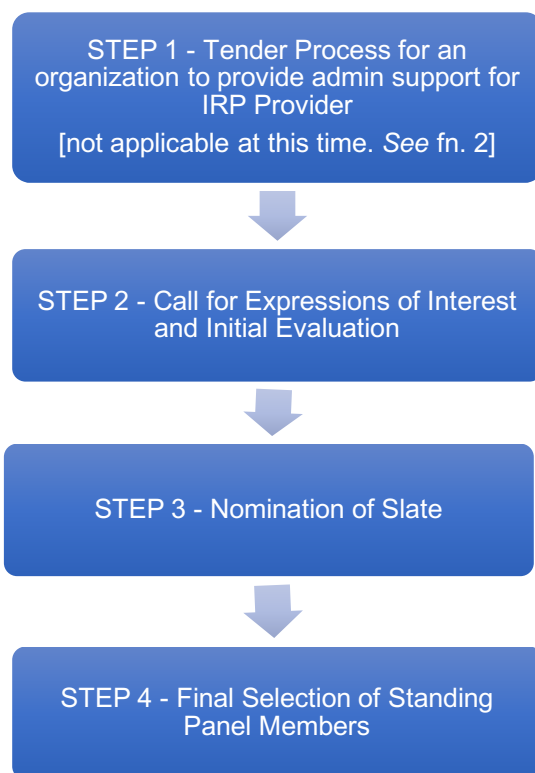


# ESTABLISHMENT OF THE INDEPENDENT REVIEW PROCESS (IRP) STANDING PANEL PROCESS PURSUANT TO ARTICLE 4, SECTION 4.3(J) OF THE ICANN BYLAWS

## PROCESS FLOW FOR ESTABLISHMENT OF IRP STANDING PANEL<sup>1</sup>



## PROPOSED ACTIONS AND TIMING ESTIMATES RE ESTABLISHMENT OF IRP STANDING PANEL PROCESS

- I. **Step 1 – Tender Process for an organization to provide admin support for IRP Provider** - Not applicable at this time<sup>2</sup>
- II. **Step 2 – Call for Expressions of Interest (EOI) and Initial Evaluations**
  - A. Development of Call for EOI - Expected time frame: nearly complete
    1. ICANN Org Role: Develop Call for EOI in line with Bylaws.

<sup>1</sup> This process flowchart does not include the recall process for the Standing Panel, which is being developed by the IRP Implementation Oversight Team (IRP IOT) as set out at 4.3(j)(iii).

<sup>2</sup> Because ICANN already has a third party provider to administer IRP proceedings, ICANN and the IRP IOT have agreed that this step is not necessary at this time.

2. SOs/ACs Role: The IRP IOT has been consulted and has provided feedback on the call for EOI.
  3. ICANN Board Role: Preview prior to posting.
- B. Identification and Solicitation of Applications - Expected Timeframe for EOI: Open for approximately 30 days.
1. ICANN Org Role:
    - a. Post Call for EOI;
    - b. Circulate Call for EOI among networks to encourage applications;
    - c. If low return, consult with Board and SOs/ACs on extension of call and further ideas to increase visibility;
    - d. Receive EOIs; and
    - e. Answer questions, if any, regarding EOI process.
  2. SOs/ACs Role:
    - a. Circulate Call for EOI among membership and connected organizations to encourage applications; and
    - b. If low return, provide input to ICANN org on extension of Call for EOI and further ideas to increase visibility.
  3. ICANN Board Role:
    - a. Circulate Call for EOI among networks to encourage applications; and
    - b. If low return, provide input to ICANN org on extension of Call for EOI and further ideas to increase visibility.
- C. **Initial Review and Vetting of Applications** - Expected Timeframe: up to 30 days as needed
1. ICANN Org Role:
    - a. Perform initial review of applications;
    - b. Coordinate/conduct interviews as agreed upon; and
    - c. Circulate EOI and evaluation materials<sup>3</sup> on well-qualified candidates to SOs/ACs and Board, taking conflicts of interest considerations into account.

---

<sup>3</sup> ICANN will also maintain records that can be shared with SOs/ACs and Board on applicants that do not achieve well-qualified status, respecting applicant confidentiality as appropriate.

2. SOs/ACs Role:
  - a. [As agreed upon during consultation discussions]
3. ICANN Board Role:
  - a. [As agreed upon during consultation discussions]

### **III. Step 3: Nomination of Slate**

- A. Nomination of Slate - Expected Timeframe: up to 30 days
  1. ICANN Org Role: Support SOs/ACs.
  2. SOs/ACs Role:
    - a. Taking conflicts of interest concerns into consideration, provide ICANN Board with a slate of proposed panel members with appropriate diversity of skills, expertise and other diversity factors important to the ICANN Community; and
    - b. Maintain transparent records of process, as appropriate.
  3. ICANN Board Role: Receive slate from SOs/ACs in accordance with the process.

### **IV. Step 4: Final Selection of Standing Panel Members**

- A. Final Selection of Standing Panel Members - Expected Timeframe: 30 days
  1. ICANN Org Role:
    - a. Scheduling of a Board Meeting at the next feasible opportunity upon receipt of slate recommendations;
    - b. Communication of Board action on proposed slate to SOs/ACs and IRP IOT; and
    - c. After Board action, coordination with IRP Provider to notify selected panelists<sup>4</sup> and begin contracting and training process.
  2. SOs/ACs Role: Remain available to ICANN Board if questions arise on nominated slate.
  3. ICANN Board Role: Action on proposed slate in accordance with the process, confirmation of which shall not be unreasonably withheld

---

<sup>4</sup> ICANN Org will always hold primary responsibility, collectively with the IRP Provider as appropriate, for communication with applicants about the status of their EOIs, scheduling and notifications.

**RELEVANT BYLAWS PROVISION REGARDING THE ESTABLISHMENT OF THE  
IRP STANDING PANEL ([ARTICLE 4, SECTION 4.3\(J\) OF THE ICANN BYLAWS](#))**

**(j) Standing Panel**

(i) There shall be an omnibus standing panel of at least seven members (the "**Standing Panel**") each of whom shall possess significant relevant legal expertise in one or more of the following areas: international law, corporate governance, judicial systems, alternative dispute resolution and/or arbitration. Each member of the Standing Panel shall also have knowledge, developed over time, regarding the DNS and ICANN's Mission, work, policies, practices, and procedures. Members of the Standing Panel shall receive at a minimum, training provided by ICANN on the workings and management of the Internet's unique identifiers and other appropriate training as recommended by the IRP Implementation Oversight Team (described in [Section 4.3\(n\)\(i\)](#)).

(ii) ICANN shall, in consultation with the Supporting Organizations and Advisory Committees, initiate a four-step process to establish the Standing Panel to ensure the availability of a number of IRP panelists that is sufficient to allow for the timely resolution of Disputes consistent with the Purposes of the IRP.

(A) ICANN, in consultation with the Supporting Organizations and Advisory Committees, shall initiate a tender process for an organization to provide administrative support for the IRP Provider (as defined in [Section 4.3\(m\)](#)), beginning by consulting the "**IRP Implementation Oversight Team**" (described in [Section 4.3\(n\)\(i\)](#)) on a draft tender document.

(B) ICANN shall issue a call for expressions of interest from potential panelists, and work with the Supporting Organizations and Advisory Committees and the Board to identify and solicit applications from well-qualified candidates, and to conduct an initial review and vetting of applications.

(C) The Supporting Organizations and Advisory Committees shall nominate a slate of proposed panel members from the well-qualified candidates identified per the process set forth in [Section 4.3\(j\)\(ii\)\(B\)](#).

(D) Final selection shall be subject to Board confirmation, which shall not be unreasonably withheld.

(iii) Appointments to the Standing Panel shall be made for a fixed term of five years with no removal except for specified cause in the nature of corruption,

misuse of position, fraud or criminal activity. The recall process shall be developed by the IRP Implementation Oversight Team.

(iv) Reasonable efforts shall be taken to achieve cultural, linguistic, gender, and legal tradition diversity, and diversity by Geographic Region (as defined in Section 7.5).