



The Internet Corporation for Assigned Names and Numbers

By email

9 March 2011

Ms. Heather Dryden
Chair of the Government Advisory Committee
Senior Advisor to the Government of Canada

Dear Heather:

As you know, the Board approved a [resolution](#) requesting the Governmental Advisory Committee's input on the Accountability and Transparency Review Team's ([ATRT's](#)) [final report](#). I thought it might be helpful to highlight in more detail the Board's desire to work with the GAC in considering actions on key recommendations.

The following ATRT report recommendations are under consideration by the Board and relate directly to the GAC (for ease of review, the recommendations are summarized and the ATRT's proposed deadlines for action are included below; please refer to the [report](#) for more information):

- Recommendation 9. (Identified as an ATRT "high priority") Board, acting through the GAC-Board joint working group (JWG), should clarify what constitutes GAC public policy "advice" under the Bylaws – by March 2011.
- Recommendation 10. (Identified as an ATRT "high priority") Board, acting through the JWG, should establish a more formal, documented process by which it notifies the GAC in writing of matters that affect public policy concerns to request GAC advice – by March 2011; ICANN should develop an on-line record of each request to, and advice received from, the GAC along with the Board's consideration of and response to each advice.
- Recommendation 11. (Identified as an ATRT "high priority") Board and GAC should work together to have the GAC advice provided and considered on a more timely basis; Board, acting through the JWG, should establish – by March 2011 – a formal, documented process by which the Board responds to GAC advice. This process should set forth how and when the Board will inform the GAC, on a timely basis, whether it agrees or disagrees with the advice and will specify what details the Board will provide to the GAC if it disagrees with the advice; process should also set forth procedures by which GAC and Board will then "try in good faith and in a timely efficient manner, to find a mutually acceptable solution." Consider establishing other mechanisms by which Board and GAC can satisfy the Bylaw provisions relating to GAC advice.

- Recommendation 12. Board, acting through the JWG, should develop and implement a process to engage the GAC earlier in the policy development process.
- Recommendation 13. Board and GAC should jointly develop and implement actions to ensure that GAC is fully informed of ICANN policy agenda and policy staff is aware of/sensitive to GAC concerns; may wish to consider changes to role of ICANN staff support relating to communication with and support to GAC, and whether Board and GAC would benefit from more frequent joint meetings.
- Recommendation 14. Board should endeavor to increase the level of support and commitment of governments to the GAC process; encourage member countries and organizations to participation in GAC and place particular focus on engaging nations in developing world and need for multilingual access to ICANN records; Board also should work with GAC to establish a process to determine when and how ICANN engages senior government officials on public policy issues on a regular and collective basis to complement existing GAC process.

Additional recommendations in the report relating to Board processes and membership, public input and policy development, and review mechanisms for Board decisions, have important implications for ICANN broadly, and Advisory Committees in particular. I also encourage the GAC to consider and offer comments on these as well.

The [Affirmation of Commitments](#), under which the ATRT was conducted, requires the report to be posted for public comment (the comment period opened by the ATRT closed on 14 February 2011), and states that the Board will take action on the resulting recommendations within six months of receipt of the report (by 30 June 2011).

Given the proposed deadlines in the ATRT report and the June deadline for Board action on the report overall, if at all possible, it would be very useful to receive GAC guidance as soon as practicable on:

- Whether the GAC advises that the Board accept or reject, or changes to, the ATRT recommendations, especially the recommendations summarized above;
- Whether the GAC has any additional recommendations to meet the accountability and transparency objectives set forth in the Affirmation; and
- Any initial suggestions the GAC may have on work processes, schedules, resources, or other issues related to implementation of the ATRT recommendations.

Although the ATRT report references the current Board/GAC Joint Working Group (JWG) as a mechanism for addressing some of the recommendations, I understand the group is concluding their work with plans to issue a final report in March. I look forward to

discussing what the most effective construct would be to enable the Board and the GAC to work together on these ATRT recommendations – be it an expansion of the JWG's scope, a new working group, or something else.

Denise Michel, Advisor to the President & CEO, is managing staff support for ATRT follow-up activities broadly, and Jamie Hedlund, Vice President of Government Affairs – Americas, stands ready to assist the GAC in its ATRT-related work. Both are available to provide more information if needed and can be reached at <denise.michel@icann.org> and <jamie.hedlund@icann.org>.

The Board and I look forward to working with the GAC on this important undertaking.

Warmest regards,

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS

A handwritten signature in black ink, appearing to read "Peter Dengate-Thrush", with a large, stylized flourish at the end.

Peter Dengate-Thrush

CHAIRMAN OF THE BOARD OF DIRECTORS