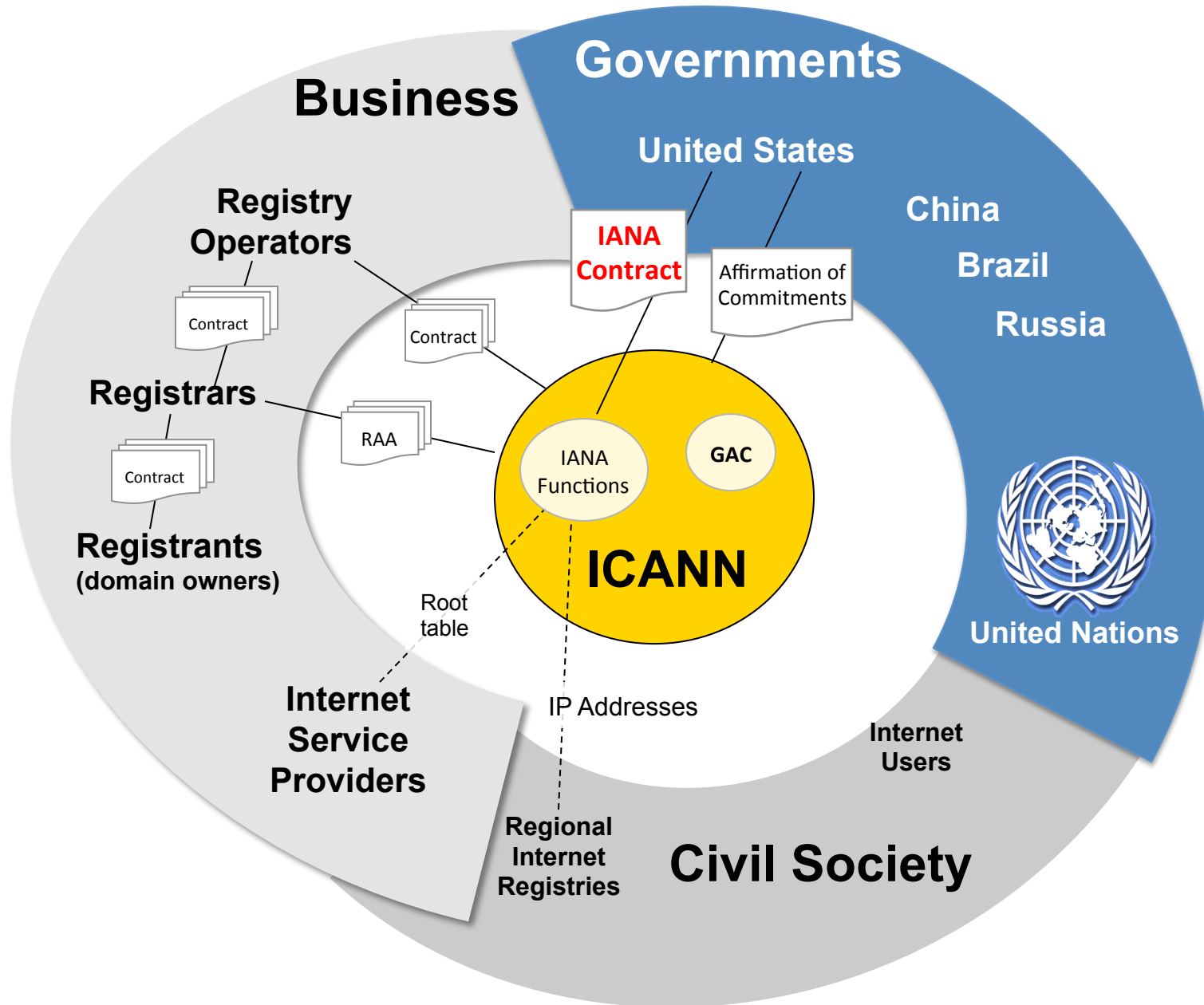


# IANA Transition and the Trajectory for Enhancing ICANN's Accountability

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NetChoice





Sep-2014

Jan-2015

Sep-2015

IANA Transition Coordination Group

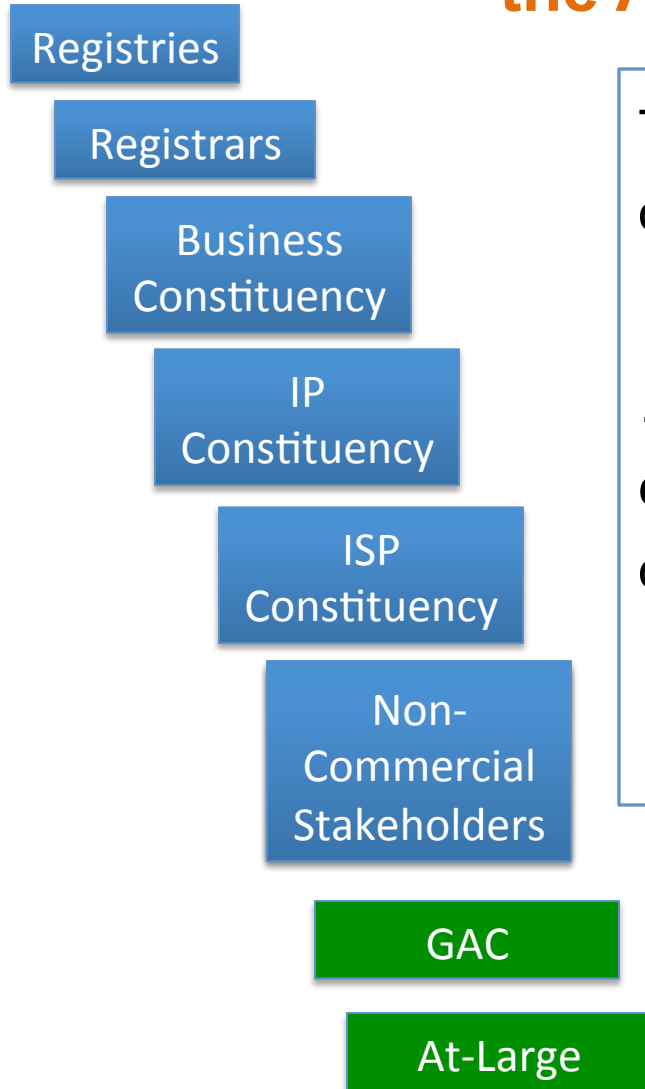
Transition Plans  
for names,  
numbers, &  
protocols



Recommended  
Accountability  
Enhancements

Board  
Accepts?

# A convergence of views on how NOT to run the Accountability Track



True accountability does not mean ICANN is only accountable to itself.

... the Board's decisions must be open to challenge and the Board cannot be in position of reviewing and certifying its own decisions.

Joint Statement at ICANN London

Jointly submitted  
20 Questions on 3-Sep

## Do ICANN Directors serve interests of the Corporation or the Community?

Section 7. DUTIES OF DIRECTORS Directors shall serve as individuals who have the duty to act in what they reasonably believe are the best interests of ICANN and **not as representatives of the entity that selected them**, their employers, or any other organizations or constituencies.

"The third and perhaps most critical point of tension is between the accountability to the participating community to perform functions in keeping with the expectations of the community and the corporate and legal responsibilities of the Board to meet its fiduciary obligations. **The ultimate legal accountability of the organization lies with the Board, not with the individuals and entities that make up the ICANN community.**"

ICANN Management Operating Principles January 2008, p.5

## Enumerated Powers for a permanent Cross-Community Working Group

- Name members of Review Teams created per *Affirmation of Commitments* (after baking AoC into Bylaws)
- Invoke Independent Review Panel (IRP) to review decisions by ICANN management or board
- Appoint members of Independent Review Panel (IRP)
- Approve ICANN budgets
- Approve changes to ICANN Bylaws
- ‘Spill’ the ICANN board and trigger selection of new directors

