

Work Item: WP1-7G: Community Council mechanism Drafter: Jordan Carter (jordan@internetnz.net.nz)

Version: 1.0

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	Name of	Community Council	
	Mechanism		
	Description	This would be a standing body, constituted under the	
		bylaws, representing the ICANN community in exercising	
		specific powers granted to it developed in the course of	
		CCWG's work (e.g. forcing reconsideration of the Budget,	
		removing the ICANN Board of Directors).	
	Category (check	Not Applicable (N/A)	
Description	& balance,	The categories apply to the powers exercised under the	
	review, redress)	mechanism, not the mechanism itself.	
	Is the mechanism	N/A	
	triggered or non	This applies to the powers exercised by the Community	
	triggered ?	Council, not the mechanism itself.	
	Possible	N/A	
	outcomes	This applies to the powers exercised by the Community	
	(approval, re-do,	Council, not the mechanism itself.	
	amendment of		
	decision, etc.)		
	Conditions of	N/A	
	standing (ie « last	This applies to the powers exercised by the Community	
	resort », type of	Council, not the mechanism itself.	
	decision being		
Standing	challenged,)		
	Who has	N/A	
	standing (directly	This applies to the powers exercised by the Community	
	or indirectly	Council, not the mechanism itself.	
	affected party,		
	thresholds)		
	Which standards	N/A	
	is the decision	This applies to the powers exercised by the Community	
	examined against	Council, not the mechanism itself.	
	(process,		
Standard of	principles, other		
review	standards)		
	Which purpose(s)	N/A	
	of accountability	This applies to the powers exercised by the Community	
	does the	Council, not the mechanism itself.	
	mechanism		
	contribute to ?		

Composition

ity	H	MECHANISMS	Template		
Required skillset		The Community Council will be a standing body in ICANN, established under the Articles / Bylaws with the general purpose of being the way the Community exercises its reserve powers over ICANN.			

Appointees to the Council should be members of the ICANN Community in good standing and able to make decisions that relate to the various powers granted to the Council

In general, they will need:

ACCOUNTABILITY

- advanced knowledge of ICANN's Articles and Bylaws, including the proposed Compact;
- understanding of expectations of the ICANN community; and
- understanding of ICANN's environment and context

Diversity requirements (geography, stakeholder interests, gender, other...)

### Option 1

The Council will achieve diversity of stakeholder and gender representation, due to the requirements set out in the next box.

### Option 2

The Council will achieve diversity of stakeholder, gender and regional representation, due to the requirements set out in the next box.



# Number of persons (approximate or interval)

#### Option 1:

The Community Council will consist of **twelve** members, comprised as follows:

- Two representatives of each of the following community bodies:
  - o ccNSO
  - o GNSO
  - o ASO
  - o ALAC
  - o GAC
- One representative of each of the following bodies:

  - o RSSAC

In selecting their representatives, the community bodies electing two representatives must elect two people of different genders.

#### Option 2:

The Community Council will consist of **twenty nine members**, comprised as follows:

- Five representatives of each of the following community bodies:
  - o ccNSO
  - o GNSO
  - o ASO
  - o ALAC
  - GAC
- Two representatives of each of the following bodies:
  - o SSAC
  - o RSSAC

In selecting their representatives, the community bodies electing five representatives must:

- ensure equitable representation across the five ICANN regions; and
- elect at least two men and at least two women.

The community bodies electing two representatives must:

- elect two people from different ICANN regions; and
- elect two people of different genders.



Independence
requirements

Members of the Community Council may not be from any of the following categories of people:

- ICANN Directors or Board Liaisons
- ICANN Staff
- ICANN's Nominating Committee
- Members of any Review or Redress institutions
- Current office-holder (Chair or Vice Chair) in an SO or AC
- Staff of entities that are commercially dependent on ICANN

No more than **two** members of the Community Council may be from any single company or group of related companies, or from one national government or other governmental organisation.

# Election / appointment by whom ?

Members of the Council are appointed, by their SOs and ACs according to their usual documented processes, for a term of one year, commencing on 1 January.

If the appointing body has not appointed member/s in time for 1 January, the current member/s continue/s in office until the new one/s is/are appointed (and the term limit does not apply).

Members are eligible for re-election for a maximum of three consecutive terms, and for five terms in total.

(note: this ensures that the Council cannot be sabotaged by appointing bodies failing to appoint members.)

## Recall or other accountability mechanism

The appointing bodies can hold their members to account:

- Where an appointing body has concerns about the actions of a member they have appointed, they may by whatever process they choose issue the member with a Formal Warning.
- Not sooner than thirty days after the issue of a Formal Warning, if the appointing body's concerns have not been resolved, they may appoint a new member to replace the specified member (using the same process they used to appoint that member in the first place). The new member takes over seamlessly from the old member.
- For the powers granted to the Council, there should be specification as to whether a member in receipt of a Formal Warning are able to vote related to that power.

(note: this ensures that the Council cannot be sabotaged by appointing bodies removing their members and failing to appoint new ones.)

CCWG Accountability			MECHANIONIS	Template	
	Is the decision		N/A		
	mandated or		This applies to the powers exercised by the Community		
	based on		Council, not the mechanism itself.		
	personal				
	assessment				
Decision	Decision made	by	N/A		
making	consensus o	r	This applies to the powers exercised by the Community		
	vote ?		Council, not the mechanism itself.		
	Majority		N/A		
	threshold (if		This applies to the powers exercised by the Community		
	applicable)		Council, not the mechanism itself.		
	Cost		The general costs of the Council's existence and operation,		
Accessibility	requirement	·c	including whatever staffing or contracted secretariat support		
	requirement	.5	it requires.		
			it requires.		
	Timeframe		To be implemented before IANA stewardship transition (i.e.		
	requirement	:S	WS1).		
	Language		As general in ICANN – translated into the usual languages.		
	requirement	:S			
Implementation	Potential mea	ns	Amendments to Articles and/or Bylaws that create the		
	to implemen	it	Community Council and its powers, in a way which sees them		
			unable to be changed except by community consent.		