Overview of ccNSO Dublin sessions related to CWG, CCWG and ICG

At the Dublin meeting the representatives of the ccTLDs present were in engaged in 7 hours of explanation and intense discussions around the work of the CWG Stewardship, CCWG Accountability and ICG to date, which was presented in five (5) blocks.
The presentation, recordings, and notes of the sessions are all available on the ccNSO website http://ccnso.icann.org/meetings/dublin54

Block 1: General Overview & Introduction
In the first Block, Overview & Introduction, Byron Holland (.ca) as chair of the ccNSO, provided a General overview of the landscape, combining the threads of work and timelines against which the different groups are working to enable the IANA Stewardship Transition. Keith Davidson (.nz) one of the ccNSO appointed members on the ICG and Mathieu Weil (.fr) and Lise Fuhr (.dk), ccNSO appointed co-chairs of the CCWG Accountability and CWG Stewardship respectively, provided an overview of the current state of play and next steps. In addition Giovanni Seppia (.eu) in his capacity as chair of CENTR, added flavor by explaining the level of discussions taking place under the auspices of the Regional Organizations.

Block 2: ICG and related work
This second block provided more depth on the work of the ICG and related topics. Although separate from the Accountability thread, the work of the ICG is directly relevant with respect to the IANA Stewardship transition work. In the first part of the session Jay Daley (.nz) provided an overview of the work to date on and substance of the expected IANA Service Levels (SLE) post transition. The second part of this session focused more in depth on aspects of the ICG. It was noted, in particular, that the comments from the ccNSO Council and others with respect to the archiving of ICP-1 and the adoption of the Framework of Interpretation for RFC 1591 were accepted by the ICANN Board. Martin Boyle (.uk) also raised the need to begin to think about and plan for the work ahead after the implementation phase of the IANA transition, for example the need to start thinking about the process to appoint ccTLD representatives on the Customer Standing Committee (CSC) as proposed by the naming community. In the final part of this session Keith Davidson (.nz) drew attention to to the policies that will need to be developed in the near future by the ccNSO, in particular, a policy for the retirement of ccTLDs and a policy around the independent appeals mechanism for delegation and revocation and transfer (formerly known as redelegation) of ccTLDs. As a result of the work of the DRD WG (see: http://ccnso.icann.org/workinggroups/drdwg.htm) in the past and the ongoing work on the IANA Stewardship Transition the need for these additional policies became evident to ensure a robust set of policies will be in place in future.

Block 3: Topic CCWG consensus

During the third, informational session on the current state of play on the second CCWG WS 1 Proposal and additional work, the focus turned to the CCWG Accountability's Second Proposal. Mathieu Weill, the ccNSO appointed co-chair of the CCWG, provided a general overview of the building blocks of the proposal and their interrelation.

The second part of this session focused on the building blocks of the proposal, which, after careful analyses of the public comments received, the CCWG considers to be broadly supported.

First Jordan Carter (.nz, WS1 convener) presented and explained a building block, followed by a discussion, and concluded by taking a "temperature of the room" e.g asking the ccTLDs present to indicate whether they supported, or strong reservations.

Using this method, the following building blocks or topics were introduced and discussed:

- Power - co-decision (Community along with Board) to approve change of Fundamental Bylaws, supported by members present, but concern should be raised with CCWG that an outcome of a ccNSO Policy Development Process should not be blocked by using this mechanism
- Power - Standard bylaws changes can be rejected, supported by the ccTLDs present, with same concern as above to be raised with the CCWG
- Power - Recall of the entire ICANN Board, supported by all the ccTLDs present
- Need for community dialogue before community powers are used, supported by all the ccTLDs present.
- Incorporate AOC reviews in bylaws, all but one ccTLD present supported this.
- Incorporate AOC commitments and principles in bylaws, supported by all the ccTLDs present.
- Incorporate a Bylaws article regarding Human rights, supported by all present.

In addition to the points above, and added to the agenda was the discussion of the so – called stress 18, which is about the potential change to the ICANN bylaws to require *consensus* GAC advice in order to trigger the requirement for the ICANN Board to find a 'mutually acceptable solution". The ccTLDs present supported the view that stress test 18 is not a matter on which ccTLDs have, or need to have a view on.

Block 4: CCWG Open issues

The second CCWG Proposal related session (block 4 on the published agenda) focused on the issues the CCWG considered to be unresolved. Using the same method of explaining, discussion and sensing the "temperature of the room" the following topics were presented:

IRP exclusion of ccTLD delegations and revocations. The CCWG will propose an Enhanced Independent Review Process (IRP), but in line with the views of a large majority of the ccTLDs, the delegation and revocation of a ccTLD is to be excluded from this process. As discussed in prior session (session 2), the ccNSO will undertake a ccNSO Policy Development Process to develop the policy around an appeal mechanism in respect to the delegation and redelegation of ccTLDs. As part of the discussion it was noted that for the interval between the removal of the current flawed IRP and the entering into force of a ccTLD delegation and revocation review mechanism developed through a ccNSO policy development process, there will be no review mechanism available in respect of delegations and revocations. Following an intense discussion the ccTLDs present expressed no objection to the removal of the existing IRP and to excluding ccTLD delegation and revocations from the Enhanced IRP.

Review of Accountability SO/AC. The CCWG proposes to include an accountability review as part of the organizational review of all Supporting Organizations and Advisory Committees in future, including the ccNSO. This item will be further developed and detailed in the so called Work Stream 2. The ccTLDs present supported/had no objection to such an inclusion.

The CWG Stewardship accountability requirements. Lise Fuhr (ccNSO appointed co-chair of the CWG Stewardship) explained that in the view of the CWG Stewardship their dependency requirements with respect to accountability have been met. The ccTLD managers present all supported this view.

Individual ICANN Board Director removal. As part of the enhanced accountability it is proposed that a Supporting Organisation or Advisory Committee be able to remove an ICANN Board member it has appointed. The proposed method for such a removal (the appointing SO or AC must firstly initiate a discussion of the proposed removal, following which a supermajority vote of the appointing SO/AC is required) was supported by all ccTLDs present.

Enforcement Model (Sole Member or Sole Designator model). In order to ensure enforceability of community powers the CCWG discussed and proposed different models. In Dublin the CCWG focused on two specific models: the sole member and sole designator model. As presented at the ccNSO meeting, both models would ensure enforceability, however the main difference would be in respect of legal powers for enforcement: for the Sole Designator model these would have to be explicitly added, for the Sole member model these would have to be explicitly excluded. The discussion within the CCWG focused on the powers that would be needed. The ccTLDs present expressed no fundamental objections against the two models. However a small minority raised an issue around statutory rights. After a full and intense discussion a significant majority of the ccTLDs present expressed a preference for the Sole Designator model (a significant majority of those present in the room).

Budget Veto Right. One of the CWG Stewardship requirements for the CCWG work was ability for the community to veto the post Transition IANA (PTI) budget. Taking into account the public comments, the CCWG in close cooperation with ICANN's CFO, is developing a more nuanced approach that would allow meeting all requirements and needs. The approach presented was supported by all ccTLDs present.

Block 5: ccNSO decision making process
The final Session of the two days discussion on the CCWG work and related proposals panelist (Mathieu Weill, Lise Fuhr and Mike Silber) and ccTLDs present focused on the anticipated decision-making process of the ccTLD community on the Final Proposal. It was noted that this decision-making process is a critical step in moving forward with the IANA Stewardship transition, and hence to stay within the anticipated window of opportunity for the IANA Stewardship Transition. After a decision by all chartering organiszations it may be submitted to the ICANN Board, who, in turn and after adoption, will submit it to the NTIA as part of the total IANA Stewardship transition package. It was noted that a next version of the CCWG report would be available around 20 November 2015.

However, it was noted that the core question is whether this new report could be submitted to the SO/AC or is there is a need for a third and additional round of public comment. It was raised that as long as the CCWG maintains the essence or core of the model/proposal, an additional comment period may not be necessary. At the same time it was noted that the value of community comment is considered to be very high.

Overview of ccNSo Discussion & Views on Accountability
(notes compiled by Jordan Carter, .nz, ccNSO member on CCWG and Rapporteur of Work Stream 1)

Room's views tested on the following items at ccNSO Members Meeting 21 Oct 15.

Item	ccNSO View
Power - co-decision (Community along with Board) to approve change of Fundamental Bylaws	Consensus *Note: Outcomes of ccNSO PDPs <u>must not be able to be blocked</u> by other parts of the ICANN Community:* <mark>*raise with CCWG*</mark>.
Power - Standard bylaws changes can be rejected	Consensus *Note: Outcomes of ccNSO PDPs <u>must not be able to be blocked</u> by other parts of the ICANN Community:* <mark>*raise with CCWG*</mark>.
Power - Recall of the entire ICANN Board	Consensus
Need for community dialogue before comm'y powers used	Consensus
Incorporate AoC reviews in bylaws	Rough consensus
Incorporate AOC commitments and principles in bylaws	Consensus
Incorporate a Bylaws article regarding Human rights	Consensus
IRP exclusion of ccTLD delegations and revocations	Consensus
SO/AC accountability : future structural reviews will assess ccNSO accountability (currently: efficiency for purpose)	Consensus
Meeting the CWG Requirements	Consensus
Individual Board Director removal: community discussion followed by supermajority vote of appointing SO/AC	Consensus
Enforcement model:	Rough consensus: no fundamental objections to either model. Small minority concern raised about statutory rights **Temperature**: significant preference for designator than member. (~⅔ participated in temp check)
Budget veto right	Consensus