

**ICANN
Transcription
GNSO Review Update Webinar
Wednesday 11 October 2017 at 21:00 UTC**

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Coordinator: Recordings have started.

Terri Agnew: Thank you. Good morning, good afternoon and good evening. Welcome to the Webinar on Update for Reviews from the Multistakeholder Strategy and Strategic Initiative Team on Wednesday the 11th of October, 2017.

I would like to remind all to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this I'll turn it back over to Larisa Gurnick. Please begin.

Larisa Gurnick: Thank you very much. Good morning, good afternoon and good evening everybody. Thank you for making time in your busy schedules to hear an update on what's happening in – with reviews. Given that we have a really busy schedule of activities we thought it might be helpful to give you a quick overview of where the different review cycles are and give you a brief update on the status of various reviews, also let you know what's happening with operating standards, and finally make sure that you know that there is various ways to get information on how to participate and – in the different reviews as

well as to stay informed about what's going on. So thank you very much, again, for your attention on this.

Many of you have seen the slides before or perhaps a different version of this slide. And it certainly is hard to read and quite busy and that's understandable because we have 10 reviews currently in motion that are in some degree of being active so it's quite a busy schedule and we are talking here about two types of reviews that are mandated by the ICANN Bylaws organizational reviews and specific reviews. So the blue lines represent what is now called specific reviews which are community-led reviews; previously originated from the Affirmation of Commitments.

And the sort of the yellow orange lines represent reviews that are reviews of organizations of ICANN structures and those reviews are done by independent examiners with participation from community. So that's what this thing which shows the two different colors. And the bylaws mandate the schedule for when these reviews are to be conducted. And as the lines on the Gant chart suggests, the period of time from start to finish what it takes to conduct these reviews is quite lengthy in some cases from the time that the review is kicked off because the times that things move into implementation and the implementation work continues, it can be several years and then some.

These reviews take place on a five-year cycle. And the reason why we do these reviews is because they're an important element of accountability and the means for checks and balances to evaluate ICANN's fulfillment of its various commitments. And the reason it's important is because it's a means of ensuring continuous improvement and ultimately legitimacy of ICANN. Reviews are an opportunity to evaluate what's working, what's not working. They produce recommendations that then go to the Board for implementation – go to the Board for a decision as to whether to – they should be implemented or not and ultimately they lead to improvements that are productive for the benefit of everybody.

So a couple of key considerations to think about as we go through this presentation, (unintelligible) of reviews is quite significant here. So the fact that the reviews produce recommendations that then impact change and improve the way things work in different aspects of ICANN, is really an important intended impact. So to help support that work, we strive to bring consistency and predictability to the process and also the reason we're having meetings with different community groups is to help with the understanding of what the process is all about, how it works, how to get engaged and how to participate in the process.

So with that in mind, I will start by covering specific reviews. So the name, "Specific Reviews" is not very informative, but these are the reviews that are conducted by community-led teams. And under the new bylaws the responsibility for conducting – for appointing the review team and – has moved over from ICANN Org over to the community.

So the process of considering applications and designating nominees to participate on the review, it goes to the various community processes at which point then the SO/AC chairs are the ones to confirm the appointment of the review team. And that is the process that has been used to select review teams that were started since the bylaws, and that Security, Stability and Resiliency review, as well as the RDS review, which both got started earlier this year.

So there are four of these reviews in addition to the two that I already mentioned, Security, Stability, Resiliency of the Domain Name System, and the Review of the Registration Directory Service Policy. We also have Accountability and Transparency Review as well the review of Competition, Consumer Trust and Consumer Choice that is tied to the new gTLD program. So these are community-led reviews. And their job is to assess prior review recommendations and evaluate bylaws-mandated technical areas.

As they complete their assessment, they consult with community groups and draft recommendations, collect public comment and ultimately issue a final report and recommendation that goes to the Board for consideration and if you're following the slide that happens in Step 5.

The Board then makes a determination on each of the recommendations and they have two options only, either to approve a recommendation or to deny a recommendation and of course if a recommendation is not approved, it has to be with the appropriate rationale for having made that decision, at which point then the Board-approved recommendations move into the implementation phase.

So that's a brief overview of the process. And for those of you that are interested in more detailed steps, you may remember they have a (unintelligible) project, the process flow charts that you may have seen in Johannesburg. We have those process flow charts for specific reviews and organizational reviews and in short order there will be additional information, the (unintelligible) as to accompany those flow charts that provide a lot more detail in depth about the steps in the process so we'll be happy to share links to those documents if that would be helpful.

The Organizational Effectiveness Committee of the Board is charged with the responsibility to oversee the review process. And recently the OEC has had – opened up some dialogues with the committee leadership and met with the SO/AC chairs to discuss some issues that were observed by the ICANN community, the ICANN Board as well as ICANN Org to see if there's an interest to have further discussions and look for potential solutions to some of these problems that the community felt that these were areas that they were interested to address.

So some of the categories and things that were discussed in this meeting were complexities and opportunities for further clarity around the selection of review teams in terms of how to ensure that there's appropriate checks and

balances to make sure that the review teams are skilled and diverse and well – and represent the diversity of ICANN community.

Also there were some discussions about the topics and the scope of work and some concern that – for some communities it was difficult to designate people to participate in the review process without having more of a clear understanding of how the topics and the scope of work would translate into the review process and how that would impact the commitment of time that people would have to make to serve on the review team.

Of course, as you saw from the initial slide, there is also quite a bit of concern expressed over the fact that there are so many simultaneous reviews and that's unfortunately the timeline that we don't have any control over because the schedule is pretty much hard-coded into the bylaws because the review cycle is triggered from an event from the prior review cycle, so it's just connected to the time that review teams were assembled for prior reviews or when final reports were issued which is the case for organizational reviews. So that is definitely a consideration that we heard quite a bit about.

Also, there was some discussion about unclear expectations that while the big picture of why reviews are important seems to be clear, there was not a clarity of definition of what the desired outcome and the impact from the reviews might be and that it's unclear how to evaluate whether the reviews are producing the intended results. And this was quite important given that the reviews take quite a lot of time, community, volunteer time and resources.

So these are all the different things that were a part of the initial conversation between the OEC and the SO/AC chairs. And there was an interest for this discussion to continue, perhaps in Abu Dhabi and beyond, and we're looking forward to having more voices and more participation in these discussions to inform potentially some improvements to help the reviews be more effective.

In the meantime, we're also working on operating standards, and I'll be talking about that in a minute, but that then to serve as a guide for conducting reviews and some of the proposed ideas that are included in the draft operating standards would potentially solve some of these observed issues but then other challenges such as the number of simultaneous reviews in order to solve that should there be an interest in pursuing that, that would have to be a separate course of action to consider for changing the timeline of reviews.

We recognize that with 10 different reviews happening in different stages of the phases, that I described real quickly, it's probably a bit difficult to keep up with where things are. So part of the purpose of this presentation is to walk you through a more standardized and streamlined set of slides to help you follow and track what the progress of the different reviews is. So it's not my intention to go through every single slide because that would be probably incredibly boring, but I'll walk you through the first couple of sets of slides just to – so that you can understand the information and what we're attempting to display here for you to stay informed.

So the first grouping of slides is for the CCT Review. This was the review that was actually started still under the old bylaws. And this is the review that's required after the new gTLD round to ensure that competition, consumer trust and choice considerations that were impacted by the new gTLDs that the impact on that is well understood and evaluated.

So what you see here at the top is a high level timeline. So this review started in December of 2015 and they plan to wrap things up by the end of December potentially a little bit after based on some of the latest information that I'm hearing today. And you can see the different milestones that are checked off to give you an idea of where the activities are. Draft report was submitted for public comment back in March. The DNS Abuse Study results were delivered in August and there will be – there are plans to post for public comment the second round of public comments some additional sections of

the draft report that touch on new areas that were not included in the original report.

There's also a section on the bottom here which you can find in ICANN's Accountability Indicators Dashboard and that's something that's published on ICANN.org, the different key performance indicators, targets and measures and such. So in the section for goals, 5.2, on review, you can see the information that's displayed on the bottom of the slide.

We prepare FAQ sheets on a quarterly basis to help articulate the various progress made by the different reviews. And there's quite a bit more information included in the FAQ sheet. But what you see here is just a highlight, the progress bar talks to how far into the forecasted amount of time the review team is. So this one you can see is nearing its completion based on the time allotted to conduct the review. The budget line talks about how much of the allocated budget envelope has been spent or committed to date.

Milestones reflect a percentage of all the milestones that are required to complete the work based on the review team's work plan, where they stand based on accomplishing those milestones. And finally, the participation line speaks to the level of participation of review team members in the various calls and face to face meetings that the review team conducts.

I see that there are some questions. "How many face to face meetings did the CCT Review Team have or have had to date?" Excellent question, Donna. I don't have that number committed to memory but it is included on the FAQ sheet and I'll be happy to follow up and look that up.

And the second question, "How will results of CCT review be incorporated into the Subsequent Procedures PDP?" I don't have an answer for that yet. We're going to wait for the review team to finalize their recommendations and issue their final report and then that will be part of the consideration of next steps as part of the implementation.

For those that would like a little more flavor of what information is available, a little more steps in some cases, and just a little more explanation, this is the slide that offers a bit more substance. And you can see in terms of preparations for ICANN 60 the – this review team will have a face to face meeting in Abu Dhabi and they will also have consultations with the community in Abu Dhabi as well. We have a couple of slides towards the end of the slide deck that aggregate all the various review-related sessions and activities that will be happening in Abu Dhabi so you can reference that later if you wish.

As you can see, similar look and feel for the information on the Security, Stability and Resiliency of the DNS review. This particular review got started in February and they've been planning out their work and collecting and analyzing data as a matter of fact, a sub team of this review team was at ICANN's Los Angeles office earlier this week and the sub team having to do with ICANN SSR made some good progress by meeting with various subject matter experts to begin to understand how different components of their work plan might be addressed and they will be updating their work plan and also will be meeting in Abu Dhabi.

Actually their review team has worked with many of you I'm sure, as well as others in the community to set up brief sessions in Abu Dhabi to discuss their work and to collect input from the community on the topics that they're planning to address as part of their review. Similarly, a little more information you can see who the leadership of the review team is and the different subgroups that they've organized themselves into and many other various other information.

I'm not going to go into the details here but I think you get the idea that these slides give you some high level updates. And then we also have a pretty robust wiki space for each of the specific reviews and links are available later in the presentation. So for those of you that are interested in joining the calls,

participating as observers, we have a facility to do that. Every review team call has an observer room and everybody is welcome to join and listen in. Also there is lots of information on each of the review teams wikis that speak to the work that they're doing, the progress that they've made and of course all email lists and things like that, everything is publicly available and archived.

Finally, the last of the specific reviews, Accountability and Transparency Review, is still in the formative stages. Currently we're waiting for the different communities to complete their nomination process. I realize that the GNSO has already done that so you've submitted your list of nominees but various other community groups are still going through the process. We anticipate that the process will conclude shortly after Abu Dhabi at which point the SO/AC chairs will be in a position to announce the review team and the work of this review will also get started later in the year or most likely right at the start of January.

My apologies, I just lost connection there for a second. Can you see the slides still projected in the room or did we lose that? Oh, here we go. Oops.

Terri Agnew: Larisa, it's Terri. It looks like just the one slide might have had some technical issues, but if we go – perfect, now they're back on track.

Larisa Gurnick: Thank you, so much. Sorry about that. So moving into a quick overview of organizational reviews, so these are the reviews of each of the ICANN structures and that will differentiate these reviews from the ones that we've been talking about is that these reviews are done by independent examiners that are engaged through an RFC process.

And their work is supported by – in most cases what's called the Review Working Party which is a team of people that's designated by the organization under review to be the voice of the community that's undergoing the review and the job of the Review Working Party is to make sure that the

independent examiner has access to the right information and provides context and clarify how the work of the organization proceeds to make sure that there is a clear understanding on the part of the independent examiner of how things work and that that contributes to useful assessment and observations, findings and ultimately recommendations.

A new feature of organizational reviews that is going into effect with the review of the Nominating Committee, that we're now encouraging the independent examiners to run the review in two steps, in two phases. In the first phase they are to do the assessment based on agreed upon criteria, an assessment to see how things are working, what's working, what needs improvements and have discussions with the community to get agreement and to get a shared understanding of what that assessment looks like before they start offering recommendations.

So Step 1 is to complete the assessment and Step 2 is to – for the independent examiner, once they understand feedback from the community to see if they've gotten the assessment correctly or whether there's some concerns about the information that's being used to arrive at the assessment. All of those areas are expected to be consulted upon before the independent examiners move into the phase of proposing recommendations.

So we're hoping that that will add some value to the process and help with the focus on the underlying issues first because it seems that oftentimes recommendations may cause concerns among the community and as to – they might be a little too prescriptive or they may be not specific enough and oftentimes the communities have different ideas for how to solve particular underlying issues, so the idea is to focus on identifying and having a shared understanding of what those issues are before moving into the recommendation phase.

I'll talk about the At Large Review real quickly, that review has completed, the work of the independent examiner has concluded. And then the At Large

Review Working Party, which is that group that represents the voice of the At Large, had analyzed the findings and the recommendations, completed their feasibility assessment. And in September at the Organizational Effectiveness Committee meeting, the independent examiner and the At Large Review Working Party representative shared their individual analyses with the Organizational Effectiveness Committee.

So the next steps would be for the OEC to analyze and consider all this information, make a recommendation to the Board and then the Board would act on the recommendations. There's significant disparity actually between the proposals and the recommendations and the findings of the independent examiner and the views of the At Large community expressed in their feasibility assessment. So the Organizational Effectiveness Committee directed our team to put together a process to help connect the dots between the underlying issues, between the work of the independent examiner and the views of the community. And that analysis and that work is currently underway.

The noteworthy element about the NomComm Review is that the independent examiner is currently collecting information through an online survey. So for those of you that are interested in providing your views to the independent examiner about your views on the Nominating Committee, feel free to participate in the survey. And I see that Lars just posted the link into the chat. Thank you, Lars. And I think the survey will remain open for another week or so depending – and then depending on what kind of responses we get, we'll see where it goes from there.

As you can see, there's similar information for all the remaining reviews, and in the interest of time I will see if people have questions on any of those other reviews before I proceed to give you a quick update on the operating standards, but let me pause for a minute and see if there's any questions about any of the reviews or any of the information I covered so far? It's a ton of information, I realize. No questions? Okay. I'll keep going.

So the operating standards is a tool that's specifically mentioned in the bylaws. The operating standards are supposed to provide guidance on how to conduct specific reviews. And these operating standards are to be in line with the bylaws and developed in collaboration with ICANN community.

So I'm pleased to tell you that the draft operating standards will be posted for public comment within the next week or so. And there will be a cross community session in Abu Dhabi to have a broad discussion on draft operating standards, the information that the community would like to see changed or addressed. And we realize that this is quite an important topic and one that many people have not had a chance to get engaged in.

So we have had various webinars and presentations, as you can see on the slide, but it's been a busy time for many, so we're looking forward to a productive cross community session in Abu Dhabi as well as additional webinars and interactions to make sure that all views have been through and people have sufficient time to read through, digest and provide input on the draft that will be posted.

We don't have a whole lot of time here to get into the substance of operating standards obviously but what I want to highlight is that the approach that we used to develop this draft where possible we use existing processes and best practices from around ICANN, not necessarily related to reviews. And a good example of that would be some recommendations for dealing with the scopes setting for specific reviews. And we patterned that proposal on the GNSO practice of having scope setting working groups before the work of the actual working group begins, so that's just an example of ways that we've tried to build operating standards based on existing practices and useful frameworks that are already practiced in different parts of ICANN.

Real quickly, as always, opportunities to participate are many and really just depends on people's time and bandwidth as is always the case. As I

mentioned, every specific review meeting is available for observers to observer and follow the proceedings, and of course one can always contact the review team with questions and observations and concerns and such. And, you know, all the way through depending on available time actually participating on a review team and, you know, being a review team member, which obviously is a much more intensive commitment of time.

Similarly, with participating in organizational reviews, one can watch the proceedings, all the information is publicly available as well as if you'd like to participate on the review working party for the review, there's an opportunity to do that.

Are there any questions that I can answer? I'm sorry, we're having some technical challenges with a couple of the slides perhaps because of the graphics, but we'll make sure to get you a PDF version of the slides that you can have links to various resources available on ICANN.org and as well as the community wiki that is the gateway to a whole lot more information about what's coming up, what the status is and opportunities to participate.

Donna, I see you have a question. "How is the budget for each of the reviews decided?" So the budget allocation is done through the regular ICANN operating planning and budgetary process. And it's done based on kind of a standard template for the number of face to face meetings that generally it takes for the review team to get their work done.

The primary drivers of cost for specific reviews is travel for the review team to meet face to face. So the travel budget is determined based on a sort of a formula of generally how many review team members there are and what the travel costs are for the number of meetings that they will likely have in person. As well as there is a budget set aside for professional services. This is based on experience from prior reviews. And that's the amount of money that would be available to spend on engaging independent contractors to assist the review team with conducting different portions of the review.

So a good example of that is the SSR team is looking for that type of outside help right now to perform the gap analysis on how the recommendations from the first review have been implemented. So that notification went out a little while ago. And the budget for that is the professional services budget. So I hope I've answered your question. It's essentially based on prior experience of similar review teams and the formula that considers travel needs and various other logistics that go into supporting the work of the review team.

Are there any other questions? Donna. Averages are difficult with specific reviews because there is only four and, for example, the work of the CCT review I'd say probably should not be averaged into those because they've spent quite a bit of money on various market research studies and various other research projects. So if I recall correctly, and that work has been going on for nearly two years, so CCT review, if I remember correctly is somewhere near the \$2.5 million range. And yes, you're right, the SSR2 is somewhere in the order of \$700,000 which is the more typical range. I think the RDS review budget is similarly in that same area. And ATRT 3 would be again, in that range.

On organizational reviews, the cost – the primary costs are the cost of the contract with the independent examiner and that's – there is no travel associated with that. Excuse me, there is small amounts of travel for the independent examiners to come to ICANN meetings in order to engage with the community, but the vast majority of the budget is dedicated to professional services.

I see that Donna is typing something. No problem, Donna, the range for organizational reviews is somewhere between the \$120,000 and \$220,000. Are there any other questions that I can answer? We will follow up with a slide deck that has information about all the upcoming Abu Dhabi sessions and I hope that many of you will be able to participate in the cross community

session on operating standards. Input would be most appreciated. Thank you very much. Terri, back to you.

Terri Agnew: Thank you, Larisa. And thank you, everyone for joining. The webinar has been adjourned. Please remember to disconnect all remaining lines and have a wonderful rest of your day.

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