VOLUME 8: AN UPDATE ON IANA STEWARDSHIP DISCUSSIONS

ICG

The IANA Stewardship Transition Coordination Group (ICG) has announced that it intends to launch the public comment period for the Interim Final Proposal to Transition the Stewardship of the IANA Functions on 31 July, with an end date of around 8 September. The ICG will hold webinars at the beginning of the public comment period to provide an overview of the proposal. The most recent version of the ICG's draft proposal is Version 5. Although it is a lengthy document, 206 pages with some material still to be added, the vast majority of pages consist of the existing proposals that have reached consensus amongst the protocol parameters, numbering resources and domain names operational communities. The most significant new text in the ICG's draft proposal is its own report, currently 10 pages long, at the front of the proposal. The ICG's report includes the ICG's assessment of the three proposals from the operational communities to ensure:

- The community processes used to develop the proposals were open and inclusive, and achieved consensus;
- the proposals are complete and clear;
- the three proposals together are compatible and interoperable, provide appropriate and properly supported accountability mechanisms, and are workable; and
- the proposals together meet the NTIA criteria

For more background on the ICG's assessment of the three proposals, see its working document, Combined Proposal Assessment Matrix (v2).

CCWG-Accountability

The Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability) held its latest face-to-face meeting in Paris, 17-18 July, which was attended in-person by 76 members and participants in person and an additional 30 joining remotely. Following legal analysis of the "Empowered SO/AC Model" presented by Adler & Colvin in the lead-up to the meeting, the CCWG-Accountability decided in Paris to pursue a new model, the "Community Mechanism as Sole Member Model (CMSM)". This new model builds on the Empowered SO/AC Model that emerged during ICANN 53, which in turn, built on the original member and designator models documented in the initial draft report of Work Stream 1 accountability enhancements. The CMSM would be established under ICANN Bylaws as the one and only member of ICANN. The CMSM would be composed of ICANN's Supporting Organizations (SOs) and Advisory Committees (ACs). While the CMSM would have the status of "legal personhood", the SOs and ACs themselves are not required to become legally recognized entities. The possibility of needing to adopt a formal legal status is one of the reasons that parts of the ICANN community were hesitant about the previously proposed models, which required SOs and ACs to adopt "legal personhood" if they wished

to have access to "enforceability" mechanisms under the enhanced accountability framework being proposed.

Members of the Government Advisory Committee (GAC) were active in contributing to the work of the CCWG-Accountability before Paris, with 31 governments contributing input. These inputs were then consolidated into a single document by the GAC Secretariat and provided to the CCWG-Accountability before the Paris meeting. The CCWG-Accountability meeting in Paris discussed the concerns of governments and has acknowledged, in its Communiqué from the meeting, those concerns as well as the challenge governments face in making decisions about the new CMSM within the short timeframe available before ICANN 54 in Dublin.

Further, the CCWG-Accountability also reaffirmed in Paris its commitment to coordinating with the Cross Community Working Group to Develop an IANA Stewardship Transition Proposal on Naming Related Functions (CWG-Stewardship) on six key dependencies between the CCWG-Accountability's Work Stream 1 work and the work of the CWG-Stewardship:

1. ICANN Budget
2. ICANN Board
3. IANA Function Review
4. Customer Standing Committee
5. Appeals Mechanism
6. Fundamental bylaws

The Paris meeting also resulted in broad agreement on enhancements to the Independent Review Process (IRP) (see 18 July Session 2 notes for details). The CCWG-Accountability will create a subgroup to further develop IRP rules and procedures as well as fine tune the subject matter for IRP.

The CCWG-Accountability plans to publish the second version of its proposal for a 40-day public comment beginning 31 July and ending 8 September 2015. The second draft has not yet been published, but the working version will be published here.

Coordination on stewardship-related activities

To enable better communication and understanding of mutual expectations between working group chairs and ICANN SOs and ACs, ICANN is now supporting monthly Transition Facilitation Calls, the first which was held July 16 (listen to the audio recording).

At the public ICANN Board meeting at ICANN 53, the Board adopted a resolution regarding expenses for one of the two legal counsels retained by the CWG-Stewardship. This resulted in discussions about managing resourcing of the IANA Stewardship Transition and Enhancing ICANN Accountability processes moving forward.

Updates on other transition-related activities

IANA-related discussions

On 16 July, the IGF-USA 2015 held a discussion on the IANA stewardship transition and ICANN accountability. The discussion has been documented in the Storify article, Internet Governance Forum USA 2015: IANA Transition.

On July 29, U.S. Rep. John Shimkus will speak on the Domain Openness Through Continued Oversight Matters (DOTCOM) Act, a bill which provides a framework for congressional oversight of the transition. Following his remarks, members of the Internet governance community will comment on the bill and outlooks for the transition's progress. The event will be webcast and archived within 24 hours.

Latest documents and drafts

16 Jul 2015	ICG – Combined IANA Stewardship proposal, Draft version 5
14 Jul 2015	CCWG-Accountability – Draft Content for Second Public Comment Report on Fundamental Bylaws
7 Jul 2015	CCWG-Accountability – Empowered SO/AC Membership & Designator Models for Community Empowerment (and CMSM variation) by Sidley Austin

IANA stewardship in the news

20 Jul 2015	A fragmentação da Internet só vai servir para reverter as vantagens económicas e a dinâmica da inovação, SAPOTEK [PT]
	Multistakeholder Internet governance: A pathway completed, the road ahead, The Brookings Institution [EN]
15 Jul 2015	The CCWG: From Buenos Aires to Paris to Dublin, ICANN [EN]

Upcoming key dates

29 Jul 2015	ICG Teleconference #21, 5:00-7:00 UTC
31 Jul 2015	Public Comment Period for CCWG-Accountability's 2nd draft of ICANN accountability enhancements (Work Stream 1) begins.
	Public Comment Period on interim final IANA stewardship proposal, consisting of names, numbers and protocol parameter components, begins.
3-7 Aug 2015	3 webinars: briefings on ICG combined proposal released for public comment (times

to be confirmed)

8 Sep 2015	Public Comment Period for CCWG-Accountability's 2nd draft of ICANN accountability enhancements (Work Stream 1) closes.
	Public Comment Period on interim final IANA stewardship proposal closes (date TBC).
18-19 Sep 2015	ICG Face-to-Face Meeting, Los Angeles
30 Sep-15 Oct 2015	CCWG-Accountability's 2nd and final proposal (Work Stream 1) presented to ALAC, ASO, ccNSO, GAC and GNSO for their approval.
18-22 Oct 2015	ICANN 54 including ICG Face-to-Face meeting and presentation of proposals for IANA stewardship and ICANN accountability enhancements (Work Stream 1) to the ICANN Board for subsequent transmission to the NTIA.
Week 1, Nov 2015	ICANN Board transmits IANA stewardship and ICANN accountability (Work Stream 1) proposals to NTIA.

YOU CAN PLAY A ROLE IN IANA'S FUTURE…

*Anyone can participate in discussions about the future of IANA's stewardship and ICANN accountability. For information on joining **CCWG-Accountability**, contact acct-staff@icann.org.*

Compiled on behalf of ICANN by Samantha Dickinson   *23 July 2015*