# Operating Standards

**Webinar on the draft Operating Standards for ICANN's specific reviews**

19 October 2017
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ICANN

# Agenda

- Welcome

- Status Update

- Current Draft: How Did We Get Here?

- What Criteria Underpin The Current Draft and How?

- Example From Current Draft: Proposal for Setting the Scope

- Next Steps

- Question and Answers

# Status Update:

- ◉ Draft Operating Standards posted for an extended public comment on 17 October 2017
    - ○ the public comment period remains open for 90 days

- ◉ Recording of this webinar will be posted on the wiki page for the Operating Standards, where you can also find other relevant information:
  https://community.icann.org/display/OSFR/19+October+2017

- ◉ Cross-community session to discuss the draft Operating Standards during ICANN60:
    - ○ Monday 30 October 15:15-16:45 local time.

# Current Draft: How Did We Get Here?

- CCWG-Accountability Workstream1: Annex 09, Recommendation #09
  - "To support the common goal of improving the efficiency and effectiveness of reviews, ICANN will publish operational standards to be used as guidance by the community, ICANN staff, and the Board in conducting future reviews."
  - Reference to the Operating Standards in Section 4.6 of the new Bylaws

- Community engagement sessions:
  - ICANN57
  - ICANN58
  - Webinar in February 2017

- ICANN organization (MSSI)
  - Collating best practices and adapting similar processes from within ICANN
  - Depth of knowledge from supporting all past specific reviews.

# What Criteria Underpin the Current Draft and How?

⊙ Where applicable, current draft contains issues that it is required to contain, as per the Bylaws:

- ○ Conflict of interest policy for review team members
- ○ Confidentiality disclosure framework
- ○ Decision-making procedure
- ○ Considering advice from independent experts
- ○ Review team selection process
  - Review team members must be nominated by the SO/AC to be considered for selection by the SO/AC Chairs.
  - SO/AC that nominates three candidates or fewer must have those candidates selected by the Chairs.
  - If any SO/AC nominate two or fewer candidates, the SO/AC Chairs may select more than three candidates from any SO/AC that has nominated more than three – total review membership not to exceed 21.
  - SO/AC Chair to assure final team meets relevant skillset and diversity requirements.

# What Criteria Underpin the Current Draft and How? (continued)

- Where applicable, current draft collates best practices from previous review efforts conducted under the Affirmation of Commitment:
  - Logistics/support for meetings of the review team
  - Role of the review team members / chair
  - Public comment proceedings
  - Minority dissent

- Where applicable, current draft addresses issues that arose during the conduct of first two reviews conducted under the new Bylaws, SSR2 and RDS/WHOIS2:
  - Scope setting
  - Resignation of review team members
  - Budget management

# Example From Current Draft: Resignation of a Review Team member

- ⊙ Overview
  - ○ Review team members may resign from the review team at any time
  - ○ The SO/AC whose member resigned may elect to nominate a replacement in accordance with its own procedures.
  - ○ Depending on the remaining time of a review, or any other factors, the relevant SO/AC may choose not to nominate a replacement candidate.
  - ○ Once nominated by the relevant SO/AC, within two calendar weeks the the SO/AC Chairs shall convene to select the appointment of the nominated replacement by consensus.

- ⊙ Rationale
  - ○ Review team members resignation should not lead to a downsized review team
  - ○ Originating SO/AC ought to remain the locus of the nomination process
  - ○ SO/AC Chairs ought to maintain their pivotal role in the selection process
  - ○ If a member resigns very close to the end of a review team, or for any other reason, an SO/AC may not want to nominated a replacement.
  - ○ Procedure was/is in the course of being adopted by RDS/WHOIS2 RT

# Example From Current Draft: Setting the Scope

- ⦿ Overview
  - ○ Up-to two members from each SO/AC form scope drafting team 12-months prior to review start, to be concluded before call for volunteers for review team is issued
  - ○ Proposed scope has to go to public comment and be approved by Board to confirm conformity with ICANN's Bylaws and mission
  - ○ Review team maintains the ability to amend the scope while the review is underway
  - ○ Based on the GNSO charter-drafting process for PDP WGs

- ⦿ Rationale
  - ○ Community concerns that the scope should be set before the review team is assembled, see letter from ccNSO Councl Chair
  - ○ Precedent within ICANN is that scope is set before community work gets underway: WS1, WS2, GNSO PDPs
  - ○ Scope setting takes time out of review conduct: ATRT only has 12 months to complete its work.

# Next Steps

- ⊙ Cross community session during ICANN60

- ⊙ Public comment closes on 15 January 2018

- ⊙ Post-ICANN60, MSSI would be happy to provide additional outreach and webinars to any and all SO/AC SG/C that are interested

- ⊙ Once all community feedback has been received on the current draft, MSSI will produce a revised version of the Operating Standards; a webinar or similar public outreach session will be held at that time.

# Questions?

**Thank you  for attending this webinar!**

**Reminder: Cross-Community Session during ICANN60: Monday 30 October 15:15-16:45**