

ACCOUNTABILITY MECHANISMS

Work Item: WP1-7B: Permanent Cross-Community Working Group (PCCWG)
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Version: 1.0
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| | Name of Mechanism | Permanent Cross-Community Working Group (PCCWG) |
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| Description | Description | This would be a standing body, chartered by the SOs and ACs just as our CCWG-ACCT is, representing the ICANN community in exercising specific powers granted to it developed in the course of this CCWG's work (e.g. forcing reconsideration of the Budget, removing the ICANN Board of Directors). |
| | Category (check & balance, review, redress) | Not Applicable (N/A) The categories apply to the powers exercised by the PCCWG mechanism, not the mechanism itself. |
| | Is the mechanism triggered or non triggered ? | N/A This applies to the powers exercised by the PCCWG mechanism, not the mechanism itself. |
| | Possible outcomes (approval, re-do, amendment of decision, etc.) | N/A This applies to the powers exercised by the PCCWG mechanism, not the mechanism itself. |
| | Standing | Conditions of standing (ie « last resort », type of decision being challenged, ...) |
| Who has standing (directly or indirectly affected party, thresholds...) | | N/A This applies to the powers exercised by the PCCWG mechanism, not the mechanism itself. |
| Standard of review | Which standards is the decision examined against (process, principles, other standards...) | N/A This applies to the powers exercised by the PCCWG mechanism, not the mechanism itself. |
| | Which purpose(s) of accountability does the mechanism contribute to ? | N/A This applies to the powers exercised by the PCCWG mechanism, not the mechanism itself. |

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| Composition | <p>Required skillset</p> | <p>Appointees to the PCCWG should be members of the ICANN Community in good standing and able to make decisions that relate to the various powers granted to the PCCWG.</p> <p>In general, they will need:</p> <ul style="list-style-type: none"> • advanced knowledge of ICANN’s Articles and Bylaws, including the proposed Compact; • understanding of expectations of the ICANN community; and • understanding of ICANN’s environment and context |
| | <p>Diversity requirements (geography, stakeholder interests, gender, other...)</p> | <p>The PCCWG will achieve diversity of stakeholder, gender and regional representation, due to the requirements set out in the next box.</p> |
| | <p>Number of persons (approximate or interval)</p> | <p>The PCCWG will consist of twenty nine members, comprised as follows:</p> <ul style="list-style-type: none"> • Five representatives of each of the following community bodies: <ul style="list-style-type: none"> ○ ccNSO ○ GNSO ○ ASO ○ ALAC ○ GAC • Two representatives of each of the following bodies: <ul style="list-style-type: none"> ○ SSAC ○ RSSAC <p>In selecting their representatives, the community bodies electing five representatives must:</p> <ul style="list-style-type: none"> • ensure equitable representation across the five ICANN regions; and • elect at least two men and at least two women. <p>The community bodies electing two representatives must:</p> <ul style="list-style-type: none"> • elect two people from different ICANN regions; and • elect two people of different genders. <p>ALTERNATE: Each Chartering Organisation may appoint between two and five members to the PCCWG.</p> <p>If this alternate approach is taken, it will be more complicated to specify the voting procedures for each Power.</p> |

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| | Independence requirements | <p>Members of the PCCWG may not be from any of the following categories of people:</p> <ul style="list-style-type: none"> • ICANN Directors or Board Liaisons • ICANN Staff • ICANN’s Nominating Committee • Members of any Review or Redress institutions • Current office-holder (Chair or Vice Chair) in an SO or AC • Staff of entities that are commercially dependent on ICANN <p>No more than two members of the Community Council may be from any single company or group of related companies, or from one national government or other state organisation.</p> |
| | Election / appointment by whom ? | <p>Members of the PCCWG are appointed, by their SOs and ACs according to their usual documented processes.</p> <p>Appointees must be actively appointed on a yearly basis – either reconfirmed or replaced by a new appointee.</p> <p>Appointing bodies are encouraged to appoint a mix of new and experienced members with reasonable turnover so as to avoid capture of the PCCWG by a set of long-standing members.</p> |
| | Recall or other accountability mechanism | <p>The appointing bodies can replace members at any time, as with any other CCWG.</p> |
| Decision making | Is the decision mandated or based on personal assessment | <p>N/A This applies to the powers exercised by the PCCWG mechanism, not the mechanism itself.</p> |
| | Decision made by consensus or vote ? | <p>N/A This applies to the powers exercised by the PCCWG mechanism, not the mechanism itself.</p> |
| | Majority threshold (if applicable) | <p>N/A This applies to the powers exercised by the PCCWG mechanism, not the mechanism itself.</p> |
| Accessibility | Cost requirements | <p>The general costs of the PCCWG’s existence and operation, including whatever staffing or contracted secretariat support it requires.</p> |
| | Timeframe requirements | <p>To be implemented before IANA stewardship transition (i.e. WS1).</p> |
| | Language requirements | <p>As general in ICANN – translated into the usual languages.</p> |

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CCWG Accountability

Template

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| Implementation | Potential means to implement | CCWGs are generally organised by the Chartering Organisations creating a Charter. However to ensure that the PCCWG is indeed Permanent, a different approach may be required – perhaps the inclusion of the Charter as a new section of the ICANN bylaws with appropriate protections to avoid its later removal. |
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