

ATRT3 GAC Survey Responses:

ATRT3 “Community Structures” Survey - 2019

This document sets forth approximately 50 survey questions presented by the ATRT3 with associated GAC responses to each question. The flexibility of the ATRT3 and its support staff to accept these responses in this “Word-formatted” document is most appreciated.

Due to the volume of questions and the phrasing of various questions and potential answer choices (which could lead to ambiguity) a number of proposed “GAC” answers express “no opinion” or “no answer” and individual GAC members were given the opportunity to answer their own “individual” versions of the ATRT3 survey (see - <http://input.icann.org/app/survey/response.jsp>).

You will note that a number of survey question responses reference other GAC public documents – in particular:

- ALAC-GAC Joint Statement – Enabling inclusive, informed and meaningful participation at ICANN - November 2017
<https://gac.icann.org/publications/20171031-joint-statement-gac-alac.pdf>; and
- GAC Comments – Evolving ICANN’s Multistakeholder Model of Governance – June 2019
<https://mm.icann.org/pipermail/comments-evolving-multistakeholder-model-25apr19/attachments/20190613/3cbd8b93/GACPublicComment-EvolvingICANNsMultistakeholderModelFINAL13June2019-0001.pdf>

If the ATRT3 Review Team has not already been able to review the documents in its background research efforts, it is hoped that the review team will have the opportunity to consider the two documents in the context of the GAC’s responses to the community survey.

Please direct any questions about any of the response text to the GAC Support Staff at robert.hoggarth@icann.org.

Survey Questions:

(Survey Document Note presented by ATRT3 – “Please note that all questions in this survey only cover the period from October 2016 (IANA Stewardship Transition) to August 2019.”)

1. Which SO, AC, GNSO constituent body, or RALO (Structure) is responding?

GAC Answer - GAC

BOARD-RELATED QUESTIONS

2. Please indicate your Structure's satisfaction with the Board's performance overall:

Very satisfied
Satisfied
No opinion
Somewhat dissatisfied
Very dissatisfied

If very dissatisfied or somewhat dissatisfied do you have any suggestions for improvements?

GAC Answer – No opinion

3. How does your Structure feel regarding the Board's interaction with your SO/AC?

Very satisfied
Satisfied
No opinion
Somewhat dissatisfied
Very Dissatisfied

If very dissatisfied or somewhat dissatisfied do you have any suggestions for improvements?

GAC Answer - No opinion

4. Does your Structure consider the diversity amongst Board members satisfactory?

Yes
No

GAC Answer – No

Which areas of diversity do you feel need improvement? (select all diversity factors you think apply):

Geographical/regional representation
Language
Gender

Age
Physical disability
Diverse skills
Stakeholder group or constituency

Proposed GAC Answer: Geographical/regional representation and Gender

Please explain:

Proposed GAC Answer: GAC members have observed that, if Board liaison positions are excluded, only 4 out of 15 elected Board members are female. This ratio could be improved. GAC members have also noted that Board members with strong connections to “Western” and “developed” countries tend to be more strongly represented than from emerging or less developed countries. (Concept and similar language proposed by Switzerland)

Do you have any suggestions for improvements?

GAC Answer – No opinion

5. How satisfied is your Structure with the Nominating Committee’s selection of Directors for the ICANN Board:

Very satisfied
Satisfied
No opinion
Somewhat dissatisfied
Very dissatisfied

If very dissatisfied or somewhat dissatisfied do you have any suggestions for improvements?

GAC Answer – No opinion

6. Please indicate your Structure's satisfaction with the accountability of the Board under the new accountability mechanisms such as the Empowered Community:

Very satisfied
Satisfied
No opinion
Somewhat dissatisfied
Very dissatisfied

If very dissatisfied or somewhat dissatisfied do you have any suggestions for improvements?

GAC Answer – No opinion

7. Rate the mechanisms ensuring the Board's transparency:

Very effective
Effective
No opinion
Somewhat ineffective
Ineffective

If ineffective or somewhat ineffective, do you have any suggestions for improvements?

GAC Answer – No opinion

8. How would your Structure rate the importance of the Board implementing the Transparency Recommendations from the CCWG-Accountability WS2?

Very important
Somewhat important
No opinion
Somewhat not important
Not important

GAC Answer – Very important

9. Is your Structure satisfied with the Board's decision-taking process?

Yes
No

GAC Answer - Yes

Do you have any suggestions for improvements?

GAC Answer – There is always room for improvements to decision taking. 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 instances where consideration of GAC advice has been deferred, there is communication explaining why that transpires.

Separately, the ICANN org staff has established an inventory of GAC advice to assist interested parties in researching and understanding how past advice has been considered and processed.

10. Is your Structure aware of the training program for the Board members?

Yes

No

GAC Answer – Yes. The GAC Chair now participates in the Board member on-boarding process to help new Board members understand the role and importance of active government participation in ICANN processes.

11. How satisfied is your Structure with the financial information that is provided to the public by ICANN?

Very satisfied

Satisfied

No opinion

Somewhat dissatisfied

Very dissatisfied

If very dissatisfied or somewhat dissatisfied do you have any suggestions for improvements?

GAC Answer – No opinion

12. How would your Structure rate the usability of the financial information?

Very useful

Somewhat useful

No opinion

Somewhat not useful

Not useful

GAC Answer – No opinion

GAC-RELATED QUESTIONS

13. Should GAC accountability be improved?

Yes

No

What would you suggest?

GAC Answer – Yes, see answer to question #14 below.

14. Should GAC transparency be improved?

Yes

No

GAC Answer - Yes

What would you suggest?

GAC Answer – 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.

15. How satisfied is your Structure with the interactions the GAC has with the Board?

Very satisfied

Satisfied

No opinion

Somewhat dissatisfied

Very dissatisfied

If very dissatisfied or somewhat dissatisfied do you have any suggestions for improvements?

GAC Answer – 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 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.

16. How satisfied is your Structure with the interactions the GAC has with the SO/ACs?

- Very satisfied
- Satisfied
- No opinion
- Somewhat dissatisfied
- Very dissatisfied

If very dissatisfied or somewhat dissatisfied do you have any suggestions for improvements?

GAC Answer – 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.

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.

TRANSPARENCY

Has your Structure ever filed a Documentary Information Disclosure Policy (DIDP) request with ICANN?

Yes

No

GAC Answer – No

What information was your Structure seeking?

GAC Answer – Question does not apply.

Did your Structure receive the information it requested in full?

Yes

No

GAC Answer – Question does not apply

Did the material that your Structure received answer its question?

Yes

No

GAC Answer – Question does not apply

Please feel free to add any other thoughts you have about the Documentary Information Disclosure Policy (DIDP) process.

GAC Answer – None

18. Do you believe the information ICANN makes available on the icann.org website should be better organized to facilitate searching for specific topics?

Yes

No

GAC Answer – No answer

19. Do you believe the information ICANN makes available on the community wiki website should be better organized to facilitate searching on the wiki?

Yes

No

GAC Answer – No answer

20. Is your Structure aware of ICANN’s open data mechanisms, including the Information Transparency Initiative (ITI) or the Open Data Initiative (ODI), or of ICANN’s transparency policies more generally?

Yes

No

GAC Answer – Yes. The GAC has been previously briefed about the ITI effort by ICANN org Communications staff – see <https://gac.icann.org/sessions/gac-introductory-webinar-series-information-transparency-initiative-iti>.

Back at ICANN 60, the GAC and ALAC prepared and published a joint statement calling for the ICANN org to do a better job at “enabling inclusive informed and meaningful participation in ICANN. The reply from the Board and ICANN org regarding that statement largely relied on the expected benefits that would flow from the ITI project. A copy of that joint statement can be found here - <https://gac.icann.org/publications/20171031-joint-statement-gac-alac.pdf> - for ATRT3 Review Team reference.

SO/ACs

21. Are ICANN’s mechanisms sufficient to generate policies which are acceptable to the global Internet community?

Yes

No

GAC Answer – No opinion

If no, where do you think these shortcomings lie, and how could they be improved?

Question

22. What procedures do you have in place within your Structure for electing NomCom representatives?

GAC Answer - The prospect of GAC participation in the ICANN NomCom has been discussed for some time within the committee and is still subject to further discussions. As a result, the GAC has not appointed a delegate to serve on the NomCom for many years.

23. Do you feel that the NomCom, as currently constituted, is a sufficient mechanism for fostering nominations that have adequate stakeholder and community buy in?

Yes
No

GAC Answer - The GAC has a dedicated working group addressing NomCom matters and based on recent discussions with the NomCom leadership (e.g., at the ICANN64 Kobe, Japan meeting) the GAC has been able to establish and share specific and formally recommended criteria for NomCom consideration in the future selection of prospective ICANN leaders (see for example [6 August 2018 Letter from Manal Ismail to Zahid Jamil](#)). The GAC hopes to continue that effort in the years to come as the GAC discussions about NomCom representation continue.

Where do you think these shortcomings lie, and how could they be improved?

GAC Answer – No opinion

24. Does your Structure have formalized or instituted term limits for membership?

Yes
No
Does not apply

GAC Answer - No

25. Does your Structure have formalized or instituted term limits for leadership?

Yes
No

GAC Answer - Yes

26. What is your Structure's feedback regarding its selection of Board members or non-voting Liaisons to the Board?

The non-voting liaison to the ICANN Board has traditionally and consistently been filled by the GAC Chair since the formation of the GAC. The process for such a selection is not formally documented in the GAC Operating Principles. The Board is simply notified when the GAC Chair changes and the new chair is accepted onto the Board. This matter will be addressed by the GAC working group that is reviewing the GAC operating principles in due course.

27. Does your Structure have a transparency policy?

Yes

No

GAC Answer – Yes.

Please describe or provide a link to any formalized transparency processes/protocols/policy that your Structure uses.

GAC Answer –

The GAC operates under a traditional practice of transparency during its deliberations at ICANN public meetings. All GAC plenary sessions are open to the entire ICANN community and feature remote participation and simultaneous interpretation in the six United Nations languages plus Portuguese. This principle of openness continues during the GAC Communiqué drafting sessions. Transcripts and recordings of the sessions are also provided for public view on the ICANN meetings web pages.

Additionally, the GAC Operating Principles provide two specific references to the principle of transparency. Consideration 3(iii) of the GAC Operating Principles acknowledges that "ICANN's decision making should take into account public policy objectives including, among other things: ... transparency and non-discriminatory practices in ICANN's role in the allocation of Internet names and address[es]". Also, GAC Operating Principle 35 provides that in the election of GAC leadership, "The voting process must be secure, fair, independent and transparent. See - <https://gac.icann.org/operating-principles/operating-principles-june-2017>

When was the last time it was revised?

GAC Answer - The GAC has taken unilateral 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.

Review of the GAC's transparency principles will likely be addressed by the GAC working group that is reviewing the GAC operating principles in due course.

28. Does your Structure have a conflict of interest policy?

Yes

No

GAC Answer – No

Please describe or provide a link to any formalized conflicts of interest processes/protocols/policy that your Structure uses.

GAC Answer – This question does not apply.

29. Does this include an evaluation component?

Yes

No

GAC Answer – This question does not apply.

Please provide details:

GAC Answer – This question does not apply.

Has your structure ever experienced or perceived challenges related to conflicts of interest?

Yes

No

GAC Answer – No.

PUBLIC COMMENTS

30. Please rate how effective the current system of Public Comments is for gathering community input.

Very effective

Effective

No opinion
Somewhat ineffective
Ineffective

GAC Answer – While the GAC has no formal opinion regarding this question generally as it pertains to public comments, it is notable that the GAC has made various efforts to provide its inputs and views earlier in the policy development process when there are cross community working groups on certain topics and during those times when a supporting organization process enable GAC participation and contributions (e.g., IGO Curative Rights Protection Mechanisms). This method for input and participation remains a work-in-progress.

31. Does your Structure believe the concept of Public Comment, as currently implemented, should be re-examined?

Yes
No

GAC Answer – Yes

32. Has your Structure responded to a Public Comment in the last year?

Yes
No

GAC Answer – Yes

How many responses has your Structure submitted to Public Comments in the last year?

1
2
5 or more
10 or more

GAC Answer – 5 or more

What prevented your Structure from responding?

Did not have the time to produce a detailed response
Subject was too complex
Consultation document was too long

Language issues

Time to respond was too short

Other:

GAC Answer – “Did not have the time to produce a detailed response” and “Time to Respond was too short”. Not all Public Comment Forums address matter of priority interest to governments. But, among those issues where GAC members may be interested but are not able to file comments as a committee, available time is a substantial issue. Unlike other members of the ICANN community, government representatives often need to share drafts and points of view within their government structure. Typical ICANN comment periods (even 45-days) can often prove too short to enable the GAC to fully develop consensus views among its members. As a result, individual GAC members may have to resort to file their own comments.

For a number of GAC members the length of public comments, the complexity of the topic terminology and the general issues being discussed can also complicate the ability to sufficiently absorb and prepare collective responses in a timely manner - given the comment-time provided. This context is the reason the GAC has commented in other fora regarding the critical need for ICANN to provide sufficient background and summary resources to help GAC and other community participants understand the issues at hand so that they can provide informed feedback and input.

Would your Structure respond more often to Public Comments if the consultation included short and precise questions regarding the subject matter in a Survey Monkey or similar format?

Strongly agree

Agree

No opinion

Disagree

Strongly disagree

GAC Answer – Agree. Specific targeted questions may prove more useful for the more complicated issues that are raised by some ICANN topics. However, one common approach may not fit all topic circumstances.

33. Does your Structure agree that responses made to Public Comments by individuals and external organizations/groups be considered equally?

Strongly agree

Agree

No opinion

Disagree

Strongly disagree

GAC Answer – Disagree. While all points of view can have merit in certain circumstances, consensus views on ICANN policy matters that are expressed by governments through the GAC should be accorded substantial weight and it would be inappropriate to weigh them equally with responses by individuals. In many respects, the current ICANN Bylaws recognize this appropriate consideration.

34. Does your Structure agree that the responses made to Public Comments by SO/ACs have more weight than other comments?

- Strongly agree
- Agree
- No opinion
- Disagree
- Strongly disagree

GAC Answer - Agree

35. Does your Structure agree that the responses made to Public Comments by the Board have more weight than other comments?

- Strongly agree
- Agree
- No opinion
- Disagree
- Strongly disagree

GAC Answer – No opinion. There have been rare occasions where the Board has needed to comment on certain matters being considered by the ICANN community (e.g., the IANA transition), but those circumstances should be rare. When the Board seeks public comments on certain policy recommendations it should be open to listening to and considering views from the SOs and ACs.

36. How useful are staff reports on Public Comments?

- Very useful
- Useful
- No opinion
- Not very useful
- Not useful at all

GAC Answer – Useful - The production of staff summary reports of public comment submissions are an important resource used by some GAC members to help them follow certain ICANN proceedings. They should be continued. There may be areas where those documents could be improved and specific suggestions should be welcomed, including the application of “plain language” standards and the provision of specific textual explanation of concepts rather than simply providing web links to background documents.

37. Does your Structure agree that staff reports on Public Comments clearly indicate if suggestions made by the commenters were accepted and how they were included?

Strongly agree

Agree

No opinion

Disagree

Strongly disagree

GAC Answer – Disagree – The staff reports on public comments offer a helpful summary of public comments and some information about the next steps in a particular matter, but as they generally are prepared well BEFORE any actual decisions are reached they do not consistently provide reliable information about the treatment or resolution of comments.

38. Does your Structure agree that staff reports on Public Comments clearly indicate if suggestions made by the commenters were rejected and the reason they were rejected?

Strongly agree

Agree

No opinion

Disagree

Strongly disagree

GAC Answer – Disagree – The staff reports on public comments offer a helpful summary of public comments and some information about the next steps in a particular matter, but as they generally are prepared well BEFORE any actual decisions are reached they do not consistently provide reliable information about the treatment or resolution of comments. GAC members have suggested that an additional staff report be incorporated into the public comment process to provide this follow-up information for community review.

SUPPORT FOR ICANN DECISIONS

39. Does your Structure believe the Internet community generally supports the decisions made by the Board?

Yes
No

GAC Answer – No opinion.

40. Does your Structure generally support the decisions made by the Board?

Yes, strongly support
Yes, support
No opinion
No, do not support
No, strongly do not support

GAC Answer – No opinion.

POLICY DEVELOPMENT PROCESS (PDPs)

41. What role should SO or ACs play in fostering buy-in from their community to ICANN's policy-making?

GAC Answer – The general demographic of government participation in matters relevant to ICANN 's responsibilities necessitates constant communication, education and information sharing about the functions of the Domain Name System (DNS) and ICANN's role and responsibilities in the operations and management of the DNS space. Informed government understanding of ICANN's role for both GAC participants and their government colleagues is an important component of the GAC role in ICANN. The GAC currently works on this responsibility by partnering with the ICANN Government Engagement (GE) team on planning and conducting capacity building workshops both regionally around the world and in conjunction with ICANN public meetings. Every couple of years, the GAC-GE partnership on organizing a High Level Governmental Meeting of government leaders helps to promote this effort as well.

42. How could your Structure improve this?

GAC Answer – With appropriate consistent dedicated resources from the ICANN org, the GAC and GE would be able to conduct more workshops and reach larger audiences.

SPECIFIC REVIEWS

43. How would your Structure rate the effectiveness of the specific reviews (ATRT, SSR, RDS) as they are currently structured in the ICANN Bylaws?

- Very effective
- Effective
- No opinion
- Somewhat ineffective
- Ineffective

GAC Answer – No opinion.

44. Should specific reviews (ATRT, CCT, RDS, SSR) be reconsidered or amended?

- Yes
- No

GAC Answer – No answer.

45. How would your Structure rate the effectiveness of organizational reviews (those reviewing SO/ACs as they are currently structured in the ICANN Bylaws)?

- Very effective
- Somewhat effective
- No opinion
- Somewhat ineffective
- Ineffective

GAC Answer – No opinion.

46. Should organizational reviews be reconsidered or amended?

- Yes
- No

Proposed GAC Answer – No answer.

Should organizational reviews continue to be undertaken by external consultants?

- Yes
- No

GAC Answer – No answer.

ACCOUNTABILITY INDICATORS

47. Has your Structure looked at the ICANN Accountability Indicators which can be found at <https://www.icann.org/accountability-indicators?>

GAC Answer - No

How would your Structure rate their usefulness overall?

Very useful
Useful
No opinion
Not very useful
Not useful at all

GAC Answer – No opinion

How would your Structure rate these for effectiveness in measuring the accountability of ICANN

Very effective
Effective
No opinion
Somewhat ineffective
Ineffective

GAC Answer – No opinion

PRIORITIZATION AND RATIONALIZATION OF ACTIVITIES

48. Should the ATRT3 make recommendations about prioritization and rationalization of ICANN activities?

Yes
No

GAC Answer – No opinion.

Whose responsibility does your Structure think it should be?

GAC Answer – No opinion.

Should such recommendations include a process to retire recommendations as it becomes apparent that the community will never get to them or they have been overtaken by other events?

Yes

No

GAC Answer – No opinion.

Should such recommendations aim to provide a general approach for prioritizing and rationalizing work for ICANN?

Yes

No

GAC Answer – No opinion.

Should the mechanism for making recommendations on prioritization and rationalization only apply to PDPs, reviews and their recommendations, or include other operational aspects in ICANN?

PDPs and Reviews

Include other operational aspects

GAC Answer – No opinion.

What does your Structure think these other operational aspects should include?

Proposed GAC Answer – No opinion.

Should the community or representative(s) of the community be involved as a decisional participant in any mechanism which makes recommendations for prioritizing and rationalizing work for ICANN?

Yes

No

GAC Answer – Yes. The ICANN community leadership (made up of the chairs of the current ICANN Supporting Organizations and Advisory Committees) regularly interacts

among its members and with ICANN executives, so there is already an informal exchange of those ideas. Further linkages in this area of community prioritization may take place in the context of the ongoing proceeding entitled Next Steps to Improve the Effectiveness of ICANN's Multistakeholder Model (see <https://www.icann.org/public-comments/multistakeholder-model-next-steps-2019-08-27-en>) and that is the appropriate forum for those discussions.

Do you think the Empowered Community would be a good mechanism for making recommendations on prioritizing and rationalizing if its role was amended to allow this?

Yes

No

GAC Answer – No. The Empowered Community should only be used as defined in the ICANN Articles of Incorporation and Bylaws.

Is there an existing structure which could fill this role?

GAC Answer – No opinion.

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