SHORT-TERM OPTIONS TO ADJUST THE TIMELINE FOR SPECIFIC REVIEWS

Update (6 June 2018): On 5 June 2018, the Registration Directory Service (RDS-WHOIS2) Review Team submitted a [public comment](#) to request that RDS-WHOIS2 related options be removed from the Short-Term Options to Adjust the Timeline of Specific Reviews public comment proceeding. This document and associated [public comment period](#) were updated accordingly. Any questions on the RDS-WHOIS2 request should be directed to the Review Team through their publicly archived input list: input-to-rds-whois2-rt@icann.org. Process-related questions can be addressed to reviews@icann.org. Please provide input on options for the Third Accountability and Transparency Review Team (ATRT3) by the close date of 31 July 2018 (23:59 UTC).

OVERVIEW

Purpose: Over the years, and over the past months, there have been discussions in the community on the number of concurrent reviews, including the demand these place on community and ICANN resources and budgets. The community expressed an interest in considering possible approaches to streamline reviews, to reduce the number of concurrent reviews and demands on the volunteer community, while not diminishing ICANN's accountability responsibilities. ICANN is posting two documents for input, discussion, and additional thoughts on both short-term and long-term approaches to solve this important challenge. Principles to inform these approaches are to aim for no more than three to four reviews per year, recognize limited community resources, ensure adequate funding for reviews, and ensure efficiency and effectiveness of the reviews.

This document and consultation is proposing **short-term options** to address the workload of the volunteer community and impact on ICANN resources. We invite feedback on whether and how to adjust the timeline and/or scope for the Third

Accountability and Transparency Review (ATRT3) to ease the strain on volunteer and ICANN resources.

Status: The timing of Specific and Organizational Reviews, mandated by the Bylaws, has resulted in multiple reviews occurring at the same time. Currently, there are eleven (11) Organizational and Specific Reviews, in various phases of the review process. This is in addition to policy development work and other work across ICANN's community. This high level of activity strains community and ICANN resources.

Next Steps: After this Public Comment closes, ICANN organization will summarize and analyze the comments received and share those with the community and the Organizational Effectiveness Committee of the Board (OEC) in identifying recommendations to the Board on paths forward.

Long-Term Options for Streamlining the Review Schedule: In addition to the short-term options pertaining to Specific Reviews, ICANN is also presenting potential long-term solutions to streamline the review schedule in the future (see public comment proceeding setting out these long-term options). The proposed long-term options include ways to achieve scheduling flexibility for future reviews (with appropriate checks and balances by the community and the Board) and meeting ICANN's accountability and transparency obligations in a more practical and sustainable manner. Similar to the principles that inform short-term options, the principles applicable to the long-term options aim to have a manageable number of reviews taking place concurrently, recognize limited community resources, ensure adequate timing for reviews, and explore options for improving efficiency and effectiveness of Specific and Organizational Reviews.

For more information, please see the Public Comment proceeding: "Long-term Options for Streamlining of Reviews and Potential Bylaws Changes".

DESCRIPTION AND EXPLANATION

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From the discussions over the past months with the community, including at ICANN61, there are several options available in the short-term to lessen the strain on the volunteers and to normalize the usage of ICANN resources across years. Of the eleven reviews underway ATRT3, based upon its status (i.e. the review team has not been selected by SO/AC Chairs yet) and other ongoing related work, is the most likely to have the greatest cross-community impact on volunteer participation and resources if its scope or schedule are modified.

From maintaining the current path of the review, to limiting scope, or considering a postponement of no more than one year, each option carries with it advantages and disadvantages, and some options will result in potential cost savings. The options are explained in the sections below and also are summarized in the table at the end of this document.

You can provide your comments by using the fillable form - click here [https://www.icann.org/en/system/files/files/specific-reviews-short-term-timeline-14may18-en. pdf]. If you have additional ideas or options, please use the "Comment" section of the fillable form or submit a comment using the "Submit Comment" [comments-specific-reviews-short-term-timeline-14may18@icann. org] button on the Public Comment page.

THIRD ACCOUNTABILITY AND TRANSPARENCY REVIEW (ATRT3)
Review Purpose and Scope
The ATRT is an important demonstration of how ICANN fulfills its commitment to accountability. ICANN initiated ATRT3 with the Call for Volunteers in January 2017 [https://www.icann.org/news/announcement-2017-01-31-en]. At the time of the opening of this public comment forum, some SO/ACs have yet to complete their nomination procedure; therefore, no review activity has occurred to date. According to the Bylaws, the Review Team should issue its final report within one year of convening its first meeting.

While the full scope of ATRT3 work is understood as a matter for the team itself to set, the issues that the ATRT3 may consider include assessments of:

- Board governance issues, such as performance, selection, and appeal mechanisms from Board decisions;
- Effectiveness of the GAC interaction with the Board and broader ICANN community;
- Processes by which ICANN receives public input;
- The extent to which ICANN decisions are supported and accepted by the Internet community;
- The facilitation of cross-community deliberations in the policy development process;
- The Independent Review Process;
- Implementation of recommendations from prior ATRTs and whether the intended effects were achieved; and
- Creation of new or termination/amendment of existing Specific Reviews.

Connection to Cross-Community Working Group (CCWG-WS2) on Enhancing ICANN Accountability

Some ongoing work related to the scope of the ATRT3 includes Work Stream 2 efforts of the Cross-Community Working Group (CCWG-WS2) on Enhancing ICANN Accountability. CCWG-WS2 is also focused on enhancements to ICANN accountability and transparency, including recommendations on a variety of topics including: the office of the ombudsman; transparency (including board deliberations and other documentation); the accountability of SOs and ACs; diversity across ICANN; and the accountability of ICANN organization staff members. Some of the CCWG-WS2 items are themselves tied to recommendations from ATRT2 (such as enhancements to the office of the ombudsman, or transparency of material related to Board deliberations). The CCWG-WS2 noted that there was overlap between the potential topics for ATRT3 and the topics reserved to the CCWG-WS2. See [https://mm.icann.org/pipermail/accountability-cross-community/2016-December/013432. html].

The CCWG-Accountability WS2 Final Report is available [here](https://www.icann.org/public-comments/ccwg-acct-ws2-final-2018-03-30-en) [https://www.icann.org/public-comments/ccwg-acct-ws2-final-2018-03-30-en]. The recommendations will be presented to the Board in June 2018, with a decision on approval and implementation expected to happen within a matter of months after the delivery of the final report. There also is ongoing work to update the Supplemental Rules for the Independent Review Process and to consider modifications to the Cooperative Engagement Process, a precursor to filing an Independent Review Proceeding (IRP).

Proposed ATRT3 Options

ICANN organization outlines three (3) short-term options below relating to ATRT3, ranging from: not making any changes to the schedule or scope; to moving forward with some aspects of the review (such as a focus only on the evaluation of prior ATRT recommendations); to deferring the start of ATRT3 for approximately one year. Please refer to the tables below for an overview of the proposed options.

ATRT3 | A "No change" option proposes that the review move forward as scheduled, with no further delay. The scope would focus on evaluation of the implementation of ATRT2 recommendations, and other items identified in the Bylaws, though limited so as to avoid duplication of/overlap with CCWG-WS2 topics.

> *Advantage*: The advantage of this option would be to avoid any further delay in beginning the ATRT3 work.

> *Disadvantages*: The disadvantages include additional strain on volunteer and ICANN resources in conducting ATRT3 at this time. In addition, the effort for the Review Team to agree on how to meaningfully limit the scope while avoiding overlap with CCWG-WS2 implementation could be difficult and time-consuming.

> *Execution Needs*: To move forward with this option, the SO/AC chairs would need to complete the review team selection, the ICANN Board would need to select a review team member, and some form of coordination between CCWG-WS2 and ATRT3 should be put in place.

Cost Savings: There would be no cost savings associated with this option.

ATRT3 | B *"Limit review to implementation of prior recommendations"* would see the ATRT3 scope focus only on evaluation of the implementation of ATRT2 recommendations.

Advantage: The review work would begin without any further delay. With a limited review, the time and effort expected from the review team members would be reduced when compared to option A (above). The same would apply to ICANN resources, also.

Disadvantage: There would still be some difficulty in limiting the potential for overlap with/duplication of CCWG-WS2 topics, as discussed in Option A.

Execution Needs: To move forward with this option, the SO/AC chairs would need to complete the review team selection, the ICANN Board would need to select a review team member, and ATRT3 members would need to reach an agreement to limit the scope, potentially with support from the ICANN community.

Cost Savings: Estimated potential cost savings would be approximately $250,000 in FY19, based on the assumption that expert resources would not be needed because of limited scope.

ATRT3 | C *"Commence RT work upon Board action on CCWG-WS2 recommendations"* option would defer the start of the review until Board action on CCWG-WS2 recommendations, with the work of the Review Team to start no later than 30 June 2019 and conclude within twelve months, as prescribed in the Bylaws. CCWG-WS2 recommendations are expected to be delivered to the Board in June 2018, and decisions on approval and implementation are expected to happen within a matter of months after the delivery of the final report. This option would see the ATRT3's scope focus on the evaluation of implementation of ATRT2 recommendations and other topics limited to avoid duplication or overlap with CCWG-WS2 topics.

Advantages: Other areas of work across the ICANN community are expected to end prior to a delayed start of the ATRT3. Specifically, the CCWG-WS2 effort, the Competition, Consumer Trust and Consumer Choice Review (CCT), and the EU General Data Protection Regulation (GDPR) work are all expected to conclude in 2018,

potentially freeing-up community and ICANN organization bandwidth for ATRT3. Also, as this option is a short-term delay, the start date of ATRT3 can be reasonably estimated.

Disadvantages: Some might consider that ICANN organization is delaying its accountability commitments by deferring the review. Also, if there is no long-term change identified in the scheduling of Specific Reviews, the next ATRT will still need to commence in January 2022, leaving little time for implementation.

Execution Needs: The community would need to agree to defer ATRT3, and determine an appropriate course of action for volunteers who applied to serve in response to the call in January 2017, including, potentially, a re-initiation of the call for volunteers.

Cost Savings: Estimated potential cost savings would be approximately $320,000 in FY19.

ATRT3 SHORT-TERM OPTIONS					
Review | Option	**Potential Topics**	**Advantages**	**Disadvantages**	**Execution Needs**	**$ Savings in FY19**
ATRT3 | **A** *"No change"* Begin as soon as feasible[1] (estimate: July 2018).	o Evaluation of implementation of prior review (ATRT2) recommendations; o Other topics, limited to avoid duplication /overlap with CCWG-WS2 topics.	o No further delay.	o Strain on volunteer and ICANN resources (work of ATRT3 must be completed in 12 months from seating of team); o Difficulties in limiting/containing scope; o Potential for duplication/overlap with CCWG-WS2 topics.	o Completion of Review Team appointment process by SO/AC chairs; o Selection of ICANN Board member to serve on the Review Team; o Coordination between CCWG-WS2 and ATRT3.	None
ATRT3 | B *"Limit Review to Implementation of Prior Recommendations"* Begin as soon as feasible (estimate: July 2018).	o Evaluation of implementation of prior review (ATRT2) recommendations[2].	o No further delay; o Lesser strain on volunteer and ICANN resources than Option A.	o Strain on volunteer and ICANN resources (work of ATRT3 must be completed in 12 months from seating of team); o Difficulties in limiting/containing scope; o Potential for duplication/overlap with CCWG-WS2 topics.	o Completion of Review Team appointment process by SO/AC chairs; o Agreement by ATRT3 to limit the scope; o Selection of ICANN Board member to serve on the Review Team.	$250,000[3]

[1] To date, two organizations have not completed their nominations – the SSAC, and the ASO (see status of the selection process [https://community.icann.org/pages/viewpage.action?pageId=74586688] and the list of nominated applicants [https://community.icann.org/display/atrt/Applications+Received]). Given that the call for volunteers commenced in January 2017, ample time has been given to the community to complete its selection process.

[2] The only topic required for the ATRT3 is the assessment of prior ATRT recommendation implications. Bylaws Section 4.6(b)(iii).

[3] Based on adherence to scope limitations and assumption that expert resources will not need to be identified (pursuant to Section 4.6(a)(iv)) because of the limited scope.

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ATRT3 SHORT-TERM OPTIONS					
Review | Option	**Potential Topics**	**Advantages**	**Disadvantages**	**Execution Needs**	**$ Savings in FY19**
ATRT3 | C *"Commence RT work upon Board action on CCWG-WS2 recommendations"*[4] (with the work of the Review Team to start no later than 30 June 2019 and conclude within twelve months, as prescribed in the Bylaws[5]).	o Evaluation of implementation of prior review recommendations; o Other topics, limited to avoid duplication or overlap with CCWG-WS2 topics.	o Lessened strain on volunteer and ICANN resources; o Short-term deferral – date can be reasonably estimated.	o Potentially critical reaction that ICANN is delaying its accountability commitments by deferring the review.	o Community agreement to defer; o Community to determine appropriate course of action for volunteers who applied to serve in response to the call in January 2017; potential re-initiation of call.	$320,000[6]

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[4] The CCWG-Accountability Work Stream 2 recommendations are expected to be delivered to the Board in June 2018, and decisions on approval and implementation are expected to happen within a matter of months after the delivery of the final report.

[5] Bylaws Section 4.6(b)(v) states "The Accountability and Transparency Review Team should issue its final report within one year of convening its first meeting."

[6] Based on assumption that a limited number of face-to-face meetings would occur in FY19

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Background Information

The timing of Specific and Organizational Reviews mandated by the Bylaws has resulted in multiple reviews occurring at the same time. Currently, eleven Organizational and Specific Reviews are underway in different phases of work (more information [here](https://www.icann.org/resources/reviews) [https://www.icann.org/resources/reviews]. The work associated with these reviews is extensive and has a direct impact on many parts of the ICANN community. Of the eleven reviews underway, the Third Accountability and Transparency Review Team (ATRT3), based upon its status (i.e. the review team has not been selected by SO/AC Chairs yet) and other ongoing related work, is likely to have the greatest cross-community impact on volunteer participation and resources in the event its scope or schedule are modified.

Specific Reviews Status

- Competition, Consumer Trust, and Consumer Choice (CCT) Review Team is refining its final report and recommendations.
- Registration Directory Service (RDS-WHOIS2) Review Team has finalized its Terms of Reference and is progressing toward its Draft Report.
- Security, Stability, and Resiliency of the Domain Name System (SSR2) Review Team is progressing toward being resumed.
- Accountability and Transparency (ATRT3) Review is awaiting announcement of the Review Team, with five of seven SO/ACs having completed their nominations.

Organizational Reviews Status

Seven Organizational Reviews are also underway:

- The NRO is currently assessing the Final Report of the independent examiner for the Address Supporting Organization (ASO) Review.
- The independent examiner has issued its Final Report for the At-Large Review, with the At-Large having completed its assessment of recommendations in preparation for Board action in June 2018.

- The planning for the review of the Country Code Names Supporting Organization (ccNSO) is underway, with the work of the independent examiner expected to start in August 2018.
- The Generic Names Supporting Organization (GNSO) is implementing recommendations from the second review of the GNSO, expected to be completed in December 2018.
- The independent examiner for the review of the Nominating Committee (NomCom) has published its Draft Final Report for public comment, with the final report expected in June 2018.
- The review of the Root Server System Advisory Committee (RSSAC) is underway with the final report expected in July 2018.
- The review of the Security and Stability Advisory Committee (SSAC) began in February 2018 with data collection and analysis underway.

The number of concurrent reviews, the resulting demand on community resources, and review-related budget requirements prompted that ICANN community, ICANN organization, and Board to consider possible avenues for short-term relief.

FY19 Budget
Relationship between the short-term discussions and the FY19 budget planning process is a theme that came up during ICANN61. The FY19 budget reflects adequate funding for any of the options, and can be adjusted accordingly to factor in any budget and resource implications based on the short-term option selected.