

HRILWG Discussion on Work Stream 2 Recommendations Implementation

Session #3 - HRILWG on WS2 Implementation

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Session Objectives

With the adoption of the Work Stream 2 Accountability (WS2) recommendations by the ICANN Board in November 2019, the ICANN organization (org) and individual community groups have the obligation to undertake the implementation of those recommendations.

At ICANN69, GAC members reviewed the progress on the implementation planning effort and explored potential implementation next-steps. Among those efforts, the Human Rights and International Law Working Group (HRILWG) agreed upon leading the implementation of recommendations 1 (diversity) and 3 (Human Rights Core Value).

At ICANN70, The Working Group will present the work undertaken since the last meeting on the preliminary efforts of defining diversity from a GAC perspective.

Background

In March 2014, the [IANA Stewardship Transition](#) was initiated and an ICANN Work Stream 1 (WS1) effort was created to develop mechanisms to enhance ICANN's accountability. WS1 concluded its work in February 2016 and the report of that group was approved by the [ICANN Chartering Organizations](#) (including the GAC) and adopted by the ICANN Board in March 2016.

WS2 was tasked with addressing a broad range of accountability topics for which a timeline for developing solutions and full implementation was expected to extend beyond the initial IANA Stewardship Transition. The WS2 effort concluded its work in June 2018 with the [CCWG – Accountability WS2 Final Report](#) and the Chartering Organizations (including the GAC) approved the WS2 Final Report in November 2018.

The WS2 Final Report

The WS2 Final Report included a comprehensive list of nearly 100 individual recommendations that were arranged into eight topic areas:

1. Diversity of the community work on policy*
2. Guidelines for Good Faith removal of Board members*
3. Human Rights*
4. Jurisdiction*
5. Improving the ICANN Office of the Ombuds
6. Increase SO/AC Accountability*
7. Staff Accountability
8. Transparency*

Each of the eight (8) topical areas contained several subtopic recommendations. Six of those topic areas (those identified with an "*" above) appear to contain implications for GAC operational implementation or further work including diversity, good faith removal of Board members, human rights, jurisdiction, increased SO-AC accountability and transparency. In total, forty-two (42) separate recommendations appear to merit GAC attention and consideration.

ICANN org Assessment Report

Prior to finalization of the WS2 recommendations, the Board had directed the ICANN organization (org) to prepare an implementation assessment report, including resource estimates, in preparation for the Board's final consideration of the WS2 Final Report and its recommendations. The [WS2 Implementation Assessment Report](#) was developed by ICANN org to address this need, it was completed on 5 November 2019 and was not subject to a public comment period.

Board Approval of the WS2 Final Report Recommendations and Potential ICANN Org Support

On 7 November 2019, the ICANN Board considered the 2018 WS2 Final Report recommendations and the 2019 Assessment Report from ICANN org and gave its final approval to the complete package of the WS2 Final Report recommendations.

According to the Assessment Report, the ICANN Board has determined that “prioritization and staging of the WS2 recommendations for implementation will be facilitated through the budgeting and planning processes”. This means that for ICANN org’s WS2 implementation planning, the organization can first identify and move forward with those recommendations that do not need a budget cycle to implement. Secondly, the organization may then have the ability to provide support as available to the ICANN community for those parts of the WS2 recommendations that are intended for community-driven implementation. And, finally, the ICANN org can identify the future budget cycle and estimated timelines for any remaining individual recommendations to be implemented.

ICANN org Reporting on Implementation Progress

Implementation requires appropriate planning in order to leverage resources and preserve community bandwidth ; this includes making sure dependencies are addressed in an efficient fashion. In June 2020, Göran Marby, ICANN President & CEO, [announced](#) the formation of the “Implementation Operations team”, to tackle the fundamental need in the ICANN ecosystem to systematically address the many recommendations and related implementation work.

This new function collaborates closely with the newly created Planning department, set up to streamline the planning process, improve collaboration at the planning stage within the org and across the community, and help prioritize activities in the mid and long term.

The ‘Implementation Operations’s team will focus on leading the implementation planning and subsequent implementation of Board-approved WS2 recommendations.

To better define the scope of work, these dedicated resources are looking into work underway within the ICANN ecosystem that may address elements of recommendations, and determining additional implementation steps needed. The documentation of this work is on-going and the Implementation Operations team will ensure periodic information on status and progress is communicated and published to support visibility, clarity and alignment across the ICANN community.

In relation to periodic information, the most recent [ICANN blog announcement \(04 March 2021\)](#) on Work Stream 2 Implementation reports on the progress made on recommendations related to diversity, the Office of the Ombudsman and Transparency. Additionally, the blog notes that since many of the recommendations are for community consideration or will require community input, before ICANN org can begin implementation, the Project team will be engaging with the community on how to best provide support.

GAC Implementation Areas

The Work Stream 2 (WS2) Implementation Assessment Report is being used by the organization to help develop a plan for the implementation of the nearly 100 recommendations. The Assessment Report acknowledged that implementation of the recommendations will be a “significant organizational undertaking that will require a detailed implementation plan and will take a number of years to complete.”

Interestingly, the Assessment Report is careful to note that, “the report does not address the feasibility of Supporting and Advisory Committees (SO/ACs) to implement those recommendations. This is for community consideration.” (see Assessment Report at pages 4 and 5). The Assessment Report further acknowledges that, “several recommendations require community work. SO/AC implementation plans will need to consider prioritization and timing as resources must be allocated” (see Assessment report at page 5).

GAC Support closely reviewed the WS2 Final Report and identified the forty-two (42) individual recommendations that impact the GAC in some way or form. Every one of those individual recommendations across the eight (8) topic areas of the WS Final Report have been set forth in a separate document with the purpose of identifying GAC applicable recommendations . This document has been designed to [inventory](#) the scope of the recommendations calling for GAC implementations.

The implementation, plans and priorities for addressing these recommendations ultimately need to be discussed and developed by GAC members.

At ICANN69, the GAC explored options for implementation of the Work Stream 2 - Accountability recommendations applicable to the committee. Co-Chairs of the Human Rights and International Law Working Group (HRIL WG) and GAC Support shared information on the progress toward completing an inventory tool that will enable GAC members to confirm and assess over 40 specific recommendations, assign accountability for establishing plans to develop recommendations for GAC review, and track the status of the implementation efforts.

Agenda

At ICANN70, the HRILWG co-chairs will present the work conducted since the ICANN69 Meeting, with the preliminary focus on GAC’s implementation of WS2 recommendations implementation in relation to the diversity recommendation, lead by the WG and conducted jointly with the Underserved Regions Working Group (USRWG).

- GAC HRILWG WG and USRWG collaboration on diversity recommendations
 - Definition of diversity from a GAC perspective
 - Next Steps

- [GAC Tracking Tool](#) update on recommendations implementation and GAC Leadership oversight discussion ([see ICANN69 Minutes action points](#)).

Key Reference Documents

- CCWG Work Stream 2 Final Report (June 2018) - <https://www.icann.org/en/system/files/files/ccwg-acct-ws2-final-24jun18-en.pdf>
- CCWG Work Stream 2 Implementation Assessment Report (November 2019) - https://community.icann.org/display/WEIA/Public+Documents?preview=/120819602/120819621/WS2%20Implementation%20Assessment%20Report_5Nov2019.pdf
- ICANN Board Resolutions approving WS-2 Recommendations (7 November 2019) - <https://www.icann.org/resources/board-material/resolutions-2019-11-07-en#2.c>
- Specific WS-2 Accountability Recommendations For SO-ACs from CCWG – Accountability WS 2 Final Report - <https://gac.icann.org/working-group/gac-operating-principles-evolution-working-group-gope-wg#wg-doc-head>
- GAC Work Stream 2 Implementation tracking tool - <https://docs.google.com/spreadsheets/d/1NOTa6ULaUihKIVAKzpBaRBknScBDMZcuy95D10TcDF0/edit#gid=1015079592>

Further Information

- Work Stream 2 - Enhancing ICANN Accountability Homepage - <https://community.icann.org/display/WEIA>
- ICANN org's announcement – [An update on Work Stream 2 Implementation](#) (4 March 2021)
- ICANN org's announcement - [Status of ICANN org's Human Rights Impact Assessment Recommendations Implementation](#) (2 July 2020)
- ICANN Blog post [Strengthening Our Structure and Enhancing Collaboration](#) (17 August 2020)

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