

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

GNSO Council Presentation

Chris Disspain, EPDP Chair

John McElwaine, GNSO Council Liaison to EPDP

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

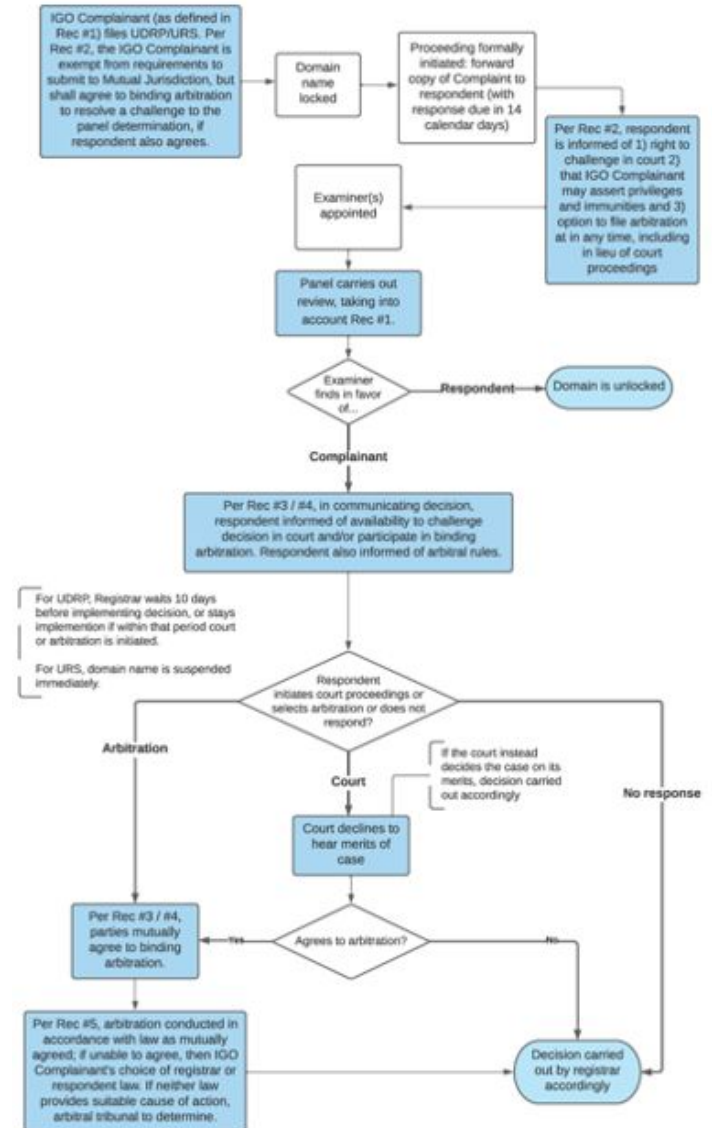
Recommendation #1: Definition of “IGO Complainant”

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://gns0.icann.org/en/group-activities/active/specific-crp-igo-epdp>

Final Report: <https://gns0.icann.org/en/issues/epdp-specific-crp-igo-final-report-02apr22-en.pdf>

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

Project Status

Project Tracking & Rollup DASHBOARD



Project Name EPDP: Specific Curative Rights Protections for Intergovernmental Organizations
Program IGO
Project Sponsor GNSO Council

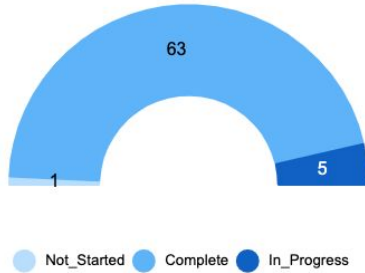
Project Information

90%
% Complete

09/24/20
Current Start

08/22/22
Planned Finish

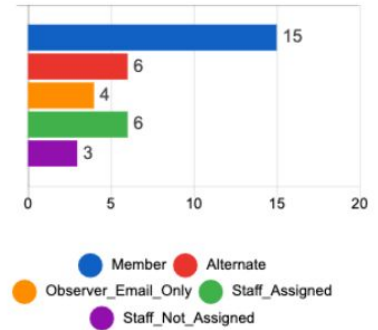
Tasks by Status



Project Contacts

- Chris Disspain**
Chair
- n/a**
Vice-Chair
- John McElwaine**
Liaison
- MW Mary Wong**
Staff Lead
- Berry Cobb**
Project Manager

Participant Summary



Project Status & Health

Project_Status	Project_Health
Revised Schedule	On-Target

Summary Gantt & Key Milestones

Health	Primary Task	Current Start	Current Finish	Baseline Finish	% Complete	Status	2020 2021 2022															
							Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4				
	EPDP: Specific Curative Rights Protections for Intergovernmental Organizations	09/24/20	08/22/22	08/22/22	90%	In Progress																
	PROJECT CONTROL	09/24/20	08/22/22	08/22/22	99%	In Progress																
	GROUP DELIBERATIONS	02/22/21	08/13/21	08/13/21	100%	Complete																
	Topic 1 Deliberations - Evaluate Standing to File a Complaint under the UDRP and URS	03/08/21	08/13/21	08/13/21	100%	Complete																
	Topic 2 Deliberations - Evaluate Jurisdictional Immunity in Context of Rec#5	03/08/21	08/13/21	08/13/21	100%	Complete																
	INITIAL REPORT	03/23/21	10/25/21	10/25/21	100%	Complete																
	Publish Initial Report	09/13/21	09/13/21	09/06/21	100%	Complete																
	FINAL REPORT	10/26/21	04/04/22	04/04/22	100%	Complete																
	Review of public comments	10/26/21	03/14/22	03/14/22	100%	Complete																
	Submission of Final Report to the GNSO Council	04/04/22	04/04/22	04/04/22	100%	Complete																