ICANN | GAC
Governmental Advisory Committee

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COMMUNITY FORUM
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## Board GAC Interaction Group (BGIG) Meeting
### Session # 24 - BGIG Meeting

## Contents

## Session Objectives

During this session members of the Board GAC Interaction Group will have the opportunity to discuss Board treatment of GAC consensus advice supplied in the GAC Marrakech Communique and be updated on the expectations for treatment of the consensus advice in the GAC Montreal Communique. Time permitting, the participants will also discuss the recent suggested recommendations offered by the ATRT3 to further improve Board GAC interactions.

## Background

History of the BGIG

Originated back in 2011 to address recommendations from the first Accountability and Transparency Review Team (ATRT) effort, the original Board GAC Review Implementation (BGRI) Working Group served as a vehicle for regular dialogue between the Board and GAC members. The collaborative BGRI effort improved the process for receipt, consideration, processing and tracking of GAC advice by the ICANN Board.

Issues under BGRI discussion over the years have included the actual definition of GAC advice; improvements to the process for considering GAC advice; discussion of matters involving the implementation of GAC advice; sources of GAC secretariat support; various amendments to the GAC Operating Principles; and various other information exchanges between the two entities. More

recently, the GAC Leadership and Board members have utilized the BGRI as a useful forum for operational discussions and examinations of strategic aspects of their working relationship.

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.

History of the Action Advice Registry ("ARR") (Tracking GAC Advice)

Efforts to improve the processing and tracking of GAC advice have been a fundamental focus of the Board and the GAC for some time. The Action Request Register (ARR) is the current tool used by the ICANN org to track the receipt and processing of GAC Advice. The ICANN org first implemented the ARR at the request of former Board Chair Dr. Steve Crocker in 2015 to provide clarity and consistency to the ICANN community about the status and life cycles of different inputs to the Board.

Initially, the ARR only tracked formal advice from the At-Large Advisory Committee (ALAC), the Root Server System Advisory Committee (RSSAC), and the Security and Stability Advisory Committee (SSAC). In 2017, the ICANN org expanded the ARR to include advice from the GAC as well as Correspondence.

Starting at ICANN60 in Abu Dhabi the ICANN org started reporting on the status of the GAC advice inventory at the Board-GAC Interaction Group (BGIG) meetings during ICANN meetings and the inventories of GAC advice are also posted on the GAC website. The "universe" of advice currently includes all GAC advice from the ICANN46 GAC Beijing Communiqué to the most recent GAC Communiqué from ICANN65 Marrakech. Each GAC Communiqué has been parsed to identify individual advice items. The ICANN org determined that the GAC has issued 192 individual consensus advice items and 21 follow-up to previous consensus advice items since the ICANN46 Beijing Communiqué.

In September 2019, Maarten Botterman transmitted a letter to the GAC Chair advising the GAC of a change in the ARR process. He advised that in the future, the status of GAC advice in the ARR would be reported directly following the adoption of the latest GAC scorecard by the Board. The reason for this change is that ICANN org is now aligning the way it publicly reports on advice from the ALAC, RSSAC, and SSAC with advice from the GAC. Future inventories and status of GAC advice will be included on the Recommendations to the Board web page along with other Advisory Committee advice.

Since the ICANN60 Abu Dhabi public meeting, the GAC has tracked the consensus advice cycle of GAC Communique advice and published appropriate documentation for GAC member information and review (see - https://gac.icann.org/activity/icann-action-request-registry-of-gac-advice).

The ICANN org now hosts a webpage on the ICANN.org web site that lists the status and subsequent assessment, treatment and implementation of GAC advice (see - https://features.icann.org/board-advice/gac).

## Recent Relevant Developments

On 16 December, ICANN org opened a public comment period regarding the "Third Accountability and Transparency Review Team (ATRT3) Draft Report for Public Comment - December 2019" (https://www.icann.org/en/system/files/files/draft-report-atrt3-16dec19-en.pdf)(ATRT3 Draft Report).  The draft report is a substantive and comprehensive document that addresses a number of important issues and includes seven (7) proposed draft recommendations the ATRT3 has suggested with respect to the GAC.

Two of those recommendations directly address potential improvements to the interactions between the GAC and the ICANN Board including continued work on recommendations initiated by the ATRT2[1] and a proposed suggestion that the GAC and the Board develop joint messaging about the current state of their interactions and the mechanisms which support them.

In its comments regarding the ATRT3 draft report (see - https://mm.icann.org/pipermail/comments-atrt3-draft-report-16dec19/attachments/20200201/8f034c9d/GACCommentsonATRT3DraftRecommendations31Jan2020Final-0001.pdf), the GAC commented that it is pleased that the ATRT3 recognized that "significant improvements that have been made by the GAC since the ATRT2 recommendations were made." (see Draft Final Report at page 52).  The GAC agrees with the ATRT3 that "this type of recommendation implies more of a continuous improvement process rather than a single outcome", and despite being difficult to fully implement looks forward to continuing its active work and regular meetings with Board members in the context of the BGRI (now renamed as the Board/GAC Interaction Group – "BGIG") to publicize existing improvements and identify new ones in the months and years to come.

The GAC also acknowledged the ATRT3 suggestion regarding joint messaging and requested that it be clarified in the Final rReport. The GAC comments noted that joint face to face meetings of the Board and GAC and gatherings of the Board-GAC Interaction Group are all open, public, recorded

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[1] The ATRT2 recommendations called for The Board and the GAC to work together 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 original ATRT2 recommendation also stated that the BGRI working group should consider how the GAC can improve its procedures to ensure a more efficient, transparent and inclusive decision-making and that 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.

and transcribed. The GAC noted that the GAC Communique production effort, clarification process with the Board and ultimate scorecard response from the Board are also all public and that GAC advice status is regularly tracked and reported on both the GAC and ICANN.org web sites. Also, this ATRT review process in itself provides substantial notice to the community about improvements over the last couple of years with respect to GAC-Board interactions. In using the term "messaging", the GAC asked, "does this ATRT3 suggestion contemplate expectations about certain reporting mechanisms or resources that need to be developed?"

The BGIG meeting in Cancun will enable Board Members and GAC participants to collectively consider and discuss the ATRT3 suggestions and their implications for future interaction group efforts.

## Agenda
(as of 10 February)

For ICANN67, the preliminary BGIG meeting agenda will likely include:

- Introductions
- GAC scorecard and the schedule for considering the Cancun Communiqué Status
- Review of GAC Advice Registry Capabilities
- Dialogue on Recent ATRT3 Suggested Recommendations
- AOB

## Further Information/Details:

- The Board-GAC Recommendations Implementation Working Group (BGRI-WG) - (https://www.icann.org/resources/pages/board-gac-2011-2012-02-28-en) was originally created to implement GAC-related recommendations of the first ICANN Accountability and Transparency Review Team (ATRT1) - https://www.icann.org/resources/reviews/specific-reviews/atrt.
- The BGRI's term was then extended to implement GAC-related recommendations of the second Accountability and Transparency Review Team (ATRT2) - https://www.icann.org/resources/reviews/specific-reviews/atrt;
- ATRT2 Recommendation Implementation Wiki - https://community.icann.org/display/atrt/ATRT2+Implementation+Program - see recommendation 6 for GAC recommendations
- ATRT3 Wiki - https://community.icann.org/display/atrt/ATRT3

## Other Useful Links:

- Final Recommendations of the First ATRT – 31 Dec 2010 - http://www.icann.org/en/reviews/affirmation/atrt-final-recommendations-31dec10-en.pdf
- Board/GAC JWG Final Report – 19 June 2011 -

- http://www.icann.org/en/committees/board-gac-2009/board-gac-jwg-final-report-19jun11-en.pdf
- ICANN ATRT Home Page - https://www.icann.org/resources/accountability
- ICANN Governmental Advisory Committee (GAC) Advice Status Webpage - https://features.icann.org/board-advice/gac

## Document Administration

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