

Chronology of Recent ICANN Accountability milestones

This chronology seeks to identify key events relevant to the current work of the Cross-Community Working Group on Enhancing ICANN Accountability.

I wrote this document to make it easy for the Internet community to see the key steps in the ICANN accountability debate in one easy-to-find place. Each point is, where possible, referenced – and further references are welcome.

Blog posts on this and other ICANN issues at: <https://internetnz.nz/news/blog>

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Date	Event
Sep-2013	ICANN Board authorises CEO to explore ways to accelerate end of U.S. stewardship, but <u>does not consult community or make decision public</u> ¹ .
Oct-2013	Montevideo Statement ² by I* leaders, calling for globalisation of IANA Functions. NetMundial proposed following Chehade meeting with Brasil President ³ .
Mar-2014	IANA Stewardship Transition announced ⁴ . ICANN argues accountability reform should follow Transition, but then starts to respond to community discussion on improved ICANN accountability at ICANN 49 ⁵ in Singapore.
Apr-2014	NetMundial ⁶ held in Sao Paulo.
Jun-2014	Public comments criticise an initial ICANN-designed accountability process ⁷ . Many, including the GNSO ⁸ as a whole by consensus, join at ICANN 50 in London to state that community-driven accountability improvements must be a core component of the IANA Stewardship transition.
Aug-2014	A revised ICANN-designed accountability proposal suggesting a two-tier working group is released ⁹ to unfavourable public comments ¹⁰ . ICANN stakeholders write unprecedented joint letter ¹¹ to ICANN Board rejecting proposed accountability process and demanding a community-driven approach. Public Experts Group chosen ¹² by ICANN to appoint seven Advisors to the abovementioned process.

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Sep-2014	Discussion at an ICANN Town Hall session ¹³ at the United Nations' Ninth Internet Governance Forum reiterates community demands for accountability improvements and discontent with ICANN designed process; NTIA comments favourably.
Oct-2014	ICANN accepts accountability is intertwined with the IANA Stewardship Transition, and agrees ¹⁴ to a community led process, at ICANN 51 in Los Angeles.
Oct to Dec-2014	<p>Drafting Group prepares Charter¹⁵ for CCWG-Accountability, a cross-community working group developed by its participating SOs and ACs. This was largely consistent with the proposal¹⁶ from October.</p> <p>CWG-IANA publishes First Draft Proposal¹⁷.</p> <p>Public Experts Group announces¹⁸ seven Advisors to participate in the CCWG-Accountability.</p> <p>CCWG-Accountability¹⁹ (CCWG from here) is founded.</p>
Jan-2015	<p>CCWG aligns around inventory of accountability suggestions and requirements for what needs to be dealt with pre-Transition at Frankfurt F2F²⁰.</p> <p>CCWG <u>agrees</u>²¹ the need for independent counsel.</p> <p>CWG-IANA misses 30 Jan 2015 deadline for delivery of Names proposal to ICG.</p>
Feb-2015	<p>NTIA reiterates²² intertwined nature of CWG and CCWG processes at ICANN 52²³ in Singapore. NTIA begins to describe ICANN as being 'purpose built for IANA' – as ICANN Board Chair Crocker had been doing.</p> <p>Fadi Chehade delivers a speech²⁴ at DNA Breakfast at ICANN 52 stating that stewardship transition proposal should be easy and that CWG-IANA participants did not know what they were doing.</p> <p>Fadi Chehade and Larry Strickling testify²⁵ on Capitol Hill about transition.</p> <p>CWG-IANA sets new delivery target for names proposal as ICANN53.</p>
Mar-2015	<p>CCWG <u>begins</u> work with independent counsel²⁶, noting that the CCWG recognised it needed external legal advice from its foundation in Dec 2014.</p> <p>At Istanbul F2F²⁷ CCWG aligns around Empowered SO/AC model to deliver requirements.</p> <p>CCWG advises it will not finalise proposal for ICANN 53²⁸.</p> <p>CWG-IANA replaces Contract Co. model with hybrid model proposal and also <u>begins</u> work with independent counsel.</p>

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May-2015	CCWG publishes First Draft Proposal ²⁹ , which deals with SO/ACs as “Members” of ICANN to exercise specified accountability powers.
Jun-2015	<p>Comments³⁰ on CCWG First Draft Proposal analysed and discussed at ICANN 53 in Buenos Aires, showing significant concerns with individual SO/AC roles & legal personality required in “Empowered SO/AC Membership” model.</p> <p>CCWG-IANA delivers PTI model of Names proposal to ICG after SO/AC approval.</p>
Jul-2015	<p>CCWG at Paris F2F³¹ aligns around “Community Mechanism as Single Member” model to deliver the requirements while resolving widespread community concerns with Empowered SO/AC Membership” model.</p> <p>Fadi Chehade and Larry Strickling testify³² on Capitol Hill about transition – no concerns raised about membership.</p>
Aug-2015	<p>CCWG publishes Second Draft Proposal³³. Proposal introduces CMSM model.</p> <p>ICANN Board begins to express³⁴ reservations to CCWG regarding the CMSM model.</p>
Sep-2015	<p>ICANN Board lodges further public comment³⁵ with concerns re CMSM model and an alternative proposal to the CCWG’s regarding enforceability of community powers (MEM model).</p> <p>Comments³⁶ on Second Draft Proposal begin to be analysed.</p> <p>CCWG <u>changes work plan</u> to incorporate a face to face meeting³⁷ at suggestion of ICANN Board, rendering completion of proposal for approval at ICANN 54³⁸ unlikely.</p> <p>At Los Angeles F2F³⁹, Board asserts that it cannot accept a model involving Membership (RedLine 1⁴⁰)</p> <p>CCWG participants begin exploring alternative approaches (DeBianco⁴¹, Zuck⁴², Arasteh, others⁴³) including moving to a “designator” model for enforceability, and/or deferring any structural changes to a governance review post-transition.</p>
Sep-2015	NTIA exercises ⁴⁴ Option 1 to extend IANA Functions Contract by 1 year (with right to three one-year extensions).
Oct-2015	<p>On email list, Board asserts that it cannot accept a model involving Designators (RedLine 2⁴⁵).</p> <p>CCWG advises SO/AC leadership there will be no final proposal for review at ICANN 54 in Dublin.</p> <p>CCWG continues analysis of public comments⁴⁶ on Second Draft Proposal to prepare for further development of the proposal and for discussion with the community at ICANN 54 in Dublin.</p>

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For reference – significant precursor milestones

- 24 Dec 1998 - DARPA-to-USC-to-ICANN transition
- 9 Feb 2000 - NTIA-ICANN transition (<http://www.ntia.doc.gov/page/iana-functions-purchase-order>)
- 21 Mar 2001 - 2001 NTIA-ICANN contract
- 13 Mar 2003 - 2003 NTIA-ICANN contract
- 11 Aug 2006 - 2006 NTIA-ICANN contract (10 Modifications up to year 2012)
- 30 Sep 2009 - AoC signed and JPA/MOU terminated (<https://www.icann.org/news/announcement-2009-09-30-en>)
- 10 Nov 2011 – NTIA announces solicitation of RFP
- 14 Jun 2011 - Extension to March 31, 2012
- 10 Mar 2012 - Extension to September 30, 2012
- 10 Mar 2012 - NTIA finds no proposals met the requirements of Dec 19, 2011 RFP
- 01 Oct 2012 - 2012 NTIA-ICANN contract
- May 2013 - Snowden Revelations that sparked governments threat of localization that could cause fragmentation
- Sep 2013 - ICANN Board passes resolution on stewardship transition that was not made public until months later (http://judiciary.house.gov/_cache/files/8cee0849-db7a-4f43-a3ca-07069e0f9607/05.13.15-corwin-testimony.pdf)

9 October 2015

Comments or corrections of references very welcome.

¹ See p 7 of Corwin 2015: http://judiciary.house.gov/_cache/files/8cee0849-db7a-4f43-a3ca-07069e0f9607/05.13.15-corwin-testimony.pdf

² See <http://www.internetsociety.org/news/montevideo-statement-future-internet-cooperation>

³ See <http://www.straitstimes.com/world/brazil-to-host-internet-governance-summit-next-year>

⁴ See <http://www.ntia.doc.gov/press-release/2014/ntia-announces-intent-transition-key-internet-domain-name-functions>

⁵ See <https://singapore49.icann.org/en/>

⁶ See <http://netmundial.br/>

⁷ See <https://www.icann.org/public-comments/enhancing-accountability-2014-05-06-en> for information and link to comment report (Aug 14) is: <https://www.icann.org/en/system/files/files/report-comments-enhancing-accountability-14aug14-en.pdf>

⁸ See p. 26 (Drazek) of <https://london50.icann.org/en/schedule/thu-public-forum/transcript-public-forum-26jun14-en.pdf>

⁹ See <https://www.icann.org/resources/pages/process-next-steps-2014-08-14-en>

¹⁰ Public comment report (Oct 2014) at <https://www.icann.org/en/system/files/files/report-comments-enhancing-accountability-10oct14-en.pdf>

¹¹ See submitting email at <http://forum.icann.org/lists/comments-enhancing-accountability-06sep14/msg00009.html>. Actual letter at <http://forum.icann.org/lists/comments-enhancing-accountability-06sep14/pdfggcThDbfOp.pdf>. See also a follow up letter with a set of questions from the community leadership at <https://www.icann.org/en/system/files/correspondence/cooper-et-al-to-chehade-crocker-03sep14-en.pdf> (the Board's reply at <https://www.icann.org/en/system/files/correspondence/crocker-chehade-to-soac-et-al-18sep14-en.pdf>)

¹² See <https://www.icann.org/news/announcement-2014-08-19-en>

¹³ See <https://www.icann.org/news/announcement-2014-08-29-en> - no transcript of the session could be located.

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- ¹⁴ See <https://www.icann.org/resources/pages/process-next-steps-2014-10-10-en>
- ¹⁵ See <https://community.icann.org/display/acctcrosscomm/Charter>
- ¹⁶ See <https://www.icann.org/resources/pages/process-next-steps-2014-10-10-en> again
- ¹⁷ See <https://www.icann.org/en/system/files/files/cwg-naming-transition-01dec14-en.pdf>
- ¹⁸ See <https://www.icann.org/news/announcement-2014-12-17-en>
- ¹⁹ Work space for the CCWG at <https://community.icann.org/display/acctcrosscomm/CCWG+on+Enhancing+ICANN+Accountability>
- ²⁰ See <https://community.icann.org/pages/viewpage.action?pagelId=51414991>
- ²¹ See section titled "Advisor Engagement" on <https://community.icann.org/pages/viewpage.action?pagelId=51418515>
- ²² See for example <http://www.ntia.doc.gov/blog/2015/stakeholders-continue-historic-work-internet-dns-transition-icann-singapore-meeting>
- ²³ See <https://singapore52.icann.org/en/>
- ²⁴ See <https://www.youtube.com/watch?v=yGwbYljtNyl> - to obtain the transcript click "more" beside the "share" link. See comments from 20m39s onwards.
- ²⁵ See <http://www.commerce.senate.gov/public/index.cfm/2015/2/preserving-the-multistakeholder-model-of-internet-governance>
- ²⁶ See <https://community.icann.org/display/acctcrosscomm/Legal+Counsel>
- ²⁷ See <https://community.icann.org/pages/viewpage.action?pagelId=52890276>
- ²⁸ See <http://buenosaires53.icann.org/>
- ²⁹ See <https://community.icann.org/pages/viewpage.action?pagelId=52897394>
- ³⁰ Analysis linked from <https://community.icann.org/display/acctcrosscomm/First+Public+Comment+Review>
- ³¹ See <https://community.icann.org/pages/viewpage.action?pagelId=53778863>
- ³² See <http://energycommerce.house.gov/hearing/internet-governance-progress-after-icann-53>
- ³³ See <https://community.icann.org/pages/viewpage.action?pagelId=53783460>
- ³⁴ See <http://forum.icann.org/lists/comments-ccwg-accountability-03aug15/msg00006.html> for link to document. Direct link: <http://forum.icann.org/lists/comments-ccwg-accountability-03aug15/pdf9yXuAWTTa8.pdf>
- ³⁵ See <http://forum.icann.org/lists/comments-ccwg-accountability-03aug15/msg00045.html>
- ³⁶ See comments forum at <http://forum.icann.org/lists/comments-ccwg-accountability-03aug15/>
- ³⁷ See announcement at <http://mm.icann.org/pipermail/accountability-cross-community/2015-September/005301.html>
- ³⁸ See <https://meetings.icann.org/en/dublin54>
- ³⁹ See <https://community.icann.org/pages/viewpage.action?pagelId=56135261>
- ⁴⁰ Transcript of second day session at <https://community.icann.org/download/attachments/56135592/Transcript%20CCWG-Accountability%20Meeting%20-%20Day%202-EN.pdf?version=1&modificationDate=1443723741000&api=v2>, refer to Crocker comments pp. 107-112, and comment from chat transcript (at <https://community.icann.org/pages/viewpage.action?pagelId=56138695>) at 1:59pm.
- ⁴¹ See <http://mm.icann.org/pipermail/accountability-cross-community/2015-October/006125.html>
- ⁴² See <http://mm.icann.org/pipermail/accountability-cross-community/2015-September/005764.html>
- ⁴³ See my contribution at <http://mm.icann.org/pipermail/accountability-cross-community/2015-September/005834.html>
- ⁴⁴ See <http://www.ntia.doc.gov/blog/2015/update-iana-transition>
- ⁴⁵ See message at <http://mm.icann.org/pipermail/accountability-cross-community/2015-October/006235.html>
- ⁴⁶ See endnote 37.