
MARRAKECH – Evolving the Effectiveness of ICANN's Multistakeholder Model

Tuesday, June 25, 2019 – 17:00 to 18:30 WET

ICANN65 | Marrakech, Morocco

BRIAN CUTE:

Folks, we're going to start the session, if you'd please take your seats. We're just working a few technical difficulties out. We'll be with you and start in just a minute.

Welcome, everybody. We're going to start this session. Sorry for the delay. We had some challenges with the slides but we're going to get going now. Welcome, everybody. Come on and take your seats. Thank you and welcome to a continuing conversation on evolving I have's multi-stakeholder model. My name is Brian Cute. I'm with the Eastham and I'm facilitating this conversation with you, the ICANN community.

This conversation and what we're developing today and through ICANN 66 is work that is going to support the strategic plan. That's what we're doing. And it's supporting delivery on the strategic plan for 2021 to 2025. Specifically, what we're working on here is strategic objective number two on governance. That is how our multi-stakeholder model functions, how we get our work done here at ICANN. And can we do that more effectively? Can we do that more efficiently? This is a dialogue that began at ICANN 63 in

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

Barcelona when the board engaged with the community and began to ask some focused questions about governance.

Strategic objective number two. How well does the model work for us right now? And began asking some focused questions about inefficiencies, ineffectiveness. And in Barcelona, community responded, and in responding identified 18 issues that you were saying are making our work ineffective or inefficient or challenging the effectiveness and efficiency of how we get our work done.

And moving from Barcelona, we had a session in Kobe at ICANN 64 that began this conversation [inaudible] and I call it a conversation purposefully. I think this is a conversation that we need to have as a community. In Kobe, I invited you to look at the 18 issues that were identified in Barcelona and offer specificity of those issues, offer some examples to find those issues. If we have a problem that we want to address, that we want to fix, that we want to develop a solution for, you need to define the problem.

So, some issues were identified. I invited you to provide some specificity and definition around those issues and also invited you to provide some early thinking about prioritization. It's a list of 18 issues coming into Kobe. Coming out of Kobe, based on the comments and inputs, there were three new issues identified so we had a list of 21. But invited some thinking on prioritization.

The one thing that I have heard loud and clear from you consistently, there's too much work, there's too many work streams. Our resources are stretched too thin, we can't get this all done, we can't get this all done in time.

Interestingly, no matter what stakeholder group is speaking, no matter what your advocacy position here in ICANN, the most important thing is the commonality. You're all describing the same issues the same way. That's important. If we all agree on what the problems are, we have a real chance to address them. So, that's coming through loud and clear to me.

In Kobe, there were three additional issues that were identified as hampering the effectiveness of the model. Coming out of Kobe, put that list out for public comment. In doing that, invited, again, let's put some more specificity, let's define the issue, define the problem. Also, suggestions about prioritization. Are we taking on another list of 21 items for work with what we've got already or can we prioritize these?

I also invited you to identify where issues might be combined or merged or grouped because of the nature of the issues and their inter-relationship in how we get our work done. So, inviting that public comment. That period just closed a little over a week ago. First of all, thank you for the comments. There were 19 comments in response to the call. I'll give two observations on the comments

which I've reviewed, analyzed and summarized and we've now produced a final issues list that we'll take a look at based on those comments and the prior input.

But two observations. First of all, again, commonality. No matter what stakeholder group is speaking, you're describing the same problem, the same challenge the same way. This is a huge opportunity. We all agree on that.

The other thing is that I think there were ten or so commenters who offered really specific ideas about how to prioritize this list and offered some really interesting ideas about how to group issues, conceptually those that have inter-relationships and why. It really reflected a lot of thoughtfulness and understanding about our work processes, how things are inter-related and how we get things done.

So, on the basis of those public comments and the input from two webinars in May, and your inputs from Kobe and going back to Barcelona, we now have a final list of issues. There's 11. We're going to walk through those today. And in walking through those, we're now going to make a pivot in this conversation. And today we begin the process of developing the work plan.

So, the work plan is step number two and the work plan is going to become part of the operating plan, the five-year operating

plan. Do we have the slide? I want to give you a sense of context here. The slide of the strategic plan, the first slide. Okay.

So, just to give you some context here, again, this is one piece of the strategic plan. This is strategic objective number two. The strategic plan consists of five objectives. This is governance, the second one. In developing the strategic goals as you did as a community, there are three goals within governance. The phase we're in now is at those three goals to support governance, to evolve the multi-stakeholder model, the make it more effective and efficient needs to turn into projects that are delivered over the course of the strategic plan.

So, this is where this piece of work fits in to the strategic plan. This is the part of the process that we're in, identifying the projects that we will take on, that we will forward plan into the strategic plan period of 2021 to 2025 to improve how the multi-stakeholder model works. Thank you. Can we go back to the slides where we left off? Next slide, please.

So, the goals for this session are threefold. Number one, mapping the final issues list into the work plan. I'm going to walk you through that. Secondly, since we're beginning to develop the work plan, let's understand what those inputs are going to be, make sure everyone understands what's going to be asked of you as we develop a work plan that becomes part of the operating

plan. Then, thirdly, we're going to begin a conversation today about ownership, about who should be accountable to develop a solution, to develop a methodology, an approach that addresses an issue that helps us become more effective and efficient in the way we do our work.

So, who is going to own an issue, take it on and be accountable to develop a solution? Will it be a particular AC, and SO, the community as a whole? Should it be the Board? Should it be ICANN Org?

Where I want to focus our conversation today is we now have a list of issues. Who should own that issue? Once we get through that process of identifying others, then we can move with the owners to help them develop a projected delivery date and to identify the resources that they're going to need to deliver a solution – a proposed solution – to the community.

So, that's the outline of the work plan. That's the conversation we're going to start today. To set expectations, we're not going to get through all of that today. We have 11 issues. We're going to start a conversation on ownership. We might get through a few, four or five, and that's fine. But we're starting the conversation. After today, we'll put that out for public comment so that we can get the full input of the community on who should own, who

should be accountable for an issue, and deliver a solution. Next slide.

So, back to the final issues list. Terrific amount of input. Terrific amount of comment. Thank you for that. Some issues did not remain on the final issues list. Of the 21, there were four that fell off based on community input and they fell off for a few different reasons. Either they were duplicative of other ongoing work and we all agree with everything that is going on, all the work that everyone is trying to support. We're not going to create something in this workstream that duplicates work that's being done elsewhere.

Other reasons an issue may have fallen off is because it really described a symptom of inefficiency or ineffectiveness. It was a symptom, a pain point, like volunteer burnout. Everyone feels that. It's real. That's really descriptive of a symptom because our work processes are not as efficient or effective as they can be there is volunteer burnout. So, that's not on the final list as an issue to develop a solution to.

Another reason would be that it was just definitional and cross-cutting in nature. So, there are four issues. Next slide, please. These four, based on community input, fell off. Volunteer burnout, descriptive of a symptom. Timing of decision-making. Our processes take too long. Descriptive of a symptom.

Accountability and transparency, this is being addressed elsewhere – ATRT-3, work stream 2. We are not going to duplicate work. That doesn't make sense, at all. Of course accountability and transparency will inform any work that we do together but not as standalone issues. That's being addressed elsewhere. Work processes is descriptive. It's a definition of our overall work processes. It's cross-cutting. And when we go through the final issues list, you'll see that there are a number of work process steps that have been identified that if we develop solutions for or approaches to to make them more effective and more efficient, that will have a net effect of improving our work processes. So, those are the four of the 21 that dropped off.

Now let's look at the list. And this is just the list by name. I'm going to walk you through the issues with more specificity in a few minutes, but go to the next slide, please. Can you go to the next slide? Okay, back up one, please. Sorry about that.

So, this is the outline of the work plan. I'm going to walk you through the issues list as they appear in the work plan slides. The work plan itself is going to identify issues, identify owners, identify the date by which an owner will deliver a solution within the five-year timeframe of the strategic plan, and will identify the resources that that owner needs to develop a solution.

The reason that's important again is because this work plan becomes part of the operating plan which you've heard Cherine say is going to be fully costed for the five-year period supporting the strategic plan. Now let me show you a blank canvas of the work plan, so you can get a sense of what we need to do to fill in the blanks. Next slide.

Straightforward. Issues in the left-hand column. I will walk through them in a moment. Today we begin to focus on who is going to own an issue. Who should be accountable for developing a solution? And once we have the owner's identified, delivery date, resources needed and start date of the work. So, that's the outline. Let me pause there and see if there are any questions at this juncture. Everything clear? Marilyn? Number six.

MARILYN CADE:

My name is Marilyn Cade and I was so thrilled to have my own dedicated personal microphone on the table. Now I know I have to share. But that wasn't the purpose of my comment.

I'm not in any way questioning the four that are there, but I have a question that we can go back to later, but I see something missing and it is to me a very, very serious potential risk. If we focus on this, where is our clear acknowledgement that we must do everything with the highest standard of integrity?

So, we can talk about who's accountable but we also – just saying you have to be inclusive doesn't actually mean that our actions are being done with the highest standard of integrity. And reputational risk is one of the biggest risks to ICANN. Are you getting your work done? Are you doing it effectively, efficiently? But are you also showing the highest standard of integrity? And perhaps we could come back under AOB and talk about whether there are, whether these risks have to be identified as we talk about the implementation aspects.

BRIAN CUTE:

Thank you for that and let's hold that issue. It's an important issue and I do believe there will be time as we move forward not just through developing the work plan but also beyond into next year as we begin to move toward approving the operating plan and designing the work. So, I think that's an appropriate question. Thank you for that. We'll hold onto that and bring it in soon. Number three.

UNIDENTIFIED MALE:

I'm [inaudible] from Tunisia. By looking to the work plan, I see that you are using the same approach in [inaudible] the current multi-stakeholder model adopted by ICANN. Since your work plan will be based on issue, both on issue and constituency, so [inaudible]? In this work, what is the innovation? What is the

innovation, since you are using the same approach, the same dynamic approach, already adopted by ICANN? Thank you.

BRIAN CUTE:

Sure. It is the same. It's what I took as to be the outline of an appropriate plan. From a business management standpoint, if you're developing work and planning work, these are basic inputs that you would capture and then put into the design of a work plan that delivers over time. So, I do think it's also a very solid approach to how we organize and manage this. Is there some innovation or other approach that you think is more useful?

UNIDENTIFIED MALE:

I see that we are using the same approach, the dynamic multi-stakeholder approach based in both issues and constituency. So, what I expected is to find another approach in which all the models that are adopted by ICANN would be involved. So, if we look at the model, it's evolving ICANN multi-stakeholder model. But by looking to the work plan, we are using the same model, the same approach. Do you agree with me?

BRIAN CUTE:

If I take you to say that because this is about evolving the multi-stakeholder model, there should be some innovation inherent in

how we plan the work, I understand that point. I do. Thank you.
Yes, number three?

UNIDENTIFIED MALE: Sorry. Thank you very much. Something I would say is not missing but it is absent. And I say what are absent? I think the hierarchal situation would start from mission, after it goes to region, then goes to a strategy goal. And after that goes to target and then operational plan. When you have operational plan, you need to put two more elements – output and outcome. Output is the result of the action you take to implement that and outcome is performance indicator. Whether you have mentioned that somewhere, I don't know, but that is an essential and fundamental part of any strategic plan. This hierarchy should be respected. You have reversed that. So we have to maybe look at that to see whether it could be in a way that other people [can] do that, but I don't know whether outcome and output are mentioned somewhere. I don't know but these are essential, because without that, in particular the outcome which is the key performance indicator is very important. The success of any action you take with respect to the implementation of that or implementation of the plan. Thank you.

BRIAN CUTE:

Thank you. So, one piece that you haven't seen yet which I think speaks to one element of what you're saying is the solution or what's to be delivered. And that is purposeful at this point. The focus of this exercise has been to identify the issues in the first instance. The things that we need to address, develop solutions for and identify who is going to take that on, and then when they'll deliver a solution and what they need. It's been framed intentionally that way. But solutions we're just holding to the side for now, because in fact, the owner is going to be responsible to develop that solution and that discussion is to come. So, I think pieces of this you don't see yet by design. Number five?

FOUAD BAJWA:

Fouad Badjwa from APRALO. When you say multi-stakeholder, we refer to the community and what the community brings to ICANN, or any other organization for that matter, is the collective intelligence. When you look at the intention which is derived from that collective intelligence, it may not be directly corresponding to the "issue". It may be something to solving the issue or contributing to the issue.

So, what I mean to say is that sometimes enforcing a certain fixed format to the way a community addresses or the collective intelligence of that particular stakeholder group addresses or approaches a certain issue may not be the best way to solve it.

So, let's say we had an overarching organization objective that the organization wants to achieve, and then each community group or stakeholder group would have this larger organizational goal that they would want to achieve in the long run, would you call your strategic goal over one year, two years, three years which each stakeholder group wants to propose and work towards, which actually coincides with what ICANN wants to achieve.

But then, each group has its own five or ten smaller goals it wants to achieve which is like feeding the birds. If you don't feed your birds, they're going to die. So, these smaller goals are smaller things that they want to work towards. So, what does that achieve, actually? That gives everybody a feeling of ownership and then there gives an opportunity for ICANN and the top layer to understand what those stakeholder groups are trying to achieve.

And should everything be achieved at 100%? Should the organization try to approach things towards 100%? No. If the standard for success is even set at 60% and these groups do get to 60% as an indicator of success, I think we would be covering a good amount of journey towards success and coherence between our stakeholder groups. So, that's one approach. I don't know if that helps but that's a way of understanding that I have. Thank you.

BRIAN CUTE:

Thank you for that. Your comments make me think of two things. One is that this work has been framed by the work of the com and the board in developing the strategic plan, so there's some foundational work here that you all engage in together. You identified governance as a strategic objective. You identified three goals within governance. So there is a foundation here.

How we develop the solutions to improve how we get our work done here depends on you. It can be that there's a single AC that develops a solution, that serves the entire community, not just itself. It could be that we look at an issue and say if that's to be addressed that really needs to be addressed by the community as a whole and the community as a whole will develop a solution that serves the community.

So, if I'm hearing you, I think that there are different ways that this can be addressed, that solutions can be developed and it's up to you. I mean, it's up to what makes most sense for the community in terms of approaching these.

UNIDENTIFIED FEMALE:

Thank you. We have a question from Marita Moll. "In determining ownership, do individuals point to other groups as owners? Do

individuals suggest ownership for their own group? Where and how does the group accept ownership? That isn't clear to me."

BRIAN CUTE: Sorry. Can you repeat that? Sorry.

UNIDENTIFIED FEMALE: Absolutely. "In determining ownership, do individuals point to other groups as owners? Do individuals suggest ownership for their own group? Where and how does the group accept ownership? That isn't clear to me."

BRIAN CUTE: So that's the conversation we're going to have in just a few moments. That should be the process of what the community thinks. It could be an AC. It could be an SO. It could be the community as a whole. It could be ICANN Board. It could be ICANN Org. That when we look at an issue, we say that's the rightful accountable party. That's the entity that should be developing a solution to this issue.

It may be that in that conversation it's not as crystal clear. It may be in that conversation that we think there's more than one accountable party. Let's have that conversation. Let's begin that today.

Let me walk you through the list of issues as mapped in the work plan and I'll hit an issue and hit the questions that were surfaced by community input as we go along. Then we'll come back to issue number one and begin a conversation about ownership. Next slide, please.

So, prioritization of the work. Who sets ICANN's priorities? It's a question that was surfaced through community input. Who sets ICANN's priorities? And the important part here is as a whole. The main feedback from the community is we've got too much work, too many workstreams, new workstreams get created. It's not just policy development processes. It's that cross-community work, review teams, other work streams. Who sets ICANN's priorities as a whole?

Another question that was surfaced is: what is the mechanism to say no to initiating new work? In a healthy system of prioritization there are mechanisms to say, no, that's an interesting proposal but it doesn't tie the strategic plan. We don't have the resources. We have other priorities that are more important. So, this is issue number one.

Issue number two, precision and scoping the work. How can ICANN improve precision in scoping the work? Now, this issue was identified I think by GNSO. Keith, if you are here. The GNSO and PDP 3.0 has taken on precision and scoping their own work. How

can they be more precise? Because if it's not precisely scoped, we suffer from inefficiencies. Things take longer than they should. So, how can ICANN improve precision in scoping its work? Let's go to the next slide.

Costs. Issue number three, costs. How do we identify and project the costs of policy making and other work to effectively factor into our work processes? That's the question that's been surfaced by the community input on this issue.

The next, representativeness and inclusiveness. I think we've lost some text there. These are two issues that through community input and comment you said these should be combined, that because representativeness and inclusiveness are so logically inter-related and interdependent, they should be combined and addressed. And to determine how ICANN's processes can be representative and inclusive and improve efficiency and effectiveness. Next slide.

Consensus. Is Jeff Neuman here? This is a direct quote from you, this question. It was just too well constructed to resist. "How do you get diverse groups of people, organizations, and governments to have the appropriate incentives as well as the authority to come to a consensus on highly contentious and complex issues which impact individual freedoms, commerce,

political climates, and organizational effectiveness on a global level. “Bravo. Well said.

Consensus. Another question that was surfaced through community input is: should we define consensus, and if yes, how? You noted that definitions of consensus exist in parts of the community. It’s used in parts of the community in the work. Should we define consensus for ICANN as a whole? And if so, how?

Terms. Should there be term limits for the ICANN Board, for working groups, for other teams? That is the number of terms that someone can sit or participate. Should there be term limits? That was another question. Next slide.

Recruitment and demographics. Recruitment and demographics, again, were two issues that community input said those two issues are so closely inter-dependent, they should be addressed together and the question that surfaced was how does ICANN bring enough new people into the community and do so while effectively reflecting appropriate demographics?

The next issue, complexity. Who is responsible to address complexity caused by subject matter and information overload? And another question surfaced. Who is responsible to address complexity for newcomers and non-English speakers? So, really, two aspects of complexity. Two different aspects. Complexity of

subject matter and information overload, and separately for newcomers and non-English speakers. Next slide.

So, efficient use of resources. Who is responsible for ensuring the efficient use of resources in ICANN, as a whole? Another question, who is responsible for efficiency and use of resources in producing results and outcomes?

The next were three issues combined. Based on community input, culture, trust, and silos. On culture, these three are naturally intertwined. The culture that drives ICANN, how is it created? Trust, how can we create more trust? Is there enough trust?

On culture, what we heard was how can ICANN's culture shift to become proactive? We have a reactive culture here. We get forced by external forces to react, prioritize, create workstreams. How can we create a culture that is proactive? And how can we move away from a mentality of silos? Next slide.

This is the last of the issues of the 11. Roles and responsibilities in a holistic view of ICANN. The question being how can we create a clear, shared understanding of the respective roles and responsibilities of the community, ICANN Org, and the Board?

I can observe that, based on the inputs, I think it's safe to say there is not a clear, shared view and understanding of the respective roles of the ICANN community, the Board, and the Org

and that's critical. If we're going to take on issues and develop solutions and we don't have a clear understanding of the respective roles and responsibilities of ICANN Board, Org, and community, we're going to struggle. We won't hit the mark.

So, if you can go back to the prioritization of the work slide, back up to the first of these slides, please. Back up, please. Again. Thank you.

So, these are the 11 issues that came out of community input and comment. I want to now start a conversation on ownership, who we think should be accountable for developing a solution. Again, we won't get through all of them. I also want you to take the following thoughts before you offer your comments.

Number one, you've seen the issues. It may be that some of these issues that you've identified are not yet still specific enough, not yet clearly defined. That's critical. If we're going to ask someone to develop a solution, the problem has to be clearly defined. So, we may find that and that's fine. Call it out.

You, as a community, may look at this list and say, "We're not taking on 11 new issues. We don't have the cycles." Now, this is critical work for strategic objective number two. We have to address the governance and improve the way we do our work here. But you may say, "You know what? Of this list, we really think that there's five that will be the most impactful, the most

critical in making how we do our work more effective, more efficient." That's fine. Let's call that out as we go forward.

The last thought I'll offer you before I ask for your thoughts on ownership is this. If everyone is accountable, no one is accountable. We must identify ownership and accountability for developing solutions to these issues. If everyone is accountable if there isn't an answer, nothing will get done. And if no one is identified as accountable, nothing will get done.

So, with those thoughts, let's spend the rest of the time we have here beginning a conversation on ownership on these issues. I'd like to open the floor. On prioritization of work, who sets ICANN's priorities, what's the mechanism to say no to initiating the work, and who should take this on? Which AC? Which SO? The community, the Board, the Org? Number three?

SEBASTIEN BACHOLLET: Thank you. Sebastien Bachollet speaking in French. Before answering, I have another question. Is the idea to know who is going to be responsible for finding an answer or do we want to get to the answer all together? Because we may consider that it is up to the community to decide on the prioritization of the work, and by the end of that process, the Board or the ICANN Organization might be pointed out as being accountable there, as being responsible for doing so.

So, my question is, what's the point here? Where do we intend to get? Do we want to find out who should work on finding a solution or else who will be responsible for implementing it?

BRIAN CUTE:

Who needs to define the solution? I'm sorry. I will go on in English which is easier for me. Who is going to take ownership and accountability for developing a solution?

Now, that doesn't mean that an entity takes it, creates a solution and it gets implemented. This is something that needs to be brought back to the community as a whole. But who is going to take ownership and accountability of the task of identifying a solution, identifying a work method, an approach to prioritization of work, that can be presented to the community, that can then be embraced and implemented if agreed and implied so that our work can become more efficient through prioritization. Does that answer the question?

SEBASTIEN BACHOLLET:

But I think it's very important that we are looking for people accountable to do the work that's listed, the issue listed here, not the one who will be in charge in the future of doing it. That's two different things [to do the work]. Thank you.

BRIAN CUTE: [inaudible]. Number six?

MARK DATYSGELD: Hello. I'm Mark Datysgeld speaking on my own capacity. I have read all the inputs the community made for these public comments and what strikes as very relevant to me is that the community has already come up with some solutions. The multi-stakeholder community has spoken and has come up with some solutions that are more focused. Others are more structural. The structural ones maybe are not being contemplated at this point but they probably should be. But we have said [our piece] in some issues that seem to be important. That should be a base for something. I'm a little worried that the solutions will just slip away when in fact the community has already started thinking about these issues, the solutions to those issues.

So, I would just like to state that I find it rather important that the vast volume of contributions that has already been made is used moving forward, is used when we are considering the solutions because they are already there. They are just not exactly chartered here but they are important, in my opinion. Thank you.

BRIAN CUTE: Thank you. So, when we get to the point when an owner is identified, an accountable entity is identified, when we get to the

point of identifying the resources needed to develop a solution, we will absolutely make reference to existing solutions or tools in the community. We don't need to reinvent wheels here. We don't need to be inefficient about how we go about applying solutions to these problems. So, your point is very well taken. And if there's work being done elsewhere in the community to develop a solution – for example, PDP 3.0. They're working on precision in scoping their work. Now, that's applicable to GNSO PDPs. But the approach they develop may very well be fit for purpose in other parts of the community. So, we will try to be efficient.

Right now, we're trying to keep solutions to the side because the conversation needs to focus first on what are the issues and who's going to take that on. But your point is very well taken. Number four?

UNIDENTIFIED MALE:

Thank you very much. I think your approach is very academic. Too much details. You have five years to [inaudible] the strategic plan. You may need 15 years to answer these questions. You have to be pragmatic and practical. Many of the issues that you have raised already been addressed. Accountability has already been addressed in one way or the other. You don't need to start to see how the accountability will be achieved.

I don't think you could put AC/SO community and board and ICANN Org in equal footing. There is already some sort of [inaudible] how to do that. Someone start to do something to prepare a draft. Then we put it to reviews of the people, once come up, go to the Board and put it to public comments and public comments community.

So, the last one is the community who decides. Not AC, not SO, because they are representatives of modules of the community. They are not, in fact, deciding on behalf of the community and never will limit ourselves to the views of AC or SO or ICANN. We will all [inaudible]. We always went to the community. So, I think we have to use the experience that we had before, not start from scratch.

I don't think you need to define what is consensus. Consensus is known to be consensus. You can't define that. A very simple – very simple, simple – idea of consensus is something that I may not agree but I can live with that. That's all. That is coming from some African colleagues they mentioned when they asked, "What is consensus?" They said that it's something that I may or may not agree but I can live with that. So, you don't need to go to consensus and define all of these things.

So, I think you may need to slightly review the situation, not having so many questions and [inaudible] would not get the

required answer and then you would not be able to tackle the strategic plan that you have a limited time and so on to vote. So, kindly, you may consider to take a practical and pragmatic approach. Thank you.

BRIAN CUTE: Thank you. Number two?

VANDA SCARTEZINI: Well, I am back for your question, to be more pragmatic.

BRIAN CUTE: Thank you.

VANDA SCARTEZINI: About the prioritization of the work. I [do] believe that each one of those has their own priority. So, priorities will be taken for each part of the community, from dot-org, and for me the Board is the only one that should not set for priority. The Board will follow the priorities set for the whole community and we can have a lot of alternatives like the first one of each community will be the first. The second one will be the second.

So, we need to think more holistically. So, priorities is not one priority. It is the priority of each silo, if you want, group inside [inaudible] the Board. So, all those have priorities and they need

to set their own priorities [and sent] to a group that you discuss how to implement those priorities relating to cost and time and so on, that priorities are for each one because each group – GAC has their own priorities, ALAC, GNSO. There is a lot of different kinds of priorities.

But anyway, priorities can be set and can be done by each one. So, once priority is defined, you can define who is going to do the job immediately about that priority, because each community here, each AC or SO, has defined its priorities. So, they are asking themselves that they will make this high priority, so the work to be done will be done by them.

So, it's my view of the holistic alternative in the way to make it work. But in my opinion, let's forget about the Board. The Board will follow. The Board will never set priorities. Thank you.

BRIAN CUTE: Thank you. Number five?

FIONA ASONGA: I would like to just raise something on the prioritization of work. I'm seeking a clarification. Do we mean that it also means the prioritization of the issues you've mentioned? Because when we look at evolving ICANN's multi-stakeholder [inaudible], that is an area that has come to the strategic plan because it is [inaudible]

and that is speaking from a region where we know and we don't see enough of us from my region involved equally within ICANN.

So, if we are going to address a work plan on multi-stakeholderism, there are issues that are foundational and are important and must be paid attention to and must be given priority. You've listed so many issues. I think some of them can actually be taken care of by the other strategic objectives and not necessarily this one.

So, it would have been nice to know, within this strategic objective, what are the key fundamental issues that need to be addressed? I can maybe from your issues just raise a few that touch on representation and inclusion, recruitment and demographics, culture, trust, [inaudible] silos, and diversity in the governance, in the involvement. We need to see that diversity and to feel it. We don't see it enough within ICANN [inaudible] of the community and the Board or in the organization. I think a lot of the African representatives will agree that there has not been sufficient inclusion that covers, if it's Africa, the entire Africa including Sub-Saharan Africa. And we need to be able to see that captured in there.

So, what are the foundational issues from the ones you read? Those become a priority and those have to be paid attention to within this strategic plan.

Moving forward to the next plan, then we can now build onto them and [inaudible] a lot of the other issues that you have presented, that got from the community. So, I don't know whether there is going to be a possibility of prioritization of the issues within this particular strategic goal, so that it is relevant. Otherwise, it ends up being a process we are going through where, at the end of the day, everybody will check a box and we shall sit back and say, "Hey, how come I don't see enough Africans in this, involved in this, and involved in the other?" I can only speak for Africa because that's where I come from and that is what I'm missing. Thank you.

BRIAN CUTE:

Thank you. So, there is an opportunity to do further prioritization of this list. We're going to put this question out for public comment on ownership, the conversation we're starting today, and it's for the community to decide which of these do you think are the most critical. So, there is an opportunity for that. Number five? I'm sorry, I'll come over here next.

JOHN LAPRISE:

It strikes me that, in recent years, ICANN's priorities have been largely set by external forces. Both the IANA transition and EPDP were triggered and were prioritized because ICANN faced material risk from those external forces.

The Board has a risk group looking at external threats. The community is not served well by not having a similar risks units looking out for external problems because those things that pose material risks to the organization are probably top priorities because if they threaten the organization, well then, we're all sunk. So, at least on a who sets priorities, there be some sort of strategy group that looks at external threats to the organization and pose a material risk to ICANN. Thank you.

BRIAN CUTE:

Thank you. So, number four. And if I can get responses to the question of who should be responsible for prioritizing the work at ICANN. Number four?

DAVID CAKE:

David Cake for GNSO, I guess. So, the issue here strikes me as not that we ... We actually do know who is accountable for any individual decision about initiating new work, particularly ... I mean, a lot of the work that we're complaining about is – not all of it, but a lot of it – is going on essentially within the GNSO at the moment. And the GNSO has a very explicit process where they say, "Oh, well, we're going to give ourselves new work by starting a process," and it's very clear.

And there are external things and I think John's points about the risks – the large risks – that the Board has to act on. But outside of that, the Board try not to hit us with too much work unless they see a very clear need for it.

The problem seems to be that we ... I think a lot of it is that we don't have any process that initiating new work really looks at what the resources we have in the community is to handle it and how can we create that? And a lot of f these processes, it's people who are already ... These are complicated processes. Most of the people in them are people who have already done a lot of policy work. That's a limited resource that is very over-stretched and we don't seem to find a lot of ways of effectively moving those processes out on that [inaudible] people.

I think the answer is not ... We already know who is accountable for every individual decision. That's not ... And they can always say no. We'd be asking why don't they say no and why don't we actually make that a process that is managed in terms of looking at community levels. How can we mange those scarce resources, which is essentially our time and effort, more effectively rather than worrying about ... It might be good to get some overall communication but I think that would ... It's always good to try and break down the ICANN silos but that's only going to help a bit. The mechanisms are there. We know who owns it. We need to actually make that decision-making process more informed and

more careful and take real account of what we actually have and whether or not we can sustain what we're doing.

BRIAN CUTE:

Thank you. I'll take a few more and then we want to move to another issue. I want to get through at least a few issues in the session. Number four?

CHERINE CHALABY:

I just want to add a little bit more color on that question. I think we're all having difficulty because the question is very short. Who sets ICANN priorities? If I can add the following thoughts.

There are two sets of priorities. There is a central priority, what I call a collective priority, that is defined by the strategic plan and that includes the external forces that the gentleman mentioned earlier. The strategic plan is the document, together with the operating plan, that actually sets the priorities for all of us together and this is the one we've all agreed and that is going to call on certain resources to implement it.

The problem is we all have individual priorities. Each SO and AC have their own individual priorities and all these priorities are in contention for a very limited set of resources. We have a limited set of volunteers, a limited set of staff, and a limited amount of money available.

So, the question really is not very much on who sets the overall priorities. It's that who decides whether the PDP of the GNSO has priority on the limited pool of resources over, for example, a PDP from the ccNSO or a CCWG?

So, that is the real issue is supply and demand. We know that the strategic direction, the strategic plan and the operating plan, we all agreed is going to be done. So, that's a priority. Now, the rest is how do you resolve the contention on resources?

I'll make a suggestion on who should do that. Only a suggestion. It's not for me to decide. It's for the community to decide. For me, it's a representative from each of the SOs and ACs together with the CEO because the CEO has the pool of resources. A representative, whether it's the SO and AC chair or a representative that is empowered by the SOs and ACs to come into a discussion jointly among all of them and discuss the priorities and then who gets what resources and in what order. That is a simple way of possibly resolving that issue.

We can't think about it in a mega big issue. The issue is really about the individual priorities that call on resources, including the Board. We set ourselves operational priorities every year. These operational priorities demand resources from ICANN. We are in contention for those resources together with the community.

So, there has to be a getting together. This cannot be one AC or SO solving that. It cannot be the Board because the Board cannot tell, for example, the GNSO in what order it should develop its PDPs. It cannot tell the GAC in what order it should give advice. It cannot tell the ccNSO in what order is PDP.

So, each one of them have to define their own priorities, including the recommendation of the reviews. They're calling on the same priorities. They come up with 120 recommendations, 130 recommendations. So, there has to be some central pool representing both the seven SOs and ACs, ICANN Org, the Board put together and being empowered on behalf of the group to decide how resources are going to be allocated against all of those priorities. That would be my recommendation.

BRIAN CUTE: Thank you. Number three?

UNIDENTIFIED FEMALE: I think Cherine said exactly what I was going to say. I think the decision has to start with each AC and SO coming up with their own set of priorities. That has to be brought together under the board to determine who gets what resources but at least each SO and AC has its own processed to come up with a priority. The Board always needs that possibility to say, "Look, for whatever

internal risk, we have to change that.” But it seems to me you start with each SO and AC to define its own priorities because that’s where there’s an appreciation for what resources they have, what priorities they have, what work they do. And not to start there is actually to do a top-down and probably get it wrong.

BRIAN CUTE: Thank you. Number six?

EDMON CHUNG: So, I guess building on Cherine and what was said. I want to clarify. You mentioned this question as in who sets ICANN priorities but earlier you were saying that this accountable, we’re talking about who comes up with the solution. They are very different in my mind because you come up with a solution, then that solution makes the decision and the priority. But I will speak on generally both.

I think one thing we want to remember is if we still believe in the bottom-up approach, then it’s always community. But to your point, that means everyone. When it’s everyone, then it’s no one that’s actually doing it.

If you think about the structure of things, based on what Cherine was saying, I think the general concept is the community comes up with the issues and the priority. It funnels through the SOs and

ACs. It goes to the Board. The Board checks with the Org to say whether it's feasible or whatever and the missing piece right now probably is how the Board goes back to the community check. Is this the right ... Come up with the right priorities. I think that's what Cherine is saying. That's the missing gap. How does the Board then looking at these – GNSO says this is priority, ccNSO says this priority. How does the Board then check with the community and say, “Now we want to shuffle this around and this is the priority.” That seems to be the missing piece.

The problem here, of course, is how do we come up with how to actually come up with a solution? My view is that, in this process, we can maybe stumble upon how this missing piece might work and there I find myself kind of agreeing with Kavouss a little bit. We might have to stumble upon it as we go through this particular process. Things need to funnel through the SO and AC, from the community, funnel through the SO and AC, Board. How does the Board then get the community to agree? Just by public comments isn't going to work because, in reality, then eventually just the Board is making the decision. How do we get this mechanism to work that we can check back with the community? That's probably the crux or the gem. I'm sorry, I might not be answering your question directly but, hopefully, that's useful.

BRIAN CUTE:

It's good. Thank you. I'm going to draw a line in this and move on but I want to take the last few comments and pull them together, and remind you what we're trying to do here is create a work plan. That's what we're doing. Issue or problem, who's going to take that on to develop a solution and then will work with them to develop a delivery date and the resources they need? That's what we're trying to do.

Taking the last few comments together, it could be – could be – that who is accountable, who's going to own developing a solution, that is the community represented by the AC and SO leaders or chairs. That's what this could be. And then we task them as a group to identify an approach, a solution, a working method that can be developed, working in consultation with ICANN Org to find a process that then keeps things from the bottom-up, and then collectively as a community coordinates with the Org. That's what this could be. That's a perfect example. I know it was painful and it took a while to get there but we're building a work plan. That was an excellent exchange. Thank you for that.

I do want to move on to at least another issue. This is an exercise. I want us to be on the same page of how we approach this exercise and then we'll put this out for public comment and move forward.

Let's go to issue number two, which is precision and scoping the work. So, this is an issue that was identified by public comment. This is a problem that in scoping the work, at the first step of a process, whether it's a PDP or some other process, that if you don't scope the work very well and very thoughtfully, it can create inefficiencies that hamper the work, create delays, and add costs. As I mentioned, GNSO in PDP 3.0, for their own purposes, has identified precision and scoping the work as something they want to develop and do better. They're developing a solution.

With respect to other work that's done at ICANN, other work streams, precision and scoping the work was identified as a challenge. If we were to agree that's a challenge we want to address, who would be the appropriate entity to take that on and develop a solution?

Oh, can we go back to precision and scoping the work? Up, up, it's at the bottom. No, other direction, sorry. There we go.

So, please, I open the floor for that. Over here. Microphone over here.

[KALED FATEL]:

Thank you, Brian. You'll have to forgive me, I have to touch on your previous subject before I get to this one because I think it may be relevant and I'm hoping I can value to the conversation.

First of all, let me commend you on the effort. This is not an easy task and it's well-appreciated. ICANN today is 20 years old. I see this effort as well in helping it being able to at least perhaps celebrate its 40th as well and still remain relevant. So, while we are trying to become more efficient and more effective on delivering on the strategic plan, on the operating plan, etc. All valuable.

And I think many of the comments that we've heard also have added more value in filtering through what you need to do moving forward.

This exercise might seem a little bit academic but it may be worthwhile to identify the starting point of this exercise which is the ICANN mandate. If we know where we're starting from, we know what we can and cannot do, then at least we then know what we will be able to engage in and what we will not touch.

That's a starting point because many of the topics that ICANN has already ... The gentleman at the back earlier on talked about challenges – external challenges – that are constantly challenging ICANN. We have to create the mechanisms, bottom-up, transparently of how we deal with this because it's not necessarily how we end up producing the results that look very, very good for us. It's how those results will end up looking to those looking outside to show that the multi-stakeholder model does work. And that is the test of its effectiveness. If we cannot do

that, then I think at least we're losing the ethos, the [inaudible] of why we are all here. My two cents.

BRIAN CUTE:

Number three?

HEATHER FORREST:

Thanks, Brian. I would like to pick up Cherine's comment made earlier and express the relevance of that comment to this discussion here as well.

Cherine said it very eloquently and did [inaudible] than I will, that it really is up to each individual SO and AC within that broader framework. We have a macro and a micro level here. The macro level is the strategic plan and I think Theresa and her team have done an excellent job of helping us to identify various trends and how that can inform the strategic plan.

You're right to point to PDP 3.0 in this exercise of scoping but I will say that the background here, while yes, we're committed to doing better at scoping, we also recognize having just come through the experience of chartering the EPDP, first of all many of the issues that we are dealing with are issues of first instance. It's not always possible to draft with precision, to scope with precision on a first instance matter.

Secondly, we have significant I think we need to be easier on ourselves as a community, and I say that both at the macro and the micro, the GNSO and as an organization, on being careful of striving for perfection here. I'm the first one, hand on heart, to say I was super committed to seeing that in PDP 3.0. However, to the extent that we end up in a situation where the community breathes down our back and says, "We need it done yesterday. Oh, but we also need it perfect." Frankly, that would be even more detrimental than where we are now.

So, I think improvement here is great. I wouldn't like to see us over-process this. I think, from a GNSO perspective, I was delighted that we acknowledged it was a problem. Isn't that the first of the 12 steps, I have a problem? So, I would like to see that we don't get ourselves lost in this exercise of defining what scope is. Let's not have a PDP on how to scope. Thank you.

BRIAN CUTE: Thank you for that. Number five?

FOUAD BAJWA: In the precision of scoping work in the past ten years, when I first engaged with ICANN there was this cloud about cybersecurity and how the DNS was under great threat. Then that moved on into something called the NetMundial. Then now we're going

through something called the High-Level Panel on Digital Cooperation.

So, what's happening over here is that there's fallout happening out of ICANN into the broader community, the Internet community. So, when we're talking about precision we've already developed a bottom-up process. The community in ICANN has developed that. And the PDP process is evolving but there are established practices. And that takes us to the point where we do know how a certain prioritization has been achieved.

Why do we want to look at creating a new strategic layer on top when we've already gone through the IANA transition process? We, as a community, managed that process successfully. We learned our lessons through that. and if we were to prioritize and if we were to go through a new precision activity, we already have the experience to do that. Why would we want to go through a new, [getting] new structures? Why cannot we move that experience forward and deal with these issues?

BRIAN CUTE:

Thank you. I do want to pick up on Heather's point about perfection. I don't believe that's the aim here. This is about improving the effectiveness and efficiency of the multi-stakeholder model and I think that using the example of

prioritization of work, the fact that we've just recognized that there really isn't an approach to prioritization in place right now, that in coordination between the community and Org and that we could create an approach that creates that coordination. That's improvement in and of itself

So, I agree perfect is not the aim here – it's improvement – and identifying those places and identifying those places where we can create improvement.

HEATHER FORREST:

One quick response to that. I think you're spot on. But there is a timing point as well. So, I say if we want to talk very practical things, I think the one thing that worries me about this session – it's been very valuable but I do think that we've talked a bit in the clouds.

On a very concrete level what I can say is a difficulty that the GNSO is having in both precision and prioritization is timing. So, in changing very radically the way in which we did things, by starting the year in 2018 by listing our priorities. "Here is everything that we have and let's prioritize."

We then came up with a really cool output, really super useful output. But that happened between the FY18 and 19 budgets. And while the response from the organization and the broader

community was, “Well, this is super useful,” now we can plug this in to the broader, the macro, context. The timing was all wrong.

And likewise, we said, “Well, we’d like to know before we prioritize our work, we’d like to know what the Org prioritization is.” So, I think we as an organization need to come up with a clearer understanding of what drives what. It’s a chicken-and-egg problem, I suspect. The GNSO would say, “Well, we’d like to be driven by Org,” but Org will say, “We’d like to be driven by the SOs/ACs.”

So, I think as a fundamental starting point, I think we could answer both of these, prioritization and scoping, if we agreed collectively on a sense of what kicks this off. Then it can roll on a chicken-and-egg basis but maybe we’d say Cherine’s plan laid out in Barcelona of how we’re going to do this on top of that risk exercise and how we develop the strategic plan. That will then lead us going forward. But there is a timing issue that comes into play here. Thank you.

BRIAN CUTE:

Thank you. And the one benefit that we do have is that we are doing forward-planning of work, that we have a five-year strategic plan period that we’re mapping into. So, I think we do have the benefit of time and the ability to bring in issues, as you say, of timing and coordination between entities. So, there is an

opportunity here. Thank you. Other comments? Five minutes, okay. We're down to five minutes and I'm going to draw the line and then summarize for you and discuss next steps. That was very useful. Thank you. And I hope that stimulated some good thinking and some good approaches to how we can address the issue of who would be accountable for taking on an issue, taking on the task of developing a solution. Can we go to the last slide?

So, where do we go from here? So, coming from this conversation, we'll be putting out for public comment this question. Here's the list of issues you've identified. Who should be accountable for taking on the task of developing a solution? Within that, building on this conversation. And within that, as I mentioned, if there are issues here that aren't truly priorities for the community, if there are issues here that aren't specific enough to design a solution to, identify those. As a community, get to the very specific and impactful work that needs to be done to improve the functioning of the multi-stakeholder model

So, we're putting that out for public comment shortly. Once we've gone through the exercise of identifying who should take on the task, who's going to own the task of developing a solution, I'll be working with those owners going forward so we can assist them in projecting delivery dates. Over the five-year strategic period, when will they be able to deliver a proposed solution or approach? December 2022, July 2023? And also working with

them so they can identify the resources they're going to need to develop a solution.

Those are the next steps. Then we will fill in the work plan and present that for discussion in Montreal.

So, thank you very much for your engagement. That was an important discussion, not an easy discussion. I really appreciate all of the feedback and comments to date and look forward to continuing this with you in Montreal. Thank you very much.

[END OF TRANSCRIPTION]