

Thematic Overview for WS2 Transparency Subgroup

1. Improving ICANN's Documentary Information Disclosure Policy (DIDP)

Themes:

- a. Scope of transparency: whether transparency measures apply to the staff as well as the Board
- b. Exceptions to disclosure
 - i. Overuse of exceptions
 - ii. Overbreadth of exceptions
 - iii. Confidentiality clauses and contracting – how these relate to disclosure of information both through the DIDP and specifically to access by the Empowered Community or the ICANN board
 - iv. Transparency of board deliberations
 - v. Transparency of interactions with governments
- c. Process for making requests
- d. Appeals and Oversight of the System
- e. The public interest balancing test

2. Improving ICANN's proactive disclosure systems

- a. Transparency and ICANN's interactions with governments
- b. Transparency around ICANN's interactions with external advocates.
- c. Transparency of board deliberations
- d. Reporting around ICANN's conflicts of interest policy

3. Improvements to the existing whistleblower policy

- a. Clarity and availability of the existing policy, and employee education around it.
- b. What counts as a whistleblower? Types of incidents reported: accounting irregularities, unethical conduct, abuse of authority, etc.
- c. Operation of whistleblower system – how/when to make a report; who investigates the report, reporting methods (hotline, online, etc.),
- d. What protections and remediation does the system provide?
- e. What sort of oversight or protections mechanism is in place – internal department (HR, Legal counsel, other) vs. external retention of 3rd party specialist
- f. Transparency – is there an external audit for how whistleblowers have been handled, and how are employees and the public made aware.
- g. How are operational conflicts of interest resolved