ccNSO Guideline
for exercising Empowered Community Rights
(4th Progress Report)

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A continuing work in progress…

- In-depth analysis (and translation) of Annex D is underway
  - About 70% complete
  - >50 pages and counting (not all of it is text…)

- Focus is on capturing
  - Specific requirements of the ccNSO as Decisional Participant
  - Specific requirements of the Empowered Community Administration
  - All the steps involved for the exercise of a specific EC Right
  - All the time limits and reporting requirements

- Annex D is extremely complex, the language is very dense, and the vocabulary is daunting

Annex D in brief

- Documents the procedures by which the Empowered Community can exercise its rights

- Lays out in extreme detail the steps that have to be taken (and by whom), the time limits on certain processes, and the notification requirements by, to, and from various participants in the process

Annex D in Brief (2)

- Four Sections:
  - How the EC exercises its Rights on Approval Actions
  - How the EC exercises its Rights on Rejection Actions
  - How the EC exercises its Rights to recall Board members and spill the entire Board
  - How the EC can initiate mediation, a Community IRP, or a Community Reconsideration Request

Annex D in Brief (3)

- Approval Actions

  - When the Board makes a change to a fundamental Bylaw, to the Corporate Articles, or wants to sell Corporate assets, they have to ask the EC for its approval

  - I expect this to be a VERY rare occurrence

Annex D in Brief (4)

- Rejection Actions

    – There are 10 operational actions that the EC has rights to review and reject what ICANN has done

        - Example: ICANN Budget

    – I expect this is where >98% of the action will be

Annex D in Brief (5)

- Director Removal and Recall of the Board

  – Different procedures/requirements for

    - Removal of Nominating Committee Director
    - Removal of SO/AC Director
    - Spilling the entire ICANN Board

  – Let us hope we NEVER have to do this…

Annex D in Brief (6)

- Mediation, Community IRP, or Reconsideration Request

  – This comes into play if the ICANN Board refuses to accept a decision made by the EC with respect to an approval action, rejection action, or board member removal action

  – If we ever have to exercise this right, then we will have collectively failed in our responsibilities

We need to prioritize…

- My suggestion:

  – Split the Empowered Community Rights Guideline into four separate Guidelines:

    - Guideline for Approval Actions
    - Guideline for Rejection Actions
    - Guideline for Director and Board Removal Actions
    - Guideline for exercising Mediation, Community IRP, and Reconsideration Request Rights

Proposed Immediate Focus

- Guideline for Rejection Actions
  - Why?
    - ICANN and IANA Budgets are developed and adopted on a regular basis
    - Operating and Strategic plans are developed and revised on a regular basis

  - We (ccNSO as a Decisional Participant) and the EC Administration need to be ready to review these sooner rather than later