

# Expedited Policy Development Process: Specific Curative Rights Protections for IGOs

## WHAT CAN I EXPECT AT ICANN75 RELATED TO THIS TOPIC?

In April 2019, the GNSO Council voted to adopt Recommendations 1–4 of the **Final Report** of the International Governmental Organization and International Non-Governmental Organization (IGO-INGO) Access to Curative Rights Protection Mechanisms Policy Development Process, but elected to refer Recommendation 5 to the Review of All Rights Protection Mechanisms (RPMs) in All gTLDs Policy Development Process (PDP) Working Group. In January 2020, the GNSO Council adopted an Addendum to the RPMs charter to integrate consideration of Recommendation 5 and initiate a separate Intergovernmental Organizations (IGO) Work Track. In August 2021, the GNSO Council took the procedural step of initiating an EPDP to continue the work of the IGO Work Track. The EPDP Team delivered its Final Report to the Council on 4 April 2022 and the Council approved the five (5) consensus recommendations in June 2022. Therefore, the EPDP Team will not be meeting at ICANN75.

## WHAT IS THIS ABOUT?

The GNSO Council tasked the IGO Work Track, now EPDP Team, to consider whether an appropriate policy solution can be developed that is generally consistent with Recommendations 1–4, allows for the possibility that an IGO may have jurisdictional immunity in some circumstances, and respects a registrant’s right to seek judicial review of an initial Uniform Domain Name Dispute Resolution Policy (UDRP) or Uniform Rapid Suspension (URS) decision. ([Learn More](#))

## WHAT IS THE CURRENT STATUS OF THIS PROJECT?

### IGO-INGO Access to Curative Rights Protection Mechanisms PDP (provided for context)

The original PDP working group submitted its Final Report to the GNSO Council on 9 July 2018. The GNSO Council resolved to accept the Final Report on 19 July 2018. However, the Council did not take final action on the report at that time, noting that it would seek to consider the topic of curative rights protections for IGOs in the broader context of the appropriate overall scope of protection for all IGO identifiers.



The GNSO Council's deliberations included consultation with the Governmental Advisory Committee (GAC). On 18 April 2019, the Council resolved to approve Recommendations 1–4 of the Final Report and refer Recommendation 5 to the Review of All RPMs in All gTLDs PDP Working Group as part of its Phase 2 work.

On 16 May 2019, the GNSO Council transmitted its Recommendations Report (relating to Recommendations 1–4) to the ICANN Board. ICANN org conducted a [Public Comment](#) consultation process for Recommendations 1–4 from 11 July to 20 August 2019. The GAC sent a [letter](#) to the GNSO Council, noting the Council's approval of Recommendations 1–4 and referring Recommendation 5 to the Review of All RPMs in All gTLDs PDP Working Group to ensure it is consistent with GAC advice.

#### **EPDP on Specific Curative Rights Protections for IGOs**

Following its referral of Recommendation 5 to the Review of All RPMs in All gTLDs PDP, the GNSO Council prepared a draft Addendum to the RPMs charter and consulted with the GAC and IGO representatives. Subsequently, the GNSO Council adopted the [Addendum](#) in January 2020 to initiate a separate IGO Work Track.

In September 2020, the GNSO Council conducted an Expression of Interest process for the IGO Work Track Chair and issued a call for volunteers to the various community groups to appoint members to the work track. Members of the work track met for the first time on 22 February 2021 and made significant progress on preliminary draft recommendations. Following the procedural step noted above to initiate an EPDP to complete the IGO Work Track's work, the EPDP Team published its [Initial Report for Public Comment](#) on 14 September 2021. The EPDP Team considered the comments received and made changes to its report as necessary. The Final Report and its five recommendations were delivered to the GNSO Council on 4 April 2022 and the five (5) consensus recommendations were approved by the GNSO Council in June 2022. The Council approved the Recommendations Report to the ICANN Board in July 2022.

### **WHAT ARE THE EXPECTED NEXT STEPS?**

The ICANN Board is now considering Recommendations 1–4, taking into account public comments received. Regarding Recommendation 5, the EPDP Team has delivered its Final Report and the GNSO Council has approved the five (5) consensus recommendations. As is required by the ICANN Bylaws, a public comment proceeding will be opened on the recommendations, the results of which will help inform the ICANN Board’s consideration of the recommendations.

### **HOW CAN I GET INVOLVED?**

With the EPDP Team having completed its work and the recommendations approved by the Council, a public comment period will be conducted to be taken into account by the ICANN Board in their consideration of the recommendations.

### **MORE INFORMATION**

- [IGO-INGO Access to Curative Rights Protection Mechanisms PDP webpage](#)
- [IGO-INGO Access to Curative Rights Protection Mechanisms PDP workspace](#)
- [EPDP on Specific Curative Rights Protections for IGOs workspace](#)

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