BUENOS AIRES – AoC and Organizational Reviews: Supporting ICANN Accountability
Wednesday, June 24, 2015 – 10:30 to 12:00
ICANN – Buenos Aires, Argentina

RINALIA ABDUL RAHIM: Okay, everyone. Should we get started?   Good morning, everybody. My name is Rinalia Abdul Rahim.

I'm chair of the board committee on structural improvements. This is a session on ICANN reviews. Reviews are one of several accountability mechanisms for ICANN.   They are mandated by the Affirmation of Commitments in our bylaws, and they have significant implication for ICANN as well as our stakeholders.   Today we have quite a bit of material to get through.   And here's how the session will flow.

We'll start with a presentation on the proposed schedule of the reviews by Denise Michele, followed by improvements for both the AoC and organizational reviews in terms of process and operational improvements that are under way as well as those that are being considered by the board to make reviews more efficient and effective.

After that we'll have an update on the implementation of completed AoC reviews; the SSR, security and stability resiliency review; the WHOIS review; and the accountability and transparency review team 2.

After that, I hope to have Chris Disspain join us. He's the chair of the Board Governance Committee. And he will give a view on the Board

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assessment of progress and implementation of the completed AoC reviews.

And then we will get a heads up or reminder on upcoming AoC review by Margie Milam followed by an update on organizational review where Ray Plzak, who is the former chair of the Structural Improvements Committee, will give a general overview followed by Jen Wolfe who will present a status on the GNSO review and Larisa Gurnick who will touch on the status of the at-large review in terms of the proposed revised timeline.

And after that I hope we will get to a discussion and feedback from you in terms of the schedule, the improvements to process and operations, as well as any other general feedback that you'd like to give us.

So let's begin. Denise.

DENISE MICHEL: Thank you, Rinalia.

So, currently, there's a public comment forum opened. It started in mid May. It closes on July 2nd. So far we have zero comments. One of the reasons we wanted to hold this session today, in addition to sharing a wealth of information with you about a variety of review issues, is to call your attention to this important public forum. We're seeking the community's input and thought on how we should schedule the mandated reviews and also to get your feedback on

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some proposals to improve the process and administration and streamlining of the reviews themselves.

The Affirmation of Commitment requires ICANN to conduct reviews in four key areas. And, of course, the bylaws commit ICANN to reviewing its structures. The AoC reviews are on a three-year schedule. The structural reviews are on a five-year schedule. We have a confluence of reviews in fiscal year 16 which starts July 1st. If we followed the -- both the Affirmation of Commitments and the bylaw mandate, we would have three Affirmation of Commitment reviews starting in this coming fiscal year. That's the competition, consumer choice and trust review focused on new gTLDs; the second WHOIS review; and the second security and stability and resiliency review.

In addition to those three community-led AoC reviews, we also would have, because of the timing of the previous reviews, four structural reviews, including the at-large, the SSAC, the NomCom, and the RSSAC.

We've received concerns about community workload and the need to stagger these reviews and take into account the breadth of issues and work the community has on its plate. And so, in response to that concern and a request for some ideas and proposals in this area -- and also in response to the accountability and transparency review team, the second review team that recommended that ICANN improve its processes and operations of the reviews, we have a proposal pending for public comment.

The proposal is that we move forward with the three Affirmation of Commitment reviews in FY16. That would entail launching SSR2, WHOIS2, and consumer and competition trust review at the same time with a call for volunteers in early October --- rolling the four structural reviews into the next fiscal year. And that would also allow the at-large review to -- which would be the first one out -- to take more time in planning and information gathering before they start in the following fiscal year.

In addition to this, the proposal that's out for comment suggests a variety of operational and management improvements to try and streamline and improve how we conduct reviews to make them more effective and more impactful, frankly. It would provide more planning time at the front end, provide assistance to this community review teams to provide clearer scoping and chartering. It would also include in their period of service a bit beyond their final report to the Board. So it would allow the community and staff to engage the review team members in a discussion about their final recommendations so we have an opportunity to clarify with them their intent and additional questions regarding implementation. So it provides a stronger tie between their recommendations and how we implement them.

Larisa will be providing some more detail for you on the proposed process and operational improvements. But, again, I just want to call your attention to the proposed timeline for AoC and organizational reviews. And we're really encouraging the community and all the SOs and ACs in particular to look at their work plans for fiscal year 16 and consider what they would prefer in terms of how we schedule these

reviews and provide us with some feedback on whether they can accommodate their participation, not only in appointing and recommending individuals to be appointed to these reviews -- because, of course, the AoC reviews are community-led -- but also assuring that that workload can accommodate the important engagement, information sharing and feedback that are part of this review process.

So with that, I'd like to turn it over to Larisa to provide you some more information on process improvements.

LARISA GURNICK: Thank you, Denise.

So, to follow up on what Denise was saying, some of the process improvements that are already under way, in addition to the ones that are outlined in the proposal, is using the global standards of Project Management Institute applied to the implementation planning execution of the implementation plans. This is already being piloted for the implementation work on ATRT2. And, in the next section, when we talk about an update on that, you will see some elements of that. It has to do with clear and concrete scope of work for the implementation as well as specific and clear scheduling and timelines including milestones, budgeting of resources up front in the implementation and planning phase, and regular and consistent reporting of progress. And that is now taking place on a quarterly basis.

In addition to improved tracking and reporting, the board of directors and the community will have an opportunity to review the progress on a regular basis and ensure that the implementation work is tracking based on the intent of the recommendations from the review teams.

We're also working on developing a centralized tracking mechanism so that all the recommendations from all the different review teams, both AoC reviews as well as organizational reviews, are available in a central place and where it would be much easier to see what the prior recommendations had been, how they had been implemented, and what the status is. So that is currently work in process.

We are also working on revamping the ICANN web pages that pertain to the reviews. And those pages will go live within the next couple of weeks. But you will see improvements there in the area of clarity and ability to find relevant information pertaining to all the reviews. One element of recommendations from the ATRT2 had to do with improved planning and budgeting for the AoC reviews in particular. And, of course, that applies to all the reviews as well. So we're putting in place a process where planning and resource budget allocation will be done up front prior to the beginning of any given review. And that will be considered in the scope of developing the review. So all the necessary work, timing, and resources are anticipated, tracked throughout the process of the review.

In addition to this, the Board is also considering adding oversight for AoC reviews in a fashion that's similar to the structural reviews. Currently, the Structural Improvement Committee has the oversight

over the organizational reviews, which are the bylaws mandated reviews. And they're considering whether it would be useful to add a similar construct for oversight over the AoC reviews.

So, as far as the next steps are concerned on the proposal that we've outlined for you, the public comment period closes on July 2nd. So we very much would appreciate comments both today later there will be an opportunity to provide comments as well as through the formal process.

The Board will consider the proposal including all the feedback from the community on July 28th. At that point there will be sufficient information, potentially, to come up with a review schedule, a firm review schedule. And then, starting in early October, there will be a call for volunteers for the three AoC reviews that Denise had mentioned. And Margie will outline more specific information about the new consumer choice, consumer trust and competition review as well as the kickoff of the second SSR and second WHOIS, which are scheduled to start at the same time with a call for volunteers in October.

And now I'll turn it over to Denise for an update on the implementation status of the SSR review.

DENISE MICHEL: Thanks, Larisa. So we won't go into any great detail on the status of the pending implementation on the current reviews. All of the information is regularly posted on ICANN's Web site, provides details

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on the -- details of each of the recommendation, how it's being implemented, and the status of each one. The URL can be found on this slide.

But we want to just again remind you that all this information is online. And I think, as Larisa has mentioned, we'll be updating the Web site and tracking mechanisms in the next month or so. So we'll provide even more information and an easier way to access it.

Briefly, on the SSR review implementation, we had 28 recommendations that were proposed by the review team. They were all accepted by the Board. A little over half are complete in terms of their recommendations, and about 46% of the projects are in implementation. And this ranges from evolving our SSR outreach and engagement, providing more details on budget and implementation of the SSR framework, as well as numerous other improvements related to ICANN's SSR remit and mission.

Again, more information is online. There are SSR staff here in the room. If you have any specific questions on this, we'd be happy to answer. But with that, I'll turn it over to Margie.

MARGIE MILAM: With respect to the WHOIS review implementation status, there were a total of 16 recommendations that came out of that review back in 2012. 57% of them are complete. 37% of them are in progress. And the ones that are in progress, a lot of them are linked to community-related work. So, for example, there is work underway to develop

policies related to privacy and proxy services. They're in the PDP process and currently have published a draft report. There's also work related to the internationalized registration data work and questions of translation or transliteration of contact data. And, again, those are still in progress. And, when those are complete, we'll be able to update the status to have more of these recommendations complete.

So we're in an interesting time where we're planning for WHOIS review team number 2 while we're still currently implementing the recommendations from the first WHOIS review team. And there's also a lot of work underway on other WHOIS-related work such as the examination of whether to come up with the next-generation of registration directory services that were -- came out of the EWG work. So there's a lot of activity going on related to WHOIS.

And in the link you can see details on every single recommendation and the current status of them.

And then I believe the next one is Larisa. She'll talk to you about ATRT2 status.

LARISA GURNICK: With ATRT2 there were 12 recommendations that were issued. And, while no single recommendation has been fully implemented, you will notice that the 12 recommendations were broken down into 115 milestones of which about half is complete and half is in progress. And this is information as of March 30th. By the next update, which will cut off as of June 30 and will be provided within a month or six

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weeks after the cutoff period, you'll see that some progress will be made on a number of recommendations such as board training, various improvements made by the language services team in the area of multilingualism.

There's also -- the proposal to improve review effectiveness was recommended ATRT2. And the way we're progressing toward that is by posting the proposal that we outlined for you earlier in the session.

Also there's been significant progress in the implementation of the strategic plan which is now linked to the five-year operating plan and the FY16 operating plan and budget. And this was related to recommendation 12 of the ATRT2.

We're also making progress towards measuring accountability in response to recommendations from both accountability and transparency review teams. Both ATRT1 and 2 asked that measures be put in place to determine progress towards increased levels of accountability.

This work is based on the definition of accountability proposed by One World Trust in February of 2014. And a collection of key performance metrics that are being assembled is currently underway. And, eventually, this work will transition into measures of institutional confidence in ICANN.

Chris? Not here. Now I'm turn it over to Margie for a discussion of upcoming reviews.

MARGIE MILAM: Thank you, Larisa.

I wanted to spend this time to talk about the newest one that will be starting in the fall, the one related to competition, consumer choice, and consumer trust.

This one is the first one of its kind. And under the Affirmation of Commitments, it will look at those elements of the new gTLD program and how the new gTLD program was affected in the areas of competition, consumer trust, and consumer choice.

But it's also going to take a look at the effectiveness of the application and evaluation process and take a look at the safeguards put in place to mitigate issues that were involved in the introduction or the expansion.

So, when you think of the scope of this Affirmation of Commitments review, it's going to cover very many topics, things like the rights protection mechanism that we had a session yesterday -- or I guess the day before yesterday -- on Monday related to all of the reviews that are currently underway at ICANN examining the new gTLD program.

And there will be quite a bit of activity anticipated in this particular review. These reviews under the Affirmation of Commitments are recurring, so it's important to know that it's not just a one-time thing. It will start at the end of this year. Again there will be another one two years later, and then they're scheduled to occur every four years.

Just to remind you of how these reviews work, once the review team comes up with its recommendations, those recommendations go to the Board. And then the Board under the Affirmation of Commitment is required to act within six months. And then there's usually an action plan or an implementation plan, as Larisa mentioned, a very detailed plan that takes a look at how those recommendations are implemented. And that can involve, for example, going back to the GNSO like in the WHOIS review team, to ask for additional policies, if necessary, to implement some of the recommendations.

And so it's a long process. But it's scheduled to kick off later in the year. Now, specifically the Affirmation of Commitments also talks about how the review team will be formed and it mentions that the members of the review team will include the GAC chair or its nominee, the ICANN CEO or the designated nominee, as well as representatives from the SOs and ACs and independent experts. So we're looking at a fairly large group as we plan for this review to try to encompass the various topics that might be covered under this review. And then the Affirmation of Commitments points out that the composition is to be agreed to by the GAC chair and the ICANN CEO. And so we anticipate that that -- those discussions will take place after the Buenos Aires meeting as we prepare for -- preparing the call for volunteers so that we make sure that the call for volunteers has the type of expertise that we're looking for when we try to solicit volunteers for that group.

And some of the issues that, you know, we already kind of anticipate related to the new gTLD program, there's a lot of information that -- that needs to feed into this review. And so there are community

metrics that have already been collected based upon input from some of the groups from the GNSO and the ALAC. Those metrics were approved by the Board, and staff is currently in the planning stage for publishing a portal that I believe is -- is to go live after Buenos Aires that has a lot of detailed metrics that really will feed into this review. There's also two big surveys that are underway, the economic survey that's being conducted by the analysis group and the consumer survey that's being conducted by the Nielsen firm. The Nielsen firm has actually published some of its findings related to the consumer study and there was a session on Monday that talked about those issues. And these are intended to create baselines so that a year from now there will be a follow-up survey to see how the data has changed as the new gTLDs have gone -- more of them are in operation, there's more experience related to the new gTLDs.

And in one of the -- some of the issues that we are considering is how to manage the size of the review team and how to identify members that will reflect the diversity among the different SOs and ACs and the type of technical experience that we're looking for in the review team. We're also, again, concerned about the bandwidth issues because there's a lot of activities that we anticipate will be going on, as Denise mentioned, the three reviews plus a lot of other work going on in the community. And then one of the issues that has been discussed over the last few days is how these -- how this review relates to the other reviews that are being conducted by the GDD team and others, and the GNSO, for example, on the new gTLD program. So there's a lot of questions related to that.

And then we're also cognizant of the discussions with respect to the IANA transition as there's discussions about making the Affirmation of Commitments reviews part of the bylaws. And so we're trying to keep informed on that discussion so that we're consistent and don't have any issues there.

And so as I mentioned with the timeline, we -- we're now kind of thinking through the review team formation issues, knowing that we'll do a call for volunteers right at the end of September, early October. As the timeline progresses, that means that the review team will probably be convened towards the early part of next year, and we're anticipating roughly a year of work which means that the -- that the recommendations, you know -- and again, this is all up to the review team and the -- eventually the Chair of the review team, but we're anticipating that that review might be done by March of 2017.

And with that I'm going to hand it to Chris and he'll talk -- no. Okay.

CHRIS DISSPAIN: Good morning, everybody. My apologies for being late. Give me one sec. Here we go. I'm just going to briefly tell you -- give you an overview of what the Board has been doing in respect to all of these views -- reviews. We -- we ran a -- implementation assessments recently in a group of small -- small Board committees, ad hoc committees, to look at each of the ATRT2, WHOIS and SSR reviews, and the goal was to be able to inform the Board of the -- of progress, to identify any problems, suggest improvements, and to ensure the

implementation is complete and suggest improvements for future reviews.

So small teams split up and sort of three or four people went away and did a deep dive into each of the SSR, WHOIS, and ATRT2 reviews. Just to give you some examples, on the ATRT2, which is the one that I led, we looked at the fact that we thought that perhaps more detail of progress needed to be -- needed to be published for the community because there were, you know, people saying things hadn't been done but actually they had been done it was just that you didn't know they had been done. We found some recommendations where it was quite difficult to be clear on when they were complete. What is the sign of complete -- that you've completed the recommendation? We looked at the -- sometimes it's difficult to know what the interdependencies are amongst the recommendations, and it's important to mark those. And we also recommended to the Board that the -- on the ATRT2 specifically, that the Board Governance Committee should work more closely with staff to see the recommendations through to completion.

Each one of the three reviews came up with a series of suggestions and so on. And at the end, we saw some common issues, what we thought were common issues, for -- common to the implementation of all three reviews. And they included things like the recommendations tend to assume unbounded resources from ICANN and from the community. So not just money but time and effort. And that's something that we need to remember. And perhaps prioritization and feedback loops should be established to determine the most effective approach. So for example, there perhaps shouldn't be anything wrong

with going back to the ATRT2, the review team and saying okay, thanks very much, they're all fine. And now you tell us what order you want us to do them in so we don't actually end up -- trying to do everything at the same time or being justifiably criticized for making our own decisions about priority.

The other point, of course, is that often there are contingencies. I mean, for example, in ATRT2, there are a deal of recommendations in respect to the GAC. So there's a contingency there that the GAC actually has to enroll and do some work.

So we did all of that, and I think we've learned some very interesting lessons about the future management of reviews.

The other thing I wanted to just briefly tell you was that, I'm sure you all know this anyway, but obviously the work that we're doing on restructuring the reason -- the review framework will have space for the CCWG and/or CWG recommendations that involve reviews to be slotted into it. So we don't know yet exactly what those are going to be, but we're expecting to know relatively soon and we're going to slot them in as they need to be. Denise, did I cover everything you wanted me to cover?

DENISE MICHEL: Yes, you did.

CHRIS DISSPAIN: Thank you very much.

RINALIA ABDUL RAHIM: Thank you, Chris. That was the update on AoC reviews. So let's move on to organizational reviews, and Ray will start us off.

RAY PLZAK: Thank you, Rinalia. I even get a toy to play with, too. Okay. I'll go through these more complicated slides relatively quickly. Complicated in the fact there's a lot of words on them. The objective obviously is to comply with the bylaws examination of the organizational effectiveness. I'd like to take a quick brief step back here. These are not structural reviews. These are organizational effectiveness reviews. Trying to examine and fix a structure without understand -- understanding the underlying root causes or a problem, i.e., the effectiveness of the organization, is sort of like rearranging the deck chairs on the Titanic. You may get the chairs all lined up nice, but there's still water coming through that hole in the hull. So it's organizational effectiveness we're looking at. And obviously as a result of the review you could end up having structural changes.

So there were some changes that were made to this round from the last round. The most significant one probably was the review working party. This is composed completely of members of the organization that's under review, and Jen will talk more to that when she discusses the GNSO review. But needless to say that this is the key element of the review. The independent examiner is just that, an independent examiner. The criteria that the independent examiner uses are not criteria that they develop. It's criteria that's given to them. There's

two sets of criteria. One set of criteria is common to all reviews. So, for example, everybody in ICANN that has an election, that election will get looked at with the same criteria. Everyone will get looked at with regards to diversity and levels of participation. Now, when there are specific things that are peculiar to that organization, that's where the review working party comes in to develop those criteria. And that is what is presented to the independent examiner as part of their scope of work.

The work methods are to examine the documentation records and reports. That doesn't take any involvement by the members of the community. That's primarily an effort between staff and the independent examiner. The 360 assessment is -- involves not only the organization under review but the entire ICANN community is invited to participate in that. And then there are limited interviews that are conducted based upon what was presented in the 360 assessment. In other words, the independent examiner may want to flesh out some ideas and so forth. What this does, it takes out of the loop the repetitive ICANN meetings where the reviewers are going around and talking to a number of people and the questions they ask change from time to time, even throughout the course of one particular day, so we're trying to get some standardization here. The criteria, as I said, they're objective, they're quantifiable, and most importantly they're consistent in their application. And we are already gaining lessons learned from the GNSO review that are actually being applied to what's going to happen in the At-Large review and the At-Large review in turn will provide the same lessons learned type activity as well.

The review cycle, we sat down and did some strategic planning here and it's five years, so what do you do at five years? Well, you don't spend five years going around poking and prodding and seeing what you can find. You actually do a lot of things. So planning, there's six months that are devoted to that.   That also could include some assessments of where the progress is to date. Those could be internal assessments that are made by the organization. The formulation and finalization of the criteria and the procurement and engagement of a vendor to be the independent contractor or examiner.

Then the review is conducted, 9 to 12 months to do the actual review type of the work.   Then three to six months to plan the implementation. Takes time to plan the implementation, to look at everything. And let me step back a little bit into the conduct review. It's not just a work that goes on collecting the information. There's also an interaction that continues back and forth between the review working party and the independent examiner in the production of the draft report, public comment, and then a final report. So that's all in that same period. Anyway, so planning the implementation, looking at the implementation is going to be maybe a categorization of the recommendations.   The -- obviously looking at the urgency of the recommendations. Some of them are going to be immediate. Some of them are immediate because they're already in progress. Others are immediate because it's something that has to be taken care of right away. Others are maybe short-term and others may be long-term. Depending upon where they fall, the longer term ones obviously will get into the strategic plan so they become objectives inside a

strategic plan. The short-term ones would also be included in the strategic plan but they also would then start showing up quickly into the operational plans. And then all of them to include immediate ones will be in the budget. And so with regards to the ones that are already in progress, the ones that are immediately have to be taken care of, part of the implementation plan is a budget plan, which says here's what we need to get started right away. So if this comes in the middle of the budget cycle, there may be a need to do some supplementary budget work. But the idea is to get things moving and not to delay.

Then there's a period of about a year to implement the improvements, get them working. And this would include getting them included into the appropriate plans and budgets and would include beginning work. Or continuing work. Then for a period of maybe up to two years there's a -- work in the operating world. In other words, two years to really work with these recommendations and the implementation of them, to see if they really are working. And this does not stop the organization as this is going on to take periodic snapshots of pieces or all of what's been recommended to occur because that will then feed back into the next review which takes us back up to the cycle.

Here's a bar chart with a schedule. You can see it goes out for about two years. And it's got a lot of stuff on it. I'm not going to go through it. It's very busy, and that's a large part of what was just being discussed earlier.

This is important. Roles and responsibilities. Now, if you notice that the portion that belongs to the Board, which is under the third

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column, SIC, the Structural Improvements Committee, is very short. And that's because it's primarily one of accepting and oversight. And ultimately doing some approval work. You'll see a lot of the responsibility is on the organization itself, under review, in terms of things you get done and things that they can't do and how important they really are. Independent examiner is right there. Staff is a facilitator. They are not the arbitrator, the dictator, or anything else. If anybody is really in control of what's going on, it's the review working party in those terms.

Once the reports are finished then the report is accepted by the Board upon recommendation by the committee. And once the implementation plans and so forth are put together, they're approved by the Board upon recommendation by the committee. You'll note that otherwise the committee is performing its oversight through the use of periodic reports and making sure that the scope of review is where it should be and is also the one that confirms the independent examiner.

And so I guess I'll go back one because that's Jen's slide. So I'm going to turn it now over to Jen. But before I do that, I would like to publicly thank Jen for the very, very good work that she's done as the chair of the review working party. She's done the GNSO a great, great service, and the GNSO really should recognize that, as should the rest of the community. She has set a very high bar for those who are to follow her. So with that, it's all yours.

JENNIFER WOLFE: Thank you. Thank you very much. I appreciate it. And it's truly been my pleasure to chair the working party for the GNSO review. Sorry, I have the slide. So in terms of our timeline and where we are, currently the draft report is out for public comment and that remains out for public comment until the 20th of July. Throughout this process the GNSO review working party has put in significant energy and time to help make the review and recommendations useful and supportive of continuous improvement. We've had 17 meetings, two rounds of nearly 120 comments leading up to the issuance of the draft report. After considering community feedback by the public comment process, in-person meetings here at ICANN 53, and ongoing interaction between the GNSO overview working party, Westlake and staff, the final report will be issued at the end of August.

The final report, along with all of the public comments, will then be considered by the Board, and once the Board takes action and accepts, the report we will move into the implementation phase.

We have already started thinking about implementation. We met yesterday morning to discuss how we would organize the recommendations, prioritize them, and frame them so that we could start to make a plan for implementation, including looking at the budgeting issues.

In the report which is very lengthy, and I certainly encourage you to read the executive summary which very nicely summarizes all of the recommendations and the information, but everything is included throughout the lengthy report and the appendices. But there were 36

recommendations under four key themes. Those themes included participation and representation, continuous development, transparency, and alignment with ICANN's future. So again, I really do encourage you to read the report, or at least the executive summary, and please do make comments as that's very helpful and important to us in this process.

Throughout the process we have worked extensively to ensure timely and constructive engagement and feedback. Specifically we've had ten sessions here at ICANN 53. We've had ongoing blogs, video, social media. We've created a template to try to help facilitate public comments. I know it's a very large document, so there is available a framework to help you fill in your comments on each of the recommendations. We're starting to look at initial feasibility, including an assessment of all the proposed recommendations. We are already starting in tandem with all of the process that has to go forward planning for the implementation phase and we are continuing to organize and provide feedback from us the working party, from you the community, and all of that with Westlake.

So just one summarizing note. As we have gone through this process, we have found that there was clearly a need for additional time. I know Ray spoke about all of the reviews going on, and I can definitely say having gone through this over the last in a year process there is a need for additional time for the community to respond and to be able to effectively provide the feedback that ensures the outcome is actually meaningful and useful.

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So that's just a comment on the review process that having that time is very important. And I think the extensions that we were granted throughout the process resulted in a better outcome. So -- now I think this is back to Larisa.

LARISA GURNICK: Just a few comments now about the at-large review. And this is based on the proposed timeline which is out for public comment.

So, with lessons learned from prior reviews, a lot of that information and process improvement is being considered as part of the at-large review.

The working party has been formed and is being chaired by Holly Raiche. And they're already busy at work looking at a couple of different things. First, they're conducting a preliminary self-assessment looking at the recommendations that were issued by the prior review and looking not only at whether those recommendations have been implemented but also taking a look at how effective the implementation has been at meeting the original objectives of those recommendations.

Secondly, they're working on tailoring the standard practices for the review to the unique attributes of the at-large community so that, by the time that the RFP and the formal competitive bidding process kicks off in November, all those nuances and requirements will be considered and included in the formal RFP and will be available during the proposal analysis phase.

With that, we expect that an independent examiner will be selected in the early part of 2016. And, by April of 2016, the independent examination part of the review will begin.

And, as Ray suggested, based on our process, the review will take anywhere between 9 to 12 months. And then the cycle of implementation would begin in early 2017.

RINALIA ABDUL RAHIM: Thank you, Larisa. So now we come to the portion where we get to hear from you. That's been quite a bit of information. I hope that it's not too much of an overload. Reviews are significant efforts. They take up quite a lot of time, volunteer contribution, and resources on the part of the organization. So we really need feedback from you in terms of whether or not the revised schedule is appropriate. Can the community cope with it? And, if not, we want to hear from you.

MARK McFADDEN: Hi. My name is Mark Mc Fadden from InterConnect Communications, Hi, Larisa. I have 17 questions.

The first question is regards -- I'll just do two at a time. The first question regards the very early material that you provided maybe an hour ago which was about centralization project management activities. And you link that to the dashboard.

What I'm interested in is: Are we going to be able to see publicly on the ICANN Web site, those dashboards -- the progress that is reflected

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in those project management activities on a public dashboard so the community can see that?

UNKNOWN SPEAKER: There's a simple nod of the head.

LARISA GURNICK: Yes.

MARK McFADDEN: That's all I need is a yes. And if I can have someone go to slide number 23. That's very kind of you. This is two days in a row, Ray.

This has to do with the scope of the reviews. It's the second bullet under the SIC. And it also goes to the comment about the deck chairs on the Titanic.

One of the things here is I would like to see the scope of the review being able to be reviewed by the community. Not just the SIC, but actually input from the community on the scope of that review.

The reason for that is the community, who is actually participating in that area, in that constituency, supporting organization, whatever is being reviewed at the time, has very good insight on what needs to be reviewed, the amount of not just organizational effectiveness -- and you know where I would go here is that there may be broader or narrower efforts for the scope. And I think getting community input on those is very important, because -- not that I've ever disagreed with

you in the past. But, in this case, if the scope doesn't in some cases address structure, you might have put the hull on the top of the boat instead of on the bottom where it belongs and you've sunk it anyway.

RAY PLZAK: There we go.

The community was given ample opportunity to provide input into the criteria during the early stages under the review working party. And there were I don't know how many sessions we conducted discussing criteria, but there were several.

MARK MC FADDEN: I'm not picking on anybody.

RAY PLZAK: No, no. What I'm saying is you're also talking about the views and inputs of the community. What I'm saying is the opportunity was there, and the information was solicited.

MARK MC FADDEN: So what I'm saying here is that, in your diagram and the way you described it, the scope of the review is controlled by -- is coordinated by the SIC.

RAY PLZAK: The scope of the review is the structure of the criteria. If we're going to look at -- if something is going to be looked at, it's going to be included in the criteria. And then how that criteria is going to be examined is determined by whether it's going to be included in 360s, it's going to be included in interviews, it's -- where it's going to be included. But the scope of the review includes all the criteria.

MARK MC FADDEN: I understand that. My feedback -- take it just as feedback, Ray. My feedback is there needs to be a formal process in which the community gives input into that scope.

RAY PLZAK: There is. It's through the review working party. You want to sink into that, Jen?

JENNIFER WOLFE: No, we did understand the concern about structure. So we did add some questions that allowed for that to be commented upon.

MARK MC FADDEN: Right.

JENNIFER WOLFE: So we were able to provide that feedback that we thought should be able to be provided in scope.

MARK MC FADDEN: Again, this is just input here. I'm just giving a suggestion from the community, right? But, for instance, in constituency meetings, the consultants for one particular review are talking about how they're unable to do anything in that area. Right? So I think -- my only suggestion, Ray -- this is not meant as criticism. This is meant as a general process improvement -- is that there needs to be, prior to the development of that scope, public comment on it. That's all.

RAY PLZAK: Okay. Well, Mark, I've known you longer than dirt. So I understand where you're coming from. Thanks.

RINALIA ABDUL RAHIM: Thank you, Mark. We do accept that input, and I don't think you're older than dirt.

Fiona.

FIONA ASONGA: For the record, Fiona Asonga, from the Kenyan Exchange Point and a former member of ATRT2, currently involved in the CCWG on accountability. I just have a recommendation to ask if Denise and team would also spend a bit more time looking at what the CCWG on accountability is working on. Because there are some quite significant recommendations within that process on accountability mechanisms and the review processes that need to be plugged into what you're

planning to do. When we create that synergy, we save on time, we save on effort, and we save on the back and forth between the community and staff on the processes so that we can sort of, like, kill two birds, three birds, four birds with one stone. Thank you.

DENISE MICHEL: Thank you, Fiona. And thank you for underscoring that point. As I think Chris also emphasized, we have a placeholder. And we're very cognizant of the discussions and work that's going on within the accountability framework discussions. And we'll -- we're keeping very close tabs. And we'll make sure that we make sure that we incorporate any final outcomes that are relevant to reviews.

RINALIA ABDUL RAHIM: Thank you. For the scribes, that was Denise Michel. Chuck.

CHUCK GOMES: Chuck Gomes. I'm going to be speaking in my personal capacity.

First, let me say that I really appreciate the fact that staff has decided to relook at the workload and to move some things out a little bit. I think that's critical at this stage and point. So I compliment you on that and support that.

I want to comment on several things of the report. And what I'll do is pick one category first. And then I'll get back at the end of the line so that other people can come up.

Let me just start with the GNSO review. And I want to reiterate Ray's thanks and compliments of Jen and the job that she has done in leading the review working party. So my compliments and thanks there as well.

Now, with regard to that review, one area that's going to come up with the GNSO review is this whole area of prioritization that you're talking about.

If you look at the 36 recommendations, quite a few of them are going to probably have significant cost implications if they're approved. So I just want to reinforce, Chris, what you said in terms of that. And I'm not sure what the best way is to prioritize those. But that -- I just wanted to reinforce that because it's going to come up, if all those recommendations are approved.

The -- another thing -- and this kind of came up in our review team meeting yesterday, or review team -- or working party, okay? Our working party meeting. With regard to implementation, to the extent it's possible, syncing the implementation efforts with the budget cycle, which is pretty firm now and has worked really well this year, and I think it will going forward, is -- and it may not always be possible, because you can't control the time lines. But, keeping that in mind, is helpful. Because, if you hit it wrong in the budget cycle, there may not be funds available to implement as soon as possible. The next thing I want to talk about is the timelines of the whole cycle with any given organizational review.

I suspect -- I don't know what, Jen, if you've looked at this or if others have. But the GNSO review, I think, is probably on the high side of three years, the whole cycle when we get done, including implementation. May even be longer. Which leaves a very -- and I'm glad we went to five-year cycles.

But two years, even if you have a full two years, is pretty minimal for more significant changes. And I don't know what the solution is on that. Because, if you start stretching it out longer than five years, I think that might be problematic in itself.

But, when more significant changes are happening, a two-year period of actual experience is pretty minimal in terms of that.

So I just throw those things out. I don't have easy solutions, because I don't think there are easy solutions. But they are factors that we need to keep in mind. And then I'm going to get in the back of the line and let somebody else talk.

RINALIA ABDUL RAHIM: Thanks, Chuck. Ray wanted to respond to you.

RAY PLZAK: Chuck, with regards to your first item as far as cost and stacked large costs and so forth, it probably might be worthwhile to take some creative views on that in terms of doing amortization of that effort by -- through uses of smaller projects that can be spread out across time. Therefore, you spread the costs out as opposed to trying to eat the

whole pie with one gulp. Just have a piece at a time. It's much better. So that's one possible solution.

In regards to syncing through the budget cycle, that's absolutely critical. That's why the only things that should bust through the budget cycle are those immediate things that are either in progress, in which case they should already be budgeted, or those that have to be taken care of immediately because a plane is going to fall out of the sky or something like that.

Otherwise, getting it into the strategic plan and getting it into the operating plans, gets it into the budget cycle and into everybody's mindset. And that's right on. That's one of the primary considerations we had with regards to implementation.

And, regards to that cycle, had five years to work with. And so, in my mind, it was we had to get at least two years there. But we had to allow time for all the other things to occur plus recognize the fact that you're working with volunteers and not working with a dedicated staff that you can work 80 hours a week, although volunteers will probably say they're working closer to 120 anyway. So those are the considerations that were taken into account.

And so, believe me, if we could have squeezed more than two years out of that operational time, we would have.

RINALIA ABDUL RAHIM: Thank you, Ray.

Alan.

ALAN GREENBERG: Thank you. Alan Greenberg also speaking in my own capacity. I have got a number of different points, but they're all short and I don't require an answer to any of them.

The first one I'm going to start off saying something you don't often hear in public comments at ICANN. I'd like to thank the Board for its wisdom. No reaction? Okay.

CHRIS DISSPAIN: Nancy, could we have a drumroll please?

ALAN GREENBERG: In deciding that we have to slow down this process and reconsider it. Thank you.

I'll point out that we were already doing it sort of tacitly. The original ATRT schedule said -- the AoC said every three years. We took that literally the first time. The first one was done in calendar year 2010. The second was done in calendar year 2013 with only two intermediate years. This time we're implicitly assuming there's three intermediate years.   Otherwise we'd be starting another one next January. It's already sort of ongoing.

I'm encouraged to hear that there will be more clarity on the implementation -- clarity and detail on implementation of ATRT2.

Some of them right now are quite clear. You even referenced this specific recommendation and say what you're doing. Some of them are so opaque that one has to believe that either nothing is going on or you forgot to mention what it is. So I am looking for that.

On prioritization, the ATRT2 discussed that at length. And we decided we really didn't have a handle on the information to do that. Because we don't know exactly what staff and what budget is going to be implementing any given item. Some of it is obvious. If we have a recommendation to the GAC and a recommendation to the finance group, that's different. There's no reason they can't proceed in parallel overall resources. But other things it was completely opaque to us, who would be doing it, whether we have to prioritize among them or not. So, if you're expecting groups to prioritize things, they're going to need a lot more information and feedback from staff quickly right at the end of the process when the recommendations are coming together.

And, lastly, I'm pleased to hear that the Board has reviewed the reviews. You might consider talking to the people who are on the review teams, the ones who wrote the recommendations, and seeing whether they think the implementation is going well or not. Thank you.

RINALIA ABDUL RAHIM: Thank you, Alan. As per your request, there will not be a response, although I do have a response for you on that last point. We'll do it offline. Holly.

HOLLY RAICHE: First of all, I'd like to echo Alan's thanks to the delay of the review of the ALAC review, because everyone's time really has been taken up. That said, this is a bit of a reply to Mark but friendly. Right now we are developing -- we're using that timeline to develop criteria to, in fact, look at, starting with our own people in ALAC, what questions are we asking and who are we asking them of? So they're being developed right now. We're going to have a lot of information now before the whole process starts.

One of the questions is: Who do we ask? And it's probably not just within our own community. It's probably asking other people what they think of us and hoping they're kind.

So maybe Mark will also be willing to be part of that process. And, hopefully, he'll be kind.

RINALIA ABDUL RAHIM: Thank you, Holly. Avri. Charla, is a hub comment coming?

REMOTE HUB: Hello. This is Matogoro Jabhera from Tanzania. I appreciate for the work that has been done so far. And I have a few questions to ask. One is just to understand what is the entry point for a new member who may be interested in joining this initiative? Because I've seen a number of presentations that have been given. But I just need to

know what is the entry point if someone needs to participate and give comment and submission on the work that has been done so far?

And the second question is on the slide number 15. I just need to know more detail on that slide number 15. Because I see zero complete, 100% in progress. What does this mean? I just need to understand from this slide. Thank you.

RINALIA ABDUL RAHIM: Thank you very much for the question which, I believe, came from the Congo. So Denise.

DENISE MICHEL: So an immediate way to participate is to offer your public comments online in the public comment forum that's open regarding reviews, the scheduled and proposed improvements. If you're interested in participating in one of the upcoming reviews on ICANN's Web site, there will be posted a solicitation for volunteers. So those are the two primary ways that you can be involved. And, of course, as the upcoming reviews go forward, they do a whole series of outreach and engagement and ask for input from the community. So you can be looking for those as well.

AVRI DORIA: Is there another one, or is it me?

RINALIA ABDUL RAHIM: Avri.

AVRI DORIA: Thank you. Avri Doria speaking. I'm going to make comments on two things. One of them to do with the ATRT review. One of the things I'd like to caution is putting a dependency on starting that on the work going on in the CCWG. The CCWG has yet to propose. The CCWG has yet to deal with the whole issue of how we phase out the AoC and bring in another regime of reviews.

At this point we have a commitment to the AoC. At this point we have a recommendation from ATRT2 that the preparation work for the next ATRT, ATRT3 start at least three months before the turn of the year so that the review team actually gets a whole year.

One of the things that we had an issue with was doing it on a nine-month schedule because the rule about delivering by the end of the year is seen as quite strict.

So, until such time as things change, I would really recommend that we maintain our commitment under the AoC to start that review on time and recommend, given that the Board did accept, at least in principle, all of the recommendations from ATRT2, that the preparations start in time for those teams to be seated by the beginning of January so that they can actually get going. So that that's the first comment I wanted to make.

The second comment, I wanted to go to the GNSO review and other reviews of the SOs/ACs in general.   These are bottom-up

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organizations. These are organizations that are supposed to be defining themselves and perhaps the Board gets to approve their self definition in some way.

Before the sixth current incarnation the terms of reference of these reviews had always come from these organizations. At some point along the way the SIC decided that no, they would do the term of reference and then, you know, perhaps we could consult on it. But if they said there would be no structural review, that meant there would be no structural review. And it didn't matter what anyone else had to say. I find that extremely problematic.

First of all, in terms of looking at the specificity of the GNSO, when we did this experiment at the last review with this bicameral notion, it was with the explicit understanding that we would review it after we had done it a while. We've done it for a while. So the fact that we were barred from actually doing structural review is really quite problematic. So perhaps I'm not being quite as polite as Mark in asking to please let us even review what the terms of conditions are, but to actually sort of say that the Board has to really consider what its proper role in reviewing a bottom-up self organization -- self-organizing group is and that certainly determining the conditions of the review is incompatible with that bottom-up organization. Thank you.

RINALIA ABDUL RAHIM: Ray.

RAY PLZAK: Avri, I'm not going to give a long detailed explanation or discussion of this. In fact, you and I could probably sit down together and have a nice long conversation about a couple of things that are pertinent. First of all is that there was opportunity inside the review working party as it started putting together criteria to do that. Now, the criteria that is laid out is that which is common to all organizations. All organizations have elections. All organizations have some way or form of identifying participants and members. All organizations have a responsibility for levels of participation and diversity. Those are all core, if you will, attributes and they all would work well within a bottom-up or a top-down assessment of what -- of -- of an organization and they all point to the organizational effectiveness of the organization.

One of the things with regards to structure is that looking at things only at -- from the -- from the viewpoint of structure is that you don't necessarily see everything from the other side of how effective some things are. Because it's been clouded by your look at the structure. On the other hand, if you look at things from the viewpoint of organizational effectiveness, one of the things that may be hampering that organizational effectiveness is the structure is standing in the way of it occurring. So that is something that needs to be taken into consideration.

In addition, there is nothing that has ever stopped the GNSO at any point in time from undertaking a change to their own structure. What

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happened last time was that it was more or less dictated to the GNSO, and there's nothing that -- since that time has ever stopped the GNSO from saying, we don't like this and we want to change it and we want to change it now and institute a cross-community working group or however you want to do it and start the work. So waiting for five years for it to occur is something that you did not have to do. And I would like to carry this conversation on with you further, but I think if maybe we could do that offline that would be better

AVRI DORIA: Ask one follow-up. In all of the reports that have come through that has been there will be a review of this, there will be I guess a revision of the report based on the review, and then the SIC will approve it and we will implement it. Does that mean if we get this other -- we would like to do something else to you by that time or some other time we have something to say wait.

RAY PLZAK: The devil is in the details in the implementation. If in the course of implementing the recommendation to do something you say, the best way to do that is a change of structure, then that is part of the implementation. So you have to take a broader view at the implementation. It's not just the fact that you -- you only had 2% of your people coming from XYZ place and you say well, okay, fine. We'll dump some money in there, we'll spend some more travel budget and we'll get more people here or there to do that. It may be that no, the best way to do that is to restructure something to do it. And it may be

involved in changing the actual physical organization. It may also be something with the fact to do the way you do business, the process or procedure. So when it comes to implementation, nothing is off -- is off base. At the end what you really have to consider is how long is it going to take to do it and how many people it's going to take to do it and how much money. So in the end it's always going to be time, talent, and treasure. But there's nothing off base. So if you want to change the structure during the course of implementation, have at it.

RINALIA ABDUL RAHIM: Thank you. We have 15 minutes left. I'm going to close the queue. Jonathan.

JONATHAN ZUCK: Yes, thank you. This is a tough session because I think we all have this desire to mention five different things whenever we come up and that probably makes it difficult for the flow. But I, too, would like to thank the Board for finding money off budget for the CCT review requirements for the survey and the economic study because I -- while there's no plane falling out of the sky, it was something we needed to get to quickly.

I guess my comment on the -- on the structure has to do in some ways with what Ray said in terms of implementation. And I think this has come up before, that some of the frustration with the structure actually has to do with how that structure's interpreted by staff. And you've heard this many times and so I don't mean to harp on it, but

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the depth to which you dive into the structure when forming review teams and things like that I think becomes significant. That the fact that there's no one from the IPC that's ever been on a review team, for example, is sort of a function of well, one person from the CSG. So treating them as that aligned I think has been part of the frustration. And might not require a structural change to the GNSO where there are some conveniences there, but it -- it's just sort of an interpretation of the structure that I think -- I think we continue to bring up and has the possibility to be improved minus an enormous structural reform.

The other question I had for Chris, based on your presentation, sorry, I'll wake you back up again. I know it's been a while, but you were talking about the review of the ATRT implementation and you brought up things like how to define if something has been finished, how to best describe the status of something and where things are because it was a sense that things weren't being done that really were being done. But I'm wondering if -- two things. I guess, were there other things that weren't just mistakes in communication that came up where there were, in fact, barriers to implementation. Was it the amount of time? Why did the ATRT2 team feel the need to bring recommendations from ATRT1 into their recommendations if it was just a question of things -- things were happening but we weren't hearing about them or that we didn't know how to describe that they were complete? Or were there other issues that were sitting in the front of implementation, I guess, that --

RINALIA ABDUL RAHIM: Chris, concisely, please. And is this the end of your question, or do you have more?

JONATHAN ZUCK: (Off microphone).

CHRIS DISSPAIN: Let's take it offline with you because I'm not sure I understand what you mean about bringing ATRT1 stuff to ATRT2. But I'll -- yeah.

DENISE MICHEL: I think part of it was a -- was an understanding and the recommendation, different views of what the ultimate objective and what closure meant for each of the recommendations, and so some of the ATRT2 recommendations were, when looked at with fresh eyes by ATRT group, they felt that additional work could and should be done and so they brought in some of those recommendations and noted them in ATRT2. Again, if we -- one of the changes we're proposing for the review team is to make sure we have some time, after they submit their final recommendation, so we have a much -- a clearer understanding and guidance from them on implementation, which should help address that. Is that your -- does that help?

JONATHAN ZUCK: Maybe.

RINALIA ABDUL RAHIM: Take it offline. Thank very much. Chuck.

CHUCK GOMES: Chuck Gomes again, and I'll follow up with that one because one of my questions was, what is the status of I think it was about ten recommendations from ATRT1 that were not completed and were identified at the beginning of the ATRT2 report. Now I may have just missed it, but I've never seen a status on those incomplete ones. And I understand that a few of those were beyond the Board's control and other organizations, but it would be good to get a status of those. And you don't have to give it to me right now, but I think the community deserves to know what the status of those incomplete ones were.

My other question is this: Has the Board or staff or anyone or all of us together considered the implications of the CEO being changed in the middle of a review that's going to be started? Because March is going to come. You have the CEO as -- who is leaving, and the CEO is one of the leaders of some of the AoC review. So I -- again, I think that's an important thing to plan for.

RINALIA ABDUL RAHIM: Thank you, Chuck. Does anybody want to respond to that? No? Staff will take that --

MARGIE MILAM: I can respond in that the AoC says the CEO or its designee, so maybe we look at, you know, the designee who -- to have continuity, but that's certainly a question to consider.

RINALIA ABDUL RAHIM: Ray.

RAY PLZAK: Chuck, with regards to the CEO, if he had gotten hit by a beer truck you would have the same problem.   That's why succession planning, which Fadi spent some time discussing yesterday, is so important.

RINALIA ABDUL RAHIM: Thank you, Ray. You look remarkably like the independent examiner.

RICHARD WESTLAKE: Good morning. Thank you, Rinalia. My name is Richard Westlake of Westlake Governance, and as you've observed, we are the independent examiner on the current GNSO review. And to put everybody's mind at rest I'm not going to talk about the GNSO review specifically today. But I'm picking up partly Alan's invitation. He said he thought it would be important that some of the people who have done the reviews should have the opportunity to comment. As an independent examiner, we have typically not commented at ICANN functions because we are examining rather than being a direct participant. But obviously this is a case which we believe is an exception.

So what I would particularly like to do is to just give you some observations followed by one or two what I think are evidence-based suggestions for this process.

Firstly, congratulations on at least going through this review and some of the initial decisions that are coming. Our observation is that throughout these reviews the vast majority of the work has to be done by people who are not being paid to do it. The ICANN community is largely consisting of unpaid volunteers. They have limited time. Our impression is that they have a massive load on them. Now, whether it is specifically at the moment unquestionably over the current period with the various IANA stewardship transition issues, the various other issues that are going on, we would suggest that perhaps some people are approaching overload. Over the course of the GNSO review, which has now gone on for the last 12 months, it was originally scheduled to finish in January. It's been extended twice, I think if I remember correctly, and our part of the review will now be complete in August. These extensions have been as a result of requests from the community for more time. Firstly, in getting engagement in the 360 reviews and secondly, simply in having the opportunity to analyze our initial recommendations, our initial report, to be able to have time to consider them and to come back. Without those processes being thorough, without getting both clearly thought and well spread broad engagement from the community, the value of those reviews is severely diminished. So our priority has been on getting a quality product rather than trying to rush it. And in trying to encourage people to participate. I admired Larisa Gurnick and her team's

patience in encouraging people to participate in the 360 reviews which we launched last year. I think they were launched, if I remember, in July or August. Originally scheduled for six weeks, and extended well beyond that to close to three months in the end by the time we had exhausted encouraging people to participate. And in the end got a good response, but it was amazingly hard, drawn-out work.

So my recommendation or my suggestion if I could, trying to keep it relatively succinct, is that the Board take on board all the comments that have been made from both the table and people commenting about the workloads, about the prioritization. It's not surprising to me that most volunteers, given the choice, will prioritize their time delivering the purpose for which they joined whichever part of the community they're in. Many people would consider reviews as an addition to that. We'd encourage both the people who are putting together the terms of reference for those organizations and the organizations themselves to build in time to participate in these reviews. They are an important part of the continuous improvement process for ICANN. And so not only would we ask people to build in time, that indefinitely is going to mean some extension of prioritizations and timetables for activities generally and we would ask people to consider maybe when decisions come to it to consider whether all the future planned scheduled organizational reviews, particularly those mandated under the bylaws, is it as important to get them done or is it important to get them right, and maybe the timeline should reflect that. Thank you.

RINALIA ABDUL RAHIM: Thank you, Richard. It is important to get it done right. And the issue of community workload is very high on the Board mind right now. It's been discussed a few times. Staff is always ensuring that it is apparent on our agenda, and we ask for feedback from you in terms of the review. We heard quite a bit of feedback and it's all valuable. I'm not sure that we've heard enough on whether or not the schedule is okay. And so for the community representatives, please go back, consult with your community, and give staff input on whether or not the schedule is okay with you. And if it's not okay we need to hear that so that Board decision will reflect the community need and constraints.

So I think we're at the end of our session. There are some links that you can tap into. It's on the ICANN Buenos Aires Web site. If you have any questions, please feel free to send it in. There is a specific email address, reviews@icann.org, and we're happy to continue having this discussion with you. With that, thank you very much.

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