course, the Accountability and Transparency Review, the ATRT. [inaudible] reviews that fell before under the [inaudible] of commitment, are now under the bylaws, section - I think – 4.6 of the bylaws, it's called for the drafting of the operating standards that will guide these reviews, both specific and organizational, and this putting together of the operating standards has to be done with community consultation through the public comment period, obviously at the very end, when we have a full draft to make sure everybody's on board before they comment.

So, these bylaws – I'm sorry, these operating standards – really fulfill two kind of goals, I suppose. The first, they bring together existing processes and procedures – so things that have been in place, in some cases, for a long time – mostly, in this case, applicable to organizational reviews, but not only. And so, the operating standards here would be a place to have everything centralized, to give people an expectation of how these processes and these reviews work, and set some standards

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that hopefully everybody will agree to and therefore make the reviews more reliable [inaudible] better guidance and better tools for the community at large, and also for the community specifically under review, and for the supporting staff, as well.

On the other hand, the operating standards need to bring together or create new processes and new procedures that weren't [inaudible] simply because – especially the specific reviews, were not part of the ICANN bylaws before, and so, new procedures have been introduced – for example the selection procedure for specific Review Teams, but also questions like decision-making procedures within the Review Teams, or how we're actually going to amend these operating standards. And so, when we presented this – and this is a little bit on my next slide – when we presented this in Hyderabad to the community, the feedback was that we should work on those aspects that kind of centralize the existing data practices and procedures. So, that is the way we've done that; I'll come to that in a second. We'll present this here. And the next step will then be obviously to [inaudible] those issues that are new, if you want, and we believe the staff just shouldn't write up proposals and put that out, thereby setting, essentially, the agenda. But we would like to make this a more interactive process, if you like, and I'll get to that in a minute.

So, as I said, in Hyderabad, what we presented there, maybe one of my colleagues might be able to paste the link to the session in Hyderabad. [inaudible] we presented the Strawman skeleton document, almost. We just brought together all the various aspects, headlines and subheadlines, of what should be contained within the Operating Standards. We pointed out that some of these may be existing, some of

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these are new, and as I said, we were encouraged to provide some flesh, if you want, around the skeleton and on those existing procedures, put them out there. And just to reiterate, [inaudible] just a second, we brought this together to the best of our knowledge. We drew on documents where they existed, and again, this is not final language. This is the first Strawman draft; this is by no means set in stone, but rather a starting point to start discussions from here on out.

So, the document – and this will go up on the – we will create a Wiki page – we kind of have the starting blocks ready to go, it will go up probably tomorrow – Wednesday, that is – in UTC time it's still Tuesday at the moment. With the document I'm presenting here, and with some prose, as well. The structure that was put together is kind of an overview section of both organization and specific reviews, and then some more details, especially on organizational reviews, [inaudible] headlines here on the slide – overview [inaudible] the independent examiner, the [inaudible] of reviews, the role of review Working Parties. I don't want to talk you through all these slides in great detail; the slides will also be made available afterwards.

That's to give you an idea about the general language that is there, the purpose of reviews to set the scene, if you want – the purpose of reviews to set ICANN's fulfillment of its commitments, accountability to [inaudible], be a principal mechanism, and to deliver on its mission and core values, as documented in the bylaws. And then it goes into the standards the review should adhere to, and it's this language that's mostly borrowed from the bylaws. But it shouldn't be [inaudible] surprising to anyone.

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And then, the section on organizational reviews – the actual document is about eight to nine pages, to give you an idea of the length of this. You see an example here [inaudible] bylaws text that we quoted in the operating standards draft that the Board [inaudible] review of the performance and operation of supporting organizations, etcetera. And obviously, just to remind everybody, where bylaws set certain parameters, obviously this can't be overruled or overdone in any way [inaudible] organization [inaudible] operating standards. You will refer to the bylaws if and when appropriate, but obviously it's not [inaudible] in any way.

The independent examiner is the biggest chunk of this section of the document. The OEC – the ICANN Board's Organizational Effectiveness Committee – is obviously overseeing organizational reviews, but the reviews themselves are conducted by consulting independent examiners that are impartial objectives [inaudible] of the work, and then those bullet points below, the document kind of – there are more details about procurement, the management of the independent examiner by ICANN Org, the methodology that is used by the examiner, the deliverables – final reports, face-to-face meetings during ICANN meetings, etcetera – and the consultation with the [inaudible] Working Party and the wider community. Again, when you will read this, you will see that this is kind of drawn on the experience and the precedent that was set by previous organizational reviews, and we would very much like to have feedback on that. Maybe something should be changed; maybe something hasn't worked and we should [inaudible] these operating standards [AUDIO INTERFERENCE].

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The next section is the scope setting section. In here, we are all limited, if you want, or – not limited, but – what’s the word? – I’m going to go with limited – by the bylaws that provide a certain structure of what the scope should or must entail, whether the organization [inaudible] purpose in the ICANN structure. So if changes to the structure or operation are desirable to improve effectiveness, whether the organization is accountable to its constituency and stakeholder groups, and other stakeholder groups from the outside. This is taken directly from the bylaws and obviously [inaudible], but – and this is, again, already is the case right now – in addition to this scope of organizational reviews, the ICANN Board, through the OEC and in consultation with the Review Working Party, may refine the scope and provide additional guidelines or priorities to be [inaudible].

In the Review Working Party, there are a few who take part in the reviews or follow them where the organizational review usually is represented by a Review Working Party that’s composed of members from that organization or committee. The kind of areas we look at here are information and [inaudible], Chair and Co-Chairs, the meetings and mailing lists, and obviously the Wiki page. The only thing I’d like to point out here to set expectations of what this looks like in [inaudible]. Previously, on the [inaudible] second – on the independent examiner, there was a kind of [inaudible] in terms of this phrase of requirements. The procurement process has to be according to the ICANN Procurement practices, deliverables have to be a final report, etcetera, etcetera. And here, on the Review Working Party, the language that we used is very much that – it really sets out the practice, we really think it’s important that the organizational review has the liberty to make

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changes as they see fit. They might want a larger party, they might want to invite people from other SO/ACs, they might have just one Chair or they might have three Co-Chairs. So, what we're going to put in here from our perspective is at the starting point – what has worked well in the past, and the language suggests that rather than prescriptive in this section, as I said, the communities and the review should have as much liberty as they require to conduct [inaudible].

Then, there's aspect on the organizational reviews and the document that we'll provide for you early tomorrow. The next section is the specific review section. As I said, the [inaudible] specific reviews [inaudible]. We have not kind of developed that section because as I said in the very beginning, it's a lot of new processes that don't exist, and the kind of feedback we got in Hyderabad, and what made sense from our perspective is, we shouldn't set the agenda by putting out draft text; this should come from the community, really, and then the staff can coordinate the various views and hopefully come up potentially with a compromise and several options that we will then put out for public comment to make sure everybody's [inaudible].

I'd really like to draw your attention here to five points that are of specific interest and for which we will reach out to you over the coming days and weeks to elicit structural feedback. On how that's going to be done, I'll get to you in a minute, but the specific selection process for Review Teams, the role of observers within Review Teams that are now mandated in the bylaws – what can and couldn't they do? – the confidentiality requirements for the Review Team members is an issue; scope-setting of the reviews – the bylaws are much more detailed in what kind of scope these specific reviews have – under which

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circumstances and if so, how, and could that scope be curtailed or expanded? – and then finally, [inaudible] amendment process of the [inaudible]. Once it's in place, how can we change them? The idea was – and we also floated this in Hyderabad – that once this document is in place, it's gone through consultation, it's gone through public comments and it's out there, we kind of still see it as a living document, right? So, if one [inaudible] like, "This worked really well for us," we should include this in the operating standards. Ideally, this would work in a very quick way, but obviously, on the other hand, you can see where something more substantial – the selection process needs to be changed, which might be a more difficult and more complicated issue – how do we make sure that that kind of aspect of the standards can be amended? Those are the kinds of questions we would like to steer your thinking towards [inaudible] over the coming weeks.

You might have noticed a slide from earlier that's so good, it features twice. I think Patrick is on the call; thank you so much for your help with this. I'd like to direct your attention now to the bottom [inaudible], to the roadmap. We are, quite literally, in the middle of the third flag from the left – the webinar to review progress and future steps. What we have in mind, especially with the draft text that we have prepared and those five subject areas I just spoke about with regard to specific reviews, is to start what – best way for me to phrase it, I suppose – is a continuous feedback loop, almost. And so, start something like – we have a mind to create a Wiki page on what the document is about; also, the questions relating to the issues where we want some feedback to put some flesh on the bones, as it were, of the specific review section; and whereby we create a public comment-like forum that isn't of forty



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days, but that remains open, where we pose specific questions and solicit answers, and you can just send them by email, as you would do for a public comment. To make sure this is advertised properly, we would send out specific letters to the SO/ACs to make them aware of this, to explain the process also in detail, so that everybody understands what is asked of them, and to get some ideas of what the community thinks these specific issues should look like and how they should be handled in the operating standards. We would then provide an update of how this is going in Copenhagen. [inaudible] was correct, either too many or too few. We would solicit more; if there are too many, we would discuss it right away to maybe streamline the process. I really hope we don't have that problem. I'll be looking forward to that. And then, post-Copenhagen, depending on the process, we will provide, as I said earlier, also a section on the specific reviews that reflects what the community [inaudible], either, as I said, by some sort of summary starting point [inaudible] convergence of what the community suggests, or maybe on other sections we present options to reflect the various views.

Once we have gone through this process and have a full document that may still contain options and may still contain language [inaudible] this is not the final version, obviously – but once we have the full document of the operating standards, it should be good enough for the public comment period for at least forty days, so everybody can read through it in one go and comment on this with all the context that is needed to make informed comments. By that time, hopefully, the next flag is on here that you can't see right now – the ICANN 59 flag – we really hope that there, we can either present the final document and decide on a

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way forward from there, or at the very least, the public comment period will be in full swing on the full draft, and we'll be able to give you an update on [inaudible].

That concludes my presentation. I suppose the next slide is just the questions slide, so I'm going to leave this up here for the time being. Obviously, you may ask any questions you have. Specifically, I think it would be great to hear about the feedback that we have, whether there's any other way that you think we as ICANN Org can provide you with assistance to help you provide comments and feedback on processes such as operating standards, and whether you think that the way it was presented here is a possible way forward to ensure that everyone's views are taken into account and we come to a collaborative conclusion for these [inaudible]. And with that, I'll throw it to the floor.

My colleague Yvette – thank you, Yvette – has just put up a link here in the chat, as well. The operating standards – we have a workshop here in Hyderabad – oh, sorry, this is the Hyderabad session. Yvette, could you also put in a link, if we have it already, for Copenhagen? I'm not sure if that's available. There also will be a session on the operating standards in Copenhagen; obviously, I alluded to that during the presentation. Thank you.

Klaus has raised his hand. Klaus, please go ahead.

KLAUS: [inaudible]

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LARS HOFFMANN: Klaus – Klaus, we cannot hear you. I’m really sorry. It’s very muffled. I can barely make out –

KLAUS: [inaudible]

LARS HOFFMANN: No, it’s still not good.

KLAUS: [inaudible]

LARS HOFFMANN: In fact, it’s robotic.

KLAUS: [inaudible]

LARS HOFFMANN: Yeah, well, we can hear you, but it does sound like you’re asking for ransom. It’s very – it sounds very –

KLAUS: [inaudible]

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LARS HOFFMANN: Yeah, it's actually really – we – I can't make it out. It's really impossible. Is there any chance you could type it into the chat?

KLAUS: [inaudible]

LARS HOFFMANN: No, Klaus. We really can't make it out. Or I can't, at the very least.

KLAUS: [inaudible]

LARS HOFFMANN: Klaus, I'm really sorry; I could not make out what you said. I kind of think you ended with "okay?" as a question, but I couldn't understand it.

KLAUS: [inaudible]

LARS HOFFMANN: If you can type in the chat, that would be great, to be honest with you. Or if you can dial in quickly again. I'm not sure whether [inaudible] or whether you are on a phone?

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KLAUS: [inaudible]

LARS HOFFMANN: Yeah, because we can't make it out. If that's just in the chat [inaudible] if you give [inaudible] to [inaudible], she'll be able to dial out to you, and that way you may be able to get a better line.

KLAUS: [inaudible]

LARS HOFFMANN: Is there anybody else who's got any questions? Cheryl, please go ahead.

CHERYL LANGDON-ORR: Thanks, Lars. Cheryl Langdon-Orr, for the record. Can you just scroll back to the part where the – not the operating standards, the organizational review – one [inaudible] the second one after your independent – no, one after that. I should have been paying attention to the [inaudible]. That's it! Thank you, got it. Whew! I should have been paying attention to slide numbers, you see, and I wasn't.

LARS HOFFMANN: [inaudible]

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CHERYL LANGDON-ORR: First of all, I'm perfectly comfortable with where we're heading in this. On a generic note, I think we should make it very clear that even the procedural aspects of the ICANN review processes, [inaudible] should be [inaudible] in themselves a continually improving set of things. It's still early days in all of this process. I, as you know, firmly believe in the principle of all of this, but as I'm sure you also know, wasn't satisfied in some of the practice. Based on what is on this particular slide, I like the fact that you are given a [inaudible] respectability, but I think this should probably promote that almost more deliberately, [inaudible] outreach documentation and presentation are done. I don't know [inaudible] slide making that point quite specifically [inaudible] built-in flexibility so the Working Party can design itself to [inaudible] its community and its review process. You know, some sort of something like that. I think that needs to be pushed more obviously. We must remember these things just [inaudible] onto shelves and people just using them ad nauseam without thinking more deeply about them.

I'm also quite pleased about [inaudible] probably want to put it in bold, because it is a, in my opinion, slight difference to what we're contracting our independent examiners to do in our current state of [inaudible], anyway. And that is, the Working Party shall assist the independent examiner as appropriate to help ensure that the analysis of the review is based on adequate sources. I think they're working with us enough on the recommendations, but I think the ability to have input in and advise [inaudible] or what sort of writing, or what sort of analysis of qualitative versus quantitative aspects of those reviews should be [inaudible] led to work on to make sure that substandard operational procedures to help Review Working Parties know what they should be

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doing in that event, but also to make sure that the independent examiners realize that the Working Party is more than just an interactive conduit. It is a resource, and a resource that can, in many cases, I hope, bring more than a decade's worth of experience to relatively inexperienced consultants. So, [inaudible] where I'm coming from on that point of view, but [inaudible] must have some aspects to that, because that's a critical aspect, a good aspect, but one that I don't think will flow naturally the experiences people have had in the first round of the new type of review process we're already in. Thanks.

LARS HOFFMANN:

Thank you, Cheryl. I'd just like to – actually – add to that, to be perfectly honest. I think that was really helpful. Cheryl, I really liked your point about – it's a good thing, what you mentioned about slides, because people just see the slides and not the document, and you're perfectly right; that could lead maybe to the wrong assumptions. I'd like to reassure that once you read the prose that we've put into place here, it's really quite clear that you have best practices and guidance, and are in no way prescriptive of how the Working Parties should or should not operate. In effect, linking that to your second point, the reason why we think it's important to have this in here although it's not going to be in our view anyway, prescriptive, is the expectations. You're quite right; some in the community have long time of experience and therefore kind of know what to expect, but other parts of the community have obviously not been around for that long or have not been in leadership positions for that long, and we see that sometimes when we start up new reviews, that people are like, "So, what is the Working Party going to do? What do you expect from us?" And so, to point to this

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document and to say, “Look. Here is what the Working Party could do, and how it could do it,” and that’s for you to amend or mold that process, or your engagement, and the size of your group how you want to run it, how many meetings you’re going to have, that’s kind of up to you.” And they also [inaudible] say to the second aspect on the independent examiner and what you point out here, the resources of the Working Party and how [inaudible] should be [inaudible] – same thing also for the operation as a whole. The independent examiner in this case may have little experience with ICANN, or limited experience with ICANN, and it gives them an idea of what the Working Party does, but also what’s expected of them in addition to the contractual requirements. In outreach, we sometimes had – reactions where people just weren’t aware of what was expected of them, and so to have this as an expectation setter for everybody involved, I think, would be very helpful in the long run. Sorry, I’ve been rambling on a bit. But all that’s to say that I agree with you, Cheryl.

Sorry, I’m just reading very quickly Klaus’s message. So, Klaus basically asks – sorry for the silence – asks that the two reviews conducted in the near future – the Ombudsmann review and the [inaudible] to what extent will result in [inaudible] logical aspects of these reviews [inaudible] past [inaudible]. Just a quick correction on that before I answer that – the Ombudsmann is not a review; it’s an assessment – kind of a mix between the current ongoing WS2 and also a recommendation from the ATRT, and so that is kind of slightly outside what we refer to as Organizational Reviews, with a capital O, capital R. And that certainly is the NomCom review setting, the [inaudible] the RSSAC, and the CCSO Review was also launched this year, so [inaudible]



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will be very busy, as they are already, I suppose. But it will [inaudible] in that way where we're looking for constant feedback and experiences [inaudible] beginning as a living document. So, what Cheryl just said, I very much look forward to being with Cheryl and other leaders of the At-Large Review included [inaudible] we're basing the independent examiner's performance can be improved, where Staff performances can improve, and see how we can incorporate that in the operating standards, so next time around [inaudible] large review in this case, or any other review for that matter, and we don't get – or we can avoid – similar impasses. So, the reviews are going to be guided by the bylaws as long as the operating standards are in place, with as much [inaudible] as needed, but they're definitely there to be [inaudible] document should be a continuous process. Cheryl also pointed that out. [inaudible].

Larisa, you raised your hand, as well.

LARISA GURNICK:

Thank you, Lars. This is Larisa Gurnick. To follow up on Klaus's question and enlarge the answer, we have a process where the outcomes of the reviews and lessons learned, if you will, about the review process, about the interactions with the independent examiner. Any and all lessons and observations that come out at the end of the review are always fed into the way we conduct the next review. So that is something that Organizational Reviews, we as ICANN Organization, a team that supports others' review processes, we work really closely with the Organizational Effectiveness Committee of the Board, and we're consistently reporting back and incorporating lessons learned into the

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new process and would imagine that we would get into the same cadence with specific reviews, as well, to make sure that every time – every next review – benefits from the experience and the learning from prior reviews to make it more efficient and more focused. That’s a standard part of our practice. Thank you.

LARS HOFFMANN:

Thank you, Larisa. Unless there are any more questions, I think we can conclude this webinar early. Before this, I’d just like to remind everybody that we will post the recordings, obviously, on the Wiki page. We’ll send that information out, as well, to everybody who has signed up to be in the webinar and also to the be [inaudible] the meeting list. And then, we will start some outreach and to kind of direct people to these specific questions, as well as to the [inaudible], to make sure that we [inaudible] community consultation on this [inaudible] and hopefully have a more substantive discussion once Copenhagen comes around. I look forward to seeing you all there, if not before.

Sorry, I’m just reading the last comments from Cheryl in the blog – in the chat. I wish you safe travels to Copenhagen – I know it’s a little bit early – or I might see you before, online. Thank you, everybody, and goodbye.

CHERYL LANGDON-ORR:

Thank you, bye.

LARS HOFFMANN:

Yvette, you can stop the recording. Thank you, Yvette.

**[END OF TRANSCRIPTION]**