Transcription ICANN Buenos Aires Discussion with Theresa Swinehart Sunday 21 June 2015

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Volker Greimann: Welcome, Theresa and Margie to the front of the table. You're going to give us a general update on the activities of their Strategic Initiatives department, and I'm looking forward to hearing the update. So who's going to start?

Theresa Swinehart: I'm going to start.

Volker Greimann: Okay, Theresa, go ahead. The floor is yours.

Theresa Swinehart: Great. Well thank you. And I always look forward to coming to this session because first of all it's sort of the kick off...

((Crosstalk))

Theresa Swinehart: What? No, actually I really do, Steve. I know you don't believe me but I do. No let me share with you a couple reasons why. We come to this meeting and then we immediately end up going immediately into our different areas of work.

And this session actually is an opportunity to talk about some of the bigger picture issues and how the different pieces are working together and frankly also to share a little bit about all the work that the Strategic Initiatives department does. We have an amazing team and to interact with different parts of our team on a regular basis. And as a department we also work closely together internally and externally and so it's a nice opportunity to share that so it's a good refreshing break.

So with that let me go to the next slide here - or do I have slide control? How does this work. Lars does okay. Thank you, Lars. So as I mentioned, the department actually covers a wide range of areas that many of you have interfaces with.

The first is we're overseeing the management on the internal side of our facilitation of the IANA stewardship transition. And I suppose most of you are aware that that's happening and it's absorbing a lot of your time and energy. And I'll touch on that very briefly.

We also conduct and handled the reviews under the Affirmation of Commitment. We also handle the organizational reviews and the processes around those and working with the community, Whois and consumer trust review update which Margie is going to be providing. And then we'll go into some questions and answers. So I'll be quite quick on all of this.

Next slide. Next one. There we go. So I had several slides on the IANA transition originally but I think everybody is probably aware of it and if not aware of it actively involved in it. I know several of the leadership are sitting here and see your names on regular calls.

Just two steps back, it's been a little bit over a year and I just want to comment, it's remarkable how the community is working and the enormous amount of time of volunteer hours that's gone into this, the dedication. I see comments here and others, Avri, you know, Steve, everybody in the room,

Greg, everybody has extended a huge amount of time and I think it's a demonstration of not only the commitment to getting this right, I know from a staff side, and I won't speak on behalf of the board, but also a partnership; we're all in this together.

We are all in this together to lend each other's expertise and each other's ideas and views and coming up with something that's going to be long-term workable and sustainable and that comes from a community process has been just remarkable to be a part of on my part and I know for many others.

So I want to acknowledge that and say, you know, if it's over a year ago where were we and where are we today with the consolidation of the proposals and the direction that they're going. So really a huge thank you to the community and I know to a lot of people in this room on all the work that's gone into that.

I think it goes without saying that the naming community proposal is going through discussions within the chartering organizations. The accountability process is also having their discussions. They had a meeting on Friday starting to come up with different approaches and views to accommodate the public comment input on that. And we'll certainly look forward to seeing the progression of those discussions as well.

The current anticipation given the timelines that we've seen from the different community groups is that it may be feasible by the October time frame to have proposals that are submitted to the ICANN Board. That obviously is very depending on the community work and how the work progresses so we'll be happy to support and facilitate obviously the discussions in order to help achieve the timeline that the community is striving for.

I'm happy to answer any other questions on that as we get into the questions and answers but otherwise I won't delve too deeply on this. If you have any questions on details also the colleagues in the room can help answer that.

Next slide please. So let me talk a little bit about the reviews with regards to the Affirmation of Commitments. Let me touch off first that there is going to be, as you know, we have a public comment period out right now on the proposed schedule and process and operational improvements around the review schedules themselves.

This was in part for several reasons, one is that this year in particular there's been the consolidation of several reviews that their timing just happen to coalesce in getting triggered by this year, and also an opportunity to work with the community on are there areas on the scheduling and thoughts by the community on how adjustments might be made on that retaining accountability obviously and commitments that we have under the current structures and systems. And are there any other areas around process improvements that could be considered around this.

So I'd encourage you to look at the posting, provide comments into that. I realize that, you know, we have a lot of other things going on but this is a really important part of the organization overall and it's an opportunity to do this. We are very cognizant though that while we have commitments currently under our existing structure and our existing system with regards to both the Affirmation of Commitment reviews and the organizational reviews that are in the bylaws that the accountability process is also looking at some suggestions and ideas around the Affirmation of Commitment reviews.

And so anything that comes out of that process will obviously need to be factored in to any input we get here. So I just wanted to flag that that we are very cognizant about the different moving parts and awaiting the input with regards to that.

On what's coming up, the Whois 2 and if you have any detailed questions Margie here can also help answer that. Looking at assembling a team and looking at starting around 30 September for a call for volunteers.

SSR 2, likewise plan is to start a call for volunteers around the 30 September date under the current timeline that is committed to in our existing system. Now if the review schedule and process of improvements identifies community input that suggests altering that then obviously that will be taken into consideration and accommodated for.

Competition, consumer choice and consumer trust likewise is looking at a start for a call for volunteers 30 September. So that's the current aspect, and again, look at these sessions that's coming up on Wednesday and also look at the comments and the public comment process on the review schedule and process improvements.

Next slide. Here's what's going on with regard to the past reviews overall. I won't drill down in this, I think the slides will be made available to you. We have on the website a matrix and a progression of where we are with what's been completed, what's in progress and a status updates on the implementation of the past reviews in order to ensure that there is transparency and a demonstration of progress around those different areas of work and make it easier for the community to see what the progression is around the implementation of those areas.

Next slide please. Let me just touch briefly on the organizational reviews, and again these are the bylaws mandated reviews on the organization itself, the respective SO and ACs. I think as everybody is aware here, the GNSO 2 is in process, the At Large 2 likewise in process but a proposed slower schedule and the NomComm 2 SSAC and RSAC are being currently proposed to be deferred until FY 2017 with the planning proposed to be started in 2016.

You'll see down there the website with regards to the AOC reviews and organizational review information but also again to flag the session on Wednesday with regards to both of these for a more in-depth discussion around those.

Next slide. This turns over to Margie.

Margie Milam: Hi. This is Margie Milam. And I believe you have already had discussions on the Expert Working Group yesterday in the Council, correct, on what's going on. I'll just briefly touch base where we are. Obviously there was a final report from the Expert Working Group that came up with a proposed model.

The next steps are that the board worked with the GNSO counsel to come up with a framework on how to start a PDP process. We are currently in the process of finalizing the staff issue report that will be released after Buenos Aires.

And as part of the resolution that's accepted that framework the board is forming a working group to oversee two aspects of Whois, the first being - being able to liaise with the GNSO on the PDP for the Expert Working Group related issues and whether there should be a next-generation system to replace Whois. So that's one of the mandates.

The second mandate is to take a look at the remaining recommendations from the Whois review team, the first Whois review team to ensure that they are completed in a timely manner and to prepare for the next Whois review team, which asked Theresa noted would be starting under the current schedule later this year.

And one of the things I want to highlight for this group is as you think about that review schedule that Theresa talked about it's going to involve a tremendous amount of resources both on the staff side and on the community side to be able to provide input and really help shape where the review teams end up with respect to the recommendations.

And one of the concerns we have as staff is really the community bandwidth whether there's enough, you know, time and resources available for everyone

to handle all of those issues because just the Expert Working Group PDP alone is going to be a very, very significant project with all of the issues that are associated with that.

Next slide, please. The other thing I wanted to talk about, and I believe Karen Lentz already gave you a briefing on the GDD side of things, is that our team oversees that conduct of the Affirmation of Commitment reviews and consumer choice, competition and trust review is also slated to start later in the year.

One of the things we want to highlight is again that this particular one, if you look at the topics, it's very intensive and a very wide scope of issues. This review team will be looking at consumer choice issues, competition issues such as pricing and that's why there's a lot of survey and metric work being conducted right now. And it is also going to look at issues related to abuse and safeguards.

So the rights protection mechanisms for example, those are the types of things that would be addressed in this review team. And so as you think about getting ready to do the call for volunteers it's a process to identify how that team is going to be selected.

The AOC calls for the GAC chair and the ICANN CEO to essentially come up with the membership of that team taking a look at representatives from the different SOs and ACs as well as independent experts because in particular in this area I imagine there will be a need for experts, if for example in the competition area and consumer protection area. And so those are the kinds of things we're thinking about as we prepare for the next review.

And then as I mentioned, you know, and Karen mentioned, there's a lot of review related work going on and there will be a session on Monday that talks more in-depth about the different reviews that are being conducted by the

GDD team and the question as to how they relate to this particular review will be an interesting one for the community to consider.

And then next slide please. So I think that's it.

Theresa Swinehart: Great. So anything we can...

Volker Greimann: I thank you, Theresa and Margie for that update. I'm sure there must be some questions. Nothing? Is there anything that you would like to elaborate more on or...

((Crosstalk))

James Gannon: Well, nobody else is going to ask a question so James Gannon. So one of the things you talked about was the number of reviews that are coming along over the next say five years let's call it. And this is something that I talked about with some of the colleagues before is that particularly for some of the smaller groups there's going to be a huge amount of pressure for volunteers and for internal resource management and everything else.

So I'm a project manager by trade and my question would be has there been any consideration given to possibly employing the services of a program manager, so one level above project, and to look at the interrelation between the various groups that are going to be participating, looking at overlap, burnout, resource management, everything over the next kind of say 3 to 5 years in order to be able to bring together a cohesive plan analytically rather than kind that opinion based.

You know, the fact of, okay, we need X amount of people, they are going to come from this pool of talent within the organization and within the community and how are we going to manage that going forward?

Theresa Swinehart: I think that's a very - it's a very important point and it's also part of why we put this out for public comment to begin further thinking around that and ensure that there is community input and suggestions and views. But I would really encourage if you have ideas and other experiences or best practices and specifically suggestions in the context of that really put that in there because that really allows for a full-fledged community discussion around the next steps.

Volker Greimann: I see that we have a queue forming after all starting with Steve, then Bret, Avri and Steve.

Steve DelBianco: Thanks. Steve DelBianco with the Business Constituency - oh Steve Metalitz you meant. Thank you. All right so Steve DelBianco - too many Steves. The CCWG proposal calls for bringing the affirmation reviews into the bylaws and along the way we made several tweaks to them, one of which could inform the planning we're doing this fall, and that is that the review team members, once they're brought together and we don't try to prescribe exactly how many it's just that every AC and SO has to be represented, the idea being you might want to several from GNSO given that it's heavily related to the GNSO structure.

But we said that the review team itself ought to have the role of asking for and selecting outside experts as opposed to staff and management pre-selecting them and putting them into the team. And given the kind of pushback we've had on top-down imposition like that I'd ask you to consider how we introduce independent experts, how and when they are introduced into the process. And we could do that now rather than waiting for the bylaws change to be adopted because the changes I spoke a were widely embraced in the public comments that we've received so far.

Margie Milam: And Steve, if I can comment? In past experience, for example, I think ATRT 2, the chair when he gets or she gets selected typically gets involved in

helping identify who the experts are to come in so it actually has been something that's happened after-the-fact and not pre.

Volker Greimann: Thank you, Steve. Bret was next.

Bret Fausett: Thank you, Theresa. One of the things that we're doing here in Buenos Aires this week is looking at possible policy development processes on new gTLDs for subsequent rounds. And I'm trying to take account of, you know, what's in the critical path and one of the inputs that we want into that process is the outcome of the AOC reviews.

I'm looking at the chart that you got out for public comment right now and it looks to me that the three AOC reviews will complete by the end of Q2 2017. Will that include all of the work that the AOCs are doing on the previous round of new gTLDs?

Margie Milam: And I can answer that. That's an estimate. Every group is different. Ideally we like to work to get done in a year. But a lot of this is also something that the chair of that particular review team might be able to work out as they develop a work plan, for example.

I mean, part of what we're trying to do in the review area is to have more of a program management approach to things where you deal with certain issues, you know, or you plan out your work, you know, in other words to be able to get done at a certain time. And so that might be something that the chair of the group might be able to consider how fast they will work on some issues that relates to the new gTLD program. Those are all estimates.

Bret Fausett: One follow-up question. Which of the three AOC reviews are going to focus on new gTLD issues? Is it just that CCT or are there others that look at those questions raised in the AOC?

Margie Milam: Primarily the CCT one, yes.

Volker Greimann: Thank you. Next was Avri.

Avri Doria: Thank you. Avri Doria speaking. I wanted to ask a question on the ATRT. And the ATRT 3, which I think by schedule would be starting next year. One of the recommendations made in ATRT 2 is that because the amount of time it takes to do that it'd be ready to start like in January as opposed to March, April, May, which is what happens if we don't start thinking about it until then.

So I'm just wondering since it hadn't been on the slides it brought that up so I just wanted to ask are we planning to -- we've sort of set the idea that people would start in the last couple months of the year. And I understand that with the accountability process things may change so I don't know how that all changes. But I'm curious about that.

The second part of that question is ATRT 2 also recommended that on a yearly basis there would be an accountability and transparency annual report whether it was part of the regular annual report or it was basically answering all the accountability issues. Now I don't believe that has happened in '14, I'm wondering if it's part of the '15 plans for annual report that we start seeing that, and I'm just curious whether you wanted that? Thanks.

Theresa Swinehart: I need to look -- I need to go back and check to get the right answer for the last one but I will flag back and come back on that one. On the ATRT 3, you raise a very good point and I think we need to look at that and come back to the community with regards to that. Oh sorry, Sam, yes. Sam may have the answer for the other one. Thank you, Sam.

Sam Eisner: Thanks. This is Sam Eisner from ICANN. Avri, to your question about the annual reporting, ICANN is in the process of finalizing its annual report for 2014 and so there is -- you will see in there for the first time it's albeit a small section but there is a section now on transparency reporting. And it will be built out as we go.

We identified whatever few metrics we could to put in this year too, at least are the process and start putting it into our standard operating procedures. That you will see it built into the ICANN annual report on a going forward basis.

Theresa Swinehart: Thanks, Sam. Thank you.

Volker Greimann: And the final question comes from Steve Metalitz. Please go ahead.

Steve Metalitz: Thank you. Steve Metalitz from the Intellectual Property Constituency. Just two brief comments both having to do with the AOC reviews. First, I just want to re-emphasize as we've done frequently in this forum and with the board and everywhere else that it's critical that representation on these reviews in particular the CCT review but not limited to that, devolve to the constituency level and not to the stakeholder group level, in the case of our stakeholder group which is extremely diverse and very much affected by the outcome of these reviews. So I just wanted to emphasize that trade

Second, I thought one thing that was very positive in the document itself for public comment was to give perspective to AOC review team participants a realistic idea of how long they were signing up for. And I did see in there that the expectation was spelled out that the team would not - after it reported would remain active in the implementation phase.

And I thought I saw a chart there that indicated that people should be prepared to sign up if they want to be on the review team for three years. And I just wanted to clarify that isn't backed expectation. That's obviously going to limit your pool somewhat. It is important to give people a realistic idea upfront. But I am kind of concerned that as we encourage people to step forward and be on these review teams are we asking them to devote three years to this?

Theresa Swinehart: Fortunately we have Larissa here who has the expert answer on that.

Larisa Gurnick: Larisa Gurnick. What's out for public comment is the idea that the term of the review team would be reconstituted in such a way that the review team would still be intact through the implementation planning phase. So typically the final report is issued, the board has up to six months to act on that and then it moves into implementation.

So the idea would be for the team to stay active in some shape or form until the implementation planning begins. And the purpose for that is to provide clarification and really have more of a role in engaging with staff and other community members that are doing the implementation planning so would not be through the entire three-year period it would just be through the initial few months leading into the implementation planning phase.

Volker Greimann: Thank you. Seeing that there is no further question I would like to thank Theresa and Margie for being here. Would you like to have any last words summarizing?

Theresa Swinehart: Just I think as you can see we cover a lot of different areas. Thank you for the input here, this is really very, very helpful. And also thank you for your continued dedication on all these different issues. I realize that with the transition there's a lot that we have - a lot of other work to do as an organization that I know that all of you are very involved with and dedicated to so just a huge thank you. I know it's been a lot over the past couple months so thank you.

Volker Greimann: Thank you for your presentation. I consider as well and thoroughly updated.

Theresa Swinehart: Excellent.

Volker Greimann: And you will have noticed that Jonathan has rejoined us now and I would like to -- before I yield the floor back to him for the next session I would have a

small clerical announcement that Glen asked me to pass along. There is a coat check at the Sheraton right across from the Golden Horn room for people coming from other hotels with their coats to hang. So check is from 7 am to 9 pm. That's all week, Glen? That's all week. So please make use of that if you would like to get rid of your coats for a while.

And with that I'll yield to Jonathan. Please stop the recording on the session and inform us when we can restart.

END