This table is designed to provide a framework to help the CCWG compare the Sole Designator and Sole Member models against a range of criteria. Using colour it could end up being a comparison “heat map”, an easy way to see strengths and weaknesses.

Colours could be used intended to highlight various things, with two assumed goals in mind:

* Enforceability of the power (so less enforceability is “hotter”)
* Least change to the status quo (so more change is “hotter”)

|  |  |
| --- | --- |
| **Green** | **Green** would be for **more preferred** outcomes (where the goal could be clearest direct accountability powers, least degree of change) |
| **Orange** | **Orange** is “less good” |
| **Red** | **Red** would be “significant problem” |
| **Grey** | **Grey** would be “no difference” |

A Google Docs version of this will be filled out by rapporteurs as the CCWG discusses the issues.

Google Doc: <https://docs.google.com/document/d/1Bu6ze45ONESJyO_f3RCpEafQsb1VAPgCFHtmWsNIIoM/edit?usp=sharing>

Table begins overleaf.

|  |  |  |
| --- | --- | --- |
|  | **Sole Designator** | **Sole Member** |
| **Mathieu’s Criteria** |
| **Enforcement** | Direct or indirect enforceability |  |  |
| Worst case enforcement delay |  |  |
| Cost of worst case enforcement |  |  |
| **Capture risk** | Derivative action against Board members |  |  |
| Right to dissolve organisation |  |  |
| Balance between the various SOs or ACs |  |  |
| Scope of issues where Board business judgement is applied (the “fiduciary duty” challenge) |  |  |
| **Transparency** | Access to corporate records |  |  |
| **Complexity** | Necessity to create legal persons for SOs / ACs |  |  |
| Necessity for individuals to act as legal persons |  |  |
| Ease of understanding |  |  |
| Level of change compared with existing model |  |  |
| **Powers** |
| **Community Powers** - level of enforceability | Budget |  |  |
| Standard bylaws |  |  |
| Fundamental bylaws |  |  |
| Remove Individual Directors |  |  |
| Recall ICANN Board |  |  |
| **Other Powers** - level of enforceability | IRP outcomes - on Community Powers |  |  |
| IRP outcomes - on other matters |  |  |
| Separations Review - require Board to agree with outcome of Review [check - what precisely was the CWG requirement?] |  |  |
| **External Criteria** |
| NTIA Criteria | Are the criteria met?(Break these out?) |  |  |
| CWG Criteria | Are the criteria met?(Break these out?) |  |  |
| **Other Matters** |
| Stress Tests | Has the proposal been stress-tested and are they met? |  |  |
|  |  |  |  |
|  |  |  |  |