

THIS IS A COPY OF A DOCUMENT SUBMITTED TO ICANN'S BOARD FOR CONSIDERATION AT ITS 18 MARCH 2011 MEETING, AND DOES NOT REPRESENT BOARD ACTION. IT IS PROVIDED FOR PUBLIC INFORMATION, ONLY.

ICANN BOARD SUBMISSION NO. [To be assigned by the Secretary]

TITLE: Accountability & Transparency Review Team (ATRT) Report

PROPOSED ACTION: For Board Consideration and Action

EXECUTIVE SUMMARY:

The ATRT Report (Exhibit C; [PDF online](#)) submitted to the Board on 31 December 2010 contains 27 recommendations, eight of which are marked “high priority,” and a majority of which have proposed implementation deadlines ranging from “immediately” to October 2011. The recommendations, which are summarized in Annex A, are focused on improving the Board (and Nominating Committee – NomCom – processes), the Governmental Advisory Committee (GAC), public input and policy development, and review mechanisms for Board decisions. The [Affirmation of Commitments](#) (Affirmation) obligates the Board to take action on the Report by 30 June 2011.

Staff recommends that the Board: 1) move forward with implementation plans for the ATRT recommendations, as detailed below and in Annex A, directing staff to support and regularly report on the status of implementation; 2) consider (and seek input on) how the additional cost of ATRT implementation will be accommodated in the FY2012 budget, and 3) determine how the Board will manage ATRT implementation work going forward.

The Annex to this submission provides background information, staff’s ATRT Recommendation Projects List (Exhibit A), and staff’s proposed, initial implementation plans (Exhibit B).

STAFF RECOMMENDATION:

ATRT Recommendations. Staff recommends that the Board adopt 26 of the 27 ATRT recommendations, having determined after an initial assessment that these

THIS IS A COPY OF A DOCUMENT SUBMITTED TO ICANN'S BOARD FOR CONSIDERATION AT ITS 18 MARCH 2011 MEETING, AND DOES NOT REPRESENT BOARD ACTION. IT IS PROVIDED FOR PUBLIC INFORMATION, ONLY.

recommendations: have the potential to advance ICANN's transparency and accountability objectives; can be implemented by ICANN (if resources are allocated); and do not appear to negatively impact the systemic security, stability and resiliency of the DNS. As discussed in the attachments, some recommendations relate to operations that staff has changed, or is in the process of changing, and the ATRT has provided useful guidance for this work.

Of these 26 recommendations suggested for Board adoption, staff recommends that the Board modify the timeline proposed by the ATRT for nine of the recommendations, and seek a clarification and/or modification of two of these recommendations, as detailed in the staff's proposed implementation plans (Exhibit B).

Staff recommends that the Board not implement ATRT Recommendation #5 – a compensation scheme for voting Board Directors – at this time, but give adoption and implementation further consideration as detailed in the staff's proposed implementation plan (Exhibit B).

Budget. The incremental costs and staff resources required to implement a majority of the ATRT recommendations can be accommodated within the existing budget and/or current, proposed FY2012 budget. Additional personnel and consulting funds will be needed, however, to complete implementation of all of the ATRT recommendations, as detailed in staff's proposed, initial implementation plans (Exhibit B). Based on initial estimates, an additional US\$25,000 will be needed this fiscal year, and US\$965,000 will be needed in FY2012 to support this work. Staff recommends that the Board Finance Committee work with staff to recommend appropriate budget action.

Board Efforts. Staff recommends that the Board determine how it will address the ATRT implementation activities going forward, and work with staff and the community (where needed) on the detailed implementation plans. One option is for the Board to create a new (temporary) Board task force to oversee all of these activities. Another approach is to divide ATRT recommendation implementation among current, relevant Board Committees. A third option is to assign all ATRT work to one current Board Committee. An important, related question is what mechanism will the Board use to interact with the GAC on ATRT recommendations that require Board/GAC

THIS IS A COPY OF A DOCUMENT SUBMITTED TO ICANN'S BOARD FOR CONSIDERATION AT ITS 18 MARCH 2011 MEETING, AND DOES NOT REPRESENT BOARD ACTION. IT IS PROVIDED FOR PUBLIC INFORMATION, ONLY.

consultation and agreement? Although the ATRT Report references the current Board/GAC Joint Working Group (JWG) for these efforts, the JWG is scheduled to submit its final report at the March ICANN meeting. Either the charter for the JWG needs to be extended, or a different group needs to be assigned this responsibility. Given the proposed pace of implementation and the key decisions that must be made by Board members, staff recommends that the Board decide on these issues at the March ICANN meeting, if at all possible.

PROPOSED RESOLUTION:

**** As no Board action has been taken on this paper, the Proposed Resolution Text is removed. If action is taken at the Board Meeting on this item, the Resolutions will be publicly available as soon as possible, and by no later than the end of the second business day after the Board meeting.*****

PROPOSED RATIONALE

**** As no Board action has been taken on this paper, the Proposed Rationale is removed, to assure that any published Rationale reflects the action taken by the Board. Every attempt will be made to publish a draft Rationale statement along with the Approved Resolution on this topic. A final Rationale statement will be included in the approved Minutes of the meeting where the Board action is taken.**

Attachments:

Annex A

Exhibit A - ATRT Recommendation Projects List

Exhibit B - Staff's proposed, initial implementation plans

Exhibit C - ATRT Report

Exhibit D – Public Comment Summary

Submitted by:	Denise Michel	Date Noted:	28 February 2011
Position:	Advisor to the President & CEO		