

# Motions 23 January 2020

## Nomination of a Mentor for the ICANN Fellowship Program

Submitted by: Carlton Samuels

Seconded by: Rafik Dammak

Whereas,

1. On 13 November 2019, the ICANN Fellowship Program invited ICANN's Supporting Organizations and Advisory Committees to nominate one individual each (total of 7) to serve on the capacity of Fellowship Program mentor for three consecutive ICANN meetings, beginning with ICANN68 (see <https://www.icann.org/news/announcement-2019-11-13-en>)
2. On 3 December 2019, the GNSO launched an Expression of Interest (EOI) process to solicit volunteers for the GNSO-nominated mentor position (see <https://gns0.icann.org/en/announcements/announcement-03dec19-en.htm>).
3. The GNSO Council tasked the GNSO Standing Selection Committee (SSC) with reviewing applications and recommending one individual for the GNSO to nominate.
4. The SSC reviewed the applications received, taking into account the criteria outlined in the EOI announcement.
5. The SSC submitted its full consensus recommendation to the GNSO Council on 13 January 2020, by way of submission of the relevant motion.
6. The GNSO Council considered the recommendations of the SSC.

Resolved,

1. The GNSO nominates Amr Elsadr to serve as a ICANN Fellowship Program mentor for three consecutive ICANN meetings, beginning with ICANN68.
2. The GNSO Council instructs the GNSO Secretariat to communicate resolved #1 to staff supporting the ICANN Fellowship Program.
3. The GNSO Council instructs the GNSO Secretariat to inform the nominated candidate that he or she has been selected.
4. The GNSO Council requests the GNSO Secretariat to send a response to those applicants who were not nominated, thanking them for their interest and encouraging them to apply for future opportunities as they arise.

*Dated this 13<sup>th</sup> day of January, 2020.*

## RPM Charter Addendum

Submitted by: Keith Drazek

Seconded by: John McElwaine

WHEREAS:

1. On 9 July 2018, the Policy Development Process (PDP) Working Group on International Governmental Organizations (IGO) and International Non-Governmental Organizations (INGO) Access to Curative Rights Protection Mechanisms submitted its [Final Report](#) to the GNSO Council. The Final Report contains five policy recommendations on which the Working Group reached consensus.
2. On 19 July 2018, the GNSO Council [acknowledged](#) receipt of the PDP Final Report, noted that, "[i]n view of the need to consider the topic of curative rights protections for IGOs in the broader context of appropriate overall scope of protection for all IGO identifiers (including IGO acronyms), the GNSO Council intends to review this Final Report ... with a view toward developing a possible path forward that will also facilitate the resolution of the outstanding inconsistencies between GAC advice and prior GNSO policy recommendations on the overall scope of IGO protections";
3. Between July 2018 and March 2019, the GNSO Council discussed the PDP Final Report at various meetings and considered the procedural options available to it under the GNSO's Operating Rules and ICANN Bylaws
4. On 18 April 2019, the GNSO Council resolved to approve, and recommend that the ICANN Board adopt, Recommendations 1, 2, 3 & 4 of the PDP Final Report.
5. The GNSO Council elected not to approve Recommendation 5 of the PDP Final Report and directed the Review of All Rights Protection Mechanisms in All gTLDs (RPM) PDP to consider, as part of its Phase 2 work, whether an appropriate policy solution can be developed that is generally consistent with Recommendations 1, 2, 3 & 4 of the PDP Final Report and:
  - a. accounts for the possibility that an IGO may enjoy jurisdictional immunity in certain circumstances;
  - b. does not affect the right and ability of registrants to file judicial proceedings in a court of competent jurisdiction;
  - c. preserves registrants' rights to judicial review of an initial UDRP or URS decision; and
  - d. 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.

6. The GNSO Council had engaged with the GAC on several occasions during its deliberations on the PDP Final Report, including at the joint GAC-GNSO meeting at ICANN65 in Kobe, Japan, where the GNSO Council had sought the GAC's feedback on the GAC's willingness to participate in a targeted effort focusing on the issue of curative rights for IGOs and possibly drawing on the community's recent experiences with the Expedited PDP on the Temporary Specification and Work Track 5 of the GNSO New gTLD Subsequent Procedures PDP

7. At ICANN65 in Marrakech, members of the GNSO Council met with certain members of the GAC and IGOs, where there appeared to be agreement from the GAC/IGOs to support the chartering of this separate work. On 20 August, the GAC sent a [letter](#) to the ICANN Board, affirming, "its willingness to participate in such chartering effort." Dialogue between the GNSO Council, GAC, and IGOs continued at ICANN66 in Montreal, followed by further discussions within the Council.

8. The GNSO Council, in consultation with the GAC and IGOs, has prepared the necessary amendments to the RPMs Charter, in the form of an Addendum to that Charter ("Addendum").

RESOLVED:

1. The GNSO Council adopts the amendments to the RPMs Charter to create an IGO Work Track, as reflected in the [Addendum](#).
2. The GNSO shall collaborate with each GNSO Stakeholder Group, Constituency, SO and AC to expeditiously issue a call for Members and Observers to join the IGO Work Track, each in accordance with its own rules. The GNSO Council specifically notes that Members and Observers, although appointed by community groups, must nevertheless meet the Membership Criteria as defined in the Addendum.
3. In accordance with the Addendum, the GNSO Council shall conduct an Expressions of Interest process as soon as is reasonably possible, in order to identify and confirm a single, qualified Work Track Chair, consistent with the criteria as defined in the Addendum.
4. The GNSO Council directs the Work Track Chair and Members to conduct its work in as efficient and effective a manner as possible; and as such, monthly written updates shall be submitted to the GNSO Council by the IGO Work Track Chair and/or Council liaison to the Work Track. These updates must include a report as to the progress of the Work Track according to the timeline and milestones identified in its Work Plan.
5. The GNSO Council further directs the Work Track Chair and Members to develop a Work Plan and timeline for its work as a matter of priority and as its first order of business. To facilitate this effort, the GNSO Council instructs ICANN staff to prepare a draft Work Plan and timeline for the Work Track, based on the model adopted for the Expedited Policy Development Process on gTLD Registration Data. The GNSO Council requests that the Work Track Chair submit a proposed Work Plan and timeline to the GNSO Council within four (4) weeks of the first meeting of the Work Track.
6. To facilitate communications between the GNSO and the GAC on this topic, the GNSO Council directs the GNSO liaison to the GAC to provide regular progress reports to the GAC.
7. The GNSO Council thanks the members of the GNSO Council, as well as those from the GAC and IGOs, for their contributions in developing the Addendum.