

At-Large CCWG-Accountability - Draft Proposal on Work Stream 1 Recommendations Workspace

Comment Close Date	Statement Name	Status	Assignee (s)	Call for Comments Open	Call for Comments Close	Vote Open	Vote Close	Date of Submission	Staff Contact and Email	Statement Number
21 Dec 2015	CCWG-Accountability - Draft Proposal on Work Stream 1 Recommendations	ADOPTED 14Y, 0N, 0A	Alan Greenberg	14 Dec 2015	21 Dec 2015 13:00 UTC	22 Dec 2015 ALAC Monthly Teleconference - 2015.12.22	22 Dec 2015 ALAC Monthly Teleconference - 2015.12.22	21 Dec 2015	CCWG-Accountability Staff Support acct-staff@icann.org	AL-ALAC-ST-1215-04-00-EN

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- [Comments Forum](#)

NOTE: The Draft Proposal is also available section by section on the CCWG-Accountability's wiki workspace at <https://community.icann.org/x/eLRYAw>. Translations will be posted on the wiki workspace as available for each section.

Brief Overview

Purpose: The [CCWG-Accountability](#) requests community feedback on its Draft Proposal of proposed enhancements to ICANN's accountability framework that have been identified as essential to happen or be committed to before the IANA Stewardship Transition takes place.

The six Chartering Organizations for the CCWG-Accountability are asked to indicate their support for the recommendations in this proposal. At the same time, public participants not involved with a Chartering Organization are invited to comment on the proposal. The CCWG-Accountability will attempt to reconcile reactions from Chartering Organizations and public comment prior to submission to the ICANN Board of Directors (currently anticipated for late January 2016).

Current Status: The CCWG-Accountability seeks community feedback on its Draft Proposal. You are invited to indicate your support for recommendations using the [survey](#) the CCWG-Accountability put together to facilitate submission of your comments. The questions align with each recommendation contained in the Draft Proposal on Work Stream 1 Recommendations. Each proposal contains one question designed to determine whether the broad community supports the recommended enhancements as well as a comment box to capture feedback for each proposed change. In addition, a box for any additional input, including on broader topics e.g. Stress Tests, compliance with NTIA criteria and CWG-Stewardship requirements - can be found in the [survey](#).

Next Steps: Each of the Chartering Organizations shall, in accordance with their own rules and procedures, review and discuss the Draft Proposal(s) and decide whether to adopt the recommendations contained in it. The Chairs of the Chartering Organizations shall notify the Co-Chairs of the WG of the result of the deliberations as soon as feasible.

After synthesis of the comments received, and assuming no major changes, the group currently projects submission of Work Stream 1 Recommendations to the ICANN Board in late January 2016.

Section I: Description, Explanation, and Purpose

Over the last year, the CCWG-Accountability has been developing a set of proposed enhancements to ICANN's accountability to the global Internet community. The accountability improvements set out in the 'Draft Proposal on Work Stream 1 Recommendations' are not designed to change ICANN's multistakeholder model, the bottom-up nature of policy development or ICANN's day-to-day operations.

Together with ICANN's existing structures and groups, these accountability enhancements will ensure ICANN remains accountable to the global Internet community and have been designed to provide a framework of enhancing **trust**. These enhancements propose limits on what ICANN is and is not permitted to do and they further ensure that ICANN adheres to the bottom-up, community-driven multistakeholder approach currently in place.

For each of the recommendations listed below, the CCWG-Accountability requests that you designate whether the proposed enhancement is acceptable to you. You may share any thoughts, comments or concerns with the proposed recommendation.

Recommendation #1: Establishing an Empowered Community for Enforcing Community Powers

Recommendation #2: Empowering the community through consensus: engage, escalate, enforce

Recommendation #3: Redefining ICANN's Bylaws as 'Standard Bylaws' and 'Fundamental Bylaws'

Recommendation #4: Ensuring community involvement in ICANN decision-making: seven new Community Powers

Recommendation #5: Changing aspects of ICANN's Mission, Commitments and Core Values

Recommendation #6: Reaffirming ICANN's Commitment to respect internationally recognized Human Rights as it carries out its mission

Recommendation #7: Strengthening ICANN's Independent Review Process

Recommendation #8: Fortifying ICANN's Request for Reconsideration Process

Recommendation #9: Incorporation of the Affirmation of Commitments

Recommendation #10: Enhancing the accountability of Supporting Organizations and Advisory Committees

Recommendation #11: Board obligations with regards to Governmental Advisory Committee Advice (Stress Test 18)

Recommendation #12: Committing to further accountability work in Work Stream 2

Section II: Background

On 14 March 2014, the U.S. National Telecommunications and Information Administration (NTIA) announced its intent to transition its stewardship of the [Internet Assigned Numbers Authority \(IANA\) functions](#) [PDF, 3.49 MB] to the global multistakeholder community. NTIA asked ICANN to convene an inclusive, global discussion to determine a process for transitioning the stewardship of these functions to the Internet community.

During initial discussions on how to proceed with the transition process, the ICANN multistakeholder community, recognizing the safety net that the NTIA provides as part of its stewardship role of the IANA functions, raised concerns about the impact of the transition on ICANN's accountability.

To address these concerns, the ICANN community requested that ICANN's existing accountability mechanisms be reviewed and enhanced as a key part of the transition process. As a result, the Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) convened. The CCWG-Accountability's work consists of two tracks:

- **Work Stream 1:** Focused on mechanisms to enhance ICANN accountability that must be in place or committed to within the time frame of the IANA Stewardship Transition.
- **Work Stream 2:** Focused on addressing accountability topics for which a timeline for developing solutions and full implementation may extend beyond the IANA Stewardship Transition.

Any other consensus items that are not required to be in place within the IANA Stewardship Transition timeframe can be addressed in Work Stream 2. There are mechanisms in Work Stream 1 to adequately enforce implementation of Work Stream 2 items, even if they were to encounter resistance from ICANN management or if it were against the interest of ICANN as a corporate entity.

Additionally, the Cross Community Working Group that developed the IANA Stewardship Transition proposal for the Domain Names community (CWG-Stewardship) stated that its proposal is significantly dependent and expressly conditioned on the implementation of ICANN-level accountability mechanisms proposed by the CCWG-Accountability.

As such, the CCWG-Accountability committed to address the dependencies identified by the CWG-Stewardship, namely:

- **ICANN Budget:** Community rights regarding the development and consideration of the ICANN Budget
- **ICANN Board:** Community rights regarding the ability to appoint/remove Directors of the ICANN Board, and recall the entire Board
- **ICANN Bylaws:** Incorporation of the following into ICANN's Bylaws: IANA Function Review, Customer Standing Committee and the Separation Process
- **Fundamental Bylaws:** All of the foregoing mechanisms are to be provided for in the ICANN Bylaws as Fundamental Bylaws
- **Independent Review Panel:** Should be made applicable to IANA Functions and accessible by managers of top-level domains

To guide this global discussion, NTIA provided ICANN with a clear framework and [criteria](#) for the transition proposal. The CCWG-Accountability has articulated its Work Stream 1 Recommendations to meet these requirements.

Section III: Relevant Resources

- [Draft Proposal of Work Stream 1 Recommendations](#) [PDF, 2.14 MB]
 - [PDF, 885 KB]
 - [Español](#) [PDF, 1.85 MB]
 - [Français](#) [PDF, 1.8 MB]
 - [Português](#) [PDF, 1.8 MB]
 - [P](#) [PDF, 1.73 MB]
 - [PDF, 1.61 MB]
- Annexes:

- [Annex 1 - Recommendation #1: Establishing an Empowered Community for Enforcing Community Powers](#) [PDF, 339 KB]
 - [PDF, 339 KB]
 - [Español](#) [PDF, 277 KB]
 - [Français](#) [PDF, 215 KB]
 - [Português](#) [PDF, 211 KB]
 - [P](#) [PDF, 191 KB]
 - [PDF, 274 KB]
- [Annex 2 - Recommendation #2: Empowering the Community Through Consensus: Engage, Escalate, Enforce](#) [PDF, 602 KB]
 - [PDF, 519 KB]
 - [Español](#) [PDF, 426 KB]
 - [Français](#) [PDF, 451 KB]
 - [Português](#) [PDF, 319 KB]
 - [P](#) [PDF, 509 KB]
 - [PDF, 419 KB]
- [Annex 3 - Recommendation #3: Redefining ICANN's Bylaws as 'Standard Bylaws' and 'Fundamental Bylaws'](#) [PDF, 473 KB]
 - [PDF, 289 KB]
 - [Español](#) [PDF, 161 KB]
 - [Français](#) [PDF, 274 KB]
 - [Português](#) [PDF, 278 KB]
 - [P](#) [PDF, 306 KB]
 - [PDF, 268 KB]
- [Annex 4 - Recommendation #4: Ensuring Community Involvement in ICANN Decision-making: Seven New Community Powers](#) [PDF, 1.36 MB]
 - [PDF, 679 KB]
 - [Español](#) [PDF, 1.22 MB]
 - [Français](#) [PDF, 941 KB]
 - [Português](#) [PDF, 959 KB]
 - [P](#) [PDF, 956 KB]
 - [PDF, 883 KB]
- [Annex 5 - Recommendation #5: Changing aspects of ICANN's Mission, Commitments and Core Values](#) [PDF, 562 KB]
 - [PDF, 306 KB]
 - [Español](#) [PDF, 241 KB]
 - [Français](#) [PDF, 217 KB]
 - [Português](#) [PDF, 211 KB]
 - [P](#) [PDF, 340 KB]
 - [PDF, 361 KB]
- [Annex 6 - Recommendation #6: Reaffirming ICANN's Commitment to Respect Internationally Recognized Human Rights as it Carries Out its Mission](#) [PDF, 437 KB]
 - [PDF, 176 KB]
 - [Español](#) [PDF, 230 KB]
 - [Français](#) [PDF, 233 KB]
 - [Português](#) [PDF, 233 KB]
 - [P](#) [PDF, 225 KB]
 - [PDF, 244 KB]
- [Annex 7 - Recommendation #7: Strengthening ICANN's Independent Review Process](#) [PDF, 525 KB]
 - [PDF, 388 KB]
 - [Español](#) [PDF, 363 KB]
 - [Français](#) [PDF, 193 KB]
 - [Português](#) [PDF, 431 KB]
 - [P](#) [PDF, 336 KB]
 - [PDF, 575 KB]
- [Annex 8 - Recommendation #8: Improving ICANN's Request for Reconsideration Process](#) [PDF, 452 KB]
 - [PDF, 289 KB]
 - [Español](#) [PDF, 218 KB]
 - [Français](#) [PDF, 272 KB]
 - [Português](#) [PDF, 213 KB]
 - [P](#) [PDF, 225 KB]
 - [PDF, 325 KB]
- [Annex 9 - Recommendation #9: Incorporating the Affirmation of Commitments Reviews in ICANN's Bylaws](#) [PDF, 451 KB]
 - [PDF, 259 KB]
 - [Español](#) [PDF, 167 KB]
 - [Français](#) [PDF, 169 KB]
 - [Português](#) [PDF, 166 KB]
 - [P](#) [PDF, 290 KB]
 - [PDF, 297 KB]
- [Annex 10 - Recommendation #10: Enhancing the Accountability of Supporting Organizations and Advisory Committees](#) [PDF, 301 KB]
 - [PDF, 100 KB]
 - [Español](#) [PDF, 94 KB]
 - [Français](#) [PDF, 96 KB]
 - [Português](#) [PDF, 94 KB]
 - [P](#) [PDF, 124 KB]
 - [PDF, 188 KB]

- [Annex 11 - Recommendation #11: Board Obligations with regards to Governmental Advisory Committee Advice \(Stress Test 18\)](#) [PDF, 326 KB]
 - [PDF, 147 KB]
 - [Español](#) [PDF, 124 KB]
 - [Français](#) [PDF, 122 KB]
 - [Português](#) [PDF, 126 KB]
 - [P](#) [PDF, 201 KB]
 - [PDF, 221 KB]
- [Annex 12 - Recommendation #12: Committing to Further Accountability Work in Work Stream 2](#) [PDF, 423 KB]
 - [PDF, 362 KB]
 - [Español](#) [PDF, 296 KB]
 - [Français](#) [PDF, 295 KB]
 - [Português](#) [PDF, 291 KB]
 - [P](#) [PDF, 292 KB]
 - [PDF, 341 KB]
- [Annex 13 - CWG-Stewardship Requirements of the CCWG-Accountability](#) [PDF, 194 KB]
 - [PDF, 93 KB]
 - [Español](#) [PDF, 83 KB]
 - [Français](#) [PDF, 84 KB]
 - [Português](#) [PDF, 84 KB]
 - [P](#) [PDF, 92 KB]
 - [PDF, 170 KB]
- [Annex 14 - Meeting NTIA's Criteria for the IANA Stewardship Transition](#) [PDF, 151 KB]
 - [PDF, 107 KB]
 - [Español](#) [PDF, 34 KB]
 - [Français](#) [PDF, 35 KB]
 - [Português](#) [PDF, 119 KB]
 - [P](#) [PDF, 89 KB]
 - [PDF, 129 KB]
- [Annex 15 - Stress Testing](#) [PDF, 815 KB] (Updated 1 December 2015)
 - [PDF, 441 KB]
 - [Español](#) [PDF, 400 KB]
 - [Français](#) [PDF, 416 KB]
 - [Português](#) [PDF, 333 KB]
 - [P](#) [PDF, 480 KB]
 - [PDF, 459 KB]

- Appendices:
 - [Appendix A - Documenting Consensus \(Including Minority Views\)](#) [PDF, 217 KB] (Updated 2 December 2015)
 - [PDF, 106 KB]
 - [Español](#) [PDF, 43 KB]
 - [Français](#) [PDF, 44 KB]
 - [Português](#) [PDF, 182 KB]
 - [P](#) [PDF, 130 KB]
 - [PDF, 169 KB]
 - [Appendix B - Charter](#) [PDF, 173 KB]
 - [Appendix C - Background & Methodology](#) [PDF, 331 KB]
 - [PDF, 287 KB]
 - [Español](#) [PDF, 191 KB]
 - [Français](#) [PDF, 192 KB]
 - [Português](#) [PDF, 190 KB]
 - [P](#) [PDF, 241 KB]
 - [PDF, 330 KB]
 - [Appendix D: Participation Summary](#) [PDF, 251 KB]
 - [Appendix D: Documentation of Public Consultations](#) [PDF, 136 KB]
 - [PDF, 75 KB]
 - [Español](#) [PDF, 25 KB]
 - [Français](#) [PDF, 25 KB]
 - [Português](#) [PDF, 69 KB]
 - [P](#) [PDF, 71 KB]
 - [PDF, 100 KB]
 - [Appendix E - Work Area 1 Outcome](#) [PDF, 77 KB]
 - [Appendix E - Work Area 2 Outcome](#) [PDF, 66 KB]
 - [Appendix F - Legal Counsel](#) [PDF, 194 KB]
 - [PDF, 91 KB]
 - [Español](#) [PDF, 34 KB]
 - [Français](#) [PDF, 34 KB]
 - [Português](#) [PDF, 150 KB]
 - [P](#) [PDF, 96 KB]
 - [PDF, 139 KB]
 - [Appendix G - Legal Documents](#) [PDF, 134 KB]
 - [PDF, 46 KB]
 - [Español](#) [PDF, 22 KB]
 - [Français](#) [PDF, 22 KB]
 - [Português](#) [PDF, 91 KB]
 - [P](#) [PDF, 52 KB]
 - [PDF, 83 KB]
 - [Appendix H - Bylaws Drafting process & Implementation Timeline](#) [PDF, 180 KB]
 - [PDF, 78 KB]
 - [Español](#) [PDF, 30 KB]
 - [Français](#) [PDF, 29 KB]
 - [Português](#) [PDF, 101 KB]
 - [P](#) [PDF, 76 KB]
 - [PDF, 108 KB]
 - [Appendix I - Affirmation of Commitments](#) [PDF, 58 KB]
 - [Appendix J - Glossary](#) [PDF, 131 KB]

The Draft Proposal is also available **section by section** on the CCWG-Accountability's wiki workspace at <https://community.icann.org/x/eLRYAw>. Translations are posted on the wiki workspace.

In order to brief the community on the contents of their Draft proposal, the CCWG-Accountability will host two identical [briefing webinars](#) on Wednesday, 2 December at different times to facilitate participation across time zones. The webinars will take place on:

- **2 December from 11:00 – 12:30 UTC** (time zone converter [here](#))
- **2 December from 20:00 – 21:30 UTC** (time zone converter [here](#))

The webinars will be run in an [Adobe Connect room](#). If you are interested in attending the webinar and would like to receive dial-in details, please send an email to acct-staff@icann.org and indicate your language request (if needed). The webinars will be recorded and transcribed. Live interpretation will be made available in English, Spanish, French, Chinese, Arabic, Russian and Portuguese.

Section IV: Additional Information

Section V: Reports

Staff Contact

CCWG-Accountability Staff Support
acct-staff@icann.org

FINAL VERSION TO BE SUBMITTED IF RATIFIED

[Click here to download the PDF document below.](#)

FINAL DRAFT VERSION TO BE VOTED UPON BY THE ALAC

[Final Formatted Version - December 21, 2015](#)

FIRST DRAFT SUBMITTED

File	Modified
PDF File AL-ALAC-ST-1215-04-00-EN.pdf	Dec 28, 2015 by Ariel Liang
PDF File Final Formatted Version - December 21, 2015.pdf	Dec 22, 2015 by Ariel Liang
PDF File Draft Version 3 - December 19, 2015.pdf	Dec 21, 2015 by Ariel Liang
PDF File Draft Version 2 - December 15, 2015.pdf	Dec 21, 2015 by Ariel Liang
PDF File Draft Version 1 - December 13, 2015.pdf	Dec 21, 2015 by Ariel Liang

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