Governmental Advisory Committee (GAC) input to the Cross-Community Working Group (CCWG) on Enhancing ICANN's Accountability

12 September 2015

Proposal – GAC's involvement in the Community Mechanism

1. Introduction

- This paper is a contribution from the GAC with regards to the involvement of the GAC in the "Community Mechanism", as outlined in chapter 6 of the "CCWG-Accountability 2nd Draft Proposal on Work Stream 1 Recommendations".

- The position described here aims at answering the open question whether or not the GAC may intend to participate in the proposed "Community Mechanism".

- This document is submitted to the CCWG-Accountability as a consensus input to the public comment period of the working group's 2nd draft proposal (August 3rd – September 12th 2015).

- The present document is divided in two parts:

  o A list of "common ground" elements, which summarizes the minimum denominator between the various GAC member positions expressed in the document: "INPUT FROM GAC MEMBERS TO MEETING OF CCWG-ACCOUNTABILITY: Paris, 17-18 July 2015".

  o A concrete proposal with regards to the involvement of the GAC in the aforementioned "Community Mechanism".

2. Minimum common ground elements

- The GAC acknowledges the efforts of the CCWG to identify and propose solutions to improve ICANN's transparency and accountability to the wider community.

- The GAC expects the new framework to recognize the GAC's role in providing public policy advice to the ICANN Board.

- The GAC also believes that the "Community Mechanism" would benefit significantly from the public policy perspective of the GAC. The GAC will consider, on a continuous basis, the most effective means of engaging with the new community framework (e.g. direct participation, non-voting liaisons, etc.).

- To the extent the exercise of the new community powers directly and indirectly raises public policy issues, the GAC expects to contribute significantly to the community deliberations.

- The GAC will continue to assess the scope and implementation aspects of all proposed changes to ICANN's current review, reconsideration and redress mechanisms, to ensure that such mechanisms provide sufficiently accessible, affordable, effective and neutral/independent opportunities to resolve legitimate complaints.

3. GAC involvement proposal

- At this point in time, GAC has not determined whether to participate or not in the "Community Mechanism" as a voting entity.

- However, the possibility that the GAC may, in the future and upon its sole decision, fully participate in the "Community Mechanism" as an entity entitled to 5 votes (on equal terms with the Supporting Organizations – SOs – and the At Large Advisory Committee – ALAC) should be included in the Final report of the CCWG in line with what is contained in Section 6.2 of the CCWG 2nd Draft Proposal.

- In case the GAC were to decide in the future to participate as a voting entity it would follow its own processes and the procedure foreseen under Section 6.2 of the CCWG 2nd Draft Proposal, especially paragraphs 337 and following.

- Irrespective of whether or not the GAC would participate in the voting structure (and thus exercise its legitimate empowerment rights) at some time in the future, the GAC intends to fully participate in the ICANN Community Forum, outlined in Section 6.3 of the CCWG 2nd Draft Proposal. The GAC will work with other SOs and ACs to develop agreed mechanisms for the full participation by and exchange of views among and between all SOs and ACs in the proposed Community Forum.