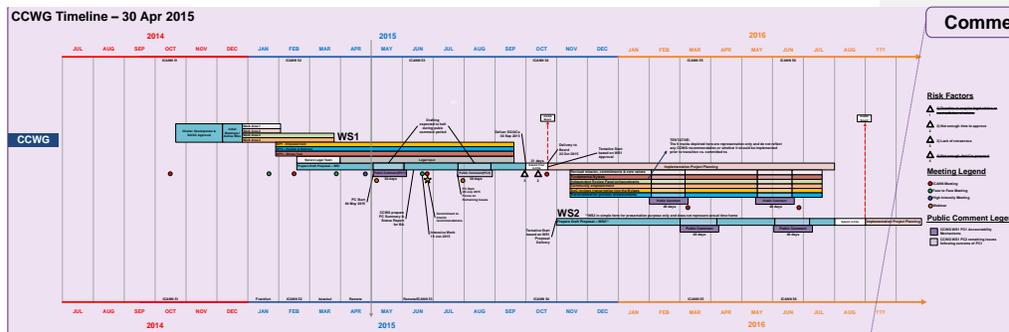


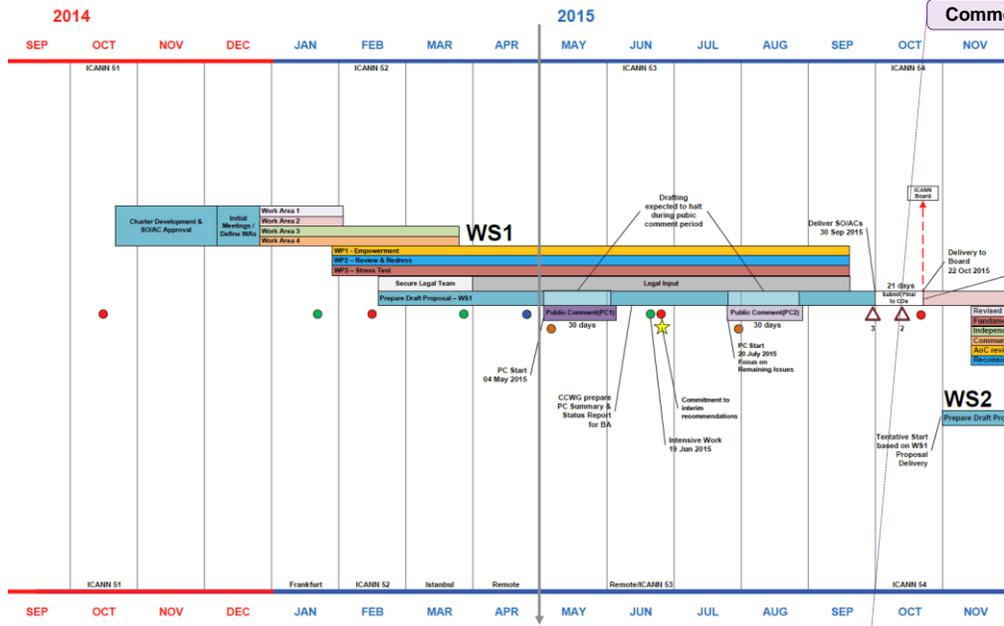
10) Implementation Plan Including Timing

Summary of public comment 2 changes:- updates of timeline and details regarding implementation, taking into account the Bylaw approval expectations and drafting process.

10.1 Timeline

The timeline below is a review of the CCWG-Accountability effort. This timeline predominantly focuses on Work Stream 1 and its corresponding implementation. Work Stream 2 remains in basic form until there is more clarity on what accountability mechanisms will make up its scope.





A full view version of this timeline exists on the [CCWG-Accountability wiki](#).

Commented [MW3]: To be updated

10.2 Next Steps

The first second Public Comment Report sets out the CCWG-Accountability's initial thinking after receiving a first round of public comment, having considered these inputs and engaged with the community during ICANN 53. After the second Public Comment period closes, the CCWG-Accountability will reconvene and continue its work, aiming to finalize Work Stream 1 proposal(s) for submission to Chartering Organizations and eventually to the ICANN Board. Key milestones include:

- ~~CCWG-Accountability reviews Public Comment #1 and adjusts proposal as agreed.~~
- ~~CCWG-Accountability prepared its second draft proposal and readies it for a second public consultation. This second consultation will focus on outstanding issues, provide further details regarding the Work Stream 1 proposal(s), and will highlight any changes to proposal(s) arising from the proposal to prepare the final version.~~
- CCWG-Accountability delivers the final proposal to SOs/ACs for approval.
- CCWG finalizes specifications for changes of ~~ICANN~~ ICANN Bylaws.

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- ❑ ~~CCWG-Accountability prepares materials in preparation for ICANN 543 and hosts several sessions to further inform the community and explain the final proposals of its progress and understand the community's views on its proposal(s). The CCWG-Accountability will hold a full day of face-to-face meeting on 19 June.~~
- ❑ CCWG-Accountability delivers the final proposal to the ICANN Board.
- ❑ ~~Upon proper notification,~~ The CCWG-Accountability begins Implementation Oversight of Work Stream 1 ~~items that are not Bylaw changes and on or around this time~~ begins its work on Work Stream 2.

10.3 Implementation

The CCWG-Accountability views the oversight of Work Stream 1 implementation as crucial to its mandate. Work Stream 1 accountability changes have to be implemented or committed to before any transition of IANA Stewardship from NTIA can occur. ~~At the time of this publication, it is difficult to provide details of the effort required for Work Stream 1 implementation, and it is not possible to provide an exact timeline or duration beyond the information below and in the timeline in Section 5.1 of this report. However, the~~ The CCWG-Accountability roughly estimates nine months for implementation understanding that several tracks of effort and change will be required, some of which will require multiple public comment periods. The CCWG-Accountability has tentatively outlined the following six tracks for implementation of Work Stream 1:

- ❑ Revised Mission, Commitments and Core Values.
- ❑ Fundamental Bylaws establishment.
- ❑ Independent Review Panel enhancements.
- ❑ Community empowerment mechanism establishment and incorporation of powers into Bylaws.
- ❑ Affirmation of Commitments reviews transcription into the Bylaws.
- ❑ Reconsideration process enhancements.

~~As the CCWG-Accountability progresses closer to its final Work Stream 1 Proposal, A significant number of CCWG-Accountability Work Stream 1 recommendations involve updating the ICANN Bylaws. A best case timeline for implementation can be found below. Indeed, apart from the IRP enhancements, most of the Wwork Sstream 1 recommendations will be implemented through changes of the ICANN Bylaws. About 105 days appear necessary until approval of the Bylaw changes, which appear as a key milestone.~~

Taking into account the expectation of the U.S. Congress that the set of Bylaw changes necessary for the transition should be adopted prior to NTIA certifying the proposal and forwards it to Congress Taking into account the expectation by US Congress that the set of Bylaw changes that are necessary for the transition be

approved before the NTIA can certify the proposal and forward it to Congress,
changes consistent with its proposals. This process is currently underway. Bylaw
drafting has started for those parts of the proposal that were widely supported during
Public comment #1-:

- * AOC reviews incorporation into the Bylaws
- * [INSERT ANY OTHER HERE]

Thanks to this agile process, CCWG-Accountability expects to deliver a set of Bylaw
changes in time for their approval by the ICANN Board on mid-November 2015.

Regarding the IRP enhancements, implementation will include, beyond the relevant
Bylaw changes :

- * selecting the panelists
- * setting up the secretariat for the panel
- * defining the rules of procedure

CCWG-Accountability anticipates that such steps can be taken over a 9 month
period.

CCWG-Accountability anticipates that ~~if all goes well,~~ implementation ~~could~~ should
~~then~~ be completed ~~around~~ by July 2016.

The Bylaws drafting process has been developed following discussions with the ICANN
community at ICANN53 Buenos Aires, and considering comments by the ICANN Board
and ICANN legal staff to find a common ground with the requirements of the CCWG-
Accountability to identify this acceptable and appropriate process.

Requirements

Consistent with the CCWG-Accountability's working methods throughout the initiative,
the Bylaws drafting process is based on the concept of requirements:

- All final decisions about Bylaws proposed to the ICANN Board would be approved by
the CCWG-Accountability and/or the relevant CCWG-Accountability subgroup.
- The CCWG-Accountability's decisions and those of its subgroups would be informed
by independent legal advice.
- ICANN legal staff provides legal advice to the ICANN Board.
- The drafting process will be based on a collaborative effort between the CCWG-
Accountability and its subgroups, ICANN legal staff and the CCWG-Accountability's
independent legal counsel. This collaborative effort shall be based on specifications
derived from the first public comment proposal and subsequent public comment and
other advice received.

Bylaw Drafting process

1. Specifications for revised bylaws will be developed based on the CCWG-
Accountability first public comment proposal, and the revisions to the proposal made
in light of public comment received and other contributions, particularly during

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consultations held during ICANN53 Buenos Aires. The specification will be approved by the relevant CCWG-Accountability subgroup, while considering any advice provided by ICANN legal staff and independent legal counsel.

2. The CCWG-Accountability will approve the specification and initiate the Bylaws drafting process. Note, the specification may be presented in the form of rough bylaws drafts.
3. Initial Bylaws drafting and refining based on the specification will be undertaken by ICANN legal staff in collaboration with independent legal counsel.
4. Initial draft review: the relevant CCWG-Accountability subgroup, supported by both ICANN legal staff and independent legal counsel, will review the draft to ensure it meets the specification and intent of the CCWG-Accountability. The CCWG-Accountability subgroup approves the independent review.
5. An independent review will be conducted by the CCWG-Accountability's independent legal counsel (ICANN legal staff may also review), to assess compliance with the specification and ensure the absence of any unintended consequence.
6. The CCWG-Accountability subgroup reviews the independent review advice and makes adjustments as necessary. The draft Bylaw(s) and advice will be shared with the CCWG-Accountability and with the ICANN Board.
7. The full CCWG-Accountability members and participants will decide in the case of any conflict of interpretation, and will approve the Bylaw change for inclusion in a proposal that the draft be put for public comment. Or, in the situation where there is a conflict of interpretation, sends the draft Bylaw back to the CCWG-Accountability subgroup and legal teams for further refinement.

The process of final approval of the Bylaws developed by this process would be through processes of the ICANN Board and ICANN community.

[INSERT documents from bylaw drafting process here]

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