ICANN Specific Reviews – Third Accountability and Transparency Review Team (ATRT3)

Recommendation 3.3 - Implementation Documentation

Published on 13 September 2022

ATRT3 Final Report https://www.icann.org/en/system/files/files/atrt3-report-executive-summary-29may20-en.pdf

Board resolution on ATRT3 Final Report https://www.icann.org/resources/board-material/resolutions-2020-11-30-en#1.a

Recommendation submitted: May 2020

Recommendation approved: November 2020

• Implementation completed: March 2022

See https://community.icann.org/display/atrt/Implementation for more information on ATRT3 implementation.

ATRT3 Recommendation 3.3

SSR Reviews -

Given SSR2 will not be finalized prior to ATRT3 completing its work, ATRT3 recommends that SSR Reviews shall be suspended until the next ATRT Review (or any type of review that include current ATRT duties) which shall decide if these should be terminated, amended, or kept as is. - This review could be re-activated at any time by the ICANN Board should there be a need for this.

Board Action on ATRT3 Recommendation 3.3

The Board approves Recommendations 3.1, 3.2, 3.3, and 3.4, subject to community agreement to the Bylaws change. When deemed appropriate through the prioritization process, the Board directs ICANN org to begin the process to make the appropriate Bylaw amendments, but if the Empowered Community rejects the Bylaws changes, further ICANN community discussion would be required before implementation. Further, the Board notes that there may be a need to track implementation of Recommendations 3.1, 3.2, 3.3, and 3.4 separately due to the distinct work efforts and implementation steps required.

Final Implementation Report

ATRT3 Recommendation 3.3 was implemented on 10 March 2022 - see Board Resolution. The ICANN Board deferred the SSR3 to allow the ICANN community and organization sufficient time to plan for and implement pertinent ATRT3 recommendations once prioritized for implementation. The Board acknowledged that the Bylaws state that the SSR Review should be conducted every five years. The Board also acknowledged the ATRT3 recommendation, to suspend the SSR3 Review until the next ATRT makes a further recommendation on timing. The Board stated that it will oversee the implementation of ATRT3 recommendations and determine whether the timing of SSR3 should be re-examined based on the changing environment, including various dependencies.

Rationale

See <u>rationale supporting Board action</u>. The Board recognized that the current timing specified in the Bylaws to commence SSR3 in March 2022 *is not prudent in light of recently issued and approved community recommendations, nor feasible given insufficient time to implement SSR2 recommendations nor determine their effectiveness, prior to starting the next review. By deferring the start of SSR3, the Board acted in line with the ATRT3 recommendations as also supported by the ICANN community. The Board expected that once ATRT3 recommendations are prioritized, the implementation work will result in a package of proposed amendments to the ICANN Bylaws, some of which would address the timing of future reviews, including SSR3.*

Since completion of community work to prioritize ATRT3 recommendations, implementation planning efforts are currently underway for the work that will result in a package of proposed amendments to the ICANN Bylaws, some of which would address the timing of future reviews, including SSR3. See Implementation Design for Specific Reviews for related recommendations (ATRT3 3.1, 3.2, 3.4, 3.5 and 3.6).

Timeline

Expected implementation date: N/A Final implementation date: 10 March 2022

Milestones

Board action on 10 March 2022 deferred SSR3 review until such time that ATRT4 would be able to reassess whether SSR Review should be terminated, amended, or kept as is.