
PANAMA – ccNSO: Guidelines Review Committee Meeting
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LARISA GURNICK: ... Reviewing and going through the due diligence process which includes review of the proposal against the criteria, interviewing the candidates and going through the assessment process. So, we expect to conclude the due diligence process shortly and have a recommendation to the Organizational Effectiveness Committee and then their job is to oversee the process and make sure that we follow the procurement steps and procedures. And once they confirm the independent examiner, we move into contracting and then we'll be in a position to announce to you folks first who the independent examiner will be.

So, everything is on track and we expect the review to start on schedule in August.

KATRINA SATAKI: Okay, thank you. Just out of curiosity, how many bids have you received?

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LARISA GURNICK: We cannot share that information with you, but it's more than several. It's a good number.

KATRINA SATAKI: Okay, good. I'm glad to see that we are so interesting in the community. everybody wants to review us. Okay. Thank you. Any questions on the timeline or anything? No?

LIZ WILLIAMS: You just said August, beginning of August, end of August. When are you expecting things to be having attention from us?

LARISA GURNICK: Lars just walked in, so I will defer that answer to him. He's got the schedule. But we'll be coordinating very closely with you to have a kickoff call with the independent examiner and do it on a timeframe that will work for the Review Working Party. So, when you say [inaudible], it's going to be in coordination with the Review Working Party, which I'm not sure if that's the same as this group, is it? It's not.

KATRINA SATAKI: It's not the same. This group was offered to join this review party – not working party, review party. I'm sure we'll have a review party at some point. But, working party. Not all members of the

GRC joined and I think we have also some additional members. But, this is just an update now we will be able to share.

LARISA GURNICK: Yeah. So, we'll be coordinating with the Review Working Party and recognizing that August is a busy month for people taking time off and vacations, so we'll take all of that into consideration.

KATRINA SATAKI: Yes. We're very busy vacating.

LIZ WILLIAMS: It's not August and a holiday in all of the world. Remember, we do keep going.

UNIDENTIFIED MALE: I think the board said it had to be in August, so we were looking for the 31st as August to push it out as late as possible for that month. We hope that would work. But, we have to be flexible, as Larisa said.

KATRINA SATAKI: Okay, thank you. I think we can talk about the short-term, long-term options. Yes, the floor is yours, again.

LARISA GURNICK:

Thank you. We have two proposals out for public comment. Short-term options and long-term options to adjust timeline of reviews. The reason that we're addressing these issues now is there's been a lot of discussion over the course of the last couple of months including leading up and since ICANN 61 in Puerto Rico. The challenge is that we have 11 reviews happening right now and will continue in some phase of work into the next fiscal year and this is creating quite a challenge, a burden, on the community that participates in these reviews, on the budget and such. And of course this is overlaid on top of a lot of other significant work that's happening around the community.

So, following board discussions and discussions with the community, we put forth two proposal that are currently out for public comment. I would very much like to encourage you to prepare comments and submit them for both of these proposals, certainly. I'll walk you through them very quickly. Next slide, please.

Short-term options is actually pretty straightforward proposal. Originally, it was relating to two reviews, but there's been some changes. So, now, the short-term options only pertain to one review, one specific review, and that's the accountability and

transparency review, ATRT 3. So, there are several options, if we can advance the slide. Perfect, beautiful, thank you.

So, there's three opinions that are being proposed. The first opinion is to not change anything, keep the status quo and start the review as quickly as possible. And just as a reminder, these reviews are in a five-year cycle, so the process of initiating the review and preparation for the review actually had already begun back in January of 2017, and at this point, many of the SOs and ACs have designated and nominated their candidates, ccNSO being one that has. I think all but two SOs and ACs have done so and we are currently in the waiting, in a holding pattern, waiting to hear from the others and also for the chairs to actually compose the review team. So, that's the current status of the review.

So, the proposal on the table. Option A is to let the process go as quickly as possible, likely to start in July of 2018. Option B is to start the review as quickly as possible but to suggest to the review team that the scope be limited to implementation to the assessment of how the prior review recommendations were implemented, so it would be somewhat of a limited scope review. Or, option C, which is to start the work of the review.

Once board takes action on the CCWG work stream two recommendations and the reason for that connection is there's

quite a lot of topics that are the same in the work of CCWG work stream two and the mandate of ATRT 2 work, so with the caveat that if option three is selected, the review team work would begin no later than June of 2019.

So, these are the three options for consideration and we're looking for feedback on which of these options would be the one that people would support. Next slide, please.

Moving on to long-term options. This proposal is really intended to look at ways to address the stacking problem. I spared you the visual. Again, I think you've all seen it before. Every single review of specific reviews and organizational reviews that is mandated by the bylaws is basically happening at this point. The idea is the principles and the options outlined in the long-term proposal is to look for ways to develop a review schedule for both specific reviews and organizational reviews that would be more sustainable and more reasonable and would allow for this important work to take place not all at the same time causing a great strain on the community and resources.

The principles that inform the options are the ones that you see here in the bullet points. It's to aim to have no more than, say, three or four reviews and then we take that proposal even further saying that perhaps there would be one specific review, so no more than one specific review running at the same time,

and then one or two organizational reviews running at the same time.

The other principles are to recognize limited community resources. Specific reviews take up to 21 community members to work on the review team, to serve on the review team and do the work. And for organizational reviews, even though they're done by independent examiners, there's still quite a bit of commitment and time from the community, especially the group that's under review, as you will all see soon enough with the review of the ccNSO.

Also, to ensure that there is adequate funding. So, to come up with a schedule of reviews in such a way that users resources in a more rational way, as the review schedule would be spread out.

Finally, also, with an eye to ensure efficiency and effectiveness of reviews to make sure that reviews are accomplishing the purpose for which they've been created and that they continue to be an important accountability mechanism.

The long-term options proposal is different in the way it's constructed from the short-term. Short-term, you saw there's three options. You can essentially pick one of the three and that's really all there is to it. Obviously, comments and additional thoughts are welcome on the short-term.

On the long-term, these are not options in the sense that you would pick one over the other. These are more concepts and in the full document, you'll see that for each idea, we outline some advantages and disadvantages and also some implementation considerations that would have to be put in place in order to operationalize a particular idea.

In many cases, bylaw changes may be required, and that's outlined and analyzed in the proposal as well.

Options include staggering the reviews, as I said, so that it's limited to one specific review and two organizational reviews at a time.

Also, additional options. And these could be combined together. They're not either/or, obviously. To add timing criteria so that, for example, the next cycle of a particular review would not be initiated until the implementation work on recommendations from the prior review has concluded.

We've heard a great deal from different community groups that the way things are now is causing quite a strain because oftentimes the implementation work is still continuing as the new review is being kicked off and there is not much time to not just complete the implementation work, but also to see if the implementation and the improvements are making the intended difference and having the right kind of impact.

Also, additional timing requirements that are outlined as options is to have ... It's already the case for the ATRT review. That review has to complete its work within 12 months of being assembled. So, that review team has a limitation of time and that's written in the bylaws. But, that same limitation doesn't exist for other types of reviews, so one of the options is to consider whether some sort of a time limit to keep the duration of a review to something a little bit more reasonable – say, 12 months.

Also, similar considerations can be applied to organizational reviews. While most of those reviews actually do get completed within a year's time, we're proposing some options to put a limit of time on developing feasibility and implementation proposals and that's something that usually the review working party does at the end of the review. Also, we're proposing to consider timing limitations for the board to consider all these proposals and take action. Perhaps, limit that to six months.

All of these ideas are geared towards making sure that if the five-year cycle is preserved and if there is support to preserve the five-year cycle that it be done in a more rational way, so that there's ample time to do the work, do the implementation and then see how it all turns out before the next review begins.

Finally, adding scheduling flexibility. Right now, the timing of reviews is pretty much hardcoded into the bylaws. Everything is triggered from when something happened in the past and there is no allowance for special circumstance or a situation, perhaps such as the GDPR work or other similar circumstances that couldn't have been necessarily envisioned with the bylaw provisions were put in place. So, we're asking if there's an interest in offering some scheduling flexibility with appropriate checks and balances, of course, to consider whether the timing should be delayed, or maybe in some cases, it should be expedited but to have some flexibility of scheduling when a given review should start. That would be with input from community and the board.

I see that I skipped over one. Focusing work of specific review teams on topics of highest priority to the community is another idea. This is also one way that we could help limit the work for a given review, so that they could have the opportunity to complete their work within a reasonable amount of time.

I'm happy to answer questions on these proposals or anything review related.

KATRINA SATAKI: Thank you very much. Before we go to questions, I'm just wondering, if the team does not deliver within 12 months, what do we do? Should this team have another one for 12 months?

LARISA GURNICK: I can speak to the two ATRT reviews that are behind us now. That limitation, if you will, really served to help the review team get focused. It really helped them organize their work, prioritize their work in such a way that they felt compelled to get it done on schedule. So, really, in my opinion, helped them get their work done.

With other reviews, of course it becomes complicated. We've seen the work of, for example, CCT Consumer Choice, Consumer Trust and Competition review. I think they're going on two-and-a-half years now. Is that right? Two-and-a-half years for CCT review. Now, the nature of their work is quite different. It does get quite complex. We've got the RDS review that's going on right now and they're actually moving quite efficiently and probably will make the 12-month deadline even though they don't have one right now. It's hard to say, but we observe that having some sort of a focus for completion helps organize the work, prioritize activities, and get things moving.

KATRINA SATAKI: Thank you. David?

DAVID MCAULEY: Thanks, Katrina. I have one or two questions. Larisa, thank you. Very interesting. First of all, with respect to the short-term options, are you looking to the public comments to make a decision? How will the decision be made amongst the three?

The reason I ask is I was just looking that the deadline is pretty close, July 6th, and there's three comments. How do envision making a choice between the three as to what happens?

LARISA GURNICK: We are certainly promoting the public comment opportunities and hoping that after the ICANN meeting we'll get more comments. So, we're looking for much more than what we have. And I think the three that are there are not actually ... They're comments, but it's request for information and responses. So, they're not truly yet substantive comments.

But, nevertheless, if we do not get sufficient number of comments or if it's not clear which option the community prefers, then we go with option A which is proceed as scheduled. That means no delay.

DAVID MCAULEY: Thank you. If it's okay, I have one more question.

KATRINA SATAKI: Sure. Absolutely. I just wanted to say that probably you were not in the room. Yesterday it was agreed that the deadline will be extended, so now the deadline is the end of July.

LARISA GURNICK: That's for the [inaudible].

KATRINA SATAKI: I think for both, no? Was it only for one? Okay, thanks.

DAVID MCAULEY: I didn't hear that. So, is it extended?

LARISA GURNICK: My understanding was that we're definitely extending the long-term, that there was a request to defer the long-term until the end of July, but I'll double check certainly if the intention was to include the short-term. We'll absolutely do that.

DAVID MCAULEY: The other question I was going to ask is with respect to the third option under the short-term, and that's the one where my notes

are to commence review team work in June of 2019 on what the board's final action is with respect to work stream 2 recommendations.

I was involved – I've been involved in the CCWG it seems like forever, but in any event, yesterday concluded. So, it's going to go to the chartering organizations and assuming they okay it, it will go to the board. That process will probably take three months. I don't know. Something like that. Hopefully, before ICANN 63. I think it's right to think that the board will have taken some action, but the action it's going to take is on some 100 recommendations. A whole bunch on transparency, another bunch on staff accountability, some on SO/AC accountability. Things of that nature. That's a big, big project.

So, when you say commence review team work on that, that would completely displace ATRT 3. Is that right?

LARISA GURNICK:

No. Let me just be clear. Can we go back one slide? I will just caution you that what you see here is a highly summarized slide-friendly version of the actual wording. In the actual proposal, we have a lot more detail. But, to answer your question, what we are proposing is to have the board action take place, so that the review would start after. ATRT 3 would start their work after board action, but recognizing that even though it looks like it'll

move pretty quickly, we wanted to put an outer limit, so that that process wouldn't drag out and that's why the June 30, 2019. So, however long that process takes, the review team would kick off their work no later than June of 2019, regardless of the board action or the work on work stream two.

DAVID MCAULEY:

Thank you. The only thing I'll say is an observation and that is over the last four years, going back to the announcement of the IANA transition, there are these overarching things like the IANA transition and GDPR that just suck the air out of the room as far as volunteer engagement goes. I wish us all good luck on this because we're going to need it. It's hard to come up with volunteer time for it. Thank you very much.

KATRINA SATAKI:

Yes, thank you. Martin?

MARTIN BOYLE:

Thank you, Katrina. I'm looking at the long-term options and I have a certain feeling of, yes, it's very easy to say we will do the limitation of the number of reviews we start, but as you point out, a lot of these things are actually hardcoded in the bylaws.

So, my first question mark there is do we ... No, let's slightly rephrase that. How quickly do you think we would be able to go through a process that would allow the revision of the bylaws that would then allow us to get to the point of one specific review at any one time and between two and three organizational reviews maximum at any one time? That's my first question. I don't know whether you want to do these one by one. Okay. Fine. I'll let you answer.

LARISA GURNICK:

So, a number of things would have to happen first. We would need to get feedback from the community that supports some number of these options. Obviously, there's possibility for additional options because these are just some of the ideas. There's obviously other ways to address these and we're looking of more input from the community. So, we will not know what the next steps in the process will be until we see the nature of comments and where the support lies. But, assuming that there is support for the kinds of things that would require bylaw changes, then we would have to do an analysis and I'd need to converse with some of my colleagues on the legal team to help figure out what the exact process and timing of changing the bylaws. At this point, we're focused on making sure that we give the community an opportunity to think a way more rational way to do reviews regardless of how the bylaws would need to be

changed. Then we would look at how to get that accomplished with the bylaws.

Also, it's important to note that with the current cycle we're kind of on our way of being done and the organizational review, ccNSO, our review is the last of the cycle. So, the next wave of those reviews don't get picked up until, if I remember correctly 2021. And on the specific review side, also we have at least several years before something would begin. So, there is time to do this in a methodical and careful way.

MARTIN BOYLE:

Thank you for that. I think, actually, trying to reword what you just said. The timescale for getting to the long-term option is not yet definable and that will ... It just seems to me that if we're looking at options, what we should be doing is saying, okay, if we decide to go down a particular route, these are the implications and timing for us in going down that route because I think the community would quite reasonably say, "Okay, what do we really mean? What does long-term as an option really mean for this particular approach?" That is probably I think something that is an internal discussion in ICANN Org as to how a bylaw revision process would be addressed and how long that would take. But, I think we actually need to understand the

implications of that, bearing in mind that the revision to bylaws will throw into place quite a lot of work in the community.

My other questions were really about the timing implications associated with ... Firstly, you talked about waiting before you introduce the new review until all the recommendations from the previous review have been addressed and either implemented or a decision being made not to implement them.

Now, I don't know what our current progress is on that, but it would seem to me, particularly on things like the ATRT series of reviews, that a long time in making the implementation would just push out when one would start the next ATRT review, whereas actually I think it probably is a big question in that if it takes three years to implement a recommendation from an ATRT review, why? It feels to me that foot dragging would be a problem on the cycle with then implications for all the other reviews because if ATRT 4 gets pushed back, then that will then mean that other reviews that are within that cycle would also need to be pushed back.

So, I think there is a sort of big question mark in my mind there, and perhaps we need to start thinking about quite a clear set of deadlines for implementation of recommendations or recognizing that some implementation are going to take longer,

but you'll still start the next review because, in full knowledge, that work is still going on.

But, probably more important to me was about the cross relationship between the various reviews. We have got these specific reviews as being our accountability mechanism. It is the way that the community can see how the organization is progressing and developing and it's the answerability to the community that gives from the knowledge and information that these specific reviews do.

Unfortunately, what we've done is we've just kept on layering new review processes. In particular, with the IANA transition, and now we've got multiple of these coming into play.

But, when you actually look at them, there's a certain cross relationship, and in your discussion of long-term options, one of the things you didn't do was talk about, yes, but is there sufficient commonality of interests between different of the specific reviews that would allow them, if not necessarily to be merged, but for them to be done perhaps by the same team within the same process where you're looking specifically at minimizing any duplication in the process? That's just a simple question because rather than pushing things out, that would then allow you to at least recognize and not do the same work several times over. Thank you.

LARISA GURNICK:

So, a couple of points to respond. First, you mentioned the length of time that it takes to implement something and you're quite right. There's certainly a bit of variability. In some cases, it depends on the implementation plan. In other cases, it depends on how the recommendation is formulated and how clear it is what the implementation path should be. So, there's some elements there.

But, even if we were to consider the possibility of not starting the next review until board took action on the prior review recommendations. So, even not waiting for the full implementation, but bringing a little more alignment in the timeframe between when the recommendation is approved and adopted and the next cycle begins would already it seems bring a little more logical connection between two points in time as opposed to the way it is right now because there's no connection between those two points. The review gets started five years after the time that the review team was initiated. So, that's something that I wanted to point out.

As far as the process and combining the reviews, I think this is probably where we want to be very clear about specific reviews and talk about those separately than organizational reviews. Of the four specific reviews, the topics are quite different. We have

accountability and transparency. We have security, stability, and resiliency. The review of the WHOIS policy or RDS. And competition, consumer choice, and consumer trust.

So, the four topics, while there's probably some connection between those four topics, really in our experience have called for different skill sets of people doing the review. There is not a whole lot of overlap in the subject matter.

Now, having said that, a review is a review, so the process of how this is done, we use a consistent process and we apply a consistent approach including lessons learned and things that we continue to refine in the process and work with the community groups doing the reviews to make sure that we don't reinvent the wheel every time. Thank you.

KATRINA SATAKI: Thank you. Stephen?

STEPHEN DEERHAKE: Thank you, Katrina. If I could go back and briefly address Martin's first question with regards to how long bylaw changes would take from – my ECA hat on now.

One way forward I would see, I believe they're all going to be standard bylaw changes. One scenario I would hope to see

would be that the board directs ICANN Org to figure out what makes sense for you guys and put something together, get it back to us. We'll look at it, maybe change it a little bit. We'll put it out for public comment. Then wait to see what the community thinks about the idea. Send it back to ICANN Org, get some changes. Incorporate it and put it back out for a second public comment.

Once it would be adopted, then we would go into rejection action period and it would be pretty short order after the board's final adoption. But you would have at least two rather lengthy review cycles and I think the preparation cycle would not be an easy task as well.

But given that the rejection ... And I would hope that they would do this in a comprehensive fashion and not try to do it piecemeal, because if they did it piecemeal, I think it would be years and years and years. But, if they did a really comprehensive, back to the ICANN Org, figure out what you want, what makes sense, throw it back at us, throw it to the community. A couple iterations of that. It should not take that long.

KATRINA SATAKI: Seven years, I think. Okay, thank you. Martin, please.

MARTIN BOYLE:

Thanks. And thank you, Stephen, for that slightly optimistic perhaps review. But, certainly, I would fully endorse your suggestion that it does need to be comprehensive. We can't just keep on tinkering with the timing mechanism on this vehicle. We have actually got to stand back and say: what is it we want to achieve? I think that probably is the most fundamental bit.

Going back to the inter-relationship, in fact, a little bit that was concerning me and this is a specific example. I don't know whether it will happen more frequently. But, we're kicking off on the ATRT 3. We have the IANA functions review which will have a certain element of accountability and transparency involved in that. You don't really want to do an IANA functions review process and then go through an ATRT which looks at the same thing yet again. So, that's one area where you could actually start doing a certain amount of planning as to where do you do the specific work.

The other bit is the IANA functions review happening at the same time as an organizational review, which is then the review of the Customer Standing Committee for the PTI, where once again, the IANA functions review will almost certainly require some inter-relationship with that CSC review and the IANA functions review.

You can then see also when you get to an organizational review, those in their own turn will have some bearing on what's done on ATRT, may have some bearing on that which is done under security, stability, and resilience, and may also have some bearing on the competition and consumer protection element.

So, it's that bit that I think we need to see this as a whole, which then goes back to Stephen's point about, yeah, we need to get all that done so that we can have the same picture, but redesign the jigsaw puzzle so that it actually fits together more comfortably than it is at the moment. Thank you.

KATRINA SATAKI:

Thank you. If there are no questions, I have a question. I do not remember seeing how operating standards fit into these options, let's say. Could you give us a brief update where are we with that particular document?

LARISA GURNICK:

Sure. Thank you. I think that's the next slide. Operating standards. We are currently considering the impact on the draft operating standards from all these recent developments, including the SSR2 pause and restart, the progress that's being made by the RDS Review Team, the public comments that we're expecting on the short- and long-term options. And of course the

original set of feedback that we received to the draft operating standards public comment that suggested that we need to go back to the drawing board on a couple of the sections, particularly having to do with setting the scope and such.

So, we're working on this, and we'll continue to do so as public comments come in. We expect to, based on the feedback that we get, we expect to tackle each of the more substantive areas through presentations, webinars and such to share proposals and some ideas for how to handle those important areas with the community through consultation, and then taking all of this into account, we're still aiming to have the document finalized by the end of December.

KATRINA SATAKI:

Yes. But faster than bylaw change. Yes, Bart?

BART BOSWINKEL:

Just a question for clarification for this group. What do you mean a document finalized by December? Does it mean ready for public comment again or to be adopted by the board? What's the status of finalization?

LARISA GURNICK: Thanks for the question, Bart. Let's say published for public comment.

KATRINA SATAKI: So, another round. Okay. Any other comments, questions, suggestions? Thank you very much for coming and thank you for giving us update. We're going to work on our comments and we will present them to the ccNSO Council. I see that Bart has ...

BART BOSWINKEL: That's the next topic, so it might be of interest to you as well as talking about the IANA functions review and potential the CSC effectiveness. These two reviews are both bylaw-driven as well and of particular concern for the ccNSO and also for this group.

In the document, the options document, you mention these reviews. Do you expect or what would happen if this group would comment on that these reviews should be included in the total package as well? Because for some of the communities, this is of interest because it adds to the total load of reviews and some of the underlying issues that you just discussed is also applicable to these [to review].

LARISA GURNICK: We welcome all comments of all types. Just to underscore, the focus of the two proposals was timing of the current situation that was causing an immediate strain. However, recognizing that there's more to this topic. To make reviews more efficient and effective, there's a lot more to the conversation, a lot more ideas and options for addressing the effectiveness of reviews besides just the timing. So, we have a section we talk about that that was in the primary focus of the public comment because we wanted the focus to be on the timing, but we would very much welcome any feedback or input or thoughts and ideas on what else we should be talking about in terms of effectiveness. I think what you're talking about certainly touches on that. We would very much appreciate that.

BART BOSWINKEL: To [inaudible] these two reviews I just referenced, the IFR and the effectiveness are supposed to start at the first of October of this year.

KATRINA SATAKI: On this optimistic note, I'll ask Trang – thank you very much for coming. Larisa and the team, if you're interested in our discussion on this, you're definitely welcome to stay. Trang, the floor is yours. Now we're talking about IANA naming function review.

TRANG NGUYEN:

Thank you, Katrina, and thank you to the Review Guideline Committee for inviting me here today to talk about this important topic. Of course, this somewhat relates to the topic that you all had just spent the last hour talking about, which is reviews in general.

One important thing to note is this review is actually separate and different from the specific organizational reviews that are specified as such in the ICANN bylaws. This is a new accountability mechanism that was introduced as part of the IANA stewardship transition and it was introduced to ensure that PTI continues to meet the needs and the requirements of its naming customers. So, essentially, that's what the IANA function review would be doing is to review PTI's performance against all of the obligations that are in the IANA naming function contract, including the statement of work. So, at a high level, that's what the review is intended to achieve. I don't know who's got the slides. Thank you. Next slide, please. Sorry, you can go back one more slide.

The other thing to take note of is that this review is not a substitute for the important work that the Customer Standing Committee does. The Customer Standing Committee does monitor PTI's performance and on a monthly basis does

produce a report of its findings of PTI’s performance against all of the service-level agreements that are in the IANA naming function contract.

This review, although at a high level, will be assessing and evaluating PTI’s performance. It is not a substitute for the work of the CSC. Rather, the work of the CSC will serve as an input point into this review. That’s an important note to take. Next slide, please.

So, in addition to reviewing and evaluating PTI’s performance against the obligations that are in the IANA naming function contract, this review team will also evaluate PTI’s openness and transparency procedures as well as PTI’s oversight structure, including any reporting requirements and budget transparency. It is also going to be evaluating a review in the performance and effectiveness of the empowered community powers on those areas that are related to PTI and the IANA naming functions. It is also going to be reviewing and evaluating whether there are any systemic issues that are impacting PTI’s performance.

Again, this is also another area that the CSC does have purview over, but again, the work of the CSC thus far will serve as input into the IANA naming function review as it looks to determine whether or not there are any systemic issues that are impacting PTI’s performance.

Lastly, it will identify any process or other areas for improvement in the performance of the IANA naming function and also of the customer service – I’m sorry, Customer Standing Committee and the empowered community as it relates to oversight of PTI.

Bylaws also require that the review team solicit public comment and community input overall on PTI’s performance through service input into its work. Next, please.

The one thing that would impact the scope of the review is this linkage to the CSC effectiveness review. As Bart mentioned earlier, the bylaws has a separate requirement for another review called the CSC effectiveness review. The timing of this review is exactly the same for this fist one, exactly the same as the IANA naming function review October 1st.

The bylaws indicated that the ccNSO and the GNSO would together determine the methodology for the CSC effectiveness review. So, due to this sort of coinciding timing and the potential overlap in scope of the CSC effectiveness review and the IANA naming function review, I believe there is a working group between the ccNSO and the GNSO that’s been established to look at how the CSC effectiveness review would be performed and what topics would be covered under that review, and then proposing that those be considered for incorporation into the

IANA naming function review. So, essentially, the IANA naming function review would, in addition to the scope that it has to cover under the bylaws, would take on any additional areas of reviews as it relates to the CSC that this ccNSO and GNSO group agreed on. Next, please.

So, I wanted to summarize, again, the frequency of these reviews. The IANA naming function review, the bylaws specified that the first one shall occur on October 1st and then subsequent ones will occur every five years thereafter. For the CSC effectiveness review, the first one shall occur also on October 1st and then subsequent ones will occur every three years thereafter. So, about every 15 years you would have the situation where there would be an overlap. Next, please.

So, these are some key dates and process steps that we had envisioned for the initiation of the IANA naming function review. On or around July 2nd we intend to send a formal request to all of the appointing organizations to ask that you initiate your own internal processes to appoint members and liaisons to the review team. The intent on initiating that request in the July timeframe is to ensure that we have a review team composed by the time the board has to trigger this review, which is October 1st. So, we're hoping that the review team will be composed and that work will be done so that when the board triggers the

review on October 1st the review team can start its work immediately.

So, from July through almost the end of August, which is about two months, the appointing organizations can utilize their own internal processes to appoint members and liaisons. There are some diversity requirements for the composition of the review team. The bylaws dictates that the ccNSO and the registry stakeholder group shall not appoint multiple members from the same ICANN geographic region.

KATRINA SATAKI:

Thank you very much. Sorry, I'll jump in here because that's not my reading of the bylaws. The bylaws are clearly read that, okay, we have to appoint three members. The bylaws clearly say that ccNSO should not appoint ... All these three members should come from different regions, ICANN geographic regions. But, definitely did not see in the bylaw requirement that ccNSO and RYSG. I think RYSG also appoints two people, right? So, the way you frame it here, it means that all five people appointed by ccNSO and RYSG have to be each from a different region. That's not my reading.

My reading is definitely that ccNSO has to appoint three people from different regions. All three have to be from different regions and RYSG – well, apparently, RYSG also has to appoint two

people from two different regions. But it doesn't mean that ... I think it should say neither ccNSO nor RYSG [inaudible] appoint their people from ... If you know what I mean. I don't think that our five members have to be each from a different ICANN geographic region, if you get the point that I'm trying to convey.

TRANG NGUYEN:

Yes. Thank you, Katrina. Yes. I think the language in the bylaws does provide some flexibility in terms of interpretation. I think it does say ccNSO and RySG, so the [inaudible] is in there. But, I think you're right. Either reading is acceptable, that either both the ccNSO and RySG or it could be read as ccNSO and RySG shall each appoint [inaudible] representative from the same ICANN region.

There is also separately a statement in the bylaws that says that – which is the next bullet point that you see on there that to the extent reasonable all of the appointing organizations shall ensure there is geographic diversity, meaning that there are members or liaisons that represent all five of the ICANN regions.

So, I think there is a flexibility for the rest of the appointing organizations, not just the RySG and the ccNSO to meet that geographic requirement.

I think it is encouraged that the ccNSO and RySG coordinate using the same procedures that you have in place for the CSC elections process to try and coordinate as much as possible amongst yourselves with regards the composition of the membership slate, but recognizing that the other appointing organizations could also help meet that diversity requirements that are in the bylaws. So, there is some flexibility.

KATRINA SATAKI:

Well, I wouldn't call it flexibility. I'd say it's going to be really tough to meet all those diversity requirements because as we've learned from CSC, it is impossible to ask those organizations that are appointing one liaison or one member ... It's impossible to ask them, "Okay, you should select somebody from Africa," or, "You should go and select somebody from Asia-Pacific."

First of all, they have to select the best people from whatever pool of candidates they have. In our case, we have an additional requirement. We have to have one non-ccNSO member which is going to be very, very tough in itself. I assume, actually, that we first have to find that person and then we can look at other geographic regions in order to see if we can find any volunteers there. That's tough.

TRANG NGUYEN: Right. Completely understood. I think that's why you see on the slide that there is that one optional step towards the bottom that if the geographic diversity requirement isn't met, that we would convene a meeting for all of the appointing organizations to discuss amongst themselves and to help meet that geographic diversity requirement.

So, I think that first bullet point with the ccNSO and RySG shall be read as an aspirational thing to strive for, but with recognition that other appointing organizations from the rest of the community could help to meet the geographic diversity requirement.

KATRINA SATAKI: Martin, please.

MARTIN BOYLE: Thank you, Katrina. Certainly I would fully support the comments made by Katrina in that when we were going through this process in CWG it was actually recognized that the Registry Stakeholder Group and the ccNSO were independent and chose their candidates as the best candidates for the purpose.

The additional step here seems to simply be suggesting that having got a geographical imbalance from the Registry Stakeholder Group and the ccNSO, which is highly likely given

where the largest gTLD registries exist and where the largest ccTLDs exist – and these are both categories which will be significantly concerned by what is going on. And also recognizing that you need to bring in smaller registries and then diversity, I actually wonder what power this joint meeting, this coordination meeting, will actually have to help get you to appointive geographic diversity.

When we were discussing in CWG my recollection as that the Registry Stakeholder Group and the ccNSO would work independently, would come up with their nominees, but then the other SOs and ACs in their recommendation would see what had actually been put forward for geographic diversity and would then be looking to try and find candidates not exclusively from, because they also will want to have the best people, the best background or the job, but will recognize that they also need to bring in that diversity.

So, my question to you is how do you see that process working to try and get you to that stage of getting the geographic diversity on top of the fundamental requirement for getting, addressing all the issues associated with the operational aspects of the IANA functions operation? Thanks.

TRANG NGUYEN:

Yeah. This is a tough issue because we had to deal with this as well in the CSC membership composition. It was the same issue that we had to struggle through. Martin, the way you had described the vision of the CCWG is sort of a two-tier. What I'm hearing is it's a two-tier appointment process where the ccNSO and RySG would do its work first, select the appointees and then somehow make those appointments known so that the other appointing organizations would know which geographical regions are lacking representation, so that as they go about their work, they can see if they could fill out those regions.

I think we didn't necessarily think of it as a two-step process the way that we envisioned it here. I think we were hoping to rely on ... We recognized that the ccNSO and RySG would do its own separate work to identify the appointees that they believe are the best candidates to perform the review.

I think we were also thinking that the two groups would want to leverage the existing process that it has in place with respect to the CSC elections to then at least come together and see what is that slate looking like. Are there opportunities? Again, I don't know what your procedures are versus the RySG's procedures. If you narrowed the slate down to five and then come together and talk about it and maybe make your final selections or whatnot.

So, we wanted to provide that flexibility of potentially the ccNSO and RySG, they wanted to come together at that point in time to finalize the final membership slate between those two organizations to the extent possible and then notify ICANN of that. It would be at a later point once we received ... In the meantime, all of the appointing organizations would, in parallel, undertake their own internal processes to appoint people that they think are the best representatives, notify ICANN and then at the end point when ICANN looks at the entire composition that's been proposed, if the geographic region requirement is met, then the board can [inaudible] that composition, if it's not met, then we would arrange for a meeting for all of the appointing organizations to come together and discuss what would be the process. How do we want to meet this geographic diversity requirement, given where we are?

So, we envision that taking place at the tail end of the process, once everybody has already gone through and done their work.

I think the reason why we had envisioned that step taken at the end is because with the broad and the number of appointing organizations – as you can see, there's a lot of parts of the community that's making appointments to this review team – we were hopeful that due to the number of appointing organizations that actually the diversity requirement would not be something that would be difficult to achieve across all of

those, I don't know, seven, eight, or nine different appointing organizations.

KATRINA SATAKI: David?

DAVID MCAULEY: Thank you, Katrina; and thank you, Trang. One or two quick questions. The notice is going to come to those appointing organizations July 2nd. Have you informally been telling them about it? I mean, are they aware that it's coming their way July 2nd?

TRANG NGUYEN: Yes. We have sent out a letter I think a couple of days ago, the 23rd of June, to inform all of the appointing organizations that this is coming their way.

DAVID MCAULEY: Thank you. I was a little confused. Is it the case that the IFR reviews and the CSC effectiveness reviews happen in tandem or are they staggered and happen in tandem only once every 15 years or so? I didn't ... I'm mixed up on which of those it is.

TRANG NGUYEN: Those are two separate reviews that have different frequency. It just so happened that this first time both of the reviews are taking place at the same time. After this first occurrence, the IFR will take place every five years and the CSC effectiveness will take place every three years. So, it's about every 15 years that you have this situation again where the two are occurring at the same time, if that makes sense.

DAVID MCAULEY: Thank you. One final question. If there's a special IFR, is it the same composition, the same process, for appointing or is it truncating and more direct, more quick?

TRANG NGUYEN: My apologies, but I have not looked at the special IFR composition part of the bylaws very carefully.

DAVID MCAULEY: No problem. Thank you.

KATRINA SATAKI: I don't remember what composition but the scope is very limited.

DAVID MCAULEY: Thank you.

TRANG NGUYEN: So, Katrina, does that address some of your concerns a little bit? I think that first point is really envisioning that the ccNSO and RySg really would go about their processes separately, but then aspirationally, to the extent possible, try to cover as many of the geographic regions as possible but with the understanding that the rest of the appointing organizations also have a similar responsibility in terms of trying to meet the geographic diversity requirement of the bylaws.

KATRINA SATAKI: Bart?

BART BOSWINKEL: Well, from a practical point of view, if you send out – because it will be triggered and I think the call will be if you follow the CSC method, include in the invitation letter by ICANN at least a guesstimate of the time people need to spend on the IFR. So, a little bit about the organizational impact on volunteers, because that will drive the number of volunteers as well in the regions and their availability. That’s a real concern, especially for this group, around geographic diversity as well.

KATRINA SATAKI: Yeah, but my understanding is that this time each group issues their own calls for volunteers or [inaudible] but okay. So, we have to issue our own call.

BART BOSWINKEL: Yes, but with the CSC, we do it as well. But, the CSC, the way it's organized, say ICANN Org triggers it or the board triggers it. ICANN Org coordinates it, and with the CSC review or the CSC membership, it's the same thing. Then ICANN Org informs the SOs and ACs. They receive a draft letter, but also the invite. If you recall from the first CSC, with a guesstimate of time needed to be spent on these reviews. That's an important parameter for people to be able to put up their hands yes or no.

If you need to spend four hours a week, that's a complete different story than four hours a month. And if it's more, which I expect, then it's really making the pool very limited.

TRANG NGUYEN: Thanks, Bart. We'll try to do that to the extent possible. As you know, the bylaws doesn't specify anything with regards to how long the review has to complete by. We only have a few minutes left. I don't think we have many more slides. Next one, please.

This is the composition of the review team. Between members and liaisons, I counted about 12 different appointing organizations with five ICANN geographic regions. I'm hoping that between the 12 appointing organizations that that geographic diversity requirement could be met.

Separately, the ICANN and PTI boards are required by the bylaws to also appoint one staff member each to serve as points of contacts for the review team.

Then, the ccNSO and GNSO shall each select one representative from all of its appointees to serve as co-chairs of the review team. Next slide, please.

Here are what the bylaws indicate as the requirements for candidates for the review team. We are providing this year [inaudible] help you in the selection process. Of course, these are minimum requirements. Each appointing organizations might add any additional requirements that are applicable to their own organization.

BART BOSWINKEL:

Can you go back one slide, Trang? The commitment to the required time and responsibility and the required time there needs to be an indication.

TRANG NGUYEN: Yes. I understand. With the CSC, the charter sort of specified the scope of work and how much time is required from each member. With this review, it's really up to the review team to determine its own [inaudible]. That's how often it's going to be meeting, etc. So, we want to give ... We want to find a way to give you the information that you need to communicate to candidates so you're making good choices, but yet, at the same time, not preempt the work of the review team once it's formed because we don't want to dictate how often they meet, how many calls they're going to have a week, etc. We'll try to find a way to give you what you need without being too specific at this point.

KATRINA SATAKI: Thank you very much. I see or I can sense some really depression here in the room.

UNIDENTIFIED FEMALE: Sorry, I'm just really depressed about how we're going to be able to coordinate the regional diversity.

KATRINA SATAKI: I can tell you, we won't be able to do that.

UNIDENTIFIED FEMALE: I remember when we were devising the – I mean, coming up with the bylaws. This was an important issue. So, without thinking about the actual process that each group was going to go through ...

KATRINA SATAKI: That is the thing. It always sounds excellent on the paper. We're being politically correct. And then, at the end of the day, when we have to find people, we realize that we have cornered ourselves. Okay, thank you.

UNIDENTIFIED FEMALE: Thank you, Katrina. I guess I have a question for you and the committee here. We had anticipated giving each appointing organization approximately two months to carry out their own processes to appoint people. I know that you have the additional obligation to select a member from a non-ccNSO ccTLD. Do you envision the two-month timeframe being a challenge for you?

KATRINA SATAKI: It definitely is a challenge and it's not just in terms of timeframe. Probably have to kick somebody out of the ccNSO. I don't know. But, we don't have a process for that, either.

BART BOSWINKEL: You have to take into account that by the time this process starts, you will hit the holiday season. That will really [inaudible] every time you put in place here.

KATRINA SATAKI: Actually, I think first we'll have to have the guideline. We'll take CSC as an example and quickly try to build something upon that one. Then we'll need to approve it by the council and then we can ...

BART BOSWINKEL: [inaudible] from the ccNSO perspective, my advice would be do a quick procedure and then afterwards, learn from it for the other ones. But, you need to have a kind of a [inaudible] in place how to run this. And the guideline is more or less an agenda, how to kick off the process.

KATRINA SATAKI: Yes?

TRANG NGUYEN: Yes. I appreciate that it would take some time for you to develop the procedures to initiate your processes. If you would please keep us informed if it looks like you're not going to be able to

meet that timeline, please just let us know so that we can plan accordingly.

There is a board workshop that will take place on September 16th. We are intending to ask the board to trigger the review so that it starts on October 1st so that we don't violate any bylaws requirement, but there is some flexibility for us to ask the board to allow some additional time for the review team to be fully formed, if additional time is needed.

So, if you can just let us know if you will be requiring additional time so that we can plan accordingly on our end.

KATRINA SATAKI: We'll do that. Bart?

BART BOSWINKEL: I don't know if you've addressed it in your slides. What does triggering the review mean? Is that the point in time that ICANN Org, based on that resolution or based on that decision, sends out the invite or does it mean that, at that point, the board appoints the review team and they start to do whatever they want to do? There are two points in time, because I could say to accommodate, especially this group and the RySG, because the CSC effectiveness review, as you all know, is running in parallel

and you effectively are looking at the same people who will staff – staffing in a broad sense – who will run the reviews.

If you already appoint people for the IFR and it starts on the 1st of October, it will be very difficult to find others or the same people who run the effectiveness review because that still needs to be sorted out. I don't see this happening before the 1st of October.

TRANG NGUYEN:

So, we had interpreted the bylaws requirements to mean that when the board triggers the review on October 1st that the review team would then begin its work. That's why we are going to be requesting that the appointing organizations appoint members ahead of the October 1st day.

Now, there is some flexibility in terms of how the board triggers the review. Shall the review team not be fully formed by then ... For example, the board could, instead of affirming the review team, could say that the review shall be ... The board hereby triggers the ICANN required provision to start this IFR with the review team that's being formed by the community, which shall be formed by X date or whatnot.

The intent behind triggering of the review means that the review team would begin work on October 1st.

KATRINA SATAKI: Yeah. To add to the depression. David?

DAVID MCAULEY: Thanks. I would just suggest, if you need it, the bylaw says it will be convened by October 1st. There's some wiggle room there. You would have to go to your legal department to ensure that, but that's not a very high bar. In fact, I could easily imagine an IFR being convened that's not yet complete, as far as members go. It's largely complete. Just a suggestion. But you'd have to run it through legal.

TRANG NGUYEN: Yes. Thank you, David. In fact, if you look at the key dates slide, if indeed we have to convene a meeting for all of the appointing organizations to get together and address the geographic diversity issue, that the review team itself would not be formed by October 1st. So, we do understand that we need to be flexible for that situation.

KATRINA SATAKI: Okay. Thank you very much. Thanks a lot. Yes, Larisa?

LARISA GURNICK: I'm so sorry. I just wanted to follow-up on your question about the extension of public comment. I was just chatting with

Theresa. We just wanted to confirm we're happy to extend both if that was the request. Is that right?

KATRINA SATAKI: That was my understanding [inaudible].

LARISA GURNICK: Okay. Very good. So, we'll make sure that both are extended. Thank you.

KATRINA SATAKI: Thanks. Thank you very much. It's always very appreciated for you to find time to come and brief us because it's very useful and really needed because we have to address all those issues one way or the other. Thank you very much. See you around and we will definitely let you know how things are evolving at our side. Thank you.

So, yes, we have seven minutes left. I'm sure we cannot address both agenda items that we have on our agenda left. David?

DAVID MCAULEY: Maybe we could decide who to kick out of the ccNSO.

KATRINA SATAKI: Yes. That's a good idea. We can come up with the most suitable candidate. Yes. It's going to be really tricky to find three good, strong, solid candidates willing to contribute, having time to contribute. Yes. Wanting to be co-chair. One non-member and two ... Actually, it doesn't say that two have to be members. Probably we can have all three non-members. Martin, I see you have a solution.

MARTIN BOYLE: I don't bring solutions. I just bring problems. However, the third appointee, the non-ccNSO member, if I remember correctly was compulsory post. It was if you nominate a third, it has to come from a non-ccNSO member because we all recognize it's actually very, very difficult people who are outside the ccNSO who might even vaguely be a) interested and b) have the time so to do.

There was the, if there is one, you can put one forward rather than we must. The important thing is to put in place the process by which we can make sure that non-ccNSO members are aware of the process because many of them will not even follow what is being done within ICANN.

KATRINA SATAKI: Thank you, Martin. Young-Eum?

YOUNG-EUM LEE: That only applies to the CSC. I just checked. But, with the IFR, there is a requirement of a non-ccNSO. But that was when many of the major ccTLDs had not been or had not joined the ccNSO and that's why this was included. But, with regard to the CSC, we were ... I remember specifically raising the point that the non-ccNSO ccTLD would have the actual advantage of being a member. But with regard to the IFR, it was included.

KATRINA SATAKI: Another thing that concerns me. Let's say we select a non-ccNSO member to participate in this review. Then at some point this ccTLD applies for membership. What should we do? Should we say, no, we do not accept you as a member or if we accept you as a member, your representative has to step down from the review team? Stephen?

STEPHEN DEERHAKE: Neither. They took the office under completely legitimate circumstance. They were a non-member. If they become a member, let them continue. I see no reason to be concerned about that.

KATRINA SATAKI: I think that non-members might be concerned about that.

STEPHEN DEERHAKE: Are there any left?

KATRINA SATAKI: Yes, there are some. Young-Eum?

YOUNG-EUM LEE: I'm actually thinking that maybe we should initiate a process for changing the bylaws, that section of the bylaws, because it was devised when the situation was very different.

KATRINA SATAKI: I think the suggestion was more or less the same, but there were some people who pushed for that. Yeah. Then they left the community. People who shall remain nameless. I mean, [inaudible]. Yes. I'm sure this is going ... Okay, we'll see how it goes. Maybe we'll have a long list of non-members willing to serve or a long list of members willing to leave the ccNSO in order to serve on this review team.

Okay. If there are no more comments on this. We're going to present a brief intro to the IFR to the community, so we'll see what they think, what they say. Yes.

We have one minute left. That's great. We can talk about the travel support guideline. Yes, Bart?

BART BOSWINKEL: May I suggest that you first talk about how to tackle these two major topics over the next coming weeks? So, schedule, meetings, and who is going to do what. The travel funding guideline, I think that's clear and that's already [inaudible]. But you need to find a way to do this before the holiday season really kicks in.

KATRINA SATAKI: I think the process is, again, pretty straightforward. We have to come up with a draft. We take CSC perhaps as an example. We see what needs to be changed. I think in two weeks after this ICANN meeting, we just have to come up with something we sent to the group and then we move forward really quickly. I see no other way. IFR. We're talking about IFR.

BART BOSWINKEL: Yes, sorry, the IFR. But, how to deal with the comments on the – you want to do it the same way? The comments on the reviews.

KATRINA SATAKI: That's another thing. Yes. Reviews, yeah, I think we'll have to do the same thing. If you have anything that you think that needs to be addressed [inaudible] those issues that you raised during our

discussion today, just sent an e-mail to the list with your concerns about short-term and long-term options presented by Larisa so that we can incorporate them in the comments document. We'll just have to draft. Yes. There's no other ...

And with that, we are one minute past our time allocated for our meeting. Thank you very much for your contribution, for your active participation. As always, see you in Adobe.

[END OF TRANSCRIPTION]