

A scenic view of San Juan, Puerto Rico, featuring the historic Castillo San Felipe del Morro on a cliff overlooking the ocean. The city's colorful buildings are visible in the mid-ground, and modern skyscrapers are in the background under a dramatic, orange-hued sunset sky.

**ICANN**

**COMMUNITY FORUM**

**61**

**SAN JUAN**

10–15 March 2018

# Discussing GAC Public comment on Draft Operating Standards

## ICANN Specific Reviews

13 March 2018

Multistakeholder Strategy & Strategic Initiatives



# What are Operating Standards?

- ICANN Bylaws call for Operating Standards for Specific Reviews that "shall be developed through community consultation" ([Section 4.6](#)).
- Purpose: Provide consistency, clarity & transparency by documenting rules/procedures around ICANN's four specific reviews:
  - Competition, Consumer Trust, and Consumer Choice Review (CCT)
  - Security, Stability, and Resiliency of the DNS Review (SSR)
  - Accountability and Transparency Review (ATRT)
  - Registration Directory Service Review
- Informed by community input
  - ICANN57, ICANN58, ICANN60
  - Webinars (Feb 2017, Oct 2017)
  - Public comment period (Oct 2017-Feb 2018)

GAC public comment (5 Feb 2018):  
<https://mm.icann.org/pipermail/comments-reviews-standards-17oct17/2018q1/000009.html>

# What are Next Steps?

---

- Discussions at ICANN61
- Post-ICANN61: Two-phased approach to update current draft
  - MSSSI will formulate options to inform community discussion based on public comments
  - Issue-focused, open calls with the community
- Fully-revised draft of Operating Standards will be published for public comment

# GAC Comments - Scope Setting

---

## Participation in scope setting

**Concern:** Need effective and efficient opportunity for review team members to participate.

## Continuity

**Concern:** Need continuity of membership between Scope Drafting and Review Team members.

## Modification

**Concern:** Need efficient and timely method to modify scope once review has commenced.

## Suggestions:

- Review Team to determine scope
- Add time to process to facilitate scoping activity
- Give multistakeholder community opportunity to comment on proposed scope

# GAC Comments - Raising Reasonable Concerns

---

## Suggestion:

Need appropriate framework to deal with exceptional situations where members of the community and/or Board wish to raise concerns about significant aspects of a review after that review has started.



# GAC Comments - Role of ICANN

---

## Role of ICANN

### Concern:

- No description of ICANN Board role in Bylaws with exception of Board representative on RT and action on final recommendations.
- No provision in Operating Standards that articulates a role for ICANN or Board to suspend or disrupt a review.

## Leadership of ICANN SO/ACs

Concern: Suggestion that discussions with SO/AC leaders are a sufficient work method of community consultation misunderstands the role and purpose of those in these leadership positions.

### Suggestions:

- ICANN and community consider how best to articulate role of ICANN and Board.
- Role of ICANN and Board remain limited to ensure impartiality on matters pertaining to actions of ICANN in the reviews.

# GAC Comments - Administrative Overload

---

**Concern:** Administrative burden associated with process especially in early stages of a review (terms of reference, scope, conflict of interest statements, progress tracking tables). Negative impact on commitment and engagement.



# GAC Comments - Conduct of Reviews

---

## Facilitation

**Suggestion:** ‘At review team’s discretion whether another member of the Team or an ICANN Staff Support facilitator is better placed to chair one, several or most meetings and calls.’

## Reporting

**Concern:** ‘Reporting possibility under 3.16 is insufficient if only based on "publicly available information". Nominating SO/ACs may need to be involved in making decisions on the position to take in the Review Team; a Review Team member thus needs to be able to provide the necessary level of detail on current discussions to enable this decision-making process.’

# Highlights of Community Input

---

## Scope of work

- No support for scope being set by designated scope team – review team should set own scope.
- Concerns about role of Board in formally approving scope.
- Support for Board providing feedback on the Terms of Reference, including scope.

## Review team selection

- Support for establishing a minimum number of review team members, even if it means three or more members from some SO/ACs, none from others.
- Volunteers not affiliated with SO/AC should still be eligible for review team selection.

## Monitoring of review progress

- Include clear designation of authority, grounded in Bylaws, should a review team fail to function effectively.
- Clarify role of Board in review process – including when it can intervene and how.

## Approval/maintenance of Operating Standards

- Provide clarity on scope of Operating Standards (when applicable, who can adopt, if adoption is mandatory).

## Timing of reviews

- Overall timing of reviews to be revisited/adjusted.

# Discussion Questions

---

## Scope of the review

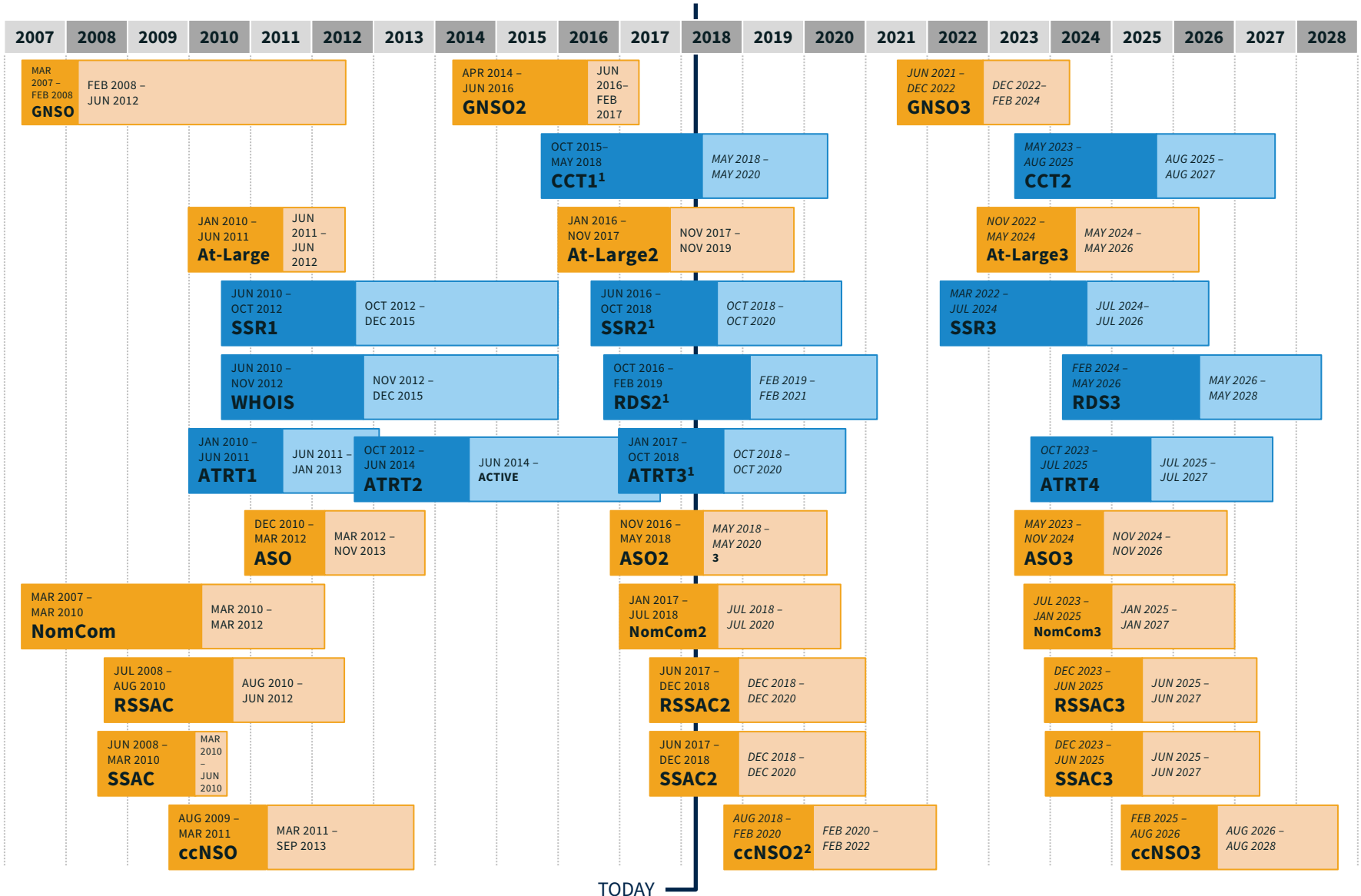
- Review team develops the scope, gathers input from the community, validation by the Board that within Bylaws? Other ideas?
- Call for volunteer selection criteria determined before scope is set and timing of review is formalized – how to bridge the gap?

## Timing of reviews

- How best to facilitate a conversation with other community groups on this concern?
- Should the Operating Standards be finalized before starting any new reviews?

# ICANN Reviews Cycle

<https://www.icann.org/resources/reviews>



LEGEND: **SPECIFIC REVIEWS**

■ Execution

□ Implementation

**ORGANIZATIONAL REVIEWS**

■ Execution

□ Implementation

Future dates are forecasted and subject to change



THANK YOU

