

Accountability and Transparency Review Team (ATRT)
Conference Call - Tuesday, June 13th 2010 – 23:59 UTC
Preliminary Report

RT Selectors and Members

(PDT) Peter Dengate Thrush
(MI) Manal Ismail, Vice Chair
(LS) Lawrence Strickling
(WA) Warren Adelman
(BB) Becky Burr
(FC) Fabio Colasanti
(BC) Brian Cute, Chair
(EIA) Erick Iriarte Ahon
(CLO) Cheryl Langdon-Orr
(LL) Louie Lee
(OM) Olivier Muron
(XZ) Xinsheng Zhang

Assistants invited by RT Members

(FA) Fiona Alexander
(JM) James Bladel
(FG) Feng Guo

Supporting Staff

(AJ) Alice Jansen

Silent observers

Andy
Jim Prendergast
Kieren McCarthy
Robin Gross
LES

The Accountability and Transparency Review Team (ATRT) undertook the following:

a) Discussion about the ATRT budget

- The budget drafted by the RT was submitted to the relevant Board Working Group for approval.
- The Board Working Group required further explanations regarding the size of the budget particularly the Berkman proposal and its scope.
- RT members were surprised to have this discussion that late, were concerned about the factor of time and noted the team's independence in setting the scope of the review. It was also noted that a contract, based on ICANN standard contract, was already sent to Berkman for review pending budget approval from the Board.
- Given the high priority of the Berkman assignment and the tight timeline allocated to the process, the RT Members requested that a call be scheduled with Rita Rodin the following day.

b) Discussion about the Conflict of Interest of an ATRT Member: (BB)

- In light of her qualifications and extensive knowledge of the process, (BB) informed the RT that she would shoulder the ICM task - which consists in providing staff with material following a Board directive and entering into contract negotiations with ICANN.

- Whereas (BB) had initially offered to recuse herself from .xxx work, (BB) alternatively offered to withdraw from the Review Team.
- The RT discussed the two possibilities put forward by the ccNSO appointee and concluded that a withdrawal from the RT would be more appropriate so as to preserve the impartiality of their outputs in the eyes of the community.
- This withdrawal decision was put to a vote among RT Members – the breakdown is as follows:
 - ❖ Against: (CLO); (MI); (FC); (OM); (EI)
 - ❖ In favor: (PDT); (LS); (WA); (LL); (BC)
 - ❖ Abstentions: (XZ)
 - ❖ Absent, apologies: (WC)
 - Individual explanatory statements may be found at:
<http://www.icann.org/en/reviews/affirmation/transcript-atrt-13jul10-en.pdf> (pp. 13-20)
- In terms of accountability, the RT resolved to request a formal letter of resignation from (BB) and to thoroughly report the RT's decision to the ccNSO community.
- Given that RT Members were appointed in representation of their respective SO/AC, the Team discussed the possibility of a ccNSO replacement and decided to submit this to those concerned.

c) Adoption of a work structure

- The RT discussed the working groups structure
<http://www.icann.org/en/reviews/affirmation/proposed-wg-structure-atrt-06jul10-en.pdf> :
 - (BC) to replace (BB) on the Teams she had initially volunteered for;
 - WG Chairs were appointed so as to trigger internal WG discussions; (OM) for team 1, (WC) for team 2, (CLO) for team 3 and (WA) for team 4.
- Working groups were urged to begin their assignments as soon as possible so that they may report their progress and work iteration during the next ATRT call in order to start drafting recommendations.
- The ATRT articulated its wish to maintain a constant intergroup interaction so as to ensure that all material and input be factored and processed. Suggestion that this requirement may be materialized via a Workspace – Wiki (CLO).
- The RT agreed that the primary activity of the Working Groups should be to effectively identify the documentation that relates to the questions in their sub-team.

d) Discussion about the ATRT-Berkman work

- The ATRT decided that once their contract underway, Berkman would analyze specific case-studies identified by the RT, collect data and carry-out interviews so as to provide the RT with a summary of their findings in terms of decision-making processes that supported those respective case studies.
- The ATRT adopted the perspective that Working Teams should target the drafting of preliminary recommendations based on their conclusions and compare with the Berkman effort (mid-term report) in Beijing.

e) Discussion about Community input analysis

- The ATRT articulated its intention that all input received from the community be thoroughly analyzed as impartially as possible. (PDT) to enquire about staff resources who would be able to help.

f) Discussion about face to face meetings

- ATRT members who have not yet filled the Beijing visa form were encouraged to do so soonest.
- The ATRT also reiterated its intention to invite community members to participate in the Beijing meeting (At-Large).
- Members resolved to meet in Boston instead of Cairo so that they may:
 - reduce costs induced by the Berkman travel fees; and
 - meet the entire consulting team.
- ATRT members agreed that there is no sensitivity in having the meeting in Boston where Berkman is. (BB), from the chat room, noted that WilmerHale company will be happy to host the ATRT meeting in Boston.

g) Discussion about the letter to Rod Beckstrom

- The ATRT resolved to send a letter to Rod once the Berkman Center has started its assignment as to explain the scope of the work and to request that ICANN staffers may be contacted for interviews.

h) Discussion about the quantitative survey

- (CLO) circulated a quantitative survey template to the Review Team before the conference call and was provided with feedback on content. This item shall be further discussed during the ATRT's next call.