

ICANN Public Comment Summary Report

Proposed Updates to the Operating Standards for Specific Reviews

Open for Submissions Date:

Monday, 23 December 2024

Closed for Submissions Date:

Friday, 28 March 2025 (extended from Monday, 10 February 2025)

Summary Report Due Date:

Friday, 11 April 2025 (extended from Monday, 24 February 2025)

Category: Operations

Requester: ICANN org

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Open Proceeding Link:

<https://www.icann.org/en/public-comment/proceeding/proposed-updates-to-the-operating-standards-for-specific-reviews-23-12-2024>

Outcome:

The Public Comment proceeding reflects a range of views, highlights that several areas would benefit from revisions or merit clarifications, yielded some suggestions, and demonstrates an interest for the community conversation to continue.

Based on its analysis of feedback on the proposed updates, the ICANN organization (org) is not presenting this set of updates to the Board for adoption at this time, so that community discussion on the proposed changes to the Operating Standards for Specific Reviews can continue.

Section 1: What We Received Input On

Using a guided form, the Public Comment proceeding sought input from the ICANN community on a series of process improvements that were integrated into an updated Draft Operating Standards for Specific Reviews. The questions centered on whether the contributor supports, supports with changes, or does not support. Contributors were not required to complete all fields. A [webinar](#) was held on 30 January 2025 to offer participants an opportunity to ask questions and provide feedback.

Updates to the Draft Operating Standards are focused on improving review scope setting/planning, increasing the efficiency and effectiveness of review work, and incorporating best project-management practices into the Specific Reviews process. Specifically, ICANN org

sought input on proposed updates to the following sections of the Operating Standards for Specific Reviews:

2. **Initialization and Planning** (*New Section*): This section reflects a proposed process improvement to transition the development of a Specific Review's focus areas from the review team during the Conducting the Review Phase to the wider community during the Initialization and Planning Phase.
3. **Review Team and Leadership Selection** (*Formerly "Planning Phase"*): This section is updated to reflect proposed process improvements under which Supporting Organizations (SOs) and Advisory Committees (ACs) follow their own processes to solicit applicants and nominate candidates for the review team, and the SO/AC Chairs select review team leadership.
4. **Conducting the Review**: This section is updated to reflect proposed process improvements to facilitate clear research findings, well-supported problems/opportunities requiring action, and the production of informed recommendations that directly address the problems/opportunities requiring action. Additional updates include the use of a guided submission form for Public Comment proceedings, correspondence with the SO/AC Chairs prior to submission of the Final Report to the Board to ensure review work met expectations, and a Post-Review Survey to identify potential Specific Review improvement areas.
5. **Board Consideration** (*Formerly "Review Output and Board Consideration"*): This section is updated to reflect proposed process improvements to streamline the Board's consideration of the review team's Final Report.
6. **Specific Review Policies** (*New Section*): This section provides greater clarity on existing policies, updates policies to reflect proposed process improvements, and consolidates all Specific Review policies into a single section. Additional updates were made in response to the ICANN-wide effort to secure its financial stability and sustainability and increased process efficiencies.
7. **Amending the Operating Standards**: This section is updated to focus future proposed amendments to the Operating Standards on addressing input received immediately following a Specific Review.

Section 2: Submissions

Organizations and Groups:

Name	Submitted by	Initials
Business Constituency	ICANN Business Constituency	BC
NIC do Norte-Nordeste	Symon William	NNE
African Regional At-Large Organization	Emmanuel Oruk	AFRALO
Noncommercial Stakeholder Group	Mesumbe Tomslin Samme-Nlar	NCSG
Registries Stakeholder Group	Registries Stakeholder Group	RySG
At-Large Community	At-Large Advisory Committee (ALAC) Policy staff	ALAC

Individuals:

Name	Affiliation (if provided)	Initials
Seth Adjei Gyimah	African Regional At-Large Organization	SAG
Albert Guevara	Interactive brokers	AG
Felix Opilli	N/A	FO
Henrietta Ampofo	ICANN UA working group/AFRALO	HA

Section 3: Summary of Submissions

A total of 10 submissions were received during the Public Comment proceeding, six of which are from organizations/groups and four from individuals. This summary highlights the comments received under the relevant sections of the proposed updates to the Operating Standards for Specific Reviews, with all submissions available in full on the Public Comment [page](#).

General Comments

SAG emphasizes the need for more focus on transparency, fairness, and community involvement, stresses the importance of clear communication about changes, and suggests that the wider ICANN community should have more opportunities to participate in selecting review team members and deciding focus areas.

The BC is concerned that the proposed improvements are mainly driven by ICANN org staff, despite staff possibly considering community feedback. The BC recommends that ICANN org host a webinar or in-person session in Seattle to allow the community to express concerns and suggestions before finalizing the report on updates to the Operating Standards for Specific Reviews. The BC also raised similar concerns in its [2018 comment on the Proposed Operating Standards](#), specifically regarding the separation of scoping responsibilities from the review team. The BC believes that the review team should define the scope in line with the Bylaws, without the need for a separate scope drafting team, which could complicate the process. The BC argues that the Board should only intervene if the scope is inconsistent with the Bylaws, but AC/SO leaders should have the authority to decide whether the review can proceed.

The NNE supports the BC's suggestion to correct Section 2 (2.1) of the updated draft. The NNE also recommends that ICANN develop a summary report of the comments and share it with the

community. The NNE opposes changes that would force SO/ACs to accept terms imposed by the organization. Additionally, the NNE emphasizes the need to align efforts with the community for better performance of the updated draft and to continue the work.

FO believes “updates represent a significant step toward improving the efficiency, transparency, and effectiveness of Specific Reviews,” and “commends ICANN for its continued commitment to strengthening its accountability mechanisms.”

The NCSG opposes the proposed changes to the process for developing focus areas for Independent Specific Reviews, citing concerns over independence, transparency, inclusivity, and stakeholder participation. The proposal gives ICANN org primary control over drafting focus areas before consulting the community, undermining the community-led nature of these reviews. Key objections include: (1) Loss of Independence – The proposal contradicts ICANN Bylaws, which ensure review teams operate independently. Predetermining focus areas limits their ability to identify emerging issues. (2) Reduced Transparency – ICANN org’s control over scoping reduces visibility. The NCSG notes that “while there is a Public Comment stage, the key decisions on defining and refining focus areas will happen before the review team is even formed, limiting the ability of independent reviewers to shape their own scope. Additionally, the process lacks clear guarantees on how community input will be weighted in refining the final focus areas before Board approval. If this change is implemented, important decisions about what gets reviewed could happen without full visibility or community input.” (3) Exclusion of Voices – Predefined focus areas could discourage participation from diverse stakeholders and emerging experts. To maintain inclusivity, the NCSG notes that the process should include: “(i) Opportunities for open participation, where individuals outside the predefined expertise areas can contribute through public consultations or advisory roles. (ii) A flexible scope-setting approach, allowing the review team to refine focus areas based on new insights that may emerge during the review process. (iii) Clear criteria for volunteer selection, ensuring that diversity (geographical, stakeholder group, and professional background) remains a priority alongside expertise.” (4) Stakeholder Limitations – The new process could restrict participation from Supporting Organizations, Stakeholder Groups, and Advisory Committees. (5) Need for In-Person Meetings – Effective collaboration requires face-to-face meetings, which the new approach may not adequately support. Thus, the NCSG and ALAC “recommend terminating this update and restarting it at a more appropriate time using the proposed methodology to allow for proper community involvement.”

While the NCSG appreciates “efforts to improve efficiency,” it has “serious concerns about the proposed changes to the process to develop potential Review focus areas” as it “takes away the community’s authority and responsibility of scoping these Independent Specific Reviews that have been deemed vitally important to integrity and independence since the Affirmation of Commitments in 2009.” The NCSG believes that it “undermines the independence of Review Teams,” “reduces transparency,” and “excludes key voices from the process,” and that “in-person meetings are critical.” The NCSG shares ALAC’s “concerns about the timing of this proceeding” and calls “for its termination, with a restart at some later point with full community involvement from the outset.”

ALAC finds this update to “be unnecessary, untimely and an unreasonable draw on community resources.” ALAC notes that “it is curious that Section 7 proposes a process with significant community discussion and involvement of those with knowledge of the current standards prior to such updating. ALAC observes that the “previous version of the standards has been used only once (for ATRT3), and neither the SO/AC Chairs nor the ATRT3 leadership were consulted prior to embarking on this update.” The ALAC finds the rationale for undertaking this at this time

unclear, and believes that any update to operating procedures for Specific Reviews should be undertaken “with full community engagement, including discussion at a full ICANN meeting and then allowing sufficient time for consultation within SO/ACs.” The ALAC recommends “terminating this update and restarting it at a more appropriate time using the proposed methodology to allow for proper community involvement.”

Section 2 – Initialization and Planning (New Section)

SAG, AFRALO, NNE, FO, HA, ALAC, and AG support the proposed updates with changes, while the NCSG, BC, and RySG do not support the proposed updates.

SAG supports the proposed updates because “they improve efficiency and community alignment” and “ensure broader participation and better planning” but calls for the process to remain “inclusive and transparent, especially for stakeholders from underrepresented regions,” noting that “clear guidelines on how community input will be evaluated and incorporated into the final focus areas” would be beneficial to “enhance trust and participation in the review process.”

AFRALO suggests “incorporating volunteer skill sets as a key consideration in identified focus areas within ICANN’s remit is essential to advancing the organization’s critical role in maintaining a stable and secure internet.”

FO notes that “the shift towards a community-driven approach before initiating a review is a positive development” and will “foster community alignment and enable better resource planning.” To further “promote inclusivity and fairness,” FO suggests explicitly seeking “input from underrepresented regions, particularly Africa and the Global South, to incorporate diverse perspectives into the review focus areas” and “ensure global participation.” FO further suggests that ICANN “establish a clear mechanism for engaging stakeholders in defining the focus areas, ensuring transparency in how feedback is integrated” to “ensure community alignment.” FO considers that “the introduction of structured initialization and planning is a welcome improvement, as it ensures that the scope of each review is well-defined before initiation” and notes that the “targeted solicitation of volunteers with the required expertise is commendable, as it will improve the quality of the Review Team’s work.”

HA suggests that a “timeframe (range) should be suggested for community alignment,” “else this defeats the purpose of making it more efficient overall if community alignment stalls the process unduly.” HA calls for geographical balance, diversity of perspectives, and the inclusion of “people from underrepresented backgrounds including persons with disabilities.”

While ALAC “supports the concept of the Initialization and Planning phase” and “ICANN org drafting various documents.” it underlines the need for the ICANN Community to “control the content” and emphasizes that “bottom-up methodology is required.” ALAC is of the view that “controlled-drafting” followed by Public Comment is insufficient.

ALAC adds that the Terms of Reference for a Specific Review “must be driven by the Review Team itself,” and “may occur once the review team is convened, or by the team members once the team is selected prior to formally being convened.” ALAC believes that there should be capability to adjust project plans “as the review proceeds.”

The BC opposes two changes outlined in the proposed updates. First, in Section 2.1, the draft defers the determination of the scope of Specific Reviews to ICANN org and the Board, with a process for soliciting community input. The BC disagrees with this, arguing that it does not “see

the Bylaws as conferring total control over scope to the ICANN Board and Org”. The concern is that this could allow them to block the inclusion of topics critical of their actions or policies. Second, in Section 2.3, the draft proposes that ICANN org develop a project plan and Terms of Reference for reviews, which would be shared with SO/ACs. The BC objects to this, believing it implies that the SO/ACs would be forced to accept the plans and terms set by the Board and ICANN org. The BC argues that the review team representing the SO/ACs should have the ability to revise these plans and terms instead.

The BC also suggests “a correction in Section 2 (2.1) of the [Updated Draft](#), on the statement ‘Review focus areas must be within the Bylaws mandated scope for a Review, as defined in Section 4.6 (b) of the Bylaws.’ This reference should probably cover 4.6 (b) through (e) to capture scope for all of the Specific Reviews.”

The NNE also mentions that certain corrections are needed in some sections, but does not specify which ones.

The NCSG considers that “the proposed changes undermine the independence of Specific Reviews” and notes a “shift in scoping responsibility from Independent Review Teams to ICANN Org.” The NCSG considers that “these are not ordinary reviews” and references the Affirmation of Commitments, noting that they are “considered by many to be a key basis for ICANN’s accountability, trust and independence”.

The NCSG “objects to the idea that there will be agreement among the community, Board and ICANN org on the specific areas that the Review will focus on,” noting that “traditionally this is exactly the type of scoping that has been done by the Independent Review Team itself.” The NCSG believes “community-led scoping should precede and guide ICANN Org’s role, not vice versa.” It considers that “while there is a Public Comment stage, the key decisions on defining and refining focus areas will happen before the review team is even formed, limiting the ability of independent reviewers to shape their own scope,” and that “the process lacks clear guarantees on how community input will be weighted in refining the final focus areas before Board approval.” The NCSG concludes that “dictating the focus areas upfront, without providing assurance that the community can effectively participate in the decision, undermines the review teams’ sovereignty and ability to examine and scope the review, while preventing them from identifying and addressing emerging concerns” and considers that “the Review Team must have the ability to effectively influence the scope of the Independent Specific Reviews and the definition of the focus areas of the Specific Review, ensure scope-setting is fully transparent.” The NCSG suggests that “if discussions happen before the review team is formed, they must be documented and publicly available, and the review team should have the ability to modify the scope as needed based on findings.” The NCSG concludes that the “review team should be able to investigate any issue within the review’s general purpose, without restrictions set in advance.”

The NCSG believes “the Board’s directive for ICANN Org to draft project plans (Section 2.2) removes a fundamental function of Review Teams” and that “Independent bodies should retain the authority to plan, organize, and schedule their work without predetermined constraints.” The NCSG adds that “traditionally, Independent Review Teams mapped out their own work plans and organized and scheduled their work. This process makes the Board and ICANN org the responsible and senior parties – not the Independent Review Teams themselves.”

While the RySG supports the subsection of review initiation, and “the spirit of the updates in the section – i.e. terms of reference (ToR) in place before review starts to focus review team’s

efforts and manage workload, and planning for the work of the review,” the RySG considers that Section 2.1 “needs to be revised completely as it relies on 4.6(b) of the ICANN Bylaws, which just sets out the parameters of the Accountability and Transparency Reviews, and are not the same as the other Specific Reviews. Primarily, the scope of issues for the Accountability are expressed in 4.6(b)(ii) of the ICANN Bylaws as ‘may assess include, but are not limited to, the following’. This is in contrast to the issue scope of the Security, Stability and Resiliency, and Registration Directory Service Reviews stated as ‘may assess are the following’ (4.6(c)(ii), 4.6(e)(ii) of the ICANN Bylaws). The standard for the Competition, Consumer Trust and Consumer Choice Review is different again, set out in 4.6(d)(iii) of the ICANN Bylaws as ‘will assess.’”

The RySG is concerned that as drafted, the proposal “swings too far from the status quo of Review Teams deciding their own ToR, and risks undermining legitimacy or perceived legitimacy of Review Teams and their work.” The RySG suggests “looking for an alternative middle path that emphasises the input of the Community and Community endorsement of the ToR.” The RySG finds it “unclear at the moment whether the decision to retain independent experts for the review remains with the Review Team or not.” The RySG believes “it should be made clear that the budget for the Review Team should provision ‘reasonable fees and expenses’ for independent experts, if the Review Team wishes to utilise independent experts.”

Section 3 – Review Team and Leadership Selection (Formerly “Planning Phase”)

The BC supports the proposed updates to this section, while SAG, NNE, FO, the RySG, AFRALO, and ALAC support the proposed updates with changes. The NCSG does not support the proposed updates.

SAG notes that “selection criteria and publicly available justifications for leadership choices” would be helpful to “enhance transparency and ensure accountability in the selection process” and encourages efforts promoting diversity “by ensuring underrepresented regions and stakeholder groups are adequately considered.”

While FO supports the updates in this section as they “allow SO/ACs to follow their own selection processes while ensuring that leadership choices are based on qualifications and representation,” FO suggests that ICANN “provide guidance to help achieve geographic, gender, and skills-based diversity within teams” in selection criteria. With respect to Leadership Selection, FO suggests that SO/AC Chairs “should publish the criteria for selection and provide justifications for their leadership choices to enhance trust and inclusivity,” noting that “these refinements will streamline the selection process while ensuring that review teams are balanced and representative.”

The BC notes that “establishing a practice of having Review Team membership composed of experienced members who have served in many areas of the community and new members who are eager to participate helps to strengthen the ICANN ecosystem. New members will learn the process, bring fresh perspectives, balance the team, and subsequently bring their experience into further engagement within ICANN. To provide a fully seated Review Team, SO/ACs should nominate their candidates at the time of selection. No SO/AC should be permitted to reserve their seats for selection of candidates at a later time. To ensure continuity on the RT it is imperative that all the team members are seated at the start of the RT to begin working together on Scope and Terms of Reference.”

The NNE recommends revising certain sections of the updated draft related to team formation and member selection.

The RySG suggests “including reference to the Ethics Policy to make clear that participants in the Specific Reviews are required to disclose the interests influencing their participation.”

ALAC suggests that the Call for Volunteers should “explicitly specify that SO/ACs may have additional criteria for their volunteers and the process must allow and facilitate direct communications between the SO/AC and the volunteers,” and notes that the possibility of voice communications was deleted in this proposal. ALAC identifies the need to clarify what primary and secondary refer to and provide information on how “they should and would be treated during the selection.”

ALAC believes that having the SO/AC leaders select the Review Team Leadership “should be an option that the SO/AC Leaders can avail themselves of, but must not be mandatory,” and urges that this “be used in unusual situations and for compelling reasons.” ALAC believes that “should this option be used, the SO/AC Leaders should select their optimal Review Team leaders and verify that they are willing. The concept of selecting 4 possible leaders and then taking them in sequence could result in two completely non-compatible people being joint leaders.”

AFRALO does not specify the changes it would recommend to Section 3.

Lastly, the NCSG is concerned with “the idea that a member of an Independent Review Team must be ‘pre-qualified’ for serving on an Independent Review Team. Credentials for these teams are determined by the SOs and ACs and their members. There is no required or “needed skill sets and experience” that must be mandated lest the selection process become homogenized and not inclusive of the diversity of experience, background, and geography that the members SOs and ACs think is needed.

The NCSG believes that “in the current system, the assignment is creating spaces as a limited resource and forcing stakeholders and the community to fight for resources that should be allocated to them. Forcing the fight will create unnecessary animosity; enforcing the limitation will result in the loss of key and diverse perspectives and an array of legitimate concerns.” The NCSG considers that “while targeting volunteers based on expertise can help ensure relevant skills within the review team, it must be done in a way that doesn’t unintentionally exclude valuable voices. The predefined scope areas should not become a barrier that prevents participation from individuals who may bring fresh perspectives or expertise on emerging issues.” The NCSG suggests that “the process should include: opportunities for open participation, where individuals outside the predefined expertise areas can contribute through public consultations or advisory roles; a flexible scope-setting approach, allowing the review team to refine focus areas based on new insights that may emerge during the review process; clear criteria for volunteer selection, ensuring that diversity (geographical, stakeholder group, and professional background) remains a priority alongside expertise.” On this topic, the NCSG concludes that “there should be safeguards so volunteer recruitment should remain open to all qualified candidates, not limited to those who fit a predefined (and possibly narrow) scope to ensure inclusivity and diverse participation.”

The NCSG notes that the NCSG benefits from the work, knowledge, and skills of a number of leaders and experts in ICANN who were asked by their community members to join Independent Review Teams.

The NCSG believes that the "leadership of the Review Team should be chosen by the membership of the Review Team" and it is unclear why it is being "questioned or changed now."

The NCSG further believes that "ICANN org should not conduct an onboarding for the review team" and that this should be handled by the leadership in conjunction with staff. The NCSG considers that the "Project Plan and Terms of Reference cannot be imposed."

The NCSG qualifies the concept of observers as a "very odd new requirement," and recalls that "Independent Review Teams had the ability, interest, and independence to sit back, appoint experts, gather data and research, and think deeply about issues – outside the public spotlight" and strongly advises "continuing with the prior method of operation."

Section 4 – Conducting the Review

SAG and the RySG support the proposed updates to this section, while the BC, NNE, FO, AFRALO, and ALAC also support the updates, albeit with some changes. The NCSG does not support the proposed updates. Please note that the NNE and AFRALO did not make any specific suggestions or recommendations to amend this section.

The BC believes that "the following points in Section 4 may impair the transparency, predictability, and efficiency of the work of the review team. 1. The review process may be lacking details in the event of circumstances unforeseen by ICANN Org or the review team. We believe such cases might require the team to re-examine and revise its recommendations. Few examples of such cases are: a. ICANN Org finds a Preliminary Recommendations infeasible after a public comment proceeding and a secondary Feasibility Assessment (Section 4.6) b. Review Work may entail research and analysis according to Section 4.3. In some cases, findings of a research may change the premises or the requirements of a research. c. When there is lack of information or ICANN refuses to reveal requested information according to Section 6.1 2. Section 4.5 suggests for community Public Comment proceedings to be limited to guided submission forms. The BC believes it would be important for the community to be able to follow their own structure to form their Public Comments and not be limited to guided submission forms."

FO believes that "feasibility assessments and structured public comment submissions will contribute to more actionable and well-informed recommendations," and suggests that "ICANN should clarify how it will transparently address the feasibility concerns raised by ICANN org," including "the role of the community in evaluating feasibility assessments to prevent undue influence by ICANN org." FO believes that "a transparent process will ensure that feasibility assessments do not become a bottleneck that prevents necessary reforms from being recommended." On the topic of guided submission forms for Public Comment, FO calls for a mechanism "to ensure that dissenting views are acknowledged and appropriately addressed." FO suggests exploring alternative "participation methods, such as providing subsidized internet access, for participants from regions with connectivity issues."

ALAC notes that "the Work Plan must allow mid-course changes," as "ensuring a good Review outcome is far more important than following a plan conceived before the Review started." ALAC believes that the "Review Team leadership must be neutral in carrying out their roles, but they must also be allowed to fully participate in the team deliberations to ensure that their respective SO/AC is fully represented. The 2 roles must be clearly stated and understood by the team."

While ALAC acknowledges that conducting a feasibility assessment of potential recommendations is a valuable approach, it notes that such feasibility studies may require substantial time and resources. Accordingly, the ALAC considers that this should not be counted against the review team's established schedule and Work Plan.

ALAC disagrees with the notion that the review team must finalize and adopt the engagement plan within two weeks of assembling for their inaugural meeting, noting that leaves insufficient time.

The NCSG expressed significant concerns regarding this section, including: "Experts – in the past, Independent Review Teams could seek outside and independent input, including for data and informational gathering," and considers that it "appears that all of this work must come from ICANN org" which it qualifies as "not independent." The NCSG states that "the restriction that all research and data must originate from ICANN Org undermines independent data gathering, a core function of Review Teams."

The NCSG considers that virtual meetings cannot be required if English is mandated as the working language. The NCSG is of the view that "virtual-only meetings disadvantages non-native English speakers and limits effective collaboration" and that "in-person meetings are crucial for trust-building and meaningful deliberation." The NCSG believes "publicizing workspaces from the start (4.1.3, 4.1.4) could pressure Review Teams to conform rather than independently assess."

The NCSG objects to Sections 4.1.5 to 4.1.8, which it perceives as controlling Review Team Work Plans, schedules, and decision-making and contradictory to the Bylaws' mandate for independence.

On 4.1.10.2, the NCSG believes the Review Team leadership "can only be responsible for "the timely delivery of key word products" that they have independently determined and decided upon – and even then, there are outbreaks of COVID and other real world events that must be taken into account."

On 4.1.10.4, the NCSG notes that it cannot recall the Board having an appointment on the review team. The NCSG believes "that would hardly be providing independent input to the Board from the SOs, ACs and independent experts if Board members are actively involved."

On decision-making, the NCSG considers that if "no consensus, then there must be a 70% vote of the members of the review team to adopt a decision," noting that a "mere majority should not be sufficient." The NCSG further questions why consensus calls are to take place on "designated (and open) mailing lists – and not in calls or meetings" and what prompted Operating Standards to "become so granular" and "prescriptive" considering that "these types of dictates overrule the ability of the Indep. Review Team leadership to reach that important process of convergence, agreement, and final (draft) recommendations in the way best suited to their team" and create a "spotlight of constant oversight, which is also a deterrence to agreement and compromise."

Section 5 – Board Consideration (Formerly Review Output and Board Consideration)

The BC, RySG, and ALAC support the proposed updates to this section, while SAG, FO, and AFRALO also support the updates with some changes. The NCSG does not support the proposed updates to this section.

Specifically, SAG emphasizes that “the feasibility assessments should be made publicly available alongside the final report thereby allowing the community to review and provide feedback before Board decisions are made.” SAG notes that there “should be a defined timeline for board decisions to prevent unnecessary delays and finally, the board should communicate the reasons for accepting or rejecting specific recommendations, ensuring accountability.”

FO notes that “ICANN should establish a maximum timeframe (e.g., six months) for the Board to make decisions on Final Reports” and suggests that there should be a mechanism “to allow community members to provide feedback on how Board decisions align with the intent of review recommendations” to “enhance efficiency and strengthen ICANN's accountability mechanisms.”

AFRALO does not specify the changes it would recommend to Section 5.

The NCSG does not support the updates in Section 5 because there is a need to “review the ‘big picture’ issues of the independence of these special review teams before diving into these procedural details.” The NCSG believes the Board Chair or appointed Board member should reach out “to the leadership of Indep Review Team who can then ask as a liaison to their members.” The NCSG has many other concerns with the section and believes “the negotiation of the Board with the Review Team leadership is an idea not yet ripe for discussion.”

Section 6 – Specific Review Policies (New Section)

SAG supports the proposed updates to this section, while the BC, FO, RySG, AFRALO, and ALAC also support the updates with some changes. The NCSG does not support the proposed updates to this section.

The BC believes that the statement ICANN must provide a justification for any refusal to reveal requested information “gives the connotation that some requests for information may be denied by ICANN with justification, and needs to be re-stated clearly in those words.” The BC believes it would be difficult for the community to comment on Preliminary Recommendations that are based on information disclosed only to the review team and classified as “Confidential Information.”

FO notes that “although remote work enhances efficiency, ICANN should evaluate whether all regions have equal access to participate effectively.”

FO calls for “a detailed breakdown of how budgets for Specific Reviews are allocated and spent, ensuring financial accountability.”

The RySG notes that they “generally support the updates in this section” but believes “section 6.3.3 on independent experts needs revising. The project plan should provide a reasonable budget for the Review Team to retain independent experts as appropriate.”

ALAC, which also supports the proposed updates to this section with some changes, states that “control and responsibility must go hand in hand,” including “full knowledge of budget.” ALAC suggests that “if ICANN meetings are to be utilized, then team members who would not otherwise be in attendance must be funded to attend” and considers that “effectively forbidding”

face-to-face meetings “is unwise.” ALAC considers that “if these Specific Reviews have value, as the ICANN Bylaws imply, then they may well be worth the cost even if travel is allowed,” and notes that “the continued use of Board face-to-face workshops, and the general face-to-face ICANN meetings are an acknowledgement of the value of in-person meetings.” ALAC is of the view that face-to-face meetings should not be restricted to address exceptional circumstances, and urges to clarify what “exceptional circumstances” would be to convey a face-to-face meeting.

AFRALO does not specify the changes it would recommend to Section 6.

The NCSG believes the budget and resources should be determined with the Independent Review Team’s input or assessment. The NCSG believes the success of Review Teams may be affected if their meetings and work are conducted virtually and without face to face meetings, noting that “Indep. Review Teams build knowledge, trust, and conduct work well in person, and virtual meetings will favor those who speak English as a first language, and have very developed negotiating skills (like lawyers),” and “will not encourage or support the diversity of input and talent.”

With respect to 6.3.3, NCSG considers that “if independent experts are identified only during ‘initial planning,’ then ICANN org will be deciding who and whether an Indep. Review Team will have outside experts, ... giving ICANN Org another control point over these review teams – and further removing their ability to be independent and accountable for their own work and output.”

Section 7 – Amending the Operating Standards

SAG, the BC, and the RySG support the proposed updates to this section, while AFRALO, FO, and ALAC also support the updates, albeit with some changes. The NCSG does not support the proposed updates.

FO acknowledges that the proposal to amend the Operating Standards immediately after each Specific Review is a positive step toward continuous improvement but suggests broader community consultation, including ensuring underrepresented regions are actively involved in the amendment process. FO highlights the need for a “publicly accessible amendment tracker” to track “specific feedback received after each review, changes implemented based on that feedback, and justifications for any feedback that was not adopted. FO recommends considering “scheduled periodic reviews (e.g., every three years) to assess whether additional updates are needed beyond the immediate changes made after reviews.”

ALAC strongly supports the methodology described in the draft Section 7, and deplores that it was not used for the current proposed update. The ALAC refers to the ICANN Bylaws language: “The Operating Standards shall be developed through community consultation”, and considers that no change should be made to these Operating Standards without backtracking and getting input from the SO/AC Chairs, and more particularly those involved with the Third Accountability and Transparency Review (ATRT3), which is the only Specific Review that has operated under the current version of the Operating Standards.

AFRALO did not specify the changes it would recommend in Section 7.

Section 4: Analysis of Submissions

The objectives of the proposed Draft Operating Standards for Specific Reviews included increasing the efficiency and effectiveness of Review work. The updates were primarily aimed at building mechanisms for enhanced planning, fostering cross-community alignment, and incorporating feasibility assessments at key junctures in the process to ultimately facilitate Board consideration of the outputs, prioritization of outputs, and possible implementation work.

The input received reflects a range of views, particularly highlighting the importance of transparency and diverse stakeholder participation in review processes. While some comments noted positive development toward improving the efficiency of Specific Reviews and reinforcing alignment, others posed concerns and questions for clarification. Some feedback related to the process for proposing and seeking Public Comment on the updates, with suggestions to undertake broader consultation before proceeding further toward adoption of this set of updates.

ICANN org appreciates the feedback received, pointing to areas that would benefit from revisions or that merit clarifications based on comments, and believes that Public Comments received demonstrate an evident need for further community conversation.

The following provides additional analysis of the comments on each section.

Section 2 – Initialization and Planning (New Section)

Support: N/A

Support with Changes: SAG, AFRALO, NNE, FO, HA, ALAC, and AG

No Support: NCSG, BC, and RySG

While some commentators note that updates are perceived by some contributors to improve efficiency, allow for better resource planning, community alignment (SAG and FO), and broader participation (SAG), there is concern by others that this undermines the independence and sovereignty of reviews (NCSG). Some contributors are concerned that this may lead to topics being blocked (BC), restrictions being imposed on the review team (NCSG), and result in inability to identify and address emerging concerns (NCSG). One comment emphasizes that the community-led scoping should precede and guide ICANN org's role (NCSG). One contributor notes that the Bylaws language instruct the Board to ensure periodic reviews occur but should not give the Board and ICANN org total control over the scope (BC), and further notes that the Board should only intervene if the scope is inconsistent with the Bylaws, while AC/SO leaders should have the authority to decide whether the review can proceed (BC). One comment, while in support, emphasizes that ICANN org may draft documents, but this should be a bottom-up process and the ICANN community should be in control of the content (ALAC). Two contributors identify that correction is needed to have review focus areas reference cover 4.6 (b) through (e) to capture scope for all of the Specific Reviews (BC and RySG). One contributor further notes that distinctions or clarifications may be needed given that the scope as enumerated in the Bylaws for other reviews is more defined and specific (RySG).

Multiple contributors note that promoting diversity is key, that there needs to be outreach to underrepresented regions to incorporate diversity of perspectives (SAG, FO, and HA), and one indicates that there should be a mechanism for engaging stakeholders in defining focus areas (FO). Guidelines should be shared to provide context for how community input will be evaluated (SAG, FO, and NCSG), including the timeline for community alignment (HA).

On the topic of volunteers, one contributor makes a suggestion that volunteer skill sets should be incorporated as a key consideration (AFRALO) in focus areas, and another notes that the targeted solicitation of volunteers will improve the quality of the review team's work (FO).

With respect to Terms of Reference, some believe they should be driven by the review team (ALAC) (NCSG). Although it is an opportunity to manage workload, one commenter notes that there are risks that this may undermine legitimacy of review team work and it may be useful to seek community endorsement of Terms of Reference (RySG). Another commenter suggests that Board direction on draft plans removes a fundamental function of Review Teams (NCSG). There is belief that ICANN org should not conduct an onboarding for the review team and that this should be handled by the leadership in conjunction with staff.

Multiple commenters confirm there should be capability to adjust project plans "as the review proceeds" (ALAC and BC), including Terms of Reference (BC). The SO/AC should not be forced to accept plans (BC).

Response: The proposed updates include an Initialization and Planning stage for the community to be actively involved in shaping the focus areas for the review, and for the scope to be reflective of a bottom-up and inclusive process. In contrast, the [existing Operating Standards](#) have the review team prepare the scope, share it with SO/AC leadership for input, and submit to the Board for confirmation.

The suggestion that the ICANN org hold the pen to create an initial draft of focus areas was envisioned to help alleviate capacity constraints in the community and to help centralize the input. As several comments expressed concern or requested clarification about ICANN org potentially having a substantive role in the scoping of the review, this section can be revised to clarify the appropriate remit of the Board, org, and community, respectively, in the planning process for a review.

With respect to the Terms of Reference and Work Plan, the revised Operating Standards already contemplate that these would be shared with the SO/AC leadership and shared with the review team for any refinements before being agreed to, as noted in Sections 4.1.5 and 4.1.6. The [existing Operating Standards](#), in contrast, would have the review team prepare the Terms of Reference and Work Plan, submit to the SO/AC leadership for input, and to the Board for confirmation that they "provide a clear articulation of work to be done and a basis for how the success of the review will be measured."

This cadence was designed to support the review team in establishing its Terms of Reference at its first meeting, as recommended by ATRT3 in its Recommendation 3.4 on the Accountability and Transparency review.

With respect to onboarding, the ATRT3 Recommendation 3.4 also sets the requirement that all "pre-identified documentation that is required for the review" should be available in time for the first meeting in the case of the ATRT review. Section 3.7 of proposed updates to Operating Standards is drafted to achieve this, ensuring the review team has access to briefing materials and a reading list that would help launch its activities and early discussions. While ICANN's role (Section 4.1.10.6) specifies that ICANN org is responsible for addressing additional information requests from review teams, this clarification could be added to Section 3.7 accordingly.

Several inputs received commented on the topic of diversity in assembling a review team. The proposed updates provide that the call for volunteers is issued publicly and shared through

multiple communications channels. As described in the updated Section 3, SO/ACs and their leadership are encouraged to refer to the diversity elements agreed on by the Work Stream 2 Community Coordination Group when making a determination. As indicated in Section 3.2, each SO/AC is encouraged to consider balance among its nominated candidates for diversity in skill set, geography, experience, prior service on review teams, and gender diversity. As noted in Section 3.3, an analysis of diversity is provided to SO/AC leaders to inform the final selection of the review team. Diversity considerations are also included in the existing Operating Standards.

With significant input on this section, ICANN org has identified this as an area for further discussion and iteration.

Section 3 – Review Team and Leadership Selection (Formerly “Planning Phase”)

Support: BC

Support with Changes: SAG, NNE, FO, RySG, AFRALO, and ALAC

No Support: NCSG

A call for accountability, transparency and diversity in the population of the Review Team transpires from the contributions received. Some contributors (SAG, FO) notably emphasize the need for clear selection criteria and public justifications for leadership selection. One commenter states that clear selection criteria will ultimately ensure the review teams are balanced (FO). Another contributor encourages ICANN to provide guidance on achieving diversity in terms of geography, gender, and skills (FO).

One commenter sees the need for more autonomy for SO/ACs: There should be a way for SO/ACs to apply additional criteria in the call for volunteers and for them to directly communicate with volunteers (ALAC). Another contributor notes that credentials for these review teams should be determined by the SOs and ACs and their members, individuals outside predefined expertise should be allowed to contribute through consultations or advisory roles, and participation must remain open (NCSG).

While there is a view by one commenter that no delayed nominations or reserved seats should be permitted to ensure continuity on the review team (BC), another comment points out that there is perception that seat assignments and limitations may create animosity and lead to diversity loss (NCSG). There is also a call by one contributor for the addition of an Ethics Policy to disclose the interests influencing their participation (RySG).

On the topic of leadership selection, while one contributor believes it should be an optional measure for the SO/AC leadership to be omitted in exceptional situations (ALAC), another commenter believes leadership should be chosen by the Review Team itself (NCSG).

With respect to onboarding, there is an opinion by one contributor that this should be handled by the review team leadership in collaboration with the ICANN organization (NCSG).

On the topic of enabling observers to follow review team activities, there is a view by one commenter that it is preferable to allow review teams to think outside the public spotlight as needed (NCSG).

Response: The composition of a Specific Review team is described in Section 4.6 (a) of the ICANN Bylaws. Diversity considerations are built into the existing Operating Standards and

proposed updates to Operating Standards. ICANN org will prepare the analysis to support the SO/AC leadership discussions accordingly. Moreover, updates to Operating Standards include the production of a post-factum summary report of the SO/AC Chairs' deliberations and decisions for transparency purposes.

Per Section 3.5 of the updated Draft Operating Standards, the SO/ACs are encouraged to select two co-chairs for a review team.

Transparency of the process is key and the proposed updates provide that the selection process continues to be appropriately documented. Per the [existing Operating Standards](#), the call for volunteers is shared with SO/AC leadership for input and this can be made clearer in the updated version as well. Applicants provide "consent to their name, affiliation, and links to their completed application form – with certain private information redacted – to be posted publicly."

In relation to transparency, the existing Operating Standards and proposed updated Operating Standards provide that each Review Team candidate would complete a Statement of Interest form and agree to comply with the Review's Conflict of Interest Policy. Disclosing conflicts of interest is also a Bylaws requirement, as stated in Section 4.6 (a) (ii).

One comment objects to a role for observers to a Review Team. The org notes that this is not a new requirement but a continuation of current Bylaws requirements (Section 4.6(i)) that "Review teams will be established for each applicable review, which will include both a limited number of members and an open number of observers," and such a requirement is also enshrined in the existing Operating Standards.

Section 4 – Conducting the Review

Support: SAG and RySG

Support with Changes: BC, NNE, FO, AFRALO, and ALAC

No Support: NCSG

While some note that feasibility assessments are helpful (FO and ALAC), one comment suggests that there should be clarification on how feasibility concerns will be addressed and the role of the community in evaluating feasibility assessments; transparency is needed to avoid bottlenecks (FO).

Another comment points out that there is an observed need for additional predictability and details in the event of unforeseen circumstances resulting from feasibility assessments, research, or refusal to reveal information (BC).

Moreover, one commenter states that feasibility assessments should not delay the review team's Work Plan or hinder timely progress (ALAC). Other comments expressed that work plans and schedules should be adaptable (NCSG and ALAC).

One comment received suggests that Public Comment opportunities should not be limited to structured formats; groups should be able to follow their own structure (BC). Another contributor suggests that a mechanism to ensure that dissenting views are addressed is needed (FO).

In addition, one commenter notes that reviews should not rely on ICANN org research and data, and that outside and independent input should be possible (NCSG).

A question is also raised by a contributor regarding the source for a Board appointment to the review team (NCSG).

One comment points out that the Review Team leadership is expected to remain neutral, yet must actively participate to reflect the views of their SO/ACs and uphold balanced representation (ALAC). Another submission received states that decision-making procedures should require thresholds of at least 70 percent where consensus cannot be reached, rather than defaulting to a simple majority (NCSG). The same commenter expresses that consensus calls should not be limited to mailing lists alone (NCSG).

Additionally, there is concern by this commenter that mandating virtual-only meetings where English is the sole working language may present accessibility barriers for some participants as well and undermine effective collaboration (NCSG).

Response: Per Sections 2 and 4.1.6 of the proposed updates, the review team would have an opportunity to update its Work Plan before adoption. ICANN org recognizes the need for a process to allow for possible modifications of the Work Plan.

With respect to Public Comment during a review process, a combination of guided forms and opportunity to provide input outside of such form could be envisaged. There is also a process for recording dissenting views proposed in Section 4.2.

The existing Operating Standards allow for consensus calls to be conducted on mailing lists, which is intended to ensure that all review team members can participate.

Per the existing standards, and Section 6.3.3 of the updated standards, the review team may use independent expertise, but ICANN org recognizes that the language in the updated standards could benefit from additional clarification.

ICANN org recognizes concerns that feasibility assessments may create a risk of bottlenecks or impact the Work Plan, and acknowledges the need for additional detail to address unforeseen circumstances impacting solutions.

Section 4.6 (a) (i) of the ICANN Bylaws states that the “Board may designate one Director or Liaison to serve as a member of the review team.”

Section 5 – Board Consideration (Formerly Review Output and Board Consideration)

Support: BC, RySG, and ALAC

Support with Changes: SAG, FO, and AFRALO

No Support: NCSG

One comment notes that feasibility assessments should be made publicly available alongside the Final Report, allowing the community to review and provide feedback before Board decisions (SAG). It is also suggested by the same commenter that a defined timeline for Board decisions to prevent unnecessary delays and that the Board should communicate the reasons for accepting or rejecting specific recommendations to ensure accountability (SAG).

Another contributor states that ICANN should establish a maximum time frame (e.g., six months) for the Board to make decisions on Final Reports (FO). It is further suggested by the

same contributor that a mechanism be created to allow community members to provide feedback on how Board decisions align with the intent of review recommendations (FO).

Response: As noted in Sections 4.4, 4.6 and 4.7 of proposed updates to Operating Standards, feasibility assessments will accompany any report that is released for Public Comment to adequately inform community consideration.

There are Bylaws requirements in Section 4.6 (a) (vii) for the Board to consider the Final Report within six months and for providing rationale on its decision for each recommendation.

Section 6 – Specific Review Policies (New Section)

Support: SAG

Support with Changes: BC, FO, RySG, AFRALO, and ALAC

No Support: NCSG

One commenter suggests clarifying that ICANN org may deny information requests with justification, to avoid any ambiguity (BC). There is also an observation by this commenter that it would be difficult for the community to comment on any recommendations that may emerge from confidential information (BC).

Another comment notes that ICANN org should also assess whether all regions have equal access to participate in remote work (FO).

On the topic of budget, there are views that the project plan should include a reasonable budget to retain independent experts (RySG) and that budget and resources should be determined with the Review Team's input or assessment (NCSG). Others note that there should be a detailed breakdown of how Specific Reviews' budgets are allocated and spent to ensure financial accountability (FO), and full knowledge of the budget is needed (ALAC).

The need for face-to-face meetings is noted in multiple submissions (NCSG and ALAC). One submission encourages ICANN to assess whether all regions have equal access to participate effectively (FO).

Response: ICANN org notes that further thought needs to be given to how recommendations built on confidential information could be introduced to the community.

ICANN org notes the request for additional transparency on budget, including the need for additional clarity for what exceptional circumstances signifies to convey a face-to-face meeting.

Section 7 – Amending the Operating Standards

Support: SAG, BC, and RySG

Support with Changes: AFRALO, FO, and ALAC

No Support: NCSG

One commenter expresses that the proposal to amend the Operating Standards immediately after each Specific Review is a positive step toward continuous improvement but suggests broader community consultation, including ensuring underrepresented regions are actively involved in the amendment process (FO). The same commenter points out the need for a publicly accessible amendment tracker to track specific feedback received after each review

was also highlighted, as well as changes implemented based on that feedback, and justifications for any feedback that was not adopted (FO). Considering scheduled periodic reviews (e.g., every three years) to assess whether additional updates are needed beyond the immediate changes made after reviews is also recommended by the same contributor (FO).

One comment considers that no changes should be made to these Operating Standards without backtracking and getting input from the SO/AC Chairs, particularly those involved with ATRT3, which is the only Specific Review that has operated under the current version of the Operating Standards (ALAC).

Response: Per Section 6 of existing Operating Standards, a proposal for an amendment to the Operating Standards may be made by the ICANN organization, or any one of the SO/ACs or the Accountability and Transparency Review team.

The proposed updates to Operating Standards to have the Board request input from the SO/AC Chairs and the review team members would appear to be more in line with comments offered that members of the concluding review team should be involved.

ICANN org also notes that the post-review survey in the proposed updated Operating Standards calls for surveying both review team members and SO/AC Chairs.

Section 5: Next Steps

The Public Comment proceeding specified that:

Following the Public Comment on the proposed updates to the Operating Standards for Specific Reviews, ICANN org will produce an analysis of input received and present it to the ICANN Board. The ICANN Board will then consider whether there is sufficient community support for the updated Operating Standards for it to adopt the updated document. If the Board determines there is not sufficient community support, it may decline to accept the updated Operating Standards and encourage continued community dialogue.

ICANN org is publishing this summary and analysis and will share it with the Board. Based on its analysis of feedback on the proposed updates, ICANN org is not presenting this set of updates to the Board for adoption at this time, so that community discussion on the proposed changes to the Operating Standards for Specific Reviews can continue.

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Original Public Comment: [Proposed Updates to the Operating Standards for Specific Reviews](#)

Please indicate your response to the updates in this section

Support proposed updates with changes

If you support the updates in the section but think they require changes, please provide your reason here.

Make corrections in some sections.

Please indicate your response to the updates in this section

Support proposed updates with changes

If you support the updates in the section but think they require changes, please provide your reason here.

Change some sections of the updated draft regarding the team formation and the selection of members.

Please indicate your response to the updates in this section

Support proposed updates with changes

Please indicate your response to the updates in this section

No opinion

Are there any other comments or issues you would like to raise pertaining to the proposed updates to the Operating Standards in general? If yes, please provide your comments here. If applicable, please specify the section or page number in the proposed updated Draft Operating Standards for Specific Reviews to which your comments refer.

The Norte-Nordeste (NNE, North-Northeast) NIC, operator of the extension .nne.com.br, with the aim to promote development and provide an on-line presence in the North-Northeast region of Brazil, publicly provides our public comment to ICANN.

Our input:

- 1) The NNE (Norte-Nordeste do Brasil, North-Northeast of Brazil) NIC supports the Business Constituency suggestion to correct Section 2 (2.1) of the updated draft;
- 2) ICANN should develop a summary report on the comments and provide it to the community;

3) We oppose the changes in SO/ACs, when they are forced by the organization to accept any terms;

4) Align the efforts with community efforts for a better performance of the updated draft, as well as continue the work.