CCWG – Accountability

Workstream 2 – Activity Dashboard*

February 2017

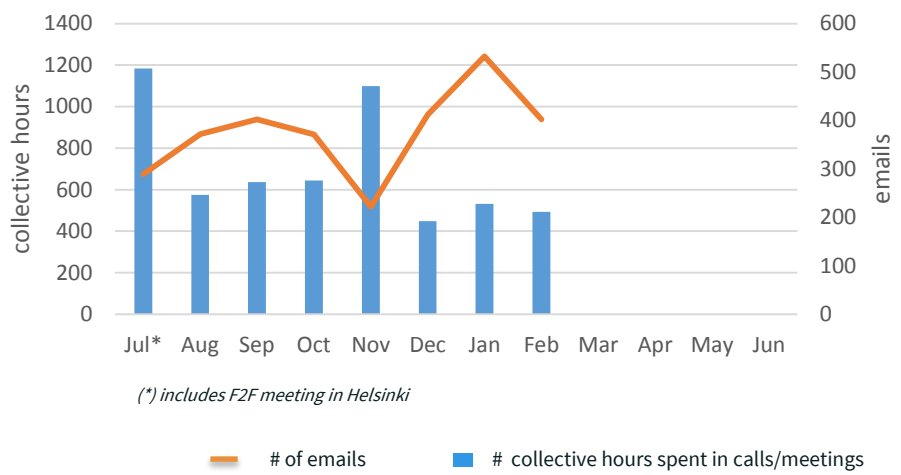
(*) Produced on behalf of the CCWG, and approved by the CCWG co-chairs. All status updates found in this report are provided by subgroups rapporteurs. Statistics are based on data available from the WS2 wiki.

WS2 overall report

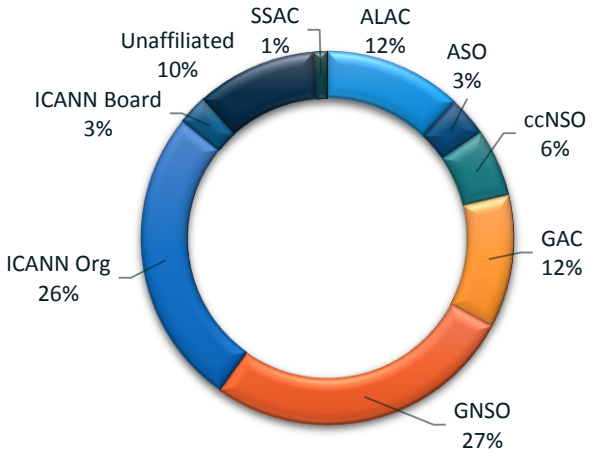
WS2 Monthly Activity Update

Reporting Period:
FEBRUARY 17

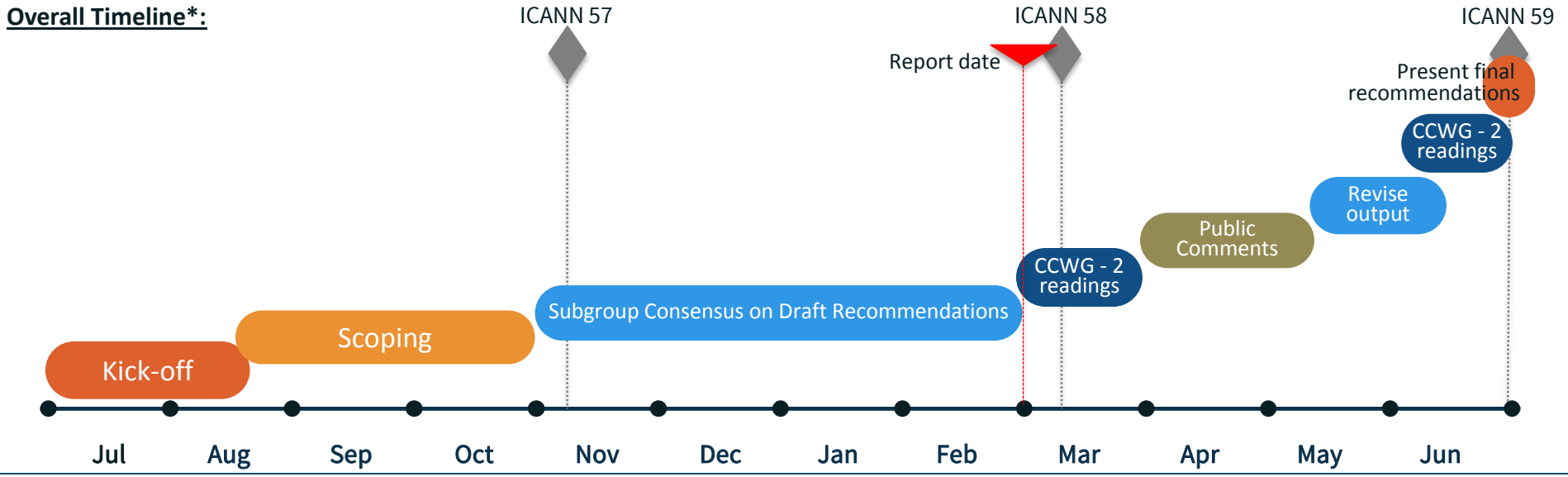
Monthly Activity (plenaries & subgroups):



Monthly Participation by Affiliation:



Overall Timeline*:



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

Updated on 08 Mar 17

Subgroups Progress Update

Progress: 37%

Reporting Period: **FEBRUARY 17**

Topic	Meetings this month	Progress	Status	Updates	Focus / Concerns / Risks
Transparency	0	70% (+ 20 %)	On-track	▪ Recommendations to improve ICANN's Transparency have been posted for Public Comment.	▪ Public Comment Period: 21 Feb – 10 Apr 17.
Guidelines for Good Faith…	0	60% (+ 10 %)	On-track	▪ Draft report approved by Plenary for Public Comment.	▪ Public Comment Period: 7 Mar – 24 Apr 17
SO/AC Accountability	4	50% (+ 5 %)	On-track	▪ Work on all three tracks completed. ▪ On track to have report to CCWG Plenary on the 10th of March for 1st reading.	
Human Rights	4	40% (- 10 %)	Behind schedule, but recovery still possible	▪ Finalized Framework of Interpretation (FoI). ▪ Achieved Subgroup consensus on FoI. ▪ Working on Considerations from Annex 12 of the CCWG Final Report.	
Diversity	2	30% (+ 5 %)	Behind schedule, but recovery still possible	▪ Finalizing the questionnaire to be sent to SO/AC for their input on diversity ▪ Discussion around the initial report based on the strawman consultation	▪ Discussion around the proposal of the diversity office ▪ Discuss timeline / ability to deliver by June?
Staff Accountability	3	30% (+ 0 %)	Behind schedule, but recovery still possible	▪ Subgroup continues work on two documents: - Document A (the role of ICANN staff vis-à-vis the ICANN Board and the ICANN community), - Document B (staff code of conduct, kpi's, processes, etc).	▪ Seeking CCWG plenary input and feedback on two key questions related to ICANN staff participation and focus of subgroup.
Ombuds Office	1	25% (+ 10 %)	Behind schedule, but recovery still possible	▪ RFP for an external review of the IOO posted, 7 responses received, analyzed. ▪ Final phase for the reviewer selection's, contract to follow.	▪ Coordination with other sub-groups (Transp., Staff Account., H.Rights, Div., SO/AC Account.) ▪ A new timeline needs to be setup.
Review of the CEP	0	15% (+ 0 %)	Behind schedule, but recovery still possible		▪ Subgroup needs more inputs in order to proceed with this topic.
Jurisdiction	2	15% (+ 0 %)	Target will be missed	▪ Worked on "The influence of ICANN's existing jurisdictions relating to resolution of disputes. ▪ Participant-proposed responses added to "Hypothetical #1" and "strawman" responses.	▪ Questionnaire response period: 9 Feb – 17 Apr 17. ▪ A set of questions seeking information from ICANN Legal has been sent to the Co-Chairs. ▪ Need to revise timeline and target.

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

Plenary Reviews and Public Comment Periods Schedule

	CCWG Plenary 1st reading	CCWG Plenary 2nd reading	Public Comments
Jurisdiction (Questionnaire)	✓ 12/14/16	✓ 01/11/17	02/09/17 – 04/17/17
Transparency	✓ 01/11/17	✓ (02/08/17)	02/21/17 – 04/10/17
Good Faith Conduct	✓ (02/08/17)	✓ (02/22/17)	03/07/17 – 04/24/17
SO/AC Accountability	03/10/17	03/29/17 (tbc)	TBD
Diversity (Questionnaire)	03/10/17	03/29/17 (tbc)	TBD
Staff Accountability	TBD	TBD	TBD
Human Rights	TBD	TBD	TBD
Ombudsman	TBD	TBD	TBD
Review of the CEP	TBD	TBD	TBD
Jurisdiction	TBD	TBD	TBD

TBD: to be determined
tbc: to be confirmed

WS2 Budget Update

Reporting Period: **January 2017 YTD - Seven months (July 1, 2016 - January 31, 2016)**

Amounts in USD Thousands (000s)	January 2017 YTD - Seven months July 1, 2016 - January 31, 2017							% Spend To-Date	2017 Budget Remaining
	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	23%	$ 400
Accountability WS2	-	35	-	$ -	-	-	35	2%	1,864
Total Costs - Cross Community Working Group Support	**-**	**35**	**-**	**119**	**-**	**-**	**154**	**6%**	**2,264**
ICANN Support									
IRP Phase 2	-	-	-	26	-	-	26	6%	374
Accountability WS2	376	23	10	1	-	163	573	48%	609
Transition Implementation	555	47	9	1,591	-	692	2,894	79%	751
General Project Activities	515	8	-	-	255	51	828	71%	336
Total Costs - ICANN Support	**1,446**	**77**	**19**	**1,618**	**255**	**906**	**4,321**	**68%**	**2,071**
Total IANA Transition Project									
IRP Phase 2	-	-	-	145	-	-	145	16%	774
Accountability WS2	376	58	10	1	-	163	608	20%	2,473
Transition Implementation	555	47	9	1,591	-	692	2,894	79%	751
General Project Activities	515	8	-	-	255	51	828	71%	336
Total Costs - IANA Transition Project	**$ 1,446**	**$ 113**	**$ 19**	**$ 1,737**	**$ 255**	**$ 906**	**$ 4,475**	**51%**	**$ 4,335**
Total Budget by Cost Category	$ 2,708	$ 552	$ 830	$ 3,330	$ 250	$ 1,140	$ 8,810		
% Spend To-Date vs. Budget by Cost Category	53%	20%	2%	52%	102%	79%	51%		

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 7 months represents 51% of annual budget as compared to a year-to-date budget of 58%.
- Community Support represents 6% of the budget due to minimal community driven legal expense for WS2. Spend year to date represents legal analyses supporting the IRP work and community travel expenses for the CCWG meeting at ICANN 57.
- ICANN Support represented 66% of the annual spend after 7 months, with a majority of the spend related to the Transition implementation work for the NTIA contract expiration.

Subgroups Reports

Transparency

Reporting Period: **FEBRUARY 17**

Progress: 70%

Status: On-track

Updates:

- Recommendations to improve ICANN's Transparency have been posted for Public Comment.

Upcoming Activities:

- Public Comment Period: 21 Feb – 10 Apr 17

- **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

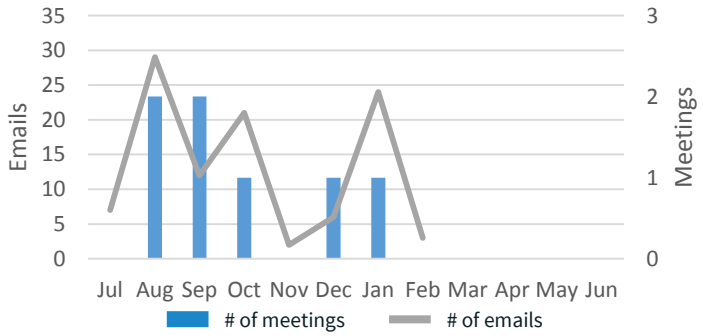
Description / Scope:

Our research focuses on the following three areas:

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

Activity:

Total # of meetings:	7
Total # of emails:	104
Collective hours on calls:	130



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 08 Mar 17

Guidelines for Good Faith Conduct

Reporting Period: **FEBRUARY 17**

Progress: 60%

Status: On-track

Updates:

- Draft report approved by plenary for Public Comment.

Upcoming Activities:

- Post recommendations for Public Comment.

Open Items:

Rapporteurs: Lori Schulman

# of signed-up Active Participants: 12

# of signed-up Observers: 18

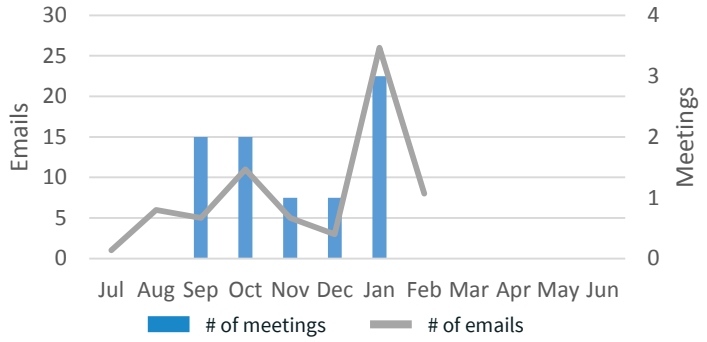
Useful links:

- 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:	9
Total # of emails:	65
Collective hours on calls:	102



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	Feb	✓
Produce draft for PC	March	
Public Comment	Apr	
Revise draft	May	
CCWG approval	June	

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 08 Mar 17

SO/AC Accountability

Reporting Period: **FEBRUARY 17**

Progress: 50%

Status: On-track

Updates:

- Work on all three tracks completed.
- On track to have report to CCWG Plenary on the 10th of March for 1st reading.
- Links to report:
  - Google Doc
  - Pdf

Upcoming Activities:

- 1st plenary reading.

Open Items:

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

# of signed-up Active Participants: 41

# of signed-up Observers: 39

Useful links:

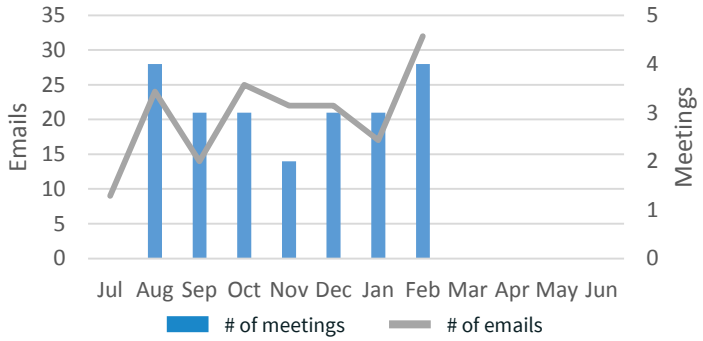
- Wiki
- Mailing List archive
- Meetings schedule

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:	22
Total # of emails:	165
Collective hours on calls:	418



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 08 Mar 17

Human Rights

Reporting Period: **FEBRUARY 17**

Progress: 40%

Status: Behind

Updates:

- Finalized Framework of Interpretation (FoI).
- Achieved Subgroup consensus on FoI.
- Working on Considerations from Annex 12 of the CCWG Final Report.

Upcoming Activities:

- Finalizing Considerations.
- Submitting FoI and Considerations to the CCWG plenary.

Open Items:

Rapporteurs: Niels ten Oever

# of signed-up Active Participants: 69

# of signed-up Observers: 54

Useful links:

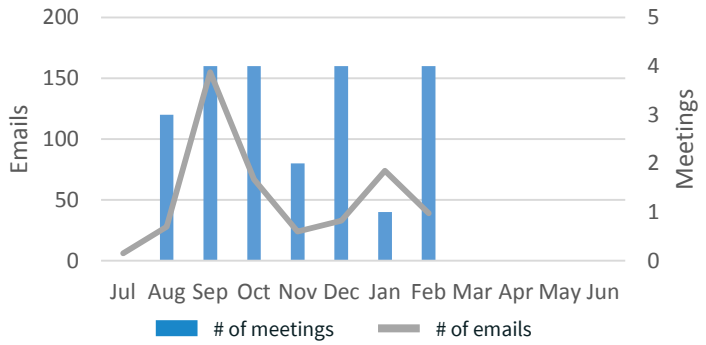
- Wiki
- Mailing List archive
- Meetings schedule

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:	22
Total # of emails:	426
Collective hours on calls:	649



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 08 Mar 17

Diversity

Reporting Period: **FEBRUARY 17**

Progress: 30%

Status: Behind

Updates:

- Finalizing the questionnaire to be sent to SO/AC for their input on diversity (questionnaire will be presented to Plenary in Copenhagen).
- Discussion around the initial report based on the strawman consultation.

Upcoming Activities:

- Finalize the first version of the initial report:
  - resolving pending questions,
  - focusing on the recommendations section,
  - discussion around the proposal of the diversity office.
- Send input to ICANN staff about the global account and global enrollment project.
- Discussion about data collection based on input from staff and including that in the report.
- Liaise with SO/AC accountability subgroup and GAC underserved regions WG.
- Discuss timeline / ability to deliver by June?

Open Items:

Rapporteurs: Fiona Asonga, Rafik Dammak

# of signed-up Active Participants: 47

# of signed-up Observers: 42

Useful links:

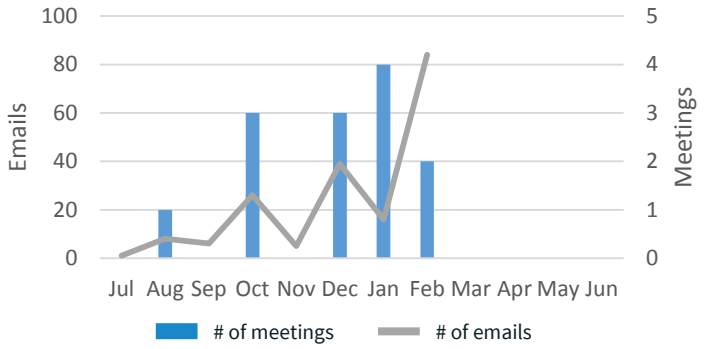
- Wiki
- Mailing List archive
- Meetings schedule

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:	13
Total # of emails:	185
Collective hours on calls:	264



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 08 Mar 17

Staff Accountability

Reporting Period: **FEBRUARY 17**

Progress: 30%

Status: Behind

Updates:

- Subgroup continues work on two documents:
  - Document A (the role of ICANN staff vis-à-vis the ICANN Board and the ICANN community).
  - Document B (staff code of conduct, kpi's, processes, etc).

Upcoming Activities:

- Seek input from CCWG plenary for subgroup's way forward.
- Completion of drafts.

Open Items:

- Seeking CCWG plenary input and feedback on two key questions or areas with respect to the work of the subgroup:
  - How can our subgroup "work with ICANN" more effectively to complete this task?
  - Should the subgroup change our work to focus on documenting problems and solutions regarding staff accountability, compared with the more formulaic task set out in our WS1 Report?

Rapporteurs: Avri Doria, Jordan Carter

# of signed-up Active Participants: 24

# of signed-up Observers: 18

Useful links:

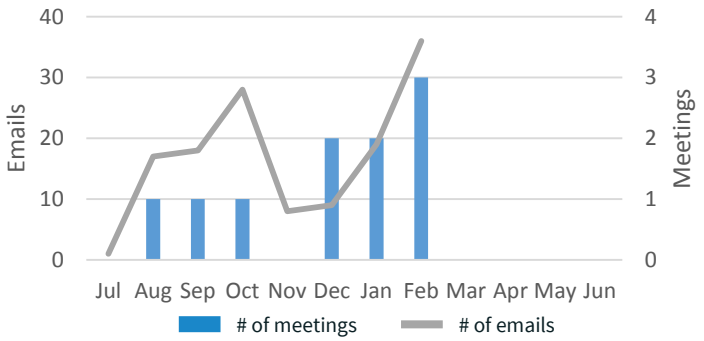
- Wiki
- Mailing List archive
- Meetings schedule

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:	10
Total # of emails:	136
Collective hours on calls:	117



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 08 Mar 17

Ombuds Office

Reporting Period: FEBRUARY 17

Progress: 25%

Status: Behind

Updates:

- RFP for an external review of the IOO posted, responses (7) received, analyzed.
- Final phase for the reviewer selection's.
- Contract to follow.

Upcoming Activities:

- Following the external review of the IOO.
- Draft document regarding "Complaints" Office's issues to be discussed by IOO. Subgroup and by the Plenary.

Open Items:

- Coordination with other sub-groups:
  - Transparency
  - Staff Accountability
  - Human Rights
  - Diversity
  - Accountability SO/AC
- A new timeline needs to be setup (following track 1 or longer).

Rapporteurs: Sebastien Bachollet

# of signed-up Active Participants: 23

# of signed-up Observers: 22

Useful links:

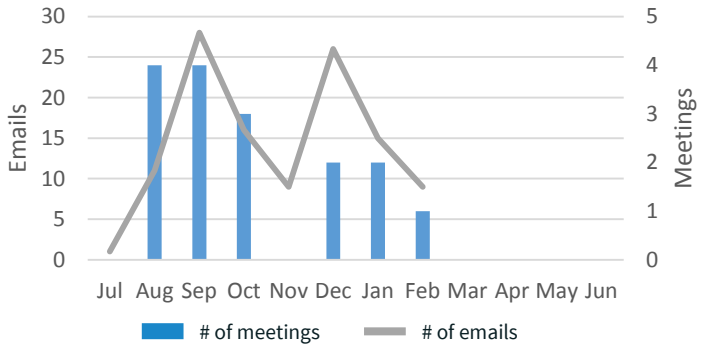
- Wiki
- Mailing List archive
- Meetings schedule

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:	16
Total # of emails:	115
Collective hours on calls:	221



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 08 Mar 17

Review of the CEP

Reporting Period: **FEBRUARY 17**

Progress: 15%

Status: Behind

Updates:

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

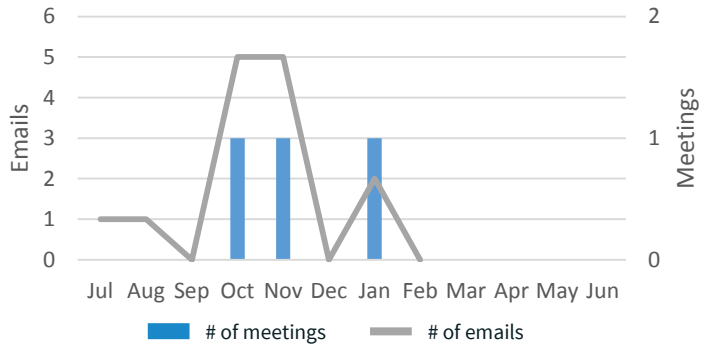
Description / Scope:

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:	3
Total # of emails:	14
Collective hours on calls:	29



Work Plan:

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 08 Mar 17

Jurisdiction

Reporting Period: **FEBRUARY 17**

Progress: 15%

Status: Target will be missed

Updates:

- Questionnaire to collect factual inputs from stakeholders was released on February 9.
  - Questionnaire was translated into ICANN languages.
  - End of response period is April 17.
- ICANN's current and past litigations are being reviewed and summarized by a small group, using a standard summary tool.
- Worked on "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."
- Participant-proposed responses added to "Hypothetical #1" and "strawman" responses; all discussed by Subgroup.
- A set of questions seeking information from ICANN Legal has been sent to the Co-Chairs.

Upcoming Activities:

- Continue review and summaries of ICANN litigations.
- Work on "Influence of ICANN's existing jurisdictions" suspended pending ICANN Legal response.
- Discussion of Hypothetical #1 suspended pending responses to Questionnaire.
- Approval of ICANN Legal questions by the CCWG Legal Committee; send questions to ICANN Legal
- Review and analyze responses to Questionnaire on a rolling basis.

Open Items:

- Continue to identify advice 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" of the Subgroup, including "gap analysis" to be "confirmed" per Annex 12.
- Need to clarify deliverable(s).
- Need to revise timeline and target.

Rapporteurs: Greg Shatan, Vinay Kesari

# of signed-up Active Participants: 66

# of signed-up Observers: 44

Useful links:

- Wiki
- Mailing List archive
- Meetings schedule

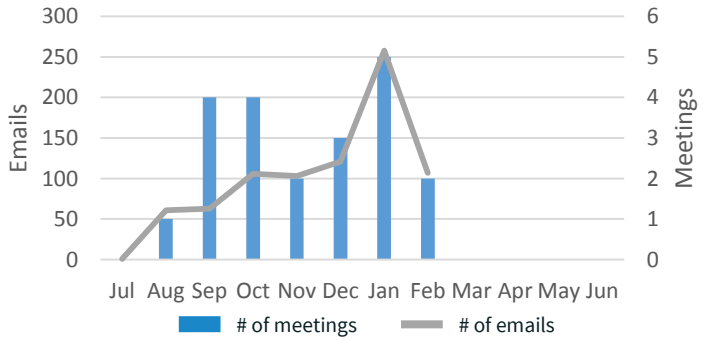
Description / Scope: (Based on Annex 12)

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:	21
Total # of emails:	820
Collective hours on calls:	532



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CCWG approval	Jun	

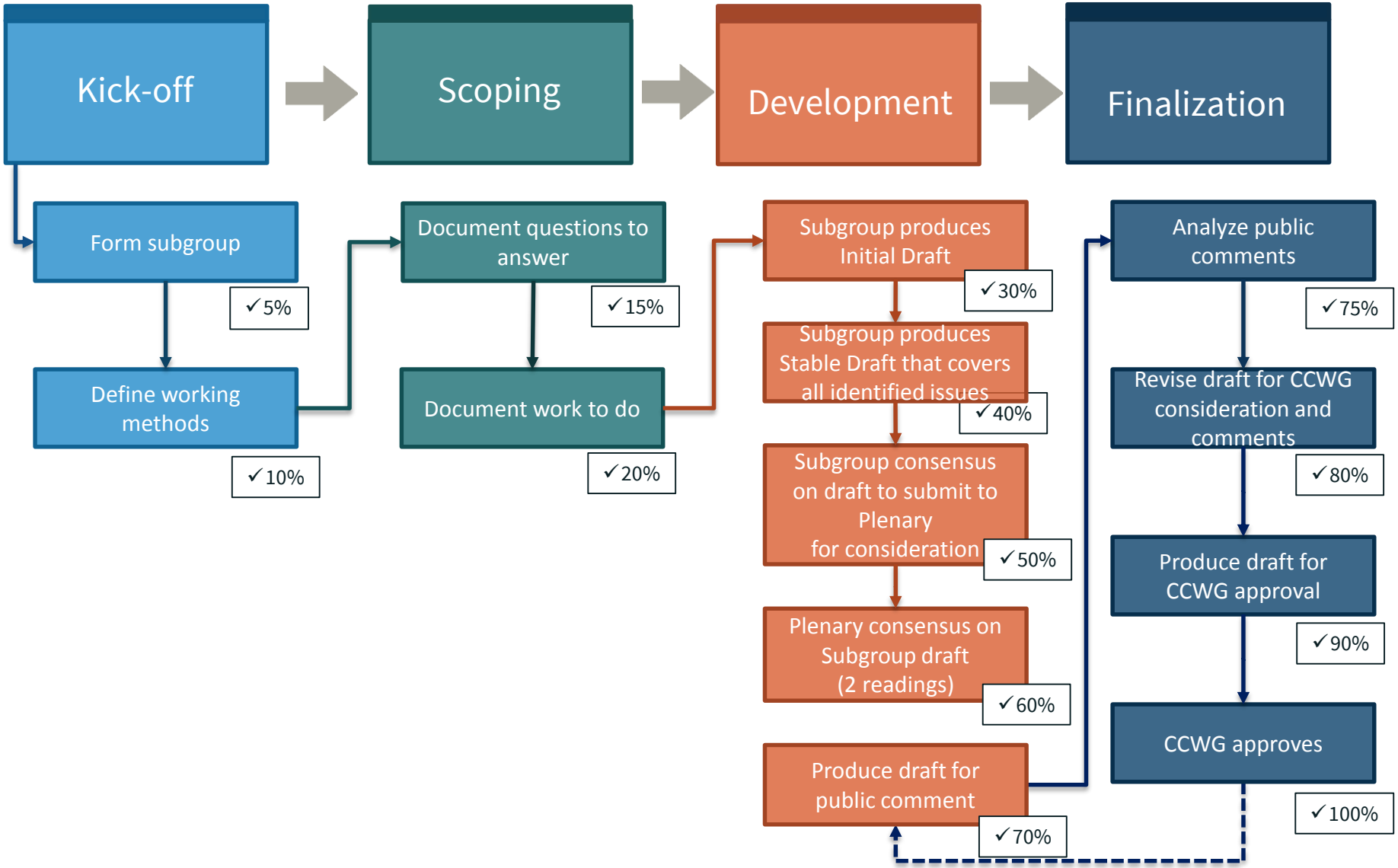
Based on data available from the WS2 wiki – this is a high level summary of the work underway .

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

Updated on 08 Mar 17

Appendix

Measurement of Progress



Steps & milestones to finalize recommendations

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

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).