

Current Status
ALAC Comment on CCWG-Acct 3rd
Proposal

20 January 2016

Recommendation #1: Establishing an Empowered Community for Enforcing Community Powers

ALAC Position: **OK**

- **Possible Issues**
 - **Effort to reduce AC weighting**

Recommendation #2: Empowering the Community Through Consensus: Engage, Escalate, Enforce

ALAC Concerns

- Reduction of threshold to remove Board (and reject budgets and IANA actions)
- Concern over 120 day requirement to name replacement Board member

Recommendation #3: Redefining ICANN's Bylaws as 'Standard Bylaws' and 'Fundamental Bylaws'

ALAC Position: **OK**

Recommendation #4: Ensuring Community Engagement in ICANN Decision-making: Seven New Community Powers

- Liability associated with removing Board Members

Recommendation #5: Changing Aspects of ICANN's Mission, Commitments and Core Values

- Mission (non-bottom-up contract provisions including PICs, grandfathering/mothering)
- IRP could invalidate contract terms
 - Under discussion
 - Widely differing views
 - Of concern to Board as well
 - New input from Lawyers

Recommendation #5: Changing Aspects of ICANN's Mission, Commitments and Core Values - 2

Where feasible and appropriate, depending on market mechanisms to promote and sustain a competitive environment.



Depending on market mechanisms to promote and sustain a healthy competitive environment in the DNS market.

Not yet discussed

Recommendation #5: Changing Aspects of ICANN's Mission, Commitments and Core Values - 3

Preserving and enhancing the operational stability, reliability, security, and global interoperability of the Internet.



Preserve and enhance the neutral and judgment free operation of the DNS, and the operational stability, reliability, security, global interoperability, resilience, and openness of the DNS and the Internet;

The NTIA has committed to a transition ensuring “The neutral and judgment free administration of the technical DNS and IANA functions”.

Accepted

Recommendation #5: Changing Aspects of ICANN's Mission, Commitments and Core Values - 4

Omission of Consumer Trust reference from Paragraph 3 of the Affirmation of Commitments.

Rejected: Confirmation that inclusion in AoC was in reference to new gTLDs only. Our comment was to adhere to AoC, not add new content in Bylaws.

Recommendation #6: Reaffirming ICANN's Commitment to Respect Internationally Recognized Human Rights as it Carries Out its Mission

ALAC Position: Conceptually OK (?), but one year unrealistic and unclear what the penalty would be for not meeting deadline (potential for IRP).

Under Discussion

Example: Adopt adjusted bylaw language as part of WS1 to clarify that it can only be enforced or used in an IRP once the Fol is approved (Such as : “This articles becomes effective 30 days after approval of the Fol...”).

Recommendation #7: Strengthening ICANN's Independent Review Process

ALAC Position

- Concern regarding conflicting panel decisions
– now removed

Recommendation #8: Improving ICANN's Request for Reconsideration Process

ALAC Response: **OK**

Recommendation #9: Incorporating the Affirmation of Commitments in ICANN's Bylaws

ALAC Response: **OK**

Recommendation #10: Enhancing the Accountability of Supporting Organizations and Advisory Committees

ALAC Response: **OK**

Request to explicitly increase GNSO allocation rejected (but it is really already addressed!)

Recommendation #11: Board Obligations with regards to Governmental Advisory Committee Advice (Stress Test 18)

ALAC Response: OK

Still under discussion

Likely Bylaw to be added requiring all Advisory Committees to provide rationale for advice.

Recommendation #12: Committing to Further Accountability Work in Work Stream 2

ALAC Response: OK

Still under discussion

- **Potential for bifurcating**

Overall Timeline

- **Unclear – impact on transition!!**
- Hopefully be ready for ALAC consideration prior to or at Marrakech

Prognosis

- Work Proceeding well.
 - Discussions with Board at good level
- Still some stumbling blocks
- Timeframe?

ALAC

(Font gives insight into frazzled mental state of CCWG Members)