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# Accountability and Transparency Review (ATRT3)

Plenary Call #04



27 February 2019

# Plenary Call Agenda

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- Welcome, roll-call, Sol
- Terms of Reference
  - Workplan
- Face-to-Face Meetings
  - #1: Los Angeles Meeting
  - Future Meetings Planning
- Transparency: Guiding principles
- ICANN64: Informal Meeting
- A.O.B.
- Confirm Decisions Reached | Action Items | Next Plenary Call

# Terms of Reference

Agenda Item #1

# Terms of Reference

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- Define scope through the development of Objectives
- Agree upon the definitions that we will use throughout the Review
- Agree upon Deliverables
  - Initial Draft (1 or 2)
  - Final Draft
  - Form of Recommendations
- Develop a Timeline
- Agree to a Work Process
- Submit to ICANN Board for Review and Suggestions within 60 days
- Make adjustments as appropriate

# Defining Objectives – Bylaws Section 4.6(c) (ii)

- *The issues that the review team for the Accountability and Transparency Review (the "**Accountability and Transparency Review Team**") may assess include, but are not limited to, the following:*
- *(A) assessing and improving Board governance which shall include an ongoing evaluation of Board performance, the Board selection process, the extent to which the Board's composition and allocation structure meets ICANN's present and future needs, and the appeal mechanisms for Board decisions contained in these Bylaws;*
- *(B) assessing the role and effectiveness of the GAC's interaction with the Board and with the broader ICANN community, and making recommendations for improvement to ensure effective consideration by ICANN of GAC input on the public policy aspects of the technical coordination of the DNS;*
- *(C) assessing and improving the processes by which ICANN receives public input (including adequate explanation of decisions taken and the rationale thereof);*
- *(D) assessing the extent to which ICANN's decisions are supported and accepted by the Internet community;*
- *(E) assessing the policy development process to facilitate enhanced cross community deliberations, and effective and timely policy development; and*
- *(F) assessing and improving the Independent Review Process.*

# Defining Objectives – Bylaws Section 4.6(c) cont.

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- *(iii) The Accountability and Transparency Review Team shall also assess the extent to which prior Accountability and Transparency Review recommendations have been implemented and the extent to which implementation of such recommendations has resulted in the intended effect.*
  - This should also include those items that have not been implemented and why
- *(iv) The Accountability and Transparency Review Team may recommend to the Board the termination or amendment of other periodic reviews required by this Section 4.6, and may recommend to the Board the creation of additional periodic reviews.*
  - Do we have the right reviews?

# Defining Objectives – The future of ICANN

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- Five Trends that ICANN Leadership is focused on
  - Addressing increased security, stability and resiliency issues
  - The evolution of the Multi-Stakeholder model
  - The evolution of the Internets set of unique identifiers
  - Increasing international regulation on content and privacy
  - Long term and stable funding of ICANN
- ICANN org/staff engagement in advisory or standards bodies
  - RFC Development in the IETF
  - Role in technical advisory committees
  - Informal Guidelines bodies such as International Domain Name Guidelines
  - Driving policy and community obligations outside of standard process
- ATRT3 to consider undertaking a discussion on how to streamline Specific Reviews to make them more effective and impactful



# Defining Objectives – Community Input

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- When should we open up for community suggestions?
  - After Terms of Reference have been submitted for review
  - There is an opportunity to update the ToR given feedback from Board
- How best to gather that input?
  - Typical comment period
  - Shortened comment period
  - Face to Face discussions in Marrakech
- How to address input received?
  - Choose on our own what we want to add
  - Provide reasoning for rejecting certain suggestions

# Deliverables and Definitions

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- June 3<sup>rd</sup> – Terms of Reference, Workplan, Timeline
  - Update based upon Board Review and Community Feedback
- April 5<sup>th</sup>, 2020 – Final Draft
  - Plan for 1 or 2 Interim Drafts
- Format of Recommendations
  - Use ATRT2 or something else
- Definitions
  - Start with those from ATRT2 for consistency
  - Create new given first ATRT review under new by-laws
  - Repository on Wiki page

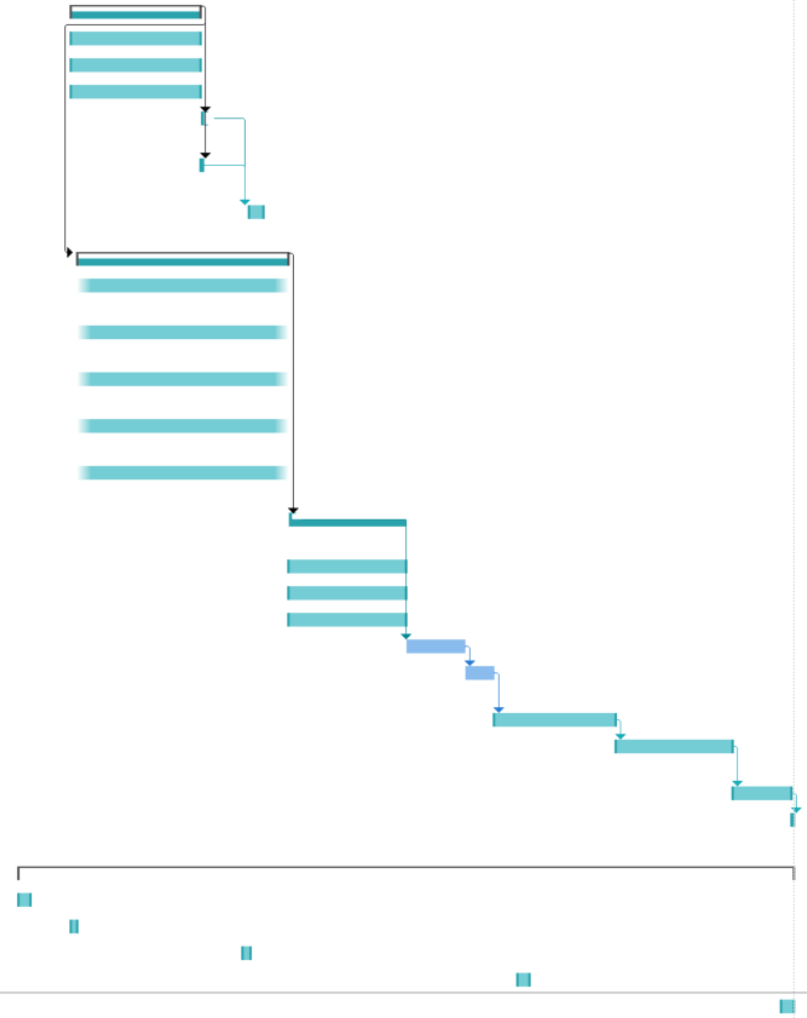
# Workplan

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- Gather topics/areas for review based upon previous slides
- Triage topics based upon:
  - Perceived resources required
  - Perceived time available
  - External to ICANN cooperation needed
  - Potential cost
- Rank order topics
- Discuss at face to face in LA and create recommended list of topics
- Organize topics in to four to six Objectives
- Create work parties around those Objectives to add detail to work plan
  - Work Parties built based upon skillset and interest
- Work Parties take first cut at Recommendations based upon investigations

# Updated Representative Timeline

Task Mode	WBS	Task Name	Duration	Start	Finish	Pr	1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			1st Quarter		
							M	E	B	M	E	B	M	E	B	M	E	B	M	E	B
★	1	Initial Tasks	44 days	Wed 4/3/19	Mon 6/3/19																
★	1.1	Terms of Reference	44 days	Wed 4/3/19	Mon 6/3/19																
★	1.2	Work Plan	44 days	Wed 4/3/19	Mon 6/3/19																
★	1.3	Updated Timeline	44 days	Wed 4/3/19	Mon 6/3/19																
📅	2	Submission of Initial Tasks to Board for Review		Tue 6/4/19		2															
★	3	Submission of Initial Tasks to SO/AC for Review	1 day?	Tue 6/4/19	Tue 6/4/19	2															
★	4	Modify TOR, Scope and Work Plan based upon feedback	5 days	Thu 6/27/19	Wed 7/3/19	6															
📅	5	Investigation of Objectives	72 days	Sat 4/6/19	Mon 7/15/19	2															
📅	5.1	Work Party 1 - ATRT1 and 2 items remaining undone. Why?	72 days																		
📅	5.2	Work Party 2 - Success of recommendations implemented for	72 days																		
📅	5.3	Work Party 3 - Situations where by-laws weren't followed. Why?	72 days																		
📅	5.4	Work Party 4 - Situations not covered by by-laws. Should they be?	72 days																		
📅	5.5	Work Party 5 - situations contemplated by the projected evolution of ICANN.	72 days																		
📅	6	Develop Recommendations by Category		Tue 7/16/19		9															
★	6.1	SubTeam1 - Category 1	40 days	Tue 7/16/19	Mon 9/9/19																
★	6.2	SubTeam2 - Category 2	40 days	Tue 7/16/19	Mon 9/9/19																
★	6.3	SubTeamN - Category N	40 days	Tue 7/16/19	Mon 9/9/19																
📅	7	Develop Initial Report	20 days	Tue 9/10/19	Mon 10/7/19	15															
📅	8	Submit Initial Report for Public Comments	10 days	Tue 10/8/19	Mon 10/21/19	19															
★	9	Public Comment	42 days	Tue 10/22/19	Wed 12/18/19	20															
★	10	Review and Consider Summarized Public Comments	40 days	Thu 12/19/19	Wed 2/12/20	21															
★	11	Develop Final Report	20 days	Thu 2/13/20	Wed 3/11/20	22															
★	12	Submit Final Report	1 day?	Thu 3/12/20	Thu 3/12/20	23															
📅	13	Meetings	264 days	Sat 3/9/19	Thu 3/12/20																
★	13.1	ICANN 64	5 days	Sat 3/9/19	Thu 3/14/19																
★	13.2	Los Angeles F2F	3 days	Wed 4/3/19	Fri 4/5/19																
★	13.3	ICANN 65	4 days	Mon 6/24/19	Thu 6/27/19																
★	13.4	ICANN 66	5 days	Sat 11/2/19	Thu 11/7/19																
★	13.5	ICANN 67	5 days	Sat 3/7/20	Thu 3/12/20																



# Workplan

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- The Bylaws state: “(iii) Review team decision-making practices shall be specified in the Operating Standards, with the expectation that review teams shall try to operate on a consensus basis. In the event a consensus cannot be found among the members of a review team, a majority vote of the members may be taken.” The procedure should align with the Bylaws.
- Each decision as having one of the following designations:
  - **Full consensus** - no Review Team members speak against the recommendation in its last readings.
  - **Consensus** - a small minority disagrees, but most agree.
  - **Strong support but significant opposition** - most of the group supports a recommendation but a significant number do not.
  - **Divergence** - no strong support for any particular position, rather many different points of view. Sometimes this is due to irreconcilable differences of opinion and sometimes it is due to the fact that no one has a particularly strong or convincing viewpoint, but the members of the group agree that it is worth listing the issue in the report nonetheless.
  - **Minority view** - a proposal where a small number of people support the recommendation. This can happen in response to a **Consensus**, **Strong support but significant opposition**, and **No Consensus**; or, it can happen in cases where there is neither support nor opposition to a suggestion made by a small number of individuals.

# Face-to-Face Meetings

Agenda item #3

# Face-to-Face Meetings

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- **Face-to-Face Meeting #1: 3-5 April 2019**

Location: ICANN Office - 12025 Waterfront Dr. #300, Los Angeles, CA 90094

**ICANN Travel Support email was sent to review team.**

# Face-to-Face Meetings

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- **Face-to-Face Meeting at/before ICANN65:**

**Deadline of Friday 1 March** for review teams to submit face-to-face meeting requests for ICANN65, Marrakech.

If the review team determines that it would like to hold a face-to-face meeting before (22-23 June) or during (24-27 June) ICANN65, the request will be shared with SO/AC leadership for approval. SO/AC leadership must approve the request since this is a Policy Forum meeting (Meeting B).

- **Schedule of Face-to-Face Meetings**



# Transparency: Guiding Principles

Agenda item #4

# Transparency: Guiding Principles

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- The review teams, with assistance from the ICANN organization, shall maintain a **public wiki space** or equivalent.
- All **review team plenary meetings** must be conducted in a transparent manner, recorded and transcribed.
- The **recordings and transcripts** must be posted on the review's wiki page in a timely manner, usually no later than 48 hours after the meeting.
- **Mailing lists**, except those used for discussion of information provided to a review team under a non-disclosure agreement must be publicly archived and links to it provided on the review's wiki page.

# Transparency: Guiding Principles

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## Observers

- Anyone can sign up as an observer to any Specific Review team. Observers number not limited.
- Clear instructions on the review team wiki space on how to become an observer. All non-selected candidates shall be **offered** by the ICANN organization **to participate as an observer**.
- All observers shall receive **plenary meeting agendas and information on where to find recordings** of meetings and any supporting documentation.

## Observers may:

- **Attend a meeting virtually:** All meetings, whether in person or online, will have a dedicated Adobe Connect room for observers to participate.
- **Subscribe to the observers' email list:** Observers may send a request to the relevant staff person from the ICANN organization or [mssi-secretariat@icann.org](mailto:mssi-secretariat@icann.org) requesting to be subscribed to the observers' email list. This information will be provided on the review wiki page.

# Transparency: Guiding Principles

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## Observers may (cont.):

- **Attend a meeting in person:** observers may attend public face-to-face meetings to share their input and questions with the review team, subject to any applicable space limitation. The calendar of scheduled calls and meetings is published on the review team's wiki page. ICANN will not cover any expenses incurred by observers.
- **Email input to the review team:** Observers may send an email to the review team to share input on their work. The relevant email address to direct such input shall be posted on the review team's wiki page. Having received input from observers via email, the review team is encouraged to respond, if appropriate, and ensure that a record of the submission is posted on the review wiki page.
  - [input-to-atrt3@icann.org](mailto:input-to-atrt3@icann.org)
- **Provide input during Public Comment proceedings:** Observers may contribute their views via the standard Public Comment process and during public consultations.

# Transparency: Guiding Principles

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- Possibility to pause recordings for private conversations, or ask observers to leave the room.
- ICANN may require review team members to sign a non-disclosure agreement before accessing documents. (*ICANN Bylaws, Section 4.6 (a)(vi)(3)*)

# ICANN64: Informal Meeting

## Agenda Item #5

# ICANN64: Informal Meeting

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**Doodle poll:** <https://doodle.com/poll/cn3fp4unxw4wtngqa>

Closed on **26 February** at **23:59 UTC**.

9 answers received, identified options:

- Monday 11 March | 10:00 – 11:00 (5 RT members attending + 1 remote)
- Tuesday 12 March | 07:00 – 08:00 (5)
- Tuesday 12 March | 08:00 – 09:00 (5)

Please note that given its informal status, no recording and no decisions will be made at this meeting.

Located at Verisign's room (Iris meeting room).

# A.O.B.

Agenda item #6



# A.O.B.

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- **Budget/Fact Sheets: ATRT3 Finance Liaison to be determined**

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# Confirm Decisions Reached & Action Items

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**Plenary Call #05**  
**20 March 2019**  
**11:00 – 12:30 UTC**