



CCWG – Accountability

Workstream 2 – Activity Dashboard

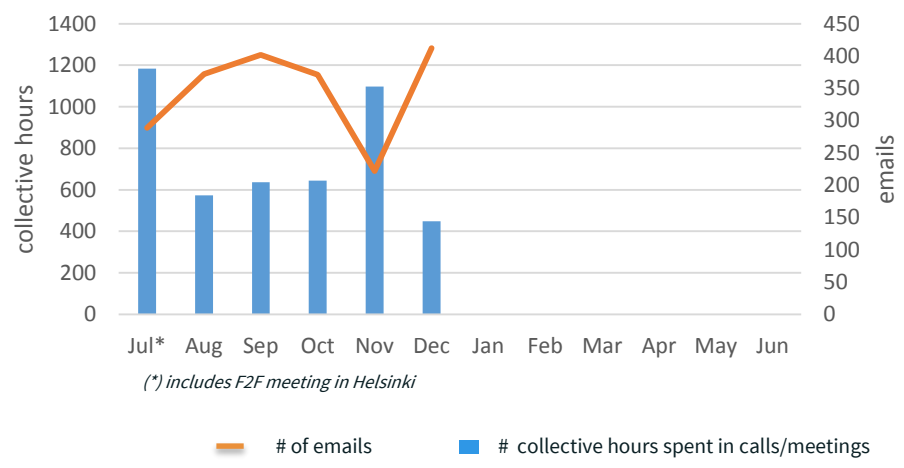
December 2016

WS2 overall report

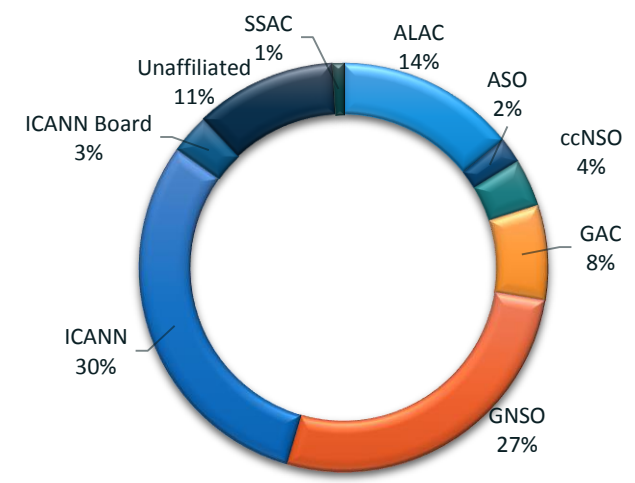
WS2 Monthly Activity Update

Reporting Period:
DECEMBER 16

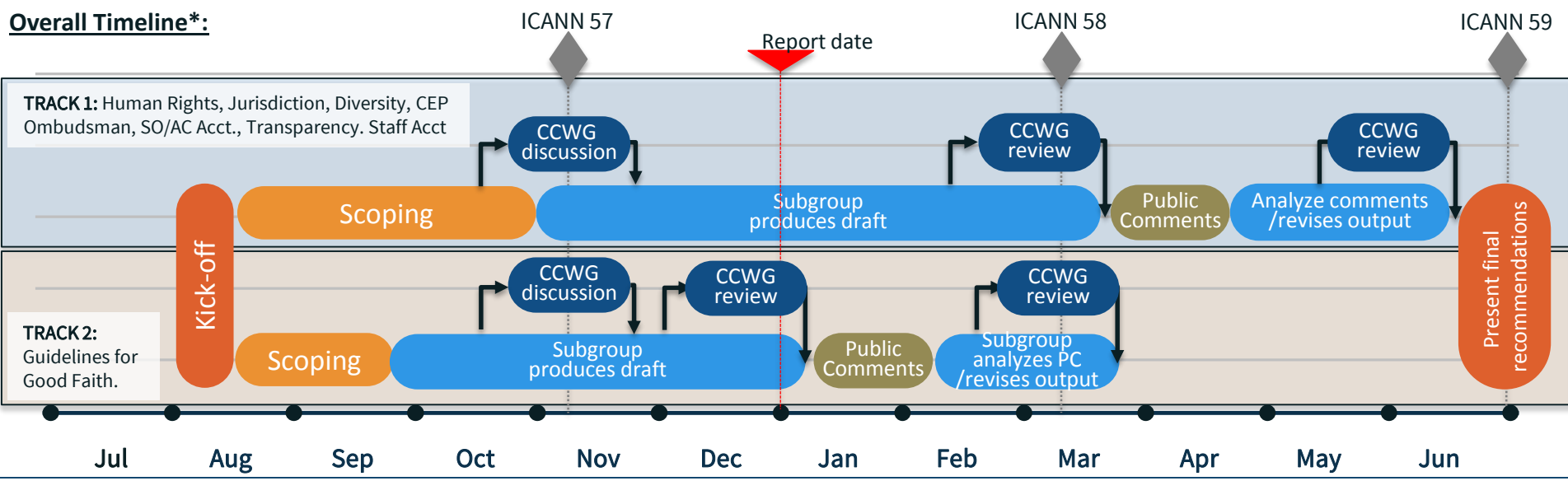
Monthly Activity (plenaries & subgroups):



Monthly Participation by Affiliation:



Overall Timeline*:















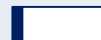





Based on data available from the WS2 wiki – this is a high level summary of the work underway . Updated on 10 Jan 17
 (*) work plans may vary by subgroups.

Subgroups Progress Update

Progress:  29%

Reporting Period:
DECEMBER 16

	Topic	Meetings this month	Progress	Status	Updates	Focus / Concerns / Risks
TRACK 1 (longer track)	Diversity	3	 25% (+ 5 %)		<ul style="list-style-type: none"> 2nd version of strawman document is under discussion Getting information about diversity data collection within ICANN from staff Preparing a questionnaire for SO/AC input 	<ul style="list-style-type: none"> Move to drafting the initial report Request input from SO/AC Understanding the current state of diversity data collection
	Human Rights	4	 50% (+ 25 %)		<ul style="list-style-type: none"> Finalized Framework of Interpretation (Fol), subgroup consensus & submitted to CCWG Plenary. Discussing potential next steps 	<ul style="list-style-type: none"> Addressing comments from CCWG plenary and/or public comments Discussing scope and mandate of subgroup beyond Fol creation with CCWG plenary.
	Jurisdiction	3	 15% (+ 0 %)		<ul style="list-style-type: none"> On-going discussion regarding use of Questionnaire to collect factual inputs from stakeholders. Working on "Influence of ICANN's existing jurisdictions" document 	<ul style="list-style-type: none"> Need to better define questions to answer and work to be done
	SO/AC Accountability	3	 45% (+ 5 %)		Subgroup consensus reached on track 3 - will recommend to the CCWG that 'SO/ACs should *NOT* be subjected to IRP'.	<ul style="list-style-type: none"> Starting preparation of report / data capture of the returned questions to chairs Of SO/ACs, as part of Track 1.
	Staff Accountability	2	 29% (+ 9 %)		<ul style="list-style-type: none"> Planning to have a draft in time for Copenhagen. Received answers from the ICANN staff on our questions 	<ul style="list-style-type: none"> Follow up questions to ICANN Staff Completion of drafts
	Transparency	1	 50% (+ 0 %)		<ul style="list-style-type: none"> Subgroup nearing completion of its recommendations for submission to the CCWG Plenary for "first reading". 	
	Ombudsman	2	 15% (+ 0 %)		<ul style="list-style-type: none"> RFP for an external review of the IOO in the process of being posted. All the other topics are postponed for the near future but will be reviewed. 	<ul style="list-style-type: none"> Coordination with other sub-groups (Transp., Staff Account., H.Rights, Div., SO/AC Account.) ICANN Staff Complains Officer vs IOO A new timeline needs to be setup
	Review of the CEP	0	 15% (+ 0 %)		<ul style="list-style-type: none"> No update reported this month. 	<ul style="list-style-type: none"> Subgroup needs more inputs in order to proceed with this topic.
TRACK 2 (faster)	Guidelines for Good Faith...	1	 20% (+ 0 %)		<ul style="list-style-type: none"> No update reported this month. 	

Based on data available from the WS2 wiki – this is a high level summary of the work underway

 Not started
  On-track
  Behind schedule, but recovery still possible
  Target will be missed
  Completed

	1 st reading	2 nd reading
Diversity		
Human Rights - Fol	✓ (12/13/16)	01/11/17
Jurisdiction		
SO/AC Accountability		
Staff Accountability		
Transparency	01/11/17	
Ombudsman		
Review of the CEP		
Good Faith Conduct	01/11/17	

WS2 Budget Update

Reporting Period:
JULY - NOVEMBER 16

Amounts in USD Thousands (000s)	ACTUALS JULY 1 2016 - NOVEMBER 30 2016							YTD Committed Expense	Subtotal YTD Actual plus Committed	% Spend To-Date	2017 Budget Remaining	2017 Total Budget	% Budget To-Date
	Staff	Travel & Meetings	Telecom & Language Support	Legal Services	US Gov't Affairs (Lobbying)	Other Professional Services	Total						
Cross Community Working Group Support													
IRP Phase 2	\$ -	\$ -	\$ -	\$ 119	\$ -	\$ -	\$ 119	\$ -	\$ 119	23%	\$ 400	\$ 519	42%
Accountability WS2	-	51	-	-	-	-	51	-	51	3%	1,848	1,900	42%
Total Costs - Cross Community Working Group Support	-	51	-	119	-	-	171	-	171	7%	2,248	2,419	42%
Total IANA Transition Project													
IRP Phase 2	-	-	-	148	-	-	148		148	16%	771	919	42%
Accountability WS2	171	60	9	-	-	81	320		320	10%	2,761	3,081	42%
Transition Implementation	607	31	9	1,742	-	678	3,066		3,066	84%	579	3,646	42%
General Project Activities	362	9	-	-	306	0	677		677	58%	487	1,164	42%
Total Costs - IANA Transition Project	\$ 1,140	\$ 100	\$ 18	\$ 1,889	\$ 306	\$ 760	\$ 4,212	\$ -	\$ 4,212	48%	\$ 4,598	\$ 8,810	42%

Requests for funds:	Assigned to *	Status **	Notes
Good Faith subgroup - request to have a review by a legal expert with substantial experience in California nonprofit governance, once the draft guidelines are completed	Subgroup	On-hold	Pending completion of draft guidelines. Legal Committee recommends that a1st review be done by ICANN Legal before going to external counsel.
Ombudsman – request that an independent review of the ICANN Ombuds Office be conducted.	Subgroup / ICANN	Approved	Will be funded by ATRT2 budget. No impact on WS2 Budget. Preparing an RFP.

(*) Assigned to: Icann Legal / External Lawyer / Legal Committee / Subgroup

(**) Status: pending validation, refused, approved, awaiting delivery, delivered.

F2F Meeting (ICANN57):

of airfares funded: 8
of hotel nights: 62
per diems: 61

of participants: 102
• on-site: 61
• remote: 41

Notes: Total spend after 5 months represents 48% of annual budget as compared to a year-to-date budget of 42%.

- Community Support represents 7% of the budget due to minimal community driven legal expense for WS2. Spend year to date represents legal analyses supporting the IRP work and estimates of the community travel expenses for the CCWG meeting at ICANN 57
- ICANN Support represented 63% of the annual spend after 5 months, with a majority of the spend related to the Transition implementation work for NTIA contract expiration.
- Transition implementation activities, now largely completed, had higher legal expense and higher other professional services fees than budgeted. Legal expense related to transition implementation legal advice in support of the community and for contracts and agreements. The other professional expense is related to transition implementation spend for contractors, communication activities and supporting services. November reporting reflects a reallocation of expense from WS2 to Transition implementation.

TRACK 1 (longer track) Subgroups Reports

Updates:

- Second version of strawman document is under discussion in order to prepare the initial report.
- Getting information about diversity data collection within ICANN from staff.
- Preparing a questionnaire for SO/AC input.

Upcoming Activities:

- Move to drafting the initial report based on strawman consultation
- Requesting input from SO/AC about their understanding of diversity and the existing mechanisms
- Understanding the current state of diversity data collection

Open Items:

Rapporteurs: Fiona Asonga, Rafik Dammak

of signed-up Active Participants: 43

of signed-up Observers: 46

Useful links:

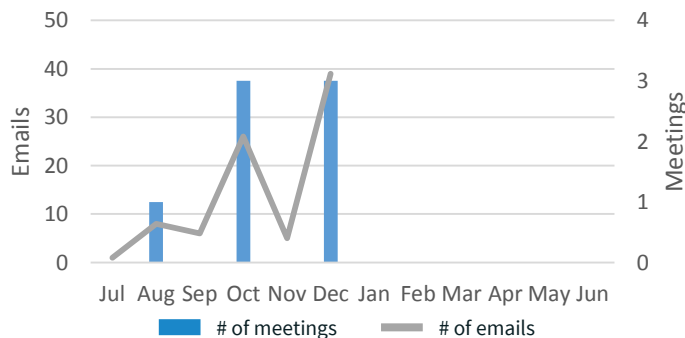
- [Wiki](#)
- [Mailing List archive](#)
- [Meetings schedule](#)

Description / Scope:

With reference to recent discussion the group is looking at diversity mechanisms that enhance accountability within ICANN (Leadership, staff and community).

Activity:

Total # of meetings:	7
Total # of emails:	85
Collective hours on calls:	136



Work Plan:

Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Updates:

- Finalized Framework of Interpretation (Fol)
- Achieved Subgroup consensus on Fol
- Submitted Fol to CCWG Plenary
- Discussing potential next steps

Upcoming Activities:

- Addressing comments from CCWG plenary and/or public comments
- Discussing scope and mandate of Subgroup beyond Fol creation with CCWG plenary

Open Items:

Rapporteurs: Niels ten Oever

of signed-up Active Participants: 69

of signed-up Observers: 55

Useful links:

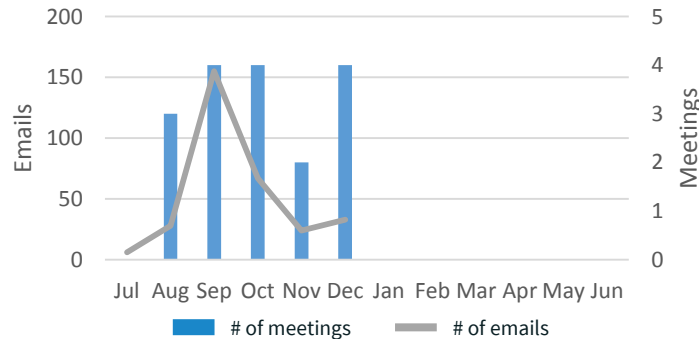
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Description / Scope:

Develop a framework of interpretation for human rights bylaw, (“FOI-HR”), which was adopted in Work Stream 1. (Bylaws Section 1.2(b)(viii))

Activity:

Total # of meetings:	17
Total # of emails:	313
Collective hours on calls:	534



Work Plan:

Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	✓
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Updates:

- On-going discussion regarding use of Questionnaire to collect factual inputs from stakeholders.
- Work on document entitled “The influence of ICANN’s existing jurisdictions relating to resolution of disputes (i.e., “Governing Law” and “Venue”) on the actual operation of policies and accountability mechanisms.”

Upcoming Activities:

- Conclude discussion of Questionnaire; release Questionnaire
- Continue work on “Influence of ICANN’s existing jurisdictions” document

Open Items:

- Need to clarify what the “gap analysis” referred to in Annex 12 is.
- Need to determine what advice may be needed from ICANN legal, outside counsel or other experts
- Need to better define questions to answer and work to be done
- Need to clarify “mandate”

Rapporteurs: Greg Shatan, Vinay Kesari

of signed-up Active Participants: 64

of signed-up Observers: 42

Useful links:

- [Wiki](#)
- [Mailing List archive](#)
- [Meetings schedule](#)

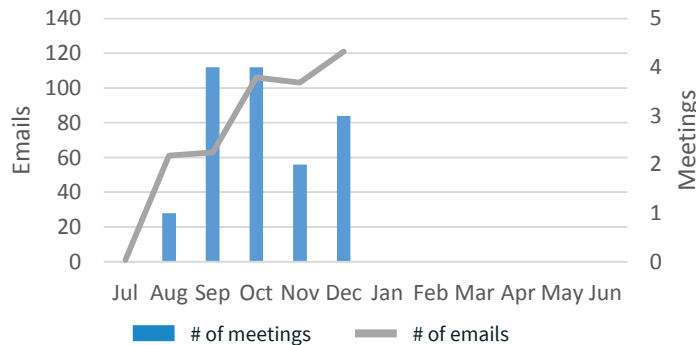
Description / Scope: (Based on Annex 12)

Main issues relate to influence of ICANN’s existing jurisdiction on the actual operation of policies and accountability mechanisms, primarily disputes involving ICANN, i.e., “choice of law” and “venue”, but not necessarily the place of ICANN incorporation. This focus should include:

- Confirming and assessing the gap analysis, clarifying all concerns regarding the multi-layer jurisdiction issue.
- Identifying potential alternatives and benchmarking their ability to match all CCWG-Accountability requirements using the current framework.

Activity:

Total # of meetings:	14
Total # of emails:	455
Collective hours on calls:	397



Work Plan:

Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Updates:

- After review, discussions and deliberations, a consensus was reached regarding any actions on track 3, to discuss whether SO/ACs should be subjected to IRP. The ST will recommend to the CCWG that 'SO/ACs should *NOT* be subjected to IRP.

Upcoming Activities:

- Starting preparation of report / data capture of the returned questions to chairs Of SO/ACs, as part of Track 1.

Open Items:

- Track 2, the group has briefly discussed the matter of Mutual Accountability (and to a lesser extent the proposal of a Mutual Accountability Round-table or other construct) but it has not come to any conclusion yet due to divergence of views among participants. This work will be addressed after other aspects of our work plan are more complete.

Rapporteurs: Cheryl Langdon-Orr, Farzaneh Badii, Steve DelBianco

of signed-up Active Participants: 41

of signed-up Observers: 39

Useful links:

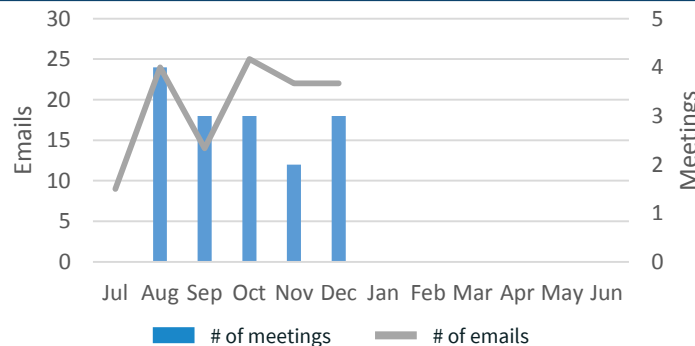
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Description / Scope: Survey, Analyze, Assess and Recommend any Improvements to ICANN's SO and AC Accountability.

- Track 1: Review and develop recommendations to improve SO/AC processes for accountability, transparency, & participation that are helpful to prevent capture.
- Track 2: Evaluate the proposed "Mutual Accountability Roundtable" to assess its viability and, if viable, undertake the necessary actions to implement it.
- Track 3: Assess whether the IRP would also be applicable to SO & AC activities.

Activity:

Total # of meetings:	15
Total # of emails:	116
Collective hours on calls:	305



Work Plan:

Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Staff Accountability

Reporting Period:
DECEMBER 16

Progress:  29%

Status: On-track

Updates:

- Developed a work plan that should lead to us having a draft in time for Copenhagen. The work plan can be found [here](#).
- Received answers from the ICANN staff on our questions with gratitude. We have asked some follow-up questions and hope to get responses this week.

Upcoming Activities:

- Complete update of Document A (the role of ICANN staff vis-à-vis the ICANN Board and the ICANN community)
- Complete first draft of Document B (staff code of conduct, kpi's, processes, etc)

Open Items:

- Follow up questions to ICANN Staff
- Completion of drafts

Rapporteurs: Avri Doria, Jordan Carter

of signed-up Active Participants: 24

of signed-up Observers: 18

Useful links:

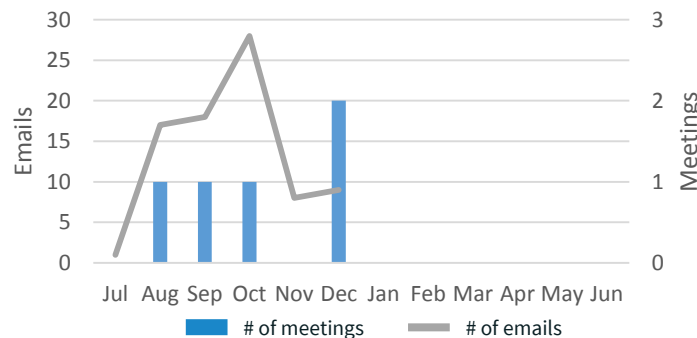
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Description / Scope: (Annex 12 from CCWG report & ATRT 9.3, 9.4)

- Describe the role of ICANN staff vis-à-vis the ICANN Board and the ICANN community.
- Consider a Code of Conduct, transparency criteria, training, and KPIs to be followed by staff in relation to their interactions with all stakeholders .
- Establish regular independent (internal and community) surveys and audits to track progress and identify areas that need improvement, and establish appropriate processes to escalate issues.

Activity:

Total # of meetings:	5
Total # of emails:	81
Collective hours on calls:	65



Work Plan:

Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	



Based on data available from the WS2 wiki – this is a high level summary of the work underway .

- On-track
- ▲ Behind schedule, but recovery still possible

- Not started
- Target will be missed
- Completed

Updated on
10 Jan 17

Updates:

- Subgroup nearing completion of its recommendations for submission to the CCWG Plenary for “first reading”.

Upcoming Activities:

- Call on Jan. 06 will hopefully push things forward more concretely.

Open Items:

Rapporteurs: Chris Wilson, Michael Karanicolas

of signed-up Active Participants: 34

of signed-up Observers: 28

Useful links:

- [Wiki](#)
- [Mailing List archive](#)
- [Meetings schedule](#)

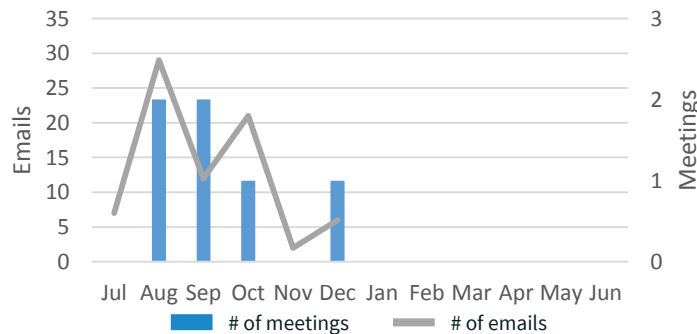
Description / Scope:

Our research focuses on the following three areas:

- Enhancements to ICANN’s existing Documentary Information Disclosure Policy (DIDP).
- Proactive Disclosure Policies (including interactions with governments and Board deliberations).
- Improvements to the existing whistleblower policy.

Activity:

Total # of meetings:	6
Total # of emails:	77
Collective hours on calls:	113



Work Plan:

Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	✓
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Updates:

- RFP for an external review of the IOO in the process of being posted.
- All the other topics are postponed for the near future but will be reviewed.

Upcoming Activities:

- Organizing, coordinating and following the external review of the IOO.

Open Items:

- Coordination with other sub-groups:
 - Transparency
 - Staff Accountability
 - Human Rights
 - Diversity
 - Accountability SO/AC
- ICANN Staff Complains Officer vs IOO
- A new timeline needs to be setup (following track 1?)

Rapporteurs: Sebastien Bachollet

of signed-up Active Participants: 22

of signed-up Observers: 20

Useful links:

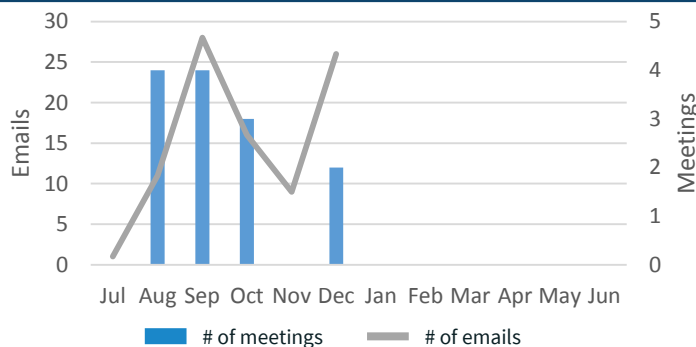
- [Wiki](#)
- [Mailing List archive](#)
- [Meetings schedule](#)

Description / Scope:

Evaluate the current Ombudsman charter and operations against industry best practices and recommend any changes necessary to ensure that the ICANN Ombuds Office (IOO) has the tools, independence, and authority needed to be an effective voice for ICANN stakeholders.

Activity:

Total # of meetings:	13
Total # of emails:	91
Collective hours on calls:	185



Work Plan:

Start work	Aug	✓
Document questions to answer	Sep	✓
Document work to do	Oct	✓
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	

Review of the CEP

Reporting Period:
DECEMBER 16

Progress:  15%

Status: Behind

Updates:

- No update received this month
- Clarified the relationship between the IRP and CEP (conciliation is part of the IRP).
- Exploring whether the CEP should be a negotiation or a mediation.

Upcoming Activities:

- Looking into ways to collect additional inputs from people who would have been through a CEP, or through case studies, to better understand the needs.

Open Items:

- Subgroup needs more inputs in order to proceed with this topic.

Rapporteurs: Edward Morris

of signed-up Active Participants: 18

of signed-up Observers: 12

Useful links:

- [Wiki](#)
- [Mailing List archive](#)
- [Meetings schedule](#)

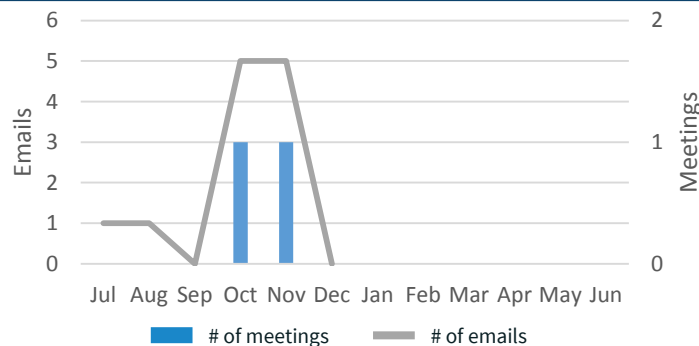
Description / Scope:

The CEP is a voluntary process available prior to the filing of a request for Independent Review.

This subgroup is charged with reviewing Bylaws provisions relating to the CEP and with constructing the CEP Rules, per ICANN Bylaws §4.3(e)(i).

Activity:

Total # of meetings:	2
Total # of emails:	12
Collective hours on calls:	23



Work Plan:

Task	Start	Status
Start work	Oct	✓
Document questions to answer	Oct	
Document work to do	Oct	
Produce draft for subgroup	Nov-Jan	
Produce draft for CCWG	Feb	
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	Jun	



Based on data available from the WS2 wiki – this is a high level summary of the work underway .

- On-track
- ▲ Behind schedule, but recovery still possible

- Not started
- Target will be missed
- Completed

Updated on 10 Jan 17 | 15

Track 2 (faster track) Subgroup Reports

Good Faith Conduct

Reporting Period:
DECEMBER 16

Progress:  20%

Status: Behind

Updates:

- No update received this month, but subgroup has a draft ready for plenary review.

Upcoming Activities:

- CCWG-plenary review.

Open Items:

Rapporteurs: Lori Schulman

of signed-up Active Participants: 12

of signed-up Observers: 18

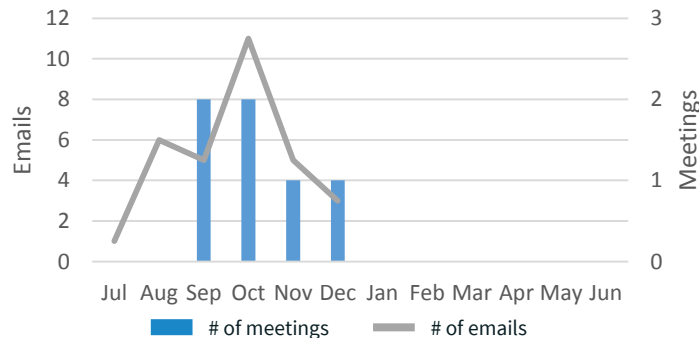
Useful links:

- [Wiki](#)
- [Mailing List archive](#)
- [Meetings schedule](#)

Description / Scope: Decisional Participants of the Empowered Community (EC) have the right to appoint and remove individual Directors. In the event that a Decisional Participant endeavors to remove an individual board member, his actions are indemnified provided the Decisional Participant has acted in “good faith”. The purpose of this sub-team is to draft guidelines for conduct that would be considered good faith actions on the part of the Decisional Participants in order for the indemnification to apply.

Activity:

Total # of meetings:	6
Total # of emails:	31
Collective hours on calls:	72

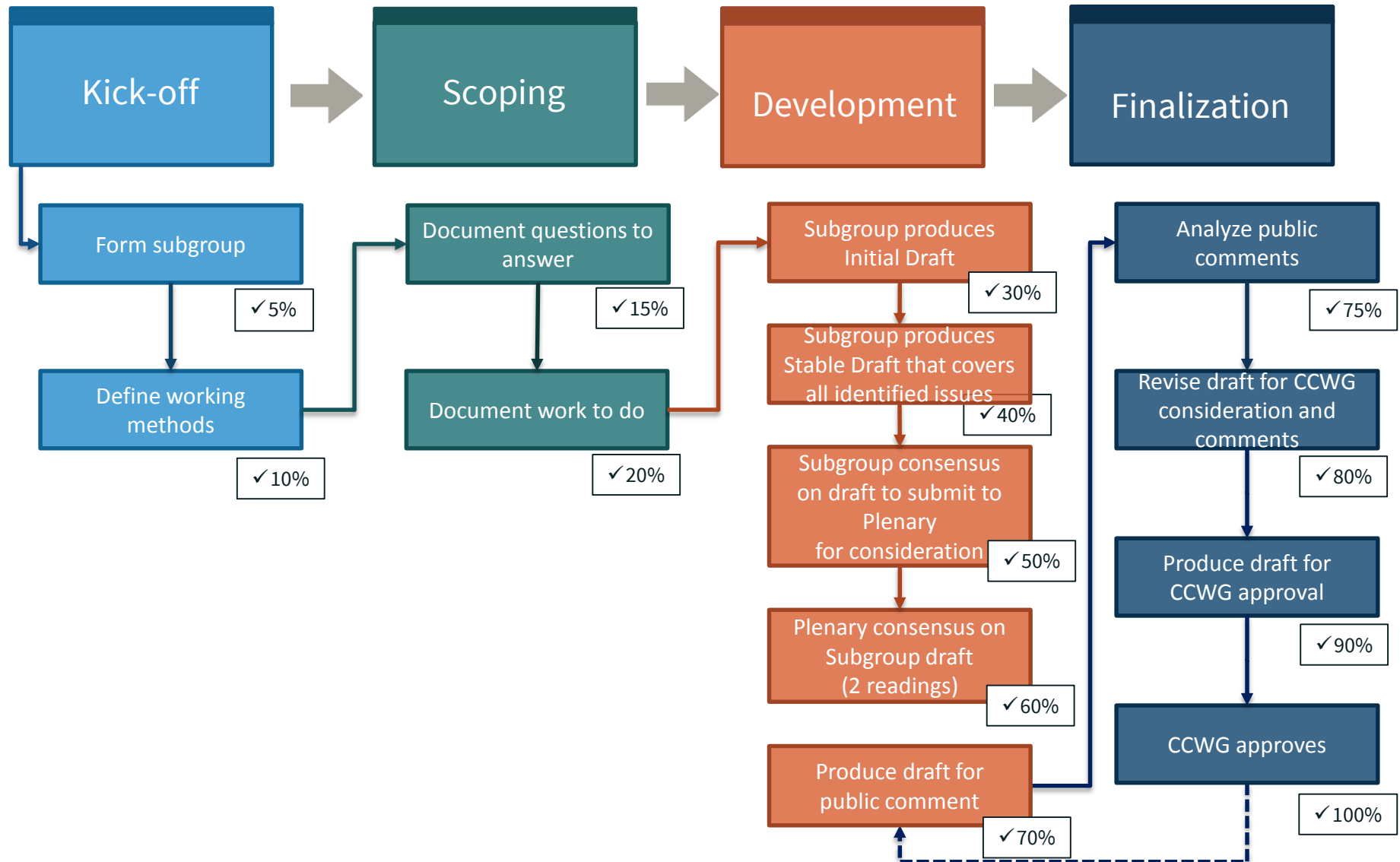


Work Plan:

Start work	Aug	✓
Document questions to answer	Mid-Sep	✓
Document work to do	Sep	✓
Produce draft for subgroup	Oct	✓
Produce draft for CCWG	Nov	✓
Produce draft for PC	Dec	
Public Comment	Jan	
Revise draft	Feb	
CCWG approval	March	

Appendix

Measurement of Progress



Steps & milestones to finalize recommendations

Track 1 (longer track)		
Document questions to answer	15%	10/15/2016
Document work to do	20%	10/31/2016
Subgroup produces Initial draft	30%	1/31/2017
Subgroup produces stable draft that	40%	2/14/2017
Subgroup consensus on draft to submit to plenary for consideration	50%	2/28/2017
Plenary consensus on subgroup draft (1st reading)		3/10/2017
ICANN 58		3/11 - 3/16/2017
Plenary consensus on subgroup draft (2nd reading)	60%	3/24/2017
Staff produces draft for public comment	70%	4/7/2017
Public Comment Period		04/14 - 05/26/17
Analyze public comments	75%	6/2/2017
Revise draft for CCWG consideration and	80%	6/5/2017
CCWG review (1st reading)	90%	6/6/2017
CCWG review (2nd reading)	95%	6/9/2017
Staff produces final draft		6/10 - 6/24/17
CCWG agrees on final output and presents recommendations to community	100%	6/25/2017
ICANN 59		6/26 - 6/29/17

Track 2 (shorter track)		
Document questions to answer	15%	9/15/2016
Document work to do	20%	9/30/2016
Subgroup produces Initial draft	30%	10/31/2016
Subgroup produces stable draft that	40%	11/23/2016
Subgroup consensus on draft to submit to plenary for consideration	50%	12/9/2016
Plenary consensus on subgroup draft (1st reading)		12/15/2016
Plenary consensus on subgroup draft (2nd reading)	60%	1/4/2017
Staff produces draft for public comment	70%	1/17/2017
Public Comment Period		1/18 - 2/28/17
Analyze public comments	75%	3/3/2017
Revise draft for CCWG consideration and	80%	3/9/2017
CCWG review (1st reading)	90%	3/10/2017
ICANN 58		3/11 - 3/16/2017
CCWG review (2nd reading)	95%	3/23/2017
Staff produces final draft		3/24 - 3/30/17
CCWG agrees on final output and presents recommendations to community	100%	3/31/2017

Reporting Schedule

- Report updated monthly.
- 25th of the month (M): subgroups rapporteurs provide their monthly update.
- 25th + 5 business days: PCST provides draft financial statement of activity to CCWG co-chairs for previous period (M-1).
- End of month: staff updates report with all statistical data of the month (M)
- 25th + 10 business days: dashboard including activity of month (M), and financial information of month (M-1) is published at the beginning of the next month (M+1).