Agenda

1	**2**	**3**
Introduction and Context	Update on Progress	Where and how to participate

Committing to Further Accountability Work in Work Stream 2

⊙ As part of Work Stream 2, the CCWG-Accountability proposes that further enhancements be made to a number of designated mechanisms and processes and to refine the operational details associated with some of its recommendations for Work Stream 1.

⊙ **It is intended that Work Stream 2 will be completed by June 2017**

WS2 Topics
Diversity
Human Rights
Jurisdiction
SO/AC Accountability
Ombudsman
Transparency
Staff Accountability
Guidelines for standards of conduct presumed to be in good faith associated with exercising removal of individual ICANN Board Directors
Reviewing the Cooperative Engagement Process (CEP)

Subgroups Progress Update

Topic	Progress	Status	Updates	Focus / Concerns / Risks
Diversity	25%	🟢	▪ Got information about diversity data collection from ICANN staff and planning to give input on improving the process(es). ▪ Finalizing the questionnaire for SO/AC input	▪ Move to drafting the initial report ▪ Request input from SO/AC
Human Rights	50%	🟢	▪ Finalized Framework of Interpretation (FoI), subgroup consensus & submitted to CCWG Plenary. ▪ Discussing potential next steps	▪ Addressing comments from CCWG plenary and/or public comments ▪ Discussing scope and mandate of subgroup beyond FoI creation with CCWG plenary.
Jurisdiction	15%	🔺	▪ Questionnaire to collect factual inputs from stakeholders has been approved. Response period: Feb 9 - April 17. ▪ ICANN's current and past litigations are being reviewed and summarized by a small group.	▪ Need to better define questions to answer and work to be done ▪ Need to clarify "mandate" of subgroup and deliverable(s).
SO/AC Accountability	45%	🟢	▪ Halfway through drafting of review and best practice recommendations, drawing from responses that SO/ACs provided as part of Track 1	▪ Some divergence of views among participants on the matter of Mutual Accountability Roundtable.
Staff Accountability	30%	🔺	▪ Planning to have a draft in time for Copenhagen on at least one of our work items. ▪ Asked some follow-up questions and have not so far had a response from ICANN.	▪ first draft of Document B (staff code of conduct, kpi's, processes, etc) on hold - awaiting further information from ICANN
Transparency	50%	🟢	▪ Recommendations out for Public Comment	
Ombudsman	15%	🔺	▪ RFP for an external review of the IOO in the process of being posted. ▪ All the other topics are postponed for the near future but will be reviewed.	▪ Coordination with other sub-groups (Transp., Staff Account., H.Rights, Div., SO/AC Account.) ▪ A new timeline needs to be setup
Review of the CEP	15%	🔺	▪ No update reported this month.	▪ Subgroup needs more inputs in order to proceed with this topic.
Guidelines for Good Faith...	50%	🟢	▪ Recommendations out for Public Comment	

■ Not started   🟢 On-track   🔺 Behind schedule, but recovery still possible   ■ Target will be missed   ■ Completed

Diversity

Progress: 25% **Status:** On-track

Updates:
- Got information about diversity data collection from ICANN Staff and planning to give input on improving the process(es) and collaborate with them.
- Finalizing the questionnaire to be sent to SO/AC for their input on diversity.

Upcoming Activities:
- Move to drafting the initial report based on strawman consultation.
- Requesting input from SO/AC about their understanding of diversity and the existing mechanisms.

Open Items:

Rapporteurs: Fiona Asonga, Rafik Dammak

# of signed-up Active Participants: 44

# of signed-up Observers: 44

Useful links:
- Wiki
- Mailing List archive
- Meetings schedule

Description / Scope:

With reference to recent discussion the group is looking at diversity mechanisms that enhance accountability within ICANN (Leadership, staff and community).

Activity:

Total # of meetings:	11
Total # of emails:	101
Collective hours on calls:	223

Legend: # of meetings, # of emails

Work Plan:

Task	Date	
Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Based on data available from the WS2 wiki – this is a high level summary of the work underway .

● On-track
⚠ Behind schedule, but recovery still possible
■ Not started
■ Target will be missed
■ Completed

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Human Rights

Updates:
- Finalized Framework of Interpretation (FoI).
- Currently developing additional implementation recommendations that will accompany the FoI.

Upcoming Activities:
- Presenting additional implementation recommendations to the CCWG plenary.

Open Items:
- None at this stage.

Rapporteurs: Niels ten Oever

# of signed-up Active Participants: 68

# of signed-up Observers: 55

Useful links:
- Wiki
- Mailing List archive
- Meetings schedule

Description / Scope:

Develop a framework of interpretation for human rights bylaw, ("FOI-HR"), which was adopted in Work Stream 1.
(Bylaws Section 1.2(b)(viii))

Activity:

Total # of meetings:	18
Total # of emails:	387
Collective hours on calls:	558
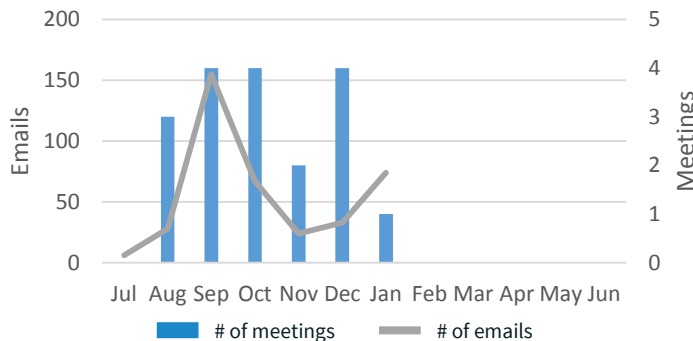
Legend: # of meetings (blue bars), # of emails (grey line). Emails axis 0–200, Meetings axis 0–5, months Jul–Jun.

Work Plan:

Task	Month	
Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	✓
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Based on data available from the WS2 wiki – this is a high level summary of the work underway .

● On-track
▲ Behind schedule, but recovery still possible
■ Not started
■ Target will be missed
■ Completed

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Updates:
- Questionnaire to collect factual inputs from stakeholders has been approved.
  - Translation into ICANN languages should be underway.
  - Release date proposed is February 9. End of response period is April 17.
- Continued work on document entitled "The influence of ICANN's existing jurisdictions relating to resolution of disputes (i.e., "Governing Law" and "Venue") on the actual operation of policies and accountability mechanisms."
- "Hypothetical #1" was derived from one proposed issue in the "influence" document and posted for discussion, along with "strawman" responses.
- ICANN's current and past litigations are being reviewed and summarized by a small group.
- A proposed request for information from ICANN Legal has been posted for Subgroup comment.

Upcoming Activities:
- Publish Questionnaire on or about February 9.
- Continue work on "Influence of ICANN's existing jurisdictions" document.
- Continue discussion of Hypothetical #1.
- Continue review and summaries of ICANN litigations.
- Finish ICANN legal request, send to CCWG Legal Committee

Open Items:
- Continue to identify advice needed from ICANN legal, outside counsel or other experts.
- Need to better define questions to answer and work to be done.
- Need to clarify "mandate" of the Subgroup, including the "gap analysis" to be "confirmed" per Annex 12.
- Need to clarify deliverable(s).

Rapporteurs: Greg Shatan, Vinay Kesari

of signed-up Active Participants: 66

of signed-up Observers: 44

Useful links:
- Wiki
- Mailing List archive
- Meetings schedule

Description / Scope: (Based on Annex 12)
Main issues relate to influence of ICANN´s existing jurisdiction on the actual operation of policies and accountability mechanisms, primarily disputes involving ICANN, i.e., "choice of law" and "venue", but not necessarily the place of ICANN incorporation. This focus should include:
- Confirming and assessing the gap analysis, clarifying all concerns regarding the multi-layer jurisdiction issue.
- Identifying potential alternatives and benchmarking their ability to match all CCWG-Accountability requirements using the current framework.

Activity:

Total # of meetings:	19
Total # of emails:	713
Collective hours on calls:	532

Chart: # of meetings (bars) and # of emails (line), Jul–Jun

Work Plan:

Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Based on data available from the WS2 wiki – this is a high level summary of the work underway .

On-track
Behind schedule, but recovery still possible
Not started
Target will be missed
Completed

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SO/AC Accountability

Updates:

- After review, discussions and deliberations, a consensus was reached regarding any actions on track 3, to discuss whether SO/ACs should be subjected to IRP. The ST will recommend to the CCWG that 'SO/ACs should *NOT* be subjected to IRP.

Upcoming Activities:

- We are halfway through drafting of review and best practice recommendations, drawing from responses that SO/ACs provided as part of Track 1.

Open Items:

- In Track 2, the group has briefly discussed the matter of Mutual Accountability Roundtable and has a preliminary conclusion although there is some divergence of views among participants.

Rapporteurs: Cheryl Langdon-Orr, Farzaneh Badii, Steve DelBianco

# of signed-up Active Participants: 41

# of signed-up Observers: 39

Useful links:
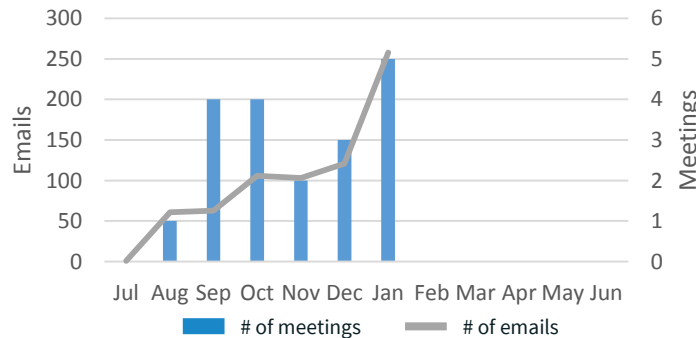- Wiki   Mailing List archive
- Meetings schedule

Description / Scope: Survey, Analyze, Assess and Recommend any Improvements to ICANN's SO and AC Accountability.

- Track 1: Review and develop recommendations to improve SO/AC processes for accountability, transparency, & participation that are helpful to prevent capture.
- Track 2: Evaluate the proposed "Mutual Accountability Roundtable" to assess its viability and, if viable, undertake the necessary actions to implement it.
- Track 3: Assess whether the IRP would also be applicable to SO & AC activities.

Activity:

Total # of meetings:	18
Total # of emails:	133
Collective hours on calls:	357
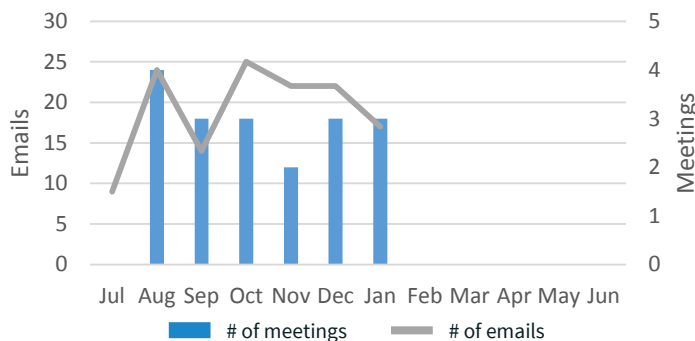
# of meetings   # of emails

Work Plan:

Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Based on data available from the WS2 wiki – this is a high level summary of the work underway .

● On-track

⚠ Behind schedule, but recovery still possible

■ Not started
■ Target will be missed
■ Completed

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Staff Accountability

Updates:
- Developed a work plan that should lead to us having a draft in time for Copenhagen of at least one of our work items. The work plan can be found here.
- Received answers from the ICANN staff on our questions with gratitude. We asked some follow-up questions and have not so far had a response from ICANN. This is why the other of our work items is not progressing.

Upcoming Activities:
- Complete update of Document A (the role of ICANN staff vis-à-vis the ICANN Board and the ICANN community) on 16 Feb.
- Develop first draft of Document B (staff code of conduct, kpi's, processes, etc) - awaiting further information from ICANN.

Open Items:
- Replying to questions ICANN Staff asked the group
- Awaiting additional info from ICANN Staff re Document B.
- Completion of drafts

Rapporteurs: Avri Doria, Jordan Carter

# of signed-up Active Participants: 24

# of signed-up Observers: 18

Useful links:
- Wiki
- Mailing List archive
- Meetings schedule

Description / Scope: (Annex 12 from CCWG report & ATRT 9.3, 9.4)
- Describe the role of ICANN staff vis-à-vis the ICANN Board and the ICANN community.
- Consider a Code of Conduct, transparency criteria, training, and KPIs to be followed by staff in relation to their interactions with all stakeholders .
- Establish regular independent (internal and community) surveys and audits to track progress and identify areas that need improvement, and establish appropriate processes to escalate issues.

Activity:

Total # of meetings:	7
Total # of emails:	100
Collective hours on calls:	87

Work Plan:

Task	Date	
Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Based on data available from the WS2 wiki – this is a high level summary of the work underway .

● On-track
⚠ Behind schedule, but recovery still possible
■ Not started
■ Target will be missed
■ Completed

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Transparency

Progress: 50% **Status:** On-track

Updates:
- Draft report out for Public Comment.

Upcoming Activities:
- Review Public Comment responses

Open Items:
- None at this stage

Rapporteurs: Chris Wilson, Michael Karanicolas

# of signed-up Active Participants: 34

# of signed-up Observers: 28

Useful links:
- Wiki
- Mailing List archive
- Meetings schedule

Description / Scope:
Our research focuses on the following three areas:
1. Enhancements to ICANN's existing Documentary Information Disclosure Policy (DIDP).
2. Proactive Disclosure Policies (including interactions with governments and Board deliberations).
3. Improvements to the existing whistleblower policy.

Activity:

Total # of meetings:	7
Total # of emails:	101
Collective hours on calls:	130
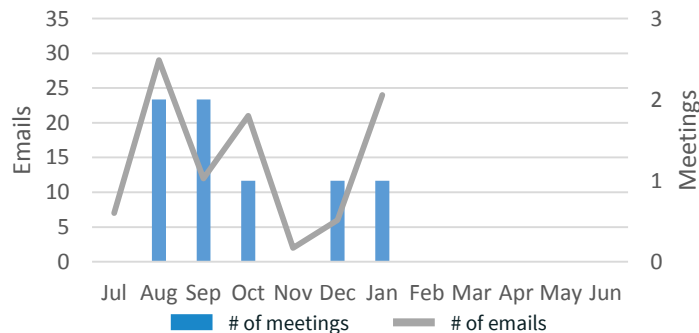
# of meetings   # of emails

Work Plan:

Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	✓
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Based on data available from the WS2 wiki – this is a high level summary of the work underway .

● On-track
▲ Behind schedule, but recovery still possible
■ Not started
■ Target will be missed
■ Completed

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Ombudsman

Updates:
- External reviewer of the IOO in the process of being evaluated.
- All the other topics are postponed for the near future but will be reviewed upon selection of the external reviewer.

Upcoming Activities:
- Organizing, coordinating and following the external review of the IOO.

Open Items:
- Coordination with other sub-groups:
  - Transparency
  - Staff Accountability
  - Human Rights
  - Diversity
  - Accountability SO/AC
- A new timeline is being established

Rapporteurs: Sebastien Bachollet

# of signed-up Active Participants: 23

# of signed-up Observers: 22

Useful links:
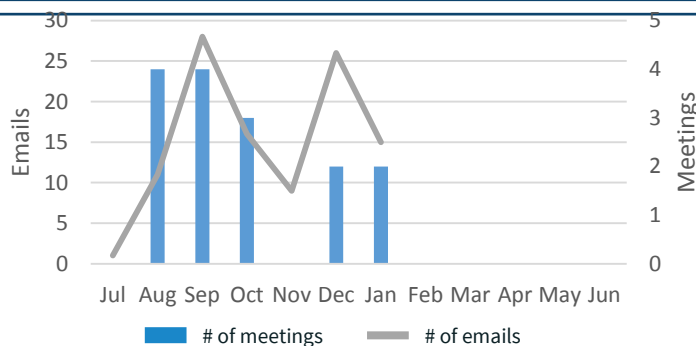- Wiki
- Mailing List archive
- Meetings schedule

Description / Scope:

Evaluate the current Ombudsman charter and operations against industry best practices and recommend any changes necessary to ensure that the ICANN Ombuds Office (IOO) has the tools, independence, and authority needed to be an effective voice for ICANN stakeholders.

Activity:

Total # of meetings:	15
Total # of emails:	106
Collective hours on calls:	212

Legend: # of meetings, # of emails (Jul–Jun chart, Emails vs Meetings)

Work Plan:

Task	Month	
Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Based on data available from the WS2 wiki – this is a high level summary of the work underway .

On-track
Behind schedule, but recovery still possible
Not started
Target will be missed
Completed

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Review of the CEP

Updates:
- Looking into ways to collect additional inputs from people who would have been through a CEP, or through case studies, to better understand the needs.

Upcoming Activities:
- Subgroup needs more inputs in order to proceed with this topic.

Open Items:

Rapporteurs: Edward Morris

# of signed-up Active Participants: 18

# of signed-up Observers: 12

Useful links:
- Wiki
- Mailing List archive
- Meetings schedule

Description / Scope:

The CEP is a voluntary process available prior to the filing of a request for Independent Review.

This subgroup is charged with reviewing Bylaws provisions relating to the CEP and with constructing the CEP Rules, per ICANN Bylaws §4.3(e)(i).

Activity:

Total # of meetings:	3
Total # of emails:	14
Collective hours on calls:	29

Chart: Emails / Meetings (Jul – Jun)
- # of meetings
- # of emails
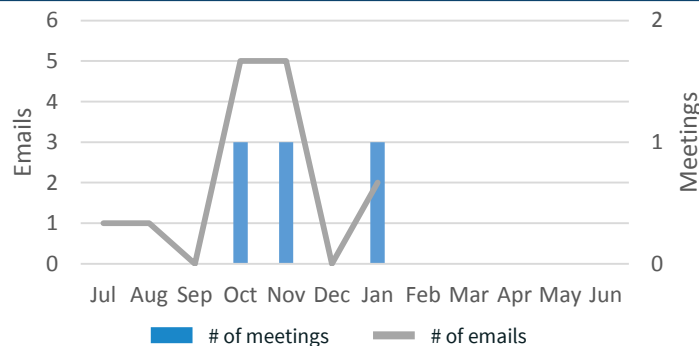
Work Plan:

Start work	Oct	✓
Document questions to answer	Oct	
Document work to do	Oct	
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Based on data available from the WS2 wiki – this is a high level summary of the work underway .

- On-track
- Behind schedule, but recovery still possible
- Not started
- Target will be missed
- Completed

| 12

Guidelines for Good Faith Conduct

Progress: 50%　**Status:** On-track

Updates:

- Draft report out for Public Comment.

Upcoming Activities:

- Review Public Comment responses.

Open Items:

- None at this stage

Rapporteurs: Lori Schulman

**# of signed-up Active Participants:** 12

# of signed-up Observers: 18

Useful links:

- Wiki
- Mailing List archive
- Meetings schedule

Description / Scope: Decisional Participants of the Empowered Community (EC) have the right to appoint and remove individual Directors. In the event that a Decisional Participant endeavors to remove an individual board member, his actions are indemnified provided the Decisional Participant has acted in "good faith".

The purpose of this sub-team is to draft guidelines for conduct that would be considered good faith actions on the part of the Decisional Participants in order for the indemnification to apply.

Activity:

Total # of meetings:	9
Total # of emails:	57
Collective hours on calls:	102
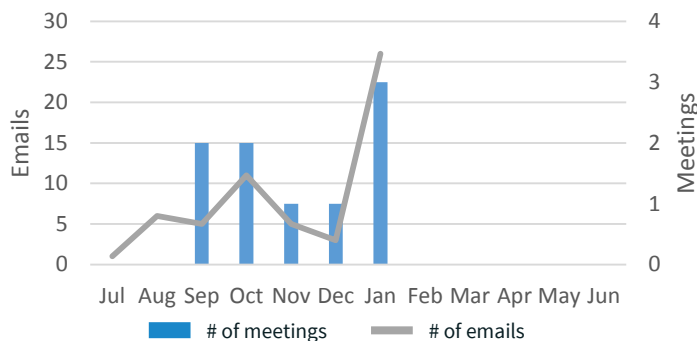
Work Plan:

Start work	Aug	✓
Document questions to answer	Mid-Sep	✓
Document work to do	Sep	✓
Produce draft for subgroup	Oct	✓
Produce draft for CCWG	Nov	✓
Produce draft for PC	Dec	
Public Comment	Jan	
Revise draft	Feb	
CCWG approval	March	

Based on data available from the WS2 wiki – this is a high level summary of the work underway .

● On-track
⚠ Behind schedule, but recovery still possible
■ Not started
■ Target will be missed
■ Completed

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How to Participate

How to Get Involved

Choose Your Review!

Go to the Reviews page on ICANN.org and find out what Review interests you

Get Plugged In!

Go to the Team wiki for the latest updates on ways to get involved

Observe Meetings

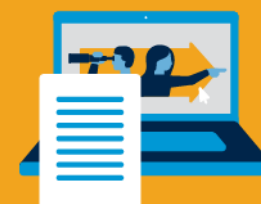Email your input at any time

Join open community sessions to voice your input

Participate in surveys to inform decision-making

Provide your public comments on findings and recommendations

Apply to be considered for a review team

Q&A