

ICANN 59
POLICY FORUM

JOHANNESBURG
26–29 June 2017



Community Forum on a Proposed Fundamental Bylaw Amendment

Community Forum moderated by:
The Empowered Community Administration

Board representative:
Chris Disspain



27 June 2017

Overview of the Empowered Community and the Empowered Community Administration

1. Who and what is the Empowered Community?

- ⦿ The Empowered Community is the mechanism through which ICANN's Supporting Organizations(SOs) and Advisory Committees (ACs) can organize under California law to legally enforce community powers.
- ⦿ The community powers and rules that govern the Empowered Community are defined in the ICANN Bylaws and Articles of Incorporation.
- ⦿ There are five Decisional Participants in the Empowered Community – the Address Supporting Organization (ASO), the Country Code Names Supporting Organization (ccNSO), the Generic Names Supporting Organization (GNSO), the At Large Advisory Committee (ALAC), and the Governmental Advisory Committee (GAC)

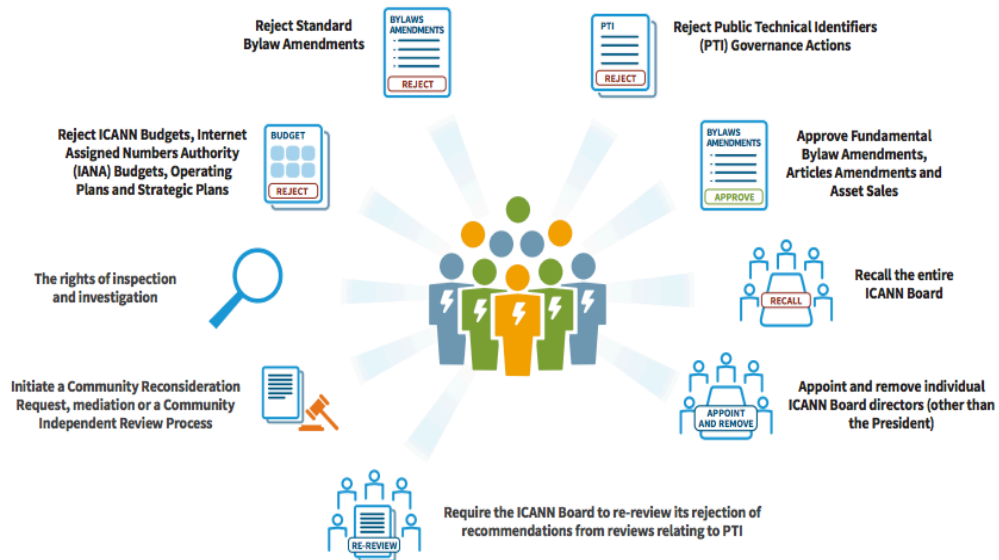
2. Who and what is the Empowered Community Administration?

- ⦿ The Empowered Community Administration is the administrative body through which the Empowered Community acts. Each of the Decisional Participants of the Empowered Community designates one representative to the Empowered Community Administration.

WHAT ARE THE EMPOWERED COMMUNITY POWERS?



The Empowered Community has nine powers to ensure the Internet Corporation for Assigned Names and Numbers (ICANN) Board and organization are accountable:



Fundamental Bylaws Amendments – Reconsideration Requests – Section 4.2

Section 4.2 of the Bylaws sets out the Reconsideration Process

- ⦿ The Bylaws currently assign a review role to the Board Governance Committee
- ⦿ The proposed Amendments replace the Board Governance Committee’s role with the Board Accountability Mechanisms Committee, a new committee that will be created to oversee ICANN’s adherence to accountability mechanisms
- ⦿ Does not otherwise change any of the Reconsideration Process – only the Board Committee that receives Reconsideration Requests
- ⦿ Example:

(e) The Board has designated the Board [Accountability Mechanisms Committee](#) to review and consider Reconsideration Requests. The Board [Accountability Mechanisms Committee](#) shall have the authority to:

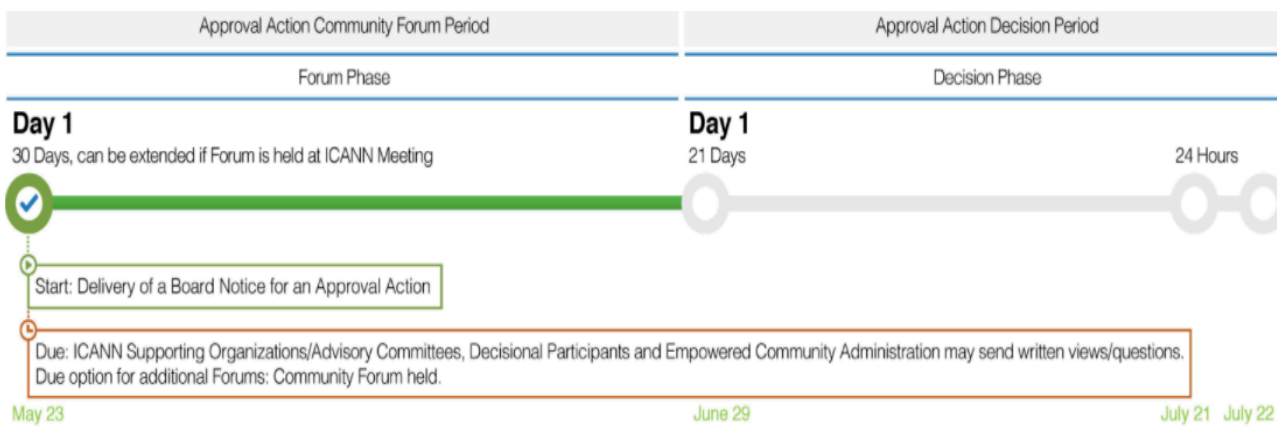
- (i) Evaluate Reconsideration Requests;
- (ii) Summarily dismiss insufficient or frivolous Reconsideration Requests;



Approval Action Particulars for the Proposed Fundamental Bylaw Amendments:

- 21 Day Decision period starting at the conclusion of ICANN 59
 - Decision Period commences 22.00 UTC, ends at **06.59 UTC on 21 July 2017**
- Community Approval requires:
 - At least 3 AC/SO's approve
 - No more than 1 AC/SO disapproves

Timeline for Approval Action & Decision on the Proposed Bylaw Amendments:



Empowered Community Administration Role

- Strictly Clerical
 - NOT DECISION MAKING!
 - We push paper around
 - From ICANN Secretary to Decisional Participants
 - From Decisional Participants to ICANN Secretary
 - We count votes from AC/SO's and report the result to the ICANN Secretary

Proposed Fundamental Bylaw Amendments and Related Documents

- Proposed Fundamental Bylaw Amendment:
<https://www.icann.org/en/system/files/files/proposed-amend-bylaws-article4-section-4-2-31mar17-en.pdf>
- Draft Revised Board Governance Committee Charter:
<https://www.icann.org/en/system/files/files/proposed-amend-bgc-charter-31mar17-en.pdf>
- Draft Board Accountability Mechanisms Committee Charter:
<https://www.icann.org/en/system/files/files/proposed-bamc-charter-31mar17-en.pdf>
- More information on the Empowered Community process for an Approval Action:
<https://www.icann.org/en/ec/proposed-fundamentals-bylaws-changes-move-gov-committee>