CCWG ACCOUNTABILITY SESSION – THURSDAY; 5TH MAY (16.45hrs)

The following is a brief note of the CCWG IG Session at WSIS Forum; they were around 70 participants.

Panel

Matthew Shears; CDT – Chair
Theresa Swinehart; ICANN
Lise Fuhr; ETNO
Thomas Rickert; Chair; CCWG Accountability
Kavouss Arasteh, GAC; Iran
Marilyn Cade
Tatiana Tropina
Olivier Crepin-Leblond

Presentations

Theresa Swinehart

Theresa went through the background to transition, including what ICANN does; the IANA functions. She noted how ICANN had responded to the US announcement in facilitating a process to transfer IANA functions from USG to global Internet Community.

She noted the creation of the two parallel processes; the ICG (IANA transition) and the ICANN Accountability process. She noted the tremendous work carried forward by the Community and where we were now in the process with the US. She noted the current consultation on the bylaws. Expect reaction from USG in June. There could also be hearings in Congress before summer. We are, she noted, optimistic that there will be enough done to allow IANA Contract with NTIA to be lifted at end of September.

Lise Fuhr (ICG co-chair)

Noted the work taken forward by the ICG and the three inputs to it from the naming, numbering and protocol parameter communities. Noted how the process worked with over 150 participants and the linkages with the CCWG Accountability.

She went over the essence of the proposal on the IANA transition with a new legal entity (PTI) that will handle the IANA role; with a Consumer Standing Committee. There will also be reviews of operation of PTI.

She noted how the IETF and RIR roles fitted in to the PTI.

Thomas Rickert (CCWG co-chair)

Talked about the process of enhancing ICANN Accountability as a result of the prospect of relationship with NTIA ending. Noted how work had been divided into two streams (WS1 and Ws2); with the WS1 issues being an essential part of transition process and reflected in the bylaws.

Noted that we had 200 persons reflecting a diverse cross section of society that developed a 350-page report that was agreed at ICANN 55. Was an incredible process; and a true testimony of working of the multi-stakeholder model.

Noted essence of the Empowered Community and the powers they would have in relation to Board, the operation of ICANN (eg Budget) and any new bylaws proposed. So proposals *empower* Community to take action, but only if something goes wrong. Noted the improvement of the IRP process.

Went over how the Empowered Community would work.

Noted how in Workstream 2 (WS2) will look at Jurisdiction, a Human Rights Framework and Accountability of Community Groups.

Kavouss Arasteh (GAC; Iran)

Explained how work of ICG was put together and links with the CCWG. Noted real role of stakeholders in the whole process and how contributions from members of the GAC had been taken into consideration.

Marilyn Cade

Reviewed how ICANN had been launched in 1998 with basically no budget, only four staff, and essentially no real powers, and with a relatively small Community. At that time, with only 270m users on Internet, the majority of users were from less than 11 countries, most of which were from the highly developed countries. She commented on how ICANN had evolved; she described the work of the President's Strategy Committee, which over two years considered how to strengthen ICANN in several areas, including internationalization, broadening the participation, in particular from developing countries; key priorities from the community which included moving toward the independence of ICANN from the oversight role of US Government.

She also noted that the broad globally distributed business community has been in support of the PSC's recommendations, and on the process and progress toward ICANN's further internationalization and independence, and understands and supports the importance of the stable and accountable operational excellence. She also commented on the importance of the multi stakeholder model of ICANN. And

that business is committed to maintaining active engagement with ICANN, both on the gTLD policy side, and on the larger governance of the organization

Tatiana Tropina

Noted importance of the work on mission limitation, especially with regard to prohibition on content regulation, rights of inspection, and Human Rights as being key for civil society; civil society had a good voice. Noted the large amount of volunteer work; and also how the openness and transparency of work had led to such a good result; with the voice of minorities being heard, stressed that one of the most important results of this work is that it proved that the community is mature enough and that multi-stakeholder model of governance works on practice.

Olivier Crepin-Leblond

He started by noting that after 33 000 mail postings later we are here! With the proposals delivered to the US Government. A really positive and important exercise. The At Large Community was as much involved as anyone else. A real testament to multi-stakeholder working.

He noted the new Accountability were critical for ALAC and the result is really positive; especially the creation of the Empowered Community.

Discussion

- Will WS2 be different; what lessons are there from WS1; was noted that more physical working sessions might be needed; especially in early days of group;
- Was noted that not everyone got what they wanted; all in WS2 had to recognise that there had to be compromises;
- Thomas noted for WS2 there would be more sub-teams working on issues;
- Richard Hill; made 5 points; including saying there had been wide consultations before; that ICANN were not following Tunis Agenda as governments do not have direct role; also unhappy about split re voting and observers; decision making power with ICANN insiders; also said PTI not sufficiently independent; also Empowered Community dominated by commercial interests;
- There were various responses; noting that under Tunis governments did not have *sole* responsibility for public policy;
- Was also noted under Empowered Community governments had equal role with all other SH groups;

- Whether “all “stakeholders have been involved? I was not as a domain name user? Who is ICANN now accountable to?
- Is there a timeframe for WS2? What about human rights; could this be dragged out; *concern that ICANN internally may want to do this…*
- Concern that some developing countries do not have a “Community” as such as so is not represented; so how do you resolve this?
- Was noted there were Webinars (in multiple languages) to wider Community;
- Kavouss noted process was completely open; did not even need Internet!
- Theresa noted opportunities to join in WS2; but nothing down there can be outside remit and Mission.

Conclusions

Matthew noted a fitting final remark was that “*no one was excluded*” from the ICANN process; “*all were welcome*.”