

4 - Working Group

Title:	EPDP: Specific Curative Rights Protections for Intergovernmental Organizations (EPDP_SCRP_IGO)
Description & Scope:	<p>The GNSO Council initiated this work to consider “whether an appropriate policy solution can be developed that is generally consistent with the first four recommendations from the GNSO’s IGO-INGO Access to Curative Rights PDP and:</p> <ol style="list-style-type: none"> 1. accounts for the possibility that an IGO may enjoy jurisdictional immunity in certain circumstances; 2. does not affect the right and ability of registrants to file judicial proceedings in a court of competent jurisdiction; 3. preserves registrants' rights to judicial review of an initial [Uniform Domain Name Dispute Resolution Policy or Uniform Rapid Suspension decision; and 4. recognizes that the existence and scope of IGO jurisdictional immunity in any particular situation is a legal issue to be determined by a court of competent jurisdiction.” <p>The GNSO Council originally created a Work Track within the RPMs PDP WG, based on the Council referral of recommendation 5 from the IGO-INGO Curative Rights Protection Mechanisms PDP WG Final Report. The Addendum to the RPMs PDP Charter was adopted by the GNSO Council in January of 2020. On 19 August 2021, the GNSO Council initiated the Expedited Policy Development Process (EPDP) on Specific Curative Rights Protections for IGOs to enable the policy development of the IGO Work Track to continue without delay, considering the step to be an entirely procedural action and having no impact on the scope of work.</p>

Composition:

Chair(s):	Chris Dispain
Council Liaison:	John McElwaine
Staff:	M. Wong, S. Chan, B. Cobb
# Participants:	21 Participants (link)
# Observers:	7
Tools:	Mailing List / Meeting Schedule / Wiki
Charter:	Charter

Project Management:

Token Holder	Planned Start Date	Actual Start Date	# of Days	Planned End Date	Actual End Date
WG	31 Oct 2019	17 Dec 2020	756	30 May 2022	TBD

Program	Progress	Status	Health
IGO	82%	2	

STATUS: ■ Planned ● On-schedule ● Revised schedule ▲ Behind schedule ◆ Target will be missed ■ On-hold

HEALTH: ■ On-Target ■ At-Risk ■ In-Trouble

Milestones/Work plan ([link](#)):

Milestone/Task	Date	
Work Track Charter Addendum Adopted	Jan-20	✓
EPDP Charter Adopted	Aug-21	✓
Project Start	Dec-20	✓
1st Meeting	Feb-21	✓
Project Plan and Work plan	Apr-21	✓
Issue Deliberations	Feb-21	
Assemble initial conclusions	Jul-21	✓
Consolidate interim recommendations and findings	Jul-21	✓
Build Draft Report for public comment	Aug-21	✓
Issue report for public comment	Sep-21	✓
Review public comment input	Feb-22	
Determine consensus levels on recommendations	Mar-22	
Finalize Report	Mar-22	
Adopt final recommendations and report	Mar-22	
Send final report to GNSO Council	Apr-22	
GNSO Council adoption of consensus recs.	May-22	
Issue public comment for Board consideration	Jun-22	
ICANN Board adoption of consensus recs.	Oct-22	
Prior period % Complete	78%	

Status/Health Rationale:

- This project maintains a Status of “Revised-Schedule” and Health of “On-Target”.

Current Activities:

- Complete review of Other PCRTs of [public comments](#).
- Continue deliberations and revise [recommendations](#) as appropriate to prepare the Final Report.

Planned Activities:

- Determine levels of consensus on recommendations.

Open Issues, Risks & Mitigation Plan:

- The EPDP team largely considers its current preliminary recommendations as “generally consistent” with recommendations #1-4 from the original Curative Rights PDP. However, concerns were expressed from a few within the community and asked the EPDP to confirm its recommendations are in-line with the charter.
- The EPDP team has not considered it necessary to make recommendations as to specific arbitral rules and providers at the policy development phase. If a review becomes necessary, the EPDP team will need to submit a request to the Council and the additional work will entail additional resourcing and time.

Completed in prior period(s):

- Completed review of public comments and confirmed revised Recommendation text for #3, #4 and #5.
- Completed and distributed [Project Package](#) for January.

Project Tracking & Rollup

DASHBOARD

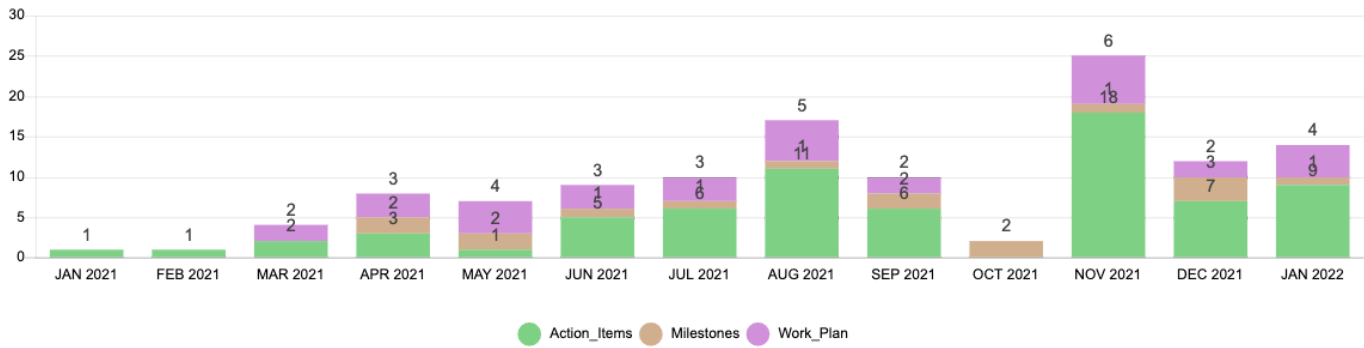


Project Roster

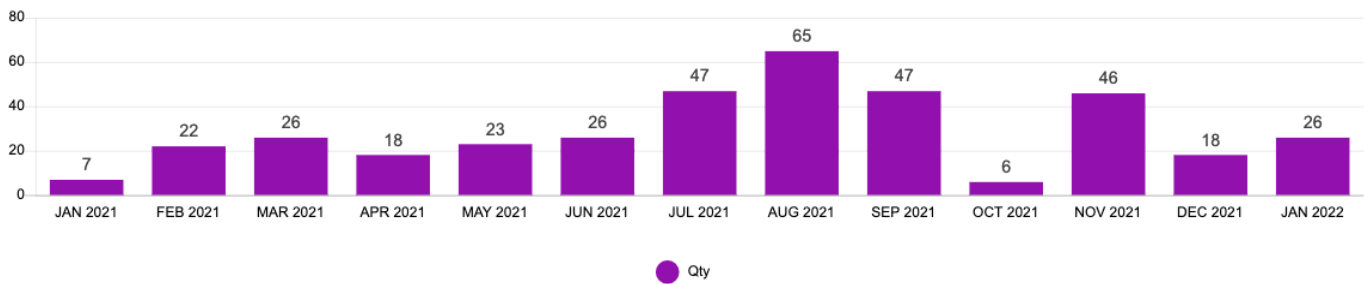
Participant	Participant Type	Role	Participation Start Date	Participation End Date	Legacy SOI Link
Group Selected / Nominated By: Group Name At-Large Advisory Committee (ALAC)					
Yrjö Lämsipuro	Member		12/17/20		https://community.icann.or
Justine Chew	Member		12/17/20		https://community.icann.or
Carlos Raúl Gutiérrez	Alternate		12/17/20		https://community.icann.or
Vanda Scartezini	Alternate		12/17/20	11/08/21	https://community.icann.or
Vanda Scartezini	Alternate		11/24/21		https://community.icann.or
Group Selected / Nominated By: Group Name Commercial Business Users Constituency (BC)					
Jay Chapman	Member		12/17/20		https://community.icann.or
Group Selected / Nominated By: Group Name GNSO Council					
Chris Disspain	Member	Chair	12/17/20		https://community.icann.or
Jeffrey Neuman	Member	Liaison	01/08/21		https://community.icann.or
John McElwaine	Member	Liaison	01/08/21		https://community.icann.or
Group Selected / Nominated By: Group Name Governmental Advisory Committee (GAC)					
Susan Anthony	Member		12/17/20		https://community.icann.or
Kavouss Arasteh	Member		12/17/20		https://community.icann.or
Alexandra Excoffier	Member		12/17/20		https://community.icann.or
Brian Beckham	Member		12/17/20		https://community.icann.or
Jorge Cancio	Alternate		12/17/20		https://community.icann.or
David Satola	Alternate		12/17/20		https://community.icann.or
Matthew Coleman	Alternate		12/17/20		https://community.icann.or
Group Selected / Nominated By: Group Name Intellectual Property Constituency (IPC)					
Paul McGrady	Member		01/11/21		https://community.icann.or
Group Selected / Nominated By: Group Name Internet Corporation for Assigned Names & Numbers (ICANN)					
Mary Wong	Staff - Assigned		12/17/20		
Steve Chan	Staff - Assigned		12/17/20		
Julie Bisland	Staff - Assigned		12/17/20		
Terri Agnew	Staff - Assigned		12/17/20		
Berry Cobb	Staff - Assigned		12/17/20		
Devan Reed	Staff - Assigned		11/15/21		
Group Selected / Nominated By: Group Name Internet Service Providers and Connectivity Providers Constituency (ISPCP)					
Oswaldo Novoa	Member		12/17/20		https://community.icann.or
Group Selected / Nominated By: Group Name Non-Commercial Stakeholder Group (NCSG)					
Juan Manuel Rojas	Member		12/17/20		https://community.icann.or
Krishna Seeburn	Member		12/17/20	03/03/21	https://community.icann.or
Ioana Florina Stupariu	Member		12/17/20		https://community.icann.or

Project Tracking & Rollup DASHBOARD

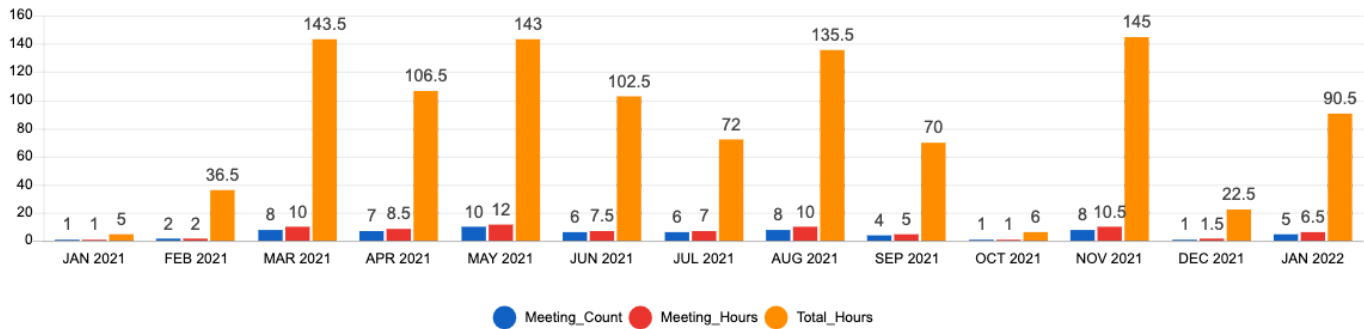
Work-Plan Activity Metrics



Mailman Activity



Meeting Activity



Plenary Attendance

Group Represented	Invited Qty	Attended Qty	Attendance
Total	Sum 538	Sum 446	Avg 82.9%
Primary At-Large Advisory Committee (ALAC)	Sum 99	Sum 72	Avg 72.7%
Attendee Name Carlos Raúl Gutiérrez	Sum 27	Sum 5	Avg 18.5%
Attendee Name Justine Chew	Sum 28	Sum 26	Avg 92.9%
Attendee Name Vanda Scartezini	Sum 12	Sum 11	Avg 91.7%
Attendee Name Yrjö Länsipuro	Sum 32	Sum 30	Avg 93.8%
Primary Commercial Business Users Constituency (BC)	Sum 32	Sum 32	Avg 100.0%
Attendee Name Jay Chapman	Sum 32	Sum 32	Avg 100.0%
Primary GNSO Council	Sum 96	Sum 92	Avg 95.8%
Attendee Name Chris Disspain	Sum 32	Sum 32	Avg 100.0%

Attendee Name Jeffrey Neuman	Sum 32	Sum 30	Avg 93.8%
Attendee Name John McElwaine	Sum 32	Sum 30	Avg 93.8%
Primary Governmental Advisory Committee (GAC)	Sum 181	Sum 155	Avg 85.6%
Attendee Name Alexandra Excoffier	Sum 32	Sum 27	Avg 84.4%
Attendee Name Brian Beckham	Sum 32	Sum 30	Avg 93.8%
Attendee Name David Satola	Sum 26	Sum 26	Avg 100.0%
Attendee Name Kavouss Arasteh	Sum 32	Sum 14	Avg 43.8%
Attendee Name Matthew Coleman	Sum 27	Sum 27	Avg 100.0%
Attendee Name Susan Anthony	Sum 32	Sum 31	Avg 96.9%
Primary Intellectual Property Constituency (IPC)	Sum 32	Sum 30	Avg 93.8%
Attendee Name Paul McGrady	Sum 32	Sum 30	Avg 93.8%
Primary Internet Service Providers and Connectivity Providers Constituency (ISPCP)	Sum 32	Sum 23	Avg 71.9%
Attendee Name Oswaldo Novoa	Sum 32	Sum 23	Avg 71.9%
Primary Non-Commercial Stakeholder Group (NCSG)	Sum 66	Sum 42	Avg 63.6%
Attendee Name Ioana Florina Stupariu	Sum 32	Sum 23	Avg 71.9%
Attendee Name Juan Manuel Rojas	Sum 32	Sum 17	Avg 53.1%
Attendee Name Krishna Seeburn	Sum 2	Sum 2	Avg 100.0%

[Open source report to view more](#)

Health	Category	Action Item	Priority	Assigned To	Baseline Finish	Current Finish	Status	Notes
	MS	Deliver Project Package to Council	↓	Berry Cobb	01/07/22	01/06/22	Complete	
	WP	Meeting #35 Review Rec #1 and start PCRT on Rec #4	↓	EPDP Team	01/10/22	01/10/22	Complete	
	AI	Staff to update Recs #4 i, ii, iii, iv based on #35 call	—	Policy Support Staff	01/21/22	01/24/22	Complete	
	AI	Staff to setup small team to explore 4.ii	—	Policy Support Staff	01/14/22	01/20/22	Complete	
	AI	EPDP small team to explore 4.ii (principles for arbitral rules)	—	EPDP Team	02/14/22		In Progress	
	AI	EPDP to review BC response to Rec#3	—	EPDP Team	01/24/22	01/24/22	Complete	
	WP	Meeting #36 Cancelled	↓	EPDP Team	01/18/22	01/18/22	Complete	
	WP	Meeting #37 Complete Rec #4, return to Rec #3, Review Other comments	↓	EPDP Team	01/24/22	01/24/22	Complete	
	AI	EPDP small team on Rec#1 to agree on IGO Complainant definition	—	Brian Beckham Paul McGrady Policy Support Staff Susan Anthony	01/31/22	01/24/22	Complete	
	AI	IGO small team to revise BC suggested text for Rec #3	—	Alexandra Excoffier Brian Beckham David Satola	02/02/22		In Progress	
	AI	Staff to update Recs #4 PCRT	—	Policy Support Staff	02/07/22		In Progress	
	WP	Meeting #38 Complete Rec #4, return to Rec #3, Review Other comments	↓	EPDP Team	01/31/22	01/31/22	Complete	
	AI	Staff to send "Other" Comments PCRT to list	—	Policy Support Staff	01/31/22	01/31/22	Complete	
	AI	Staff to update Recs #4/5 and sent to list	—	Policy Support Staff	01/31/22	01/31/22	Complete	
	AI	Staff and leadership to produce revised text for Rec #3	—	EPDP Leadership Policy Support Staff	01/31/22		In Progress	
	AI	Setup doodle poll for for 4.ii small team	—	Policy Support Staff	02/03/22		In Progress	
	AI	EPDP to review "Other Comments" PCRT and signal to list any to be discussed on next call	—	EPDP Team	02/07/22		In Progress	
	AI	EPDP to review revised recommendation text for #4/5	—	EPDP Team	02/07/22		In Progress	
	AI	EPDP to review revised recommendation text for #3	—	EPDP Team	02/07/22		In Progress	
	MS	Deliver Project Package to Council	↓	Berry Cobb	02/04/22	02/04/22	Complete	
	WP	Meeting #39 Review Recs #3, #4/5, and Other Comments	↓	EPDP Team	02/07/22		In Progress	
	WP	Meeting #40 - TBD	↓	EPDP Team	02/14/22		Not Started	
	WP	Meeting #41 - TBD	↓	EPDP Team	02/22/22		Not Started	
	WP	Meeting #42 - TBD	↓	EPDP Team	02/28/22		Not Started	
	MS	Deliver Project Package to Council	↓	Berry Cobb	03/04/22		Not Started	
	WP	Meeting ICANN73 - TBD	↓	EPDP Team	03/08/22		Not Started	
	WP	Meeting #43 - TBD; Begin Consensus Call	↓	EPDP Team	03/14/22		Not Started	
	WP	Meeting #44 - TBD; Response to Consensus Designations / Prepare minority statements	↓	EPDP Team	03/21/22		Not Started	
	WP	Meeting #45 - TBD; Final Consensus designations	↓	EPDP Team	03/28/22		Not Started	
	MS	Deliver Final Report to the GNSO Council	!	EPDP Team	04/04/22		Not Started	