
ICANN Reviews

Block 12 - GAC Governance and Accountability Process Session 12.2 - ICANN Reviews

Background:

Specific and organizational review efforts are substantial accountability mechanisms that are required by the ICANN Bylaws and are important to maintaining a healthy and effectively functioning multistakeholder community. There are two general categories of ICANN org reviews:

“Specific” reviews are mandated by the ICANN Bylaws and are crucial to the legitimacy and accountability of ICANN. Specific Reviews serve as ICANN's progress report to the world. They demonstrate how ICANN delivers on its commitments and identifies areas where ICANN can improve. Specific Reviews are conducted by members of the stakeholder community who look at past processes, actions, and outcomes in order to make recommendations to improve future performance.

This type of reviews include a range of specific topic areas such as Accountability and Transparency (ATRT), Competition, Consumer Trust and Consumer Choice (CCT), Security and Stability (SSR) and Registration Directory Services (RDS) that assess the effectiveness of important operational areas for the organization, and

“Organizational” reviews assess ICANN's Supporting Organizations (SOs) and Advisory Committees (ACs), to determine how effectively they operate, how well they achieve their purposes and how accountable they are to the multistakeholder community.

All of the ICANN review processes are intended to deliver findings and recommendations to help improve ICANN org, its SOs and ACs. This session focuses on specific reviews. Information about six (6) of those activities are provided below.

1. Accountability and Transparency (ATRT3)

The ICANN Bylaws mandate that the community conduct a periodic review to assess how ICANN is executing its commitment to maintain and improve robust mechanisms for public input, accountability, and transparency. This ensures that the outcomes of its decision-making reflect the public interest and are accountable to the Internet community.

The ICANN Bylaws outline the general issues that the accountability and transparency review teams may assess. Those issues include, but are not limited to, the following:

1. assessing and improving ICANN Board governance;
2. assessing the role and effectiveness of the GAC's interaction with the Board and with the broader ICANN community, and making recommendations for improvement to ensure effective consideration by ICANN of GAC input on the public policy aspects of the technical coordination of the DNS;
3. assessing and improving the processes by which ICANN receives public input;
4. assessing the extent to which ICANN's decisions are supported and accepted by the Internet community;
5. assessing the policy development process to facilitate enhanced cross community deliberations, and effective and timely policy development;
6. assessing and improving the Independent Review Process.¹

On 20 December 2018, ICANN org announced the selection of an 18-member team to conduct the third [Accountability and Transparency Review](#) (ATRT3). The GAC nominated a member of the team - Liu Yue (China). The team has already conducted two meetings this year.

The ATRT3 wiki web page can be found here - <https://community.icann.org/display/atrt/ATRT3>

2. Competition, Consumer Trust and Consumer Choice (CCT)

Launched under the original Affirmation of Commitments (AoC), the CCT Review Team was formed to assess the New gTLD Program in three areas: competition, consumer trust, and consumer choice. The review has been intended to examine the degree to which the process of implementing the New gTLD Program was successful in producing desired results and achieving the stated objectives. The review team was expected to assess the effectiveness of safeguards put in place to mitigate issues arising from the introduction of new gTLDs and the Program's application and evaluation process.

Informed by multiple studies, research, and data gathering initiatives, as well as input from the ICANN community and ICANN Board, the CCT Review Team submitted its Final Report and Recommendations to the ICANN Board on 8 September 2018.

The final report examines the extent to which the introduction of new generic top-level domains (gTLDs) has promoted competition, consumer trust, and consumer choice in the domain name system. The report contains 35 recommendations, covering requests for more and better data collection, policy issues to be addressed

by the community, and suggested reforms relating to transparency and data collection within ICANN Contractual Compliance.

ICANN conducted a 64-day public forum to receive community input on the recommendations. The forum closed in December 2018 and a Staff Assessment report of the comments was produced on 1 February 2019. A copy of that report is located here - <https://www.icann.org/en/system/files/files/report-comments-cct-final-recs-01feb19-en.pdf>.

Per the ICANN Bylaws, within six months of receipt of the [Final Report](#) and [Recommendations](#), the ICANN Board “shall consider the report and public comments to determine whether to approve the recommendations.” The Board was scheduled to address the recommendations during its Board meeting scheduled on 1 March 2019. **Further information about the CCT Review and the recent Board action can be found in the briefing document for GAC Meeting Block #11- New gTLDs Policy, Session 11.2 CCT Review.**

The CCT Review wiki workspace page can be found here - <https://community.icann.org/pages/viewpage.action?pageId=56135383>

3. Security and Stability (SSR2)

Under the ICANN Bylaws (Section 4.6(c)), ‘The Board shall cause a periodic review of ICANN’s execution of its commitment to enhance the operational stability, reliability, resiliency, security, and global interoperability of the systems and processes, both internal and external, that directly affect and/or are affected by the Internet’s system of unique identifiers that ICANN coordinates (“SSR Review”).’

The issues that the review team for the SSR Review may assess include:

1. security, operational stability and resiliency matters, both physical and network, relating to the coordination of the Internet’s system of unique identifiers;
2. conformance with appropriate security contingency planning framework for the Internet’s system of unique identifiers;
3. maintaining clear and globally interoperable security processes for those portions of the Internet’s system of unique identifiers that ICANN coordinates.

SSR reviews are generally expected to be conducted no less than every five years.

After being paused since October 2017, the [Second](#) ICANN Security, Stability, and Resiliency of the Domain Name System Review Team (“SSR2”) was restarted in June 2018 and reconvened in-person in August 2018. Since that re-start, the Team has adopted and posted updated [Terms of Reference](#) and established a work plan to guide its work. That work plan focuses on key areas for information gathering, review,

discussion, decision-making and related milestones to be achieved during the review process.

In late January 2019, the SSR2 Chair advised the GAC leadership that the GAC seat on the SSR2 had been vacated and the GAC was invited to name a replacement.

At ICANN64 the SSR2 will use its face-to-face meeting time to reach consensus on the findings for the remaining three workstreams of its review - including (1) ICANN's key security, stability, and resiliency activities, (2) activities that impact the SSR of the Domain Name System (that ICANN contributes to/facilitates) and (3) challenges to the secure and resilient operation of the unique identifiers system. The team also expects to hold an engagement session with the community in Kobe to discuss its work to date. They expect to share their draft findings and recommendations with the community at ICANN65 in Marrakech, with a view to publishing a draft final report in August 2019, and then presenting a final report in November 2019 at ICANN66 in Montreal.

The SSR2 wiki web page can be found here -

<https://community.icann.org/display/SSR/SSR2+Review>

4. Registration Directory Services (RDS-WHOIS2 Review);

According to the ICANN Bylaws (Section 4.6(e)), ICANN shall use commercially reasonable efforts to enforce its policies relating to registration directory services and shall work with Supporting Organizations and Advisory Committees to explore structural changes to improve accuracy and access to generic top-level domain registration data, as well as consider safeguards for protecting such data. The RDS-WHOIS2 Review Team review team adopted its terms of reference in February 2017.

Last September (2018), the review team published its draft report (including 23 specific recommendations) for [public comment](#) on 4 September 2018. The report assesses:

1. the extent to which prior Directory Service Review recommendations have been implemented and the extent to which implementation of such recommendations has resulted in the intended effect.
2. the effectiveness of the then current gTLD registry directory service and whether its implementation meets the legitimate needs of law enforcement, promotes consumer trust and safeguards registrant data.

Among many of the higher priority recommendations, the review team draft report proposes that ICANN org commit strategic resources to collect and and review data to assess RDS accuracy and the effectiveness of RDS policies for law enforcement. The review team also suggests that communications plans and capabilities be

developed to publicize policy changes and to educate stakeholders on the importance of accurate data collection.

The public comment forum closed in November 2018 and a staff summary report was published in December (see, <https://www.icann.org/en/system/files/files/report-comments-rds-whois2-review-30nov18-en.pdf>)

The review team aims to publish its final report during the first quarter of 2019.

Three GAC participants were named to the review team including Cathrin Bauer-Bulst, Lili Sun and Thomas Walden, Jr..

The RDS-WHOIS 2 Review team wiki space is located here - <https://community.icann.org/display/WHO/RDS-WHOIS2+Review>

5. IANA Function Review (IFR)

The IANA Naming Function Review is one of the new accountability mechanisms created as part of the IANA stewardship transition to ensure that the Public Technical Identifiers (PTI) organization meets the needs and expectations of its naming customers. On 16 September 2018, the first IFR was [convened by the ICANN Board](#), in compliance with [Article 18](#) of the ICANN Bylaws.

The IANA Naming Function Review Team (IFRT) IFRT is currently being formed. Per specifications in the ICANN Bylaws, the IFRT will include representatives from all the major ICANN communities and a few outside organizations. The GAC leadership nominated Andreas Dlamini of Eswatini to serve on the IFRT.

Once the panel is formed, the IFRT will conduct the review in accordance with the scope specified in the ICANN Bylaws, which centers around a review and evaluation of PTI's performance of the IANA naming function against the contractual requirements in the [IANA Naming Function Contract](#).

The IFR does not replace the work of the Customer Standing Committee (CSC), which reviews PTI's performance of the naming function on a monthly basis to ensure that PTI delivers on the Service Level Agreements specified in the IANA Naming Function Contract. The full scope of the review is available in [Section 18.3](#) of the ICANN Bylaws.

6. Operating Standards for Organizational Reviews (review of the reviews)

The ICANN organization has developed proposed draft Operating Standards to provide guidance on conducting Specific Reviews, as mandated by the [Bylaws](#). The organization recently conducted a 56-day public comment forum seeking

community input (see <https://www.icann.org/public-comments/reviews-long-term-timeline-2018-05-14-en>).

The Operating Standards aim to ensure that ICANN's Specific Reviews are conducted in a transparent, consistent, efficient, and predictable manner, while supporting the community's work to derive the expected benefit and value from review processes. Areas of guidance in the draft Operating Standards include review team selection processes, conflict of interest practices, confidential disclosure to review teams, review team decision-making practices, and guidelines on how review teams are to work with and consider independent expert advice.

ICANN org staff will be incorporating feedback from the public comment proceeding into an updated final document. The final document will be presented to the ICANN Board, with the aim of Board adoption in April / May 2019. A public session on the final document is being planned for the ICANN64 Public Meeting.

The Community forum space initiated by ICANN org is located here - <https://www.icann.org/public-comments/reviews-standards-2018-12-17-en>

Session Agenda/Goal -

During this session, GAC participants will be updated on and consider the general progress of the various ICANN "specific" reviews, and how or whether the GAC can further contribute substantively or strategically to their direction.

ICANN64 Review Activities -

At ICANN64, there are several community opportunities to observe, comment on and/or participate in ICANN org review activities. These events include the following:

Specific Reviews

8-9 & 14 March 2019 - **Security, Stability, and Resiliency (SSR2) Review Team Face-to-Face 3-Day Meeting**. Find more information here: [8 Mar/Day 1](#), [9 Mar/Day 2](#), and [14 Mar/Day 3](#).

11 March 2019 - **Engagement Session with the SSR2 Review Team** (see - [session description page](#))

12 March 2019 - **Engagement Session with the Registration Directory Service Review Team** (RDS-WHOIS2) (see - [session description page](#))

13 March 2019 - **Operating Standards for Specific Reviews: Update** (see - [session description page](#))

Organizational Reviews

- 11 March 2019 - **Nominating Committee (NomCom) Review Update** (see - [session description page](#))
- 12 March 2019 - **Country Code Names Supporting Organization (ccNSO2) Review – Community Consultation on the Assessment Phase** - The independent examiner will provides an overview of findings in its assessment report from the initial data collection and analysis phase of the review (see [session description page](#)).

Additional Information -

Complete overview Information about all aspects of ICANN Reviews - <https://www.icann.org/resources/reviews>

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