

ccTLD Webinar on the summary of changes by CCWG Accountability on 18 November 2015

Agenda:

1. General Overview
2. Review of guidelines discussed in Dublin
3. Other Q&A

Notes from Webinar:

Purpose of Webinar, to prepare community and inform around

General overview

Preview of recommendations

Four Building Blocks have not changed since Singapore meeting.

ICANN Community Powers (5) Strictly enumerated

Combination of building blocks and community powers is the architecture

Presentation update based on results ccTLD

Dublin Discussion (see email Byron Holland 4 November and <http://ccnso.icann.org/meetings/overview-cwg-icg-09nov15-en.pdf>)

TOPICS

Need for community dialogue

All powers following comparable/similar pattern

See slide

Requirement on structure of community dialogue is most likely met

Enforcement Model

This about enforcing outcome of community dialogue (see previous slide). It is about corner cases.

In Dublin, main direction of travel of both CCWG and ccNSO:

Sole Designator Model

Removal of Directors (SO/AC Appointed)

Core: at the end ccNSO final word on ccNSO appointed Board members. However as ccNSO appointed board members do not only serve ccNSO but whole community needs to be involved. This is

in line with ccNSO discussions in Dublin.

Rejection of ICANN Budget

Veto power 5 year strategic plan and operational plan remains in place.

Issue around one year plan is time critical. Needs to be resolved

Proposal: trigger a caretaker budget. Key principle: ICANN to maintain commitments to:

- Staff
- Key contractors
- IANA

In general what is needed to ensure continuation of operations
Budget veto, can only be triggered on terms that have been flagged during the engagement phase. For ccTLD community: SOPWG can not be by-passed, effectively it would trigger it.

Independent Review Process (IRP)

Delegation and revocation of ccTLDs remains to be excluded from IRP

CWG Stewardship Dependencies

Anticipation all conditionality requirements CWG Stewardship are met. Needs to be confirmed by CWG Stewardship

Revised Mission

Input IAB taken into account, clarification of ICANN's role. Work still on-going
Group has found a consensus way forward, should not affect ccTLDs in anyway, open issues focus on contracted parties

Human Rights

Include Human Rights reference in the Bylaws.

Bylaw Change Approval

What will happen if bylaws change is resulting from a PDP? PDP is a very burdensome process. Work in progress,

Latest: In case

Bylaw change related to (ccNSO) PDP, ccNSO needs to support, to start the veto process (so effectively no way for others to block Bylaw change resulting from ccNSO PDP, unless ccNSO agrees). Applies similarly to other SOs (ASO and GNSO)

SO/AC Accountability

Stress Test 18

Work in Progress, not concluded. Stress 18 is about influence of the GAC in the overall process.

Key parameters: what is level of GAC consensus needed

What is level Board support to act in manner not in line with GAC support

Difficult discussions. Topic is really only item that is still under debate (work in progress)

Timeline

Structure Final Report in line with formal update report

Plan is to publish Final Report 30 November

21 day Public comment period

parallel processes:

- Public comment and
- Request to SO/AC to consider final report /recommendations

Direction of Travel Recommendations aligned with Direction from Dublin

CCWG advises ccTLD, if any to submit comments through ccNSO.

Q&A

Martin Boyle:

For the IRP use by TLDs: what does that mean for ccTLDs? Issue of extraterritorial decisions overruling national decisions and a panel that does not understand the full complexity of a delegation decision: how do we assure take into account?

Answer: issue has been raised. Input from CWG stewardship into CCWG Accountability

Delegation and revocation are outside of scope of IRP.

Paul S. Concern about Summary document, what does Sole Designator means. Feed-

back: not clear how Sole Designator is convened, is it a structure in place ?

Clear summary does not address all components

Expectation In main report questions will be addressed,

Chartering Organisation Support: Support is essential. How will it be organised? How does expression support comes back?

Answer:

From CCWG side expectation, similar expectation as from CWG.

Stephen Deerhake:

The ccNSO Council has a special meeting scheduled for 23 December to formally consider the CCWG proposal, await conclusion of public comment period

Paul Kane

Scope of ICANN is limited. A lot of emphasis has been on Board Accountability. Has the Accountability focused on staff (of interest to ccTLD only interested in IANA services)

Answer:

No interference with CWG Stewardship developed mechanisms, to significantly enhance to hold PTI accountability

General staff accountability has been considered, but will/may be addressed later.

Board is ultimately accountable

Note: IRP may be used to address staff actions/failure to act

Final Remarks

ccTLD community has done a lot. Presentation and recording will be made available.

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Notes from Webinar:

Welcome to second webinar

Purpose of webinar is to provide an update of where the CCWG is at post Dublin.

Presentation is based on formal update. Although Formal document, it only

shows direction of travel. Presentation will refer to the summary of the discussion in Dublin on CCWG

(<http://ccnso.icann.org/meetings/overview-cwg-icg-09nov15-en.pdf>)

Topics

Context CCWG Accountability is part of overall process.

Background

CCWG is about developing

Proposal to enhance ICANN accountability

Divided in WS 1 and WS 2

Proposals CCWG is working now are WS 1 proposals

Building Blocks

Principles -> ICANN Bylaws

Independent Review Process (IRP)

ICANN Board of Directors

Empowerd Community: Powers are strictly enumerated

Community Powers (5)

Strictly enumerated

Building Blocks and Community powers, provide the architecture of Proposal and what is addressed

Need for Community Dialogue

In general community dialogue mechanism is structuring all community powers (with specific elements for some of the powers).

Mechanism escalation process or ladder of escalation

Community Forum is not a body, it is a platform for discussion. Only at the end of the escalation process need for enforcement.

Note: the community dialogue requirement (ccNSO meeting Dublin) is met

Enforcement Model

Only relevant for corner, corner cases. In early discussions Sole member model. However met with issues

In Dublin change to Sole Designator model. This was also preferred by most during the ccTLD discussions in Dublin.

Removal of Individual Directors

Only ccNSO can remove ccNSO appointed director, however only after going through forum. Reason: Director not only serves ccNSO but whole community

Rejection of Budget

CWG requirement budget for PTI -> window for objections, note this is requirement from CWG Stewardship.

Five year plan are subject to community veto.

One year budget was under discussion, however direction of travel

el as presented in Dublin still valid.
Veto will not affect care taker budget (ongoing operations).
Principles to define care-taker are being developed.

Independent Review Process

Delegation and revocation of ccTLDs remains excluded from IRP.. This is still valid, Currently in implementation mode (d rafting)

CWG- Stewardship Requirements

In view of CCWG requirements are met

Revised mission

Need to ensure ICANN does not interfere in ccTLD matters. Focu s of discussion is on gTLD space

Human Rights

Include reference in Bylaws

Bylaw Change Approval

Concern, what if after ccNSO PDP results in Bylaw change others may veto proposed Bylaw change? CCWG found a way forward.. Direction of Travel: only if ccNSO supports veto, community veto may take place

SO/AC Accountability

Future ccNSO review will include accountability review to all ccTLDs

Stress test 18

Complex discussion. Still under tense discussions
This is currently most difficult area that needs to be resolved.

Timeline

Timeline is aggressive. Formal update is to create awareness
30 November , posting of Formal 3rd Draft

- Public comment

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Request whether ccNSO (and other SO/AC , chartering organisations) can support proposal

Only if one or more chartering orgs does not support or public comment warrants this, second supplemental phase.

Q&A

No Questions