

Third Accountability and Transparency Review Team (ATR3)

Webinar: ATR3 Final Report

July 2020



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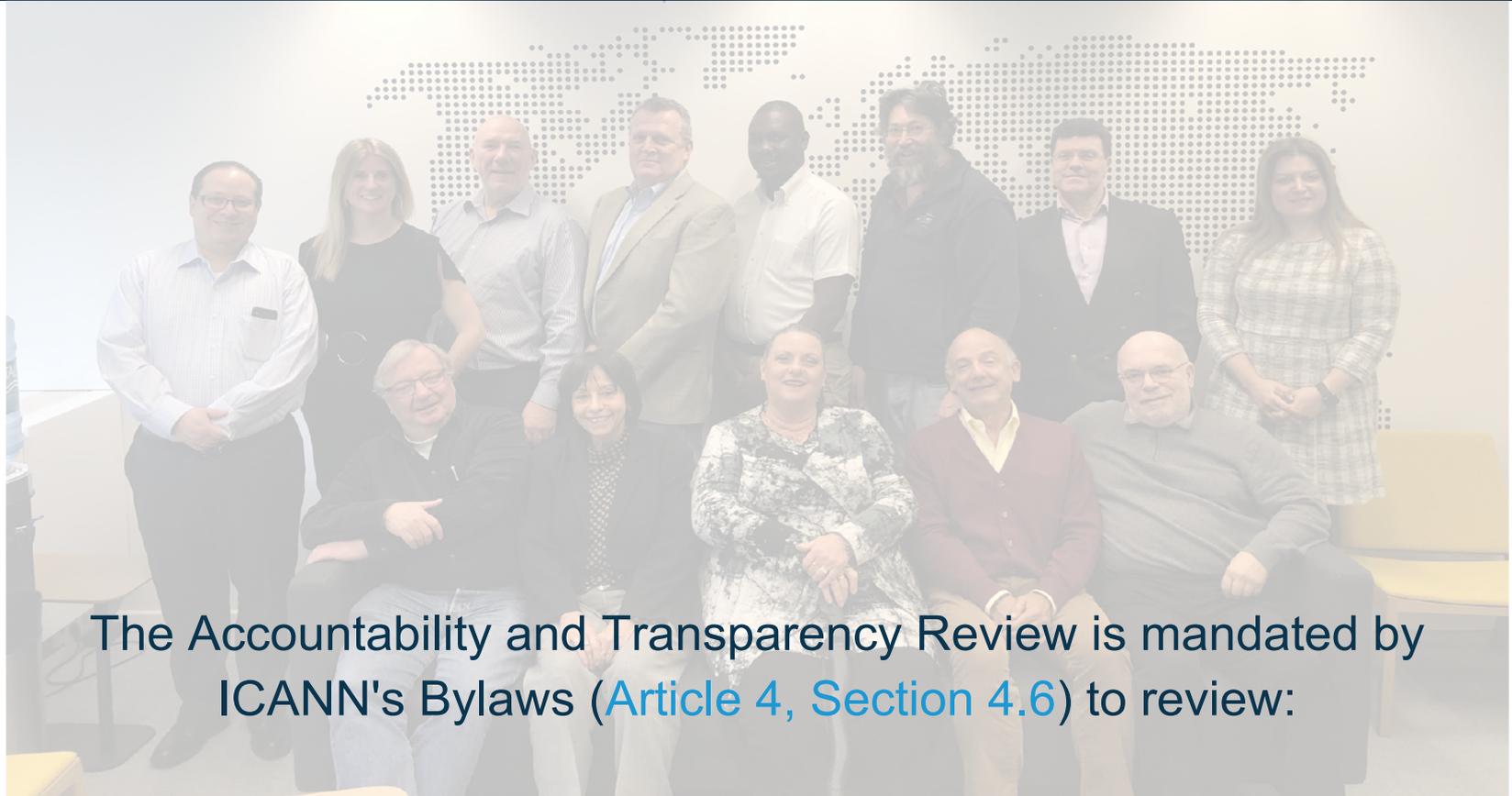
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Q & A

Background & Scope

Agenda Item #1

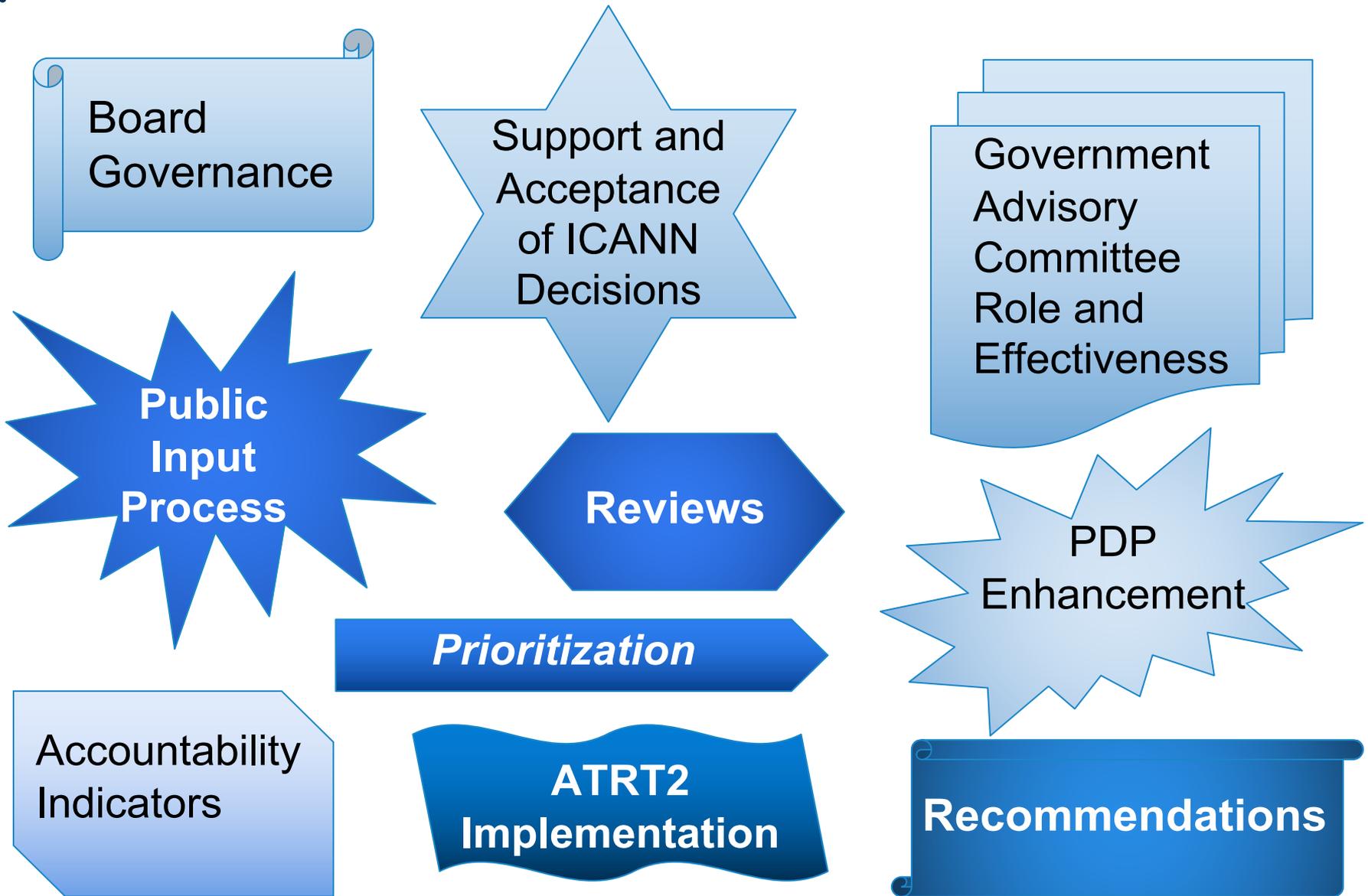
ATRT3 Mandate



The Accountability and Transparency Review is mandated by ICANN's Bylaws ([Article 4, Section 4.6](#)) to review:

"ICANN's execution of its commitment to maintain and improve robust mechanisms for public input, accountability, and transparency so as to ensure that the outcomes of its decision-making reflect the public interest and are accountable to the Internet community."

Our Scope of Work...



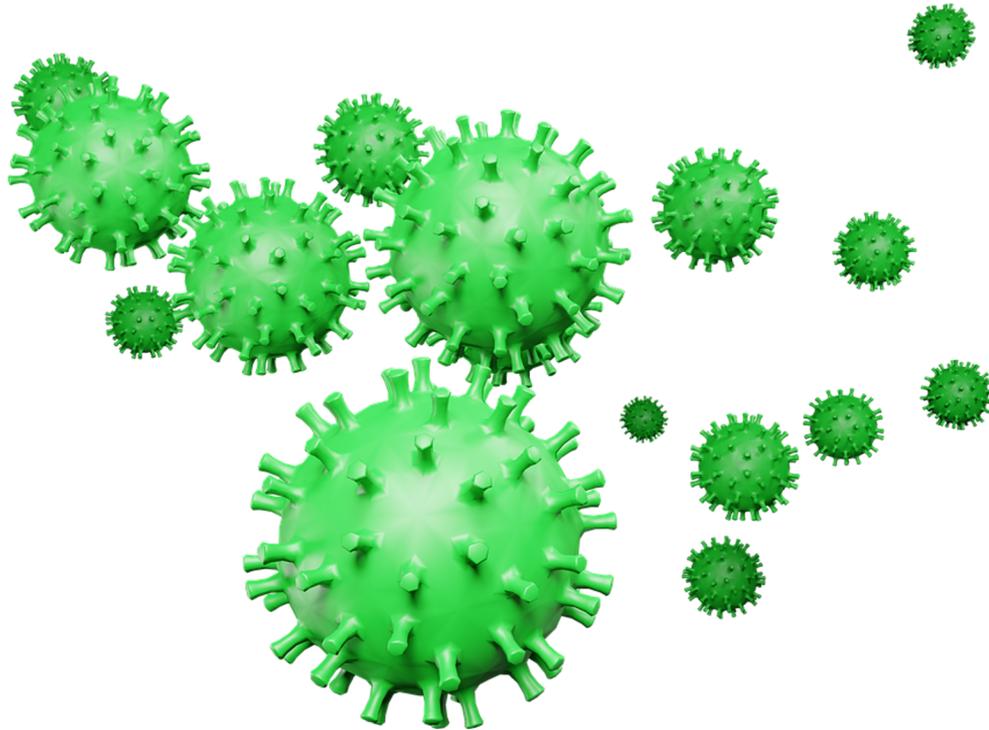
Overview of Our Final Report...



**We thank the entire ICANN Community and the ICANN Board
for thoughtful engagement and feedback throughout the
ATRT3 process**

Issues ATRT3 Did Not Address

Over the course of its work, several unforeseen events occurred that ATRT3 considers subjects for a review of ICANN's accountability and transparency. ATRT3 notes that it did not address all of these...



Report Annexes

The ATRT Final Report contains the following annexes, which we encourage you to explore:

- **Annex A:** Detailed Analysis of the Implementation and Effectiveness of ATRT2 Recommendations including Suggestions
- **Annex B:** ATRT3 Survey Results and Analysis
- **Annex C:** ATRT3 Assessment of ICANN org Accountability Indicators
- **Annex D:** Comparing ATRT3's Proposal on Organizational Reviews to the Bylaws and ICANN Board's Public Comment Submission on the ATRT3 Draft Report
- **Annex E:** Public Comment Analysis
- **Annex F:** Fact Sheets
- **Annex G:** Participation
- **Annex H:** Minority Statements (received from four ATRT3 members)

Overview of Recommendations

Agenda Item #2

Overview of Recommendations

Recommendation Topic	To	Priority	Consensus
Assessment of Periodic (now Specific) and Organizational Reviews	ICANN org, Board, SO/ACs	High	Consensus
Prioritization of Review and Cross-Community Working Group on Enhancing ICANN Accountability, Work Stream 2 (WS2) recommendations	ICANN org	High	Full Consensus
Accountability and Transparency Relating to Strategic and Operational Plans including Accountability Indicators	ICANN org, Board	Medium	Full Consensus
Public Input	ICANN org	Low	Full Consensus
Assessment of the Implementation of ATRT2 Recommendations	ICANN org	Low	Full Consensus

Assessment of Reviews

Problem statement:

There are too many Specific and Organizational Reviews occurring simultaneously, some with limited effectiveness and relevance.

Intended outcomes:

- Significantly improve the use of resources of SOs and ACs to Specific and Organizational Reviews and spread these out to improve the timing and cadence.
- Restructure Specific and Organizational Reviews to ensure they are effective and continue to have a purpose.

Recommendation includes:

- Suspend RDS and SSR Reviews until next ATRT; One additional CCT Review
- Evolve Organizational Reviews into continuous improvement programs in each SO/AC and NomCom.
- Add Holistic Review, as a special Specific Review, looking at all SO/AC/NomCom and their relations.
- Implement a new system for the timing and cadence of the reviews.

Assessment of Reviews - Further Suggestion

ATRT3 makes a further suggestion in its 1 June 2020 [letter](#) to the ICANN Board, which the Board invites community feedback on during the Public Comment proceeding:

"Given the recommendation in Section 8 of its report ATRT3 is proposing significant changes to Organizational Reviews and Specific Reviews ATRT3 strongly suggests that the ICANN Board implement a moratorium on launching any new Organizational and Specific Reviews until it has made a decision on this recommendation."

SUGGESTION

More Details on Assessment of Specific Reviews is Annexed in this Presentation...

Assessment of Reviews - Continuous Improvement

ICANN shall evolve the content of Organizational Reviews into continuous improvement programs in each SO/AC/NomCom.

Continuous Improvement Program:

- ICANN org shall work with each SO/AC/NomCom to establish a continuous improvement program.
- Such a continuous improvement program shall have a common base between all SOs, ACs, and the NomCom but will also allow for customization.
- All SO/AC/NomCom shall have implemented a continuous improvement program within 18 months of this recommendation being approved by the Board.
- Shall include annual satisfaction survey

Assessment of Reviews - Continuous Improvement

Annual satisfaction survey of members/participants:

- Each SO/AC/NomCom shall perform a comprehensive annual satisfaction survey, or equivalent mechanism.
- Survey should focus on member satisfaction (and issue identification) vs their respective SO/AC/NomCom but can also include satisfaction with ICANN org services.
- For SOs and ACs that are composed of substructures, this should apply to their individual substructures and the results of all substructures shall be aggregated to generate a result for the given SO or AC.
- The results would be public and used to support the continuous improvement program as well as input for the Holistic Review. If the survey results note a significant issue this shall be the trigger to initiate appropriate measures to deal with any such issues.

Assessment of Reviews - Continuous Improvement

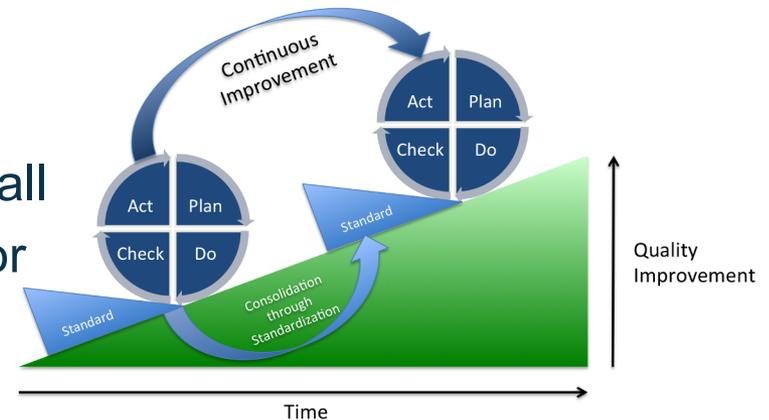
Regular assessment of continuous improvement programs:

- At least every three years, each SO/AC/NomCom will undertake a formal process to evaluate and report on its continuous improvement activities which will be published for Public Comment.
- This would allow the Holistic Review to consider a minimum of two assessment reports and related public comments for each SO/AC/NomCom.
- Details of the assessments will be defined during the elaboration of the continuous improvement program with each SO/AC/NomCom. If the SO/AC/NomCom desires and the budget permits, the assessment can be conducted by an independent contractor or by having an intensive one to five-day workshop.
- The Board should publish, at least every three years, a summary of its continuous improvements over that period. Reports would be used as input for the Holistic Review.

Assessment of Reviews - Continuous Improvement

Funding of continuous improvement:

- This continuous improvement program is not meant to be a cost reduction activity vs current overall costs of Organizational Reviews over a five-year period.
- ICANN shall ensure that, as a minimum, the same overall budget is available for the continuous improvement efforts of the SO/AC/NomCom.
- Public Comment on reporting of continuous improvement activities is only required every three years.
- Regardless of the processes selected by the specific SO/AC/NomCom, this shall fit in the financial constraints available for such activities.



Prioritization of Review and WS2 Recommendations

Problem statement:

No clear or consistent methodology exists for formulating effective review team or cross-community recommendations, nor is there a basis for evaluating resource requirements associated with such recommendations, prioritizing recommendations, or budgeting for prioritized recommendations. This has resulted in a backlog of hundreds of recommendations either awaiting approval or implementation.

Intended outcome:

A formal mechanism to prioritize review and CCWG recommendations.

Recommendation:

- The creation of a community-led entity tasked with operating a prioritization process.
- All SO/ACs have the option of participating or not. Those SO/ACs who participate shall have one member per SO/AC.
- Additionally, the Board and ICANN org each have a member. The Board and ICANN org shall also take into account the following high-level guidance for the prioritization process...

High-level guidance for the prioritization process. The entity shall:-

- Operate by consensus of the individual SO/ACs, Board, and org members participating in the process.
- Consider WS2 Recommendations, which are required to complete the IANA transition and are subject to prioritization but must not be retired unless this is decided by the Board.
- Conduct in an open, accountable, and transparent fashion with all decisions justified and documented.
- Integrate into the standard operating and financial plan processes.
- Prioritize multi year implementations; subject to annual re-evaluation to ensure they still meet their implementation objectives and the needs of the community.
- Consider-
 - Relevance to ICANN's mission, commitments, core values, and strategic objectives.
 - Value and impact of implementation.
 - Cost of implementation and budget availability.
 - Complexity and time to implement.
 - Prerequisites and dependencies with other recommendations.
 - Relevant information from implementation shepherds (or equivalents).

Accountability & Transparency: Strategic and Operating Plans

Problem statement:

None of the reports on strategic plans or operating plans provide, for the most part, any clear factual indication on the progress that being made vs the various goals, outcomes, initiatives etc. presented in these plans.

Intended outcome:

- Ensure that all the elements contributing to achieving strategic objectives are critical to the success of that strategic objective.
- Ensure that all the elements contributing to achieving strategic objectives (and their subcomponents) are S.M.A.R.T and that all reporting on these present the status of these using these metrics (this can be reviewed on a regular or timely basis).

Recommendation that ICANN org shall:-

- Provide a clear and concise rationale in plain language explaining how each goal, outcome, and operating initiative is critical to achieving the results of the one it is supporting.
- Provide a specific criteria, clearly articulated in plain language, defining success which shall be S.M.A.R.T for each goal (strategic or not), outcome (targeted or not), and operating initiative.

In addition to in future ...

Public Input

Problem statement:

- *Stagnation of participation in Public Comments.*
- *Increasing use of alternative methods for capturing input which are either against stated rules or without any clear rules for their use.*

Intended outcomes:

- Increased participation in Public Comments.
- Clarifications with respect to the use of alternate mechanisms for gathering input.
- Establishing, implementing, and publishing clear reporting requirements for alternate mechanisms for gathering input per the ATRT3 recommendations.
- Consistent application of the published rules relating to public input.

Recommendation:

ICANN org shall institute changes to Public Comment proceedings.

Assessment of ATRT2 Implementation

Problem statement:

ATRT3, similar to other Specific Reviews such as SSR2 and RDS, has assessed that not all recommendations by the previous review team have been completely implemented, contrary to the org's reporting.

Intended outcome:

Proper implementation of all ATRT2 Recommendations subject to the prioritization process.

Recommendation:

ICANN org shall review the implementation of ATRT2 Recommendations in light of ATRT3's assessment of these and complete their implementation subject to prioritization (see recommendation on the creation of a prioritization process).

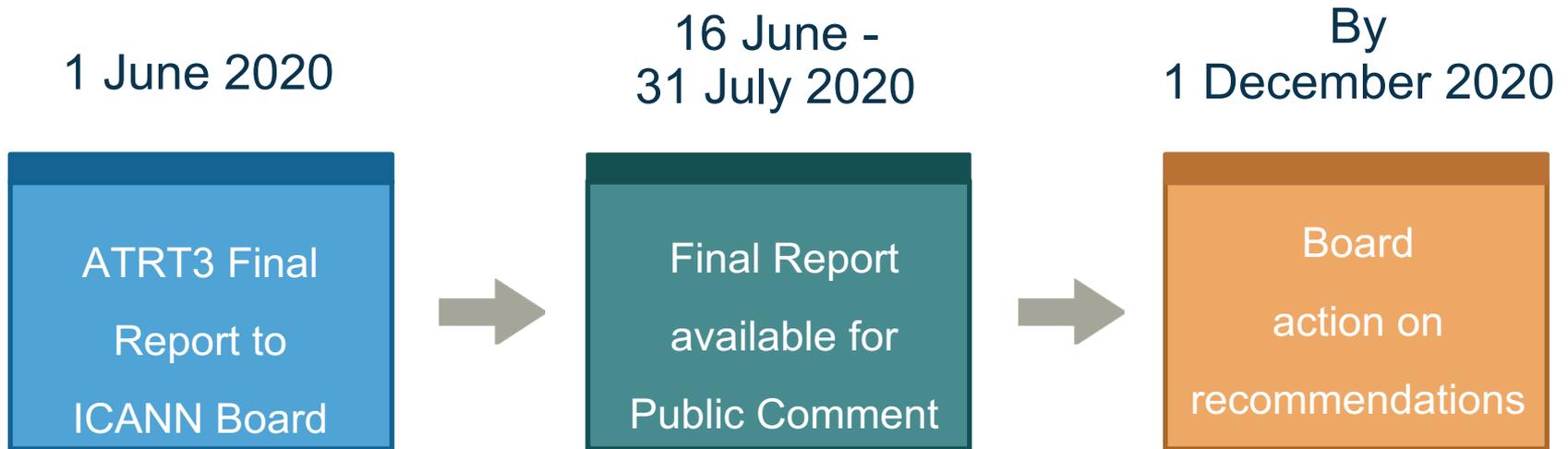
ASSESSMENT



Next Steps

Agenda Item #3

Next Steps



ATRT3 implementation shepherds stand ready to provide information and clarifications throughout implementation on issues such as:

- Intent of recommendations
- Rationale for recommendations
- The envisioned implementation timeline
- Metrics related to the measure of implementation success

Thank You and Questions



ATRT3 Final Report Public Comment Proceeding:
<https://www.icann.org/public-comments/atrt3-final-report-2020-06-16-en>

Close date: 31 July 2020 23:59 UTC

Annexes

- i) ATRT3 Composition
- ii) Methodology
- iii) ATRT3 Project Timeline Milestones
- iv) Assessment of Reviews Details - Specific Reviews
- v) Useful Links

i) ATRT3 Composition

RT member	SO/AC Affiliation	Region
Sébastien Bachollet+	ALAC	EUR
Cheryl Langdon-Orr (Co-Chair)+	ALAC	APAC
Daniel Nanghaka+	ALAC	AF
Vanda Scartezini+	ALAC	LAC
Demi Getschko	ccNSO	LAC
Liu Yue	GAC	APAC
Jacques Blanc	GNSO	EUR
Pat Kane (Co-Chair)+	GNSO	NA
Michael Karanicolas	GNSO	NA
Wolfgang Kleinwaechter	GNSO	EUR
Oswaldo Novoa	GNSO	LAC
Adetola Sogbesan+	GNSO	AF
Erica Varlese*	GNSO	NA

RT member	SO/AC Affiliation	Region
Ramet Khalili Nasr	RSSAC	APAC
Jaap Akkerhuis	SSAC	EUR
KC Claffy	SSAC	NA
Geoff Huston*	SSAC	APAC
Maarten Botterman*	Board	-
León Sánchez	Board	-

* resigned or stepped down
+ implementation shepherd

ATR3 contracted Bernard Turcotte to serve as a technical writer for the review.

ii) Methodology

To undertake its work, ATRT3:-

- Reviewed the implementation and effectiveness of 46 distinct ATRT2 recommendations
- Conducted a major survey of individuals and structures (SO/ACs/GNSO constituent bodies/RALOs) on a wide range of relevant topics
- Held interviews and meetings with the community at ICANN65 and ICANN66
- Received briefings from ICANN org subject matter experts and various community groups
- Reviewed the ICANN accountability indicators in detail
- Reviewed a large number of ICANN documents
- Requested and received a large number of clarifications from ICANN org
- Analyzed public comments on the ATRT3 draft report and other input throughout the review process.

iii) ATRT3 Project Timeline Milestones

- On 20 December 2018, ICANN [announced](#) the selection of an 18-member team to conduct the third Accountability and Transparency Review.
- ATRT3 held its first face-to-face meeting on 3-5 April 2019 and is mandated to issue its final report within one year of convening its first meeting, that is, by 5 April 2020.
- On 16 December 2019, ATRT3 published its draft report for [Public Comment](#). ATRT3 received sixteen comments on its draft report.
- On 3 April 2020, ATRT3 leadership [advised](#) the ICANN Board that the Review Team would be delayed in submitting its final report to the Board due to the impact on ATRT3's work of circumstances surrounding the COVID-19 pandemic.
- ATRT3 submitted its final report to the Board within its revised timeline.

iv) Assessment of Reviews Details - Specific Reviews

RDS Reviews

- Results of the EPDP will have an impact on any future RDS Review.
- ATRT3's final report will be published prior to the EPDP delivering its final report.
- ATRT3 recommends suspending any further RDS Reviews until the next ATRT Review can consider the future of RDS Reviews in light of the final EPDP report recommendations, the results of the Board's consideration of these as well as any other developments which affect Directory Services.

CCT Reviews

- There should be one additional and clearly scoped CCT Review.
- It shall start within the two years after the first introduction to the root of new gTLDs of the (possible) next round.
- It should be limited to a duration of one year.
- A framework of data collection must be in place prior to the next round of gTLDs and the availability of all data sets should be confirmed prior to the selection of the review team and must be provided within 30 days of the review being launched.

SSR Reviews

- SSR2 will not be finalized prior to ATRT3 completing its work.
- Therefore, ATRT3 recommends that SSR Reviews shall be suspended until the next ATRT Review (or any type of review that include current ATRT duties) which shall decide if these should be terminated, amended, or kept as is.
- This review could be re-activated by the ICANN Board should there be a need.

ATRT Reviews

Should continue essentially as they are, with enhancements:

- Shall start no later than two years after the approval by the Board of the first recommendation of the Holistic Review.
- Shall maintain responsibility to recommend to the Board the termination or amendment of other periodic reviews and the creation of additional periodic reviews (including re-assessing reviews terminated by previous ATRTs).
- All pre-identified documentation required for the review shall be available at the first meeting of the review team.
- Terms of reference shall be established at the first meeting.

A new Holistic Review shall be set up:

The first one shall start no later than one year after approval by the Board of the first recommendation by ATRT3. Holistic Reviews should be time-limited to a maximum of 18 months

The next Holistic Review shall start no later than every two-and-a-half years after approval by the Board of the first recommendation of the latest ATRT Review (e.g. the second Holistic Review would begin two-and-a-half years after the Board approved the first recommendation from ATRT4). This cadence would ensure a minimum of two continuous improvement assessments for each SO/AC/NomCom prior to holding the next Holistic Review.

The launching of any other review activities should be suspended while a Holistic Review is active.

Holistic Review objectives:

- Review continuous improvement efforts of SO/AC/NomCom based on good practices.
- Review the effectiveness of the various inter SO/AC/NomCom collaboration mechanisms.
- Review the accountability of SO/ACs or constituent parts to their members/constituencies (this will include an in-depth analysis of the survey results).
- Review SO/AC/NomCom as a whole to determine if they continue to have a purpose in the ICANN structure as they are currently constituted or if any changes in structures and operations are desirable to improve the overall effectiveness of ICANN as well as ensure optimal representation of community views (but taking into consideration any impacts on the Board or the Empowered Community).

v) Useful Links

- ATRT3 Final Report Public Comment Proceeding: <https://www.icann.org/public-comments/atrt3-final-report-2020-06-16-en>
- ATRT3 Final Report
 - AR: <https://www.icann.org/en/system/files/files/atrt3-report-29may20-ar.pdf>
 - EN: <https://www.icann.org/en/system/files/files/atrt3-report-29may20-en.pdf>
 - ES: <https://www.icann.org/en/system/files/files/atrt3-report-29may20-es.pdf>
 - FR: <https://www.icann.org/en/system/files/files/atrt3-report-29may20-fr.pdf>
 - RU: <https://www.icann.org/en/system/files/files/atrt3-report-29may20-ru.pdf>
 - ZH: <https://www.icann.org/en/system/files/files/atrt3-report-29may20-zh.pdf>
- ATRT3 wiki: <https://community.icann.org/x/QK7DAw>
- Accountability and Transparency Review page on icann.org: <https://www.icann.org/resources/reviews/specific-reviews/atrt>