

AFRALO / AfrICANN joint meeting Marrakech, Tuesday 8 March 2016

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We, African ICANN Community members participating in the ICANN 55th International Public meeting in Marrakech and attending the joint AFRALO / AfrICANN meeting on Tuesday 8th March 2016, discussed the Final report of Cross Community Working Group on enhancing the ICANN accountability (CCWG) put forward for approval of the Chartering organizations

We first want to congratulate the CCWG for the huge amount of work undertaken in a so short time towards developing this final proposal. We also observe the great improvement made in comparison with the 3rd report that was put for Public comment. Nevertheless, we still have remarks to make about this final report that we hope will be noted during implementation and beyond:

- We observed that the report proposes to change the conditions required for the community to remove the entire board in certain situations so that the number of SO/ACs supporting the decision be decreased from 4 to 3. Because of the very serious nature of spilling the board and its heavy consequences on the ICANN stability that may affect the stability of Internet, we are quite concerned as we believe that there should be a minimum threshold required for such an important decision that must not be made easy to be taken, and we find that a threshold of 4 would be an appropriate minimum,
- We support the proposal of adjusting the thresholds presented in the report according to the total number of the ICANN SOs and ACs forming the empowered community when this number increases. We do believe that the minimum number for such governance model is five, and below 5, the whole model should be considered for review and we expect that such review will ensure absolute balance between SO/AC participating in the Empowered community . Our reasoning behind this is bent on the fact that in order to promote multi-stakeholderism within ICANN, equal footing on the 2 broad categories of stakeholders (labeled SOs and Acs) must always be ensured.
- We observed that certain parts of the proposal tend to discriminate between the components of the ICANN community in exercising community powers. We like to emphasize that the multi-stakeholder model should be based on equal footing between them. Therefore, if there is a need for removing an SO or AC recommending policies or advises to the board from the decision making group when the community challenge the board because it acted/not acted upon the advice or the policy received, it should be a general case for all SOs and ACs.
That is said, we do not think it is necessary to remove any SO/AC even if the board decision concerns its policy or advice. The CCWG proposal is already designed in a manner that disallow a single SO/AC from exercising the community powers which we believe is an adequate factor of promoting multi-stakeholderism
- We also consider that the ICANN obligation to respect Human Rights should not exceed the borders of the ICANN mission. Therefore, the bylaw drafting should be well detailed to make the scope of the ICANN commitment to respect human rights limited to the issues included in the ICANN mission only.

- The work stream 1 was developed at a pace beyond average. This has made it difficult for some volunteers to follow-up with the process, which hence may have reduced the level of diversity of views in the development of the proposal. In view of this, we recommend that adequate and flexible time be provided for the development of work stream 2.

Finally, we will like to reiterate our appreciation to the request from the National Telecommunications and Information Administration (NTIA) to ICANN to “convene a multi-stakeholder process to develop a plan to transition the U.S. government stewardship role” with regard to the IANA Functions and related root zone management. We hope that our remarks and comments will be taken into consideration in the bylaw drafting and implementation phase.