

Call between Board Caucus Group and Leadership of Specific Review Teams

Resourcing and Prioritization of Community Recommendation: A Draft Proposal for Community Discussion

Timing and Cadence of Reviews

30 October 2019 | 1700 UTC



Agenda

1. Overview of "Resourcing and Prioritization of Community Recommendations: Draft Proposal for Community Discussions"
2. Overview of timing and cadence of reviews
3. Discussion

Introduction

- Reviews and cross-community working group efforts are an important element of ICANN's multistakeholder model and continuous improvement. There is a need for streamlining different aspects of ICANN reviews, and ATRT3 may recommend some improvements, which will be coordinated with and complement other review streamlining efforts.
- ATRT3 is currently assessing reviews and is empowered to recommend the termination or amendment of specific reviews and/or the creation of additional ones. The Board looks forward to ATRT3 recommendations leading the development of a more sustainable schedule and timing for the next round of all reviews.
- This Daft Paper is also a component of the wider discussion on streamlining organizational and specific reviews. As input into this discussion, ICANN org [posted for public comment](#) on 30 April 2019 a discussion paper on streamlining organizational reviews, and provided a [report on those public comments](#) on 30 July 2019.

Resourcing and Prioritization of Community Recommendations: Draft Proposal for Community Discussions

Agenda Item #1

Overview

The Draft Proposal contains three sections:

1. An overview of proposed principles to guide the formulation of effective community recommendations and their effective implementation, including applicable process steps;
2. Details on the proposal for ongoing review teams to test the principles and process steps laid out in this paper; and
3. A high-level timeline for updating the Operating Standards for specific reviews, based on the outcome of the community-wide discussion initiated by this paper. While much of the paper focuses on specific reviews, we believe the proposed principles and framework are equally relevant to other processes for developing community recommendations, including cross-community working groups.

Principles for developing effective recommendations

Effective community recommendations should:

- Address an observed issue;
- Be supported by articulated fact-based findings;
- Address an observed issue that has significant consequences to ICANN as a whole;
- Address issues and propose solutions within ICANN's mission;
- Promote the global public interest in the manner set forth in ICANN's Articles of Incorporation and Bylaws;
- Align with ICANN's strategic plan and is within Board and org remit;
- Clearly identify a desired outcome and describe how success will be measured, in support of outcome-based recommendations;
- Include cost and resource estimates and realistic implementation timelines;
- Identify dependencies on and implications for other work are identified and considered;
- Establish internal priorities by and within a given review team.

Principles for effective implementation

Effective implementation of recommendations requires:

- Community, Board and org to concur that recommendations reflect the effectiveness framework principles;
- Board and org to ensure that reasonable and appropriate funding will be available for the implementation of all Board-accepted recommendations as part of ICANN's budgetary planning process;
- Org and Board to be transparent about implementation work (e.g., to develop a "register" of recommendations in implementation, including cost, dependencies, timelines and prioritization, etc.);
- Community makes trade-offs within the context of all other work, informing timing of implementation based on available resources;
- Org and Board to provide clear and timely updates on the status of implementation, flagging significant developments (using the register and existing processes - e.g. Annual Review Implementation Report and Annual Budget and Operating Plan);
- The community to have a workable means of providing input on proposed actions for implementations where change is proposed.

Processes Steps within Relevant Review Phases

The proposed principles listed on the previous two slides are supported by proposed process steps grouped into relevant review phases.

1. Fact-finding phase:

- a) The ICANN community, ICANN org and/or ICANN Board should identify and flag potential dependencies with other work across the ICANN ecosystem. This could be accomplished through engagement and interactions with the review teams.
- b) Review teams should consider and describe the impact of those dependencies on their review work.

2. Drafting of recommendations phase:

- a) Review teams should ensure that recommendations being developed reflect the principles for effective recommendations outlined above. In doing this, review teams may engage with ICANN org to ensure alignment between draft recommendations and effectiveness principles. ICANN org's involvement is intended to inform the work of review teams without impacting their impartiality or limiting the scope of their Bylaws-mandated work.

2. Drafting of recommendations phase (continued):

- b) Proposed recommendations that call for policy outcomes (and, accordingly, must be developed through defined policy development processes) should not be addressed to the Board, org, or advisory committees. Rather, they should be addressed to the appropriate policy development bodies (the GNSO, ccNSO or ASO) and should respect the independence and authority of those bodies and the Bylaws-mandated policy development process.
- c) Review teams should deliberately assess proposed recommendations to ensure that they are clear and focused, actionable, rest on articulated findings of fact, specify desired, measurable outcomes, and are prioritized against the team's other recommendations.
- d) ICANN Board and ICANN org should provide review teams with input on recommendations, including dependencies, high-level indications of cost (one time and ongoing) and possible implementation timelines (estimated by ICANN org) during the drafting process to the extent possible .

3. Community, Board, and org input phase:

- a) Draft recommendations issued for public comment should include information about dependencies, budget and implementation implications (including one time and ongoing costs and timelines), and prioritization issues and should explicitly seek community input on those items.
- b) Review teams should conduct additional outreach on those issues as appropriate.
- c) ICANN Board and ICANN org should provide refined input regarding dependencies, budgetary and implementation implications, and prioritization issues prior to issuance of the final report.
- d) ICANN org should publish an initial implementation assessment as part of the public comment to inform community and Board consideration. This step may impact the timing of a review.
- e) Final reports should contain a discussion of community, Board, and org input on dependencies, budget and implementation implications, and prioritization. This discussion should explain why the review team has either accepted or rejected input as well as how it has contributed to the effectiveness of recommendations.

4. Board consideration of the final report and recommendations phase (overview only, full list in Draft Proposal):

- a) & b) Upon receipt of the final report, the Board should begin a dialogue with implementation shepherds. ICANN org should also engage with implementation shepherds.
- c) ICANN org should publish an updated implementation assessment report.
- d) Board liaisons and implementation shepherds discuss issues/concerns identified in the updated implementation assessment.
- e) The Board should notify shepherds about any recommendations that do not appear to meet the standards set out in the Effectiveness Framework (contained in the Annex of the Draft Paper) and should meet (virtually) with review team shepherds to discuss those concerns.
- f) The board should notify shepherds about any recommendations it is unlikely to approve based on application of the Effectiveness Framework and discuss with them.
- g) The Board should formally consider recommendations for budgeting consideration and implementation planning. Recommendations may be “approved for prioritization, budgeting, and implementation,” “rejected,” “referred,” or placed on “watch status.”
- h) An agreed upon timeline should be followed to the maximum extent possible. Where it cannot be met, the Board should communicate with the community.

4. Board consideration of the final report and recommendations phase (overview only, full list in Draft Proposal):

- i) The Board should explain its decisions with reference to the Effectiveness Framework.
- j) Unless it has *de minimis* budget or implementation implications, any recommendation approved by the Board for budgeting and implementation planning will be considered for funding, prioritization, and implementation as part of the next budget cycle, involving a coordinated effort between the community, ICANN org and ICANN Board.
 - For example: community could appoint a body of delegates, accountable to the community, to prioritize recommendations based on available funding and resources identified as part of ICANN's annual budget cycle.
 - The mechanism and process steps for such a process would need to be defined, and could, e.g., include community consultation and public comment proceedings.
 - Such prioritization would also include possible retirement of recommendations and/or merging or grouping of similar or overlapping recommendations from different reviews.
 - Retirement of recommendations would be based on an agreed-upon set of criteria, such as: the recommendation is no longer relevant, implementation requires too much money for too little value, or implementation would take too long.

4. Board consideration of the final report and recommendations phase

(overview only, full list in Draft Proposal):

“Community Recommendation” budget line item could be established to fund high priority items out of the annual budget cycle, which would permit high priority recommendations as prioritized by the individual review teams and confirmed by the community (via appointed delegates) to proceed to implementation more quickly. It introduces significant complexity.

5. Implementation phase (overview only, full list in Draft Paper):

- a) Recommendations without significant dependencies and *de minimis* implementation resource requirements may be integrated into existing work; all other implementation projects may be considered as part of the next annual operating plan and budget cycle. Otherwise, Board acceptance of recommendations places them into the budget and planning cycle.
- b) Community and org will collaboratively develop a methodology for prioritizing recommendations across review teams and for funding implementation of prioritized recommendations as part of the annual budget process.

5. Implementation phase, cont'd (overview only, full list in Draft Paper):

- c) Org will publish and maintain a “recommendation register,” to include community-developed recommendations.

- d) Org will evaluate and report on the status and implementation of such recommendations annually as part of the budget process. This annual report will facilitate ongoing prioritization and evaluation of community recommendations with input from the community (possibly via appointed delegates) that are in implementation or to be implemented, to ensure they remain relevant, effective, on track and appropriately prioritized within the context of other work.

- e) If, using formal, transparent, and agreed upon processes to secure and consider community input, the Board determines that a recommendation is no longer relevant or effective, implementation will cease. Such processes would need to be developed.

- f) Although likely rare, in the instances where completion of implementation is scheduled beyond the expected start of the next scheduled cycle, ICANN community, Board and org shall agree on a suitable course of action for the remainder of the implementation and how the next review team should consider the status of implementation.

Community Input: Testing and Public Consultation

- Understanding how these principles can work in practice and supplementing them with practical proposals for how they can be applied during the different review phases is an important step prior to finalizing these principles and including them in the Operating Standards.
- Review teams are invited to pilot these principles to the extent that they apply to their work:
 - ATRT3/SSR2: As these reviews are still under way, both review teams are invited to pilot principles listed under phases 1-3 above. In addition, ATRT3 itself may have comments and input designed to align the proposed principles with any recommendations it may have with respect to the cadence and subject matter of Bylaws-mandated reviews.
 - RDS/WHOIS2: As the Board begins its (up to) 6-month consideration of these recommendations, the team or its designated implementation shepherds are invited to pilot principles listed under phase 4 above.
 - CCT: The implementation shepherds are invited to pilot principles listed under phase 5 above.

Community Input: Testing and Public Consultation cont'd

- Similarly, the ICANN Board and ICANN org, with input from the community, will use these principles in their interaction with and support of already-issued review recommendations and the work of ongoing review teams.
- While practical input from the review teams is invaluable, the ICANN Board also will extend its discussion to the community to inform its members on the content of this draft proposal and solicit input on the principles.
- Based on community input and feedback from piloting review teams, the list of principles will be updated and supplemented with proposals for how they can be/have been applied in practice.
- An updated list then will be published for public consultation before a final version will be incorporated in the Operating Standards, through the amendment process that includes public comment, and subject to ICANN Board adoption.

Timeline and Next Steps on the Draft Proposal

1. Chairman's Blog, outlining the Board's view on streamlining reviews, linking to the Draft Proposal, will be published on Thursday 31 October 2019.
2. ICANN66: Review-focused session to discuss draft proposal, Monday 4 November, 15:15-16:45 local time, Main Room.
3. Early 2020: Principles listed in the draft proposal to be updated based on feedback from community and practical experience from review teams, ICANN Board, and ICANN org. Conduct public consultation on principles for Resourcing and Prioritization of Review Recommendations.
4. By ICANN67: Subject to outcome and timing of public consultation, finalization of principles and Board consideration to adopt and include in Operating Standards.
5. Post-ICANN67: Principles become part of the Operating Standards through the amendment process that includes public comment; once part of the Operating Standards the principles will guide the work of specific reviews.

Timing and Cadence of Reviews

Agenda Item #2

Cadence and Timing of Review are Mandated by the Bylaws

Organizational reviews - 5 years after the Board's reception of the Final Report of the previous review.

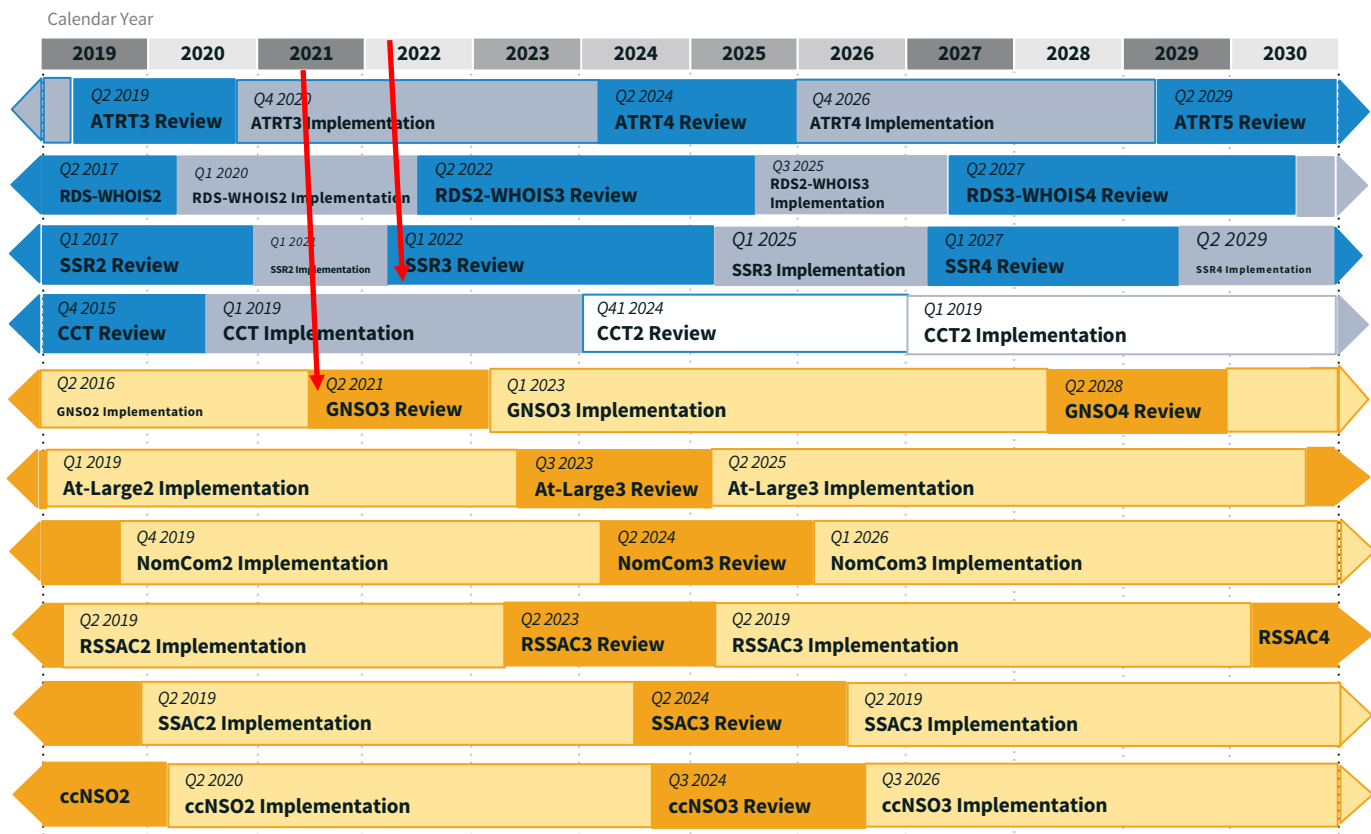
- More predictability & control over timing due to contractual relationship with independent examiner.
- Average review phase of around 12 months during the second round.

Specific reviews - 5 years after the previous review team was convened (except CCT which occurs 'after a New gTLD Round has been in operation for one year').

- ATRT must complete its work in 12 months – the only review with a time constraint.
- Future CCT trigger may need to be addressed after Sub-Pro WG recommendations.

Bylaws provisions do not consider sequencing of reviews; nor do they address time needed for implementation, which is dependent on availability of resources and interdependencies with other work.

Reviews Timeline – if no changes are made



LEGEND:

SPECIFIC REVIEWS

- Review Conduct, and Board Consideration
- Implementation, assessment, preparation phases
- Pending new round of gTLDs

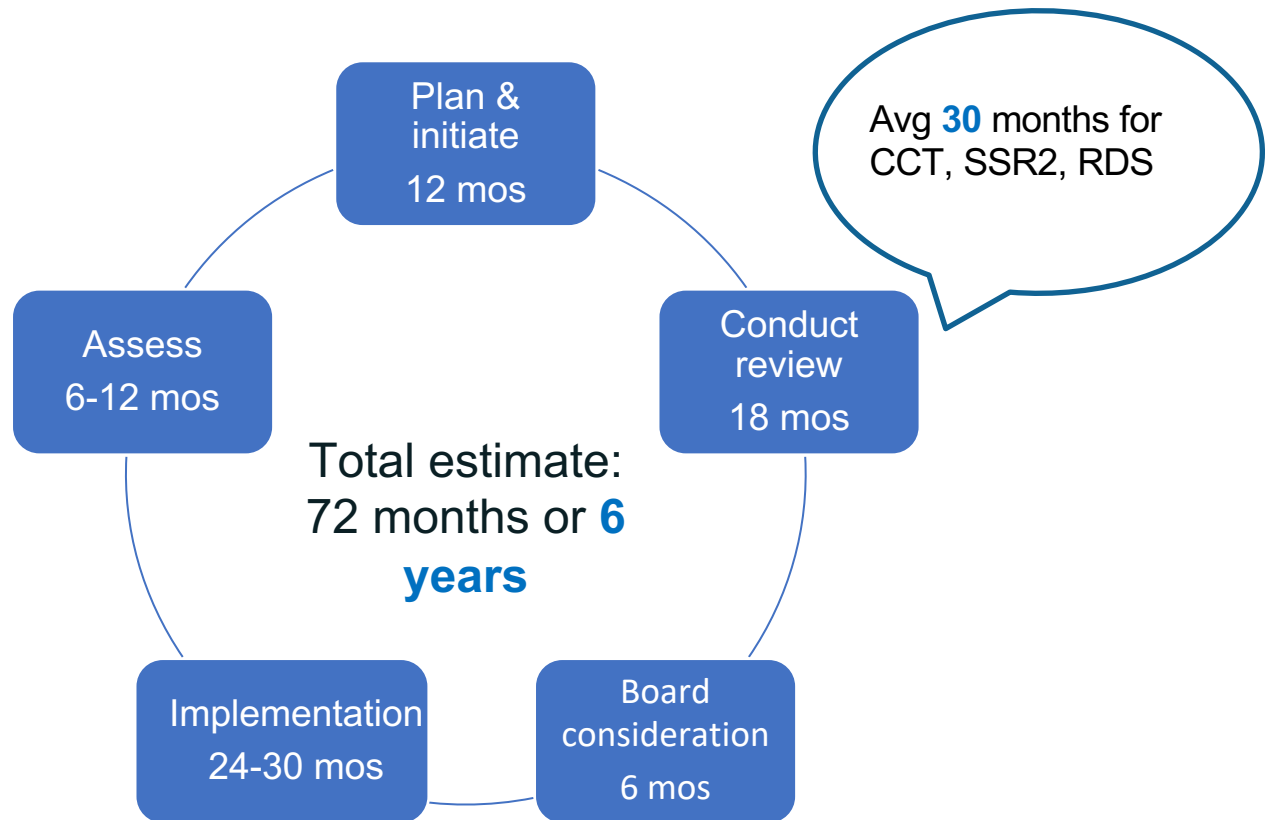
ORGANIZATIONAL REVIEWS

- Review Conduct, and feasibility and implementation planning
- Implementation, assessment, preparation phases

Future dates are forecasted and subject to change

1. **Overlap** – too many reviews at the same time
2. **Timing is unpredictable** – conduct & implement
 - CCT: **2 years 8 months** to conduct review.
 - SSR2 (estimated): **2 years 9 months** (excluding 8 months pause) to conduct review.
 - RDS-WHOIS2: **2 year 3 months** to conduct review.
3. **Implementation is not always finished in time** for the next cycle

5 years may not be enough time for specific reviews



Duration is an assumption based on a reasonable estimation

Potential Solutions

Change trigger point (issues 2 & 3)

- Next review starts 5 years after.....
 - Delivery of final report, or
 - Completion of implementation (not to exceed 24 months)

Limit time to conduct review (issues 2 & 3)

- 12 – 18 months,
- Other?

Increase cycle time (issues 1, 2 & 3)

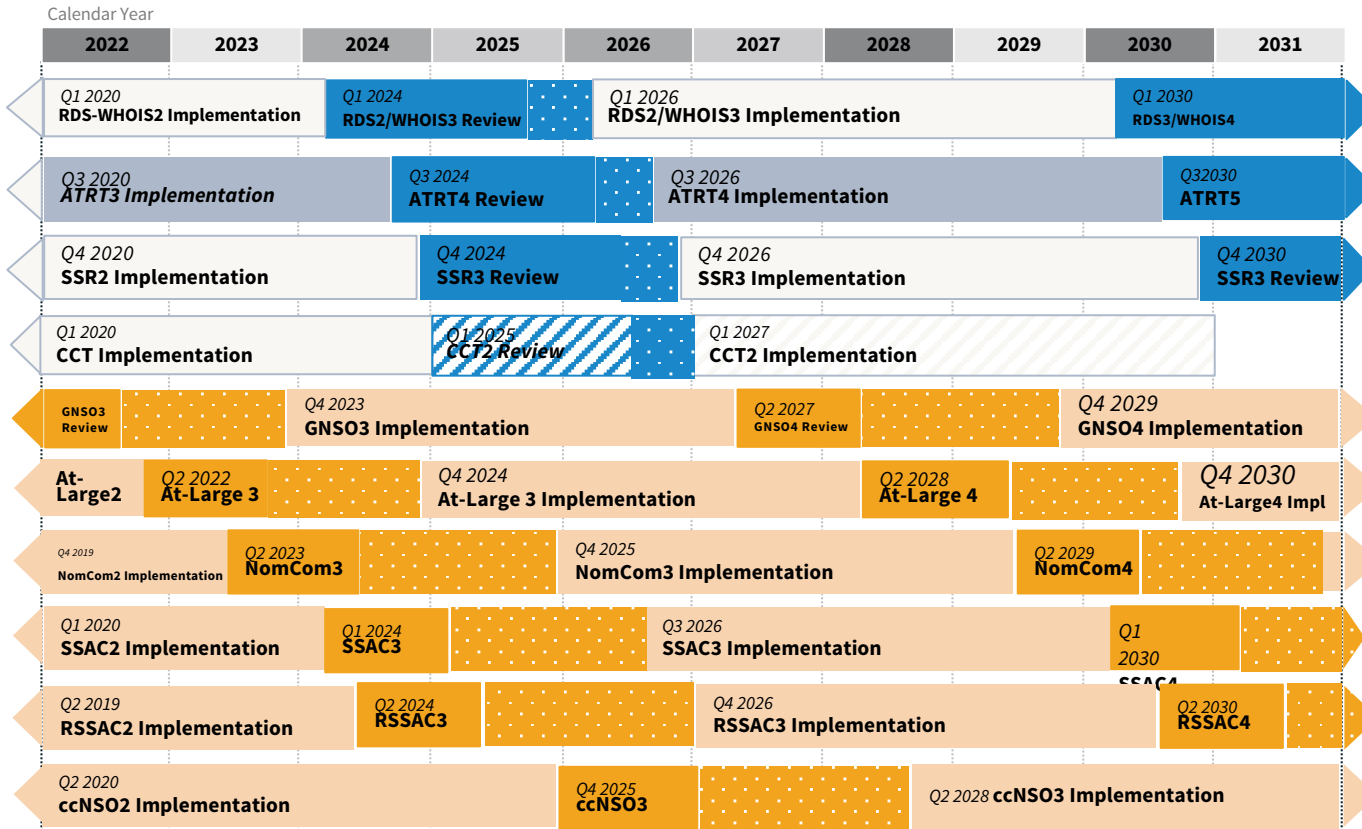
- 6 years
- Other?

Speed up Board consideration & Implementation (issues 2 & 3)

Limit concurrent reviews (issue 1)

- No more than 1 specific review and 2 organizational reviews in “conduct review” phase at the same time
- Requires potentially long one-time gap

Potential Reviews Timeline – 18 months limit and 6 year cycle



LEGEND: SPECIFIC REVIEWS

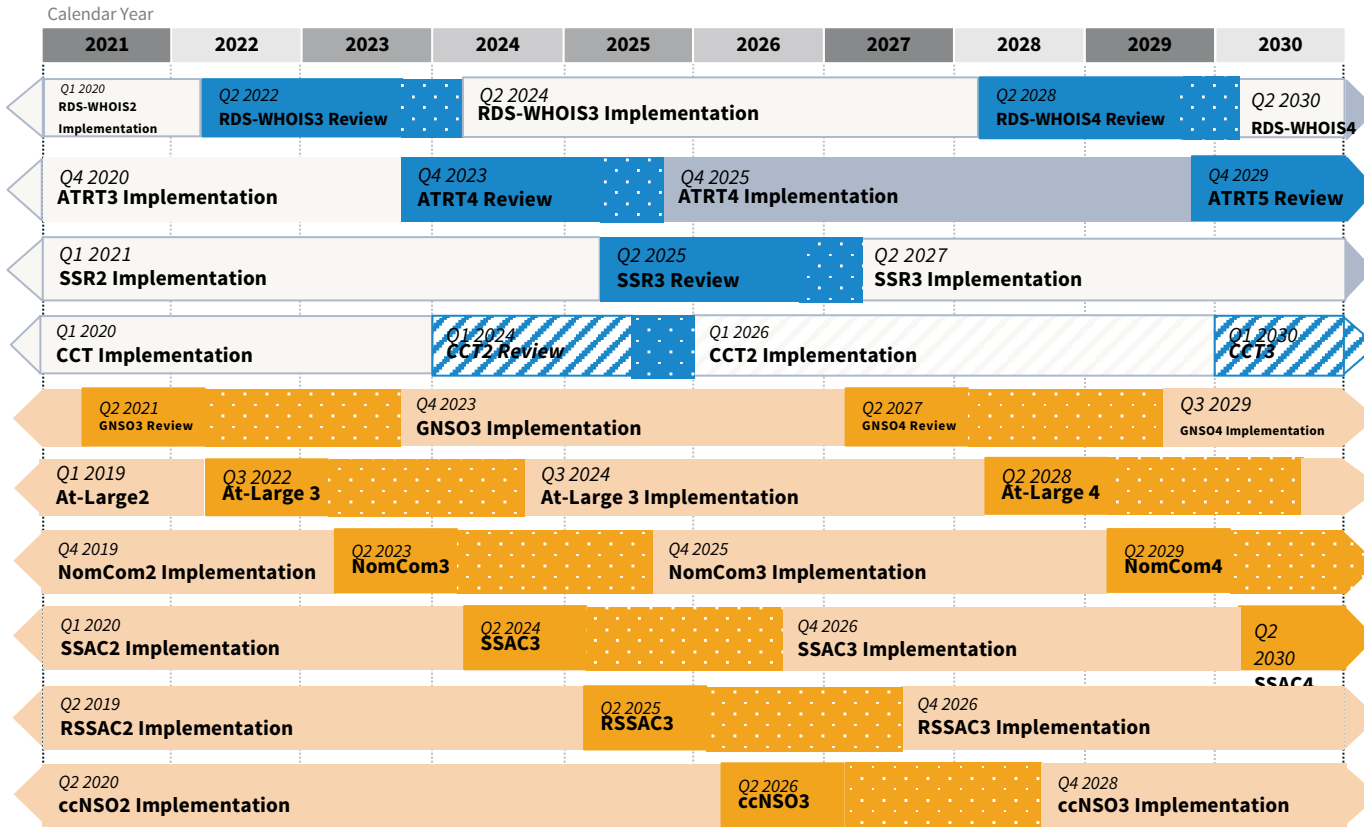
- Review Conduct (18 months)
- Board Consideration (6 months)
- Implementation, assessment, preparation phases (48 months)
- Pending new round of gTLDs

ORGANIZATIONAL REVIEWS

- Review Conduct (12 months)
- Feasibility and implementation planning, Board consideration (18 months)
- Implementation, assessment, preparation phases (42 months)

Future dates are forecasted and subject to change

Potential Reviews Timeline – limiting duration and avoiding overlap



LEGEND: SPECIFIC REVIEWS

- Review Conduct (18 months)
- Board Consideration (6 months)
- Implementation, assessment, preparation phases (48 months)
- Pending new round of gTLDs

ORGANIZATIONAL REVIEWS

- Review Conduct (12 months)
- Feasibility and implementation planning, Board consideration (18 months)
- Implementation, assessment, preparation phases (42 months)

Future dates are forecasted and subject to change

Discussion

Agenda Item #3