

4. Issue2–GAC 4.1. Introduction

4.1.1. Item 2 of the ATRT Requirements in the Bylaws - Assessing the role and effectiveness of the GAC's interaction with the Board and with the broader ICANN community, and making recommendations for improvement to ensure effective consideration by ICANN of GAC input on the public policy aspects of the technical coordination of the DNS.

4.2. Information Gathering

4.2.1. Relevant ATRT2 Recommendations and Analysis

4.2.1.1.

Prologue

It is important to understand the special nature of the GAC when considering how ATRT3 assessed the implementation and effectiveness of the ATRT2 recommendations for the GAC.

The GAC is composed of government representatives who are, for the most part, participating as official representatives of their respective governments. As such these representatives are subject to a number of expectations as to how they can interact with the ICANN community and can rarely commit their governments to anything without prior formal authorization.

Additionally, these government representatives are trained to function in certain ways when participating in international fora such as ICANN and for the most part require the GAC to function in similar fashion.

As such the recommendations ICANN makes for the GAC via such processes as the ATRT reviews may have limited applicability in the GAC context.

4.2.1.2.

for the ICANN community, to provide greater insight into how individual GAC members prepare for ICANN meetings in national capitals, how the GAC agenda and work priorities are established, and how GAC members interact intersessionally and during GAC meetings to arrive at consensus GAC positions that ultimately are forwarded to the ICANN Board as advice;

Implementation - ATRT3 - GAC has intersessional calls to define the agenda for ICANN meetings and to define its relevant points. This certainly does not show how GAC members prepare themselves for ICANN meetings at their own country– (this is not an appropriate demand anyway- they have the tools - previous agenda, links etc. -How they will be prepared is totally dependent on each country internal government arrangements and does not contribute to

transparency or accountability to ICANN community.). The intersessional call allows members to make better preparations. This part of the recommendation was implemented. Regarding the process to arrive to consensus, GAC uses the work of writing the communiqué to reach consensus, but this is not a written process but more of a negotiation. GAC

Recommendation 6.1a – Convening “GAC 101” or information sessions

Operating Principles in its article 47, states that GAC shall look for consensus, under the United Nations definition. When consensus can not be reached all positions shall be written.

Implementation assessment – Implemented.

Effectiveness - Regarding effectiveness there are some points to consider:

a) Communique language is not really clear yet so it can generate misinterpretations making the effort done to date not yet as effective as it should be.

b) More clarity on which kind of consensus was reached (there is no evidence on how many members fully agreed, or disagreed during the process to reach consensus for instance)

c) The consensus process itself is not clear for the community, as such not yet effective.

Effectiveness assessment – Not Effective.

Conclusion – One must keep in mind that the GAC is a special entity in ICANN and that the government representatives have many requirements placed on them from their governments and because of these a required to interact with others in a certain way. As such this recommendation has been implemented as much as it can be implemented and is also as effective as it can be for the GAC. If there is a desire for further improvements this would first require that there be some effective measurements of the processes we believe need improvements to be able to confirm that improvements are required and would be effective.

4.2.1.3. Recommendation 6.1 b - Publishing agendas for GAC meetings, conference calls, etc., on the GAC website seven days in advance of the meetings and publishing meeting minutes on the GAC website within seven days after each meeting or conference call.

Implementation - Agenda for meetings and calls are posted at the GAC website timely.

Implementation assessment – Implemented.

Effectiveness - The information about agendas is easily available on the GAC website – the language and details and links are already published. All improvements done were quite effective, allowing community to easily find topics to be discussed in all meetings and, if interested, can also attend open meetings during ICANN meetings. Effectiveness assessment – Effective.

Conclusion - This recommendation has been fully implemented and is effective – as such no further action is required with respect to this recommendation.

4.2.1.4. Recommendation 6.1 c- Updating and improving the GAC website to more accurately describe GAC activities, including intersessional activities, as well as publishing all relevant GAC transcripts, positions and correspondence;

Implementation - GAC Website was fully improved and is kept updated. The website is always a work in progress due the evolving of issues and membership. All formal activities are on the calendar which includes a clear statement if it is open or closed session/ call and all documents are posted. Implementation assessment - Implemented

Effectiveness - For an External community member it is possible to find all issues and documents one is looking for on the website even if the interface is not very intuitive. Websites are normally a work in progress and we can consider the recommendation is Effective. Effectiveness assessment – Effective.

Conclusion - This recommendation has been fully implemented and is effective – as such no further action is required with respect to this recommendation.

4.2.1.5. Recommendation 6.1 d - Considering whether and how to open GAC conference calls to other stakeholders to observe and participate, as appropriate. This could possibly be accomplished through the participation of liaisons from other ACs and SOs to the GAC, once that mechanism has been agreed upon and implemented;

Implementation - GAC meetings are open during ICANN meetings as well as some other meetings. Calls are mostly closed to guarantee efficacy due the large number of members and due the nature of its members. Calls have their themes and agendas published ahead of time. This part of the recommendation is implemented as feasible, respecting nature of GAC members. Regarding Liaisons, GAC is open to receive Liaisons from AC/SOs. Liaisons were implemented depending on individual AC/SOs. Liaisons and even staff are helping to increase communication among GAC and other ACs and SOs. Implementation assessment - Implemented.

Effectiveness - Liaisons performance will depend upon the persons allocated to the position. We have examples of positive and effective liaisons that have improved the relationship with the GAC. The implementation is effective. (eventually one specific liaison may not contribute to the effectiveness but it is not the implementation fault, but the liaison itself.). Effectiveness assessment – Effective.

Conclusion – Overall this recommendation is implemented and effective. The effectiveness is directly related to the quality of the liaisons that are appointed to the GAC. ATRT3 may wish to consider suggesting that the GAC publish a list of suggested qualities or requirements for liaisons to assist SO/ACs to select the best candidates for this.

4.2.1.6. Recommendation 6.1 e - Considering how to structure GAC meetings and work intersessionally so that during the three public ICANN meetings a year the GAC is engaging with the community and not sitting in a room debating itself for closed sessions.

Implementation – The GAC has opened its F2F meetings to implement this recommendation. The GAC does not meet F2F like other SOs intersessionally and due the nature of its members' work this would not be possible: time dedicated to ICANN is quite limited for a number of governments. There are intersessional calls which focus on agendas and clarifying points demanded by members. Like many other groups inside ICANN the GAC decided to have those calls be closed. The reason is clear: The GAC now has more than 170 members and opening these calls could cause interference on the discussion of sensitive points for the members (political interest from anyone). Additionally, having even more people not focused on GAC issues (for instance: chats during the call or even not allow participants to talk would be rude) can compromise the efficiency of the call. Having F2F meetings open and with web presence, allows the community to share any points in an open ambience. Implementation assessment - Implemented.

Effectiveness – Many GAC members cannot dedicate much time to ICANN related issues outside of the F2F meetings. Intersession calls are usually dedicated to administrative issues and preparing the next F2F meeting. As such the GAC must use its F2F meetings to focus on and advance its work. This being said, the GAC has now opened all its F2F sessions to the public, has a series of liaisons with various SO/ACs and invites relevant SO/ACs to present to them and discuss issues of mutual interest. As such this recommendation,

when considering the special nature of the GAC, is as effective as it can be. Effectiveness assessment – Effective.

Conclusion - This recommendation has been fully implemented and is effective as much as can be expected given the special nature of the GAC – as such no further action is required with respect to this recommendation.

4.2.1.7. Recommendation 6.1 f - Establishing as a routine practice agenda setting calls for the next meeting at the conclusion of the previous meeting;

Implementation - Agenda for next calls are posted on the website and the calendar is agreed between members. Implementation assessment – Implemented.

Effectiveness - It is clear and easy to find the calendars for the next meeting (for instance: 29 of July 2019 call - clarification on wording related to communiqué) and (August 8th 2019, leadership call). Effectiveness assessment – Effective.

Conclusion - This recommendation has been fully implemented and is effective – as such no further action is required with respect to this recommendation.

4.2.1.8. Recommendation 6.1 g - Providing clarity regarding the role of the leadership of the GAC;

Implementation - The GAC understood that they needed to enlarge the leadership team to provide better access to regions, bring cultural diversity to the debate and allow those views to be more active in the work of the GAC. This was implemented and posted at: <https://gac.icann.org/about/leadership-and-support#leadership> . The leadership team was enlarged to 5 vice-chairs and this required a change in the GAC Operating Principles - this was completed and can be seen at : <https://gac.icann.org/operating-principles/operating-principles-june-2017> . Implementation assessment - Implemented.

Effectiveness – The change to having 5 vice-chairs improved the effectiveness of the leadership team since it is implemented to reflect the geographic and developmental diversity of the membership, and as such will bring their visions to the work of the GAC leadership. With regions being better

represented on the leadership team, members of that region have more and better access to the leadership to debate, understand issues and help in the consensus negotiation. The community itself can also get some benefits from this change since regional access to those members is easier (some of them participate in RALOS calls when they are invited) and allows for a better exchange of ideas. Effectiveness assessment – Effective.

Conclusion - This recommendation has been fully implemented and is effective – as such no further action is required with respect to this recommendation.

4.2.1.9. Recommendation 6.1 h - When deliberating on matters affecting particular entities, to the extent reasonable and practical, give those entities the opportunity to present to the GAC as a whole prior to its deliberations.

Implementation – The GAC is reaching out on such positions through liaisons as well as working groups. Several examples can be cited - <https://gac.icann.org/working-group/> and liaison, for instance with the ALAC allowed two relevant statements to be posted together as a work of the two ACs (GAC and ALAC, making clear the liaisons work can help communication, timely work and consensus between GAC and ACs and SOs). It is a work in progress - we can only consider this Partially Implemented given several issues of GAC interest are not debated in working groups, but this is because some processes were not well established with some of the AC/SOs. As we also stated in item 10.2(????) it is also important to understand that to populate a WG is not an easy task for the GAC due the nature of its members who have limited time to dedicate to ICANN related activities. Having good liaisons is the best way to make it more effective using a clear process established beforehand. Implementation assessment - Partially Implemented

Effectiveness – It is difficult to measure the effectiveness of this using working groups. Liaisons in some cases are facilitating the engagement with the GAC prior to a decision. More analysis on effectiveness to AC/SOs could be done. Some complaints about advanced information was done by GNSO. Partially Effective.

Conclusion – Overall the implementation and effectiveness are currently satisfactory. However, ATRT3 may wish to consider suggesting or recommending continuous improvement via an ongoing commitment to a

very proactive and deliberate improvement and effectiveness that early engagement brings.

4.2.1.10. Recommendation 6.2 - ATRT2 recommends that the Board work jointly with the GAC, through the BGRI, to facilitate the GAC formally adopting a policy of open meetings to increase transparency into GAC deliberations and to establish and publish clear criteria for closed sessions.

Implementation - This recommendation has “de facto been” implemented. The GAC open meetings policy has been implemented since ICANN 47 as is clearly identified on the GAC website (<https://gac.icann.org/>) and a search will easily lead to the relevant page where this type of information can be found. Implementation assessment - Implemented.

Effectiveness - Nevertheless, if we stick with the recommendation to “increase transparency into GAC deliberations” and considering the GAC’s special nature, the implementation has been overall effective. Effectiveness assessment - Effective (as much as possible).

Conclusion: Given the nature of the GAC this recommendation has been implemented as much as it can be and is as effective as it can be. As such no further action is required relative to this recommendation.

4.2.1.11. Recommendation 6.3 - ATRT2 recommends that the Board work jointly with the GAC, through the BGRI, to facilitate the GAC developing and publishing rationales for GAC Advice at the time Advice is provided. Such rationales should be recorded in the GAC register. The register should also include a record of how the ICANN Board responded to each item of advice.

Implementation - The improvements to the GAC Register of Advice which includes Board responses seems to meet the intention of this recommendation. In addition, a system has been put in place for the Board to follow up on all GAC advice (Action Request Register), see <https://gac.icann.org/activity/> . This ensures that no GAC advice can get lost, and there is a clear track to follow-up by Board reply. Implementation assessment – Implemented.

Effectiveness - The improvements seem to be effective in relation to the stated objectives. Effectiveness assessment - Effective

Conclusion – This recommendation has been fully implemented and is effective – as such no further action is required with respect to this recommendation.

4.2.1.12. Recommendation 6.4 - The Board, working through the BGRI working group, should develop and document a formal process for notifying and requesting GAC advice (see ATRT1 Recommendation 10).

Implementation - The current status is that there is a clear process operating between the Board and the GAC establishing times to send feedback on advice, time to respond, clarification calls etc. A Board member comment on this noted: “On the current Board-GAC interaction: there is a well- documented approach towards the lines of communications between Board and GAC, in which the GAC's Communique is central. It comes up at the end of every public GAC meeting and gets a formal response from the Board via a "scorecard" which is made available latest 4 weeks before the next GAC Public meeting. Agreed step in-between is a call for clarifying the questions from the GAC to the Board several weeks after the Communique was published”. Already during public meetings, during the Board-GAC public session, the timeline for this is explicitly proposed, discussed and agreed. This process was put firmly in place in 2017 and has been followed diligently ever since to mutual satisfaction about the process – but not necessarily about the responses themselves. In addition, a system has been put in place to follow up on all GAC advice (Action Request Register), see <https://gac.icann.org/activity/> . This helps ensure that no GAC advice is lost, and there is a clear track to follow-up by Board reply. Implementation assessment – Implemented.

Effectiveness - It certainly improved the effectiveness of communications between the GAC and the Board. However, ATRT3 during it’s interviews with the GAC at ICANN 65 noted that there was a lack of “closing the loop” at the end of the process. However, improvements to the BGRI processes since ICANN 60 have addressed the remaining issues. Effectiveness assessment - Effective.

Conclusion: This recommendation has been fully implemented and is effective – as such no further action is required with respect to this recommendation..

4.2.1.13. Recommendation 6.5 - The Board should propose and vote on appropriate bylaw changes to formally implement the documented process

for Board-GAC bylaws consultation as developed by the BGRI working group as soon as practicable (see ATRT1 Recommendation 11). Increase support and resource commitments of government to the GAC (see ATRT 1 Recommendation 14)

Implementation - From the Implementation Report "The ICANN Bylaws approved by the ICANN Board on 27 May 2016, require a vote of 60% of the Board to reject GAC Consensus Advice, rather than the supermajority identified in this Recommendation. The ICANN Bylaw also requires that the Board is only to give this special consideration to GAC Consensus advice that

meets a specific definition for the term “Consensus”. The Bylaws went into effect in October 2016. Implementation Assessment - Implemented.

Effectiveness - Effectiveness assessment – Not Applicable **Conclusion:** This recommendation has been fully implemented and is

effective – as such no further action is required on this.

4.2.1.14. Recommendation 6.6 - ATRT2 recommends that the Board work jointly with the GAC, through the BGRI working group, to identify and implement initiatives that can remove barriers for participation, including language barriers, and improve understanding of the ICANN model and access to relevant ICANN information for GAC members. The BGRI working group should consider how the GAC can improve its procedures to ensure more efficient, transparent and inclusive decision-making. The BGRI working group should develop GAC engagement best practices for its members that could include issues such as: conflict of interest; transparency and accountability; adequate domestic resource commitments; routine consultation with local Domain Name System (DNS) stakeholder and interest groups; and an expectation that positions taken within the GAC reflect the fully coordinated domestic government position and are consistent with existing relevant national and international laws.

Implementation -

1 - The language barrier has been overall addressed as the spoken languages exceed U.N.O. language (Portuguese has been added vs UNO, see <https://gac.icann.org/meeting-services/attending-your-first-gac-meeting>). Such measures as overall information delivered on the GAC website , (see <https://gac.icann.org/about>) are proof of made progress in enhancing diversity and education. Travel Assistance, on the other side, encourages GAC participation by lowering eventual

budget issues that selected countries and approved organisations might have felt vs participation of their Representative Teams (see <https://gac.icann.org/meeting-services/travel-assistance>).

Going further could imply organized teaching sessions for requesting members or “GAC 101 sessions” as recommended in ATRT2 “6.1 /a” but this recommendation can be considered as overall implemented

2 - Recommendations 6.1 to 6.3 represent a major recommendation corpus as far as ATRT2 GAC assessment is concerned. Major measures have been implemented further to these recommendations (see for example 6.1/b, 6.1/d, 6.1/e, 6.1/f, 6.1/g, 6.2), and while these matters should still be considered as on-going work, this recommendation can be considered as implemented

3 - Reviewing GAC Operating principles, it appears some of them can be considered as addressing members Best Practices, see Principle 20 (commitment to efficiency vs voting principles) , Principle 41, 42 and 43 (Members statements and debates organization). In this sense this recommendation can be considered as partially implemented. On the other hand,

while agreeing GAC nature makes it harder to enforce strict rules on its members, it seems a clear and non-offensive definition of “Best practices” as a “set of non-mandatory practices to facilitate efficiency and transparency of GAC work” could be established on a consensual basis and lead to further progress in GAC work efficiency. It is recommended that GAC Members explore this avenue.

Overall Assessment: Partially Implemented

Effectiveness -

1 - GAC attendees number is stable over the years 2016-2019 with a rough average of 200 attendees per forum, forum category (Community, Policy, AGM) notwithstanding, with a slightly higher rate of Community forum participation . There is no major difference if we consider the participation per meeting nature, as the graphics show. It appears the recommendation implementation, while removing a certain number of barriers, has not been effective in enhancing participation. Further detailed studies would be necessary to target areas of improvement depending of the meetings".

Note: Overall Government/Intergovernmental organisations attendees (not necessarily participating in GAC) numbers are slightly higher but tend to be aligned in variation with GAC participation (AGM November 2016 being the exception: as a reminder, ICANN transitioned on September 30th, 2016). Hence it appears Governmental participations tends to concentrate on GAC attendance, so further measures to enhance Governmental participation can usefully be concentrated on this body.

2 - Considering previous analyses and GAC 2017 Operating principles, and while recognizing progress can still be made, this recommendation can be considered as overall effective.

3 - Reviewing GAC Operating principles, it appears some of them can be considered as addressing members Best Practices, see Principle 20 (commitment to efficiency vs voting principles) , Principle 41, 42 and 43 (Members statements and debates organization). In this sense this recommendation can be considered as partially implemented. On the other hand, while agreeing GAC nature makes it harder to enforce strict rules on its members, it seems a clear and non-offensive definition of “Best practices” as a “set of non-mandatory practices advised to facilitate efficiency and transparent GAC work” could be established on a consensual basis and lead to further progress in GAC work efficiency. Further work with GAC It is recommended that GAC Members explore this avenue. Overall Assessment: Partially Effective.

Overall Assessment: Partially Effective

Conclusion: Given the nature of the GAC this recommendation has been implemented as much as it can be and is as effective as it can be. As such no further action is required relative to this recommendation.

4.2.1.15. Recommendation 6.7 - ATRT2 recommends that the Board work jointly with the GAC, through the BGRI working group, to regularize senior officials' meetings by asking the GAC to convene a High-Level meeting on a regular basis, preferably at least once every two years. Countries and territories that do not currently have GAC representatives should also be invited and a stock-taking after each High-Level meeting should occur.

Implementation - This recommendation led to High-Level meetings being held in 2012, 2014, 2016 and 2018. Additionally, the Guidelines for GAC High Level Governmental Meetings have been published. However, no new meeting is currently planned. Implementation assessment - Implemented

Effectiveness - The meetings were well attended and the growth in GAC membership could be partially attributed to holding these high-level meetings. Effectiveness assessment - Effective.

Conclusion - This recommendation has been fully implemented and is effective – as such no further action is required with respect to this recommendation.

4.2.1.16. Recommendation 6.8 - ATRT2 recommends that the Board work jointly with the GAC, through the BGRI working group, to work with ICANN's Global Stakeholder Engagement group (GSE) to develop guidelines for engaging governments, both current and non-GAC members, to ensure coordination and synergy of efforts.

Implementation - The GSE/GE and GAC had defined a guideline process for their coordination, that can be seen at: <https://gac.icann.org/principles-and-guidelines/public/guidelines-coordination-gse.pdf> and started to be implemented at the national level. Monthly calls for GSE/GE is now including GAC (in general leaderships) and reports are posted. "At the request of the GAC the reports were further revised to arrange information by regions and later the scope of the report was changed to cover three months of activity each time - two months of completed engagement as well as the next months planned engagement are reflected. With the agreement of the GAC leadership the frequency of the reports changed to bi-monthly when the scope of the reports was expanded". STAFF from both sides have weekly calls to keep track of notes, reports etc. Specially dedicated to Underserved Regions, a joint working group concluded a collaborative capacity-building workshop pilot program to increase outreach. Implementation assessment – Implemented.

Effectiveness – The recommendation is effective as demonstrated by:

1. 1- GSE/GE AND GAC organized together the High-level meeting in Barcelona at ICANN 63 with a huge success.
2. 2- 2 GAC members had really grown hugely last year.

Effectiveness Assessment – Effective.

Conclusion - This recommendation has been fully implemented and is effective – as such no further action is required with respect to this recommendation.

4.2.1.17. Recommendation 6.9 - The Board should instruct the GSE group to develop, with community input, a baseline and set of measurable goals for stakeholder engagement that addresses the following:

a. Relationships with GAC and non-GAC member countries, including the development of a database of contact information for relevant government ministers;

b. Tools to summarize and communicate in a more structured manner government involvement in ICANN, via the GAC, as a way to increase the transparency on how ICANN reacts to GAC advice (e.g. by using information in the GAC advice register).

c. Making ICANN’s work relevant for stakeholders in those parts of the world with limited participation; and,

d. Develop and execute for each region of the world a plan to ensure that local enterprises and entrepreneurs fully and on equal terms can make use of ICANN’s services including new gTLD’s.

Implementation - In response to Recommendation 6.9, this was a directive and the board gets regular reports on interaction from the GSE. The GSE team meets and collaborates with the regional teams where they collaborate and manage a joint calendar where they share the events.

In collaboration with the ICANN org’s regional GSE and GE teams to facilitate regional discussions. GSE and GE then plan the work to identify and prioritize those activities for the coming year. Part of that planning process is the further development of the community wiki space to encompass the metrics, forums and regional projects. In practice, GSE/GE implementation in the regions is according to community priorities as expressed in the community- driven regional engagement planning and prioritization.

Implementation Assessment - Implemented

Effectiveness - This is a directive and the Board has regular reports on interaction from the GSE. Effectiveness assessment – Effective.

Conclusion - This recommendation has been fully implemented and is effective – as such no further action is required with respect to this recommendation.

4.2.2. Results of Survey

4.2.2.1. Should GAC accountability be improved?

4.2.2.1.1.

Responses

Response	Structure #	Structure %
Yes	8	73%
No	3	27%
Response	Individual #	Individual %
No significant improvements needed	3	6%
Minor improvement needed	12	23%
No opinion	7	13%
Yes, some improvements needed	17	32%
Yes, significant improvements needed	14	26%

4.2.2.1.2.

Comments

- ALAC - We understand that the GAC members operate largely on national governments' mandates, which directly impacts the character for the constituency and the AC. Yet from the end user perspective we would welcome more targeted dialogue on how to best represent individual interest in the ICANN community. Issues such as universal acceptance, security or human rights are at the focus of both ACs, yet their processes and, effectively, accountability mechanisms, are structured differently. We strongly believe that the recent efforts of joint meetings and WGs will naturally allow for more transparency and, effectively, enhance GAC accountability.
- ALAC – AFRALO - Although work is based on consensus, it's important to document the details of the different/conflicting views of the GAC members.
- ALAC – NARALO - Not sure if they have any processes that deal with this issue. If not, they should have.

4.2.2.1.3.

- GNSO – BC – Yes - The BC recommends that GAC members from EU governments be accountable for decisions taken by their member governments with respect to GDPR and Whois.
- GNSO – RySG - The RySG is unsure how to answer this question, as we understand that GAC members are accountable to the governments they represent.

Analysis

Roughly consolidating responses from Structures and Individuals gives 69% in favour of improving GAC accountability vs 24% for not doing so or minor improvements giving a net of 45% in favour of improving GAC accountability which is fairly strong.

4.2.2.1.4. Conclusion

ATRT3 will consider making Recommendations or Suggestions based on the responses to this question as well as its evaluation of the relevant ATRT2 recommendations.

4.2.2.2. Should GAC transparency be improved?

4.2.2.2.1. Responses

Response	Structure #	Structure %	Individual #	INDIVIDUAL %
Yes	7	58%		
No	5	42%		
RESPONSE			Individual #	INDIVIDUAL %
No significant improvements needed			4	8%
Minor improvement needed			13	25%
No opinion			6	11%
Yes, some improvements needed			14	26%
Yes, significant improvements needed			16	30%

4.2.2.2.2. Comments

- ALAC - While we understand that the GAC members operate largely on national governments' mandates, we would welcome more enhanced dialogue with the highly

influential GAC. Providing more information on the background of GAC positions and engaging in dialogue with their constituencies would likely significantly improve the current consensus building mechanisms within the community. We have welcomed the joint At- Large/GAC initiatives of joint working meetings and shared capacity building and look forward to expanding on this recent, highly positive experience. We are convinced enhanced interaction with the other advisory committee that represents a comparably broad yet structurally different scope of individual interests will largely improve the consensus building process within the community. We would welcome efforts from other stakeholder groups to join in this process.

- ALAC – AFRALO - More public debate and decision-making
- GAC – Yes - The GAC has taken voluntary steps to conduct a thorough review of its existing operating principles, forming a standing working group to undertake the task of reviewing the current operating principles and recommending amendments, updates and new principles to enable the GAC to function as a full member of ICANN’s empowered community into the future. The working group, formed at ICANN64 in Barcelona, Spain is first establishing clear documented guidelines and procedures for how the GAC can form and manage working group efforts in topics of interest to governments and intergovernmental organizations. Subsequently, the working group will review and assess all of the 54 GAC Operating Principles to determine process and procedure areas that merit additional clarity or updates.

Notably, since 2015, the GAC has established a broad “open meeting” policy. As a result all GAC plenary sessions during an ICANN Public Meeting are open to the public and all members of the ICANN community. Recordings and transcripts of those sessions are also made available on the ICANN org Meetings web site.

4.2.2.2.3.

- GNSO – BC – Yes - The BC recommends that the GAC be explicit and transparent when there are conflicting priorities among GAC member nations, especially regarding freedom of expression and privacy. In particular, the BC suggests that the GAC openly acknowledge its conflicting priorities when advising ICANN about how to adjust WHOIS in reaction to the EU’s GDPR regime.

Analysis

Roughly consolidating responses from Structures and Individuals gives 58% for improving GAC accountability vs 40% for not doing so or minor improvements giving a net of 18% in favour of improvements to accountability which is quite weak.

4.2.2.2.4. Conclusion

ATRT3 will consider making Recommendations or Suggestions based on the responses to this question as well as its evaluation of the relevant ATRT2 recommendations.

4.2.2.3. 4.2.2.3.1.

Responses

In your view are you satisfied with the interactions the GAC has with the Board?

Response	Individual #	Individual %	Structure #	Structure %	Consolidated %
Very satisfied	2	4%	0	0%	1%
Satisfied	20	38%	8	67%	59%
No opinion	12	23%	4	33%	31%
Somewhat dissatisfied	11	21%	0	0%	5%
Very dissatisfied	8	14%	0	0%	4%

4.2.2.3.2

Comments

GAC – Satisfied - As a result of implementing certain ATRT2 recommendations, communication and coordination between the Board and the GAC has improved over the last few years as expectations have been established and met for timely Board review and considerations of GAC consensus advice. In certain

4.2.2.3.3.

instances where consideration of GAC advice has been deferred, there is communication explaining why that transpires.

At the ICANN63 meeting in Barcelona, the GAC and members of the ICANN Board agreed to change the name of the existing BGRI to the new Board-GAC Interaction Group (BGIG) - as evidence of the commitment to continued interaction and active cooperative efforts between the Board and the GAC. The new “BGIG” name reflects a renewed commitment to the collaborative work of the GAC and Board members. It is expected that the BGIG will continue to explore initiatives and opportunities that can improve the GAC's operations and facilitate meaningful interaction with the ICANN Board.

Additionally, GAC members have publicly encouraged the Board (at ICANN65 in Marrakech) to promote more substantive dialogue between the Board and GAC members as a way to try to overcome the somewhat traditional ritualization and formalization of previous interactions. Formality and spontaneity can be complementary and equally productive methods for interaction.

- GNSO – RySG – Satisfied - The RySG has been encouraged by the increased visibility into the Board’s interactions with the GAC, particularly via the Communique Scorecard process. We also appreciate having the opportunity to contribute to the GNSO Council’s input on the GAC Communique, which gets shared with the Board prior to the Board responding.

Analysis

Structures responses were 67% Satisfied or Very Satisfied vs 0% Dissatisfied or Very dissatisfied giving a net of 67% being Satisfied or Very Satisfied which is very strong.

Individual responses were 42% Satisfied or Very Satisfied vs 35% Dissatisfied or Very dissatisfied giving a net of 7% for being Satisfied or Very Satisfied which is very weak.

4.2.2.3.4. Conclusion

4.2.2.4. In your view are you satisfied with the interactions the GAC has with the SO/ACs ?

Responses

It would seem that the Structures have been following the recent evolution of the GAC-Board relationship more closely than individual members of the community. There have been significant improvements as presented in the GAC comment which would align with the Structures very strong net of 67% being Satisfied or Very Satisfied. ATRT3 should consider making Suggestions asking the Board and GAC to better communicate the recent improvements in their relationship.

Response	Individual #	Individual %	Structure #	Structure %	Consolidated %
Very satisfied	4	8%	1	8%	8%
Satisfied	19	37%	8	68%	59%
No opinion	9	17%	1	8%	11%
Somewhat dissatisfied	15	29%	1	8%	13%
Very dissatisfied	5	9%	1	8%	9%

4.2.2.4.2.

Comments

GAC – Satisfied - With the pace of GAC participation changes in recent years, it has been observed that information sharing with various parts of the ICANN community is valuable to help GAC members understand the context of various DNS issues. Occasional dialogue with members of other ICANN communities can enhance communications and information sharing and create connections that can be relied on as new policy and operational topics are introduced and discussed.

The GAC holds regular bilateral meetings with other ICANN advisory committees and supporting organizations (including the ALAC, ccNSO and GNSO) at ICANN public meetings. At recent public meetings, the GAC has interacted with other groups from the gTLD space in a variety of ways including the RSSAC leadership, SSAC members, contracted parties (registries and registrars), business, intellectual property and noncommercial interests.

4.2.2.4.3.

GAC members observe that the ICANN SOs and ACs must still work together to address the long-standing issue of topic/issue prioritization that continues to challenge the community.

- GNSO – RrSG – Somewhat dissatisfied - Typically the GAC has little time to meet with each SO/AC, which the RrSG appreciates is due to the amount of meetings they need to fit into any schedule. With less time, the session tends to be more informational and there is less opportunity for dialogue that leads to action. However, the RrSG would like to recognise the very beneficial and action-oriented meetings that are now regularly held with the PSWG.
- GNSO – RySG – Very dissatisfied - The RySG has few opportunities to interact with the GAC directly, and unfortunately, one of the most notable recent interactions was when the GAC issued sweeping advice on new gTLD applications, particularly on what it called “Category 1” strings. The RySG has attempted to establish better communication with the GAC, including through meetings with the full GAC or the PSWG, but otherwise the interactions are extremely limited.

Analysis

Structures responses were 76% Satisfied or Very Satisfied vs 16% Dissatisfied or Very dissatisfied producing a net of 60% being Satisfied or Very Satisfied which is very strong.

Individual responses were 45% Satisfied or Very Satisfied and 38% Dissatisfied or Very dissatisfied giving a net of 7% for being Satisfied or Very Satisfied which is very weak.

4.2.2.4.4. Conclusion

Overall it would seem that SO/AC interactions are rated very positively by the SO/ACs. This being said, the RySG concerns are noted and follow on Suggestions or Recommendations from ATRT3's assessment of the ATRT2 recommendations relevant to this could help improve the situation.

4.2.3. Other Information

4.2.3.1. (text on interviews at ICANN 65???????)

During ICANN 65 we had the opportunity to address the following questions to the GAC directly in two opportunities: with the whole GAC and with the GAC Chair and vice Chairs

We make same questions from 1) to 4) to ACs and SOs.

- 1) Where and how do you believe GAC accountability and/or transparency can have opportunities for improvement?
- 2) "Regarding recommendations from ATRT2 - GAC Operations & Interactions - Recommendation 6 , implementation and which point do you believe requests more work?"
- 3) GAC Operating Principles "Is there any point inside GAC Operating Principles that you believe deserves an improvement, regarding Accountability and Transparency?"
- 4) Is GAC satisfied with the interactions with the BOARD? with other communities? what kind of improvements would GAC like to see implemented?
- 5) Information and consideration from GAC on these two cases: Amazon and 2-Character country code domain names
- 6) It is recommended to use further implemented action as a Key Performance Indicator to evaluate GAC Interactions with the Board and other Communities. What is the GAC's perspective on this?

From the interview we took notes (as in the annex XX) **I believe the notes shall be in annex not inside this report- Your thoughts?**

After the meeting the GAC sub working party debated all noted issues from members and had the final agreement as follow:

Transparency ITEMS	Accountability on the process items
<ul style="list-style-type: none"> • Communique language (second level of transparency) 	<ul style="list-style-type: none"> • Close the loop -

<ul style="list-style-type: none"> • % clarification on the consensus that shall be better defined. • GNSO X GAC - process – could start using the example of GAC X Board Process • Need to adjust the process to fit into GNSO. • Link of the process with Board.https://www.icann.org/en/system/files/files/gac-advice-process-flowchart-31aug17-en.pdf 	<ul style="list-style-type: none"> • Credentials as diplomatic
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GENERAL ISSUES:

(One week after ICANN 65 we had a call to finalize our agreement and added the following notes: **in my opinion this sentence is not to be included- just for you as reference**))

- Capacity building about business model of Domain Industry.
- Talk with our own representative on GAC to get more feedback.
- Not consensus advice – stroll men poll indication to sense of direction GAC is taking related to any policy issues.
- Community: Keeping close relationship between Community members and GAC’s member for the same country. Agree on community group issue.
- Important to reassure that no country can represent another, in GAC or any other organization.

4.3. Analysis of Information and Identification of Issues

4.4. Suggestions with respect to issues.

4.5. Recommendations to Address issues

4.5.1. Identification of Recommendation 2.1

4.5.1.1. Definition of desired outcomes, including metrics used to measure whether the recommendation’s goals are achieved

4.5.1.2. Initial identification of potential problems in attaining the data or developing the metric

4.5.1.3. Suggested timeframe in which the measures should be performed

4.5.1.4. Definition of current baselines of the issue and initial benchmarks that define success or failure

4.5.1.5. Data retained by ICANN (no idea what this is about?) **I BELIEVE this is about statistics ICANN has.**

4.5.1.6. Industry metric sources

4.5.1.7. Community Input

4.5.1.8. Surveys or studies

4.5.1.9. Consensus on Recommendation

4.5.2. Identification of Recommendation 2.2.....