

29 May 2025



Empowered Community

REJECTION ACTION PETITION NOTICE

Standard Bylaws Amendment re Transition Article on Specific Reviews

Board Notice dated: 11 May 2026

Issued by: At-Large Advisory Committee (ALAC)

To: The Secretary, Empowered Community Administration (ECA)

From: At-Large Advisory Committee (ALAC), Empowered Community Decisional Participant

Date: 29 May 2026 (deadline 21 days from 11 May 2026 to 1 June 2026)

Re: EC Rejection Action Petition Notice — Standard Bylaw Amendment re Transition Article on Reviews (Proposed Article 27.6)

Ref: ICANN Board Resolution, 3 May 2026; Board Notice published on 11 May 2026; ICANN Bylaws Article 25, Section 25.1(e)–(f) and Annex D, Article 2

1. Notice of Rejection Action Petition

The At-Large Advisory Committee (ALAC), acting in its capacity as a Decisional Participant in the Empowered Community (EC), hereby delivers this EC Rejection Action Petition Notice to the ICANN Secretary pursuant to ICANN Bylaws Article 25, Section 25.1(f) and Annex D, Article 2, Section 2.2.

The ALAC accepts this petition, which formally rejects the Standard Bylaw Amendment contained in the Board Notice of 11 May 2026, which proposes to insert Article 27.6 ("Transition

Article on Specific Reviews”)¹ into the ICANN Bylaws, as approved by the ICANN Board on 3 May 2026.²

2. Background

The ALAC issues this Rejection Action Petition Notice on the basis of the following established facts:

- ICANN has been operating outside the timelines contemplated by its own Bylaws by continuing to defer three (3) of its Bylaw-mandated Specific Reviews, namely the Accountability and Transparency Review (ATR), the Security, Stability, and Resiliency Review (SSR), and the Registration Directory Service Review (RDSR).³ • The ICANN Board approved a “Transition Article on Specific Reviews” (proposed Article 27.6) on 3 May 2026 to establish a framework governing the continued suspension i of the above-mentioned mandatory Specific Reviews.
- During the Public Comment Proceeding process, “Standard Bylaws Amendment – Transition Article on Specific Reviews” from 11 February 2026 until 13 April 2026,⁴ the ALAC submitted a substantive response raising significant governance and accountability concerns regarding this proposal.⁵ Many of the recommendations advanced by the ALAC were not reflected in the proposed Article 27.6.
- In June 2025, the ALAC filed an Empowered Community Reconsideration Petition calling for the reinstatement of ATRT4. That Petition was summarily dismissed by other EC Decisional Participants without explanation.
- The Pilot Holistic Review — the only comprehensive review of ICANN in over two decades — was initiated in May 2024 and halted in May 2025. As a result, ICANN currently lacks a functioning mechanism for conducting the type of comprehensive holistic review envisioned by ATRT3.
- The ongoing Review of Reviews process may ultimately produce recommendations for a revised system of reviews. However, there is presently no guarantee that the community will reach consensus on such recommendations, that the Board will adopt

¹ See:

<https://www.icann.org/en/system/files/files/transition-article-to-address-specific-reviews-03may26-en.pdf>

² See:

<https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-03-05-2026-en#section2.b>

³ See:

<https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-special-meeting-of-the-icann-board-19-05-2025-en#section1.a>

⁴ See:

<https://www.icann.org/en/public-comment/proceeding/standard-bylaws-amendment-transition-article-on-specific-reviews-11-02-2026>

⁵ See:

<https://www.icann.org/en/public-comment/proceeding/standard-bylaws-amendment-transition-article-on-specific-reviews-11-02-2026/submissions/policy-staff-in-support-of-the-at-large-community-at-large-advisory-committee-alac-13-04-2026>

them, or that they will be implemented within a timeframe that adequately preserves ICANN's accountability mechanisms.

3. Grounds for Rejection

3.1 Unacceptable Erosion of Accountability Timelines

The proposed Article 27.6 creates a framework that will produce an extraordinary and unacceptable time gap in ICANN's mandated accountability mechanisms:

- ATRT3 delivered its Final Report in May 2020. Under the proposed Article 27.6, and without any guarantee of any new system of reviews being put in place, the next ATR (ATR4) would potentially not commence for up to 27 months after adoption of this Amendment⁶ and would take approximately one year to complete — meaning its recommendations may not materialise until September 2029 at the earliest. This represents a nine-year gap between ATR cycles.
- SSR2 delivered its Final Report in January 2021. Under the proposed Article 27.6, and again, without any guarantee of a new system of reviews being put in place, SSR3 would potentially be deferred far longer than was envisaged — within 18 months of September 2029, representing not less than a nine-year gap between SSR cycles.
- RDS2 delivered its Final Report in September 2019. Under the proposed Article 27.6, and again, without any guarantee of a new system of reviews being put in place, RDS3 would potentially also be deferred far longer than was envisaged — within 18 months of the initiation of SSR2, representing a time gap of well over a decade between RDS cycles.
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- These timelines are inconsistent with ICANN's accountability obligations and cannot be reconciled with the intent of the accountability mechanisms established by the community in 2016.

3.2 Attempted Regularisation of Prolonged Departure from Bylaw Review Timelines

The ALAC is concerned that the proposed Article 27.6 seeks to address, through a Bylaws amendment, a situation in which several Bylaw-mandated Specific Reviews have already been significantly delayed beyond the timelines originally contemplated by the community.

⁶ 27 months is calculated by a maximum of 24 months suspension of Specific Reviews plus a 90-day grace period

Rather than restoring compliance with the accountability framework established following the IANA Stewardship Transition, the proposed amendment would formalize and potentially extend the period during which those accountability mechanisms remain suspended.

The ALAC considers this approach problematic because it alters accountability obligations only after substantial delays have already occurred. Such an approach risks weakening community confidence in the durability and enforceability of ICANN's accountability commitments.

3.3 Failure to Implement Prior Board-Approved Recommendations

Participants in the Review of Reviews process have themselves acknowledged that ICANN ORG has still not satisfactorily or expediently implemented Board-approved recommendations arising from completed reviews. An example of this is recommendations of the Competition, Consumer Trust and Consumer Choice Review (CCTR), which was completed in 2018.

The ALAC believes that this longstanding failure cannot be addressed if ATR4 continues to be deferred.

The ALAC further notes concerns expressed within the Review of Reviews process regarding the difficulty of establishing effective mechanisms for reviewing ICANN ORG's own performance and accountability. The inability to evaluate implementation performance in a timely and meaningful manner represents a continuing accountability concern.

The ALAC, therefore, considers it fundamentally inconsistent with good governance to restructure, suspend, or change the timing of Specific Reviews while significant implementation deficiencies remain unresolved and unexplained.

3.4 Failure to Appreciate the Impact of ALAC Concerns

The ICANN Board has, in its approval of the proposed amendment, failed to adequately engage with or address the impact of substantive concerns raised by the ALAC during the Public Comment Proceeding. The Bylaws mandate meaningful community participation in timely assessments of how well ICANN is delivering on its Mission and Commitments. By deferring mandated Specific Reviews, the ICANN Board has already deprived the community of its mandated ability to make such assessments.

The proposed Article 27.6 not only seeks to "legitimize" this deprivation, but to extend it further, which the ALAC finds unacceptable.

The ALAC acknowledges that its submission in the Public Comment proceeding was made as a Public Comment statement rather than as formal ALAC Advice under Article 12 of the ICANN Bylaws. Nevertheless, the ALAC remains concerned that the substance of its recommendations received little meaningful consideration in the final approved text.

The ALAC has recommended stronger safeguards against prolonged review delays, closer adherence to ATRT3 recommendations previously approved by the Board, and greater certainty regarding the future operation of all the Specific Reviews. Few, if any, of these recommendations are reflected in the proposed Article 27.6.

While the Board is not obligated to adopt ALAC recommendations submitted through the Public Comment process, meaningful accountability requires transparent consideration of community concerns and a clear explanation when significant recommendations are not adopted.

3.5 Disproportionate Prioritisation of Revenue-Generating Activities

It is the ALAC's considered view that ICANN's current institutional focus is overwhelmingly directed towards the next round of generic Top-Level Domain (gTLD) delegations, which are expected to generate substantial revenue, at the expense of Bylaw-mandated Specific Reviews, including a review of the functional services provided by ICANN ORG to the community. The proposed Article 27.6, in the ALAC's assessment, reflects this misalignment of institutional priorities.

4. Legal Basis

This Rejection Action Petition Notice is issued pursuant to:

- ICANN Bylaws Article 25, Section 25.1(e)–(f): Standard Bylaw Amendments — Rejection by the Empowered Community;
- ICANN Bylaws Annex D, Article 2: Procedure for Exercise of EC's Rights to Reject Specified Actions
- The Empowered Community's mandate to ensure the ICANN Board remains accountable to the Community, as established pursuant to the transition from NTIA oversight on 30 Sep 2016.

5. Statement of the ALAC

The ALAC represents the interests of the global Internet end-user community — the more than six billion individuals whose ability to access, trust, and rely upon the Internet depends upon the integrity of ICANN's governance structures.

The Empowered Community's rejection powers exist precisely for situations such as this: where the ICANN Board acts in a manner that the community considers to be inconsistent with the accountability frameworks that are designed by the community and enshrined in the Bylaws.

The Empowered Community was created as a central element of the post-IANA-transition accountability framework. Its purpose is to provide meaningful community oversight of Board actions affecting ICANN's governance and accountability arrangements.

The ALAC considers the proposed amendment sufficiently significant to warrant the exercise of those oversight responsibilities.

Exercising this rejection right is not a confrontational act — it is the fulfilment of the ALAC's Bylaw-mandated oversight function.

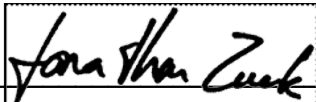
The ALAC urges the ICANN Board to withdraw the proposed Article 27.6 and to further engage constructively with the community to develop an alternative framework that:

- Commits to a definitive and near-term restart of mandated Reviews, especially ATR4;
- Provides a credible plan and binding timeline for the implementation of previously adopted, Board-approved Review recommendations that remain outstanding and/or are not to the community's satisfaction;
- Urgently explores shorter deadlines to avoid the worst-case scenarios of excessive time gaps as outlined in this Notice's Section 3.1;
- Ensures that restructuring of the system of reviews does not serve as a mechanism for indefinite deferral of ICANN's accountability obligations; and
- Genuinely engages with and reflects community concerns, including ALAC formal input submitted through established processes.

6. Authorisation

This EC Rejection Action Petition Notice has been approved by the At-Large Advisory Committee (ALAC) pursuant to its authority as a Decisional Participant in the Empowered Community, and is issued in accordance with the applicable procedures under ICANN Bylaws Annex D, Article 2, Section 2.2.

Signed:



Jonathan Zuck, Chair, At-Large Advisory Committee (ALAC)
EC Administration Representative, ALAC

Date: June 1, 2026