Extract from CCWG Proposal (May 4, 2015)

(Paragraph 42)

In addition, the CWG-Stewardship has advised the CCWG-Accountability, including in a correspondence from the CWG-Stewardship co-chairs dated 15 April 2015, the expectations from their group with regards to CCWG-Accountability ~~accountability~~ Work Stream 1 recommendations. ~~These expectations are~~The CWG-Stewardship is relying on the following:

- **ICANN budget:** The ~~CWG-Stewardship supports the~~ ability for the community to approve a budget, including on IANA functions' costs. This expectation is dealt with in Section 5.2.
- **Community empowerment mechanisms:** The ~~CWG-Stewardship will be relying on the~~ community empowerment and accountability mechanisms that the CCWG-Accountability is currently considering and developing being in place at the time of the stewardship transition. In particular, mechanisms such as: the ability to recall the ICANN Board decisions relating to periodic or special reviews of the IANA functions undertaken through the IANA Function Review (IFR); the ability to approve change to Fundamental Bylaws as well as the related creation of a stakeholder community / member group in order ensure the ability to exercise these kinds of rights. This expectation is dealt with in Section 5.
- **IFR:** The creation of the IFR within the ICANN Bylaws. The IFR would be empowered to conduct periodic reviews of the IANA functions, as well as special reviews. Special IFRs could be triggered after specified escalation methods have been exhausted and then upon a supermajority vote of each of the ccNSO and GNSO Councils. Special IFRs would be authorized to initiate a separation process.
- **Creation of a customer standing committee**: The ~~CWG-Stewardship will be relying on the~~ creation of a customer standing committee (CSC) within the ICANN Bylaws. Additionally, under the current CWG-Stewardship proposal, if not currently within their mandates, the ccNSO and/or GNSO would be empowered to address matters escalated by the CSC.
- **Review and redress mechanisms:** The ~~CWG-Stewardship would like to have the~~ assurance that an IANA Function Review ~~(or related~~as well as special ~~review)~~IFRs, could be incorporated as part of the Affirmation of Commitments mandated reviews integration into ICANN's Bylaws as a Fundamental Bylaw. This expectation is dealt with in section 2.7.2. ~~The CWG-Stewardship is also relying on a mechanism for a separation review once certain remedies are exhausted, which would trigger a separation of the Post-Transition IANA entity (PTI) from ICANN.~~
- **Separation process**: The establishment of the following separation process within the ICANN Bylaws. The Special IFR would be empowered to determine that separation is necessary and, if so, recommend that a Separation Cross-Community Working Group (SCWG) be established. The formation of a SCWG would be contemplated by the ICANN Bylaws and would require supermajority approval of each of the GNSO and the ccNSO Councils, as well as approval by the ICANN Board and the ICANN membership (assuming ICANN becomes a membership organization). ***[Note to CWG: see Sidley note in Separation***

Process document regarding thresholds for Board and membership approval.]

The SCWG would be responsible for developing the separation process, which could include establishing RFP guidelines and requirements for the performance of the IANA Naming Functions, soliciting participation in the RFP process, reviewing responses to the RFP and selecting a new IANA Function Operator (IFO). The selection of a new IFO [or a decision to divest Post-Transition IANA entity (PTI) from ICANN] would be subject to ICANN Board and ICANN membership approval (assuming ICANN becomes a membership organization).

- **Appeal mechanisms (especially with regard to ccTLD related issues):** The ~~CWG-Stewardship recommends that the~~ CCWG-Accountability should be mindful of the recommendations of the CWG-Stewardship in relation to an appeals mechanism for ccTLDs in delegation and re-delegation. The CWG-Stewardship has conducted a survey among the ccTLDs as part of the work of our Design Team B, and the results led to a recommendation which notes that ccTLDs may decide to develop their own appeals mechanism regarding re/delegation at a later date (post-transition). As such, any appeal mechanism developed by the CCWG-Accountability should not cover ccTLD delegation / re-delegation issues as these are expected to be developed by the ccTLD community through the appropriate processes. However, the CWG-Stewardship does want to emphasize the importance and need for an appeal mechanism to cover any other issues that may involve IANA and notes that this ~~is~~ option is expected to be specifically called out as one of the possible escalation mechanisms [1] ~~-~~in the draft transition proposal. This expectation is dealt with in section 3.
- **Fundamental Bylaws**: To address the various matters above, ~~the CWG-Stewardship is also relying on~~ these mechanisms being included as Fundamental Bylaws.

~~[1] As a note of clarification, the CWG-Stewardship has been referring previously to this appeals mechanism as IAP (Independent Appeals Panel) but understands that the CCWG-Accountability is referring to this mechanism as Independent Review Mechanism (IRP), which would also include the option for appeal. As such the CWG-Stewardship will be updating its references.~~

Summary report: **Litéra® Change-Pro TDC 7.5.0.145 Document comparison done on 5/22/2015 9:21:28 AM**	
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Modified DMS: iw://SIDLEYDMS/ACTIVE/207892620/4	
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~~Table moves from~~	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
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