

ICANN BOARD PAPER NO. 2014.06.26.2a

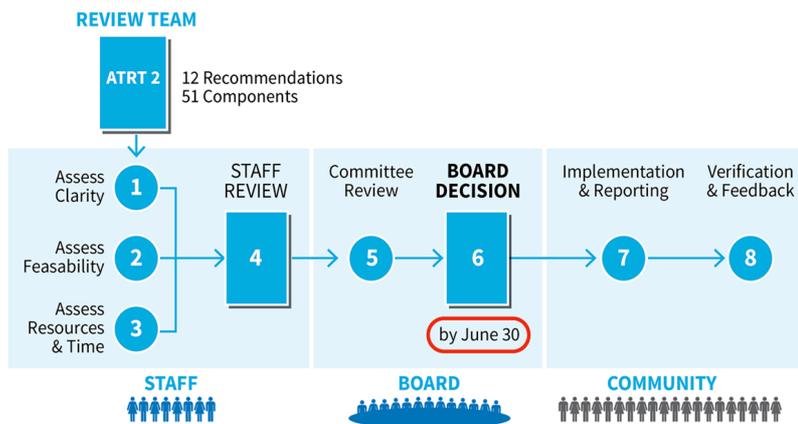
TITLE: **Second Accountability and Transparency Review Team (ATRT2) Recommendations**

PROPOSED ACTION: **For Board Consideration and Action – Main Agenda**

EXECUTIVE SUMMARY:

The Second Accountability and Transparency Review Team ([ATRT2](#)) submitted its [Final Report and Recommendations](#) to the Board on 31 December 2013, and it was subsequently [posted for public comment](#), as required under the Affirmation of Commitments ([AoC](#)). They provided 12 final recommendations (consisting of 51 components), in the following areas: Board Performance and Work Practices; Policy/Implementation/Executive Function Distinction; Decision Making Transparency and Appeals Processes; Governmental Advisory Committee (GAC) Operations and Interactions; Multilingualism; Cross-Community Deliberations; AoC Review Process Effectiveness; Financial Accountability and Transparency.

In previous meetings, the Board affirmed the utility of the ATRT2 report in advancing ICANN’s accountability and transparency and asked for Staff and community follow-up work. At ICANN49 in Singapore, the Board adopted the following process of moving the ATRT2 recommendations into the implementation phase:



Additionally, recommendations were assigned to various Board Committees and Board members for completion of step 5 in the above process. Details are available in the Reference Materials.

At this writing, the Board-GAC Recommendation Implementation Working Group (BGRI-WG) has started the review and consideration of recommendations focusing on enhancing the relationship between the GAC and the Board (Recommendation 6). While there are indications of support for components of this recommendation, the assessment work is still underway.

If the Board adopts the Board Committee and staff recommendations set forth in this paper, all initial implementation work performed over the ATRT2 recommendations will be provided to ICANN's Project Management Office, which will coordinate with the appropriate staff to develop formal implementation plans that will be posted.

BOARD COMMITTEES' RECOMMENDATIONS:

The Board committees recommend that the Board accept ATRT2 recommendations, as indicated in Exhibit A "Proposed Board Action on ATRT2 Recommendations". In regards to Recommendation 6 focusing on enhancing the relationship between the GAC and the Board, the GAC and the BGRI-WG are considering the ATRT2 Recommendations relating to GAC activities and developing approaches to implement them. The BGRI-WG has not yet concluded their review nor provided a recommendation of approval of pertinent ATRT2 recommendations.

Recommendations and proposed Board actions are provided in Exhibit A "Proposed Board Action on ATRT2 Recommendations".

STAFF RECOMMENDATION:

Staff recommends that the Board accepts the ATRT2 recommendations as indicated in Exhibit A, including taking action in furtherance of Recommendation 6 (relating to GAC activities). Staff recommends that the Board further direct staff to move forward with implementing these recommendations, as appropriate Staff has assessed the

ATRT2 recommendations and determined that they: have the potential to advance ICANN's transparency and accountability objectives; can be implemented by ICANN (with allocated resources); and do not appear to negatively impact the systemic security, stability and resiliency of the DNS.

PROPOSED RESOLUTION:

Whereas, the Affirmation of Commitments reinforced ICANN's commitment to ensuring accountability, transparency, and the interests of global Internet users, and called for a community review of ICANN's execution of these commitments (the second Accountability and Transparency Review), to be acted upon by 30 June 2014.

Whereas, ICANN has committed to maintain and improve robust mechanisms for public input, accountability, and transparency so as to assure that the outcomes of its decision making will reflect the public interest and be accountable to all stakeholders.

Whereas, implementing the recommendations of the second Accountability and Transparency Review will strengthen ICANN's global, multi-stakeholder model to assure that it continues operating in a manner that is transparent, accountable, and in the public interest.

Whereas, the second Accountability and Transparency Review Team (ATRT2) received the Board's gratitude for conducting this review and providing a Final Report with 12 recommendations to improve ICANN.

Whereas, designated Board committees (among others) considered the ATRT2 Recommendations and provided the Board with recommendations on Board action. The designated committees are incorporating oversight of the implementation of the relevant recommendations into their work plans.

Whereas the GAC and the Board-GAC Recommendation Implementation Working Group (BGRI-WG) have considered the ATRT2 Recommendations relating to GAC activities and are engaged in implementation planning.

Whereas, transparent and regular reporting to the community on the status of the implementation work is an essential component of enhancing ICANN's accountability

and transparency, and reporting will be available at ICANN Accountability and Transparency [web pages](#)¹.

Resolved (2014.06.24.xx), the Board accepts all ATRT2 Recommendations except Recommendation 6 (GAC Operations and Interactions) and directs the President and CEO, through his designee(s), to proceed with implementation. For Recommendation 6, focusing on enhancing the relationship between the GAC and the Board, the Board agrees that the BGRI-WG shall continue to assist with the implementation of several sub-recommendations pertaining to the GAC, and directs staff to provide required support to the GAC and the BGRI-WG to continue their assessment and implementation planning work.

Resolved (2014.06.26.xx), the President and CEO is directed to regularly report to the community and the Board on the status of implementation of the ATRT2 recommendations, including Key Performance Indicators and other relevant metrics.

PROPOSED RATIONALE:

As required by the Affirmation of Commitments, the recommendations resulting from the ATRT2 were provided to the Board on 31 December 2013 and posted for public comment. Under the AoC, the Board has up to six months to take action on the recommendations. Today's action is in furtherance of that commitment.

The ATRT2 provided a constructive report that validates and builds upon ICANN's commitments and improvements on accountability and transparency measures. The Board encouraged and considered input from the community, including the Supporting Organizations, Advisory Committees, and the Nominating Committee, and is awaiting input from the Board-GAC Recommendation Implementation Working Group (BGRI-WG). The public comments were supportive of the ATRT2 report. (See "**Public Comment Forum**" and "**Summary of Public Comments**" included in the Reference Materials.)

¹ The ongoing reporting mechanisms will continue to be refined and improved with the launch of the new web site.

In consideration of the ATRT2 recommendations and public comment, the Board earlier directed that the recommendations be assigned to specific Board committees for evaluation of the feasibility of implementation. As a result of that committee work, the responsible committees recommend that the Board accept all of the ATRT2 recommendations.

For committee consideration, staff developed initial proposed implementation plans to evaluate ICANN's ability to implement the recommendations and estimated resource costs. In line with the committee directions, the Board now concludes that ICANN should move forward with implementing 11 recommendations (consisting of 39 component sub-recommendations). To move the recommendations to formal implementation, ICANN is using best practices and turning towards project management methods, which are expected to incorporate: clear definition of roles and responsibilities; instituting implementation process and standards; definition of project scope and deliverables; triggers that cause implementation work to move from project to operationalization; and reporting requirements and key performance indicators and metrics. Formal implementation plans will be developed with ICANN's Project Management Office and will be made publicly available as soon as possible.

The Board finds that the ATRT2 recommendations: have the potential to advance ICANN's transparency and accountability objectives (as articulated in the AoC and ICANN's Bylaws); can be implemented by ICANN (with resource allocation); and do not appear to negatively impact the systemic security, stability and resiliency of the DNS. The Board has asked staff to work with affected ICANN organizations to execute the implementation plans, and notes that ATRT2 recommendations are closely aligned with the work already underway at ICANN.

Signature Block:

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