**Cross-Community Working Group on Enhancing ICANN Accountability**

**Work Area 2: Review Input from Public Comment and Categorize Items into Work Streams 1 & 2**

Draft v1, 11-Dec-2014

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| **Accountability Suggestion from public comment periods** | **Sources** | **Work Stream(s)** |
| Bring the *Affirmation of Commitments* (incl the Reviews) into the ICANN bylaws | BC, USCIB, SIIA | WS1 |
| In ICANN bylaws, create a permanent cross-community representative structure (all ACs, SOs, Constituencies) with authority to: | BC, ITIC principle 1 | WS1 |
| Appoint members of *Affirmation* review teams | BC | WS2 |
| Review a board decision, or resolve a dispute | BC, ITIC principle 10, Heritage, SIIA | WS1 |
| Approve changes to ICANN bylaws | BC, ITIC, Google | WS1 |
| Approve annual proposed ICANN budget | BC, ITIC principle 10 | WS1 |
| Recall one or all ICANN Board members | BC | WS1 |
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| Change ICANN bylaws to require consensus for any GAC advice that would be given deference by the board | Heritage,  BC Stress Test #6 | WS1 |
| Change ICANN bylaws to commit the organization to freedom of expression. | Heritage | WS2 |
| ICANN should undergo an annual audit for transparency and achievement of goals | ITIC principle 7, Heritage, Google | WS2 |
| Change ICANN bylaws to require that registry and registrar agreements are equitable and non-discriminatory | ITIC principle 11 | WS2 |
| Separate policy functions from root zone management functions | Heritage | WS1 |
| Change bylaws to establish term limits for ICANN senior officers | Heritage | WS2 |
| Change bylaws to require that ICANN be subject to US Law | Heritage | WS1 |
| Limit ICANN executive function to implementation of policies | ITIC principle 5 | WS1 |
| Require significant majority of board and groups should be required for policy decisions | ITIC principle 9 | WS1 |
| Establish an independent inspector general for ICANN | SIIA | WS2 |
| Change bylaws to improve Reconsideration Process:  Trigger when board acts arbitrarily or capriciously;  Reconsideration decisions subject to Independent Review | Google | WS1 |
| Require supermajority for Board to approve new action despite advice to the contrary from ACs or significant subsets of SOs | ISPCP | WS1 |
| Ensure that the ICANN Board can be held to its own Bylaws, and effective remedy granted if breach found by independent adjudicator. | Malcolm Hutty | WS1 |
| Prevent ICANN Board redefining mission/scope in Bylaws without community consensus | Malcolm Hutty | WS1 |
| Ensure that the ICANN Board does not act "ultra vires", i.e. stays within the assigned mission and scope. In particular prevent scope creep in policies imposed via RAA. | Malcolm Hutty | WS1 |
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Links to sources cited in the table:

[Public comments on enhancing ICANN Accountability](http://forum.icann.org/lists/comments-enhancing-accountability-06may14/), 7-May thru 30-Jul, 2014

[BC (Business Constituency) comments](http://forum.icann.org/lists/comments-enhancing-accountability-06may14/pdfUqkydSWPcN.pdf) and Stress Tests, 27-May-2014

[Google comments](http://forum.icann.org/lists/comments-enhancing-accountability-06may14/pdfwmPf9Fr4gw.pdf), 28-May-2014

[SIIA comments](http://forum.icann.org/lists/comments-enhancing-accountability-06may14/pdfUayC2ZzenT.pdf), 30-May-2014

[Heritage Foundation comments](http://forum.icann.org/lists/comments-enhancing-accountability-06may14/pdftmfaKEvnSR.pdf), 20-Jun-2014

[Public comments on enhancing ICANN Accountability](http://forum.icann.org/lists/comments-enhancing-accountability-06sep14/index.html#00014), 6-Sep thru 13-Oct, 2014

[ITIF Principles](http://forum.icann.org/lists/comments-enhancing-accountability-06sep14/pdfrffl9RL6Ci.pdf), 27-Sep-2014

[CDT Endorsement of ITIC principles](https://cdt.org/blog/clear-and-concrete-principles-for-icann-accountability/), 4-Aug-2014

[ISPCP comments on proposed Bylaws change](http://forum.icann.org/lists/comments-bylaws-amend-gac-advice-15aug14/pdfhGb2aiKDu8.pdf) 14-Sep-2014

[Malcolm Hutty, comments at ICANN51, Enhancing ICANN Accountability session](http://la51.icann.org/en/schedule/mon-accountability-governance/transcript-accountability-governance-13oct14-en.pdf) 13-Sep-2014