

Accountability and Transparency Review Team (ATRT)
Conference Call - Tuesday, June 19th 2010 – 15:00 UTC
Preliminary Report

RT Selectors and Members

(PDT) Peter Dengate Thrush
(MI) Manal Ismail, Vice Chair
(LS) Lawrence Strickling
(FC) Fabio Colasanti
(WC) Willie Currie
(BC) Brian Cute, Chair
(CD) Chris Disspain
(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

Berkman Center

(CN) Caroline Nolan

Supporting Staff

(AJ) Alice Jansen
(CS) Cory Schruth

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

a) Update on the Beijing meeting logistics

- (FG) provided the RT Chair with an update on the logistical arrangements of the Beijing face-to-face meeting.
- (AJ) and (FG) have scheduled a conference call so as to discuss preparations.

b) Discussion about the WGs' progress

- The WG Chairs reported their respective teams' progress in completing their assignment:
 - WG1 – (Chair - OM): Board performance, including governance selection, composition (necessary skill set mix), accessibility, decision-making and dispute resolution/complaint handling:
 - Reiterated that the issue of 'dispute resolution and complaint handling' falls best within the scope of WG4.
 - Identified three outstanding topics from the comments:
 - Board composition & role of the Nominating Committee;
 - Board decision-making transparency & communication with the community; and

- Language barrier.
- Raised the issue of comments that might not fit into the activities of WG1 such as IANA contract and IP addressing and agreed to provide a written note/complete list of all those items to be looked at by the other WGs to check which WG's scope best includes each.
- Announced that a call was scheduled for the following day and that the WG would focus on the draft analysis of the identified topics and finalize the list.
- *WG2 – (Chair - WC): GAC role, including interactions with Board and community, the existence of shared and clearly understood expectations with respect to the GAC’s role in ICANN’s decision-making processes, the quality and actionability of GAC input and ICANN’s responsiveness to that input:*
- Issued a second version of their work plan.
- Drafted a document composed of extracts from key documents required in reviewing the GAC and its interaction with the Board of Directors.
- Designated their assignment as a double-articulation given that ICANN also needs to assess the role and effectiveness of the GAC.
- Stressed the importance of the work done by the Board/GAC joint WG.
- Noted that most comments, despite expressing contentment, raised concerns on how advice is put together and inserted in Board deliberations.
- Identified the IDN ccTLDs process, the .xxx top level domain and the new gTLDs process as outstanding topics. The WG will also look into GAC communiqués, Principle documents as well as letters exchanged with the Board.
- Signaled their intention to have a conference call prior to the Beijing meeting so as to preliminarily analyze comments and finalize the work plan.
- *WG3 – (Chair - CLO): Community/Stakeholder engagement, including effectiveness and quality of ICANN support for the policy development process, the quality of PDP outputs and the extent to which the ICANN PDF develops consensus, including across stakeholder groups, the level and quality of public input into the ICANN process, and the extent to which such input is reflected in ICANN decision-making:*
- Went through the summary of written comments.
- Pointed out the importance of ensuring that all inputs are captured.
- Stressed the requirement to capture and take into account all the material collected in Brussels.
- WG4 – (Chair - WA): IRB Independent Review of Board

- Along with a draft timeline, WG4 produced three documents:
 - a framework that outlines the approach;
 - an evaluation matrix that maps out the different accountability mechanisms; and
 - a list of the assessment criteria.
- Aligned (FA)'s index of public comments to the WG4's assignments.
- Mentioned their intention to send three Requests for Information (RFI)
- Raised the issue of the extent to which California law might limit the options that are available for review of Board decisions – (LS) to gather further information.

It was agreed that all WGs should try to accomplish as much as possible before arriving to Beijing.

c) Discussion about the timeline and deliverables for the mid-term Berkman report

- Berkman team shared an updated timeline and deliverables for the mid-term report for discussion and input.
- At the Beijing meeting, the Berkman centre hopes to tentatively present and deliver:
 - Working drafts on case studies;
 - A progress report detailing activities carried-out so far and fact-finding processes;
 - Initial findings of questionnaires on Berkman's analysis and understanding of the cases;
 - Working hypotheses to ensure vocabulary and approach homogeneity with the WG; and
 - A public input memo, providing a deeper dive in the analysis of the public input process
- It was agreed that the morning of Mon. 30th Beijing time is an appropriate time for a telephonic interaction between the RT meeting in Beijing and Berkman.
- To date, the Berkman consultants have carried-out quite an extensive review of literature, blogs and other types of commentary so as to thoroughly analyze viewpoints in terms of case studies.
- A questionnaire - that requires refinement - has been produced for each case study and outreach steps have been undertaken.
- It was made clear that Berkman's work would tie back to each of the 4 WGs and not just focus on a certain WG exclusively.
- Berkman consultants are to provide their opinion on the utility of the survey tool.

d) Discussion about document management and administrative support

The Review Team reiterated its wish to have a librarian that would keep a close eye on documental sources. (CD) and (CN) to enquire.

Members of the ATRT invited the Berkman Center to signal missing documents in their inventory.

It was agreed that focus should be on how ICANN is doing against its AoC and that looking at what happened before the AoC is only for contextual relevance.

e) Adoption of the Beijing meeting agenda

The Review Team resolved to adopt the Beijing meeting draft agenda that may be found at:
<http://www.icann.org/en/reviews/affirmation/activities-1-en.htm>

(BC) is to get back to (PDT) should there be a need to have (Denise) or someone else from ICANN staff on telephonic standby for Beijing.

Remote participation tools for RT members who are not able to make it to Beijing were confirmed.

f) Update on the Cartagena meeting

(PDT) confirmed the meeting with the Board on Sunday and the Review expressed its wish to proceed with their pre-structured Cartagena calendar. (AJ) is to touch base with ICANN meeting staff regarding setting up a meeting with the community and any accommodation updates.

It was agreed to block two days, after the Cartagena meeting, in case needed for fine tuning the final draft.

g) Discussion about the .xxx TLD case study

The Review Team Members discussed what the scope of .xxx TLD case study entails and concluded that:

- The review process (Independent Review Panel) and interaction between the GAC and the Board are inherent to their analysis; and
- The .xxx application process would not be included in the scope.

(BC) is to clarify this information in an announcement.