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:

- Reject Standard Bylaw Amendments
- Reject ICANN Budgets, internet Assigned Numbers Authority (IANA) Budgets, Operating Plans and Strategic Plans
- The rights of inspection and investigation
- Initiate a Community Reconsideration Request, mediation or a Community Independent Review Process
- Require the ICANN Board to re-review its rejection of recommendations from reviews relating to PTI
- Re-elect the President
- Appoint and remove individual ICANN Board directors (other than the President)
- Approve Fundamental Bylaw Amendments, Articles Amendments and Asset Sales
- Recall the entire ICANN Board

Reject Public Technical Identifiers (PTI) Governance Actions
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:

<table>
<thead>
<tr>
<th>Approval Action Community Forum Period</th>
<th>Approval Action Decision Period</th>
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<tbody>
<tr>
<td><strong>Forum Phase</strong></td>
<td><strong>Decision Phase</strong></td>
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<tr>
<td><strong>Day 1</strong></td>
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<tr>
<td>30 Days, can be extended if Forum is held at ICANN Meeting</td>
<td>21 Days</td>
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<tr>
<td>⬤ Start: Delivery of a Board Notice for an Approval Action</td>
<td>24 Hours</td>
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Due: ICANN Supporting Organizations/Advisory Committees, Decisional Participants and Empowered Community Administration may send written views/questions. Due option for additional Forums: Community Forum held.

May 23 | June 29 | July 21 | July 22
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


