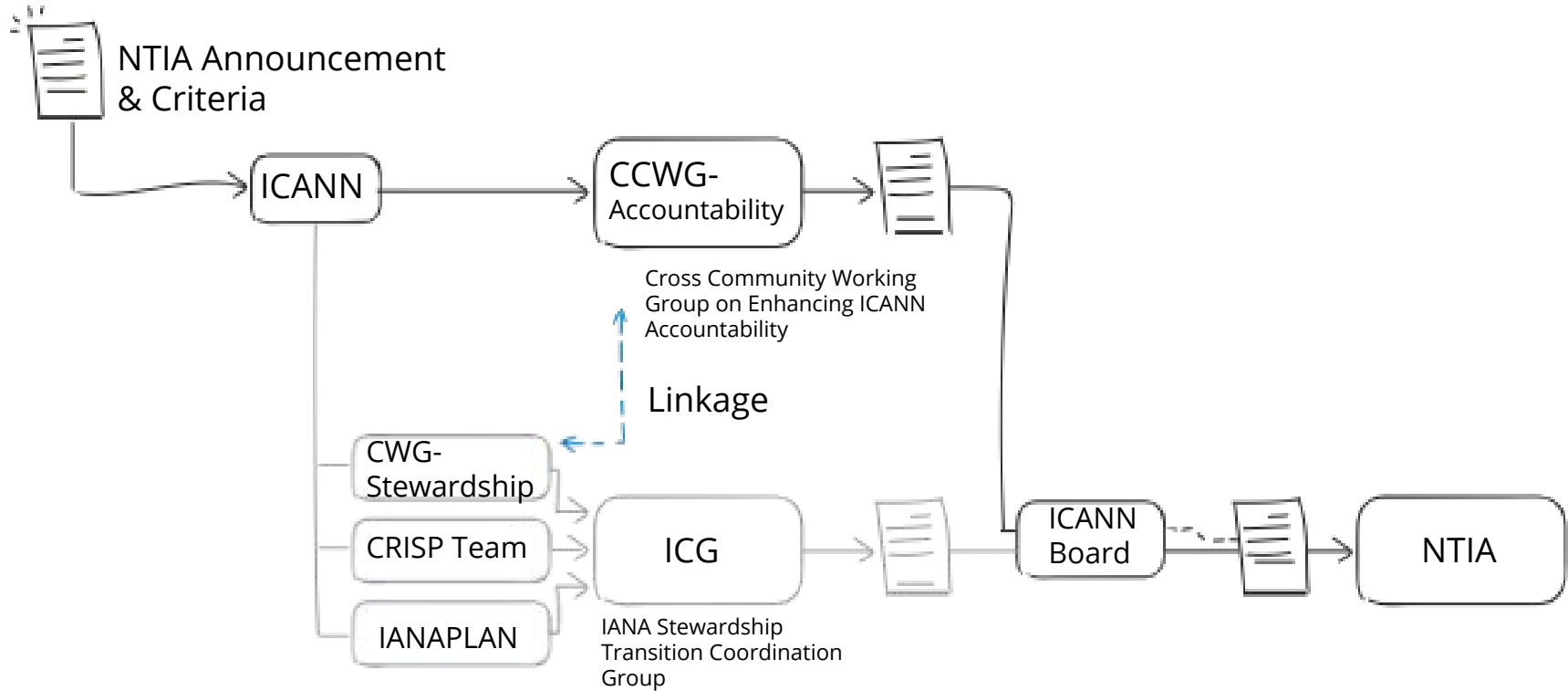# CCWG-Accountability Engagement Session

Monday 19, October
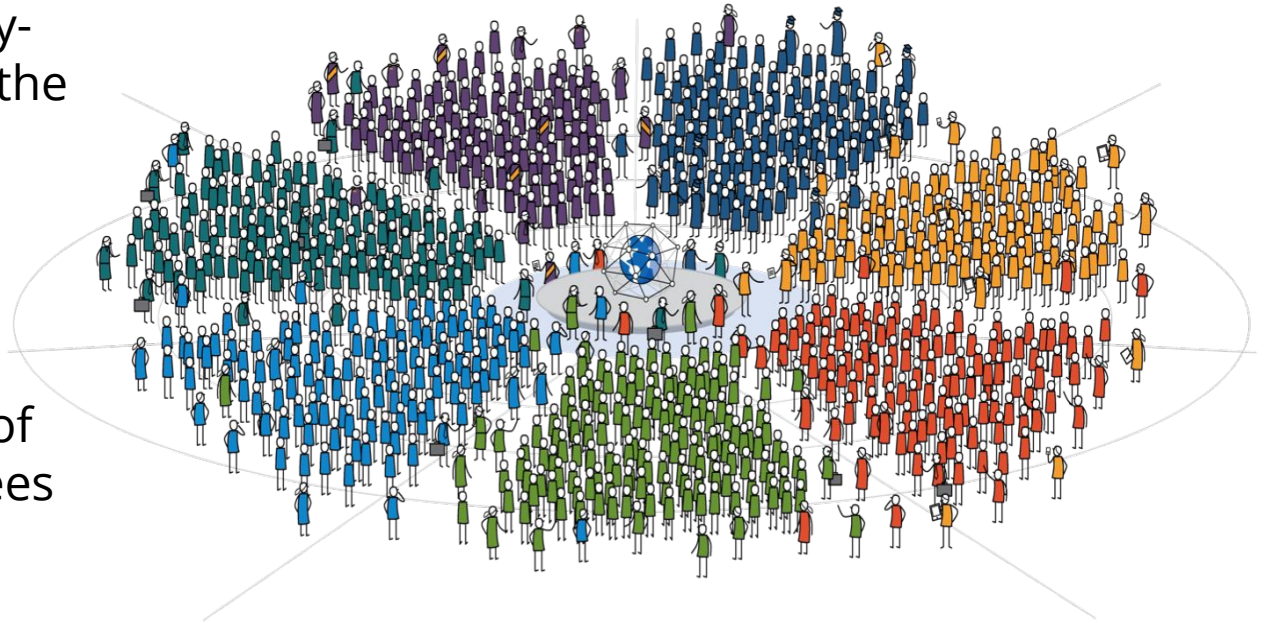
Scope/Process

What we are <u>NOT</u> doing...

1. Changing the policy-making aspects of the ICANN community

2. Changing the structure of the ICANN community

3. Changing the role of Advisory Committees

Four Building Blocks to Enhance Accountability

Community Powers

Empowered Community

Refers to the powers that allow the community to take action should ICANN breach the principles.

ICANN Board

Has the ultimate authority to approve or reject policy recommendations, developed by the SOs. ACs formally advise the ICANN Board on particular issues or policy areas.

Principles Form the Mission

Guarantees and core values of the organization.

Independent Review Mechanisms

Confers the power to review and provide redress, as needed.

Public Comment Assessment

★ Support for the proposed key Enhancing ICANN Accountability elements were even stronger than from the 1st Draft Proposal
★ There were a few, but important areas of concern raised in the 2nd Public Comment such as:

   ○ Reallocation/concentration of power

   ○ Membership rights/risk of capture

★ The group is developing responses to address concerns raised

Taking Stock of Where We Are Now...

Community Powers

Empowered Community

Refers to the powers that allow the community to take action should ICANN breach the principles.

ICANN Board

has the ultimate authority to approve or reject policy recommendations, developed by the SOs. ACs formally advise the ICANN Board on particular issues or policy areas.

Principles Form the Mission

Guarantees and core values of the organization.

Independent Review Mechanisms

i.e. the judiciary, confers the power to review and provide redress, as needed.

Community Powers

The CCWG-Accountability recommends the community be empowered with five (5) distinct powers:

1. Reconsider/reject Budget or Strategy/Operating Plans

2. Reconsider/reject Changes to ICANN "Standard" Bylaws

3. Approve Changes to "Fundamental" Bylaws

4. Removing Individual ICANN Directors

5. Recalling the Entire ICANN Board

Enhanced Independent Review Panel (IRP)

★ Standing Panel

★ Resolve disputes regarding

   ○ Respect for community powers

   ○ Bylaws violations

   ○ Decisions related to IANA (except ccTLD delegations/revocations)

★ "Community IRP" funded by ICANN

★ Substantive standard of review; guidance for future actions

★ Details to be developed by sub-group with expert support

CWG-Stewardship Requirements

Key aspects of the CWG-Stewardship proposal are considered to be conditional on the output of the CCWG-Accountability.
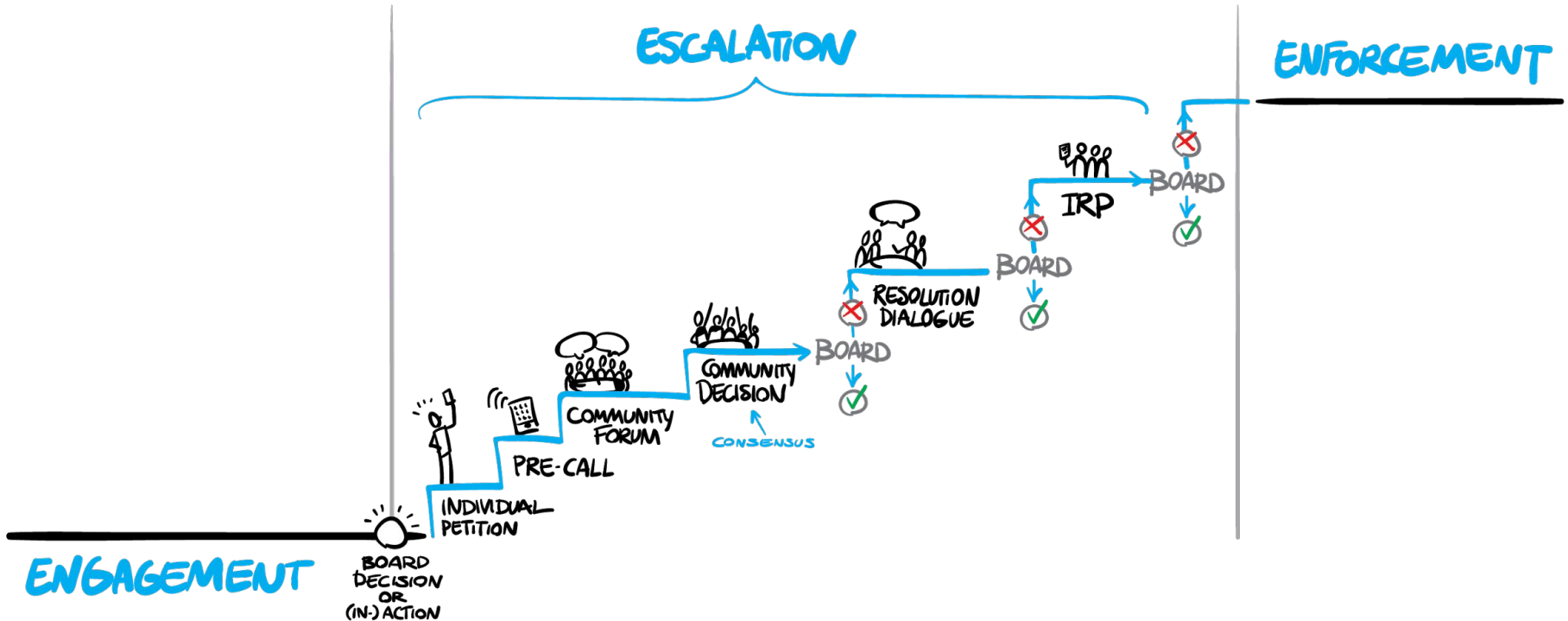
ICANN Budget: Transparency around cost allocation in relation to the IANA functions, and supported the CCWG's proposal for the community to have the power review and reject the budget.

Community empowerment mechanisms: Community empowerment and accountability mechanisms, particularly the ability to review ICANN Board decisions.
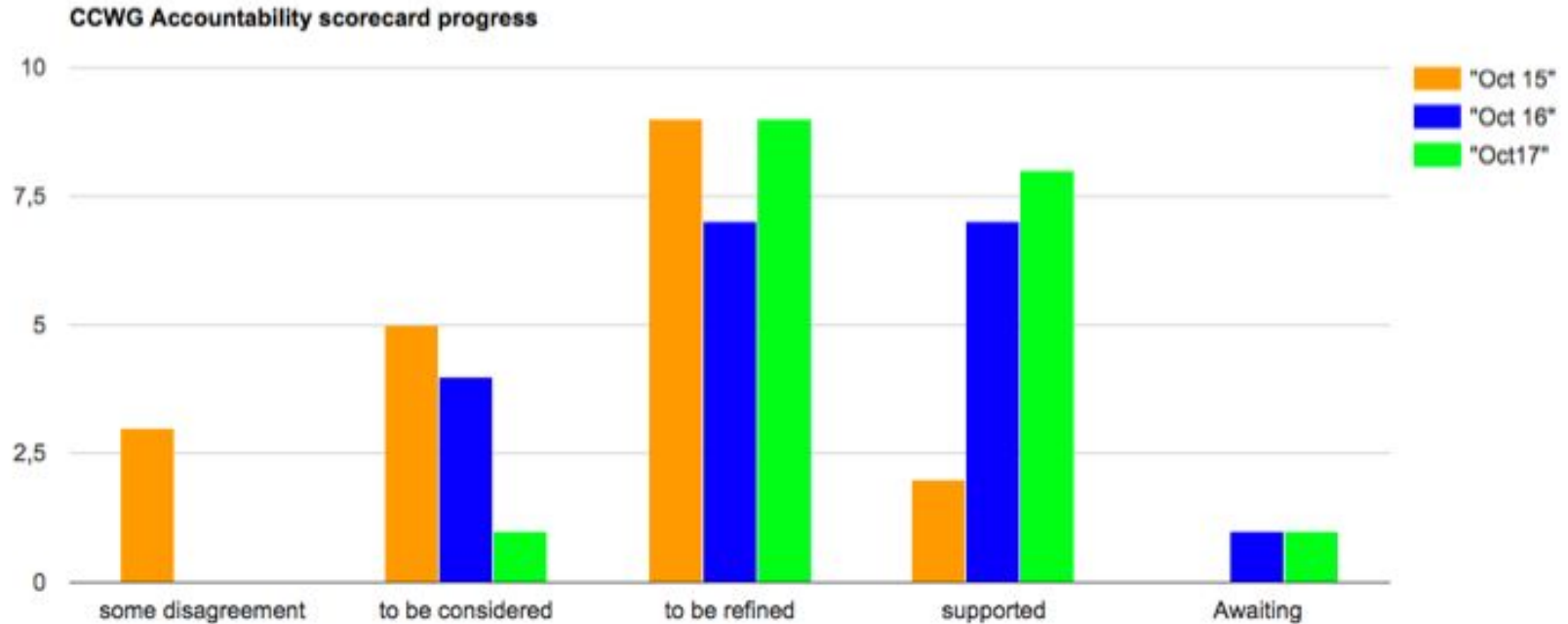
Review and redress mechanisms: IANA review function be brought into the ICANN bylaws as a fundamental bylaw.

Appeal mechanisms: IRP and other strengthened review processes are important for its proposals and any other issues that may involve IANA. CWG asked the CCWG to not develop appeals mechanisms to cover ccTLD delegation/re-delegation issues.

The 3 E's: Engagement/Escalation/Enforcement
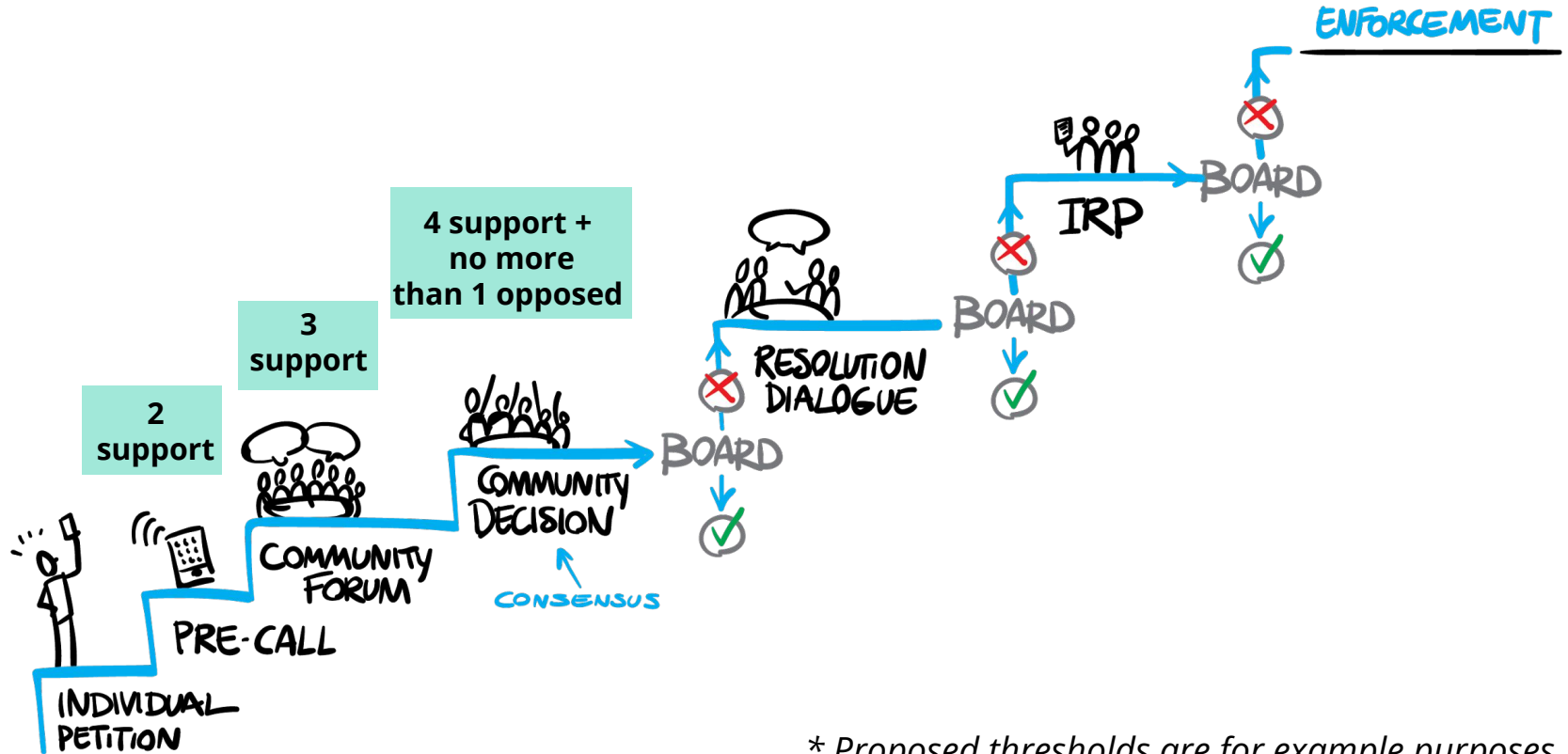
Progress Made in Dublin

CCWG Accountability scorecard progress

Questions?

We would welcome your input on the following:

★ Community decision-making

★ Budget community power
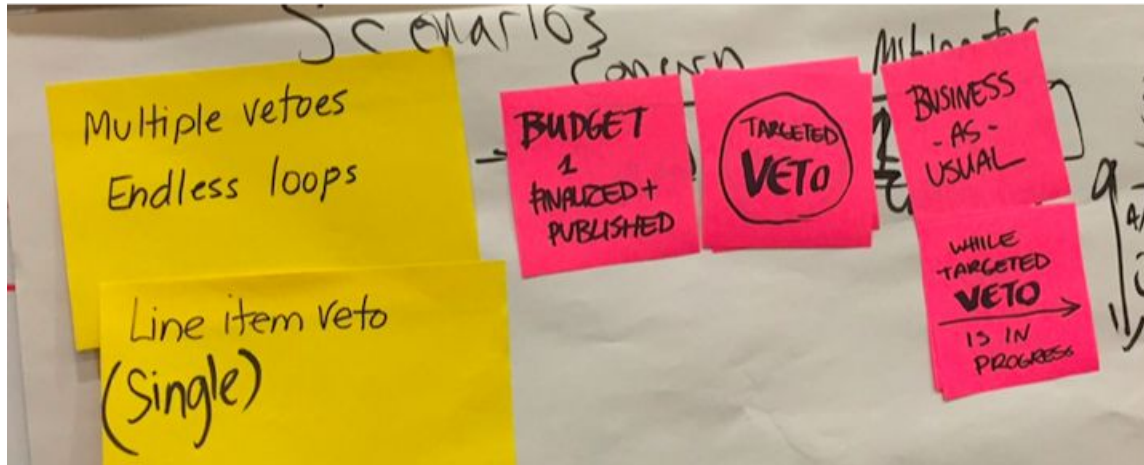
★ Individual Board Removal

★ Enforceability Mechanism

Community Decision-Making

ENFORCEMENT

4 support + no more than 1 opposed

3 support

2 support

BOARD

IRP

RESOLUTION DIALOGUE

BOARD

COMMUNITY DECISION

CONSENSUS

BOARD

COMMUNITY FORUM

PRE-CALL

INDIVIDUAL PETITION
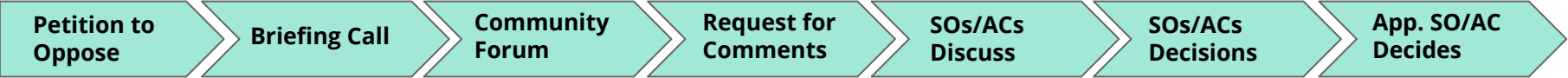
Proposed thresholds are for example purposes (Blocking strategic plan in this case)

Budget Community Power

★ Consider targeted veto where specific sections of a budget will be addressed instead of multiple sections

★ Need to determine how that would work with ICANN finance – Xavier (CFO) exploring a possible budget reference where special initiatives and initiatives required to maintain operations will be separated

★ Raises question of how will the quarterly reporting be handled

Individual Board Member Removal

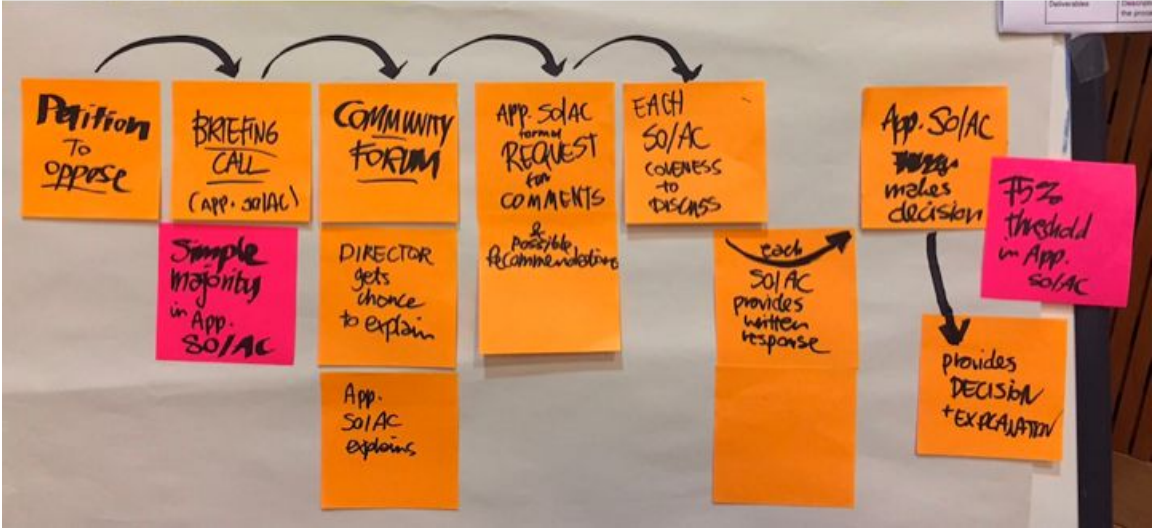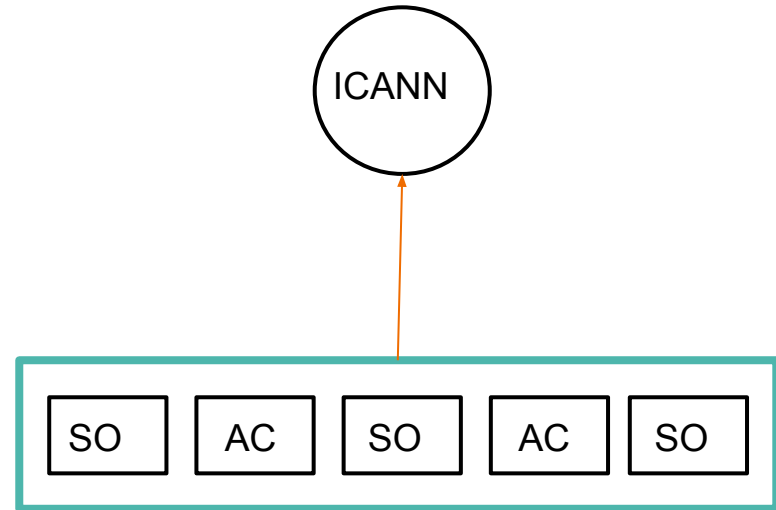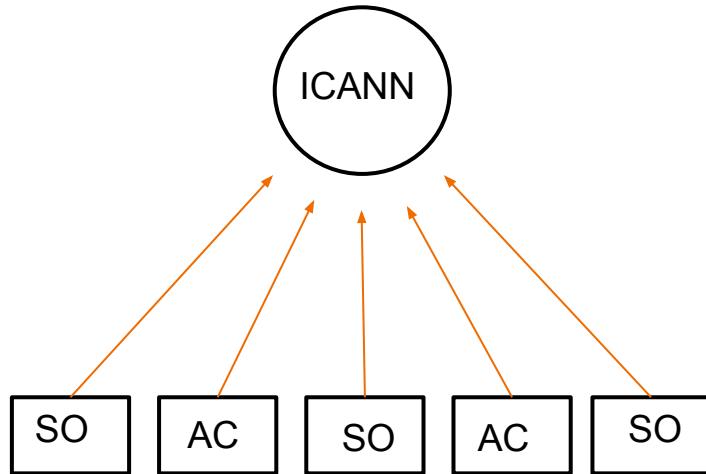| Petition to Oppose	Briefing Call	Community Forum	Request for Comments	SOs/ACs Discuss	SOs/ACs Decisions	App. SO/AC Decides
App. SO/AC initiates process	Simple majority in app. SO/AC	Both sides get chance to explain their perspectives		Convenes own process to discuss	Written responses delivered	75% Threshold in App. SO/AC Decision & explanation provided

Enforceability Mechanism

More Information

Interested in hearing more? Please join us this week!

★ **CCWG-Accountability Engagement Session I** - Monday, 19 October at 10:15-11:45 - Auditorium

★ **CCWG-Accountability Engagement Session II** - Wednesday, 21 October at 17:00-20:00 - Auditorium

★ **CCWG-Accountability Working Session II** - Thursday, 22 October at 08:00-10:30 - Liffey H2

Follow our activities at https://community.icann.org/display/acctcrosscomm/CCWG+on+Enhancing+ICANN+Accountability

All are welcome to join the CCWG-Accountability. Email acct-staff@icann.org for more information