Implementation Review Team (IRT) Principles & Guidelines

(taken from ANNEX L of GNSO Policy & Implementation Working Group Final Recommendations Report at https://gnso.icann.org/en/issues/policy-implementation/pi-wg-final-recommendations-01jun15-en.pdf)

I. IRT Recruitment

A. The Implementation Review Team (IRT) volunteer recruitment process should take into account what areas of expertise are expected to be needed. Identification of necessary areas of expertise should preferably be done before issuing a call for volunteers. The PDP working group may elect to issue guidance on relevant areas of expertise for the IRT along with its policy recommendations. Additional expert participation in the IRT may be sought throughout implementation as needs are identified.

B. The call for IRT volunteers should clearly identify the needed areas of expertise, the scope and approximate time frame of the work, the roles of IRT participants, and the value the group is expected to bring.

C. The call for IRT volunteers should at a minimum be sent to all members of the PDP working group that was responsible for developing the policy recommendations. The call for volunteers may need to reach beyond the working group members to ensure broad participation by parties directly impacted by the implementation and parties with specialized expertise needed for implementation. In some cases, additional outreach at the start or at a later stage of the IRT may be necessary to ensure that appropriate expertise is available and that directly affected parties are involved in the IRT.

D. Where there is a lag in time between the PDP WG's adoption of Consensus Policy recommendations and the launch of an IRT, staff and community efforts to recruit IRT members should include components to support education and awareness. Staff should also keep the larger community and the GNSO Council up to date on the status of convening the IRT.

E. Where there are stakeholder groups who are identified as being significantly impacted by the policy implementation, recruitment activities should seek to enhance awareness of the effort and the opportunity to participate in the IRT among these groups. To the extent feasible and applicable, composition of the IRT should be balanced among stakeholder groups.

II. IRT Composition

A. IRTs should include at least one participant from the original PDP WG who can provide insight into the original reasoning behind consensus policy recommendations.

B. The GNSO Council is expected to designate a GNSO Council liaison to each IRT to ensure a direct link to the GNSO Council if/when needed.

C. IRTs are should be open to all interested parties, but may not necessarily be representative of the ICANN community, as actual participation may depend on interest and relevance of the topic under discussion.

III. IRT Role

A. As provided in the PDP Manual, the IRT is convened to assist staff in developing the implementation details for the policy to ensure that the implementation conforms to the intent of the policy recommendations.

B. The IRT is not a forum for opening or revisiting policy discussions. Where issues emerge that may require possible policy discussion, these will be escalated using the designated procedure as outlined in section V.E (see hereunder).

IV. ICANN Staff interaction with IRT

A. Staff must provide regular updates to the IRT on the status of the implementation and conduct appropriate outreach to the IRT at critical milestones. In some cases, status updates and communications about key implementation developments may also need to be pushed out to the broader community. At a minimum:

a. A Consensus Policy Implementation status page hosted on icann.org that contains a summary of the project, primary tasks as shaped by the consensus recommendations, percent complete, and expected delivery dates
b. The GNSO Council Project List, hosted on gnso.icann.org contains a summary of the project, latest accomplishments, and expected delivery. The Project List is reviewed at each GNSO Council meeting.

B. Staff must set clear deadlines for IRT feedback on documents and implementation plans and send documents to the IRT in a timely manner to ensure sufficient time for IRT review.

V. IRT Operating Principles

A. Meetings of the IRT must be scheduled by GDD Staff in a timely manner, in consultation with the members of the IRT. The draft agenda is expected to be circulated by GDD Staff to the IRT at least 24 hours in advance and will send out the call-in details and other relevant materials to all the members of the IRT.

B. There is a presumption that all IRTs will operate with full transparency, with at a minimum a publicly archived mailing list and recording of all IRT calls. In the extraordinary event that the IRT should require confidentiality, the IRT is normally encouraged to conduct its meeting(s) in accordance with the Chatham House Rule as the preferred option, and if necessary, additional rules and procedures may be developed by the IRT in co-ordination with staff.[1]

C. The GDD Project Manager will lead the meetings of the IRT.

D. If there is lack of participation resulting in meetings being cancelled and/or decisions being postponed, the GDD Project Manager is expected to explore the reasons (e.g. issues with the schedule of meetings, conflict with other activities or priorities) and attempt to address them (e.g. review meeting schedule). However, should the lack of participation be reasonably deemed to be the result of IRT members seeing no specific need to attend the calls as they are content with the direction the implementation is going, ICANN Staff can continue with the proposed implementation plan as long as: i) a notice to this effect is sent to the IRT; and ii) regular meetings are held and regular updates are provided for the public record, including on decisions being taken, on the mailing list and deadlines for input are clearly communicated.

E. In the event of disagreement between ICANN Staff and the IRT or any of its members on the implementation approach proposed by ICANN Staff, the GDD Project Manager, in consultation with the GNSO Council liaison if appropriate, shall exercise all reasonable efforts to resolve the disagreement.[2] Should the

---

[1] See http://www.chathamhouse.org/about/chatham-house-rule for a description of the Chatham House Rule.
[2] Should the Council Liaison not be willing or available to carry out this role, the IRT will

disagreement prove irreconcilable despite such efforts, the GNSO Council liaison in consultation with the IRT is expected to make an assessment as to the level of consensus within the IRT on whether to raise the issue with the GNSO Council for consideration, using the standard decision making methodology outlined in the GNSO Working Group Guidelines. If the GNSO Council liaison makes the determination that there is consensus for such consideration, the liaison will inform the GNSO Council accordingly which will deliberate on the issue and then make a determination on how to proceed which could include, for example, the initiation of a GGP, a PDP or further guidance to the IRT and/or GDD staff on how to proceed. This process also applies to cases in which there is agreement between the IRT and GDD staff concerning the need for further guidance from the GNSO Council and/or when issues arise that may require possible policy discussion.

F. Any IRT member that believes that his/her contributions are being systematically ignored or discounted or wants to appeal a decision of the IRT or GDD Staff should first discuss the circumstances with the GNSO Council liaison to the IRT. In the event that the matter cannot be resolved satisfactorily, the IRT member should request an opportunity to discuss the situation with the Chair of the GNSO Council or their designated representative. In addition, an IRT member always has the option to involve the ombudsman (seehttps://www.icann.org/resources/pages/accountability/ombudsmanen for further details).

G. IRT deliberations should not be used as a tool to reopen a previously explored policy issue only because a constituency or stakeholder group was not satisfied with the outcome of a previously held process on the same policy issue, unless the circumstances have changed and/or new information is available.

---

inform the GNSO Council accordingly and identify a member of the IRT to take on the role of the GNSO Council liaison for this specific purpose.