

## Issue: Accountability and Transparency Review (ATRT3) Survey

Date statement submitted: **13 Sept 2019**

Reference url:

<https://community.icann.org/pages/viewpage.action?pageId=63155776>

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### Registries Stakeholder Group (RySG) comment:

#### Introduction

The Registries Stakeholder Group (RySG) welcomes the opportunity to provide input to the Accountability and Transparency Review (ATRT3) team.

The RySG considered the survey but encountered difficulties in providing answers on some of the open-ended questions due to the character limits in the text boxes. On other closed-ended questions, we felt it was necessary to provide some background information to clarify our response or to indicate how we understood the question. We also note that there is no opportunity to provide additional input or raise any additional topics.

For these reasons, we have completed the survey and are also providing our extended responses over email.

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**-> ATRT3 Survey for SOs/ACs, including GNSO constituent bodies and RALOs**

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

GNSO constituent body: Registries Stakeholder Group

**Please note that all questions in this survey only cover the period from October 2016 (IANA Stewardship Transition) to August 2019.**

### **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?

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?

The structure of the Board's interactions with community groups during ICANN meetings has been unsatisfactory for some time now. Our members get little value out of the meeting with the Board on Constituency Day, particularly because the questions and responses feel pre-planned and there is little room for the Board to speak freely.

That said, the RySG does feel that other forms of outreach by the Board have been an improvement, including the increased visibility that has been provided by efforts like the

Chair's blog posts prior to and following Board workshops. We have also been very pleased with having Becky Burr as our CPH-appointed Board member, as she is proactive in providing the RySG with relevant updates and makes herself available to discuss Board-related matters with the RySG.

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

Yes

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

Please explain :

It would be useful to have more Board members with a greater understanding of the DNS industry

Do you have any suggestions for improvements?

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?

It is the RySG's understanding that the NomCom is encouraged, or perhaps instructed, to seek out candidates outside of the domain industry. As mentioned previously, the RySG believes that Board members would benefit from a stronger understanding of our industry. Therefore, we believe this discrepancy should be reconciled to ensure that the NomCom are identifying candidates with the right skills to serve successfully on the Board.

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?

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?

The RySG suggests that the schedule of Board meetings should be posted in advance and that agendas for those meetings should be published as far ahead of the meetings as possible. At the very least, publishing the agendas ahead of the meetings should be standard operating procedure. Knowing what the Board will be discussing and when would be very useful to the community and would significantly enhance the overall transparency of the Board's deliberations.

We also suggest that ICANN Org work on improving the website where Board information is posted to make it easier to find content about Board discussions and resolutions.

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

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

Yes

No

Do you have any suggestions for improvements?

The process by which the Board reaches decisions is very difficult for the community to follow in many cases. While the addition of the rationale to every published Board resolution has been a substantial improvement, it is still often hard to determine the process that went into reaching those decisions in the first place. We aren't even sure if all Board decisions are unanimous (minus abstentions). One suggestion is for ICANN to publish how individual Board members vote on specific issues, another might be to publish summaries of the main discussion points covered prior to taking votes. We also suggest that making Board governance documents more accessible on the ICANN website could help community members better understand the Board's decision making process.

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

Yes

No

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?

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

Very useful

Somewhat useful

No opinion

Somewhat not useful

Not useful

### **GAC-RELATED QUESTIONS**

13. Should GAC accountability be improved?

Yes

No

What would you suggest?

The RySG is unsure how to answer this question, as we understand that GAC members are accountable to the governments they represent.

14. Should GAC transparency be improved?

Yes

No

What would you suggest?

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?

The RySG has been encouraged by the increased visibility into the Board's interactions with the GAC, particularly via the Communique Scorecard process. We also appreciate having the opportunity to contribute to the GNSO Council's input on the GAC Communique, which gets shared with the Board prior to the Board responding.

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?

The RySG has few opportunities to interact with the GAC directly, and unfortunately, one of the most notable recent interactions was when the GAC issued sweeping advice on new gTLD applications, particularly on what it called "Category 1" strings. The RySG has attempted to establish better communication with the GAC, including through meetings with the full GAC or the PSWG, but otherwise the interactions are extremely limited.

## TRANSPARENCY

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

Yes

**No**

What information was your Structure seeking?

Did your Structure receive the information it requested in full?

Yes

No

Did the material that your Structure received answer its question?

Yes

No

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

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

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

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

## SO/ACs

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

Yes

No

We answered 'yes' on this question because we consider the PDP process an appropriate mechanism and the Review Teams are on the right track, despite some hiccups.

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

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

We elect our NomCom reps along with our other leadership positions. Candidates are nominated by RySG members in good standing and each nomination must be seconded by another member and accepted by the candidate him/herself. We then hold elections and the candidate that receives a majority of votes is selected to serve as the NomCom rep.

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

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

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

Yes

No

Does not apply

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

Yes

No

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

27. Does your Structure have a transparency policy?

Yes

No

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

When was the last time it was revised?

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

Yes

No

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

29. Does this include an evaluation component?

Yes

No

Please provide details:

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

Yes

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

The current system of Public Comments is effective for gathering community input. Information on Public Comments is centralised on the ICANN website and there is a clear process to submit input.

However, we note that, on an increasingly regular basis, the Community is invited to provide comments and input outside the public comment proceedings. Sometimes these announcements are hidden in blog posts or wikipages and lack transparency with regard to the publication of received input.

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

**Yes**

No

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

**Yes**

No

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

1

2

5 or more

**10 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:** Number of concurring comment proceedings can be a challenge for community members

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

Precise survey questions do not always make it easy to respond as a group.

Closed questionnaires (like this one) are tricky as respondents can interpret questions differently; they also limit the out-of-the box thinking and bringing in new ideas.

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

The RySG is unsure of the exact meaning of questions 33 and 34.

Comments submitted by an individual person should have a different weight than a comment developed and supported by an entire stakeholder group. When a stakeholder group or constituency reaches agreement to develop and submit a comment, the recipient of that comment should consider the size of the SG/C and the amount of organizations (or individuals) that the group represents.

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

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**

36. How useful are staff reports on Public Comments?

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

The staff reports are useful to get an overview of what others sent in, but they remain summaries and often the original thoughts are lost in dilution.

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

Strongly agree  
Agree  
No opinion  
Disagree  
**Strongly disagree**

The staff reports published at the end of the public comment proceeding are mostly limited to a summary or first analysis of the comments and are published before changes are implemented to the draft report or document that was published for public comment.

We acknowledge that after a WG considers the comments, they do publish a final report

where they state how they treated comments. This information is not included in the staff report and not made available on the public comment webpage.

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**

[See comment on question 37.](#)

## **SUPPORT FOR ICANN DECISIONS**

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

Yes

No

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

## **POLICY DEVELOPMENT PROCESS (PDPs)**

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

42. How could your Structure improve this?

## 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

**The CCT Review is missing in this question.**

We would like to refer to the RySG comments on Specific Reviews submitted in [February 2018](#) and [February 2019](#).

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

- Yes
- No

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
- Effective
- No opinion
- Somewhat ineffective
- Ineffective

46. Should organizational reviews be reconsidered or amended?

- Yes
- No

Should organizational reviews continue to be undertaken by external consultants?

Yes

No

## **ACCOUNTABILITY INDICATORS**

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

Yes

No

How would your Structure rate their usefulness overall?

Very useful

Useful

No opinion

Not very useful

Not useful at all

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

Very effective

Effective

No opinion

Somewhat ineffective

Ineffective

## PRIORITIZATION AND RATIONALIZATION OF ACTIVITIES

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

Yes

No

Whose responsibility does your Structure think it should be?

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

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

Yes

No

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

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

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

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

Is there an existing structure which could fill this role?

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