

Separation Cross-Community Working Group (SCWG)¹

As described in Appendix F, a fundamental bylaw will be created to define an IANA Function Review which could be specially initiated outside of its normal periodic schedule. This Special IANA Function Review (“Special Review” or “Special IFR”) can be triggered by the ICANN community if needed. As described in Appendix F, a Special IANA Functions Review can only be triggered when the following escalation mechanisms and methods have been exhausted:

- CSC Remedial Action Procedures are followed and fail to correct the deficiency (See Annex G);
- The IANA Problem Resolution Process is followed and fails to correct the deficiency (See Annex J); and
- Relevant accountability mechanisms defined by the CCWG-Accountability are exhausted and fail to remedy the identified deficiency.

The Special IFR would be triggered by a supermajority vote of the ccNSO and GNSO Councils. The Special IFR would follow the same composition and process structure as the periodic IANA Function Review.

If the Special IFR determines the Separation process is necessary it will recommend the creation of the Separation Cross-Community Working Group (SCWG). This recommendation would need to be approved by both the a supermajority of the the GNSO and the ccNSO Councils according to their normal procedures for determining supermajority and would need to be approved by the ICANN Board after a public comment period. A determination by the Board to not approve a SCWG that had been supported by a supermajority of the ccNSO and GNSO Councils would need to follow the same supermajority thresholds and consultation procedures as Board rejection of a PDP recommendation. ICANN membership (assuming ICANN becomes a membership organization) will also need to approve the creation of the SCWG by a supermajority.

Separation Process

In the event that a Special IANA Functions Review resulted in a decision to initiate an RFP² for the performance of the IANA Naming Functions or another Separation Process, and that decision was approved as discussed above, the following processes must be followed.

¹ File is open for comments and suggested edits at:

<https://docs.google.com/document/d/1WvBqtgXJ7rNrbN-5Tjf5-gi80aZ2oRYDtF_JLrETRqg/edit?usp=sharing>

² Any other recommendations produced by the Special IFR would need to include implementation recommendations, including the possible initiation of a SCWG with a specific mandate, and would need to be approved by a supermajority of the Name Supporting Organizations and the ICANN Board.

Once the initiation of the Separation Process is approved, a SCWG would be appointed to manage the RFP. The SCWG would follow the overall guidelines and procedures for ICANN Cross Community Working Groups.

However, the SCWG would be composed as follows³:

- ccNSO - 1
- ccTLDs (non-ccNSO) - 1
- Registry Stakeholder Group (RySG) - 2
- Registrar Stakeholder Group (RsSG) - 1
- Commercial Stakeholder Group (CSG) - 1
- Non-Commercial Stakeholder Group (NCSG) - 1
- Government Advisory Committee (GAC) - 1
- Security and Stability Advisory Committee (SSAC) - 1
- Root Server Operators Advisory Committee (RSSAC) - 1
- At-Large Advisory Committee (ALAC) - 1
- CSC Liaison - 1
- Special IFR Team Liaison - 1
- Liaison from Protocol operational community - 1 (tbd with their approval)
- Liaison from Numbers operational community - 1 (tbd with their approval)

It is strongly recommended that the representatives appointed to the SCWG be different representatives than those that participated on the Special IANA Functions Review (with the exception of the Special IFR Team Liaison). This will provide an additional check, account for the fact that different skill sets may be required for the two processes, and provide for broader community representation in the IANA oversight process.

The SCWG would be responsible for:

- Developing RFP Guidelines and Requirements for the performance of the IANA Naming Functions;
- Soliciting participation in the RFP Process;
- Reviewing responses to the RFP⁴; and
- Selecting the IANA Functions Operator.

³ Given the unique purpose and task of the Separation Community Working Group, if this composition diverges from the recommendation of the Cross Community Working Group on Principles for Cross Community Working Groups, the structure herein shall prevail.

⁴ The then current IFO would not be prevented from participating in the RFP. In the event of the PTI, it would be possible for either the S-IFR or the PTI itself to recommend changes to its structure to better accomplish its task and to remediate any problems. This remediation could include recommendations for further separation.

The selection of a new IANA Function Operator would be subject to ICANN board and membership approval.

CCWG Accountability dependencies:

- Enumeration of the relevant accountability mechanisms that must be exhausted before a Special IANA Functions Review could be triggered

Required Implementation Steps

- Creation of a Fundamental Bylaw to describe the Special IANA Functions Review and establish the above voting thresholds for triggering the Special IFR and approving the outcomes of the Special IFR
- Creation of a Fundamental Bylaw to describe the the SCWG and establish the voting thresholds for approval of a new IFO or other end-result of the SCWG process

Required changes to Appendix F

Empower the S-IFR to recommend the creation of the SCWG

