

ATRT2 Recommendation 9 Implementation

Decision-Making, Transparency and Appeals Processes

30 September 2015

Implementation Timeline



March 2016
Recommendation
Operationalized

Recommendation 9 Implementation Description

Recommendation 9 includes recommendations of commitments of how ICANN will consider Advisory Committee advice, a requirement that ICANN initiates another review of its Accountability Mechanisms, that ICANN convene a review of the role of the Office of the Ombudsman, as well as commissioning a review of the Anonymous Hotline to assure that it meets with best practices. The Recommendation also specifies areas that ICANN should regularly report on regarding transparency.

Status of Deliverables

	Responsible	Re-plan Date	Original Due Date
9.1 Bylaws Amendment Regarding Advisory Committee Advice	Staff	April 2015	October 2015
9.2 Review Accountability Mechanisms	Community (CCWG)	Not applicable (n/a)	March 2016
9.3 Review Ombudsman Role	Staff	n/a	March 2016
9.4 Develop Transparency Metrics and Reporting	Staff	n/a	December 2015
9.5 Review Anonymous Hotline	Staff	n/a	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

30 September 2015

9.1 Implementation Timeline



January 2016
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	Re-plan Date	Original Due Date
Community consultation to develop Bylaws amendments, including issues of workflow and definitions	Staff	No Longer Applicable	June 2015
Bylaws amendments provided to Board to approve public comment posting	Staff	February 2016	July 2015
Open public comment on Bylaws amendments	Staff	February 2016	August 2015
Board approval of Bylaws amendments	Board	April 2016	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

30 September 2015

Project Status

While the final Bylaws language has not been formally approved yet, ICANN has made significant strides in assuring that the advice from all Advisory Committees is acknowledged and tracked. There has been significant effort into the development of an AC advice tracking tool, which will house a listing of all advice received, when it was acknowledged by the Board, and also provide tracking information so that it is easy for all in the community to access what ICANN did with that advice once it was transmitted. ICANN's commitment to developing this tool serves as a concrete commitment to not just saying that ICANN will acknowledge advice, but also putting into practice how advice will be tracked. The completion of the Bylaws amendment would just be final capstone in making this work an obligation of the organization.

The Cross Community Working Group on Enhancing ICANN Accountability has identified the language recommended for inclusion in the Bylaws through this Recommendation 9.1 as language that should be adopted as part of the Bylaws necessary to be in place for the transition of the stewardship of the IANA functions. The formal Bylaws text will be considered as part of that package, that is still under development. The timeline for those Bylaws amendments to be completed is tracking to the timeline for all Bylaws changes necessary for the transition, which are now anticipated for completion prior to April 2016.

Implementation Notes

In advance of Bylaws being formally adopted, the Board has been actively committed to maintaining a comprehensive advice register (currently at <https://features.icann.org/board-advice>) that for all Advisory Committee Recommendations, and to follow a formal process to confirm that that advice is considered and tracked. 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

30 September 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	✓
Assess outcomes of CCWG-Accountability work to confirm if further work is needed to meet 9.2	Staff/ Community	✓



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

30 September 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. The CCWG work can be followed at <https://community.icann.org/display/acctcrosscomm/CCWG+on+Enhancing+ICANN+Accountability>

ATRT2 Recommendation 9.3 Implementation

Review Ombudsman Role

30 September 2015

9.3 Implementation Timeline



June 2016
Operationalized

Status of Deliverables

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.

	Responsible	Re-plan Date	Original Due Date
Identify expert to review current Office of Ombudsman structure and consider modification of role	Staff	January 2015	October 2015
Expert review completed, and results socialized with the Board and Community	Staff	February 2016	October 2015
Bylaw changes (if needed) posted for public comment	Staff (dependent on Board approval)	February 2016	January 2015
If extensive modifications identified, allow for further community discussions at an ICANN public meeting after sufficient time to consider recommendations.	Community	Not applicable	March 2016
Board Approval of Bylaws changes	Staff	Not applicable	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
30 September 2015

Project Status

An expert was 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 unique nature of the Ombudsman role within ICANN, there have been challenges in identifying a proper independent expert to undertake this review. However, the search is continuing and ICANN expects to be able to retain an expert by November 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. Any outcomes that require changes to the Bylaws should be coordinated with the Bylaws changes required for the transition work, and the dates have been modified to align the public comment and approval schedules. There may also be a need to tie this work into the Work Stream 2 efforts of the CCWG-Accountability.

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

30 September 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	✓
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

30 September 2015

Project Status

As 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

Once this full set of data is identified and cross functionally reviewed it will be published. There is a possibility that this reporting will continue to be included within ICANN's annual reports, or another reporting mechanism will be developed and established as a standard operating procedure.

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

ATRT2 Recommendation 9.5 Implementation

Review Anonymous Hotline

30 September 2015

9.5 Implementation Timeline



December 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	Re-plan Date	Original Due Date
Identify expert to review existing policy and processes	Staff	✓	✓
Expert report completed	Staff	November 2015	October 2015
Complete implementation of modifications to policy	Staff	December 2015	December 2015
Publish report to community	Staff	December 2015	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

30 September 2015

Project Status

An expert has been identified and contracted and a review is expected to be completed by November 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

ICANN selected a vendor that can perform the entire range of the review that was called for in the Recommendation and work is underway.