**Affirmation of Commitments:**

**Accountability and Transparency Review Team 2**

**Questions for the ICANN Community on the impact of previous reviews and inputs for the ATRT2**

**Note to the Community: The Accountability and Transparency Review Team 2 (ATRT2) posts this Request for Comments contemporaneous with the ICANN’s 46th public meeting in Beijing.**[[1]](#footnote-1) **The ATRT2 is at the initial phase of its review of ICANN’s implementation of the recommendations arising out of the three prior Review Teams (the ATRT1, Security, Stability and Resiliency and WHOIS) and is in the process of identifying issues on which it will place particular focus during its review. In so doing, input from the Community is critical to ensure that the ATRT2 is focusing its work informed by Community input.**

**ATRT2 has asked ICANN Staff to open the initial Comment period for the standard 21 days upon the completion of the 46th public meeting in Beijing to allow the Community time to provide meaningful comments. The Comment period will be followed by a Reply period. Given the number of questions presented that address the full spectrum of prior Review Team recommendations, ICANN implementation and the effect of implementation efforts, the ATRT2 welcomes any comment from Community members even if limited to a select number of the questions.**

**Explanation/Background:** In the Affirmation of Commitments (Affirmation), ICANN commits to maintain and improve robust mechanisms for public input, accountability and transparency to ensure that the outcomes of its decision-making will reflect the public interest and be accountable to all stakeholders. The second iteration of the Accountability and Transparency Review Team (ATRT2), as specified under the Affirmation, is in the process of assessing the extent to which the Board and staff have implemented the recommendations arising out of the ATRT1, the WHOIS Review Team (WHOISRT) and the Security, and the Stability and Resiliency Review Team (SSRRT) and whether those recommendations and their implementation have resulted in the desired improvements. In this inquiry, the ATRT2 will also assess the accountability and transparency of the processes used by the ICANN Board and staff to review and implement the recommendations. In addition, the ATRT 2 is discussing what new issues, consistent with the scope of the ATRT2 as specified in the Affirmation ¶ 9.1, should be included in its work program. Accordingly, the ATRT2 seeks community input on its scope and work program. With that context in mind, please provide responses to the following questions:

# On the Accountability & Transparency Review Team 1 (ATRT 1)

1. Do you think the ICANN Board and staff have effectively, transparently, and fully implemented the recommendations of the ATRT1? If so, please provide specific information as why you believe specific recommendations have been effectively, transparently, and fully implemented. If not, please provide specific information as to why you believe specific recommendations were not effectively, transparently, and fully implemented.
2. Do you think the implementation of the ATRT1 recommendations have resulted in the desired improvements in ICANN? If so, please provide specific information as to why you believe the recommendations have resulted in improvements. If not, please provide specific information as to why you believe the recommendations have not resulted in the expected improvements.

***Affirmation of Commitments, paragraph 9.1 (a): ICANN Board of Directors Governance***

1. What is your assessment of how ICANNs Board at present is continually assessing and improving its governance as specified in the Affirmation ¶ 9.1 (a)? Are there issues related to this provision you believe should be addressed or investigated by the ATRT2? If so, please provide specific information and suggestions for improving Board governance.
2. Are you aware of the process through which ICANN Board Members are nominated/elected? Do you think the Board always follows clear rules and proceedings? Do you think the Board takes decisions in a transparent way? Do you have a good sense of their rationale for taking decisions and giving advice? What should the ATRT2 ask the Board specifically to change in the way it normally works? Would any known metrics allow you to better follow up their work? Do you think Directors should stay for longer/shorter terms? Do you see for individual members any source of potential conflict with the rest of the community?

***Affirmation of Commitments, paragraph 9.1(b): GAC’s Role, Effectiveness & Interaction with ICANN Board of Directors***

1. What is your assessment of the role and effectiveness of the GAC and its interaction with the Board as specified in the Affirmation ¶ 9.1 (b)? Are there issues related to this provision you believe should be addressed or investigated by the ATRT2? If so, please provide specific information and suggestions for improving the role and effectiveness of the GAC and its interaction with the Board.
2. Are you aware how the process under which the GAC members are appointed? Do you think the GAC takes decisions in a transparent way? Do you have a good sense of the GAC’s rationale for taking decisions and giving advice to the Board? Do you think the Board takes GAC advice with the necessary care and dedicates enough time for discussion? What should the ATRT2 ask them specifically to change in the way they normally work? Would any known metrics allow you to better follow up the GACs work? Do you see for individual GAC members any source of potential conflict with the Board and the rest of the community?
3. Do you feel that the GAC has done a good job in terms of checks and balances on the accountability and transparency of ICANN as a whole?

***Affirmation of Commitments, paragraph 9.1(c): Public Input***

1. What is your assessment of the processes by which ICANN at present receives public input and whether ICANN is continually assessing and improving these processes as specified in the Affirmation ¶ 9.1 (c)? Are there issues related to this provision you believe should be addressed or investigated by the ATRT2? If so, please provide specific information and suggestions for improving the processes by which ICANN receives public input.
2. Do you think it is easy to put forward new public inputs? All year round? When did you use it last? How do you rate ICANNs staff work in processing public inputs transparently and publicizing their possible impact? Do they help the community finding out what the pros and cons of those inputs are in a clear and transparent way? How do you think the process can be improved?
3. Do you think communication between the different SO/ACs on public inputs is sufficient and transparent? Do you think there is a fair chance for discussions between the different SO/AC during the public meetings? Do you think some communities have a larger say than others? How could the review process improve communication between the different stakeholders groups? How should ICANN improve its outreach to the larger Internet community? To participating Governments? To regional organizations?

***Affirmation of Commitments, paragraph 9.1(d): ICANN decisions being embraced, supported and accepted by the public and Internet community***

1. What is your assessment of the extent to which ICANN’s decisions at present are embraced, supported and accepted by the public and the Internet community as specified in the Affirmation ¶ 9.1 (d)? Can you identify a specific example(s) when ICANN decisions were not embraced, supported and accepted by the public and the Internet community? If so, please provide specific information as to why you believe ICANN’s actions did not find adequate support and acceptance by the public and the Internet community. Are there issues related to this provision you believe should be addressed or investigated by the ATRT2? If so, please provide specific information and suggestions for improving the acceptance of ICANN decisions by the public and the Internet community.
2. Do your think that since the ATRT1 there is an increased chance for a revision of Board’s decisions?
3. How do you embrace, support or accept the decisions of the ICANN Board? Do you embrace the decisions of the Board after an internal review of it in your community and/or working group? Have you asked for a review of Board decision? If yes, which ones?

***Affirmation of Commitments, paragraph 9.1(e): Policy Development Process***

1. What is your assessment whether the policy development process in ICANN at present facilitates enhanced cross-community deliberations, and effective and timely policy development as specified in the Affirmation ¶ 9.1 (e)? Can you identify a specific example(s) when the policy making process in ICANN did not facilitate cross-community deliberations or result in effective and timely policy development? If so, please provide specific information as to why you believe the policy making process in ICANN did not facilitate cross-community deliberations or result in effective and timely policy development. Are there issues related to this provision you believe should be addressed or investigated by the ATRT2? If so, please provide specific information and suggestions for improving the policy development process to facilitate cross-community deliberations and effective and timely policy development.
2. What is your assessment of ICANN Staff adherence to the policy decisions of the ICANN Policy Development Process in its operational activities.  Has ICANN Staff been accountable to the ICANN community in its activities? Can you give examples of where ICANN Staff has restricted its decision-making to the boundaries set by the Policy Development Processes?  Can you give examples where ICANN Staff has gone beyond the ICANN Community Policy Development Process to either make new policy or replace existing policy without Community development process or consultation?  Are there specific accountability issues the ATRT2 should explore related to ICANN Staff's interactions with the Community Policy Development Process?

# Security, Stability & Resiliency of the DNS Review Team (SSR RT)

1. Do you think the ICANN Board and staff have effectively, transparently, and fully implemented the recommendations of the SSRRT? If so, please provide specific information as to why you believe the recommendations have been effectively, transparently, and fully implemented. If not, please provide specific information as to why you believe the recommendations were not effectively, transparently, and fully implemented.
2. Do you think the implementation of the SSRRT recommendations have resulted in the desired improvements in ICANN? If so, please provide specific information as to why you believe the recommendations have resulted in improvements. If not, please provide specific information as to why you believe the recommendations have not resulted in the expected improvements.

# WHOIS Policy Review Team (WHOIS)

1. Do you think the ICANN Board and staff have effectively, transparently, and fully implemented the recommendations of the WHOISRT? If so, please provide specific information as to why you believe the recommendations have been effectively, transparently, and fully implemented. If not, please provide specific information as why you believe the recommendations were not effectively, transparently, and fully implemented.
2. Do you think the implementation of the WHOISRT recommendations have resulted in the desired improvements in ICANN? If so, please provide specific information as to why you believe the recommendations have resulted in improvements. If not, please provide specific information as to why you believe the recommendations have not resulted in the expected improvements.

# Improving Accountability & Transparency

1. How do you evaluate overall accountability and transparency of the ICANN processes? Do you think there is enough participation of the community in accountability and transparency issues? Are there other issues that should be addressed or investigated by the ATRT2 consistent with its mandate? If so, please provide specific and detailed descriptions of any such issues along with an explanation as to why such issues should be addressed by the ATRT2.
2. Are there other questions we should be asking consistent with the mandate of the ATRT? What are these questions?  How would you answer these questions?

# Affirmation of Commitment Reviews

1. Do you think the Affirmation of Commitment review team processes have been effective and efficient? Have you/your community have had sufficient time to review their recommendations and ICANNs implementation of the recommendations? If so, please provide specific information as to why you believe the Affirmation review team processes have been effective and efficient. If not, please provide specific information as to why you believe the Affirmation review team processes have not been effective and efficient and suggest improvements.

# Methodology

1. Are there metrics you would suggest that the ATRT2 consider to develop standards to measure progress in the issues specified in the Affirmation ¶ 9.1? If so, please provide specific and detailed descriptions and justifications for such suggested metrics.
1. The ATRT2 is **aware that posting a request for Public Comments just prior to or concurrent with an ICANN public meeting is not consistent with best practice in soliciting public input. However, the ATRT2 feels it is important to start the community thinking about and discussing these matters as quickly as possible.** [↑](#footnote-ref-1)