

# ATRT2 Recommendation 9 Implementation

Decision-Making, Transparency and Appeals Processes

2 April 2015

## Implementation Timeline



July 2015  
Recommendation  
Operationalized

## Recommendation 9 Implementation Description

Recommendation 9 addresses ways in which the AoC Review process can be improved to make subsequent reviews more effective.

Using lessons learned, recommendations and observations from the Review Teams, the Board, stakeholders and staff, ICANN will propose improvements to make the AoC Review process more predictable, consistent and efficient.

## Status of Deliverables

	Responsible	Due Date
9.1 Bylaws Amendment Regarding Advisory Committee Advice	Staff	October 2015
9.2 Review Accountability Mechanisms	Community (CCWG)	March 2016
9.3 Review Ombudsman Role	Staff	March 2016
9.4 Develop Transparency Metrics and Reporting	Staff	December 2015
9.5 Review Anonymous Hotline	Staff	November 2015



Complete  
Planned/In Process  
Behind schedule, expected to recover within original plan  
Behind schedule, original plan to be adjusted

# ATRT2 Recommendation 9.1 Implementation

## Bylaws Amendment Regarding Advisory Committee Advice

2 April 2015

### 9.1 Implementation Timeline



November 2015  
Operationalized

### 9.1 Subproject Description

The 9.1 subproject implementation focus is on the proposed Bylaws change recommended by the ATRT2 to impose a requirement on the ICANN Board to acknowledge advice arising from any of ICANN's Advisory Committees.

### Status of Deliverables

	Responsible	Due Date
Community consultation to develop Bylaws amendments, including issues of workflow and definitions	Staff	June 2015
Bylaws amendments provided to Board to approve public comment posting	Staff	July 2015
Open public comment on Bylaws amendments	Staff	August 2015
Board Approval of Bylaws Amendments	Board	October 2015



Complete

Planned/In Process

Behind schedule, expected to recover within original plan

Behind schedule, original plan to be adjusted

# ATRT2 Recommendation 9.1 Implementation

## Bylaws Amendment Regarding Advisory Committee Advice

2 April 2015

### Project Status

Cross-departmental work is underway to make sure that the Bylaws amendments can be implemented in a way that provides some uniformity in workflow across advisory committees, including consideration of how the advice tracking tools may be used. These ideas will then be the subject of consultation with the advisory committees at ICANN53, so that proposed Bylaws changes can be provided to the Board for posting for public comment at the Board's next meeting after ICANN53. Assuming that the proposed amendments can be posted for public comment by August 2015, the Bylaws amendments could be ready for Board consideration at ICANN54 in October 2015.

### Implementation Notes

The focus of the consultations will be on the identification of uniform processes across the advisory committees (outside of the GAC, which has defined processes within the ICANN Bylaws for how the Board considers GAC advice) can be implemented. In advance of Bylaws being formally adopted, there is consideration that the ICANN Board may be asked to pass a resolution noting that until the Bylaws amendment is passed, the Board commits to acknowledging formal advice arising out of the Advisory Committees. This will allow for partial implementation of the recommendation while further details are being worked out across the community.

# ATRT2 Recommendation 9.2 Implementation

## Review Accountability Mechanisms

2 April 2015

### 9.2 Implementation Timeline



March 2016  
Operationalized

### 9.2 Subproject Description

The 9.2 subproject implementation focus is to review ICANN's existing accountability mechanisms through a community-comprised group.

### Status of Deliverables

	Responsible	Due Date
Confirm that CCWG-Accountability is reviewing the Independent Review and Reconsideration Processes as part of their work.	Community (CCWG)	✓
Continue regular monitoring of CCWG-Accountability work to confirm that 9.2 is still addressed within their work	Staff	June 2015
Assess outcomes of CCWG-Accountability work to confirm if further work needed to meet 9.2	Staff/Community	September 2015



Complete  
Planned/In Process  
Behind schedule, expected to recover within original plan  
Behind schedule, original plan to be adjusted

# ATRT2 Recommendation 9.2 Implementation

## Review Accountability Mechanisms

2 April 2015

### Project Status

The Cross Community Working Group (CCWG) Accountability work is addressing reviews of the Independent Review and Reconsideration Processes. Prior to moving forward with the composition of a separate community group, it is important to allow the CCWG work to move forward. If it is determined – through consultation with the CCWG – that the work called for in Rec. 9.2 is not being fulfilled by the CCWG, then ICANN will need to move forward with a separate implementation plan. ICANN will maintain regular dialogue with the CCWG to confirm that work is progressing toward this recommendation.

March 2016 - If work is not operationalized by this date, will revise to a new date

### Implementation Notes

This work will be closely coordinated with the CCWG work.

# ATRT2 Recommendation 9.3 Implementation

## Review Ombudsman Role

2 April 2015

### 9.3 Implementation Timeline



June 2016  
Operationalized

### 9.3 Subproject Description

The 9.3 subproject is for the implementation of a review of the Office of the Ombudsman, the role within ICANN, and whether the duties/scope of the Ombudsman should be expanded or changed in line with suggestions from the ATRT2.

### Status of Deliverables

	Responsible	Due Date
Identify expert to review current Office of Ombudsman structure and consider modification of role.	Staff	May 2015
Expert review completed, and results socialized with the Board and Community	Staff	October 2015
Bylaw changes (if needed) posted for public comment	Staff (dependent on Board approval)	October 2015
If extensive modifications identified, allow for further community discussions at an ICANN public meeting after sufficient time to consider recommendations.	Community	March 2016
Board Approval of Bylaws changes	Staff	June 2016



Complete

Planned/In Process

Behind schedule, expected to recover within original plan

Behind schedule, original plan to be adjusted

# ATRT2 Recommendation 9.3 Implementation

Review Ombudsman

2 April 2015

## Project Status

An expert is expected to be retained and to perform a review of the Office of the Ombudsman by June 2015, with work expected to be completed by October 2015. Because of the scope of the recommended review, it is important for sufficient time for community discussion of the resulting recommendations, not only within a public comment period, but also at an ICANN public meeting prior to the adoption of any Bylaws amendments changing the role of the Ombudsman.

Close attention will be paid to the work ongoing within the CCWG-Accountability and any recommendations arising out of that work on the scope of the Ombudsman's responsibilities. The expert review should be required to consider those recommendations as outputs and dialogue with the CCWG if any modifications to its recommendations are identified to meet with generally accepted roles and responsibilities for an Ombudsman.

## Implementation Notes

As the CCWG work evolves to consider the role of the Ombudsman, implementation of this recommendation and the running of the review will closely align with the CCWG as necessary.

# ATRT2 Recommendation 9.4 Implementation

## Develop Transparency Metrics and Reporting

2 April 2015

### 9.4 Implementation Timeline



December 2015  
Operationalized

### 9.4 Subproject Description

The 9.4 subproject implementation focuses on developing a full set of statistical data that will be published annually with each Fiscal Year Annual Report

### Status of Deliverables

	Responsible	Due Date
Publish initial transparency statistics in FY14 Annual Report	Staff	April 2015
Develop more fulsome set of statistics for FY15 and operationalize full set of statistics for annual reporting	Staff	December 2015



Complete  
Planned/In Process  
Behind schedule, expected to recover within original plan  
Behind schedule, original plan to be adjusted



# ATRT2 Recommendation 9.4 Implementation

## Develop Transparency Metrics and Reporting

2 April 2015

### Project Status

Because the ATRT2 Final Report was approved at the end of FY14, the full component of statistics recommended for tracking within the recommendation was not operationalized for that year. As a result, on a look-back basis, ICANN is identifying an initial set of statistics for publication in the FY14 Annual Report. Work is already underway to track statistics on a broader basis for an FY15 report.

There are also other reports already in existence that help meet the recommendation, such as the annual report on the usage of ICANN's accountability mechanisms that is published every year on the Board Governance Committee page following ICANN's Annual General Meeting. [https://www.icann.org/resources/pages/annual-reports-2012-02-25-en?routing\\_type=path#reconsideration-requests](https://www.icann.org/resources/pages/annual-reports-2012-02-25-en?routing_type=path#reconsideration-requests)

Once this full set of data is identified and cross functionally reviewed it will be published beginning with the FY15 Annual Report and all future FY reports thereafter.

### Implementation Notes

The first set of reports will focus on the DIDP statistics and the use of ICANN's Anonymous Hotline, as the tracking of those items is already underway. There are also other reports already in existence that help meet the recommendation, such as the annual report on the usage of ICANN's accountability mechanisms that is published every year on the Board Governance Committee page following ICANN's Annual General Meeting.

[https://www.icann.org/resources/pages/annual-reports-2012-02-25-en?routing\\_type=path#reconsideration-requests](https://www.icann.org/resources/pages/annual-reports-2012-02-25-en?routing_type=path#reconsideration-requests)

# ATRT2 Recommendation 9.5 Implementation

Review Anonymous Hotline

2 April 2015

## 9.5 Implementation Timeline



November 2015  
Operationalized

## 9.5 Subproject Description

The 9.5 subproject implementation will conduct a review of the Anonymous Hotline policy and processes, implement any proposed modifications to policy and publish a report on results to the community.

## Status of Deliverables

	Responsible	Due Date
Identify expert to review existing policy and processes	Staff	May 2015
Expert report completed	Staff	October 2015
Complete implementation of modifications to policy	Staff	December 2015
Publish report to community	Staff	December 2015



Complete

Planned/In Process

Behind schedule, expected to recover within original plan

Behind schedule, original plan to be adjusted

# ATRT2 Recommendation 9.5 Implementation

## Review Anonymous Hotline

2 April 2015

### Project Status

An expert will be identified and hired to review the Anonymous Hotline policy and process by May 2015 and a review is expected to be completed by October 2015.

Once the proposed modifications have been reviewed for feasibility and implemented, a report will be published to the community. All these activities are expected to be completed by December 2015.

### Implementation Notes

Several potential experts have already been identified. ICANN is in the process of finalizing its vendor selection with a view to retaining an expert that can perform the entire range of the review that was called for in the Recommendation.