Policy Development Process: IGO-INGO to Curative Rights Protection Mechanisms

WHAT CAN I EXPECT AT ICANN71 IN RELATION 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. The work track held its first meeting in February 2021 and has been meeting weekly, though it does not plan to hold a session at ICANN71.

WHAT IS THIS ABOUT?

The GNSO Council tasked the working group to consider whether an appropriate policy solution can be developed that is generally consistent with Recommendations 1-4 and, while allowing for the possibility that an IGO may have jurisdictional immunity in some circumstances, will nevertheless not affect 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?

PDP

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, though it 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.

Request for an Issue Report — Publication of Preliminary Issue Report — Gather Public Comments — Publication of Final Issue Report — Initiate Policy Development Process — Form Working Group (WG) — Request for SG/C Statements & SO/AC Input — WG Initial Report

POLICY — Implementation — **Board Vote** — Gather Public Comments — Recommendation to ICANN Board — GNSO Council Deliberates — WG Final Report — Gather Public Comments

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 inconsistent with GAC advice.

IGO Work Track
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 have been meeting weekly.

WHAT ARE THE EXPECTED NEXT STEPS?
The ICANN Board is now considering Recommendations 1-4, taking into account Public Comments received. With regard to Recommendation 5, the IGO Work Track is continuing its substantive deliberations toward its aim of delivering its Initial Report in the latter part of 2021.

HOW CAN I GET INVOLVED?
Parties interested in the IGO Work Track should coordinate with the members assigned by the relevant Stakeholder Group (SG), Constituency, Supporting Organization (SO), or Advisory Committee (AC) to stay current and to communicate any input they believe may be useful to the IGO Work Track's deliberations. Interested parties are also able to follow its progress by signing up as an observer.

MORE INFORMATION

- **PDP webpage**

- **PDP workspace**

- **IGO Work Track workspace**

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