

Political Oversight

62b: We recognize that the time has come for a change in the political oversight of the logical Internet infrastructure. We do not recommend the creation of a new inter-governmental oversight organization for domain names and IP addresses. However, we do recommend the following changes with regard to ICANN be implemented within a reasonable time frame:

1. The US Government recommits to handing over its pre-eminent role of stewardship in relation to ICANN and the DNS root.
2. ICANN must ensure full and equal multi-stakeholder participation on its Board, and throughout its organizational structures of the community of Internet users, national governments, civil society, the technical community, business associations, non profit organizations and non-business organizations.
3. ICANN must ensure that it establishes clear, transparent rules and procedures commensurate with international norms and principles for fair administrative decision-making to provide for predictable policy outcomes.
4. There should be a process for extraordinary appeal of ICANN'S decisions in the form of an independent multi-stakeholder review commission invoked on a case-by-case basis.

Note: Just to be clear, we are not calling for an inter-governmental oversight structure, and we don't see an independent review process as a path towards that direction.

5. ICANN will negotiate an appropriate host country agreement to replace its California Incorporation, being careful to retain those aspects of its California Incorporation that enhance its accountability to the global Internet user community.
6. ICANN's decisions, and any host country agreement, must be required to comply with public policy requirements negotiated through international treaties in regard to, inter alia, human rights treaties, privacy rights, gender agreements and trade rules.
7. Governments, individuals, and international organizations, including NGOs, would have the right and responsibility of bringing violations of these requirements to the attention of ICANN and if satisfactory resolution cannot be reached using ICANN internal processes, should have the right to invoke a binding appeals process.
8. Once all of the above conditions are met, the US Government shall transfer the IANA function to ICANN.
9. It is expected that the International multistakeholder community will take part in the process through participation in the ICANN process. It is also expected that the multistakeholder community will observe and comment on the progress made in this process through the proposed Forum.