Specific Curative Rights Protections for International Governmental Organizations (IGOs) Final Report

GNSO Council Presentation

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14 April 2022
Recs to Modify Existing Operational Practice

Timeline to Final Report

- April 2019, the GNSO Council approved the first four recommendations from the IGO-INGO Access to Curative Rights Protection Policy Development Process (PDP), but not Recommendation #5, which the Council referred to the Review of All Rights Protection Mechanisms (RPMs) PDP, for it to consider as part of its Phase 2 work;
- January 2020, the GNSO Council approved an Addendum to the RPMs PDP Charter that created an IGO Work Track to address the concerns that Councilors had expressed regarding Recommendation #5 of the IGO-INGO Access to Curative Rights Protections PDP;
- October 2020, the GNSO Council launched a call for expressions of interest for a Chair of the IGO Work Track and a call for volunteers from the groups identified in the Addendum;
- January 2021, Phase 1 of the RPMs PDP concluded in with the GNSO Council’s approval of all its thirty-five recommendations;
- August 2021, in accordance with its Expedited Policy Development Process (EPDP) Manual, the GNSO Council approved the initiation of an EPDP to carry forward the work and momentum of the IGO Work Track as a purely procedural matter, with the EPDP Charter reflecting the same scope of work as was outlined in the Addendum;
- September 2021, the EPDP team published its Initial Report for Public Comment;
- EPDP team reviewed the comments and amended its proposed recommendations as it considered necessary, based on the input received and the EPDP team's continued deliberations;
- The EPDP team is proposing five final recommendations in its Final Report, which are intended to be interdependent (as outlined in Section 13 of the PDP Manual) and which have attained “Full Consensus” within the EPDP team;
- The EPDP delivered its Final Report to the GNSO Council on 4 April 2022.
Recommendations Overview

Recommendation #1: Definition of “IGO Complainant”

Recommendation #2: Exemption from Submission to “Mutual Jurisdiction”

Recommendation #3: Arbitral Review following a UDRP Proceeding

Recommendation #4: Arbitral Review following a URS Proceeding

Recommendation #5: Applicable Law for Arbitration Proceedings
Next Steps

Step 1
• **GNSO Council considers recommendations and Final Report**, and if approved send Recommendations Report to the ICANN Board (Sections 7 & 8, Bylaws Annex A and GNSO PDP Manual)

Step 2
• **Public comment proceeding + Board Notification to GAC** on GNSO Council-approved recommendations (Section 3.6, Bylaws on Notice & Comment on Policy Actions, before Board consideration)

Step 3
• **ICANN Board considers recommendations and Final Report** (Section 9, Bylaws Annex A)

Step 4
• If Board adopts recommendations, **Board normally also directs ICANN org to begin implementation** and **GNSO Council generally forms IRT to advise org**
Questions?
Resources

Project Page: https://gnso.icann.org/en/group-activities/active/specific-crp-igo-epdp


Wiki Space: https://community.icann.org/display/GNSOIWT