



CCWG – Accountability

Workstream 2 – Activity Dashboard*

January 2017

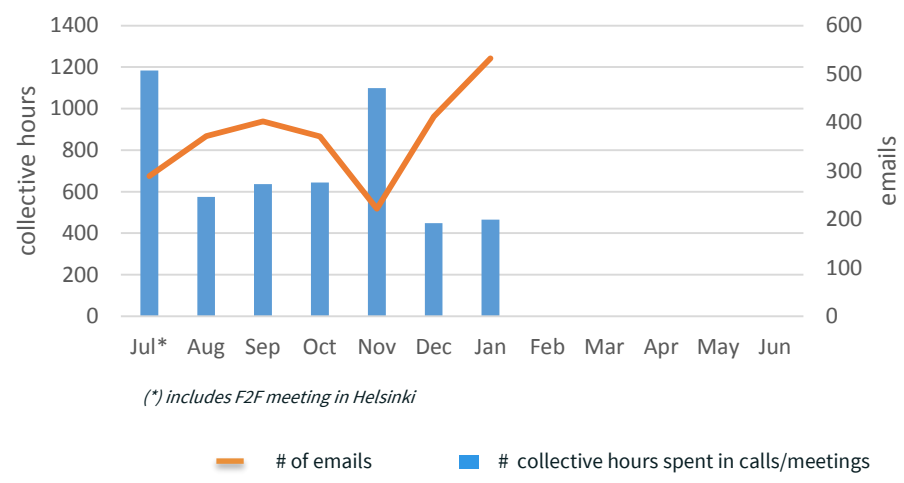
() Produced on behalf of the CCWG, and approved by the CCWG co-chairs. All status updates found in this report are provided by subgroups rapporteurs. Statistics are based on data available from the WS2 wiki.*

WS2 overall report

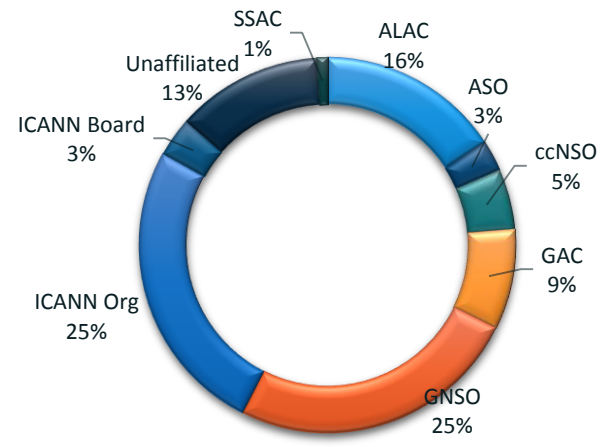
WS2 Monthly Activity Update

Reporting Period:
JANUARY 17

Monthly Activity (plenaries & subgroups):



Monthly Participation by Affiliation:







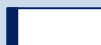













Overall Timeline*:



Subgroups Progress Update






Progress:  33%

Reporting Period:
JANUARY 17

Topic	Meetings this month	Progress	Status	Updates	Focus / Concerns / Risks
Diversity	4	 25% (+ 0 %)		<ul style="list-style-type: none"> Got information about diversity data collection from ICANN staff and planning to give input on improving the process(es). Finalizing the questionnaire for SO/AC input 	<ul style="list-style-type: none"> Move to drafting the initial report Request input from SO/AC
Human Rights	1	 50% (+ 0 %)		<ul style="list-style-type: none"> Finalized Framework of Interpretation (FoI), 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 FoI creation with CCWG plenary.
Jurisdiction	5	 15% (+ 0 %)		<ul style="list-style-type: none"> Questionnaire to collect factual inputs from stakeholders has been approved. Response period: Feb 9 - April 17. ICANN's current and past litigations are being reviewed and summarized by a small group. 	<ul style="list-style-type: none"> Need to better define questions to answer and work to be done Need to clarify "mandate" of subgroup and deliverable(s).
SO/AC Accountability	3	 45% (+ 0 %)		<ul style="list-style-type: none"> Halfway through drafting of review and best practice recommendations, drawing from responses that SO/ACs provided as part of Track 1 	<ul style="list-style-type: none"> Some divergence of views among participants on the matter of Mutual Accountability Roundtable.
Staff Accountability	2	 30% (+ 1 %)		<ul style="list-style-type: none"> Planning to have a draft in time for Copenhagen on at least one of our work items. Asked some follow-up questions and have not so far had a response from ICANN. 	<ul style="list-style-type: none"> first draft of Document B (staff code of conduct, kpi's, processes, etc) on hold - awaiting further information from ICANN
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.) 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.
Guidelines for Good Faith...	1	 50% (+ 30 %)		<ul style="list-style-type: none"> Draft report submitted for consideration of the plenary. 	



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 1 st reading	CCWG Plenary 2 nd reading	Public Comments
Human Rights - FoI	✓ (12/13/16)	✓ 01/11/17	open during ICANN 58 (exact dates tbc)
Good Faith Conduct	02/08/17 (tbc)	02/22/17 (tbc)	open during ICANN 58 (exact dates tbc)
Transparency	✓ 01/11/17	02/08/17 (tbc)	open during ICANN 58 (exact dates tbc)
SO/AC Accountability	ICANN 58 F2F	TBD	04/14 – 05/26 (tbc)
Staff Accountability	ICANN 58 F2F	TBD	04/14 – 05/26 (tbc)
Ombudsman	TBD	TBD	TBD
Review of the CEP	TBD	TBD	TBD
Diversity	ICANN 58 F2F	TBD	04/14 – 05/26 (tbc)
Jurisdiction	TBD	TBD	TBD

TBD: to be determined

tbc: to be confirmed

WS2 Budget Update

Reporting Period: December 2016 YTD - Six months
(July 1, 2016 - December 31, 2016)

Amounts in USD Thousands (000s)	ACTUALS JULY 1 2016 - DECEMBER 31 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	\$ -	\$ -	\$ -	\$ 123	\$ -	\$ -	\$ 123	\$ -	\$ 123	24%	\$ 396	\$ 519	50%
Accountability WS2	-	35	-	-	-	-	35	-	35	2%	1,864	1,900	50%
Total Costs - Cross Community Working Group Support	-	35	-	123	-	-	159	-	159	7%	2,260	2,419	50%
Total IANA Transition Project													
IRP Phase 2	-	-	-	149	-	-	149		149	16%	770	919	50%
Accountability WS2	305	57	9	2	-	148	521		521	17%	2,560	3,081	50%
Transition Implementation	534	17	9	1,663	-	692	2,915		2,915	80%	731	3,646	50%
General Project Activities	458	8	-	-	255	51	771		771	66%	393	1,164	50%
Total Costs - IANA Transition Project	\$ 1,297	\$ 82	\$ 18	\$ 1,814	\$ 255	\$ 891	\$ 4,356	\$ -	\$ 4,356	49%	\$ 4,454	\$ 8,810	50%

Total Budget by Cost Category	\$ 2,708	\$ 552	\$ 830	\$ 3,330	\$ 250	\$ 1,140	\$ 8,810
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% Spend To-Date vs. Budget by Cost Category	48%	15%	2%	54%	102%	78%	49%
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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: - 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 community travel expenses for the CCWG meeting at ICANN 57.

- ICANN Support represented 66% of the annual spend after 6 months, with a majority of the spend related to the Transition implementation work for the NTIA contract expiration.
- Transition implementation activities, now largely completed, had higher expenses than budgeted. Variance observed under Legal Services category relates to legal advice required in support of contracts and agreements drafting. Variance observed under Other Professional Services relates to expenses for contractors, communication activities and supporting services.
- December reporting reflects a reallocation of expenses from WS2 to Transition implementation since the work for the NTIA contract expiration occurred during the first six months.

Subgroups Reports

Updates:

- Got information about diversity data collection from ICANN Staff and planning to give input on improving the process(es) and collaborate with them.
- Finalizing the questionnaire to be sent to SO/AC for their input on diversity.

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.

Open Items:

Rapporteurs: Fiona Asonga, Rafik Dammak

of signed-up Active Participants: 44

of signed-up Observers: 44

Useful links:

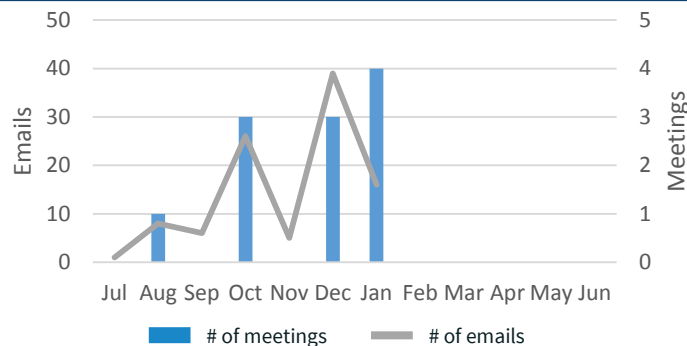
- [Wiki](#)
- [Mailing List archive](#)
- [Meetings schedule](#)

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:	11
Total # of emails:	101
Collective hours on calls:	223



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	

Human Rights

Reporting Period:
JANUARY 17

Progress:  50%

Status: On-track

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: 68

of signed-up Observers: 55

Useful links:

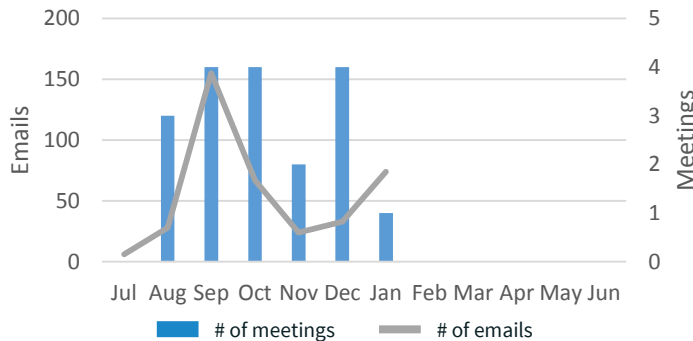
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Description / Scope:

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:	18
Total # of emails:	387
Collective hours on calls:	558



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:

- Questionnaire to collect factual inputs from stakeholders has been approved.
 - Translation into ICANN languages should be underway.
 - Release date proposed is February 9. End of response period is April 17.
- Continued 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."
- "Hypothetical #1" was derived from one proposed issue in the "influence" document and posted for discussion, along with "strawman" responses.
- ICANN's current and past litigations are being reviewed and summarized by a small group.
- A proposed request for information from ICANN Legal has been posted for Subgroup comment.

Upcoming Activities:

- Publish Questionnaire on or about February 9.
- Continue work on "Influence of ICANN's existing jurisdictions" document.
- Continue discussion of Hypothetical #1.
- Continue review and summaries of ICANN litigations.
- Finish ICANN legal request, send to CCWG Legal Committee

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 the "gap analysis" to be "confirmed" per Annex 12.
- Need to clarify deliverable(s).

Rapporteurs: Greg Shatan, Vinay Kesari

of signed-up Active Participants: 66

of signed-up Observers: 44

Useful links:

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

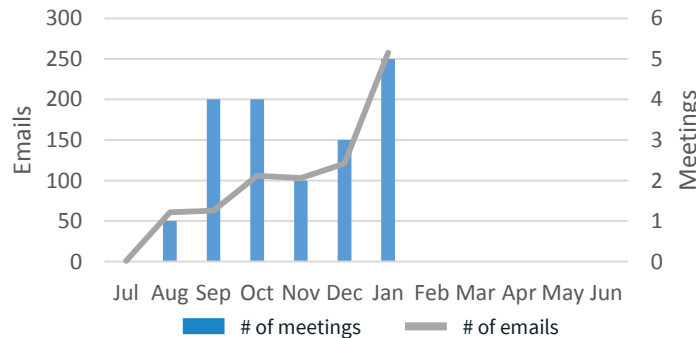
Description / Scope: (Based on Annex 12)

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:	19
Total # of emails:	713
Collective hours on calls:	532



Work Plan:

Task	Month	Status
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:

- We are halfway through drafting of review and best practice recommendations, drawing from responses that SO/ACs provided as part of Track 1.

Open Items:

- In Track 2, the group has briefly discussed the matter of Mutual Accountability Roundtable and has a preliminary conclusion although there is some divergence of views among participants.

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

of signed-up Active Participants: 41

of signed-up Observers: 39

Useful links:

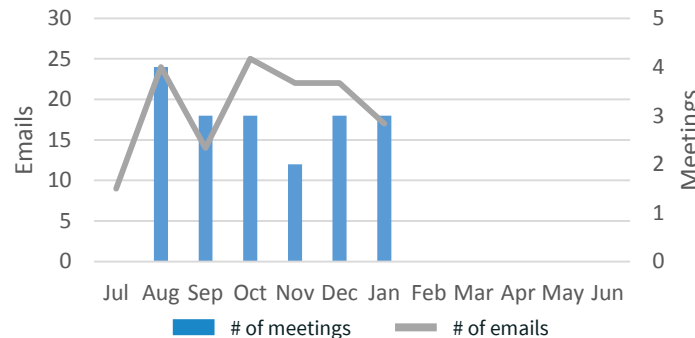
- [Wiki](#)
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Description / Scope: Survey, Analyze, Assess and Recommend any Improvements to ICANN's SO and AC Accountability.

- 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:	18
Total # of emails:	133
Collective hours on calls:	357



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:
JANUARY 17

Progress:  30%

Status: Behind

Updates:

- Developed a work plan that should lead to us having a draft in time for Copenhagen of at least one of our work items. The work plan can be found [here](#).
- Received answers from the ICANN staff on our questions with gratitude. We asked some follow-up questions and have not so far had a response from ICANN. This is why the other of our work items is not progressing.

Upcoming Activities:

- Complete update of Document A (the role of ICANN staff vis-à-vis the ICANN Board and the ICANN community) on 16 Feb.
- Develop first draft of Document B (staff code of conduct, kpi's, processes, etc) - awaiting further information from ICANN.

Open Items:

- Replying to questions ICANN Staff asked the group
- Awaiting additional info from ICANN Staff re Document B.
- Completion of drafts

Rapporteurs: Avri Doria, Jordan Carter

of signed-up Active Participants: 24

of signed-up Observers: 18

Useful links:

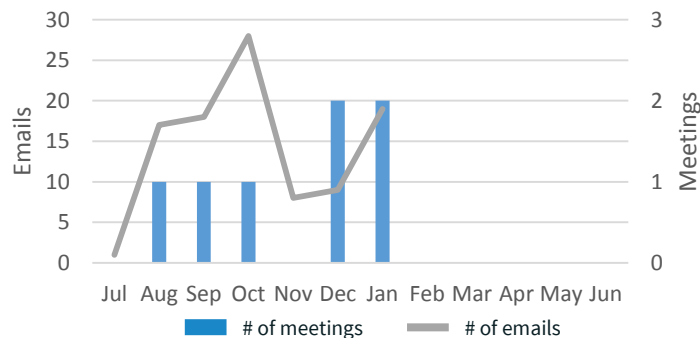
- [Wiki](#)
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Description / Scope: (Annex 12 from CCWG report & ATRT 9.3, 9.4)

- 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:	7
Total # of emails:	100
Collective hours on calls:	87



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
07 Feb 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](#)

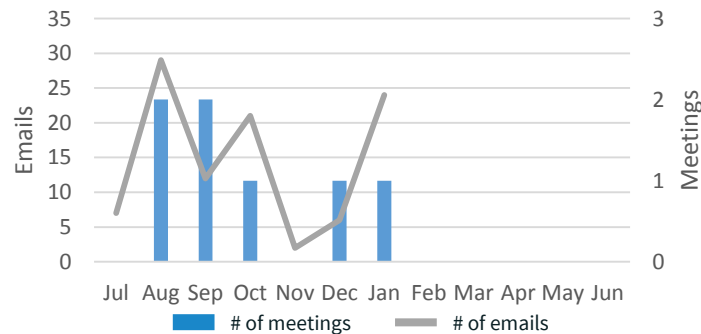
Description / Scope:

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:	7
Total # of emails:	101
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	

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
- A new timeline needs to be setup (following track 1?)

Rapporteurs: Sebastien Bachollet

of signed-up Active Participants: 23

of signed-up Observers: 22

Useful links:

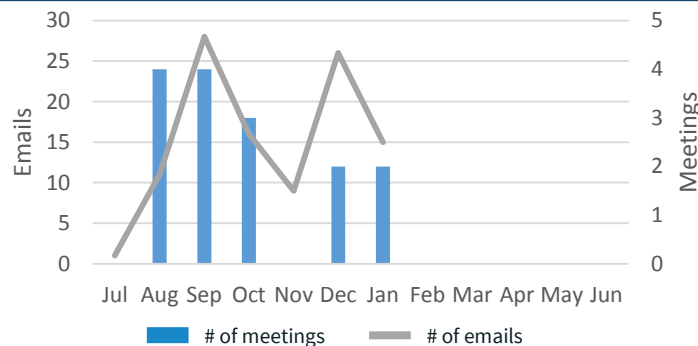
- [Wiki](#)
- [Mailing List archive](#)
- [Meetings schedule](#)

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:	15
Total # of emails:	106
Collective hours on calls:	212



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:
JANUARY 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](#)

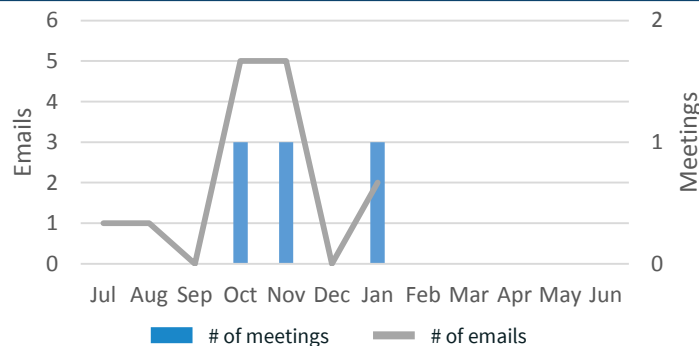
Description / Scope:

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:

Task	Target	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
07 Feb 17

Guidelines for Good Faith Conduct

Reporting Period:
JANUARY 17

Progress:  50%

Status: On-track

Updates:

- Draft report was submitted for consideration of the plenary.

Upcoming Activities:

- CCWG-plenary review.

Open Items:

Rapporteurs: Lori Schulman

of signed-up Active Participants: 12

of signed-up Observers: 18

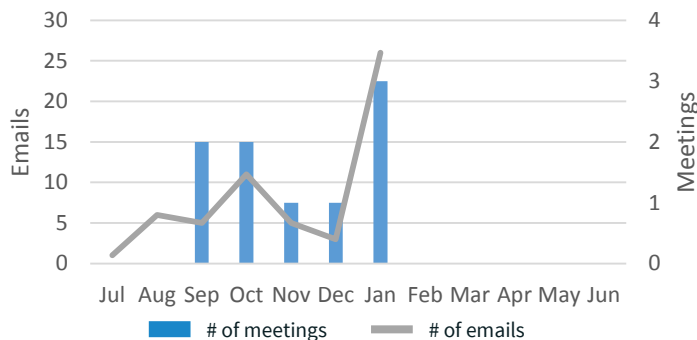
Useful links:

- [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:	9
Total # of emails:	57
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	Nov	✓
Produce draft for PC	Dec	
Public Comment	Jan	
Revise draft	Feb	
CCWG approval	March	



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

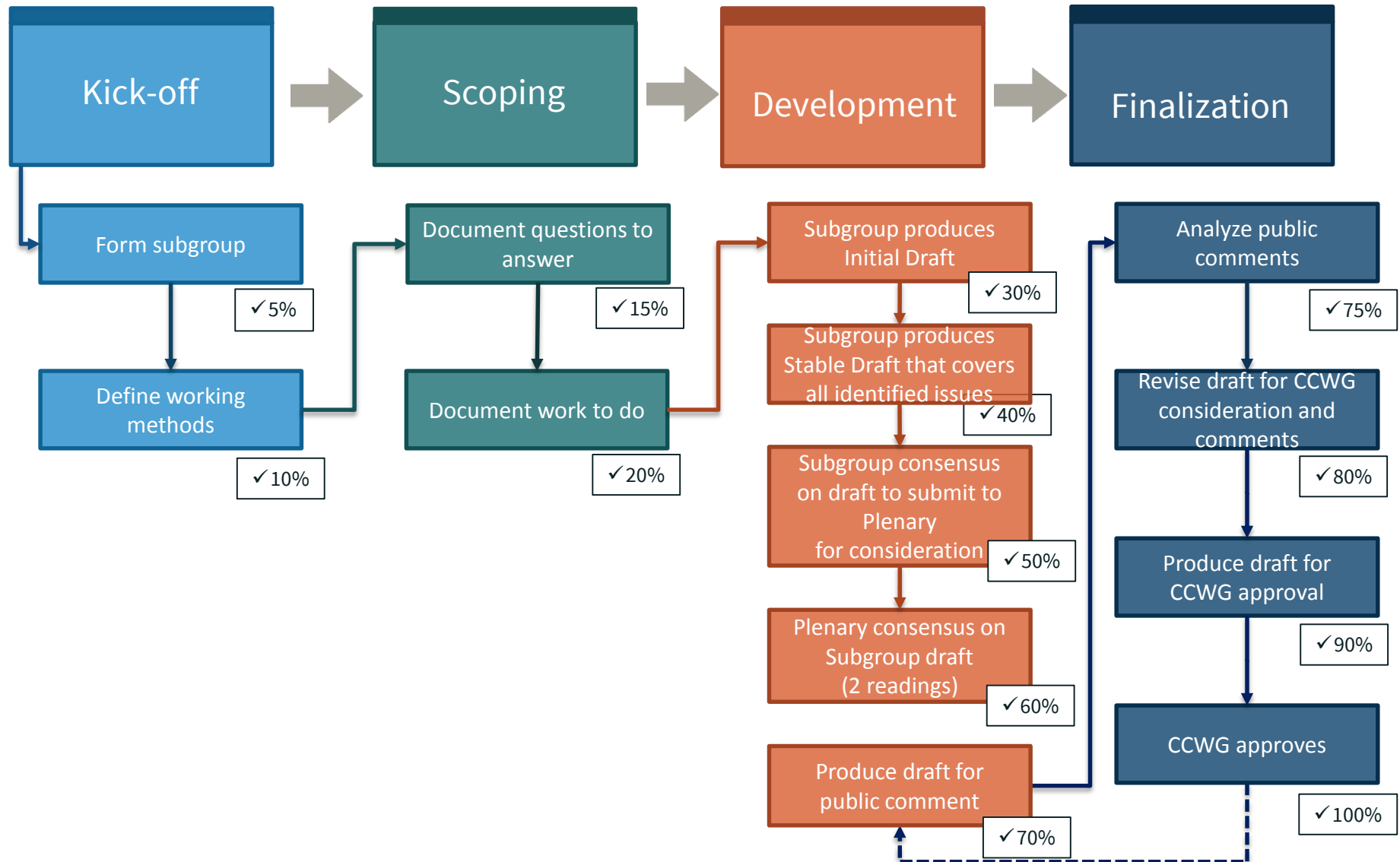
- On-track
- ▲ Behind schedule, but recovery still possible

- Not started
- Target will be missed
- Completed

Updated on
07 Feb 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).