

Response to the prompting questions

1. Do you support the use of the proposed Transition Article as a way to clarify ICANN's obligations to run Specific Reviews at this time?

Yes, in principle. A temporary Transition Article is a reasonable way to bring legal and operational clarity while the community completes its work on the future of reviews. The proposal appropriately balances continuity of the Bylaws framework with the practical need to pause current obligations for a limited time. In particular, the 12-month default period, the limited extension pathways, and the 24-month maximum pause provide an important outer boundary.

2. Are there elements you believe should be addressed differently?

Yes. I recommend five refinements:

a. Define “progress” more clearly before any further pause is supported.

The draft allows a further pause if four of the seven Supporting Organizations and Advisory Committees issue statements supporting it, or if certain other process conditions exist. That is understandable, but the standard for determining whether the community dialogue is making meaningful progress should be more explicit. ICANN should specify objective indicators such as:

- publication of milestone documents,
- agreement on a proposed future review model,
- documented community consultations,
- and a target timeline for decision-making.

This would reduce ambiguity and improve legitimacy.

b. Require periodic public status reporting during the pause.

If reviews are paused, the community should receive formal progress reports at regular intervals, for example, every six months. Those reports should explain what work has been completed, what issues remain unresolved, and whether additional pause time is justified. Without this, a pause risks being seen as a procedural delay rather than a managed transition.

c. Clarify the restart readiness criteria, not only the restart dates.

The draft provides a sequence: ATR within 90 days of resumption, SSRR within 18 months of ATR initiation, and RDS Review within 18 months of SSRR initiation. That sequencing is helpful. However, ICANN should also consider minimum readiness conditions before launching each review, including staff support, implementation status of prior recommendations, budget capacity, and volunteer availability. The schedule should be workable not only on paper, but in practice.

d. Revisit the trigger for the CCT Review.

The draft ties the CCT Review to the point when the next round of new gTLDs has been in operation for two years, measured from the delegation of 500 applied-for gTLDs into the root

zone. That may be a practical proxy, but it would benefit from further explanation. ICANN should clarify why “500 delegated gTLDs” is the appropriate threshold and whether there should be flexibility if market conditions or delegation patterns make that benchmark unrepresentative.

e. Emphasize implementation effectiveness as part of the transition.

A central concern with the review ecosystem has not only been overlap, but also the accumulation of recommendations without timely or effective implementation. The transition framework should therefore explicitly recognize that the value of reviews depends on ICANN’s ability to absorb, prioritize, and implement recommendations. Otherwise, restarting reviews on a new schedule may reproduce the same structural problems the proposal seeks to address.

3. Are there other factors that ICANN should consider in the timing of restarting the reviews, if needed in the future?

Yes. ICANN should consider at least the following factors:

- the status of implementation of prior review recommendations;
- available community volunteer capacity, including burnout and overlapping commitments;
- organizational and budgetary capacity within ICANN org;
- dependencies with other ongoing policy, implementation, or Bylaws work;
- whether the proposed review can be scoped in a way that is manageable and outcome-oriented;
- and whether restarting a review would generate actionable recommendations that ICANN can realistically process.

In other words, the timing of restarting reviews should be guided not only by formal deadlines but also by institutional readiness and the likelihood of producing meaningful results.

Conclusion

Overall, I support the proposed Transition Article as a temporary and pragmatic solution, but I encourage ICANN to strengthen it by adding more explicit accountability mechanisms around the pause, clearer criteria for extension, more transparency on progress, and stronger readiness considerations for restarting reviews. A successful transition should not simply delay reviews; it should create the conditions for a more effective, sustainable, and credible review framework going forward.

The key question is not only whether ICANN needs temporary procedural relief, but whether any transition protects the interests of Internet end users by preserving accountability, transparency, and meaningful community oversight.

In that regard, I can support the proposed Transition Article as a **strictly limited and clearly bounded temporary measure**, provided that it is understood as a mechanism to improve the effectiveness of the review system rather than to postpone accountability. The draft has several positive features: it does not amend the current text of Article 4, Section 4.6; it creates a defined

12-month pause; it allows only limited pathways for additional pause time; and it caps the total pause at 24 months. It also sets out a sequencing approach for restarting reviews if no permanent Bylaws solution is adopted. These are constructive elements.

At the same time, I would emphasize that **Specific Reviews exist to serve the public interest**. They are not merely internal procedural exercises. They are one of the mechanisms through which ICANN demonstrates that it remains accountable to the community and responsive to the broader Internet public. For that reason, any pause must remain exceptional, justified, transparent, and tied to measurable progress.

Accordingly, I would encourage the following points to be reflected more clearly in the final approach.

First, any continued pause should depend on **demonstrable progress** in the community process on the future of reviews. The current proposal provides triggers for extending the pause, including support from four of the seven Supporting Organizations and Advisory Committees, but it would benefit from a clearer public standard for what qualifies as sufficient progress. From an end-user perspective, legitimacy depends not only on procedural authorization, but on visible evidence that the pause is producing results.

Second, there should be **regular and accessible reporting to the community** throughout the pause period. End users and their representatives should be able to see what work has been done, what issues remain open, what milestones have been met, and what still justifies delaying the restart of the reviews. This reporting should be clear, periodic, and easy for the broader community to understand.

Third, when the reviews resume, the emphasis should be on **quality, feasibility, and effectiveness**, not merely on restarting as quickly as possible. At-Large has long stressed that reviews should produce actionable outcomes that ICANN can realistically absorb and implement. A restart schedule that reduces overlap is welcome, but restart timing should also take into account whether there is sufficient volunteer capacity, staff support, implementation bandwidth, and organizational readiness. Otherwise, the community risks recreating the same structural problems that contributed to the present situation. The staggered sequence set out in the draft is a useful starting point in that respect.

Fourth, I would underscore that the ultimate test of any new review model is whether it strengthens **trust in ICANN's accountability to the public interest**. If the transition leads to a more focused, more understandable, and more implementable review framework, that would benefit end users. If it instead results in prolonged delay or reduced oversight, that would be difficult to support.

For these reasons, I could support the proposed Transition Article **with safeguards**. Those safeguards should include:

- a firm expectation that the pause remains temporary,
- public evidence of progress during the pause,

- clarity on the conditions for any extension,
- and a restart approach that is manageable, transparent, and oriented toward meaningful outcomes for Internet end users.

I can support this proposal as a transitional measure because it may help create a more sustainable review environment. However, that support should be grounded in a clear principle: **a pause is acceptable only if it leads to a stronger and more effective accountability framework for the benefit of the global Internet community.**