

## Chronology of Recent ICANN Accountability milestones

This chronology seeks to identify key events relevant to the current work of the Cross-Community Working Group on Enhancing ICANN Accountability.

I wrote this document to make it easy for the Internet community to see the key steps in the ICANN accountability debate in one easy-to-find place. Each point is, where possible, referenced – and further references are welcome.

Blog posts on this and other ICANN issues at: <https://internetnz.nz/news/blog>

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Date	Event
Sep-2013	ICANN Board authorises CEO to explore ways to accelerate end of U.S. stewardship, but <u>does not consult community or make decision public</u> <sup>1</sup> .
Oct-2013	Montevideo Statement <sup>2</sup> by I* leaders, calling for globalisation of IANA Functions. NetMundial proposed following Chehade meeting with Brasil President <sup>3</sup> .
Mar-2014	<b>IANA Stewardship Transition announced</b> <sup>4</sup> . ICANN argues accountability reform should follow Transition, but then starts to respond to community discussion on improved ICANN accountability at <b>ICANN 49</b> <sup>5</sup> in Singapore.
Apr-2014	<b>NetMundial</b> <sup>6</sup> held in Sao Paulo.
Jun-2014	Public comments criticise an initial ICANN-designed accountability process <sup>7</sup> . Many, including the GNSO <sup>8</sup> as a whole by consensus, join at <b>ICANN 50</b> in London to state that community-driven accountability improvements must be a core component of the IANA Stewardship transition.
Aug-2014	A revised ICANN-designed accountability proposal suggesting a two-tier working group is released <sup>9</sup> to unfavourable public comments <sup>10</sup> . ICANN stakeholders write unprecedented joint letter <sup>11</sup> to ICANN Board rejecting proposed accountability process and demanding a community-driven approach. Public Experts Group chosen <sup>12</sup> by ICANN to appoint seven Advisors to the abovementioned process.

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Sep-2014	Discussion at an ICANN Town Hall session <sup>13</sup> at the United Nations' <b>Ninth Internet Governance Forum</b> reiterates community demands for accountability improvements and discontent with ICANN designed process; NTIA comments favourably.
Oct-2014	ICANN accepts accountability is intertwined with the IANA Stewardship Transition, and agrees <sup>14</sup> to a community led process, at <b>ICANN 51</b> in Los Angeles.
Oct to Dec-2014	<p>Drafting Group prepares Charter<sup>15</sup> for CCWG-Accountability, a cross-community working group developed by its participating SOs and ACs. This was largely consistent with the proposal<sup>16</sup> from October.</p> <p>CWG-IANA publishes First Draft Proposal<sup>17</sup>.</p> <p>Public Experts Group announces<sup>18</sup> seven Advisors to participate in the CCWG-Accountability.</p> <p><b>CCWG-Accountability<sup>19</sup> (CCWG from here) is founded.</b></p>
Jan-2015	<p>CCWG aligns around inventory of accountability suggestions and requirements for what needs to be dealt with pre-Transition at <b>Frankfurt F2F<sup>20</sup></b>.</p> <p>CCWG <u>agrees<sup>21</sup></u> the need for independent counsel.</p> <p>CWG-IANA misses 30 Jan 2015 deadline for delivery of Names proposal to ICG.</p>
Feb-2015	<p>NTIA reiterates<sup>22</sup> intertwined nature of CWG and CCWG processes at <b>ICANN 52<sup>23</sup></b> in Singapore. NTIA begins to describe ICANN as being 'purpose built for IANA' – as ICANN Board Chair Crocker had been doing.</p> <p>Fadi Chehade delivers a speech<sup>24</sup> at DNA Breakfast at <b>ICANN 52</b> stating that stewardship transition proposal should be easy and that CWG-IANA participants did not know what they were doing.</p> <p>Fadi Chehade and Larry Strickling testify<sup>25</sup> on Capitol Hill about transition.</p> <p>CWG-IANA sets new delivery target for names proposal as ICANN53.</p>
Mar-2015	<p>CCWG <u>begins</u> work with independent counsel<sup>26</sup>, noting that the CCWG recognised it needed external legal advice from its foundation in Dec 2014.</p> <p>At <b>Istanbul F2F<sup>27</sup></b> CCWG aligns around Empowered SO/AC model to deliver requirements.</p> <p>CCWG advises it will not finalise proposal for <b>ICANN 53<sup>28</sup></b>.</p> <p>CWG-IANA replaces Contract Co. model with hybrid model proposal and also <u>begins</u> work with independent counsel.</p>

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May-2015	CCWG publishes <b>First Draft Proposal</b> <sup>29</sup> , which deals with SO/ACs as “Members” of ICANN to exercise specified accountability powers.
Jun-2015	<p>Comments<sup>30</sup> on CCWG First Draft Proposal analysed and discussed at <b>ICANN 53</b> in Buenos Aires, showing significant concerns with individual SO/AC roles &amp; legal personality required in “Empowered SO/AC Membership” model.</p> <p>CCWG-IANA delivers PTI model of Names proposal to ICG after SO/AC approval.</p>
Jul-2015	<p>CCWG at <b>Paris F2F</b><sup>31</sup> aligns around “Community Mechanism as Single Member” model to deliver the requirements while resolving widespread community concerns with Empowered SO/AC Membership” model.</p> <p>Fadi Chehade and Larry Strickling testify<sup>32</sup> on Capitol Hill about transition – no concerns raised about membership.</p>
Aug-2015	<p>CCWG publishes <b>Second Draft Proposal</b><sup>33</sup>. Proposal introduces CMSM model.</p> <p>ICANN Board begins to express<sup>34</sup> reservations to CCWG regarding the CMSM model.</p>
Sep-2015	<p>ICANN Board lodges further public comment<sup>35</sup> with concerns re CMSM model and an alternative proposal to the CCWG’s regarding enforceability of community powers (MEM model).</p> <p>Comments<sup>36</sup> on Second Draft Proposal begin to be analysed.</p> <p>CCWG <u>changes work plan</u> to incorporate a face to face meeting<sup>37</sup> at suggestion of ICANN Board, rendering completion of proposal for approval at <b>ICANN 54</b><sup>38</sup> unlikely.</p> <p>At <b>Los Angeles F2F</b><sup>39</sup>, Board asserts that it cannot accept a model involving Membership (<b>RedLine 1</b><sup>40</sup>)</p> <p>CCWG participants begin exploring alternative approaches (DeBianco<sup>41</sup>, Zuck<sup>42</sup>, Arasteh, others<sup>43</sup>) including moving to a “designator” model for enforceability, and/or deferring any structural changes to a governance review post-transition.</p>
Sep-2015	NTIA exercises <sup>44</sup> Option 1 to extend IANA Functions Contract by 1 year (with right to three one-year extensions).
Oct-2015	<p>On email list, Board asserts that it cannot accept a model involving Designators (<b>RedLine 2</b><sup>45</sup>).</p> <p>CCWG advises SO/AC leadership there will be no final proposal for review at <b>ICANN 54</b> in Dublin.</p> <p>CCWG continues analysis of public comments<sup>46</sup> on Second Draft Proposal to prepare for further development of the proposal and for discussion with the community at <b>ICANN 54</b> in Dublin.</p>

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### For reference – significant precursor milestones

- 24 Dec 1998 - DARPA-to-USC-to-ICANN transition
- 9 Feb 2000 - NTIA-ICANN transition (<http://www.ntia.doc.gov/page/iana-functions-purchase-order>)
- 21 Mar 2001 - 2001 NTIA-ICANN contract
- 13 Mar 2003 - 2003 NTIA-ICANN contract
- 11 Aug 2006 - 2006 NTIA-ICANN contract (10 Modifications up to year 2012)
- 30 Sep 2009 - AoC signed and JPA/MOU terminated (<https://www.icann.org/news/announcement-2009-09-30-en>)
- 10 Nov 2011 – NTIA announces solicitation of RFP
- 14 Jun 2011 - Extension to March 31, 2012
- 10 Mar 2012 - Extension to September 30, 2012
- 10 Mar 2012 - NTIA finds no proposals met the requirements of Dec 19, 2011 RFP
- 01 Oct 2012 - 2012 NTIA-ICANN contract
- May 2013 - Snowden Revelations that sparked governments threat of localization that could cause fragmentation
- Sep 2013 - ICANN Board passes resolution on stewardship transition that was not made public until months later ([http://judiciary.house.gov/\\_cache/files/8cee0849-db7a-4f43-a3ca-07069e0f9607/05.13.15-corwin-testimony.pdf](http://judiciary.house.gov/_cache/files/8cee0849-db7a-4f43-a3ca-07069e0f9607/05.13.15-corwin-testimony.pdf))

9 October 2015

Comments or corrections of references very welcome.

<sup>1</sup> See p 7 of Corwin 2015: [http://judiciary.house.gov/\\_cache/files/8cee0849-db7a-4f43-a3ca-07069e0f9607/05.13.15-corwin-testimony.pdf](http://judiciary.house.gov/_cache/files/8cee0849-db7a-4f43-a3ca-07069e0f9607/05.13.15-corwin-testimony.pdf)

<sup>2</sup> See <http://www.internetsociety.org/news/montevideo-statement-future-internet-cooperation>

<sup>3</sup> See <http://www.straitstimes.com/world/brazil-to-host-internet-governance-summit-next-year>

<sup>4</sup> See <http://www.ntia.doc.gov/press-release/2014/ntia-announces-intent-transition-key-internet-domain-name-functions>

<sup>5</sup> See <https://singapore49.icann.org/en/>

<sup>6</sup> See <http://netmundial.br/>

<sup>7</sup> See <https://www.icann.org/public-comments/enhancing-accountability-2014-05-06-en> for information and link to comment report (Aug 14) is: <https://www.icann.org/en/system/files/files/report-comments-enhancing-accountability-14aug14-en.pdf>

<sup>8</sup> See p. 26 (Drazek) of <https://london50.icann.org/en/schedule/thu-public-forum/transcript-public-forum-26jun14-en.pdf>

<sup>9</sup> See <https://www.icann.org/resources/pages/process-next-steps-2014-08-14-en>

<sup>10</sup> Public comment report (Oct 2014) at <https://www.icann.org/en/system/files/files/report-comments-enhancing-accountability-10oct14-en.pdf>

<sup>11</sup> See submitting email at <http://forum.icann.org/lists/comments-enhancing-accountability-06sep14/msg00009.html>.

Actual letter at <http://forum.icann.org/lists/comments-enhancing-accountability-06sep14/pdfggcThDbfOp.pdf>. See also a follow up letter with a set of questions from the community leadership at

<https://www.icann.org/en/system/files/correspondence/cooper-et-al-to-chehade-crocker-03sep14-en.pdf> (the Board's

reply at <https://www.icann.org/en/system/files/correspondence/crocker-chehade-to-soac-et-al-18sep14-en.pdf>)

<sup>12</sup> See <https://www.icann.org/news/announcement-2014-08-19-en>

<sup>13</sup> See <https://www.icann.org/news/announcement-2014-08-29-en> - no transcript of the session could be located.

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- <sup>14</sup> See <https://www.icann.org/resources/pages/process-next-steps-2014-10-10-en>
- <sup>15</sup> See <https://community.icann.org/display/acctcrosscomm/Charter>
- <sup>16</sup> See <https://www.icann.org/resources/pages/process-next-steps-2014-10-10-en> again
- <sup>17</sup> See <https://www.icann.org/en/system/files/files/cwg-naming-transition-01dec14-en.pdf>
- <sup>18</sup> See <https://www.icann.org/news/announcement-2014-12-17-en>
- <sup>19</sup> Work space for the CCWG at <https://community.icann.org/display/acctcrosscomm/CCWG+on+Enhancing+ICANN+Accountability>
- <sup>20</sup> See <https://community.icann.org/pages/viewpage.action?pageId=51414991>
- <sup>21</sup> See section titled "Advisor Engagement" on <https://community.icann.org/pages/viewpage.action?pageId=51418515>
- <sup>22</sup> See for example <http://www.ntia.doc.gov/blog/2015/stakeholders-continue-historic-work-internet-dns-transition-icann-singapore-meeting>
- <sup>23</sup> See <https://singapore52.icann.org/en/>
- <sup>24</sup> See <https://www.youtube.com/watch?v=yGwbYljtNyl> - to obtain the transcript click "more" beside the "share" link. See comments from 20m39s onwards.
- <sup>25</sup> See <http://www.commerce.senate.gov/public/index.cfm/2015/2/preserving-the-multistakeholder-model-of-internet-governance>
- <sup>26</sup> See <https://community.icann.org/display/acctcrosscomm/Legal+Counsel>
- <sup>27</sup> See <https://community.icann.org/pages/viewpage.action?pageId=52890276>
- <sup>28</sup> See <http://buenosaires53.icann.org/>
- <sup>29</sup> See <https://community.icann.org/pages/viewpage.action?pageId=52897394>
- <sup>30</sup> Analysis linked from <https://community.icann.org/display/acctcrosscomm/First+Public+Comment+Review>
- <sup>31</sup> See <https://community.icann.org/pages/viewpage.action?pageId=53778863>
- <sup>32</sup> See <http://energycommerce.house.gov/hearing/internet-governance-progress-after-icann-53>
- <sup>33</sup> See <https://community.icann.org/pages/viewpage.action?pageId=53783460>
- <sup>34</sup> See <http://forum.icann.org/lists/comments-ccwg-accountability-03aug15/msg00006.html> for link to document. Direct link: <http://forum.icann.org/lists/comments-ccwg-accountability-03aug15/pdf9yXuAWTTa8.pdf>
- <sup>35</sup> See <http://forum.icann.org/lists/comments-ccwg-accountability-03aug15/msg00045.html>
- <sup>36</sup> See comments forum at <http://forum.icann.org/lists/comments-ccwg-accountability-03aug15/>
- <sup>37</sup> See announcement at <http://mm.icann.org/pipermail/accountability-cross-community/2015-September/005301.html>
- <sup>38</sup> See <https://meetings.icann.org/en/dublin54>
- <sup>39</sup> See <https://community.icann.org/pages/viewpage.action?pageId=56135261>
- <sup>40</sup> Transcript of second day session at <https://community.icann.org/download/attachments/56135592/Transcript%20CCWG-Accountability%20Meeting%20-%20Day%202-EN.pdf?version=1&modificationDate=1443723741000&api=v2>, refer to Crocker comments pp. 107-112, and comment from chat transcript (at <https://community.icann.org/pages/viewpage.action?pageId=56138695>) at 1:59pm.
- <sup>41</sup> See <http://mm.icann.org/pipermail/accountability-cross-community/2015-October/006125.html>
- <sup>42</sup> See <http://mm.icann.org/pipermail/accountability-cross-community/2015-September/005764.html>
- <sup>43</sup> See my contribution at <http://mm.icann.org/pipermail/accountability-cross-community/2015-September/005834.html>
- <sup>44</sup> See <http://www.ntia.doc.gov/blog/2015/update-iana-transition>
- <sup>45</sup> See message at <http://mm.icann.org/pipermail/accountability-cross-community/2015-October/006235.html>
- <sup>46</sup> See endnote 37.