ICANN Bylaws

• Approved by ICANN Board on May 27
• Puts into place requirements from transition proposal (ICG) and CCWG-Accountability Work Stream 1
• New roles for ALAC:
  • Empowered Community participation
  • Customer Standing Committee (PTI)
  • Representatives to IANA Functions Review
  • Selection of Review Team Membership
    • Nomination of up to seven members
    • Chair participates in selection
Establishing an Empowered Community

The CCWG-Accountability recommends creating an entity that will act at the direction of the community to exercise and enforce Community Powers called the “Empowered Community.”

THE EMPOWERED COMMUNITY:

→ Will be given the role of Sole Designator of ICANN’s Board Directors and will have the ability to enforce directly or indirectly the Community Powers.

→ Will act as directed by participating SOs and ACs, which will be referred to as the “Decisional Participants.”

→ Will have the rules by which it is governed constituted in ICANN’s Fundamental Bylaws.
The Empowered Community

• A new **legal entity**

• The **mechanism** designed by the CCWG-Accountability for the community to come together and **exercise new powers**

• It is comprised of the **ASO, ALAC, ccNSO, GAC and GNSO** (the **Decisional Participants**)

• New form of checks and balances in the Post-transition environment
### Community Powers

<table>
<thead>
<tr>
<th>Action</th>
<th>Icon</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reject budget or strategic/operating plan</td>
<td>![Icon]</td>
<td>REJECT BUDGET OR STRATEGIC/OPERATING PLAN</td>
</tr>
<tr>
<td>Reject changes to ICANN standard bylaws</td>
<td>![Icon]</td>
<td>REJECT CHANGES TO ICANN STANDARD BYLAWS</td>
</tr>
<tr>
<td>Approve changes to fundamental bylaws or articles, or certain asset sales</td>
<td>![Icon]</td>
<td>APPROVE CHANGES TO FUNDAMENTAL BYLAWS OR ARTICLES, OR CERTAIN ASSET SALES</td>
</tr>
<tr>
<td>Remove individual ICANN board directors</td>
<td>![Icon]</td>
<td>REMOVE INDIVIDUAL ICANN BOARD DIRECTORS</td>
</tr>
<tr>
<td>Recall entire ICANN board</td>
<td>![Icon]</td>
<td>RECALL ENTIRE ICANN BOARD</td>
</tr>
<tr>
<td>Launch community independent review process or request for reconsideration</td>
<td>![Icon]</td>
<td>LAUNCH COMMUNITY INDEPENDENT REVIEW PROCESS OR REQUEST FOR RECONSIDERATION</td>
</tr>
<tr>
<td>Reject ICANN board decisions relating to IANA functions reviews</td>
<td>![Icon]</td>
<td>REJECT ICANN BOARD DECISIONS RELATING TO IANA FUNCTIONS REVIEWS</td>
</tr>
</tbody>
</table>
ESCALATION

1. AN INDIVIDUAL BEGINS AN ONLINE PETITION IN ANY AC OR SO

2. SO OR AC ASKS OTHER DECISIONAL PARTICIPANTS TO SUPPORT THE PETITION

3. COMMUNITY FORUM

4. EMPOWERED COMMUNITY ESTABLISHES IF IT WISHES TO USE ITS POWER

5. ADVISE ICANN BOARD OF THE DECISION

THRESHOLD MET?

BOARD & EMPOWERED COMMUNITY RESOLVE?

SUPPORT FROM AN ADDITIONAL SO OR AC?

PETITION ACCEPTED BY SO OR AC?

ENFORCEMENT

ENGAGEMENT

OPTIONAL CONFERENCE CALL

ASCALATION
## Required Thresholds for Escalation Processes

<table>
<thead>
<tr>
<th>Required Community Powers</th>
<th>Should a conference call be held?</th>
<th>Should a Community Forum be convened?</th>
<th>Is there consensus support to exercise a Community Power?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Reject a proposed Operating Plan/Strategic Plan/Budget</td>
<td>2 AC/SOs support blocking</td>
<td>3 AC/SOs support blocking</td>
<td>4 support rejection, and no more than 1 objection</td>
</tr>
<tr>
<td>2. Approve changes to Fundamental Bylaws and Articles of Incorporation</td>
<td>2 AC/SOs support approval</td>
<td>3 AC/SOs support approval</td>
<td>4 support approval, and no more than 1 objection</td>
</tr>
<tr>
<td>3. Reject changes to regular Bylaws</td>
<td>2 AC/SOs support blocking</td>
<td>2 AC/SOs support blocking</td>
<td>3 support rejection, and no more than 1 objection</td>
</tr>
<tr>
<td>4a. Remove an individual Board Director appointed by a Supporting Organization or Advisory Committee</td>
<td>Majority within the appointing AC/SO</td>
<td>Majority within appointing AC/SO</td>
<td>Invite and consider comments from all SO/ACs. 3/4 majority within the appointing AC/SO to remove their director</td>
</tr>
<tr>
<td>4b. Remove an individual Board Director appointed by the Nominating Committee</td>
<td>2 AC/SOs support</td>
<td>2 AC/SOs support</td>
<td>3 support, and no more than 1 objection</td>
</tr>
<tr>
<td>5. Recall the entire Board of Directors</td>
<td>2 AC/SOs support</td>
<td>3 AC/SOs support</td>
<td>4 support, and no more than 1 objection</td>
</tr>
<tr>
<td>6. Initiate a binding Independent Review Process</td>
<td>2 AC/SOs support</td>
<td>2 AC/SOs support</td>
<td>3 support, and no more than 1 objection. Require mediation before IRP begins</td>
</tr>
<tr>
<td>7. Reject ICANN Board decisions relating to reviews of IANA functions, including the triggering of Post-Transition IANA separation</td>
<td>2 AC/SOs support</td>
<td>3 AC/SOs support</td>
<td>4 support, and no more than 1 objection</td>
</tr>
</tbody>
</table>
Removing a Board Director (NOMCOM)

**STEP 1**
TRIGGER BY PETITION

**STEP 2**
PETITION SUPPORT

**STEP 3**
COMMUNITY FORUM

**STEP 4**
DECIDE TO USE COMMUNITY POWER

**STEP 5**
ADVISING THE ICANN BOARD
Removing a Board Director (SO/AC)

**STEP 1**
PETITION

**STEP 2**
COMMUNITY FORUM

**STEP 3**
PUBLISH COMMENTS & RECOMMENDATIONS

**STEP 4**
DECIDE TO USE COMMUNITY POWER

**STEP 5**
ADVISING

- DOES NOMINATING SO/AC SUPPORT USE OF THE POWER?
- ESCALATION PROCESS ENDS
- RESPECTIVE SO/AC NAMES REPLACEMENT
- REPLACEMENT DIRECTOR FILLS SAME SEAT
- EMPOWERED COMMUNITY
- BOARD DIRECTOR STEPS DOWN
New Bylaws Work – Coordination

- **22 July 2016**: CSC Selection completed
- **August 2016**: Confirm CSC membership (ccNSO and GNSO)
- **Sept 2016**: Today
- **1 Oct 2016**: EC Administration selected; Review Team Member selection process; initial understanding/plan of EC participation
- **By Early 2017**: Be prepared for EC process on ICANN Budgets and Ops Plan
- **October 2017**: Be prepared for CSC Charter Review