ICANN Accountability Cross Community Working Group (CCWG) - Update

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RIPE 70 | Amsterdam | 15 May 2015

ICANN Accountability CCWG

- Established in December 2014
- Purpose to deliver proposals that would enhance ICANN's accountability
- Two Work Streams
  - **Work Stream 1** - accountability issued that can be:
    - solved before the IANA transition or
    - identified as relevant to the IANA transition to be solved later
  - **Work Stream 2** - broader accountability issues
- Members (2-5) from each SO, AC
- Individual participants (155)

ASO Representatives on the CCWG

- Athina Fragkouli

- Fiona Asonga

- Izumi Okutani

- Jorge Villa

➡ Also participated in the Drafting Team for the CCWG Charter in October 2014

Meetings and Calls

- Conference calls (every week since December)

- F2F meetings (Frankfurt, Singapore, Istanbul)

- Four Work Parties

    - Community Empowerment

    - Review and Redress

    - Stress Tests

    - Legal SubTeam

- Focus on WS1 issues

    - Those that can be solved or committed to before the IANA stewardship transition

Draft Report Published for Comments

- Published on 4 May

- Available here:

  - https://www.icann.org/public-comments/ccwg-accountability-draft-proposal-2015-05-04-en

- Call for comments

- Revised Mission, Commitments and Core Values

    - Including the incorporation of the Affirmation of Commitments

- Introduction of Fundamental Bylaws

    - Requires higher threshold to be amended

- Enhancement of the Independent Review Panel

    - Broader scope, binding decisions, further enhancements

- Enhancement of the Reconsideration Process

    - Broader scope, further enhancements

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- Revised Mission, Commitments and Core Values
  - including ....n of Commitm...

    Review description of ICANN's role with regards to numbers

- Introduction of Fundamental Bylaws
  - Requi...g.........c.ria to be amended

    US Headquarters as Fundamental Bylaws?

- Enhancement of the Independent Review Panel
  - Broa...

    Possible conflict with arbitration procedure described in ASO MoU and draft IANA Operator Service Level Agreement

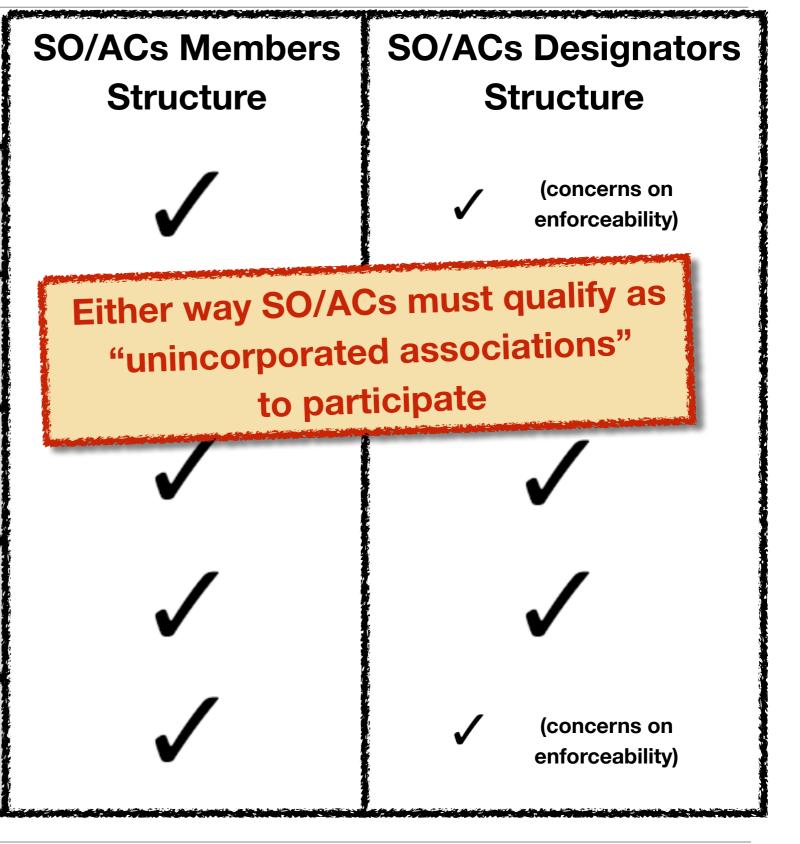- Enhan...........................ss
  - Broader scope, further enhancements

Reconsider/reject budget or strategy

Reconsider/reject changes to Bylaws

Approve changes to Fundamental Bylaws

Recall individual ICANN Directors

Recall the entire ICANN Board

Suggested Powers - Alternative Mechanisms

	SO/ACs Members Structure	SO/ACs Designators Structure
Reconsider/reject budget or strategy	✓	✓ (concerns on enforceability)
Reconsider/reject changes to Bylaws	✓	✓
Approve changes to Fundamental Bylaws	✓	✓
Recall individual ICANN Directors	✓	✓
Recall the entire ICANN Board	✓	✓ (concerns on enforceability)

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Suggested Powers - Alternative Mechanisms

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Reconsider/reject budget or strategy	✓	✓ (concerns on enforceability)
Reconsider/reject changes to Bylaws		
Approve changes to Fundamental Bylaws	✓	✓
Recall individual ICANN Directors	✓	✓
Recall the entire ICANN Board	✓	✓ (concerns on enforceability)

> **Either way SO/ACs must qualify as "unincorporated associations" to participate**

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	SO/ACs Members Structure	SO/ACs Designators Structure
Reconsider/reject budget or strategy	✔	✔ *(concerns on enforceability)*
Reconsider/reject changes to Bylaws	✔	✔
Approve changes to Fundamental Bylaws	✔	✔
Recall individual ICANN Directors	✔	✔
Recall the entire ICANN Board	✔	✔ *(concerns on enforceability)*

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Statement at ICANN 52 meeting in Singapore

Any proposed solution should

1. not be a delaying factor for the IANA stewardship transition

2. be simple and address the concerns in the most effective way with minimum changes

3. not interfere with the IANA numbering function

4. not interfere with the consensus-based decisions of the affected operational communities

- Add the requirements identified the CWG-Stewardship on the IANA Names

  - To help readers distinguish the accountability requirements related to the IANA functions, and other additional requirements

- Add tentative description of the role of ICANN in relation to the number resources

  - We will need NRO EC/the numbers community to review this properly during the public comment period

- Add a comment for further consideration with regards to appeal mechanisms

  - Review possible conflicts with number related mechanisms

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- Whether to have requirement in the Fundamental Bylaws that ICANN's headquarters remain in the U.S.
  - As an incorporation of the Affirmation of Commitments into the Bylaws
- To have fair, objective description of the designators model
  - The report recommends SOs/ACs Membership model as the primary one

Next steps

- A short analysis on the numbering related issues will be shared shortly

- Public comments until 3 June

- Comments will be discussed at the ICANN meeting

- New draft for public comments in August

- Deliver to SO/ACs on 30 September

- Deliver to ICANN Board on 22 October

Questions?

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