

At-Large Workspace: Long-Term Options to Adjust the Timeline of Reviews

Public Comment Close	Statement Name	Status	Assignee (s)	Call for Comments Open	Call for Comments Close	Vote Open	Vote Close	Date of Submission	Staff Contact and Email	Statement Number
31 July 2018	Long-Term Options to Adjust the Timeline of Reviews	<div>ADOPTED</div> <div>13Y, ON, OA</div>	Alan Greenberg	30 July 2018	31 July 2018	31 July 2018	03 August 2018	31 July 2018	Larisa Gurnick larisa.gurnick@icann.org	AL-ALAC-ST-0718-04-01-EN

Hide the information below, please click [here](#) >>

Brief Overview

Purpose: This public comment proceeding invites feedback on **long-term options** to provide more reasonable scheduling across ICANN reviews (Specific and Organizational), with the goal of meeting ICANN's accountability and transparency obligations in a more practical and sustainable manner.

Current 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 Organizational and Specific Reviews, in various phases of the review process. This is in addition to policy development work and other work across ICANN community. This high level of activity strains both community volunteer and ICANN resources. The number of reviews running simultaneously, and the fact that frequently there is not enough time to test out the effectiveness of implemented recommendations before the next review cycle begins, have been ongoing themes of discussion within the community. During ICANN61, the ICANN community discussed the heavy demand of reviews, together with the policy development work and other activities, flagging concerns about the impact on the volunteer community and ICANN resources. Based on discussions with and feedback from the ICANN community, the ICANN organization analyzed options for both immediate (short-term) and long-term approaches to solve the challenges associated with the multiple reviews occurring at the same time.

Next Steps: After this public comment proceeding closes, ICANN organization will analyze the comments received and coordinate with the Organizational Effectiveness Committee of the ICANN Board (OEC) in identifying recommendations to the ICANN Board on paths forward.

Section I: Description and Explanation

The large number of Specific and Organizational Reviews taking place at the same time has strained volunteer and ICANN resources and prompted a discussion during ICANN61. Based on feedback from the ICANN community, the ICANN organization analyzed options for both immediate (short-term) and long-term approaches to solve these issues in consultation with the community.

The options offer various ways to address the mandates from the Bylaws that have resulted in multiple simultaneous reviews. The options also address the inability to modify the mandated review cycles in order to address unforeseen developments. Depending on the options chosen, certain sections of the Bylaws would need to be modified.¹ The options are rooted in several key principles that aim to rationalize the review schedule to make it more practical for the community. These principles include:

- Staggering the reviews to have no more than one Specific Review and two Organizational Reviews running concurrently;
- Adding timing criteria in order to initiate the next cycle of a Specific or Organizational Review, which could include factors such as a requirement that prior review recommendations be fully implemented and possibly operational for a period of time before the next review is initiated;
- Adding requirements that, like the Accountability and Transparency Review Team (ATRT), other Specific Review teams complete their work within 12 months. This requirement could also be applicable to Organizational Reviews (although because Organizational Reviews are conducted by independent examiners based on contractual agreements, timing considerations are already incorporated into the process);
- Focusing Specific Review teams' work on topics of highest priority to the community; and
- Adding scheduling flexibility for Specific Reviews to the Bylaws, with appropriate checks and balances.

The proposal in Section III provides details on the challenges with the existing schedule of Specific and Organizational Reviews. This includes the constraints under which ICANN organization must conduct these reviews in line with the mandate from the Bylaws and a discussion on the principles and related options that the community may wish to consider. The goal is to develop a more realistic and sustainable review schedule for the future.

¹ This is not a consultation on future Bylaws changes. This is a consultation to consider if any Bylaws changes might be needed in the future in order to address the issues posed through the current Review mandates.

Section II: Background

There are seven Organizational Reviews and four Specific Reviews mandated by the ICANN Bylaws. All reviews (other than the Competition, Consumer Trust and Consumer Choice (CCT) Review, which is mandated to take place after a New gTLD round has been in operation for one year) are triggered by an action related to the prior review cycle. The proposal in Section III includes an overview of the reviews currently underway and provides a schedule of reviews for the next cycle to illustrate the ongoing challenge of multiple simultaneous reviews.

Short-term Options to Adjust the Timeline for Specific Reviews: Concurrent with this public comment proceeding, there is also a public comment proceeding related to short-term options, which provides options to adjust the timeline for two Specific Reviews in order to alleviate existing strain on volunteers and ICANN resources. The two reviews potentially impacted are the third Accountability and Transparency Review (ATRT3) and the second Registration Directory Service Review (RDS-WHOIS2). For more information, please see the public comment proceeding: "[Short-Term Options to Adjust the Timeline for Specific Reviews](#)."

Section III: Relevant Resources

- [Long-Term Options to Adjust the Timeline of Reviews](#) [PDF, 116 KB]

Section IV: Additional Information

- ICANN Bylaws: [Specific Reviews](#)
- ICANN Bylaws: [Organizational Reviews](#)
- [Short-Term Options to Adjust the Timeline for Specific Reviews](#) Public Comment Proceeding

Section V: Reports

FINAL VERSION SUBMITTED (IF RATIFIED)

The final version to be submitted, if the draft is ratified, will be placed here by upon completion of the vote.



AL-ALAC-ST-0718-04-01-EN.pdf

FINAL DRAFT VERSION TO BE VOTED UPON BY THE ALAC

The final draft version to be voted upon by the ALAC will be placed here before the vote is to begin.

Posted by Alan Greenberg, 30 July 2018

The ALAC appreciates the opportunity to comment on the long term options for carrying out both Specific Reviews and Organizational Reviews.

The discussion of Organizational Reviews and Specific Reviews should be completely separate. They are different in EVERY way that impacts the community. All they have in common is:

- the word "Review";
- they cost money; and
- they involve staff effort.

Note that the last two bullets are common to virtually everything that ICANN does! HOW the two types of Reviews operate, what task they are charged with, and the requirement for significant community resources are SO different. Moreover, how well the two processes are working is like night and day.

Organizational Reviews

The next Organizational review is not due to start for a few years and the Board has the discretion to delay. STOP initiating Organizational Reviews until we assess how effective they have been (that is, a review of the past review processes) and develop a methodology to allow them to be cost effective (and that includes volunteer effort) and to be effective. The intent of the Bylaw requirement is to ensure that we be meaningful and effective, not to inflict punishment. The Bylaw requirement of occasional introspection is good. But what we have made it into is not. The current planned concept of dividing the review into two phases, analysis of issues and then recommendations is NOT sufficient.

When we figure out HOW to do such reviews in a meaningful and effective manner, make sure that we restart them to allow them to be scattered over time and not happen in large clusters. Note that part of this will be ensuring that the review is completed in a reasonable amount of time. 3+ years, which is what the At-Large Review has taken to get to the implementation phase, is NOT reasonable.

Specific Reviews

Change the Bylaws to give the Board some wriggle room with the timing of Specific Reviews going forward.

If we do not take explicit action, the next round of SSR3, RDS3 and ATRT4 will all start at about the same time. Based on when we expect them to start (using the Bylaw 5-year separation) and assessing the priority of them in respect to each other, spread these out to allow more effective use of financial and staff resources not having three running at the same time. To be clear, for the NEXT rounds, we may need more than "wriggle room" to ensure that they are spread out properly. The Bylaw wording must allow for such flexibility.

Lastly, when reporting on the review schedule, the "duration" of the review should be limited to the period of time from when the Review Team first meets (the original meaning of "convene" in the Bylaws), to the time when the final report is delivered.

DRAFT SUBMITTED FOR DISCUSSION

The first draft submitted will be placed here before the call for comments begins. The Draft should be preceded by the name of the person submitting the draft and the date/time. If, during the discussion, the draft is revised, the older version(S) should be left in place and the new version along with a header line identifying the drafter and date/time should be placed above the older version(s), separated by a Horizontal Rule (available + Insert More Content control).

Posted by Alan Greenberg

My recommendations:

- Separate the discussion of Organizational Reviews and Specific Reviews. They are different in EVERY way that impact the community. All they have in common is:
 - a.* the word "Review";
 - b.* they cost money; and
 - c.* they involve staff effort.

But HOW they operate, what they are charged with, and the requirement for significant community resources are SO different, and how well two processes are working is like night and day.

- The next Organizational review is not due to start for a few years and the Board has the discretion to delay. STOP initiating Organizational Reviews until we assess how effective they have been and develop a methodology to allow them to be cost effective (and that includes volunteer effort) and to be effective. The intent of the Bylaw requirement is to ensure that we be meaningful and effective, not to inflict punishment. The Bylaw requirement of occasional introspection is good, but what we have made it into is not.
- When we figure out HOW to do such reviews in a meaningful and effective manner, make sure that we restart them to allow them to be scattered over time and not happen in large clusters. Note that part of this will be ensuring that the review is completed in a reasonable amount of time. 3+ years is NOT reasonable.
- Change the Bylaws to give the Board some wriggle room with the timing of Specific Reviews going forward.
- If we do not take explicit action, the next round of SSR3, RDS3 and ATRT4 will all start at about the same time. Based on when we expect them to start (using the Bylaw 5-year separation) and assessing the priority of them in respect to each other, spread these out to allow more effective use of financial and staff resources not having three running at the same time. To be clear, for the NEXT rounds (only) we need more than "wriggle room" to ensure that they are spread out properly.